

FEVERISH  
SELF-INDUCED FEVER AND THE CREATIVE MIND

BY  
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## ABSTRACT

This thesis is a hybrid work that combines the critical and creative components of the Creative Writing PhD in a novel, *Feverish*. It includes notes, an afterword, and a full bibliography.

*Feverish* is a novel narrated by Gigi, a writer who wishes to induce a fever in herself. The thesis aims to present more than a fictional account of a quest for fever. It aims, rather, to travel with the mind of the protagonist. Gigi is not exclusively engaged in quest-related transactions in her present. Her interest in fever moves her to consider events from her past and her upbringing in Apartheid South Africa. It reminds her of a teenaged fascination with brain fever in *Wuthering Heights*. It prompts her to research fever-related aspects of psychiatric history and Jewish history. It drives her to research the law on consent to self-harm. As Gigi's interest in fever leads her to these and other topics, so the thesis follows her, so the form adapts.

In both its form and its content, *Feverish* presents a view into a mind. It provides glimpses of the events that shaped the mind. It describes where the mind goes when in the single-minded grip of a quasi-fever. The novel contains strands of theory, memoir, creative non-fiction, ficto-criticism. These different forms are layered upon each other. At times they make way for each other. At times they assert themselves over each other.

In the notes at the end of the novel, the theoretical strand is at its most assertive. The notes present Gigi's mind at its most critical, when it is directed at supporting the theoretical aspects of her quest. They support Gigi's accounts of her research by providing additional information and citations.

The narrative arc is provided by a chronological account of the days Gigi devotes to her fever quest. What follows here is a skeleton account of the novel.

*Feverish* opens with a conversation between Gigi and a friend. This conversation spurs Gigi to explore brave artistic acts, and to the decision to induce a fever in herself. She remembers childhood holidays. Books, and in particular the nineteenth-century children's literature that featured fever, are the focal point of these memories. Gigi recalls one particular holiday, taken at a time when a friend of hers, Simon, was just starting to show signs of mental illness.

Gigi starts planning her fever. She writes a 'fever manifesto'. But she worries her siblings will think her insane. She remembers Alberto, a schizophrenic patient of her father's for whom recovery had, according to his parents, been foretold.

Gigi's husband, son and daughter are introduced. The family has a dinnertime discussion on bravery, anti-Semitism and terrorist attacks. Gigi starts researching fever. She imagines a conversation between her deceased father and Simon about Julius Wagner-Jauregg, a Nobel Prize-winning psychiatrist who induced malaria in patients suffering from neurosyphilis. Gigi's father and Simon discuss an historic 'showdown' between Wagner-Jauregg and Freud. Gigi remembers Steve Biko's death and her father's aggressive response to a guest who supported Biko's doctors.

Gigi is distracted from her research into fever by her son, who is vacuuming his room. She tells him a friend of hers is thinking of inducing a fever in herself. He explains the difference between fever and hyperthermia. Gigi realises that, to induce true fever, she will have to become ill. This prompts memories of the meningitis her brother suffered from as a child. Gigi uses Fildes's famous painting, *The Doctor* as the starting point in an argument for a universal desire to be watched over in illness.

Gigi imagines a conversation she feels she ought to have had with her father, about (mental) illness in *Wuthering Heights*. They test the characters against each one's ability to empathise with Catherine's 'brain fever'. Their discussion of Nelly's status as servant prompts in Gigi the memory of a shameful childhood act.

A visit from a friend from law school prompts Gigi to research the law that could impact on her quest. She reviews case law relating to consent to self-harm, personal autonomy, and the boundaries of criminal law. Her research is interrupted by domestic concerns: her cat kills an endangered bird; her son writes a fever-related essay for school; she accompanies a friend in looking for her errant daughter.

At the end of the novel Gigi and her family confront a crisis. It becomes clear that Gigi is not the only family member unsettled by fever.

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# FEVERISH

by

Giovanna (Gigi) Fenster

## Chapter One

I have a friend who thinks a lot about velcro.

Not in a sexual way.

I feel I must state this, though I cannot imagine how velcro could possibly be used in a sexual way—it's so clingy. But then, I cannot imagine how many things could possibly be used in a sexual way. My tastes, it seems, are vanilla.

And that, said my friend, was part of the problem.

We were sitting in a café. She was telling me about velcro. I was struggling to get on her wavelength.

My vanilla tastes were holding me back. My vanilla tastes were preventing me from seeing the joyful potential of velcro.

Just imagine, said my friend. For once, open your mind and imagine.

I said, okay, okay.

Right, said my friend. I want you to imagine a long thin room. Completely papered in velcro. Walls, ceilings. Not the floors. Not the floors, she said again, not the floors.

That's when I knew she'd really thought the velcro through. She'd imagined what would happen if the floors were velcroed. She'd seen the problems this could present. I found this comforting. I told her so and she said, You bet I've thought it through.

So, she continued, on one end of this long, thin velcro room there's a giant catapult type thing—big enough to catapult an adult.

Not so comforting.

There's also a trampoline, a ramp, balls of various shapes and sizes. Think of the possibilities, she said. Think of the possibilities.

And I did. I did start to see the possibilities.

My friend was talking about hanging off the ceiling, swinging from a velcroed swing by her head, leaping off the trampoline. She was rolling down walls on velcroed balls. Catapulting herself from one end of the room onto the velcroed wall on the other end. She was Spiderman. Catwoman.

I listened for a while and it sounded like fun for her. But then I said, What if you got stuck?



Huh?

What if you got stuck? What if you were right up near the top of the wall—you've catapulted yourself there, you hit the wall kind of hard and your body is aching. You've got bruises and you're stuck to the wall and you can't get down. What if that happened, I asked.

Why would I get stuck? she wanted to know. This is a fantasy, remember.

I could hear she was irritated that I'd raised this possibility. She looked a bit sad. So I said, Forget it, forget it, you wouldn't get stuck. And if you did, you could always call Zoe.

Zoe is my friend's teenage daughter. They'd been fighting. Earlier my friend told me how her daughter was never home and, if she were, it was just to fight with her mother. Zoe was seeking some bloke—some 18-year-old with a concave chest. Some kid who didn't even finish school, my friend had said.

Mike, I said quickly, to distract us from Zoe. You could call Mike.

Mike? She gave a bit of a squawk. Mike would be outside in his studio. He wouldn't hear me. I'd be stuck up there and no one would help me.

We worried, my friend and I. For a moment we sat quietly and worried.

Maybe you could free a hand, I said at last. Velcro-hair by velcro-hair. You could free a hand.

But then what? she asked. What do I do then? If I use my hand to pull the rest of myself free I'll fall. I'll fall and it's quite a drop. No, she said, all freeing a hand would accomplish is give me something to wave with. She smiled and said, I could wave my hand. Like the queen or Michael Jackson. I could wave my little hand and call and call.

Your voice would get fainter and fainter, I said.

My hand waving would get tireder and tireder.

You might sing a little song to keep your spirits up.

I might try to reach a butterscotch lolly in my pocket.

That kept us busy for a while, and for a while it was as much fun as imagining the joys of the velcroed room. But then she said, With you it always ends that way, doesn't it?

And I said, What? How? What with me?

It always ends with someone stuck to the wall.

I said, What? Huh? I put on a confused expression. But I knew what she meant, and she was right. It's because I have a limited imagination, I told her.

A writer with a limited imagination, said my friend. And I thought I had problems.

We thought about this for a while. Until she said, But it's not limitations on your imagination that's the problem. The problem is your imagination works overtime, dreaming up worries. Thinking up fears.

My friend was right. I told her she was right and I told her how, when I was at university in the feminist club, there was this mania for masturbation. All the girls were doing it and talking about how if you were ever going to be sexually satisfied and a decent feminist you had to do it, and the whole thing made me really uncomfortable. Not the touching yourself, I told my velcro friend, or the talking about it. But the thinking up the fantasy to go around it.

My friend was laughing. She said, I can just picture it. You're lying there, surrounded by candles. Chris Isaak's playing. You're telling yourself some story about how you're on a . . . a . . . houseboat. You're on a houseboat on a Venetian canal and the man of your dreams is there and the water is lapping and your legs are splayed and you . . . you're—

Thinking about how stinky those canals are. Worrying how I'm going to get home, I said. And what was I doing there in the first place? Alone with some guy I hardly know in a country where I don't speak the language.

My friend laughed. I wanted to laugh too, but I said, scared, It's because I'm scared.

I blurted the word out. I could hear how heavy it sounded. I tried to soften it by saying, Scaredy cat. I'm a scaredy cat.

It still sounded heavy.

Maybe you are a scaredy cat, said my friend. So tell me, what are you scared of? First thing that comes to mind.

First thing that comes to mind—ending up in jail, obviously. Like I said—vanilla.

My friend put on a wide-eyed, incredulous face. She said, You? In jail? Why would you end up in jail? If you're so scared, you'd never do anything criminal.

That may be, I said, but couldn't I end up in jail anyway? For a crime I didn't commit. Or without trial at all. I could end up in jail for being kind of odd.

Something Kafkaesque, said my friend, and I nodded, Yes, yes, something Kafkaesque.

But you'd be okay in jail, she said. You don't have to worry about going to jail 'cos you'd be ok there.

My friend's Gigi-Goes-to-Jail story went like this: You're in jail for a crime you didn't commit. Your cellmate looks like a terrifying bull but on the first night you wake up and hear her crying. Turns out she's worried about her children. What do you do? You write a letter for her. You write a letter to her children and another one to the authorities. You write to the Minister and all the agencies. You're writing away and next thing her children are sent to live with her mother, which is what she wanted all along. Now she's your friend for life. Your protector and fixer. She works in the kitchen and makes sure you have the choicest food. She keeps an eye out for you, makes sure no one bothers you. Of course, word gets around about the letters and next thing you know, they're queuing for your services. Next thing you know you're appearing in court on behalf of one of the prisoners. It gets in the newspapers. You win the case. Next thing you know you're bringing a class action on behalf of all prisoners. You win them extra rights. You're a hero. Now you have your own cell and you can order in as many books as you like. You're writing papers from prison. You publish your prison diaries. You help a guard write a love letter to his girlfriend and now you have coffee in prison. Proper coffee. The guard brings you a cappuccino every day. You get to sit in the prison gardens whenever you like. You're sitting in the prison garden, sipping on a cappuccino. You're catching up on all your reading.

You're catching up on all your reading, said my friend, and I'm stuck to the wall. I'm still stuck to the wall.

I wasn't sure that I liked my friend's version of Gigi-Goes-to-Jail. Of course I would be only too pleased to be sitting in the garden drinking cappuccinos though it's not exactly rock 'n' roll.

But you had the adventure on the way up, I said. You had fun. I didn't even get to commit a crime before I went to prison. It's because I'm boring. Unimaginative. Even my fears are vanilla. Everyone worries about going to jail.

She said, Everyone?

Well, everyone who studies law, I replied.

I told her how, once, at law school my friends and I discussed our reasons for studying law. It was one of those why-am-I doing-this discussions. One of those discussions that feels weighty and momentous even as you are having it. The sort of discussion you have when you're in your 20s and at university. When you move through the world like you're a character in a play and every conversation is scripted for dramatic tension.

It was the end of the '80s in South Africa. A state of emergency was clawing at the country. David Bruce had just been sentenced to six years in jail for refusing to do his military service. There was going to be a concert that night, in support of Bruce and others. We were sitting in the canteen talking about going. Someone said the organisers had struggled to find a venue willing to host the concert. Someone said there'd be a lot of police there.

I was thinking I'd wear my End Conscription Campaign T-shirt, the new one with the groovy graphic. I'd tie a jersey round my waist so I could put it on and cover the graphic if the cops arrived. Someone said, Don't take dope with you unless you want to get busted, and looked at Anthony. She said, Do your skyfing at home before you come, Anthony.

He looked around at all of us and said, Soon we'll graduate and my call up will be waiting. He said, I don't know what I'll do. He hunched his neck into his shoulders. I don't know what I'll do.

There were two other boys at our table. All three were facing conscription. One, we knew, would be leaving the country. He had a foreign passport. He looked at his friends and we could see he felt bad about it.

We looked at each other. Just looked at each other.

Then someone said, Anything can happen between now and graduation. Someone else said, What about a Masters? Couldn't you do a Masters? Or go travelling for a year or two. Or hang out in Mozambique for a while. Eat prawns.

Or you could just make the best of it, said a voice from a table nearby. We all turned. It was a boy in our class. He was sitting with a group of boys I recognised from commercial law. He said to Anthony, Me, I'm looking forward to going into the army. Two years in a cushy job learning about military law and acting in

courts martial. You won't be some moron straight out of school. You'll have a law degree. You can make the army work for you. He said, The army will make a man of you. He actually said that.

We all looked at him.

Or, he went on, or you could have yourself declared insane. Then he turned back to his friends who were getting up to leave, as if disgusted by the conversation at our table.

Anthony lowered his voice when he spoke to us. He said, You know, I've been thinking about it. He looked at me. D'you think your father could help?

I shrugged. Maybe. Best you ask yourself. Make an appointment. I'll tell him you're a friend. He won't charge you. But after that I don't want to know about it.

My father was a psychiatrist.

The commercial law boys from the other table were nearly at the door when one of them turned, walked back towards our table. I put on a dismissive face but I was wary. And kind of relieved when he veered off, right close to us. He glanced at the table where they'd sat, as if looking for something, then walked back to the door where his friends were standing. He dropped something on the way out—a piece of paper.

My friend went to pick it up. She brought it to our table. It was a photo of a woman with gigantic breasts, wearing only a headdress. A Native American headdress on a naked woman with gigantic breasts was sitting on our table. I didn't understand what it meant. If it meant something, I didn't understand what.

Oh, for fuck's sake, said one of my friends.

What is this? asked another. Some kind of challenge? Some kind of moronic challenge? She tore the picture up. I took one of the little pieces and wrote my father's work number on it and handed it to Anthony and said, None of my business.

The friend who'd torn up the paper was fuming. She said, He dropped that on purpose. I know he dropped it on purpose. I knew I should have studied classics. If I'd studied classics I'd never have come into contact with fuckers like that. Classics students don't keep pornographic photos. Stupid, boring, not even exciting pornographic photos. Classics students don't look forward to going into the army because of the powerful position they'll be in. Why are we doing this?

she asked us all. Why are we even here, in this fucking country, in this canteen, studying law of all things. Studying law with people who keep stupid photos of gigantic tits in their bags? Why? she wanted to know. Why?

The reason was obvious. For my friends, the reason was obvious: because we were afraid. Of being conscripted; of a repressive government that was out of control; of an abusive ex-boyfriend; of ending up poor; of not being able to find a job; of being a single parent who couldn't support her kids; of ending up in jail; of ending up in jail. My friends and I were all afraid of ending up in jail.

All terrified of going to jail, I told my velcro friend. Surrounded by torn-up pieces of a naked lady with gigantic tits and terrified of going to jail.

Not such an unreasonable fear, said my friend, for South Africa in the '80s. She was right, but law school wasn't going to protect us from that. On one occasion I had even pulled out my Criminal Procedure Act. When there was a policeman in my home, looking for my flatmate. I pulled out my Criminal Procedure Act and he said, State of emergency and I put my Act down on the coffee table. Studying law wasn't going to protect us from the state of emergency but it did provide some sandbags against our fears. It gave a new narrative to my fear of ending up in jail—one that had me drinking cappuccinos in a garden. But it didn't answer the real question—the question of why we were all so afraid. Why, when the other students were looking at photos of naked women with gigantic breasts and a headdress, we were thinking about all the things there were to be afraid of.

It also didn't answer the question of why we were all so damned cool. Us cowards. Definitely the coolest people in law school. We told each other that. The least conservative and the most alternative. Definitely the most alternative. We told each other.

And the most afraid.

Because being cool and being afraid are not mutually exclusive. We'd developed a whole law student argument around this. Cool people are more afraid because they know what to be afraid of; they've seen enough of the world to know that it's a frightening place. We were cool enough to know all the scary things out there. We weren't really cowards. In fact, we were braver, we told each other. Braver and cooler.

But we were still law students. Still managing, in a country that jailed thousands under its state of emergency laws, to stay on the streets.

You could be with the struggle and stay out of jail, we told each other. There were different ways of showing opposition. Our hearts, we told each other, were in the right place.

I told my velcro friend the law school story, but I struggled to remember all the reasons why our hearts were in the right place, and how this redeemed us. I was trying to explain it but I was thinking about the feathered headdress and the gigantic breasts, and I couldn't remember how it was that just by thinking we were on the right side, we placed ourselves on the right side. Without actually doing anything.

I couldn't remember how we were redeemed and I said, It's not good enough really.

My friend said, What? What's not good enough?

Not good enough just having your heart in the right place, just thinking brave thoughts. You have to act on them, I said. One has to act on them.

She wanted to know what happened to Anthony and the other two who were facing conscription. I told her they were lucky. The one who had a foreign passport moved overseas and became an entertainment lawyer. The one who had money travelled and travelled, met a girl overseas and married her. He came back with his family in 1993 but left again after their home was broken into and the family locked in a bedroom for three hours by gun-wielding thieves. And Anthony, she wanted to know. What happened to Anthony?

He just never left university. He kept on studying until it was over and then he became an academic. Later, under the new government, he went into local government.

She said, Local government. And I said, Yup. City Council.

I wondered if I should have made up a different ending for Antony. My velcro friend seemed a bit disappointed by this outcome.

## Chapter Two

I thought a lot about that velcro conversation. It felt kind of important—kind of like those law school conversations that left my 20-year-old self thinking, It was important that we had this conversation.

A few weeks previously I'd given up my job teaching law and, emboldened by some small success with my first small book, declared that I would make a go of it as a writer. I'd left a job I rather liked. I'd told people I was thinking of a memoir—something about growing up in South Africa. I'd made myself a little office in a corner of the house. I'd stuck up a picture of Anne Frank's notebook.

Since then I'd written some bits and pieces, but nothing that had sustained.

I'd started revisiting my excuses for not writing in the past—the job one, most of all. I was reminded of a fat girl I used to know. She lost a whole lot of weight and got lots of compliments, but one night she confessed, while drunk, that she missed being fat. She missed the excuses it gave her, the justification for people's shittiness. She missed being able to say to herself, It's because I'm fat.

I didn't want to make a drunken confession that I was missing my work. I didn't want to put on weight.

I was feeling kind of flat. Until that velcro conversation.

That velcro conversation left me feeling flushed and excited, kind of feverish and driven to action. I went straight home and opened my computer and started looking things up.

My velcro friend had studied performance art. Those artists seemed like brave people so I started looking up some of the ones she was interested in. I got a bit obsessed with performance art. I stared at images of Chris Burden nailed to a car. I watched, over and over again, the short clip where his friend shoots him. I gasped. Every time I heard the gun firing I gasped.

I gasped too when I looked at Stelarc's ear surgically inserted in his arm. And when I saw Yang Zhichao's back blistering where his personal identification number had been branded onto his skin. And when I saw ORLAN under the knife and Reza 'asung' Afisina smacking himself across the face over and over and over again.



Over and over and over again I searched for performance artists and extreme modification. Over and over I gasped in recognition of their pain and, though I was sickened by some of the acts, I was in awe at the ability to perform them. I kept searching and gasping, and I smiled when I read Paul Shimmell's introduction to a 1988 retrospective of Chris Burden's work. Recalling his first meeting with Burden some 20 years earlier, Shimell said, *We hoped he would turn up and do something dreadful to himself.*

Until I stopped gasping and sat silent and folded into myself in front of my computer, my elbows heavy on the desk as I stared at Pyotr Pavlensky, his mouth sewn shut, Pyotr Pavlensky naked on a wall outside Moscow's Serbsky State Scientific Center for Social and Forensic Psychiatry, the blood running down his body from the earlobe he'd has just cut off.

I hired *The Artist is Present* and watched it on a Sunday afternoon when there was no one in the house so I could sit in bed with my computer. I saw that you can be brave in an art gallery, just sitting still in a chair.

I watched those things and I thought of courage and transgression and of the value we place on art. I thought of self-protection and a willingness to expose oneself, to be made vulnerable.

I googled performance artists and vulnerability and I found Stelarc's *Ping Body*. Performed in 1996, *Ping Body* has Stelarc wired to the internet, his muscles controlled by distant pings set off by unknown internet users. I stared at images of his third, mechanical arm, of the suckers and cables and hardware integrated into his body, and I saw humanity helpless and exposed.

I stared at his marionette dance, his naked body wired to unknown controllers. His limbs out of control, jerking and twitching—and it was eloquent.

The source of that eloquence seemed clear to me. It lay, I was sure, in the abandonment of control. Stelarc's dance was farcical but for the knowledge it was performed under direction, as an automaton. His bald head, his paunch, his breasts starting to sag—all rendered noble by being handed to invisible forces.

The vulnerable, out of control body was eloquent.

A mind out of control could be all the more eloquent.

I decided to induce a fever in myself.

Fever felt rebellious. It felt creative. Cutting edge. Also classic and kind of old fashioned.

I started thinking about all the writers who'd had fevers. The Brontë sisters, obviously. The Romantic poets in their garrets.

Fever felt like a particularly writerly thing. The visual artists might manipulate their bodies for all to see but we writers, we could be more subtle. We could manipulate our minds.

I remembered hearing about Elizabeth Knox, whose book about an angel was apparently thought up in a fever. I thought about what a hit her book had been. How the reviewers had raved and the interviewers had been fascinated by the fever angle. I thought about how she'd sold the movie rights.

I imagined Romantic poets with their languid consumption. Their shining eyes and open minds. Their eloquent words. I knew there was nothing romantic about tuberculosis. I'm not stupid. I knew the languid consumption was a myth. I knew there was nothing attractive in the pallor, nothing aesthetic in the wasting away. I knew all that in my head but in my heart, I admit, there was an image of myself with hair spreading dark and wild on a pillow. My face pale, delicate and fragile.

I told myself my work could challenge the Romantic myth. It could question and interrogate, in a playful way. I could play with the idea of the consumptive poet. In a full-on kind of way.

I knew those poets all died of their fevers, I knew that. But I didn't think much of it at the time. I was all fired up and thinking that was then. That was before antipyretics and antibiotics. Also, it wasn't the fevers that killed them. It was the illnesses, the infections, which I wouldn't necessarily be getting. Those were the days when tuberculosis and sepsis still killed people. The days before doctors could turn fevers off and on. At will. Pretty much.

Which is not to say that my fever would be all fun and games and lying around with a damp cloth to the head. It wouldn't be brave if it was all fun and games and lying around with a damp cloth to the head.

I printed out Stelarc's words: *There is a point in time when thinking ceases and action must begin.* I stuck them up next to the postcard of Anne Frank's notebook.

I phoned my velcro friend and she said, Oh my god, you have to go for it. She said, If there were a checklist for exciting art (which there isn't, obviously) then your idea would tick all the boxes.

I wanted to know which boxes it ticked. I wanted the two of us to spell them out. She wouldn't. She said, It's absurd. She wished she'd never mentioned the checklist. The very notion of a checklist goes against good art.

I said, Humour me, humour me.

She wouldn't humour me. So I had to think it through myself after I'd put the phone down.

It ticked the bravery box. If messing with your body and mind isn't brave, I don't know what is.

It ticked the subversive box, loud and clear. My fever would look a healthy lifestyle in the face and say, Bah! My velcro friend and I hadn't expressly discussed subversion but that was what we were looking for. Her with her velcro child's playground and me with my fever—both looking for a bit of subversion.

A bit of subversion felt appropriate at my stage in life.

I'm not one of those women who groans about being middle-aged and makes slightly off jokes about her age. I embrace middle-age. I toss the words middle-aged about. They don't scare me. When I reached my menopause I quoted with approval my mother saying what a relief it was to no longer have all the fuss of a period. Being young feels like a fuss. I like living in suburbia with my husband and my two children. I like being middle aged and I like being middle class. But still, subversion felt like a box worth ticking. If only as a nod to some earlier or imagined version of myself. If only for a short while.

As for imagination—my friend had been kind when she'd said my imagination was working overtime but, truth be told, I was feeling as if my imagination could do with some galvanizing. My memoir wasn't going anywhere. Who wants to read about a white South African growing up in an ordinary family in an ordinary suburb? Or later, the white South African enjoying a middle-class life in New Zealand—not exactly walking razor stuff. Problem was, I didn't have anything else. I needed ideas. I needed crazy dreams to draw on. I needed to heat up my brain a bit.

I could write about inducing the fever in myself and I could write about the hallucinations that followed. Fever really did tick all those boxes.

I started imagining interviewers asking me about my fever. I thought about what I'd tell them.

I'd start with a bit of personal history. First, my grandfather, who was deaf. The family story goes that his deafness was caused by the unhygienic conditions of the East European shtetl he was born into. Poverty, overcrowding, filthy conditions, lives endured in the dark ages before science. This grandfather went on to study medicine, first in Edinburgh, then in Vienna. In Edinburgh he contracted tuberculosis because he was poor and malnourished, a student without independent means. Taking whatever jobs he could to earn money. Living in unheated accommodation. Coughing blood.

I'd tell the interviewer how these stories of illness were instructive. They told us how far we had come. The illness of the shtetls was a powerless and helpless thing, but in the tuberculosis of the struggling student there was nobility. The illness of the struggling student was a bridge that took our family out of the sewage-stained, superstition-riddled shtetls and into the clean air of an educated existence.

This instructive nature of illness was reinforced in the books we read as children. Illness was, as I'd learnt from *What Katy Did*, a *school of pain*. One that could take a sloppy, selfish, careless child and transform her into a person of grace.

I wanted that same transformation, I'd tell the interviewer. As a child I'd wanted to go through the school of pain and emerge, like Katy, full of *patience, cheerfulness, hopefulness, neatness and making the best of things*.

The interviewer will smile at this and recognise his own childhood desire to be transformed into someone good.

Like *Little Women's* Beth I would *bear my pain uncomplainingly*. Like Pollyanna I would have people hover, worried, around my bedside. Like Tiny Tim I would be wise beyond my years. And like Colin in the *Secret Garden* and Clara in *Heidi*, I would reduce my family to tears by my ability to . . . walk.

And then came adolescence, I'd tell the interviewer. I'd pause. The interviewer would laugh, knowing something good was coming.

With adolescence came more interest in illness, because as a teenager I read the Brontë sisters and Charles Dickens. And there again was that school of pain, illness, this time in the form of brain fever—the illness of passionate women, of lovers and wastrels. This illness transformed the patient, but not into someone good, or patient or uncomplaining. This was vehement, wild. It removed the patient from the dreary day to day and took her to a higher, more dramatic place. It made her creative and spiritual. It gave her high cheekbones and a consumptive glow. A tragic languidness, a haunting appeal. One suffered from it in Rome, on the Spanish Steps. In Prague, with Kafka. On wild moors.

I considered it a great shame that I was not alive to meet Byron. We could have languished together. I too would have looked interesting while dying.

With these writers and poets came the idea that one of the great benefits of illness is that it brings fever with it. And one of the great benefits of fever is that it promotes creativity. It breaks down the barriers to the imagination.

The interviewer would look at his notes. He'd quote Thomas Mann, *Genius is a form of the life force that is deeply versed in illness, that both draws creatively from it and creates through it.*

I'd recognise the quote. I'd say Faustus. Faustus, yes. Fever brings catharsis and insight. And great ideas for writing.

Fever is an hallucinogen that's perfectly legal. An hallucinogen that makes people bring you soup and tuck you in. Wipe your brow, study your peaked, pitiful face, and worry, worry about you. An hallucinogen that won't piss off your siblings.

## Chapter Three

Swaziland is de Bono's lateral thinking.

Slice it this way, slice it that, says my grandmother.

She's interrupted by my sister shouting, Two bathrooms. This cottage has two bathrooms.

My sister is a teenager.

Two loos, says my grandmother, Lautrec.

Outside. All of you, says my mother. Don't disturb Daddy. He needs his rest.

Outside. All of you, says my sister. Don't disturb Mommy. She's reading Proust.

Swaziland is giant pineapples with white flesh. My sister cuts the eyes out and slices them to look like yo-yos. They're a picnic with water and chocolate. We're children in a book—not the Famous Five, whom my sister scorns but, still—setting out on adventure.

My mother says we must look back every now and then so we recognise our way home. She stands at the door to our cottage, her finger holding her place in a book. We wave and wave and sometimes look back. She calls out, Be home before the mist comes down.

We're Six Children Go on Holiday. Five siblings plus a friend. Some holidays the friend is a boy. Sometimes a girl. Once my sister's imaginary friend, Tanya. Tanya doesn't like leaving her mother but for Swaziland, for Swaziland she'll do it. We nod and say we're so pleased and what does Tanya like to eat? Chocolate, says my sister and we say, Mum, you heard her.

From the windows of other, smaller cottages children are watching. They are ones and twos and must stay close to home. They read Enid Blyton. We wave sticks and do yo-yo tricks. Those ones and twos could get lost but not us. We've been here before and we know where we're going. We have named our places. We go through Witchery Wood and past the Forbidden Glen. At the Garden of Eden we stop to eat the chocolate.

Swaziland is my father sleeping for hours, days, years. He's a mountain on the bed, rising and falling for years, hours, days.

In Swaziland my brothers bring in firewood and light the gas lamps. My grandmother sees them and says, It won't be long before Jacob is running the

shop. My sister arranges and rearranges the damp socks in front of the fireplace. I put the comfortable chair under the brightest lamp. After dinner my mother will sit in that chair and read to us.

Swaziland is *Great Expectations*. We laugh at the funny parts and cry when it's sad, and though the gas light is dim and my mother's crying, literally weeping at the sad things she's reading about, we won't let her stop. We call, More, more. The sixth child nags longer than the rest of us. Quiet but persistent. My father says to her, Come and sit here, next to me. He wants her to feel special. He says to my mother, Just a bit more. For this lovely girl, and my mother starts another chapter. The sixth child's parents are getting divorced. When she goes home her father will be gone. We feel sorry for her. Superior too.

In Swaziland we say, More, more, more, and our mother keeps on reading. But she stops, she's weeping too much to keep going when she reads of Pip's fever. My sister takes the book and reads to us about his hallucinations and how Joe was sitting beside him, and it's only after Pip has *turned the worst point of [his] illness, and asked for a cooling drink* that my mother can take up the reading again.

The mist comes down and it rains for days. My sisters are busy with a project. They're drawing a picture of Pollyanna. She's wearing a gingham dress. My sisters colour her dress and say, Oh, I'm so glad about this, and, I'm so glad about that.

I suppose you're glad you got run over by a car and were paralysed for ages, I say. I supposed you're glad your parents were killed by fever?

Pollyanna's parents didn't die of fever, says my older sister. The book doesn't say what they died of. It was in *The Secret Garden* that the parents died of fever.

I feel bad because I was grumpy with my sisters and they stopped being glad for a moment. It's not them I'm cross with. I'm cross with Georgette Heyer, and with my mother's friend who gave me a Georgette Heyer book and said, I'll be interested to hear what you think about it.

I'm bored by it and worrying about what I'll tell my mother's friend. I think I'll tell her I learnt to spell some new words from it—manoeuvre and opaque. I put the book down and lie on my back looking up at the beams of the ceiling. I don't

care for heroines who manoeuvre charabancs. There's another book I want to read. I'm old enough.

Swaziland is *Looking on Darkness* purchased from the tiny bookstore, banned in South Africa. My parents won't let me read it. They think I'm too young. I nag and I nag. They say, You haven't finished the Georgette Heyer. I hate heroines on horses. I want to read a banned book covered in brown paper soon to be smuggled across the border. I want to read it and finish it and then I want to hide it. So that when it's time to leave, the book can't be found and we have to leave without it and I'm not sitting in the back of the car, wedged between wriggling siblings, holding my stomach when the policemen look in our boot at the border.

My mother says, Look outside. It's all white. The mountain is completely hidden in mist. I say, Opaque.

In Swaziland there are cows walking along the road outside the bookshop. There's the smell of mealies roasting. When our car gets stuck we're surrounded by pushing, directing, wet men. My father hands out money and the car bursts out of its hole.

My brother talks about how many days are left of the holiday. I say, Shush. Mommy's reading Proust.

He says, She finished the last book this morning.

On the way home my father is pulled over by a policeman who's wearing long white gloves. He gets out of the car and when he comes back there's no money for petrol to get home. We take a short cut over the hills. The mist comes down and the road is more twisted than anyone imagined.

My mother says, Don't worry, just as we burst over a hill and see the road curve down gently beneath us. There's a petrol station. The sixth child lends my parents money.

Swaziland is *Little Women*, *The Secret Garden*, *A Little Princess*. I'm Heidi and it's not mist we're surrounded by. It's snow. We're in a chalet in the Alps and tomorrow Klara is coming in her wheelchair.

Swaziland is *What Katy Did* and *Little Lord Fauntleroy*. It's Dickens and *The Railway Children*. Later, it's *The Heart Is a Lonely Hunter*. I've just read how Antonapoulos gets ill and the changes this illness brings in him. The book is waiting for me in my bedroom and it's too sad to face, so I say, More, more when



my mother indicates she's going to stop reading, it's time for us to read to ourselves for a while, in bed.

I say, More, louder, and with more force than even the sixth child whose parents never read to her and for whom this is a strange and tender thing.

Then there's the part of Swaziland that I kept out of the stories I told my children, that I wouldn't even tell the interviewer in my head. It's all mine.

Swaziland is *Wuthering Heights*. We're in a small cottage because it's only two children this time. The others are away at studies. One is visiting my grandmother. It's the last visit any of us will make to her. The visit where the stove is left on like a plot device, and it's time to pack up my grandmother's house and move her in with us.

Swaziland is *Wuthering Heights* and I can't sleep until it's finished. *Wuthering Heights* is Swaziland where my father wakes up in the middle of the night and goes down the passage to the kitchen, past my door where the light is on.

*Wuthering Heights* is my father passing my door but later, on his way back, knocking. He's carrying a plate with a gigantic sandwich, pickles, sliced tomatoes. What are you doing? he wants to know. Are you hungry? he wants to know. Want a sandwich? A hot chocolate? A cup of tea? My father has woken up. He's looking for company. What are you doing? He wants to know.

I sit up and show him the face of the book.

He puts the plate down next to me. You'll be needing this then. He closes the door behind him. I hear him moving about the house and later, talking softly to my sister. She has inherited his unsociable sleeping habits. She too is often awake when orderly people are not. When she was young she'd climb into my bed, more a character in a book than a real sister. She'd say, I'm scared.

She told me recently that I comforted her then. I will adopt this truth though in my memory I growled and kicked.

Later, when she'd outgrown my bed, she'd go wandering about the house and sometimes she'd meet my father. They had a midnight friendship, my sleepless father and his wide-awake daughter. In the morning they'd make jokes like, Can't sleep? Just lie on the edge of your bed and you'll soon drop off. We all laughed though the jokes were tired.

They're talking quietly in the background. I'm in my room reading *Wuthering Heights*. They leave me alone until it's later and my father is back, knocking on the door. He's got a cup of tea for me. He doesn't joke or try to engage me in conversation. I'm reading *Wuthering Heights*.

In the morning when I've finished the book, he's in the lounge. He's sitting at the fire. He says, Are you finished? Have you finished? He says, Do you want—and he gestures towards a seat. I shake my head and see his face drop for a moment, then lift again and say, You stayed up all night reading *Wuthering Heights*. My daughter stayed up all night reading *Wuthering Heights*.

I say I'm tired. I want -

Go to bed. He says. We'll talk about it in the morning. Evening. Afternoon. Go to bed now.

I don't recall discussing *Wuthering Heights* with my father. I don't think we ever did. I think he recognised that *Wuthering Heights* was not his to talk about. *Wuthering Heights* was mine.

I didn't want to talk about *Wuthering Heights* because to talk about *Wuthering Heights* would be to risk exposing how I'd allowed myself to be tricked by it. If I discussed it with my father he might determine that it wasn't the love affair that had arrested me. He might understand that I was interested in a different aspect of *Wuthering Heights*—one which lay within his own expertise. He might want to talk about Simon.

My father had been trying to talk to me about Simon for weeks. He'd been trying to say, Simon is ill. He's not going to get any better.

For weeks he'd been trying to say it, but it was hard to say, and I was adolescent and irritable and didn't have time to talk to my father.

Also, I knew Simon better than he did. We'd been friends since we were nine and I knew he wasn't ill. He was brilliant. He was eccentric. He was stoned but he wasn't ill. He was healthy and he loved me. Like a friend. He loved me like a friend. We loved each other like friends.

It's okay to walk ten miles barefoot to visit a friend in the middle of the night. It's okay to tap on her window and wake her up. There's nothing ill in two teenagers sneaking out of the house at midnight—they do it all the time in

American movies. There's nothing ill in two friends walking to Zoo Lake, unhitching one of the pleasure boats and going rowing in the dark.

When we got to the silent fountain we stopped rowing and he started talking. He gesticulated and the boat wobbled.

Spit came out of his mouth.

His hand brushed my knee.

Walking home afterwards we shone in the dark, victorious. But in the middle of the lake in the middle of the night when Simon was talking, I was terrified.

It's okay to try mental telepathy. It was my idea but I was ready to give it up after a few failed attempts. He said we could do it. We were already doing it. When he'd thought of a candle I'd drawn the sun. Didn't I see the connection? We just needed practice. He said, Just once more. Please. Just once. We're nearly there. He said, Don't put the phone down. Please. We're nearly there. Please. Don't put the phone down. Please.

It's okay to be sitting in your friend's garden when she comes home from school. It's alright to say, I'll come with you when she says she's going to another friend's birthday. To say, I'll test you on your work when she says she has to study. To write notes on paper that's folded into intricate shapes and addressed to her satchel, her lunch box, her homework, school uniform. It's okay to slip the notes in there when she's not looking.

It wasn't his fault I was sitting with a group of friends when I found a note. It wasn't his fault I showed it to a girl who I was just getting to know and she said, Eugh, and showed it to a friend who said, Oh my god, where did you get that? And showed a friend who said, Whoever wrote that shit is seriously fucked.

He didn't know that I laughed with the rest of them when she said, Seriously fucked. Whoever wrote that note is seriously fucked.

Before we left for holiday my father said, I haven't seen Simon around and I said, He's around. My father looked away and said, You shouldn't feel bad . . . you're not responsible... the thing about Simon . . . the thing is, it's confusing. Things with Simon could get confusing, he said.

I walked out of the room. Just because my father was a psychiatrist didn't mean he could diagnose my friends. Or me. He didn't know everything. I wasn't confused. I knew what I was doing and I didn't want his absolution. I didn't want

him telling me it was okay to be embarrassed by Simon, that my sharpness and cruelty were to be expected. I didn't want him saying, It's for the best. I know it's hard to leave a friend behind, but it's for the best.

I wasn't confused and I wasn't leaving Simon behind. I was going on a holiday with my family. We were going to Swaziland. I was taking *Wuthering Heights*.

There was nothing to absolve. There was nothing to discuss.

I left my father by the fireplace and went back to my room, but I didn't go to sleep. The sun was shining in and I was worried about *Wuthering Heights* and how I'd allowed it to keep me up all night. I was worried about what had kept me reading—how it wasn't the love affair or the vengeance, or the passion or the hatred. I was worried because what teenage girl, on reading the greatest love story on earth (a title *Wuthering Heights* deserved, according to a friend who'd seen the movie), reads it and thinks of sickness?

What teenaged girl would find it easier to talk to her father about a love story than about mental illness?

Simon knew about psychiatrists. He knew about doctors and medicine, lobotomies and shock treatment. About arms manufacture and nuclear weapons and who was supplying tanks to the South African government. He knew about Russian chess players and Russian dissidents who were declared insane and sent to mental institutions. He knew about mind control. Simon knew a lot, and a lot of it was damning. He could draw links and prove connections, and some of them were true. Enough of them were true.

I listened when he told me about lobotomies and shock treatment and the psychiatrists who administered them. I noticed when he paused in his sermon. I was grateful when he said, But not your father. Your father's not like that. Your father's different. Funny. Funny ha-ha and funny peculiar. He doesn't want to impose control on his own family. Never mind the whole planet.

Simon knew a lot and a lot of it was damning. But when it came to individuals, to the people sitting in front of him, Simon said, Not you. And not your father. He's different. He makes me laugh.

Simon said, Not you. You're different.

That was kind of him.

He was right about my father being funny. Ha-ha and peculiar.

But still I didn't want to talk to my father about *Wuthering Heights*. I didn't want to tell him that what arrested me was Catherine's illnesses. Or that I'd re-read and re-read the passage where she hallucinates and tears at her pillow, trying to find some understanding of the space between her feverish, delirious brain and the mind she'd left behind. I didn't want to tell him I'd been looking for some key to the real woman who lay beneath the hallucinations, or some connection to a great truth that only she could understand and only in her fevered state.

I was a teenager and I didn't want to tell my father I was using Catherine to do what he did every day, what he was expert at—looking for a way to understand a mind undone.

I was a teenager and I didn't want his help.

Swaziland is where you return from with the idea that you're ready to face your friend with new understanding.

You are ready, after Swaziland, to hear the true meaning behind your friend's words.

After Swaziland there's no tapping on the window. No barefoot boy saying, I need you to come with me to the lake. I need you to picture what I'm thinking. I need you.

After Swaziland Simon is gone.

You could phone his house, but then his mother might answer—his mother who found you two skyfing in their garden. Who heard you mocking her name. You could phone his friend—the one friend who you've met but he's kind of crazy and kind of scary, and you're not ready to hear the true meaning behind *his* words.

You ask someone who went to Simon's school and he says Simon hasn't been at school for days, weeks, months. But you knew that, didn't you? You knew Simon had left school days ago, weeks ago, months ago—didn't you?

And you say, Sure, sure I knew, I just thought, you know, I just thought maybe—

You wait for a tapping on the window for days, weeks, months. And then you stop waiting. Your sister tells you a story about how she'd seen him and another

kid at the beach. They'd been eating malpitte. You ask if he mentioned you and she says, He was so out of it he didn't know who he was.

My father and I didn't have the Simon talk until many years later when I was an adult and hadn't seen Simon for years. We hadn't seen each other for years, but we were still friends. You can be friends with someone without actually seeing them. You can go to university. You can get a job and give it up to get another. You can make new friends, get married, have babies. And still be friends.

Simon knew we were still friends. I know this because once my mother had to go to a shop out on the outskirts of Johannesburg, where the suburbs and farms start melting together. A homeless man followed her and when she turned round she recognised him. And he her. They were friendly to each other. She was wrong about him being homeless. He was living with his parents. They'd moved to one of the almost farms on the edge of the city. They'd managed to keep him out of institutions, to keep him at home.

She said, It's peaceful there. Simon's okay. Dirty, but okay.

She said, His parents know what they're doing. They're good people.

He remembered us all so warmly, she said. He asked after you so warmly. He wanted to hear all your news. He was happy to hear about your baby. He was happy to hear you're doing so well, said my mother. He said to send you his love. And to kiss the baby for him.

It's about giving someone the benefit of the doubt. Even if you haven't seen them in years.

We were still friends when my students brought the newspaper article into class. Thirteen students all bringing the same article to class. You see ma'am, we *have* been reading the paper like you told us. We *have* been looking for interesting law articles.

After class I phoned my parents. My mother said, Oh darling, we were wondering if you'd seen it.

She called my father to the phone. He said it was a disgrace. A letter to the editor had already been drafted. Mental health doctors were putting their names to it. He said, They wouldn't photograph a paraplegic and put him on the front cover. But our patients, our patients are sport.

He said, It must have been a shock for you, seeing him there on the front page. He said, Simon's deterioration was fast and inevitable, and hard on those around him. I know it was hard: I was keeping an eye on you. On both of you. He was deteriorating and you were maturing, and it was hard. It must have been a shock, my father said, after all these years.

From the front page of the newspaper my friend shone. They'd photographed him in the traffic island where they'd found him, his naked penis blocked by a black square, his beard threaded with twigs and flowers, his head circled with a crown of dagga leaves. Smiling, munificent, shining.

A student said, But wait, there's more.

He'd taken the journalists home with him. He'd held their hands, offered them joints. Extra special home-grown joints. Not the very, very, extra special dagga. The very, very, extra special dagga was being grown for the queen. She could drink it in tea if she was particular.

He'd shown them his pictures, intricate drawings charting the creation of the world, the end of the universe, the queen.

A student said, Well la-de-da, and mimed drinking, pinky finger raised.

I smiled before I could stop myself.

He mimed falling out of his chair and I said, That's enough.

I explained the laws around mental illness. I spoke about privacy, about legalisation of marijuana and the mental capacity to commit a crime. I outlined the test for determining whether an accused has the state of mind required for criminal sanction. When the class got rowdy I brought them down with appropriate sentencing and innocence until guilt is proved.

At the end of the class I told them to leave their newspapers with me. I shut the door on the lecture room and walked to my office and called my parents. My mother called my father to the phone. We had the Simon talk.

My father said, You may not have realised it at the time but a part of you understood that Simon would never get better. He said, Every field of medicine has its incurables, its cancers, and, for now, schizophrenia is ours. Nothing we or you or anyone else did would have helped him, he said. You had to protect yourself. You had no choice.

At the end of our conversation my father said, It's a funny thing, but I associate Simon's real deterioration with one of our holidays in Swaziland. Maybe the one when you stayed up all night reading *Wuthering Heights*?

That's when I started crying.

Swaziland is where you think, for the first time, Maybe if I got brain fever I would be able to stop worrying. I'd lose control and, maybe then, I'd understand my friend's mind.



## Chapter Four

I had a bee in my bonnet about inducing this fever.

A bee in my bonnet is what my mother would say. She'd be calling my sister and saying, Gigi has a dangerous bee in her bonnet. You have to talk to her.

My sister would say, There's no talking Gigi out of a bee in her bonnet, and she'd call my brother who'd say, She'll never do it. You know what she's like. Then she'd email my other brother who'd say, Well, if Gigi's got that bee in her bonnet then she'll probably go through with it. She's like that. He'd call my other sister who'd say, What the fuck? Then one of them would send out a group email. It would be a reply all to an earlier group email and so it would include all the partners. All the nieces and nephews and grandchildren, someone's ex. And me.

It'd say, Is she completely insane?

I'd reply and say, I was copied in on that, you know, and she'd say, Of course I know, and are you? Completely insane?

I'd point out that we don't use the word insane. It's not nice. And she'd say, Yeah yeah, but are you?

Then someone would say, Didn't Adrian Leverkühn do that?

And someone would reply, Adrian who?

Leverkühn from Dr Faustus. He gave himself syphilis on purpose, so he could be more creative. He felt that his music was getting sterile and cold, so he slept with a prostitute who he knew had syphilis, and it worked—he earned more than twenty years of musical genius.

Before he dropped dead of syphilis, someone would reply.

Also, there was that matter of the deal with the devil, someone else will chip in.

Two of them will get into a side discussion about whether Leverkühn did actually make a deal with the devil. One of them will say, I'm going to ask Mommy. The other will say, I'm telling you, Leverkühn only imagined the devil because he was going mad from the syphilis.

The one who's going to go running to our mother will reply: As the devil tells Leverkühn, the fact he is mad doesn't mean the devil doesn't exist.

Mad, one of the ones who has kept out of the Leverkühn discussion will suddenly chip in. So, come on Gigi, are you completely insane?

I knew I had to be prepared for the Are-you-completely-insane question. My siblings might be the only ones to say it, but everyone would be thinking it.

I tried convincing myself that to be called insane was, for an artist, a badge of honour, something to be worn proudly. But even I had trouble buying my badge of honour theory. I couldn't embrace the insanity, or the bee in my bonnet.

I thought, If you can't join them, you have to fight them. You need something to hold up to them. Something that says, This fever is a considered, measured act. It has thought behind it. It has gravitas.

Gravitas—I needed gravitas.

I needed a manifesto.

I spent the next few days researching manifestos. I looked at the Dogme 95 guys, the Futurists, the Stuckists. I ventured into the Dadaists and their manifestos and I backed right out again—to the relative safety of Marina Abramović and her artist's manifesto. I watched that a few times and I thought, If it's good enough for Marina, it's good enough for me.

I did some thinking and some reading and I tried to write a fever manifesto but the whole manifesto thing felt kind of wanky, and what came out wasn't a manifesto so much as a set of rules.

1. There will be no hallucinogenic drugs. That's not the high I'm looking for. I'm not even sure I'm looking for a high at all. Highs are only interesting to those who experience them. To the rest of us, the listeners, they're a drag. Like dreams, only more boring because they're longer. Drug-induced trips go on forever.

There's something sad in my life. Something I've only just realised—nobody has tried to tell me about their drug-induced trip in what feels like forever. My children occasionally tell me their dreams, and I listen and am not bored. But the dreams are short and my children move on to something else, and there is no one I can roll my eyes at and think, Oh, for God's sake, you're not going to tell me all about your boring acid trip, are you? It's been years since I rolled my eyes and

thought that. Decades, even, and that makes me sad. It's a marker of something passing—a stage of life passing—the stage where someone says, Man, I took some acid last week and *fucking hell*, you won't believe what happened! That stage. I did read an interesting essay in *Granta* about taking ecstasy a few years ago, but that was the closest I'd come to someone telling me their drug-induced trip for some time.

And now I've realised this and it's made me sad about something lost. But that's not to say I wouldn't roll my eyes. Or that I would bore readers with descriptions of my drug-induced trip. Drug-induced hallucinations are against the manifesto. Although, some drugs may still be allowed.

See (2) below.

2. Drugs are allowed, but only to induce the fever. Not to induce hallucinations. If there is an overlap, such as one might find with malpitte, for instance, the drug may not be used unless it is clear the hallucination results from the fever. A drug that induces fever and hallucinations independently does not pass this test. Malpitte does not pass this test. The plant causes hallucinations. It may also, independently, create a fever, but a causal chain is not established. So too with ecstasy, which can create elevated body temperature independent of the high.

I'm sorry ecstasy is ruled out. I could have drawn from that *Granta* essay when writing about it. Malpitte, I'm happy to let go. Kids at school told terrible stories about malpitte—how it'd swell in your stomach and make people jump in fire, drown in the bath, strangle themselves with their own hands. You didn't take malpitte unless you were off your head to begin with.

Simon took malpitte at least once. My sister told me. She'd found him and another boy on the beach in the night-time and they didn't know where they were. They were just wandering about on the beach in the night time and they came upon my sister and her friends sitting around a fire. I asked her if Simon asked after me and she said, No. Then she said, But, you know, he was out of his head on malpitte. My sister convinced her friends to take Simon and his friend home. It wasn't easy. No one wants

two malpitte-eating weirdos in their car. No one wants to be in a confined space with them when the paranoid delusions kick in. The extra-human strength. The vomiting. But Simon and his friend just followed them to their car, anyway. They just latched onto them. So maybe it wasn't only my sister's convincing that got her friends to take Simon home. Maybe Simon just wore them down by refusing to go away.

3. There is no rule against becoming ill with a sickness that has fever as its symptom. Pneumonia, scarlet fever, tuberculosis, meningitis, encephalitis—all are allowed. Which is not to say that they are mandatory.
4. Hot flushes don't count.
5. The interests of family members must be considered, but they are not binding on me. No one has a veto power. In the end, I know best.

There was one other rule that I put into my manifesto, then took out. The removed rule number six read: If I do get the fever and I do get the dreams, then I have to record them. And I have to use them in my writing. Even if that means writing a work that's magic realism, or which has fairies or elves or angels. Even if it means a long, meaningless stream of consciousness ramble that seems really profound at the time. Even if it means producing a book I'd never read. Or if I did read it, one that I'd hate and which would make me really grumpy and aggressive at book club so that the woman who secretly likes Stephen R. Donaldson becomes even smaller in her chair, and so that another member has to try to deflect the tension by saying, Remind me what we're reading next time.

Menopause memory.

Even if it's that kind of book, I have to write it. And try to get it published. In my own name, without any excuses or disclaimers. I have to commit to it and declare myself proud of it—that's what rule number six said.

It made sense to remove it. There was no point in writing a nonsense story that no one would read and no one would want to publish. I am not the sort of writer who staples together their science fiction manuscript, gets a friend to draw a cover, then sits outside Countdown next to the sausage sizzle, trying to flog it off. Not me.

I felt good about having a manifesto. The interviewer in my head was happy, too. I thought, this manifesto will keep my siblings happy. And then I thought, Ooh, maybe not.

One or two of them might be mollified. For a while. But then one would say to another, Well, the manifesto is all well and good but the whole exercise is still not entirely healthy. And that one would say to another, Some of us think it's not entirely healthy and someone will say, Well, yes, I was wondering that too. And someone else will say, It's crazy talk. You can end up in Sterkfontein with that kind of talk. She won't really mean it but, still, it will have been said. And another will say, That reminds me, I saw Alberto's daughter yesterday. The one who used to come over sometimes when we were kids.

They'd be off, talking about how Alberto's daughter used to make us lie on our backs in a row so she could leap over us and yell, *Now!*

They'd remember how they opened their eyes, as instructed, at Alberto's daughter's *Now!* To see her soaring—a split second of clouds and fabric and skin before she flew away. They'd talk about how strangely magical that second was, how it gave your heart a jolt.

They'd be wondering what pleasure Alberto's daughter got from the game.

All the pleasure, they'd agree, attached to that moment when you opened your eyes and your heart leapt. Where was the pleasure for her—the jumper?

I didn't like playing with Alberto's daughter. She always picked the games and some of them were rough. She didn't have the legs of a long-jumper. Five children were a lot to leap over.

I kept my eyes open.

## Chapter Five

It's Alberto, says my brother, a good few seconds before a slow arm lifts and knocks.

We've been expecting Alberto. It's almost Rosh Hashanah, the Jewish New Year.

My mother pats her hair before answering the door, smooths down her skirt. I look through the glass at the side of the door and am pleased to see Alberto has not brought his daughter with him.

Alberto is holding plastic bags. They're stuffed full. They look heavy. They must be cutting into his hands. When my mother steps forward he puts down the bags and takes his hat off his head. He's holding his hat in front of him when greeting my mother. He turns it round and round by the brim and doesn't release it when my mother extends a hand towards him.

Come in, come in. Children, help Alberto with his bags.

We dart forward, eager to confirm that the bags contain what we think they contain, what they always contain.

Alberto refuses the offer of tea but accepts, on being pressed, a glass of water. I place the water on a small table, where he can reach it.

How is your family? asks my mother.

Alberto turns his hat in his hands, stares at the floor. They're well. Thank you for asking. And how is the doctor?

My father had just graduated as a psychiatrist when Alberto was brought to him for a consultation. On his desk stood a photo of his wife. Before him stood Alberto's parents explaining, in halting English and smatterings of Italian, that their son was in need of psychiatric help.

My father was optimistic, up to date with the latest thinking, but one look at the young man was enough to show there was little that could be done for Alberto.

He glanced towards the photo of my mother. This was not going to be easy.

I'm afraid, he said, half to my mother's photo and half to Alberto's parents, that . . .

Alberto's father seemed not to be listening. My father paused.

Scusi, said Alberto's father. May I?

Certainly, certainly. My father turned the photo towards them.

Alberto's mother picked it up and showed it to Alberto's father. Alberto's father started crying. Alberto's mother kissed the photo.

Another man might have turned the photo back towards himself; might have reminded himself that he was a doctor, that they were the patients. Certain boundaries were to be maintained. But my father was not a man for boundaries. He was a man for questions and stories. He sat back in his chair, allowed them to pass the photo from one to another, to kiss and smooth and kiss the glass and then, when they were ready, he asked the right questions. And they told him their story.

Alberto was born in an Italian peasant village, to poor parents. It was clear, from the beginning, that there was something not right with baby Alberto. He would lie quite silent for hours, days even, then scream and rage, banging and howling for days beyond. He managed to suckle, learned to walk and gathered a small vocabulary, but every improvement, every cause for hope would be overcome by a lingering silence or a long rage. What were his parents to do? During his silences they cared for him and during his rages they restrained him. When, as an adolescent, his rages consumed his silence they feared for their lives. It was then that the famed healer, Padre Pia, came to visit the region.

Fortunately the Padre's visit coincided with one of Alberto's now rare quiet times and his mother was able to wash and dress him, to take his hand and lead him over the dry hills to the next village, where the priest was receiving supplicants.

Alberto's mother fell to the floor at the Padre's feet.

Father, help my boy. Help him.

Padre Pia took the tired woman's hands. Sit my child. Let me see the boy.

Someone led Alberto forward. A small cloud of dust followed his shuffling feet.

The Padre took Alberto's face in his hands, looked into his eyes, and sighed.

Alberto's water stands untouched on the small table. His hat turns, turns in his hands.

And tell me, says my mother. How is the baby?

Ah, he is well.

The hat stops turning for a moment.

Padre Pia's face was soft and sad. I will pray for your son, but . . .

Please, Father, help my boy.

The Padre sighed. One day, soon, you will travel across the seas, to a new land, far away. There you will meet a doctor. He will have a new young wife.

Mediterranean-looking, with long black hair, like one of the village beauties. He will be a big, strong man. And she a tiny beauty. He sighed again. Me, I can pray for you. But that doctor will help you.

And it came to pass that Alberto's family found themselves in South Africa, weeping over a photo of my mother.

There was nothing that my father could do for Alberto. His schizophrenia was untreatable, unmanageable. He experienced horrifying delusions. He was violent and huge. He was suffering. There was no prospect of improvement. He would have to be institutionalised.

Schizophrenia was, as my father had told me, the cancer of his profession.

It was difficult for my father's optimistic mind to explain this to the parents. All the more difficult because of the excitement over the coincidence of a small photo. But what good is long black hair when the patient has deteriorating schizophrenia? What options when the family does not have the resources to take their son to live on the outskirts of the city, where the suburbs merge into farms and he can grow his dope in peace? What options when they are poor and working two jobs in a new country with a strange language? What options when their son is not scrawny and barefoot, but huge, unmanageable, violent?

Alberto's mother patted my father's hand. He was not to worry. They would do as he recommended. She had faith.

And so Alberto was interned in the Sterkfontein Mental Home.

True to my father's diagnosis, his condition deteriorated rapidly. He did not respond to any treatment and was sent, within months, to a back ward.

Back ward, those were my father's words. He used them when he told the story. Alberto was sent to a back ward. As a child I loved those words, so sad and full of mourning. But my sister hated them. For her they brought to mind a place of screaming bedlam, water-tight straitjackets, faeces-smearred walls.



My back ward was none of those. It was a place of heavy sedation, shuffling movements and slow silence. A place for forgetting people. A place of endless time.

I never went to the back ward but I did go to Sterkfontein. I remember a Christmas party there. I remember a long drive. I remember my father posing a problem for us to think about. He says, Imagine you are sitting on the bank of a river. The current is strong, the water is flowing fast, directly towards a weir, across which is a spinning wheel. The wheel is like a windmill, with sharp metal blades. Anyone who touches it will be killed immediately. Now, listen carefully. Are you listening?

In the backseat, we nod. We like these puzzles.

Just a little bit upstream are three or four children. They're caught up in the current and are being swept towards the wheel. They're coming down singly, one behind the other, heading towards the wheel. The first one is just about upon the wheel. It's inevitable the others will hit the wheel soon. You are alone on the bank, there's only you.

He pauses before posing the question. Who do you save? The child nearest the back or the one closest to the wheel?

The answer is obvious—you save the one closest to the wheel.

Save the one who is furthest from the wheel. That's the only way you can be sure of saving someone, says my brother.

My siblings agree, so I remain silent. But, I wonder: For the children furthest away, isn't there hope? Someone else might come, the wheel might break or the wind change.

My brother sees I'm not convinced. He argues his case: It's too late to save the ones closest to the wheel, and if you put your energy into them you risk dying yourself. He says, If you start bringing in things like the wheel breaking, or hope, you're changing the rules of the riddle. You have to stick to the rules of the riddle, he says. Don't you, Dad?

My father says, You have to stick to the rules of the riddle. His voice sounds sad.

My mother starts talking about the Christmas party and how there will be a special children's party and how much fun it will be.

She's right. It is fun. There's entertainment in the children's room, and ice cream and hot dogs. It's fun for a while but we soon grow bored. We slip through a door and look into the adults' party.

There are deep drifts of confetti on the floor, and brightly coloured balloons. Streamers fall from the ceiling onto the shoulders of the dancers. A balloon floats up, taking a dusting of confetti with it. My mother is light and slim in a long ball gown. Her head is resting on my father's shoulder. They're gliding.

And somewhere in a back room, heavily sedated and shuffling, is Alberto, the spokes of a wheel nipping at his finger tips.

My father visited Alberto. He met with Alberto's parents and reported no change in their son's condition. They sat across his desk and gazed at the photo of my mother and seemed not to hear when he said there was little hope of improvement. Little hope.

There was little hope for Alberto, but before each visit my father took care to hide a different photo of my mother—a recent one which showed her with her hair cut short and chic.

Then came a new drug. One that would, if the promises of initial tests were fulfilled, revolutionise the treatment of schizophrenia. Alberto would take part in the trial. My father would monitor him.

The drug didn't live up to expectations. Trials were abandoned. There was no revolution in the treatment of schizophrenia.

The door has barely closed behind Alberto before we start digging about in the bags. There's Coke and Fanta, a huge box of biscuits, a packet of crisps, kosher red wine and matzo.

Where does he find matzo at Rosh Hashanah time? asks my brother.

The matzo at Rosh Hashanah was a mystery. As was the matzo at Purim, Yom Kippur, Sukkot, Hanukkah. We, who are Jewish, knew that matzo was for Pesach only, that you can't buy it any other time. Alberto, who couldn't be expected to know those rules, found matzo no matter what the time of year.

Where he found it was a mystery.

And another mystery—how did Alberto find his way from the back ward to our front door?

I don't know how, says my father. I don't know how he got better, because he—my siblings and I chime in, together—he got the placebo.

## Chapter Six

I thought it best not to tell my siblings about my fever plans just yet. I didn't tell my husband or children either. I decided to keep it to myself until I was ready to address all their questions.

When I'd left my job I'd told everyone I was going to write a memoir. To be honest, I'd blabbed about it a bit. And then I'd had people hounding me with their questions about how it was going. I wasn't going to make that mistake again. This time I'd do more research and then I'd tell my family. But I wanted to talk about it—I was excited. I thought it would be good to get them thinking about bravery and how far we'd go for our beliefs. So one evening at dinner I started talking about this cousin of mine who wears a yarmulke on his head all the time.

This cousin of mine wears a yarmulke on his head all the time even though he lives in a country where it's uncommon. He told me he does it not just because of the Torah and commandments but because it's a public statement. A public act that says, I am a Jew. A public statement that acknowledges he will be judged as a Jew by those who see him. If I walk past a beggar and I don't give him money, how will people interpret that? he once asked me. If my behaviour isn't impeccable, always impeccable, what kind of a message am I sending?

I told my family about that cousin and his yarmulke.

I said, Our cousin's a brave man to declare himself like that, to commit himself to good behaviour so publicly.

My daughter said, Ha. What kind of person needs a constant, external prod to make them behave well? She said, Shouldn't we all behave impeccably all the time anyway? She said, If his heart really was in the right place he wouldn't need the external prodding.

Then she brought up a story I'd told her about a teacher I had at school. This teacher had asked us to give reasons for why it was bad to lie. I'd put my hand up but, by the time she got to me, others had already given my reason so I had to say, Oh, no, no, I actually don't have a reason.

The teacher said, I'll give you one more reason.

I waited to hear her one more reason, so I could berate myself for not thinking of it myself.

This was her one more reason: What if you make up a lie, and then later you forget the lie you made up, and then you get caught in your lie?

I'd told my children that story to show how stupid my teachers had been, how wrong that teacher was to confuse getting caught with being morally wrong. I'd used that story to discuss how some things are wrong just because they're wrong.

I was gratified my kids remembered the story about the stupid teacher, though my daughter did go on about it a bit. Playing up how outraged I'd been at that teacher. She said I'd used the stupid teacher story to give the kids a long lecture.

I hadn't given my children a long lecture. We'd had a discussion. I remembered it clearly and it wasn't a lecture. I wanted to say that but I was trying to stay on topic.

My daughter didn't care about staying on topic. She started talking about anti-Semitism. She started suggesting that my cousin with the yarmulke was actually feeding anti-Semitism. One of the problems with racism, she said, is that it stops people from behaving badly. People should be free to behave as badly as they want, without it reflecting on their whole race. That cousin of yours is buying into the racist anti-Semitism, said my daughter.

She was talking about racism and the freedom to behave badly, and then my son started talking about what would happen if hijackers came onto a plane and said all the Jews must identify themselves. Would we do it? Would we put up our hands? I hated that topic. It gave me a sore stomach. I said to my son, That's not going to happen, but if it does—if it does, you sit on your hands. You don't identify yourself. There's nothing brave in being a martyr. That's not the kind of bravery I'm talking about.

I looked at his thin face, at his hair that had just been cut and I thought, You shut up about being a Jew. Anyway, I said, That's not going to happen. Have you seen the airport security lately?

Then my daughter joined in. How about that bus in Kenya where the hijackers killed anyone who couldn't recite a passage from the Quran?

She kept talking about it. My son was looking at his plate. My husband said, Rice, does anyone want more rice?

My son joined me when I was doing the dishes. It felt like it should be his sister's turn to help. I tried to think back on the week and it seemed like he'd been on duty every night. I was wondering whether to say anything about it and then I thought, Let them arrange their duties as they like. They're not little kids anymore. I thought she might be paying him. I handed him a plate to dry but he handed it back to me. He said it wasn't properly clean.

Later, when I was reading in the lounge he came and sat next to me on the couch. I thought he wanted to watch TV, so I said, I'll go and read in my room. But he shook his head and said, No. Stay.

Is there something you want . . . D'you want to tell me something?

He shook his head again. Caleb is fifteen. A tall, serious boy. He keeps to himself. He's not a big hugger like his sister. He sat on the couch. I held my finger in my book to keep my place and asked him a few questions about school. Then I put the book down and turned on the television. We sat together for a while and watched.

## Chapter Seven

I started researching fever, and how one might induce it. I learned about World War I soldiers chewing cordite and school children putting onions under their armpits. I got irritated by all the posts about ways to fool thermometers. I wasn't interested in fooling a thermometer, and those posts were, since the advent of the digital thermometer, surely out of date. But I was interested in fever as therapy—according to the internet, for all sorts of societal ills. According to Hippocrates, for every ill: *Give me the power to create fever and I shall cure any disease*. I was interested in when we view fever as something to be created and when as something to be dealt with sternly, with an antipyretic. I was interested in its changing reputation.

Immediately before fever's reputation as a healer was undermined by antibiotics and readily available antipyretics, fever burned bright. Its torchbearer was the Austrian psychiatrist Julius Wagner-Jauregg.

I got stuck at Wagner-Jauregg for days. Wagner-Jauregg is not a man one skips over lightly.

In his day, Wagner-Jauregg was the pre-eminent psychiatrist. Professor of Psychiatry at the University of Vienna, Extraordinary Professor at the University of Graz. Director of the Clinic for Psychiatric and Nervous Diseases in Vienna, Director of the State Lunatic Asylum. This at a time when there was no shortage of brilliant young men in Viennese medical schools and laboratories—Freud was his contemporary.

Freud and Wagner-Jauregg studied and worked at the same institutions. They probably drank at the same bar. They certainly applied for the same jobs, which Wagner-Jauregg invariably got. Wagner-Jauregg packed lecture theatres while Freud's lectures received lukewarm receptions. He was the first psychiatrist to win a Nobel Prize. Yet, unlike Freud, he is not much remembered outside of his native Austria. His Nobel acceptance speech is one of the few texts he wrote that was translated into English.

My grandfather was a medical student in Vienna when Wagner-Jauregg was packing the halls and Freud was not.

My student grandfather sits alone and reads a book in the front row of a lecture theatre where Wagner-Jauregg is to talk. He arrived early, so as to get a place near the front, close enough that he can read the lips beneath the speaker's mustache. He doesn't hear as the hall fills up behind him.

My grandfather has a new suit and a reputation as an excellent student. He has a handsome, broad forehead, a mustache, a pipe, an open countenance. But he's partially deaf, speaks with an odd accent, works at the local bar where other students drink. These things are isolating.

Some days later, at the end of his shift, my grandfather meets a friend and says, You'll never believe who came into the bar tonight—Wagner-Jauregg. He tells his friend what Wagner-Jauregg ordered, who accompanied him. He does not tell his friend how Wagner-Jauregg banged his mug on the counter so the beer spilled everywhere and my grandfather had to come running with a cloth to clean it up. Or how Wagner-Jauregg's military bearing and patrician status resulted, somehow, in my grandfather's Eastern European accent stepping over his South African one and asserting itself like some kind of dybbuk.

Wagner-Jauregg created a cure for mental illness that appeared as magical as Alberto's placebo. He certainly understood fever. But he left beer spills, and reading about him makes some peasant accent deep inside of me assert itself like my grandfather's dybbuk reborn.

I need to filter Wagner-Jauregg through others. I need my father to make sense of him. And, because he knows about doctors and medicine, lobotomies and shock treatment, I need Simon too.

Simon is healthy. He's taken the placebo and it's worked. He's stable but still skeptical. His thoughts are coherent but his watchfulness intact. My adult Simon is thin and tall. He has a short beard. No, not a beard—more like a bit of shadow. My healthy Simon is not a man to go unshaven for longer than a day or two. His eyes are bright but steady. He's articulate. Which is not to say he speaks slowly. Simon could never speak slowly. He rushes over words, especially when he has a point to make, in a voice that's slightly creaky, like his father's. He's passionate but still articulate. His mind is vast and unconstrained—except by logic. Simon is coherent.



My father and Simon are having a beer together, in the evening garden. I'm at the table but I'm not taking part in their conversation. I'm listening. They're talking.

My mother's in the house with my children. She's showing them photos of my grandfather in his student days. My mother says, Look at that open face, that high forehead. My daughter points to her brother. He looks like you.

My son strokes his forehead and says, D'you think so?

There's a photo of students standing around a cadaver. My mother turns the page quickly but my son stops her. They stare at the photo. My mother waits to hear what her grandchildren will say and is surprised when they start talking about how the students are all men, all wearing suits, smoking pipes. They haven't noticed the corpse on the table. A corpse on a table is so far from my children's experience they literally do not see it.

The next photo shows my grandfather on some rocks, with some girls. My children point at the men's swimming costumes.

Then there's one of him at about 23. He's standing behind a seated couple, somewhat older than him. The caption says, Family Kanovich, Linkovo. My son says, That's in Russia. My daughter wants to know who the Kanoviches were.

My mother says, There's an odd, sad thing about this photo.

What? The children want to know. What?

The odd, sad thing about the photo is that no one knows who the Kanoviches were. These were people important enough to my grandfather that he travelled from Vienna back to Linkovo to visit them. Linkovo, which his family had fled less than 20 years earlier, which my grandfather had cast off, sworn never to return to.

For the Kanoviches, he went.

And we don't know who they are, says my mother. We don't know what happened to them.

My daughter gets off her chair and goes to where my mother is sitting. She hugs her and my mother says, My darling.

My husband is in the house, too. He's lying on the sofa with his feet hanging over the armrest. My son says to his grandmother, look at him. He's not allowed to do that.

My mother smiles. Let him rest. He's tired.

Outside, Simon and my father are taking their time in getting to Wagner-Jauregg. They have all the time in the world and Simon believes in the wide approach, the greater context. He starts with Plato, Socrates, Aristotle.

They're discussing how these ancients recognised and described mental illnesses, and how, while our understanding and treatment of these illnesses might have changed, the illnesses themselves are not new.

When it comes to mental illness, there's nothing new under the sun, says Simon, and my father says, That's not how it would have felt for doctors in the middle of the nineteenth century.

Simon sits back and folds his arms. Let's go there.

My father smiles. He says, The doctors practising in the mid-nineteenth, early twentieth-century would have experienced a marked increase in the number of mentally ill people presented to them.

Which doesn't necessarily mean, says Simon, that the number of mentally ill people was actually increasing that much. There was greater visibility. Because of urbanisation, mentally ill people were no longer tucked away in little villages. Urbanisation brought them to the cities, to the streets. Where everyone could see them standing at the roundabout with twigs stuck in their hair.

My father accepts Simon's arguments about increased visibility, but insists the number of patients needing treatment was increasing. He points to a rapid rise in alcoholism fuelled by reduced alcohol prices. He points to the displacement and alienation that accompanied mass migrations from rural areas to cities. He doesn't point to theories that schizophrenia increased—both because those theories are controversial, and because even in my imagination I am unable to completely separate Simon from his illness.

My father points to neurosyphilis. He says, Alcohol, urbanisation. Neurosyphilis, or, as it was then known, general paresis of the insane—GPI.

GPI was dramatic. It fed on the social upheaval of urbanisation and unemployment. In 1900 it was estimated that 5–20% of the population of Europe and the United States had, or would have, syphilis. By 1914 there were over 100,000 new cases and three million cases of syphilis in Great Britain alone.

You can see, my father says, why it was known as the disease of the century, given that it was pretty much unknown until the end of the eighteenth century. GPI, says my father, was something new.

Something new, maybe, says Simon. A boon for the alienists of the time, definitely.

Simon does not engage in long riffs around the word alienist, or how this old term for psychiatrists might be more appropriate than the modern one. He's too busy building an argument around why alienists needed GPI.

It's no accident, Simon argues, that this new mental illness showed itself at the moment in history when psychiatry was jumping up and down saying, Notice me. Acknowledge me. What better argument for a fully fledged qualification, Simon demands, than a terrifying illness only its graduates can treat?

Alienists argued that ordinary medical men didn't have the skills to deal with the disease, didn't even recognise it. In an 1849 lecture, the alienist Harrington Turk wrote that ordinary doctors commonly dismissed GPI as *nervous strain* and diagnosed a rest cure. *Thus . . . general medicine ignores the branch of alienist physicians, disdaining them as having the taint of trade . . . I have no way over-estimated the importance of this disease and the ignorance of the profession at large as to even its existence.*

How does it feel to be part of a profession disdained as having the taint of trade? Simon asks my father. He's smiling.

My father smiles too. What's wrong with the taint of trade? But he agrees his discipline was trying, then, to gain recognition as a medical specialty, seems always to have struggled for credibility. He quotes Juliet Hurn's point that *Histories of psychiatry routinely stress the precariousness of a specialty 'always but a step away from a profound crisis of legitimacy'.*

Simon asks whether it's hard being a member of a profession that's constantly on the verge of a crisis, and my father says, Not if you don't care one way or the other.

He sips his beer and says, almost to himself, You know, I really don't care one way or the other.

What about your parents? Simon asks. What did they think when you told them you wanted to be a psychiatrist?

My father says, You know, the first person I told was my future father-in-law. The first time I met him, I told him. I hadn't told anyone else. I was still forming the idea in my head. I'd only recently graduated as a doctor. We were alone in his study. He told me he'd studied in Vienna and there I was, telling him I wanted to study psychiatry.

And yet he was happy for you to marry her.

Therefore he was happy for me to marry her.

Inside the children are staring at a photo that shows my grandfather's hearing aid—the tube coming out of his ear, the box it leads to, clipped onto his jacket. My daughter asks just how deaf he was, and my mother says, Deaf enough that he had to give up his dream of becoming a psychiatrist.

Psychiatrists have to listen, says my son.

His sister puts her arm around him. She asks how her great grandfather managed to take lecture notes, and my mother says, It must have been very hard. Especially because he spoke Russian or Yiddish at home, English at school, and then, when he went to study in Austria, German.

She tells my children about the fellow student in Vienna who borrowed my grandfather's lecture notes and never returned them. The fellow student who finally, after repeated requests admitted he'd lost the notes. And shrugged to say, Get over it.

Can you imagine what a blow that would have been? my mother asks her grandchildren. Can you imagine?

They stare at the photo, at the hearing aid, at the suit. My son wants to know whether the other student was punished, and my mother says, Well, it wasn't a crime. I guess the student thought losing someone's lecture notes wasn't a big deal.

Unless they're deaf, says my son. His sister tightens her arm around his shoulder. Then she turns to my mother and asks, Is that why you married a psychiatrist? To make your father happy?

My mother laughs and says, My father was happy but that's not why I married your grandfather. I married him to make me happy.

GPI was first recognised in Parisian asylums in 1820 and first described in medical publications by the French alienist Bayle in 1822. But it was not until the 1880s that the French venerologist Fournier would argue for its link with syphilis, and not until 1913 that Noguchi and Moore would conclusively prove this link. Without this understanding of the disease's aetiology, it was treated as a purely psychiatric disease. Its symptoms, certainly, presented as psychiatric.

In 1859 the medical superintendent of Bethnal House Asylum described GPI thus:

A person who is insane . . . [shows] slight tremors of the lips . . . and feeble, straddling, or devious [gait] . . . He is full of all manner of schemes . . . and talks of the wealth he fancies his projects have brought him . . . The whirl of the spirits increases. Arrived at this pitch, everything becomes invested with immensity, grandeur, or beauty. Common pebbles are transformed into gems . . . [Thereafter] incessantly talking and restless, violent and destructive, tearing everything tearable to shreds . . . he lies on his bed . . . or on the padded floor of his room in a dream of happiness and splendour, which contrasts horribly with his hollow features and emaciated, squalid body. Happily death is at hand—exhaustion or paralytic coma soon closes the scene.

Patients admitted with GPI were typically middle class, middle-aged men. They were delusional and hard to restrain. They soiled themselves. They required intensive nursing.

Simon and my father are discussing this history, and my father says, I know what you're going to say. Simon says, I always knew you could read minds. He says, Come on, tell me.

You were going to say, says my father, that GPI would have been a double boon for the profession trying to establish itself.

You've got me, says Simon. It would have been a double boon. Because GPI patients needed intensive care. They needed nursing. They needed . . .

My father makes a drumroll, Tan, tan, tada . . . Asylums.

Tan, tan, tada asylums, says Simon. The bricks and mortar of a proper profession. The concrete statement that declares, We are here to stay. We've put

roots down. We're not going to go rushing around the countryside like some village doctor. You come to us. You fit into our routines.

Which is not to say it was all a bed of roses for those alienists, says my father. Simon laughs and says, A bed of roses, no. Their patients were dying on them. There they were, trying to prove their worth to the world. And there their patients were—dying.

Their patients were dying. My father repeats Simon's words.

They're both quiet for a while, and then my father says, I feel sorry for those alienists.

Simon admits he does too.

They would have felt so helpless. There was no known cure and death was pretty much inevitable.

So much so, says my father, that doctors considered it their duty to immediately advise there was no hope of recovery, that treatment would not be curative.

That would have been hard, they agree. Hard, too, the climate of therapeutic nihilism, the fatalism that an incurable, rapidly spreading disease brings with it. They sip on their beers. They remember the early days of AIDS. My father is thinking of the Chinese doctors who tried treating AIDS with malaria. Simon's thinking of the police chief who said, Swirling in a cesspit of their own making. They're thinking of the deaths. They're quiet for a while, and then my father says to Simon, We have to remember the desperation facing the medical profession when Wagner-Jauregg was working.

That's Wagner *von* Jauregg to the likes of us, says Simon. Don't forget he was nobility.

Ah, yes, the von.

The noble, military Wagner von Jauregg, says Simon. He emphasises the von. His tone is sneering. The military's knight in a doctor's gown.

The shell-shocked soldiers.

Not exactly a high point for the psychiatric establishment, says Simon.

For the establishment, no, says my father. But there were some . . . there was Freud.

When World War I broke out Wagner-Jauregg was director of a mental institution that would specialise in war neuroses. In 1914 the German Supreme Army Command handed over to the psychiatric community the responsibility for dealing with mentally ill soldiers, whose numbers had already reached unprecedented levels.

Talk about another boon for the profession, says Simon. Way to go filling the asylums those alienists had been so busy building.

My father says nothing but his face has hardened and Simon says, You're right. I shouldn't be flippant about it.

My father's face softens. He says, Thousands. The war was producing thousands of shell-shocked men.

Thousands of soldiers were sent to Wagner-Jauregg's clinic or ones like his for treatment. One such soldier was Walter Kauders—a journalist.

Simon knows the Kauders story well. He's read all the articles on it, all the books. He says, *Shell Shock Cinema*. If you want to know more about Kauders, read *Shell Shock Cinema*. It's by Anton Kaes. He asks my father, Have you read it? My father shakes his head, No. But I will.

Simon says, I'll lend it to you. Where did I leave it? It must be in a box somewhere.

Even my healthy Simon moves house a lot.

He says, Damn, I think I've lost it. Maybe it's not in a box. Maybe it's downstairs, in the bookcase. I haven't gone down to that bookcase in ages. It's so dusty. Anyway, I don't think it's there. I think it's in a box. I have to go through those boxes. I wonder which box it's in. It could take me days to find it.

Even my healthy Simon can veer, occasionally, into distraction.

My father puts his hand on Simon's shoulder. He says, Tell me about Kauders. I don't know the Kauders story. I'm interested.

He's looking directly at Simon. His face is soft. He says, Tell me about Kauders.

Something shifts in the way Simon is holding himself. He says, So, Kauders kept a war diary, and after the war he published it.

In 1918 Kauders published his war diary in *Der Freie Soldat* (the Free Soldier), a weekly paper of the Social Democratic Party. Kauders wrote how a grenade exploded close to him on the battlefield. He was unconscious for some hours but

sustained no visible external injury. But he had motor disturbances, visual disturbances, disequilibrium, crippling headaches.

Shell shock, says my father.

Shell shock, says Simon.

Kauders received unsuccessful treatment in various military hospitals before being discharged from the army in 1916. The following year he was recalled for re-evaluation of fitness for service, and sent to Wagner-Jauregg's clinic. There he was kept in solitary confinement for 77 days and subjected to a form of electrotherapy called faradisation:

*[E]lectrical power currents were passed through the bodies of . . . war neurotics, causing them such excruciating pain that many died during treatment, but most of them escaped the torture by taking flight from the hospital—without, of course, having been cured, the newspaper reported.*

My father shakes his head.

The psychiatric establishment had been co-opted by the military. Flagrantly, unashamedly co-opted. Erwin Stransky of the Viennese Psychiatric Association openly stated that, irrespective of which therapeutic measures might seem appropriate in a particular situation, *in this serious time the cardinal point of view ought not to be determined by the well-being of the individual case, but by the welfare of our so closely allied armies.*

The German Psychiatric Association declared officially that its members would *never forget that we physicians have now to put all our work in the service of one mission: to serve our army and our fatherland.*

Therapies approached shell-shocked patients from the underlying assumption they were malingerers. Malingerers who could be cured if presented with treatment less desirable than returning to the front.

In *Shell Shock Cinema*, Kaes wrote that, while newspaper reports such as Kauders's one did not actually accuse doctors of murder, they *implied that the whole psychiatric establishment, encouraged by the military, had gone mad in punishing suspected malingerers. There was a general distrust of all soldiers suffering from shell shock and other nervous disorders, and in this atmosphere of doubt and deception, most war psychiatrists were more concerned with exposing alleged simulation than with diagnosing or curing psychological illness. All this was*



*done, wrote Der Freie Soldat, so that the Moloch of militarism will not have to miss one human sacrifice!*

The Moloch of militarism, Simon says. The Moloch of militarism. He says it again. The Moloch of militarism. The Moloch of militarism. His hand goes to his hair and he starts twisting a strand round and round his finger. The Moloch of militarism, he says again.

My father rests his hand on Simon's shoulder. His eyes are on Simon's, his voice is soft when he says, Tell me about Kauders.

Something shifts in Simon. His hand drops and my healthy friend is back.

Following the publication of Kauders's account, a commission was formed to inquire into abuses against shell-shocked soldiers—the Commission for the Investigation of Derelictions of Military Duty. Formal charges of medical misconduct were laid against various doctors, including the doctor who treated Kauders, Dr Kozlowski. Kauders described how Kozlowski had threatened him with electric shock, then forced him to watch as these shocks were administered to other patients—their nipples, their testicles as they writhed and screamed in agony—before being treated in the same way himself.

It was, says Simon, nothing less than torture. And, worse than mere torture, torture wearing a mask of treatment. Torture saying, This is for your own good, when really, it was aimed at one goal—returning the victims to the front where they could be killed.

In his defence, Kozlowski wrote: *It is really necessary to have seen the whole procedure . . . in order to realise the nonsense of these allegations by Herr Kauders.*

It left Kozlowski cold, says my father.

I feel a grip of fear in my stomach at the memory of that phrase.

It left him cold, Simon repeats after my father. And acquitted of all charges.

And Wagner-Jauregg? Where he does come into this story? my father asks.

Wagner-Jauregg was the head of the institution Kozlowski worked at. Initially he was a member of the commission but later he recused himself, when it became clear how many of the medical misconduct charges related to him and his institution. Other commission members had to recuse themselves too.

It's a miracle they found anyone to sit on that commission, says Simon, much less give expert evidence. The rot ran deep in the European psychiatric profession.

But there was someone, my father says.

There was Freud, says Simon.

My father smiles. There's always Freud.

Yes, well even There's-Always-Freud seems to have been under the thrall of the great Wagner von Jauregg, seems to have stepped gently around the eminent Wagner von Jauregg.

My father says, Tell me.

Simon tells him: before the hearing, before mind you, before! Before the hearing Freud wrote to his colleague Sándor Ferenczi, *I will naturally treat [Wagner-Jauregg] with the most distinct benevolence. It also isn't his fault.*

Like Freud would've known whose fault it was before all the evidence was led, Simon goes on. Like anyone would have known whose fault it was before all the evidence was led.

My father reminds Simon that Freud was giving expert evidence rather than deciding the matter. The expert witness is entitled to his opinion, says my father (who has given expert evidence in trials himself). The expert's opinion matters. Freud's opinion mattered.

Freud was scrupulous in insisting he didn't believe Wagner-Jauregg to be guilty of any misconduct or dereliction of duty, but he did give evidence against the other doctors. He argued that the doctors were torn between *the claims of humanity* and the *demands of a national war*.

In a written memorandum he wrote: *The physician should primarily act as the patient's champion, not somebody else's. His function is impaired as soon as he starts serving someone else. At the moment at which he is ordered to make people fit for active duty as soon as possible, there necessarily arises a conflict for which one cannot possibly blame the medical profession.*

Even There's-Always-Freud insists, in the end, on defending the doctors, says Simon. Insists we cannot possibly blame the medical profession.

My father is quiet. He's thinking. He's remembering.

I, too, remember. I almost say, Port Elizabeth. That paediatrician in Port Elizabeth. I stop myself because I'm not a part of this conversation. And because they've moved onto something else. They're talking about the bigger picture.

The bigger picture, says Simon, is that this was not just about Kauders and the suffering soldiers. The bigger picture is that this was *nothing more than an epic event in the respective histories of psychoanalysis and psychiatry*. The bigger picture is that this was a showdown, the first staging of the battle with itself that psychiatry continues to have to this day.

The battle with itself, says my father.

Talk about a schizophrenic profession, says Simon.

They both smile.

Simon's on a roll: This was psychoanalysis versus medicalised psychiatry. A battle between those who look to the subconscious and those who look for a physical cause. A battle between the mentalists and somatists. He puts down his beer glass so he can wave his hands around. He's enjoying himself.

The meeting between Freud and Wagner-Jauregg brought into relief two vastly different conceptions of man. On the one hand, was psychoanalysis, which envisioned man as a suffering animal, fraught with internal psychological conflicts, and buffeted by the hardships of an indifferent universe; on the other hand was classical academic psychiatry, which scorned the distinction between the conscious and unconscious realms of the mind, and sanctioned inherently cruel attitudes and practices in its quest for exactitude in the description, classification, and treatment of mental disorders.

Like I said, Simon concludes his little speech, a showdown.

So which school won? my father asks.

You tell me, says Simon.

My father is thinking. Simon is too impatient to wait. He says, Well the great Wagner-Jauregg was acquitted.

Because of Freud's testimony? my father asks, and Simon says, Maybe, in part. But Freud wasn't the only one leaping to Wagner-Jauregg's defence. A powerful

man can always find people happy to leap to his defence with glowing accounts of what an all round good guy he is.

Or he actually wasn't guilty, says my father. Maybe Freud was right about him. Maybe those glowing accounts were spot on.

Simon looks as if he's going to respond, to disagree with my father. But he pauses, he shrugs, and my father says, It's not just the glowing accounts of Wagner-Jauregg that angers you, is it?

Simon shakes his head. The thing that really pisses me off, he says, is the attack on psychoanalysis Wagner-Jauregg's followers launched on day two of the hearing. When Freud wasn't there to defend his discipline.

So which school won? This time my father puts the question.

You tell me, Simon says.

They both smile and sip on their beers.

After a while my father says, I wonder what would have happened if they'd bumped into each other at a bar after the hearing—Freud and Wagner-Jauregg.

Wagner-Jauregg would have clicked his heels together and nodded. Then walked out, with his entourage storming after him.

And Freud? my father wants to know. Would he have an entourage to storm?

Hangers-on more like. Brilliant, shining, ragged hangers-on. Simon pauses. Maybe Freud would have been the one to storm out. With his hangers-on doing their best to storm after him only they have to finish their beers first 'cos they've already paid for them and won't be able to afford any more.

My father smiles. I think they would have greeted each other cordially. Wagner-Jauregg was acquitted, and Freud seemed to have continued to have faith in him. They kept writing each other birthday cards, even after the hearing. They kept using the informal *du* in their correspondence. They kept treating each other like colleagues.

You know, that just pisses me off more, says Simon. It makes me think Freud had no balls.

My father laughs and Simon says, No really. You wouldn't have used the friendly *du* to such a man, would you? You wouldn't have written birthday cards?

Birthday cards? Not me. My father sips from his beer. I'm a terrible correspondent.

My father has dodged the question but I know the answer. I remember the paediatrician in Port Elizabeth.

I am twelve years old and we are in Port Elizabeth. We're visiting my grandmother, who is holding one of her music evenings. The music stopped a while ago and now there's silence. Everyone is sitting, except my father who just stood up so suddenly that he knocked his chair over.

My father steps closer to the visitor and my mother says, Step back. He's not worth it.

Something has happened.

It's really bad and I don't understand it all. It has something to do with the letters we wrote earlier that day.

That afternoon, when my mother called us all to write letters, I rushed to get the window seat. It was my favourite place in my grandmother's lounge. From the window seat I could see the garden where my sister played make believe. I could see my brothers on the polished red stoop and hear them comparing the horsepower on car cards. I could see the sofa where my father dozed, his bare feet hanging over the armrest in disregard of my grandmother's strictures. The piano my mother used to hide beneath when, as a child, she was being called to practice her scales.

I got there first. I looked at the piano and wondered why my mother would choose it to hide beneath. Why she'd use the very thing she was trying to escape as her hiding place.

Then my brothers came in and crammed onto the window seat, one on either side of me, pushing, saying, Move over, make room.

We had to write letters to children who we didn't know. We were jostling and complaining and my mother said, Stop. Listen. She told us who we were writing to and why and I felt unequal to the task. Childish and silly. But old enough to know we weren't being told the whole story. She thought we needed protecting, like we were babies.

The others might need protecting but I didn't. I'd already picked up bits of the story. I already knew that Steve Biko had died. I'd heard my father reading aloud

a quote from the Minister of Police, James Kruger: *I am not glad and I am not sorry about Mr Biko. It leaves me cold (Dit laat my koud).*

I knew a journalist had written about it and now he was under house arrest.

I didn't know the journalist had five children. Or about the T-shirts they were sent. Laced with acid. The six-year-old girl with burns across her chest and stomach.

We were quiet when my mother told us. My older brother stopped tapping the table and put his hand under his shirt. The younger one too. I did the same thing. I wanted to stroke my stomach.

Five children, said my brother at last. Like us.

Like us, said my mother.

Like us, I whispered to myself.

My mother said the children might never get our letters. Their post was probably being intercepted. Someone asked, Then what's the point? And she said, The point is, it's the right thing to do.

She had her do-as-I-say face on. It stopped me from asking, What about us? Won't they come looking for us? It stopped me from saying, Maybe it's safer to just keep quiet. We don't want to draw attention to ourselves, do we?

After my mother left the room my older brother said, Biko died in a police van not far from here. They had him in the back of a police van and they were driving him through Port Elizabeth when he died.

My grandmother lives in a quiet suburb. They wouldn't have driven their van past her garden. My parents would check a parcel before they let us open it. They'd hold T-shirts up to the light before they let us put them on. They wouldn't let us be exposed to risk just to write a letter to someone we didn't know. Surely.

I didn't know what to say in my letter. I looked over at my brother's. He was drawing a car. My sister was drawing a flower. She always drew flowers. I was still thinking what to do when my mother came to collect our letters. I wrote, I'm sorry you were hurt. I made my name look like a squiggle.

My mother took the letters and said we had to have a quiet afternoon. We were going to be up late that night. There were visitors coming to listen to music.

The music has finished. We children have handed round food. The visitors are talking, when my father, suddenly, is standing. He's stepping closer to one of the guests. His voice is dark and pointing. A doctor. You're a doctor. They called themselves doctors. Doctors.

The repeated word sounds like a curse. His hands are clenched into fists.

Not worth it, my mother says. He's not worth it.

Then the room fills with music and everyone looks up. My grandmother's standing at the record player.

They stare at her, all of the adults.

My father bends down to pick up his chair.

Beside me, my brother sags and I realise he'd been holding himself alert, ready to join his father.

I already know the visitor is a doctor. He told us when we took his coat earlier. He gave us each 50 cents, a tip for the excellent service, and said that if we lived in Port Elizabeth he'd be our paediatrician. When I told him he could go through to the lounge, he winked and said, You're an excellent hostess.

My brother raised the coin up to his eyes. He said, I wish they all gave us money.

I said, That doctor's nice.

We like those music evenings, even though the music is boring. There's guests and nice food and we get to stay up. My youngest sister goes to bed as soon as the music finishes but the rest of us are listening to the adults' conversation. We're waiting for the chocolates. They're talking about Steve Biko. About the doctors who treated him in his cell. Local doctors who proclaimed him fit to travel, malingering. Who overlooked the bruises, the slurring beaten brain.

My father keeps asking the same question, How could those doctors do that? How could they? Over and over, like a child pulling at his mother's sleeve. How could they?

And the nice doctor who gave us fifty cents says, Put yourself in the position of those doctors. Imagine what it was like for them. He says, If I were one of those doctors I'd probably do what they did. He says, There but for the grace of God, go I.

My father rises from his seat, knocks over a chair and becomes a fighter. There, in the thrill of my father's violence is the comfort I've been waiting for since we sat down to write those letters.

There, in my grandmother's lounge, in my father's violence, is the answer to Simon's question.

There would have been no birthday cards.

If they'd met in that bar my father would not have stormed out. He would have stormed towards Wagner-Jauregg.

Only to be stopped by my grandfather who is just standing there. He's holding a broom but it's not the broom that stops my father. It's the way my grandfather holds himself that catches my father's attention, slows down his charge.

When my grandfather says, He's not worth it, there's something in his accent that arrests my father, that makes him shrug, hold up his hands, step back and return to his drink.

Wagner-Jauregg was acquitted. He returned to work, and to the research he'd started before the war—into treatment for GPI—the disease of the century.

Wagner-Jauregg had been experimenting for some decades with fever as a treatment for GPI. In 1883 he'd noticed that a female patient experienced a remission in her psychoses after contracting an acute skin infection accompanied by fever. In the years before the war he'd been experimenting with fever induced by tuberculin, supposedly a vaccine against tuberculosis. While the fevers induced by tuberculin appeared effective against GPI, the substance proved to be toxic and experiments using it were abandoned. Wagner-Jauregg then settled on malaria as a fever-inducing agent. Malaria had a number of advantages: the illness followed a predictable course, with one day of fever following two fever-free days. It could be treated with quinine, and there was a lot of it about—soldiers had contracted it on the Balkan Front.

In 1917 a soldier suffering from malaria was admitted to one of Wagner-Jauregg's wards for treatment for a small injury. In his later writing Wagner-Jauregg described the scene thus:



‘Should he be given quinine?’ [my assistant Dr. Alfred Fuchs] asked. I immediately said: ‘No.’ This I regarded as a sign of destiny. Because soldiers with malaria were usually not admitted to my wards, which accepted only cases suffering from a psychosis or patients with injuries to the central nervous system . . . I obtained during a paroxysm a small sample of the soldier’s blood, and I inoculated three general paralytic patients by rubbing a few drops into several superficial scarifications of the skin. Then the malaria of the soldier was stopped with quinine.

Wagner-Jauregg drew blood from the patient and administered it to nine patients suffering from GPI by rubbing the blood into superficial wounds on the skin. The patients contracted malaria. They became feverish. Their fevers followed the usual malaria cycle of peaking at about 106°F and staying there for a few hours before returning to normal. And then, two days later, peaking again. After 12 fever cycles, quinine was administered to treat the malaria. A year later Wagner-Jauregg reported a 67% improvement in all nine patients’ symptoms. Four years later he reported that three were *actively and efficiently at work*. Seven years later the same three were reported to be still working.

In 1922 Wagner-Jauregg reported that, of the 200 patients treated with malaria (from the same infected soldier), 50 had experienced complete remission. Malaria fever treatment spread rapidly through Europe and the United States, though doctors in England were more circumspect.

In 1924 Wagner-Jauregg’s name was submitted to the Nobel Committee for a Nobel Prize. It was rejected by the Swedish professor of psychiatry who argued that a doctor who injects malaria into paralytic patients is a criminal. His name was again submitted for the next round. The Swedish professor was no longer on the committee. The application was successful, and in 1927 Wagner-Jauregg became the first psychiatrist to be awarded the Nobel Prize.

Simon is scathing—of the Nobel Committee, of Wagner-Jauregg, of the ego of the man who sees his destiny in a soldier with raging malaria, of the psychiatric profession, which not only allowed him to conduct experiments on paralytic patients but also rewarded him for it. Lauded him for it.

My father, too, is uneasy about the lauding. But he feels obliged to point out that lives were saved.

And what does Wagner-Jauregg stress when he talks of the saved lives? asks Simon. He stresses the ability to return to work. Back to wage earning. Back to the Moloch of capitalism.

Well, says my father softly, The ability to work is an important measure.

Simon smiles and says, Yes, well yes, maybe it is. But another thing: I'm not convinced that unethical experimentation was necessary. Or particularly useful. The plague may simply have run its course. It could have been meeting increasing resistance from the hosts. Nutrition improved. Standards of hygiene improved. The other medical advances of the time were way more useful.

When Wagner-Jauregg won the Nobel Prize, Fleming was already working on penicillin.

It's no wonder Wagner-Jauregg is forgotten, says Simon. He deserves to be forgotten.

And then, says Simon, there's the matter of Nazi affiliations.

Wagner-Jauregg was the president of the Austrian League for Racial Regeneration and Heredity, which advocated the forced sterilisation of people who were mentally ill, criminal, or regarded as genetically inferior. He was a supporter of the Nazis and tried to join the National Socialist Party some time before the annexation of Austria. His application was turned down because his first wife was Jewish. But the National Socialists did not completely reject Wagner-Jauregg. When he died in 1940 the official newspaper, the *Völkischer Beobachter*, published an obituary praising his scientific work and stating that *[w]ithout his genetics the stock of ideas constituting the national socialist view of society is no longer conceivable.*

My father does not point out that eugenics were fairly mainstream at the time. He does not say that Wagner-Jauregg's efforts to join the National Socialists may have had more to do with survival than conviction. Or that a 2004 investigation into street names in Austria determined that Wagner-Jauregg was not a man with a *dubious history*.

My father does not point out any of these things because he too sees the beer stains spilled by Wagner-Jauregg.

It's getting dark out. Inside, my children are setting the table for dinner. They're calling for their father to wake up and take his legs off the arm of the sofa. We'll be called in soon. But there's something niggling at my father.

He says, The problem is, Wagner-Jauregg was right. When it came to GPI, he was right. The psychoses suffered by GPI patients were biological, says my father. They would not have responded to psychoanalysis. You could talk and listen to those patients until you were all blue in the face, says my father, but in the end, their illness was biological. In the end, it responded to medical intervention.

The GPI did, yes, says Simon, but that doesn't mean—

My father isn't finished. There's something else, he says: Before Wagner-Jauregg, the patients suffering with GPI were perceived as depraved sinners, *hopeless, immoral, stupid*. Wagner-Jauregg brought a new view. One that says, *It's not their fault. It's biological*.

He injected his patients with illness, says Simon. He saw them as criminals. He led us down the road of medicalisation of mental illness, of psychopharmacology.

Maybe you're giving him too much credit, says my father. Also, somatics isn't all bad.

There you have it, says my lucid, healthy Simon, a profession in showdown with itself.

## Chapter Eight

The era of fever therapy ushered in by Wagner-Jauregg may have been shortlived, but it was enthusiastic. In 1936 the first international conference on fever therapy was held in New York. Wagner-Jauregg co-chaired the Austrian Committee. Agenda topics included syphilis in its various stages and neurological conditions such as multiple sclerosis, chorea, paresis and tabes (the syphilis-related neurological condition on which Sir Arthur Conan Doyle wrote his thesis 50 years prior to the conference). Psychiatry seemed to have taken to fever therapy with particular enthusiasm. It had worked on one psychiatric illness—why not others?

I left Simon and my father in the garden while I read about the fever treatments administered by psychiatrists.

I didn't want either of them with me when I read about the Russian psychiatrists who injected sulfozinum into their patients, or about how sulfozinum had the added advantage of being particularly painful.

Not to mention the American psychiatrists who injected horse serum into schizophrenics to induce fever—a treatment Zelda Fitzgerald was subjected to. Fitzgerald's psychiatrist, Carroll, was a strong advocate of fever therapy. Her treatment involved the removal of cerebrospinal fluid and its replacement with horse serum. This procedure caused fever and meningitis; inflammation which, Carroll believed, would cause the body's immune system to respond, attack the inflammation and regenerate the brain.

I didn't want Simon or my father thinking about the injections of colloidal calcium, the rat-bite fever organisms.

These treatments all felt so punitive, so abysmally unsuccessful. They would have riled Simon up. They would have made my father sad. They were hard to read about, and I was distracted.

My son was vacuuming his room. I didn't complain at first. I was pleased he'd started doing his own cleaning. I thought his sister could do with a bit of that, but still, the vacuuming seemed to go on for hours and I was trying to do my research. It was hard to concentrate with the vacuum cleaner going. My son needed something to distract him.

I went to his room and I told him to stop, and he asked why in an argumentative tone, and I had to shout over the noise of the vacuum, Because I said so.

When the vacuum cleaner was off, I looked around his room and said, Wow, this looks shiny clean.

His room did look good. He had his school books all lined up on his desk, ready for the next term. It made me proud to see my son so responsible. A man who is willing to do housework. But still, he was a fifteen-year-old boy on holiday. He must be bored to death if he'd take up vacuuming. Caleb always got bored in school holidays. When he was younger I used to set him little projects. He clearly needed one now. That's why I told him I had a friend who needed his help.

I told him I had a friend who was thinking of inducing a fever in herself and she wanted to know how it could be done. I told him she was asking for his advice because she knew he was good at science.

Caleb was good at science. He'd won the science prize in his first two years at high school.

Caleb didn't say, Is she insane? I was pleased he didn't say that. We don't call people crazy in our house. I'd taught my children.

He did ask which friend. He said, Who? Who is it? and I said, No one you know. It's Zoe's mum, isn't it? It's exactly the sort of thing she'd do.

What do you mean, the sort of thing Zoe's mum would do? Why would she do it and not, say, say me?

Caleb just looked at me. Then he looked at the vacuum cleaner. With a look that might have been longing.

I said, So I told this friend of mine that you're good at science, and she said I should ask you about fever—about how one could induce it in oneself.

He asked, Does this friend of yours who's not Zoe's mum want to get a true fever or hyperthermia?

Like I said, he's good at science.

I, um—

Okay Mum, let me explain. He shifted to the mocking tone that signaled we were playing the gormless mother game—a game I'd increasingly been playing

with both my children—when I wanted to scan a document, or print it back to back, or hook up my computer to the TV, for example. I could learn to do these tasks myself but my kids seem to like the game and I didn't mind pretending to be helpless, so I just smiled when Caleb said, Okay mum, I'll use simple language that you can understand. If you understand, nod. Then you can tell your friend who is not Zoe's mum.

I nodded and he said, You know how you've been banging on about getting central heating?

I stopped nodding. I hadn't been banging on. It was just something I wanted to get done before winter. There was no point in getting it done after winter.

Well, said my son, If you do ever get it together to fit the central heating, it will come with a thermostat. Can you say that big word?

I let the central heating go. I said, Ther-mo-stat, and Caleb had a beautiful smile.

We'll use the ther-mo-stat to set the temperature we want the house to be. Then the central heating will kick in and heat the house until it reaches that temperature.

Ther-mo-stat, I said again.

Clever girl, said my son and his smile was still beautiful. It's exactly the same with our bodies, he explained. Only instead of a thermostat we have a hypothalamus.

Hy-po-thala-mus, I said, but he'd moved off the game. He was all business. Right, so, we have a set temperature of 37°. If it goes too low our bodies start conserving heat and doing what they can to get back up to 37°.

Aha, I said. I've got it. We start shivering.

Clever you, he said, and I felt absurdly proud—I'd earned a clever girl and a clever you in the space of a few minutes.

We do start shivering, he continued. Our tiny muscles are moving, giving off energy, heating our bodies.

We get goose-doosles.

Goose bumps, he corrected me. Pores close to reduce heat loss. The hairs on your body stand up to create an extra layer of insulation. Blood vessels constrict so that less blood flows to the extremities. All this, said my son, to return the

body to its natural temperature of 37°. The same thing applies, only in reverse if we're too hot. Our bodies do what they can to reduce heat—we sweat. We pant. Our pores open and we appear flushed. Which brings us, my son said, to your mystery friend who is not Zoe's mum, and the distinction between hyperthermia and fever.

He explained to me that the hyperthermic body is unable to maintain normal body temperature because it's unable to dissipate heat effectively—often because of extreme environmental factors. You're in a sauna so hot and so humid that the body can't sweat any more, he said.

You're lying in a trough of sand that's been baking all day in the Egyptian sun, I said. My son looked at me and I quickly came up with a more modern suggestion: Or running around in a plastic suit.

And he said, Um, yeah, I guess, but why would anyone—

I interrupted him to say, Or working outdoors in the sun without drinking. Don't ever do that, I said. Be sure to take on fluids.

Caleb ignored my instruction. He was well into his explanation. The hyperthermic body recognises that it is overheated and takes steps to cool itself. It sweats. Blood vessels on the skin dilate. It's trying to bring its temperature back down to where it belongs.

Got it, I said, but the fevered body . . .

The fevered body is not working to cool itself down. It's fighting to heat itself up. In fever the hypothalamus has fixed the body's set temperature at a higher point than normal. The body then strives to meet this new set point. It starts conserving heat. The patient starts shivering and shaking, getting goose bumps and rattling teeth. We see symptoms of cold even though the body is actually, objectively, hot.

He was explaining and I was trying to focus but I was thinking about the fevered body as perverse. Contrary. Disobedient and lying to itself. I was imagining the fevered patient: one minute you're throwing the blankets off your bed. Next you're curled in on yourself trying to keep the heat in your icy body. One minute you're sweating, calling for the windows to be opened, for fresh air to cool you. The next your skin feels clammy and cold to the touch. Your subjective experience is battling it out with the objective truth. The body is

bamboozled, the brain confused. The body's assessment of the ambient temperature is a lie. The body's assessment of its own state can't be trusted.

I was thinking about these things and about bravery and subversion. I was thinking about those GPI patients, and wondering whether the pre-existing gap between objective truth and subjective experience made fever treatment particularly appropriate or especially perverse. And, man, I thought, fever is one good idea.

Caleb said, You know how Al Gore won the Nobel Peace Prize?

I must have looked blank because he said, In 2007. He won the Nobel Prize in 2007.

I knew that.

So, after he won the Nobel Peace Prize, he made a few speeches where he said that the world had a fever.

I remembered hearing that. I remembered being moved by it.

It's a powerful metaphor, I said.

It's wrong.

Wrong? Why wrong?

I've just explained to you. It would be more correct to say the earth has hyperthermia. It's trying to cool itself but it can't.

Caleb was right. It would be more correct to say the earth has hypothermia. But it would be less lyrical and also more desperate—because, as I was just reading, fever can heal all disease. Hyperthermia, my son had just taught me, kicks in when the battle's being lost.

I was going to explain to Caleb why I preferred Al Gore's formulation but he looked kind of distracted, as if he wanted to move off the topic. I said, Gosh, you've taught me so much. I hadn't thought of fever in that way.

He said, Yeah, fever is like the body fighting with itself. Like you can't trust your own body.

One damn good idea, I thought.

It's like you can't trust the messages your body is giving you, he was saying. And you can't trust the messages your mind is giving you. But you have no other mind to test them with and your body can't help responding to the messages, even though they're unreliable.



I understand, I said. I've got it.

He looked at me, and I said, About the difference between fever and hyperthermia, I think I've got it.

He bent toward the vacuum cleaner, and I thought he was going to start vacuuming again. I said, How about you write up all that you've just told me? With some pictures? I can give it to my friend. She might even pay you. How about you do that?

My son said, I'm not five any more. He pulled the chord out of the wall. He said, If this mystery person who's Zoe's mum wants to get hyperthermia she can sit in a sauna or run around in your plastic suit, but if she wants a proper fever, she's going to have to make herself sick.

Or himself, I said.

Yeah, right, he said. Make himself sick.

It had to be fever and for fever there had to be illness. It wasn't new to me that illness would be involved. In all those literary fevers there was illness involved. But still, it was kind of hard hearing my son be so blunt about it. I'd grown attached to the idea of a nice steam bath. Or an onion under the armpit. The steam bath had a long, classical tradition behind it. The onion was old school and innocent.

I did a bit more research. I widened my search to include hyperthermia treatment and discovered a whole world of interventions that felt manageable. There was a centre on the South Island that did hyperthermia treatment. A website that sold hyperthermia sauna domes. A whole movement that promised I could heal myself, heal others, heal the world!

I smirked at that, and at the comment someone had posted: Heal your bank balance, more like it. I smirked at the headlines: The cure your doctor doesn't want you to know about.

I stopped smirking when I read the posts asking if there was any kind of subsidy. Any kind of angel fund? *I've got stage four bowel cancer and I can't afford to get to New Zealand for the treatment, to buy the sauna dome. Can anyone help me?*

I stopped smirking and gave myself a bit of a talking to: You will have nothing to do with these hyperthermia treatments. You will remove the website from your bookmarks. It has to be fever, and for fever there has to be illness. You always knew it wouldn't all be fun and games and a damp cloth to the head. Without the school of pain (or at least, discomfort) you can't emerge from the other side. It's the illness that makes the body turn against itself. The illness that creates the perverse body that opens the mind and is eloquent.

It had to be a true fever. Hyperthermia wouldn't cut it. That was obvious. So obvious that I added it to my manifesto. Rule number six: I will induce a true fever in myself. Hyperthermia doesn't count.

My new rule six belonged there—obviously. No one writes songs saying, You give me hyperthermia. Hyperthermia all through the night—obviously. No one takes on hyperthermia in a deal with the devil—obviously.

But still, there was no way I was going with horse serum or rat-bite fever, whatever that was.

Research, I told myself. You need to do more research. I found a new book about fever called *More Than Hot*.

I emailed my brother, who lives far away, and asked him about the time he'd had meningitis as a kid.

## Chapter Nine

When I was about seven years old my brother had meningitis. He slept on a stretcher in my parents' room.

The stretcher in my parents' room is very much part of the story of my brother's illness. It sets the scene, but also the tone. This was no ordinary illness.

I was once in the bed with my parents. For about an hour, after I'd got my head stuck in the gate and had to be rescued by Mr Makepiece. Mr Makepiece was a handyman who pretty much lived at our house for some years. First he was my father's patient. Then our handyman. Then the resident handyman who my father might sit with, between appointments, to talk about the perfect dovetail joint.

I shouldn't have got my head stuck in the gate. It shouldn't have happened. I'd thought it through. I'd looked at the gate and thought about my head. I'd held my hands on either side of my head and held my hands against the bars of the gate. I'd thought to myself, I'll test it, just quickly. I'll pop my head in quickly. If it comes out, fine, I'll know I can go ahead. If it gets stuck—well then, I'll know not to do it.

It was the perfect plan. I popped my head in and I popped it out again and I knew it was safe to stick my head in the gate.

If my head-in-the-gate story were an incident in a novel, Mr Makepiece's response would seem out of character, untrue to the reader's expectations. If I wanted to be consistent with those expectations I would say that Mr Makepiece mocked me. After he eased me out, he mocked me. Not because he was unkind but because even he, who'd felt the inclination to stick his head in all sorts of places, knew better. And because his love was the kind that mocked children. The kind that ridiculed them—lightly, intending no harm, but still a different variety of love.

Mr Makepiece would mock me and my siblings would tease me. They'd say, Miss Goody Two-Shoes did something naughty. Something silly and naughty.

I'd cry. I'd cry and cry. I'd cry and they'd say, There you go again. You're so sensitive. Can't you take a teasing? I'd keep crying until my mother came and stopped the teasing.

If I was writing to appease expectation, based on our family's patterns of behaviour, that would be what happened.

But I remember what really happened, and it was different. What really happened is that Mr Makepiece struggled to get my head free. He struggled and was a bit panicky and a bit lost.

Mr Makepiece was a huge man. A wood-hewing, welder-wielding giant. The gate was bigger. It spanned a two-car garage. It was welded in on either side. Welded just that morning by Mr Makepiece. Welded, as all Mr Makepiece's work, to last. The gate was bigger than Mr Makepiece, and stronger. The bars wouldn't bend. The only way out would be to burn through the metal that was hugging my head. Or, maybe (Mr Makepiece's mind would have been casting about), maybe an electric saw would be safer.

Mr Makepiece didn't mock when he'd eased me out. He didn't drop me on my feet and say, Get along with you. He held me. My siblings saw him carrying my hanging body to my parents' bedroom and they didn't tease.

Not yet. Not until later.

In the meantime I got to lie in my parents' bed. I got to listen to my parents talking as my father got ready for work and I was comforted.

My brother didn't get to be comforted by being in the bed. He was too ill for comfort. He was on a stretcher in the bedroom so they could take care of him and so they could watch him. Especially at night when fevers peak.

My brother is a drummer. As a child he'd be banging on his knees, lining pots up, thrumming on the table top. Tapping, always tapping. Once, as an adult, he played me a beat that was steady but organic, light-footed, fast. He played it on a tape recorder and said, What do you think that is? Then he told me, because he couldn't wait for me to guess. It's my baby's heartbeat. My baby in the womb. It's his heartbeat.

We listened to the tape together and my brother's fingers were tapping, softly tapping in rhythm with his unborn baby's heart.

When I was researching fever I read about circadian rhythms. I read that it's normal for the body to heat up at night and that, in a fever, this normal rhythmic fluctuation becomes amped up, exaggerated. I thought of my fevered brother

trying to keep time with this unchecked beat. Everything speeded up, overstated. My brother's fingers running rampant.

I thought about my parents.

They would have given him antibiotics. Painkillers. They would have tried to make him comfortable. There would have been cool cloths.

And after that, when there was nothing more to be done, they would have watched. During the day, my mother sitting in a chair next to the stretcher, with her book in her lap and her eyes on her son. During the night, my father, lying in his bed, his eyes at the level of my brother's tossing head, watching.

I was reminded of my parents watching when I read *More Than Hot*. At the beginning of Hamlin's book, there's a plate illustration of Fildes's 1891 painting of a doctor watching over a sick child. *The Doctor*.

*The Doctor* is possibly the most famous, most copied, most appropriated image of doctors ever. It's been used on postage stamps. It's been reproduced millions of times—in posters, on postcards, fliers. An engraving made immediately after it was first shown in the Tate Modern sold over a million copies in the United States alone, and has been one of the most profitable prints in the history of the publisher, Agnews. It's been adopted for political campaigns. In 1949 the American Medical Association (AMA) used the painting in its campaign against Truman's efforts to introduce a national health insurance—a plan aimed at overcoming *the economic fears of sickness*.

At the heart of this campaign against Truman's reforms was the painting of an artist with a strong background in political activism, a social realist who hoped that his work would encourage collective social action against inequality and poverty.

Perhaps Fildes would have felt more comfortable with a different use of his work. In 1998 the medical journal *The Lancet* used *The Doctor* to illustrate an edition celebrating 50 years of the NHS. On that side of the Atlantic, the image was a symbol of national, affordable health care for all.

Not long after the painting was first shown, Professor Mitchell Banks of the Royal Infirmary in Liverpool commented on the painting's reception, declaring that *a library of books written in our honor would not do what this picture has done and will do for the medical profession . . .*

The painting depicts a doctor sitting beside a sleeping sick child, intently watching. The mother sits slumped at a table, her face hidden in her arms, her hands clasped as if in prayer. The child's father stands beside the mother, one hand resting on her back. The sun is starting to come through the window. The child's parents are in the background, in the shadows. In the lit foreground are the doctor and the child. The child is sleeping. The doctor watching—intently, single-mindedly, devotedly watching. It is in this devoted observation, I think, that the power of this painting lies. Because it portrays the kind of medical care we would all like to receive.

This doctor has made what medical interventions he can—the papers on the floor suggest prescriptions filled. The bowl and pitcher of water suggest succor given. Having exhausted these steps the doctor does not rush off, his work complete. He sits, meditative yet alert, calm yet concerned, and he watches. He is entirely devoted to his patient. His interaction with the patient is not mediated by such *novelties such as the stethoscope, the ophthalmoscope, the thermometer and other tools of inspection and measurement, recently imported from the Continent*. His gaze is direct. His devotion unswerving.

He is the image of the doctor we conjure up when imagining the dedicated healer. The image of the care we all deserve in illness. *It seems that Fildes created a doctor-patient scene the way we tend to construe it ourselves: part reality and part wishful thinking*, says Michael Barilan.

Fildes's doctor was a presentation of the doctor that I needed, an antidote to Wagner-Jauregg who had, at the time Fildes painted his doctor, started experimenting with tuberculin as a method for inducing fever—experiments which proved fatal to some patients and were stopped on complaints from the medical community about the toxicity of tuberculin.

If Fildes's doctor had drunk at the bar in Vienna, he would have noticed the beer spilled by his colleague and have been ashamed for his profession. While Freud or Wagner-Jauregg would have moved along so their sleeves didn't get wet, Fildes's doctor would've pulled out his own handkerchief and wiped the counter down. Fildes's doctor would've noticed that the student serving him was hard of hearing, would've turned to face him as he spoke, to look him in the eye.

When it comes to our medical care, we want all the tests done, sure. All possible interventions explored, yes. But after that, after all, we want to be watched over. As Abraham Verghese puts it:

The painting represents our desire to be cared for with the kind of single-minded attentiveness of the physician seated to the left of the child. Illness renders us helpless, it infantilises us. When our minds are preoccupied by fear, by discomfort, by fever, we are very clear about what we need . . . The physician is our idealized desire: he has offered himself, sacrificed his own comfort, put aside matters of class and caste, or compensation to offer this one thing that only he has the power to offer: his presence through the night, and his unswerving dedication to the child.

Fildes's doctor gave me permission to explore a concern I'd been pushing to the back of my mind—the concern that there might be something other than bravery and subversion behind my fever. The concern that behind my fever there might be a little girl who wanted, with all her childish desire, to be the centre of attention.

I didn't want to admit it but there might have been a part of me that wanted to be infantilised and helpless. There might have been a part of me that wanted to be clear about my needs—to display them on my skin and say, here are my demands. This is what you need to do for me. There might have been a part of me that wanted a bit of unswerving dedication.

I wondered whether, as a child, I might have been a bit jealous of my brother, getting to lie in my parents' room for days. Having them all to himself, working, with their watching, on helping him. It would have been natural for a child to be a bit jealous of that unswerving devotion.

Fildes's doctor and child were painted in an age before antibiotics, at a time when doctors could employ only a limited range of interventions, when the fatalism and therapeutic nihilism attendant on GPI were at their height. When half the children born in England didn't make it to adulthood. *It may seem strange that man, notwithstanding his superior reason, should fall so far short of other animals in the management of his young*, decried Buchan, author of the

bestselling domestic medicine textbook, which first came out in the eighteenth century and continued to be published well into the nineteenth. Buchan placed some of the blame for these deaths at the door of physicians who he considered to be insufficiently attentive to the management of children.

Fildes's doctor is anything but inattentive. Anything but helpless.

I don't see a man who has given up. He looks like a man at work. Hamlin points out: *This doctor tracks a rich array of signs and symptoms. Besides hotness, a person's pulse, tongue, respiration, skin, visage, eyes, bowels, urine and even fingernails gave clues to the fever's character. So too did speech, gesture and even the victim's posture in bed.*

The watching doctor is hard at work. He is, with his concentrated gaze, helping. As long as he's there, watching, there's hope. The dawn is breaking. The child has made it through the night. The doctor is still at work.

In the pre-antibiotic era of this painting, the watching over the bedside of a fevered patient was not sitting helplessly by. It was an active role, a real job which served a number of important purposes—an experienced watcher could track the rich array of symptoms of fever. The watcher could offer some physical comfort by wiping the brow with a damp cloth, closing curtains against photophobia, straightening crumpled bed sheets, offering sips of water. The watcher could offer emotional comfort when the delusions became terrifying. When the patient was shouting that the walls were closing in, he was being suffocated, icy hands were grabbing his neck, the watcher could be gentle and say, You're safe. I'm here. The watcher could stop the patient from hurting himself—from hurling himself out of the window in search of cool air, from thrashing his head against the bed-frame because of the pain in his head. From fleeing the room and throwing himself down the stairs to escape the demons in his bed.

When the doctor in *Wuthering Heights* directs Nelly to *take care she [Cathy] did not throw herself downstairs or out of the window*, he is giving a familiar instruction which would have been known to family members (who often carried the burden of watching). When Catherine becomes ill for a second time, Nelly describes her husband, Edgar, *hanging over her pillow, watching every shade and every change of her painfully expressive features*. Later she relates: *Day*



*and night he was watching, and patiently enduring all the annoyances that irritable nerves and a shaken reason could inflict.*

To hear Nelly tell it, Kenneth's instructions are necessary because Cathy is a wayward girl; Edgar's watching shows devotion and attention beyond the call of duty. Both the threat of suicide and the constant vigilance point, in Nelly's portrayal, to excess. But (in this respect at least) Cathy's behavior would not have been excessive, and Edgar's watching would have been an appropriate response. The only difference between the watching in *Wuthering Heights* and the watching in *The Doctor* is who is doing the watching. In *Wuthering Heights*, the doctor, Kenneth, tends to rush off, *for he had enough to do in the parish*. In *The Doctor*, the physician has nothing else to do, it seems, but to watch over a poor, sick child.

Indeed, the history of fever can, in part, be traced through changes in who served the role of watcher. In the early nineteenth century, writes Christopher Hamlin, there was a recognised, quasi-professional, formal designation of watcher—a person who supplemented family care, often at night, to watch over the fevered patient. Later, alongside developments in thermometer usage, which entered mainstream medical care in England just a few years before *The Doctor* was painted, came a move towards the use of fever nurses. The watcher's best strategy Hamlin tells us, was to help the patient survive until the fever broke.

My brother had the advantages of antibiotics, but still, this was meningitis. And so my parents had their son in their bedroom and they watched. They helped him survive and they watched.

When I started thinking of my brother's illness, what came first was not memories of him on the stretcher or the worry in the house or any other recollection of this period. What came first was the memory of my father talking about my brother's illness. Again and again, talking about my brother's illness. Long after my brother had recovered and the stretcher had been folded, there was my father telling the story of his child's illness.

What must it have been like for my father to be at once the waiting parent, comforting his stricken wife, and the watchful doctor? What horror to be the one who has to both give and receive the information that there is little more to be done, that all we can do now is to watch and to wait? What dread when deciding

to tell the child's mother, his wife, that there could be deafness or blindness, epilepsy or, if please god he makes it through, god forbid, brain damage?

They would have prayed. My science-based, cerebral parents would have prayed. What else is there to do when you're the parent in the shadows helplessly watching?

Again and again, my father told the story of my brother's meningitis. Again and again, he spoke of the moment when the fever broke.

He sat up, my father would say. He sat up and said he was thirsty.

Like Pip asking for a cooling drink, I'd say, and my father would say, Exactly. Exactly like Pip and when your mother rushed to give him some water he said, Don't worry. I can get it myself. He said, I can get it myself.

There, in my brother's I-can-get-it-myself was something that reached beyond science into magic. It was so sudden. So absolute. So all or nothing.

Sitting up and saying, I'm thirsty, suggests the fever has broken. I-can-get-it-myself says, My brain is whole. I have passed through the school of pain.

According to some accounts Fildes chose the subject and portrayal of the doctor in memory of his own sick son and the doctor who watched over him. Fildes's son did not survive his illness.

When my brother became ill he brought into our modern medical home a whiff of the shtetl, a taste of the Victorian, a memory of an age when five siblings could not all survive, when the possibility of one of us dying seemed more likely than the possibility of I-can-get-it-myself.

Again and again, my father spoke of the fever breaking—spoke of it with a sense of wonder and surprise at something arbitrary and uncontrolled falling on the right side of fortune. Talking about it as if the fever's breaking was something which happened to my father, rather than something over which he and his medical training had any control.

If my father were still alive I'd tell him it wasn't an uncontrolled miracle that saved my brother. It wasn't the antibiotics or my brother's will to live. It was the watching.

The patient is actually passive, I'd tell my father. We see the thrashing and the pillow-biting. We see the body shaking uncontrollably, but really, I'd say, Really it's the ones who appear to be still who are doing the real work. It's the

watchers—the ones who look as if they're just sitting with a book in their lap. The ones who're lying on the bed staring at a boy on a stretcher—those are the ones doing the real work.

You cured him, I'd tell my father. You and your watching.

I wouldn't refer to Alberto. I wouldn't say, It wasn't the placebo that cured him, it was your attention, the watching. I couldn't say that, though I believed it.

I wasn't alone in believing it. Some of the authors who wrote about early fever treatments attributed what success was had not to the treatments themselves but to the attendant care given to psychiatric patients. The nurses and doctors hovering around, the touching and talking to the patient. The observation.

I believe that care and observation cured Alberto more than I believe in the fortune-telling priest, but still, I wouldn't say it. Because my father, for all his medical treatment, had believed in the fortune telling priest. And other supernatural ideas that made my mother tut her tongue. And because, to say it would be to remind him of Alberto's lost years, in the back ward. It would be like saying, He could have got better sooner, had you and your colleagues simply paid him more attention.

I'd keep quiet about Alberto but not about my brother's I-can-get-it-myself.

If my father were unconvinced I'd show him Fildes's painting. I'd say, Look at the concentration on that doctor's face. Look at how hard he's working.

I'd say, That's why Edgar is the hero of *Wuthering Heights*.

If my father were still alive he'd say, Edgar Linton? The hero? The one who people paint as a bit of a sap?

## Chapter Ten

My father and I are having the *Wuthering Heights* conversation. We're doing it in Swaziland in front of the fire. The mountains are covered in mist.

There's a copy of *Wuthering Heights* on the table between us. It's someone's old school textbook and has clearly been through a few owners.

I've made two gigantic sandwiches and a pot of tea. I've brought them into the room on a tray, carrying them in front of me like a gift. It feels like I'm giving him another gift when I say to my father, Edgar Linton is my hero.

He sits forwards at this. Edgar Linton? Here's something interesting.

I give him a hint: Illness and fever. Edgar's attitude towards illness and fever.

Lay it out for me, my father says. He picks up a sandwich.

My father and I go through the characters one by one. We hold them up and turn them around as if they are rare pieces of glass he's picked up somewhere. We see what happens when the fire-light shines through them.

We start with Nelly because my father wants to save Edgar, my hero, my best, for last. He says, Tell me what you've got on Nelly. Lay it out for me.

I lay it out for my father. First, I say, we have Charlotte Brontë's assessment of her. I pick up the book and read out Charlotte's depiction of Nelly as one of the *spots where clouded daylight and the eclipsed sun still attest their existence . . . a specimen of true benevolence and homely fidelity . . .*

My father smiles like he can see this is going to be good. We're going to do this properly. He says, Let's not forget Charlotte said those words in a defensive justification of her sister's book, against those who considered it a *rude and strange production*. She was using that preface to sock it to the critics, my father says, and we both think of a sister socking someone in defence of her sibling.

On my brother's first day at nursery school he climbed a little hill to stand next to another boy who was standing alone. The boy said, Hello. My brother said, Hello.

They were facing away from the other children and my brother didn't see our older sister come racing up the hill, roaring up the hill to hit the other boy in the stomach.

She socked him one, my father used to say, always immensely proud of his five-year-old socking daughter. My mother tended to play down the socking. She said my sister didn't mean to hit the boy. She just wanted to be close to her brother on his first day of school. He was still shy then and she used to do a lot of the talking for him.

She wasn't going to talk, my father would chip in. She was going to sock him one. He'd put up his fists and say, like Charlie Chaplin in *The Champion*.

My father was a wrestler at university. He liked watching Chuck Norris movies and shouting out things like, Hit him again, he's still breathing. Once, in a cinema, he got in a fight with the man sitting behind him. My father was in his seventies then. The man looked about sixty. The two wives apologised to each other and told their husbands to stop being silly. My father said, D'you want to take it outside? D'you want to take it outside?

My mother laughed so much she had tears running down her face when she related the story. And there was something proud in her laughter, something that said, I didn't marry a drip.

I told my sister about my father in the cinema and she said, It's not funny. That man could've hurt Daddy. Could've hurt Mommy.

I said, Or Daddy could have got the better of him. I'd put my money on our father any day.

So would I, said my sister. But still, that is so uncool.

I said, They were in a suburban cinema. Old men. It was all just chest-beating and melodramatic grimacing. Like television wrestlers.

Really old television wrestlers, said my sister. He could've got hurt.

And you weren't there to come to his rescue. You weren't there to sock that man one.

Not that again, she groaned elaborately. I was five years old at the time. A child, not a grown man. Anyway, that was different. That was protecting a sibling. Protecting a sibling's different.

Protecting a sibling was different. We could get away with a lot if it was done to protect a sibling. Protecting a sibling was always good.

Speaking against a sibling was always bad. Telling tales was not encouraged.

Fighting with a sibling had to be done quietly, far from our parents, at a time when our father couldn't come booming in with his temper up and a punishment ready for fighting with your brother, fighting with your sister. Which you know we don't like in this house.

If his reaction felt too extreme, the punishment too harsh, it would only remind us that our father had two sisters. That there'd been a bad fight. Which made him sad and was not spoken of.

Two sisters we'd never met. Who'd made him sad with their fighting. Fighting which would not be repeated in his family, by his children. So he was proud of his daughter, his firstborn who ran up a hill with her fists ready to sock a boy who stood too close to her brother.

And he is proud of Charlotte, standing up for her sister's work. Using Nelly to sock it to the critics. He puts down his sandwich. He says, Charlotte was right to point out Nelly's fidelity.

Nelly certainly is faithful, though the Earnshaw family is not easy to be faithful to. Nelly is a servant to the Earnshaws. Her mother was a servant to the Earnshaws and Nelly has lived with them from childhood. *I was almost always at Wuthering Heights; because my mother had nursed Mr Hindley Earnshaw . . . and I got used to playing with the children: I ran errands too, and helped to make hay, and hung about the farm ready for anything that anybody would set me to,* she tells Mr Lockwood, describing both her intimacy with the Earnshaw children and her separateness. We can imagine how a game might have been cut off because someone was needed to help in the kitchen, how Catherine and Hindley would not even look up as Nelly leapt from the game to run and do as she was told.

Nelly is only a few years older than Catherine—more or less the same age as Hindley. Yet besides her, Catherine, Hindley and the adopted Earnshaw, Heathcliff, are children. Complaining, squabbling, petulant children. Lying, violent, drunken children. Children who are self-obsessed and self-destructive. Children who incessantly threaten to kill themselves or others. Children who use her to implement their own bad choices. Children upon whom Nelly is entirely reliant for her home, her keep, her subsistence. Children who think nothing of using physical violence against her. In a single day she is pinched *with a prolonged wrench* by Catherine and has a knife inserted between her teeth by

Hindley. She manages somehow to face Hindley with calm though the drunken, bitter man seems capable of real violence. A few minutes later he hangs his son over a bannister and lets go.

She's like one of the family, was the odious South African cliché supposedly trotted out by self-congratulatory liberal whites in describing their domestic help. I'd never heard anyone say it but people said they did. Some of my best friends are black, and Sarafina, Alina, Sophie, Gladys, Agnes, Nelly Dean is like one of the family. We give her apples and pears and call her a *cant lass*. She lives on our property. The children play together.

One school holiday I played with Alina's daughter. She'd come to Johannesburg to visit her mother. This was unusual. Alina's children belonged elsewhere—in the distant hills that Alina disappeared into once a year, along with all the other domestic workers going home for three weeks. Three weeks of re-meeting husbands returned from the mines or missing husbands not returned. Three weeks of looking at your own children and actually noticing how they'd grown. Three weeks of looking at your own children and knowing you will leave them. To return to your employers who say, She's like one of the family.

Something must have happened to make Alina's daughter come to Johannesburg that school holiday. I don't know what it was. I remember a huge drunk man banging on doors, shouting in the streets, carrying a stick.

In Swaziland, over our sandwiches, I almost ask my father what brought the daughter to the city, but I stop myself. I don't want to remind him of the visit where Alina's daughter and I played together. The shameful thing I did.

We were in the baby's room, unfolding and refolding nappies. It wasn't easy getting children to play with me in my baby sister's room—you had to be quiet and the baby was boring and sleeping and there weren't any toys. Alina's daughter was happy to be there with me. She liked folding the baby's nappies. I'd told her that was what we were going to do and she'd nodded and followed me.

We were folding the nappies and she needed to wee.

She went across the passage to the toilet.

I followed her and said, No. No, I said, you can't go to that toilet. You—you must go to the other toilet. The one outside.

I don't remember if Alina's daughter went outside to use the toilet in the servants' quarters. I don't know whether she told her mother or my mother or my siblings. I remember worrying that she might. I remember worrying she'd tell and I'd get in trouble.

I remember my shame.

I cannot forget the five-year-old me saying, No.

It came to mind again when Hindley returns to *Wuthering Heights* with his new wife and tells Nelly that she and the other servant, Joseph, must *henceforth quarter themselves in the back-kitchen, and leave the house for him.*

My father and I drink our tea and talk about the cruelty that lay beneath Nelly's banishment. The double cruelty, since it came from her childhood friend and intimate. I don't tell him what I did as a child. He'd only excuse it as a child's action. He'd take the guilt upon himself—for having brought children up in South Africa, for having had servants working in our home and living in their quarters, for the drunk man shouting in the street. My father is good at carrying guilt and I don't want him to take on this one. This is my guilt.

I say, Hindley and Catherine aren't coy in making the differences in their status clear to Nelly. There's the bossing about, the slapping, the inserting of knives.

It starts with the illness, my father says. Illness marks the beginning of the children's expressions of superior status.

I top up my father's tea and pick up my own sandwich. I say, I need you to explain how illness was the start of everything.

I see his joy at being allowed to teach his child something.

First of all, what we know: We know Nelly is healthy. She tells us she's healthy and her mother was healthy, but even if we don't trust her assessment, we know she's healthy for the simple reason that she's alive—she outlives all her contemporaries. By the end of the book she's the only one still kicking. But there's something unhealthy in all her assertions of good health. Nelly Dean's good health is unhealthy, possibly pathological.

If there's pathology there must be childhood trauma, I tease the psychiatrist. He smiles and says that one of the reasons he loves *Wuthering Heights* is because Brontë really seemed to understand how trauma in childhood could follow a



person throughout their lives. Heathcliff's violence and vengeance. Hindley's alcoholism and gambling, Catherine's tantrums—all could be traced back to a father who was capricious in how he dispensed kindness.

Nelly's attitude towards her own good health is also a product of childhood trauma, my father says, and he reminds me how, as children, Catherine, Hindley and Heathcliff all got measles. Nelly did not. Nelly would have wondered why she didn't get this highly contagious illness. Even as a child she would have wondered. And the answer would be clear—because you are not one of us.

My father and I digress, then, to reminisce about how, when one of us children got mumps, my mother ensured we all got mumps. My father remembers walking into the lounge and finding us all sitting in a circle, biting into an apple and passing it on, my mother standing ready with another apple for the mumps child to bite into.

Nelly would have been outside the circle, my father says. If the mere absence of measles didn't bring this home to her, the role she was suddenly thrown into would have.

Nelly looks after them, I say. Like a servant.

A servant and an adult, he adds. The illness marks the point at which Nelly becomes servant and adult. The children lie in bed being sick while she *had to tend them, and take on me the cares of a woman at once*.

This is an important moment in Nelly's development, my father says. Notice the use of the words *at once*. Notice how suddenly the knowledge of her alienation comes upon her, how patent the message. Nelly's good health removed her from the inner circle as much as Hindley saying, *Quarter yourself in the back-kitchen*, does later in the book.

As much as a child saying, No, you go outside.

I sit quietly while my father talks about how Nelly deals with this new delineation. How it brings a shift in her allegiances, away from Hindley (the born master) towards Heathcliff, adopted outsider, not quite a member of the family. My father points out that, before the illness, Nelly sympathises with Hindley in the face of his father's partiality to Heathcliff. He reads out a quote:

I sympathised a while; but when the children fell ill of the measles, and I had to tend them, and take on me the cares of a woman at once, I changed my idea. Heathcliff was dangerously sick; and while he lay at the worst he would have me constantly by his pillow: I suppose he felt I did a good deal for him, and he hadn't wit to guess that I was compelled to do it. However, I will say this, he was the quietest child that ever nurse watched over. The difference between him and the others forced me to be less partial. Catherine and her brother harassed me terribly: he was as uncomplaining as a lamb.

Notice, my father says, that Heathcliff's demands are not those of a master to a servant. He doesn't see her as someone compelled to take care of him. Catherine and Hindley *harass her terribly*. Heathcliff, who has not yet identified her as someone in servitude, is *uncomplaining as a lamb . . .*

My father and I talk about how illness marked the end of childhood for Nelly, and a formalising of her status as a servant. We discuss how she manages to find a bit of power for herself—the power of health. Be sick if you must, the child Nelly is already saying, but don't bother me with it. Your sickness has made an adult of me and I have other, adult cares. I am healthy and my sympathies have shifted. I may have become a servant but I have my health. I can find power in that.

Therein, my father says, lies the pathology. Nelly's attitude to health makes her behave badly. It's as if, on becoming so suddenly an adult, she loses sympathy, compassion. Imagination. Nelly cannot imagine what the patient suffers and this inability makes her completely incompetent as a caregiver.

There's that quote by Oliver Sacks, says my father—the one from *Awakenings*—where he talks of two narratives required for every clinical experience: the first *an objective description of disorders, mechanisms, syndromes* and the second the *more existential and personal—an empathic entering into the patients experience and world*.

My father loves that quote. He likes talking about it: A good psychiatrist observes from an objective distance, yes. He studies symptoms, categorises illness, matches the syndrome to the medication. But this is only half the job. The other half is the creative part. A good psychiatrist enters another person's world,

experiences what the patient is going through. A good psychiatrist sees the world from inside his patient's mind.

My father pauses. Then he says, I've been thinking about that conversation Simon and I had about GPI.

Wagner-Jauregg and his fever treatment, I say.

Freud versus Wagner-Jauregg, the profession at war with itself, my father says. He thinks for a moment, then says, Simon and I both got it wrong. It's wrong to present those two faces of psychiatry as being at war with each other. It's wrong to suggest we need one or the other. A good psychiatrist recognises more than one narrative. That's why I love the Oliver Sacks quote.

I like the quote, too. It reminds me of Fildes's doctor. The attention he's paying is more than simply studying the objective changes in his patient. He's also entering her tiny body and imagining how it feels. He's experiencing her fever because he knows that, without empathy, one cannot tell the full story, there can be no proper care.

Nelly is unable and unwilling to enter her charges' experiences of illness. She *sympathised for a while* but her ability to do so is cut short *at once*. At once she loses her place in her playmates' circle. At once the ability to engage in Sacks's second narrative is lost. The consequences are serious: Nelly ignores Isabella's fairly patent consumption. Isabella tells Nelly she is afraid of dying, and Nelly notices that *mounting the stairs made her breathe very quick; that the least sudden noise set her all in a quiver, and that she coughed troublesomely sometimes*, but Nelly declares she knew nothing of what these portended and *had no impulse to sympathise with her*. Indeed, Nelly is not inclined to sympathise with any illness. Edgar's illness she presents to us as a character flaw. She berates her sick master for sleeping in. She lacks the imagination to sympathise, much less empathise.

It is this inability to empathise, my father says, that causes her appalling behaviour to Catherine when Catherine is ill.

Catherine's first serious illness comes immediately after she accepts Edgar's proposal of marriage, after Heathcliff has fled.

When Nelly recounts this story she stresses, from the outset, Catherine's role in bringing the fever on herself. She *got thoroughly drenched for her obstinacy in*

*refusing to take shelter, and standing bonnetless and shawl-less to catch as much water as she could with her hair and clothes.* She did it on purpose. It's her own fault. This illness is pure naughtiness and to take care of her would be to encourage her naughty behaviour, is healthy Nelly's view—a view which allows her to declare, with no hint of contrition, that she did *not make a gentle nurse* even though the doctor pronounced Catherine *dangerously ill*. She asserts her irritation at the doctor's instruction that Catherine *would not bear crossing much and ought to have her own way*—a course of treatment in keeping with medical understanding at the time. William Buchan's *Domestic Medicine, or The Family Physician*, the best selling domestic medical text of the time, prescribes this regimen for brain inflammation:

The patient must, as far as possible, be soothed and humoured in every thing. Contradiction will ruffle his mind, and increase his malady. Even when he calls for things which are not to be obtained, or which might prove hurtful, he is not to be positively denied them, but rather put off with the promise of having them as they can be obtained, or by some other excuse. A little of any thing that the mind is set upon, though not quite proper, will hurt the patient less than a positive refusal. In a word, whatever he was fond of, or used to be delighted with when in health.

There was nothing unusual in the doctor's instructions, yet Nelly is unashamedly dismissive of them. She can, without the slightest bit of self-doubt, explain how others saw the shortcomings in her care of Catherine and how this didn't budge her one inch: *Old Mrs Linton paid us several visits, to be sure, and set things to rights, and scolded and ordered us all; and when Catherine was convalescent, she insisted on conveying her to Thrushcross Grange: for which deliverance we were very grateful."*

When Catherine becomes ill a second time, Nelly contrives to leave her on her own, crosses her at every turn and, when Catherine requests gruel (which her doctor prescribed), Nelly insists on giving her tea and dry toast instead.

Catherine's second, fatal illness comes after a disturbing altercation involving Heathcliff, Edgar, Catherine and, on the outskirts, Nelly. Catherine's second

illness is diagnosed as brain fever. The first one was, in all likelihood, brain fever too.

I ask my father about this diagnosis and he explains that the brain fever of Victorian literature was probably either encephalitis or meningitis but that he finds this characterisation unhelpful. He argues that, rather than imposing a modern view on Catherine's illness, we should view it as Victorian readers and doctors did. Fever, my father tells me, was an illness, not a symptom, and brain fever was one branch of this illness—a recognised sickness which followed its own course, had its own characteristics and its own treatment.

I sit back and eat my sandwich and let my father lecture me on brain fever. He relates the doctor James Copland's description of the symptoms of brain fever, published in 1858, just a few years after *Wuthering Heights* was first published:

Acute pain in the head, with intolerance of light and sound; watchfulness, delirium; flushed countenance, and redness of the conjunctiva, or a heavy suffused state of the eyes; quick pulse; frequently spasmodic twitchings or convulsions, passing into somnolency, coma, and complete relaxation of the limbs . . . Mental confusion is a universal symptom, accompanied at times by erratic behavior, forgetfulness, and irritability.

We marvel at how closely Catherine's symptoms resembled Copland's: Catherine speaks of a *thousand smiths' hammers beating in [her] head!*

Nelly captures Copland's objective symptoms but nothing of how the patient feels. She is capable of providing only one of Sacks's two narratives—the one which can be provided by an outsider:

There she lay dashing her head against the arm of the sofa, grinding her teeth, so that you might fancy she would crash them to splinters . . . She had no breath for speaking . . . In a few seconds she stretched herself out stiff, and turned up her eyes, while her cheeks, at once blanched and livid, assumed the aspect of death.

Brain fever was not an illness that allowed its victims to lie silent and uncomplaining. Catherine's conduct while sick is not the histrionics of a spoiled child. It is a known manifestation of a recognised illness—one which the doctor diagnoses and which, even before the doctor's visit, Nelly would, surely, have known about.

My father and I consider whether Nelly would have recognised Catherine's symptoms as brain fever. He feels sure she would have, even without the doctor diagnosing them. He points out that ill health was something of an obsession for Victorians. William Buchan's domestic medicine book enjoyed nineteen editions in English and was widely translated. It sold 80,000 copies during his lifetime. It might have been the most widely read non-religious book of the time. Almost every middle class home owned a domestic medical book. The Brontës owned at least one—their annotated edition of Dr Thomas Graham's *Modern Domestic Medicine* and has been described as *the secular bible of the Brontë household*. In all likelihood the Brontës also owned Buchan's book at some point, since it is referred to in one of Mr Brontë's annotations in Graham.

But maybe Nelly wasn't literate, I say. And also, *Wuthering Heights* doesn't strike me as the kind of household to own a medical textbook. *Wuthering Heights* feels too feral a home, too marginalised a household to own a self-help book.

My father disagrees—both on my characterisation of the household and of my characterisation of the books. These were not self-help texts for the worried well, he insists. They were a necessary resource at time when most medical care took place at home, when the doctor was rushing off because he had *enough to do in the parish*. One of Nelly's roles, my father says, would have been to take care of sick family members. She must have known about fever and its treatment. She would have gossiped in the village about Catherine's illness. There would have been diagnoses aplenty.

Which means, my father says, she'd know what caused it.

And what did cause it? Amongst other things, what Buchan calls *violent emotions of the mind*. The link between passionate emotion, anxiety, stress or shock and brain fever was taken as a given, not just in the domestic medical texts.

My father tells me about Alexander Tweedie, the celebrated Scottish doctor

and writer who was a contemporary of Brontë. Among the causes of fever, Tweedie cites events which give *a severe shock to the nervous system. The various kinds of mental emotion—fear, anxiety, disappointments, long continued watching on a sick bed, intense study, want of sleep may individually be ranked among the predisposing causes of fever.*

And so, my father tells me, for Victorian readers of *Wuthering Heights*, brain fever was a recognised physiological disease frequently brought on by emotional distress.

Aha, I say, so for Emily Brontë, Catherine really could cry herself sick.

That's right, my father says, she really could.

I get up to top up the teapot but before I leave the room I say, Still, that I'll cry myself sick is a bit—

A bit, I'll hold my breath till I'm blue, my father interjects.

You'll be sorry when I'm gone, I say, and I leave the room with the teapot.

I've got a fresh pot of tea and my father's added a log to the fire. He says, Where were we?

And I say, Brain fever.

Ah yes, now we know what caused it. We know its symptoms. We can move on to treatment. Here, too, Brontë's account was faithful to medical thinking of the time.

The doctor, Kenneth, directs that Catherine must be given water-gruel, that her caregivers must avoid crossing her, that they must guard against her throwing herself down the stairs. In addition, we know her hair was cut in her second illness—a common measure for fever patients, both to facilitate the easy application of leeches and to allow for bathing with rose water, vinegar or possibly ice.

Like in *What Katy Did Next*, I say, and my father says, Really?

Yes, yes, her sister Amy gets fever and *All her pretty hair had been shorn away, which made her little face look tiny and sharp.*

My father says, I'll see your Katy and raise you with *The Adventure of the Copper Beeches*.

That silly Sherlock Holmes where the governess impersonates someone who had brain fever?

Silly? says my father. Sherlock Holmes, silly?

I laugh. Okay, so they would have shorn hair and applied leeches and then, when all that was done, they would have watched.

Like the patient in *The Adventure of the Naval Treaty*, says my father. Never left alone, thus making it impossible for the villain to retrieve the stolen goods he hid in the patient's room. He smiles. They may be silly but they know brain fever.

Nelly does not watch over Catherine. Perversely, she removes herself and ensures that Catherine's husband keeps away from her. She engineers matters so that Catherine goes unwatched. For three days.

When Catherine emerges from the room after her three day fast, with a *ghastly countenance, and strange exaggerated manner*, and Nelly's response to this patient suffering is to *preserve her external composure* we see Catherine's distress, and we see the rapid slide into delirium which this distress triggers.

Nelly's treatment clearly does not work. Catherine does not get better under her care and the reader must begin to wonder whether Nelly wants Catherine to get better. Her blatant misrepresentation of Catherine's illness as *nothing* to her shocked husband, his horror at his wife's deterioration, the reminder that no medical attention has been given, the knowledge that Catherine has been left alone, these do make us wonder whether Nelly might have some interest in keeping Catherine ill.

When Edgar cares for Catherine in her illness, Nelly is not shamed into compassion. Rather, she is bemused by Edgar's patience in enduring *all the annoyances that irritable nerves and a shaken reason could inflict*, and by the fact that he does this, though the doctor has *remarked that what he saved from the grave would only recompense his care by forming the source of constant future anxiety—in fact, that his health and strength were being sacrificed to preserve a mere ruin of humanity*.

Here is Nelly—loyal, constant, benevolent Nelly—saying *that mere ruin of humanity*. Saying it about Catherine, her childhood playmate, adult intimate, woman whose care she is responsible for. That mere ruin of humanity—hardly worth saving that mere ruin. Not when you think about all the anxiety it is likely to cause in the future.



I draw back from discussing that mere ruin of humanity with my father. I'm worried it might bring back memories of watching a boy on a stretcher and wondering how to tell his mother there could be epilepsy or blindness or brain damage. I say, Well we can pretty much wrap Nelly up then. She may be a specimen of homely fidelity, but she displays, in her attitude towards Catherine and her illness, at worst a willingness to do harm and at best a singular inability to sympathise.

Ultimately what Nelly is lacking is imagination, my father says. She cannot imagine an emotional life on the scale represented by Catherine. And when Catherine is ill, she cannot enter into Catherine's experience. She cannot empathise.

My father and I sit and look at the fire. I think about Simon saying, Don't put the phone down. Please. Please don't put the phone down. Please.

And my being sharp and brisk: I've got to pack. We're going to Swaziland. I told you already we're going to Swaziland.

My saying that, even though we weren't leaving for a few days yet. Even though what I really wanted was to go swimming with a friend.

I'm the one to interrupt the silence. I say, Nelly Dean, you have failed. Through an inability to feel Catherine's suffering you have failed your childhood charge. Through your acting out of callous indifference you have fanned Catherine's fever. You've made her sicker. I say, That's Nelly dealt with. Time to move on to Heathcliff.

My father says, For Heathcliff I need a biscuit.

I get up and fetch the tin. My father picks one and passes me the tin. He says, So, Heathcliff. Another traumatised child.

I hate his guts, I say.

I look up from studying the biscuit choices to look at my father's face. Is he surprised to hear me say I hate Heathcliff? Was he expecting girlish praise? I think not. He looks unsurprised and, when he hears my reasons for condemning Heathcliff, slightly nervous.

When I say, Nelly fails Catherine for an insufficiency of compassion, but Heathcliff fails her through an excess of association, my father asks again for the biscuit tin.

I know why my father looks nervous. The criticism of excess association with a loved one is bound to make him nervous. He's waiting, expecting me to accuse Heathcliff of being uxorious. He's getting ready to defend the word, to say, Well, strictly that term only applies to married people, and anyway, what's wrong with being uxorious?

My father loved the word, often brought it into conversation and said, That's me. He sang, Uxorious, to my mother, to us children. He probably taught the word to his patients. My father was uxorious. Boldly, proudly, self-declaredly uxorious.

So I move away from criticising Heathcliff's excessive association. I start, rather, with his violence. That'll get my father on my side of the Heathcliff divide. I start by pointing out that Heathcliff was a violent, wife-beating bully. Heathcliff's abuse of Isabella is dogged, violent, untiring. It is premeditated. It is planned and rehearsed. *You'd hear of odd things if I lived alone with that mawkish, waxen face: the most ordinary would be painting on its white the colours of the rainbow, and turning the blue eyes black, every day or two,* he says in musings about violence that are almost lyrical.

The abuse is deliberate, calculated and controlled to stop just on the legal side of the prevailing law. He acknowledges that he is limited only by legal boundaries and from *pure lack of invention in my experiments*. He's a man who picks on small dogs and women.

My father agrees with me on all these points. He nods along and smiles, and then he says, But—

Yeah, yeah, childhood trauma.

Okay, so Heathcliff's violent childhood may explain how he became Isabella's torturer, I say, but still, it doesn't mean we have to champion him. Or, god forbid, fall in love with him.

Fall in love with him, no, my father says. Can you imagine bringing him home for Friday night dinner? Or taking him to one of your grandmother's music evenings? We both laugh at the thought but then he says, You know, I feel as if Heathcliff could do with a champion.

Seeing my incredulous face he says, Okay, let's ignore his relationship with Isabella. For the sake of argument, let's just look at him and Catherine. You're not

denying he loved Catherine, are you? You wouldn't deny that, my uxorious father says.

Okay, okay, I won't deny that. I won't even try. But I will ask this—is it a selfless love? A healthy love? Or is it the love of an alcoholic for his drinking partner? A love that shows its true colours when that drinking partner sobers up.

My father is not listening for hints of criticism of his relationship with my mother because there aren't any in what I'm saying. We both know my father is a man who turns any destructive tendencies inwards and could never, through an excess of association or otherwise, hurt his wife.

When Heathcliff returns to Catherine after his three-year absence, he finds her sober. There is a new maturity in her. A self-awareness. An emotional calm. She is, as she describes herself to Heathcliff, *secure and tranquil*. Given Catherine's history of illness, this tranquility is something to be nurtured. But Heathcliff cannot nurture. For a man who professes to care only for Catherine, to live for Catherine alone, he is mightily distracted by his hatred for her husband and her brother. Nowhere is this clearer than in his wooing of Isabella. A wooing he persists in although it goes against Catherine's express wishes: *Edgar is restored from the ill-temper he gave way to at your coming; I begin to be secure and tranquil; and you, restless to know us at peace, appear resolved on exciting a quarrel. Quarrel with Edgar, if you please, Heathcliff, and deceive his sister: you'll hit on exactly the most efficient method of revenging yourself on me.*

Heathcliff loves Catherine. I don't deny it. But, like Nelly, he fails to understand how fragile her emotional and physical health are. He woos Isabella. He excites a quarrel. He leaves. When Catherine is clearly agitated, possibly alienated from her husband, desperately vulnerable, he leaves. Pausing only to hang Isabella's dog by its neck.

He's a selfish prick, I say, and before my father can say anything about my choice of words, I explain: What does he do when he finds Catherine on her deathbed? Who is he concerned with first? Himself. *Oh Catherine! Oh my life! How can I bear it? was the first sentence he uttered in a tone that did not seek to disguise his despair.*

How can I bear it? Couldn't even hide his despair? For Catherine's sake, couldn't he try?

Well, my father says, it would be hard for him to hide. If I were in Heathcliff's position I wouldn't be able to disguise my despair. If your mother—

I interrupt him, No, no. What Catherine needed was to be calmly watched over by a watcher who says, It's all going to be fine. Everything is going to be fine. What she gets from Heathcliff is drama. He hangs onto her for some five minutes, covering her in kisses, overflowing with agony. When, finally, they pull apart, the recriminations begin: *You've broken my heart*, she tells him. *I shall not pity you, not I*, she tells him. *You have killed me. I care nothing for your suffering*.

It's a shocking scene that follows: she's clutching a lock of his hair. He's leaving bruises on her skin. She's fainting. He's grinding his teeth, then gnashing them like a wild dog. By the end of the scene *she's fainted or dead*.

In the midst of all this mutual flagellation, Heathcliff says to Catherine: *Don't torture me till I am as mad as yourself*.

*As mad as yourself. As mad as yourself.* To say that to someone whose mental health is fragile, whose physical health is dire. *As mad as yourself.* To say that to a woman who is soon to become a mother. *As mad as yourself.* To say that to a woman you profess to love, to live for. *As mad as yourself* is cruel. Those words shocked me as a teenager. They shock me still. They put to rest any argument my father might have in support of Heathcliff. *As mad as yourself* is not my father's breed of uxoriousness.

In our house we don't use the word mad, my father used to say. Or crazy. Or insane.

Or nuts, my brother.

Bonkers, my sister.

Bats in the Belfry.

Meshuggah.

Bananas! Cuckoo! Deranged! Off your rocker!

It was always fun for a while but then my father would say, Seriously. And we would say, Seriously, still joking but moving with him to seriously. Because it was serious. We knew mental illness was serious. We were enlightened, sensitive. We had been brought up to know mental health was not something to gloat about, mental illness was not a personality flaw. We knew better than to

call other people mad. We corrected friends who said it. I corrected friends who said it about Simon. You shouldn't say mad, I told them. It's like saying thick. Only worse. And anyway, I told them. Anyway, he's not mad. Just really really clever.

Before the *Wuthering Heights* holiday I came home from school and Simon was in the kitchen. He was eating cereal with tomato sauce. He said it made sense 'cos tomatoes are actually a fruit and fruit goes with cereal and he was spooning great mouthfuls into his mouth 'cos he had the munchies. I heard him explaining this to Alina when I walked into my house. He was in the kitchen talking about tomato sauce and the munchies, and there was cereal all over the kitchen bench and Alina was furious. I pulled him away and heard her, as we were walking out the door, saying, Shuganamakop. That Simon is shuganamakop.

We don't say mad in our house. This is a rule. An expressly stated, universally known rule. Alina is bound by different rules. She says, Shuganamakop. That Simon is shuganamakop.

He said, What's she saying? What's that language? I can't understand. I don't understand. He said, Who's she speaking to? What are those words?

I said, Never mind. It's okay. It's nothing. You're paranoid. You've been skyfing your head off and now you're paranoid. He said, I have been skyfing a lot, and he laughed.

I didn't tell him that shuganamakop was a blend of Yiddish, Afrikaans and Sotho meaning mad in the head. I didn't tell him that this unlikely combination of languages was being used to simultaneously excuse and dismiss him. I told him only of the excusing. She's fond of you, I said. Alina is fond of you. He laughed with his mouth open and there was cereal and tomato sauce on his teeth and it looked disgusting.

Nelly Dean claims to be fond of Catherine. Heathcliff adores her. But he says, *As mad as yourself*, and she puts her hands on her stout, healthy little hips and she says, You're meshuggah, shugganamakop.

My father stares into the fire when I talk about *as mad as yourself*. He's struggling. He recognises Heathcliff's uxoriousness. He recognises the childhood

trauma. But he struggles with *as mad as yourself* and he turns, finally, away from Heathcliff.

I can see it saddens him. I pass him the biscuits. I say, Edgar's uxorious, and he's my hero.

My father grins. Edgar? The hero? Tell me why Edgar is your hero.

Okay, so, say what you like about Edgar, but he understands illness. He understands that mental health is a fine and delicate thing. He senses the fragility of Catherine's condition. When Catherine has seasons of gloom and silence: *they were respected with sympathising silence by her husband . . . The return of sunshine was welcomed by answering sunshine from him.*

Edgar's sympathy is not empty words. He adapts to help Catherine. So, too, does his sister: *They were both very attentive to her comfort, certainly. It was not the thorn bending to the honeysuckles but the honeysuckles embracing the thorn . . .* Edgar sees Nelly's impatience with Catherine, and the harm it could do. Nelly relates that:

Mr Edgar had a deep-rooted fear of ruffling her humour. He concealed it from her; but if ever he heard me answer sharply, or saw any other servant grow cloudy at some imperious order of hers, he would show his trouble by a frown of displeasure that never darkened on his own account. He many a time spoke sternly to me about my perversity; and averred that the stab of a knife could not inflict a worse pang than he suffered at seeing his lady vexed. Not to grieve a kind master, I learned to be less touchy.

Edgar Linton is good to Catherine. He is devoted. He is calm. He is kind. Unlike Nelly, he can imagine what she is going through. He is pained by her suffering.

Edgar's love of Catherine is selfless. He lets Heathcliff into his home because Catherine wishes it. He feels pangs when she is vexed. He wants her happy. He wants her healthy.

You're right, my father says. Catherine responds well to Edgar's care. When Heathcliff is away, in the early stages of Catherine's marriage, she's happy and healthy. Nelly even says: *I believe I may assert that they were really in possession of deep and growing happiness.*

Quite right, I say. But of course, the period of calm good health ends when Heathcliff returns. He brings disorder, chaos, illness. And Nelly, who is impatient with Catherine (and possibly displeased with Edgar's defence of her against Nelly's pertness), helps him bring it—she runs tattle tailing to Edgar, telling him that Catherine is *sadly put out by Mr Heathcliff's behaviour*, inciting him to be less soft, goading him to take action.

Between them, Nelly and Heathcliff draw Edgar and Catherine into the very quarrel Catherine wanted to avoid. All four are in a room together and the consequences are predictable: Catherine taunts; Heathcliff beats his chest and threatens violence; Nelly blames Catherine; Catherine throws the key in the fire so that all are trapped, all bursting; Edgar is goaded. Edgar is provoked. Edgar delivers a blow to Heathcliff before escaping to get help. Heathcliff, having thus ensured Catherine's return to instability, flees with Isabella.

Catherine is alone with Nelly. She is teetering.

My father picks up the book and goes directly to the right page. He knows about people teetering. *'I'm nearly distracted, Nelly!' she exclaimed, throwing herself on the sofa. 'A thousand smiths' hammers are beating in my head.'* Teetering just this side of self-preservation. She tells Nelly to keep Isabella away from her:

should she or any one else aggravate my anger at present, I shall get wild. And, Nelly, say to Edgar, if you see him again to-night, that I'm in danger of being seriously ill. I wish it may prove true. He has startled and distressed me shockingly! I want to frighten him. Besides, he might come and begin a string of abuse or complainings; I'm certain I should recriminate, and God knows where we should end!

Just this side of self preservation but keeping the ledge in sight: *I'll try to break their hearts by breaking my own. That will be a prompt way of finishing all, when I am pushed to extremity!*

Keeping the ledge in sight but drawing back from it. Being brought back from it by the thought of Edgar, and an uncharacteristically selfless concern for him: *I'd not take Linton by surprise with it.* Being drawn back from the ledge by Edgar

and the knowledge that he can keep her healthy: *To this point he has been discreet in dreading to provoke me; you must represent the peril of quitting that policy, and remind him of my passionate temper, verging, when kindled, on frenzy.*

I ask my father about those words of Catherine's. If he were her psychiatrist, would they give him hope for a recovery?

Yes, they would give hope. They are extraordinary words from Catherine—words which acknowledge her own mental fragility and which prescribe its treatment—a treatment in keeping with medical thinking of the time and her doctor's earlier orders. A treatment which Edgar has thus far been providing but which she now risks losing.

Nelly does not pass Catherine's message on to Edgar. Despite her recognition that Catherine spoke sincerely, Nelly's limited imagination cannot acknowledge Catherine's needs: *I believed a person who could plan the turning of her fits of passion to account, beforehand, might, by exerting her will, manage to control herself tolerably, even while under their influence.*

It is a tragedy that Nelly doesn't pass Catherine's message on to Edgar. I feel sure that, had she done so, he would have tempered his next approach to her. He would have shown more of the forbearance she had come to rely upon. Instead he presents her with the famous choice: *Will you give up Heathcliff hereafter, or will you give up me?*

These words point as much to the loss of Edgar as they do of Heathcliff, and it is no less the possibility of losing Edgar that sends Catherine into her final illness as it is the potential loss of Heathcliff.

Throughout the illness that follows, Catherine's thoughts are for Edgar. When she unbars her door after three days without food, she asks not after Heathcliff, but after Edgar. The notion that Edgar is indifferent to her suffering fans her illness: *She could not bear the notion which I had put into her head of Mr Linton's philosophical resignation.*

Catherine is tormented. She is delirious, frantic, disturbed. She has brain fever and no one is watching over her. We worry for her. In our worry, we think please, please let Edgar find her. Let Edgar come and watch her.

Dear, kind Edgar comes to Catherine and watches her. When the doctor comes, he finds Edgar had *succeeded in soothing the excess of frenzy: he now hung*



*over her pillow, watching every shade and every change of her painfully expressive features.*

Edgar is patient, he is caring. He is constant. He is uxorious. Edgar is Fildes's doctor. He's my father lying at face level with his son on a stretcher.

No mother could have nursed an only child more devotedly than Edgar tended her. Day and night he was watching, and patiently enduring all the annoyances that irritable nerves and a shaken reason could inflict . . . and hour after hour he would sit beside her, tracing the gradual return to bodily health, and flattering his too sanguine hopes with the illusion that her mind would settle back to its right balance also, and she would soon be entirely her former self.

In all the fervor and ardour of Heathcliff and Catherine's love, there are few instances of kindness. We see Heathcliff needing Catherine, taunting her, blaming her. But leaving flowers for her on her pillow, bending to her like a lover, watching her like Fildes's doctor—that is left to Edgar Linton.

My father and I give Edgar an A+. I would have gone for an A, but my father insists on the plus. That'll sock it to the people who call him a sap.

## Chapter Eleven

A friend from law school called. She wanted to know if I'd heard the news about Anthony.

I said, No, I lost touch with Anthony ages ago.

She hadn't. She was friends with his wife. She had a story about how he'd been watching pornography in a hotel room while on a business trip. Not hard porn, my friend from law school said a few times. Nothing involving children. It was all legal. But somehow the newspapers found out. Some mistake with the hotel bill or something, and next thing it was all over the internet and the newspapers. It was on the news. On TV. My law school friend said it was all the result of a power struggle within local government. He'd made corruption allegations. He'd made enemies. It's the way it goes in South Africa, she said. Now his kids have to face the teasing at school. He did nothing illegal, but he's lost his job. His wife hates going to work because her colleagues titter when she walks past. His kids will probably never forgive him. Not to mention the online comments, said my friend.

We spoke about Anthony for a while. I almost said something horrible about his wife not shaving her legs but didn't. We agreed he should never have gone into politics. He was too good a guy.

It was unusual for my law school friend to call during the week, especially during office hours. I commented on this and she said she wasn't at work. She was taking two days off.

I invited her for lunch the next day. I made soup.

She brought bread.

I'd just started telling her about my fever when Caleb came into the kitchen.

He was at home, sick from school for the third day in a row, which was kind of irritating because I had my friend over for lunch. My law school friend was his godmother. They got on. She gave him small jobs then paid him huge sums for doing them. I wouldn't put it past him to malingering just because he knew she was coming, but I had to admit he didn't look well. I offered him some soup. I thought he'd take it to his room but he sat down at the table.

I went to get us drinks and when I came back they were in the middle of a conversation. They were talking away, and my friend looked up and said, We're talking about values.

Values?

Values.

Turned out my friend from law school had been thinking a lot about values. Her therapist had fuelled her interest in values. He'd given her homework—to go home and start thinking about her values. To list them, if she could.

I wondered if it was a good idea for my son to listen to her talking about her therapy. I wondered if it wasn't both boring and bad for him but he looked interested and engaged. He nodded knowingly when she explained how her therapist's exercise had made her anxious.

I said, Anxious? Why anxious?

Because she worried she'd get it wrong and fail, said my son. His face said, Obviously.

My friend said, Exactly. That's exactly right. I worried I'd get it all wrong and fail.

I imagined what my velcro friend would have said if she was there—something like, I thought you were anxious, but those two, jeez, those two.

Those two were wondering what constitutes a value. What were its elements? How did you know whether something was a value rather than a belief? Or an ethical code? Was there a difference?

I said, Don't you think you might be, you know, overthinking things?

My son said, No. His voice was kind of angry and high-pitched and he said again, No, no, she's not overthinking. She's quite right to be asking those questions. He said, It's important to get things clear before you rush off and start doing things. Otherwise your thoughts will be out of control and next thing you know you're thinking about the wrong thing altogether. Next thing you know you won't have all the systems in place and that's when bad things can happen to you.

My friend put out her hand. She rested it on the table, just in front of my son's, not touching his, but close. She said, I'm not so sure about the bad things.

She drank some water and he drank some water, and he said, Yeah, yeah. He looked at me and he said, You know, you can be quite flippant sometimes. He picked up his soup and went to his room.

I asked my friend from law school, What was that? What was that?

She said, Don't ask me. I don't have kids. I'm just the godmother. What do I know about kids? She added, but I know one thing—that's a good boy you've got there.

I wanted to talk about Anthony and about my fever. She wanted to talk about how she was thinking of giving up law. She said she was struggling to reconcile her work with her values.

I was surprised at this. She'd always been so careful to practice in a principled, ethical manner. She'd often said it wasn't hard to be ethical in law; the lawyers she worked with were, one and all, upright and honest. She claimed that the people from whom we felt so alienated in law school didn't go on to become lawyers. They became insurance salesmen or company directors. She and I had often discussed how maligned lawyers are in popular culture. We'd spoken about the importance of lawyers to the struggle in South Africa; about lawyers who work on innocence projects, lawyers who do pro bono work; lawyers at the forefront of fights against oppression. We'd agreed that many lawyers are drawn to law because they recognise injustice. I'd always thought of her as one of those, so I was surprised when she suggested her values and the practice of law might be at odds.

Once, just after we graduated, my friend from law school and I went to the wedding of two lawyers and there were so many jokes about lawyers and sharks that, when the opportunity came for guest to offer a short speech to the bride and groom, she stood up and presented an impassioned address on the value of lawyers, especially in South Africa where human rights were being violated left and right. I stood up too, and said, Yes, Exactly, Precisely, whenever she paused. The master of ceremony cut us short with a comment that we must be charging by the word. When that got a laugh he added that the only human rights being violated on this occasion were those of the bride and groom, about to enter the prison of matrimony.

My friend from law school cried about that. Not there, in front of the microphone, but a bit later in the toilet. She cried and she said, that frigging MC shouldn't be making jokes about prison. One day he's going to be arrested for a crime he didn't commit. He's going to come knocking on my door, begging me to defend him.

I wouldn't, I said.

Neither would I, said the bride who'd come into the bathroom to apologise for her new brother-in-law. He's an accountant, she said, What d'you expect?

My friend from law school would have defended him. She might not have forgiven him for what he'd said on the podium, but this wouldn't have stopped her from giving him the best defence possible. She was a good lawyer, a real lawyer. A criminal litigator. Unlike me, she'd gone into practice rather than drifting into teaching law. Unlike those people from law school, she hadn't gone into insurance or become a company CEO. She defended innocent people. Political prisoners, petty thieves, the person on his way home from work who gets caught up in a riot and is shoved into a police van still holding the plastic bag that carried his packed lunch.

Some years ago she'd started feeling increasingly flattened under the weight of innocent people. She was tired. She was older and single. She was drinking too much in the evenings after work. She hadn't given up law. She'd followed me, rather, to a country that had a functioning legal aid system. She'd re-sat her practice exams and got a job doing legal aid work. We were together in a new country.

She was a real lawyer and her gown was clean. So I was surprised when she spoke about difficulties in reconciling law with her values. She was planning on going back to university to study psychology. She wanted a chance to sit on the other side of the therapy couch.

I said, Well, psychology and law can be a good combination. You could do family law. Mediation work.

She shook her head. Nah, I'm thinking of giving it up altogether. Throwing it in. Altogether.

I was upset at this. It felt like a betrayal of our speech at the wedding. I felt like my friend from law school was breaking up with me. I felt irritated with my son,

as if all his talk about values had driven her to this decision. And irritated with Anthony. His wanking in a hotel room wasn't the image of the lawyer we all had in law school.

I said, Who's going to give me all the gossip about what goes on in the courts? Who will I talk law with?

She said, The final decision hasn't been made yet. Plus, there's no guarantee I'll get into the psychology programme. I've spent the last two days working on my application and it feels awful.

We both knew she was just saying that to make me feel better.

It made me feel worse.

I felt like I might start crying. She must have noticed because she said, Enough of me. You were telling me about fever.

I picked up where we'd left off, telling her about how I'd been playing with the idea of inducing a fever in myself. She asked about medical care and I said, Yes, I'd get a doctor involved. A kindly older doctor with a soft face, I thought but didn't say. Someone with his chin resting in his hand like Fildes's doctor. Someone with a cravat and possibly a waistcoat. An old, watchful doctor who has all the time in the world and who will, when my fever is over, go home and sit in the garden with his wife and smoke his pipe.

Definitely a doctor involved, I said. From beginning to end.

Then she said, I wonder about the doctor's liability, and I said, What? What liability?

What if someone sued the doctor for injuring you? What if you sued him or Caleb sued him, or what, she wanted to know, what about criminal liability? What if your doctor ends up facing criminal charges?

I said, They couldn't . . . he wouldn't . . . I would have consented. *Volenti non fit injuria*. To the willing person no harm is done, I said, proud to have remembered both the Latin maxim and its English translation. *Volenti non fit*, I said again. Case closed.

She said, Yeah, *volenti*, but she looked uncertain.

What would the charges be anyway? What possible crime would fit?

She threw around section numbers. She had them right there, in the front of her head: section 196 of the Crimes Act, assault; section 201 of the Crimes Act, infecting with illness.

But I would have consented, I said again. *Volenti volenti*.

I could hear the whine in my voice.

She said, Yeah, *volenti*.

I could hear the skepticism in hers. I could hear the doubt when she said, I guess your consent would be enough. I suppose it would be.

I took it as a challenge.

## Chapter Twelve

In 1987, in the course of a raid on an unrelated matter, police in Manchester came across a video tape. This video, and others which would later be discovered, showed what appeared to be acts of extreme torture—a man's scrotum being nailed to a block. Penises cut with scalpels. Items inserted into urethra. Sandpaper employed on genitals.

I tried to imagine how the police might have felt upon watching these scenes, how they might have reacted. One might have left to dry retch in the bathroom. One might have sniggered or reached for a cigarette or felt a need to call home. One might have thought, If that's how they're torturing men, can you imagine what they'd do to a woman? Can you just imagine? He might have imagined.

According to reports on the incident, police believed, on viewing the violence of the videos, they were watching a snuff film.

This was not an easy time for the Greater Manchester Police. The country had seen years of deep recession. Unemployment was only just starting to come down from 1984's record high. It was the aftermath of the Miners' Strikes and riots across Britain, including Moss Side in Manchester. It was the period of Chief Constable James Anderton.

Anderton was outspoken, polemical. His handling of the Moss Street Riots and in particular, the use of so called *snatch squads*, which saw police vans driving directly into rioters, was controversial. His campaigns against pornography and gays were controversial. His religiosity and unashamed moral crusading were controversial. Nicknamed 'God's Copper', Anderton was outspoken about his views on morality, Christianity and law.

When standards of decent behaviour fall, the abnormal becomes the normal and people are almost brainwashed into thinking that evil is good. You can rationalise things to an extent that evil conduct becomes acceptable in society and is morally condoned. Someone has to draw the line and it can be done only through the police. I am accused of bringing into play my own Christian principles but those principles strengthen



my hand as a policeman. The law is rooted in righteousness and Christian principle. I have no difficulty about enforcing it. Nor do I have a conscience about it.

In a 1986 speech at a police training event in Manchester, Anderton referred to people with AIDS as *swirling around in a human cesspool of their own making*. The resulting outcry led to calls for his resignation. In 2012, when government documents relating to the outcry were released under the 30-year rule, the Manchester Evening News noted just *how close the country's second largest police force came to a meltdown*.

But Anderton retained the support of much of the police force, and to this day his name pops up in forums on the website of the Police Oracle (which credits itself as the largest provider of police news and information in the UK). A 2012 thread on this forum includes such quotes as:

Sir James was almost Biblical in his feelings about right & wrong. He was a towering personality and the GMP were a Force (not a service) that was respected by the public and feared by the criminals. To my mind he represents what a Chief Constable should be—forthright, honest, independent of political interference and an example of how people should conduct themselves—with respect for the law, themselves and each other!

—OldAfricaHand

*He was a great Chief Constable to work for and addressed you by name never forgetting a face. . . . they do not make Chief Constable's [sic] like that anymore. The Home office did not like it and broke the mold.—Zulu 22.*

And from Westie: *I cant [sic] think any Chief Constable since his retirement with anything like his strength of leadership and independence . . . I would certainly regard James Anderton as my hero of British policing.*

It really wasn't necessary for me to spend hours scrolling through the Police Oracle. I didn't need to read the cartoons (in which job cuts and donuts featured heavily). I didn't need to know what is covered in the sergeant to inspector exams (miscellaneous crimes against the body and sexual offences). I didn't need to know that the chief constable wore a dress for a fundraiser or to wonder why

his partner in the photo had her face pixelated. Did she ask for it to be unidentifiable? Out of embarrassment or fear? Do criminals with a few hours to spare scour the Police Oracle looking for photos of the partners of senior policemen?

I didn't need to know why the chief constable of West Yorkshire was suspended, how a sergeant in West Midlands stole from beggars, or how the new shirts worn by the West Yorkshire Police were more practical and comfortable under body armour. I really didn't need to know any these things. The Police Oracle was really not designed for the likes of me. Which is why, perhaps, I found it so fascinating.

If you want to know the time, my father used to sing in his music-hall voice, ask a policeman. This made us laugh. Not only because of my father's vaudeville trill, or the way he drew out the word poli*iiii*ceman. These were funny, sure, but what really made us laugh was the image of a policeman the song conveyed—a bobby whose only words were 'ello 'ello 'ello or possibly, if pushed, What have we here?

My father's vaudeville policeman was a man with gigantic feet whose baton, if he had one, was made of rubber and squeaked musically when boinked accidentally on his partner's head. He was a man who often walked alone, never ran, and went home every afternoon for tea and a bicky. A man who you might turn to if, for example, you wanted to know the time. No wonder we laughed.

You know what you should do if you've got dope on you and a cop is looking at you funny? A school-friend asks.

We're seventeen and she knows about these things.

I'll tell you what to do—you must go up to them, straight up to them, and ask them something. Ask them for directions or for the time. It doesn't matter what you ask them. The point is you have to approach them. If you approach them, you show you're not scared. You have nothing to hide, says my friend who knows about these things.

But I was scared. I was terrified and I think my friend was too. Our policemen did not carry plastic batons that boinked musically. Our policemen drove Casspirs into townships. They sprayed tear gas at demonstrators, purple paint at

demonstrators, bullets at demonstrators. My friend wouldn't go up to a policeman to ask for directions any more than I would. Her legs would buckle under her, too.

And we were white.

I once went to a music concert, after Mandela was released, with a boyfriend who was one of the many returned from exile. He had struggle credentials and a cockney accent and he used one or both of them to get us into the VIP lounge, where he drank beer and urged me to take a glass of wine, eat some cheese, relax and behave like I belonged there for god's sake. After the concert, drunk and stoned and not in the mood to walk to the car, he waved down a police van and asked for a lift. One of the policemen got out and opened the back doors and gestured for us to go in. My boyfriend with the cockney accent and the struggle credentials pushed me—really pushed me into the van.

That relationship didn't last long. He found me materialistic. I found him careless. His father, already uneasy at his son's attraction to white, preferably blond, women was perplexed at the choice of a white, blond Jewish woman. He questioned me, with his activist lawyer's mind, on my views regarding Zionism, the Left Bank, the Palestine Liberation Organisation.

That boyfriend and I fought—about how he returned my car hours later than promised, and how selfish it was of me to demand it on the fucking dot of three o'clock. Did I even know where he was with my precious car? He was in the townships, in Alexandria, delivering pamphlets. Had I even been to Alexandria? Had I ever delivered a pamphlet? How did I deserve to own a fucking car anyway?

We fought about cleaning up—how middle class and conservative I was to be always demanding tidiness. Did I not have better ways to spend my time than by bleating about dust?

We fought about nougat, and how pretentious I was to pronounce it noogah. Noogah. And how materialistic I was to be cross that he'd opened the box of imported nougat my friend had given me, which I'd been saving. How capitalist and unsharing of me.

In his head it was probably the noogah that ended it. In mine it was the police van. The police van which, weeks earlier, when we were still quite keen on each other, he had pushed me into.

It had been a fun day. It was the new South Africa; where the music was good, the constitution was good, people were rainbows. But when I looked at him, sitting across from me in the police van, lounging so comfortably on the bench, I thought, This isn't going to last.

I still wonder now at his nonchalance, the casualness of waving down a police van, the decisive way he pushed me in there.

His family had fled into exile to escape the South African police. He'd taken part in the rioting in Britain, if not in Moss Side, then in some of its contemporaries. He'd spent time in police vans and holding cells, without the protection of a white skin. He, more than me, knew what to fear. Yet there he sat, leaning against the police van, stoned and drunk and humming to himself.

Perhaps he considered it payback. The police owed him. Or he thought that in this New South Africa, once his father's name was mentioned, his credentials established, they'd be falling over themselves to help him to his car. Maybe he'd spent so much time in police vans that he felt perfectly comfortable entering one—human beings can get used to anything. Or maybe, and this is the view I'm going with, he was a sexist prick. You don't go round pushing your girlfriend into the back of a police van, no matter how comfortable you might feel about it.

That's the only time I've been in the back of a police van. I feel this as a failing. For all the demonstrations on campus and the lefty chit chat with my law school gang, I managed to avoid the back of a police van.

Which is why, I think, the Police Oracle was so fascinating. It was like walking into a police van with all the insouciance of my ex-boyfriend but all the safety my fear of jail required. The policemen on Police Oracle sat somewhere between the riot police of my South African childhood and my father's vaudeville bobby. I had to force myself to leave them. And to return to the Greater Manchester Police, their snuff videos and their controversial Chief Constable.

A police force close to meltdown and a religiose chief constable were not the only things the men and women of the Greater Manchester Police worried about.

There were disquieting stories coming from the United States of Satanic Worship and ritual abuse, rumours of ceremonial murders, of teenagers being abducted, of children tortured and animals maimed.

The policemen who found those video tapes might have heard these rumours. They might have read *Michelle Remembers* and been shocked. They might have heard Black Sabbath and been concerned by the rise in Satanic Rock. They might have heard of the work of Pamela Klein, an American social worker who was indefatigable in disseminating her warnings of Satanic child abuse, and had recently settled in England. They might have heard of teenage boys being lured into suicide and self-harm by Dungeons and Dragons and the bat-eating Ozzy Osbourne.

They might have had all these things playing on their minds when they came across the video of men being tortured in a basement.

A full-scale response was called for. And it was full scale. A number of the writers I came across used the word *exorbitant*—referring both to the amount of money spent—most estimates put it at over three million pounds, some as high as four (that's between seven and ten million in today's terms), and to the zeal of the investigation. Scotland Yard's Obscene Publications Squad was called in, as were 11 provincial forces. Hundreds of gay men were questioned. A garden was dug up in the search for dead bodies. Policemen posing as participants responded to adverts in gay magazines. The investigation was given a name—Operation Spanner.

Operation Spanner found no pornographers. No nation-wide crime ring. No Satanic Rituals. No dead bodies or dismembered animals. Rather, it found a group of men engaging in consensual S&M practices.

The men in the Spanner videos had consented to having their genitals cut, nailed, sandpapered, hooked. They'd consented to these intrusions on their bodies in the same way I would be consenting to the intrusion of fever.

I wondered if those men would find their mouths turning down on hearing what I hoped to do. Would they get a sick feeling in their throats like I did when I read of their activities?

I wondered if I'd tell my law school friend exactly what those men did to themselves. Would she see their actions and the response to their actions as

justification for giving up law, or reason to stick with it? I thought I might remind her that she once told me she practiced law not to support those who are pious and pure, but to support those who are not. To ensure the law does not turn against those whose actions we find distasteful.

I did find the actions of these men distasteful. I found myself wanting to describe their conduct brutally, in savage, vicious terms. But I had to acknowledge that perhaps my fever would be no less brutal. And actually, no more hygienic. The Spanner men took care to disinfect their instruments, to tend to their wounds. For all the violence of their actions, their sessions were meticulously sterile.

These were not vicious acts for those involved. One of the accused men, who later called himself Spannerman, described a scene which would become key evidence for the prosecution as one of *a slave having his cock and scrotum gently cut with a scalpel*.

The men described for police investigators the precautions they had taken to prevent long term injury—the disinfection of instruments, the use of safe words, the safeguards they'd put in place so the 'victims' could call stop if things went too far. There were no complainants. The injuries were transitory. Everyone had consented. Could charges actually be laid?

It took almost two years for the correct charges to be determined, and then laid. Some of the charges were curious, for they were laid not only against the 'perpetrators' but also against the 'victims'. A number of men were charged with aiding and abetting the cause of bodily harm to themselves. In the words of S&M website HardCell: *The tops were charged with assault; the bottoms with 'aiding and abetting an assault' on themselves*.

Prosecutors don't publish reasons for their decisions so we don't know what considerations drove the framing of the charges—whether they were driven by deep offence, by the legal moralism which their chief inspector was so public about, by a desire to protect the public from some harm, or a paternalistic desire to protect the men from themselves. If it was paternalistic, the aiding and abetting charges seem particularly perverse. But for the prosecution the reason may have been a simple one: because it's the law.

And, as I used to tell my students when I was still teaching law, we are not concerned with the individual's idea of what is or is not common sense. Rather, we are concerned with what the law says. To stray from legal rules is to open the door to arbitrary decision-making, opaque state rule, coercive authority—all the little monsters rule of law protects us from. In criminal law this means applying the defined elements of an offence. If the defined elements of an offence are not present, charges cannot be brought but the reverse must also hold true: if they are present, charges should be brought. If you didn't want these charges to be laid, the police and prosecutors may have argued, then they ought not to have been part of our law.

The relevant principles in New Zealand Law are found in section 66(1) of the Crimes Act, 1961. This section, which deals with *parties to offences* provides:

- (1) Every one is a party to and guilty of an offence who—
  - (a) actually commits the offence; or
  - (b) does or omits an act for the purpose of aiding any person to commit the offence; or
  - (c) abets any person in the commission of the offence; or
  - (d) incites, counsels, or procures any person to commit the offence.

On proper application of this section, if the assaults in *Brown*—the Spanner case—were offences, the 'victims' could potentially be charged using paragraph (b), (c) or (d). Similarly, if I should procure a doctor to induce a fever in me, and if the induction were an offence, then I would, under section 66(1), be a party to that offence, and I could be properly charged.

My law school friend hadn't mentioned the possibility that charges could be laid against me. Section 66 was not one of the sections she'd thrown about over soup.

## Chapter Thirteen

I was reading about the aiding and abetting charges in the Spanner case when I heard the particular meow the cat makes when he's caught something. The meowing was coming from my daughter's room. The cat was in the room with a bird. It looked dead.

I was going to call Caleb to keep me company while I checked if the bird was dead, but I didn't. It wasn't often that I got to be alone in my daughter's room. Not since she'd declared, somewhere around her 14th birthday, that she needed her own space. I was no longer welcome to walk in and out of her room whenever it suited me. Not since she'd said, Knock. Do you think you could just *knock*?

My daughter keeps stuff—the books she read as a kid, her childhood soft toys, school photos of herself with braces against the blue background that say: This is a photo to be put in a drawer along with all the other photos with blue backgrounds, the tile she made at a kids' birthday party years ago, the science experiment her brother designed and she submitted for two years in a row at her school science fair.

My husband thinks my daughter's room looks sweet. Colourful. Lively. I'd raised the issue with him a while ago and he'd said, It has lots of things in it, but that's her business. It's not dirty, he'd said. It's not like she has dirty plates lying around or half-eaten apples. Actually, he'd said, it's tidy. Everything has a place. Then he looked at me and said, She'll notice if you remove anything. You do know she'll notice if you remove anything.

I'm not going to remove anything, I'd said, and I wasn't planning to. But then I was alone in her room and it wasn't my fault. I'd been minding my own business. Doing my work but now there was a dead bird to deal with. I had to deal with a dead bird and feathers and the cat looking at me as if to say, You thought you'd tamed me, didn't you? You thought I was your tame little pussy. Didn't you?

Our cat with his paw on a dead bird and feathers everywhere and his face is saying, In the end, nothing you've done for me matters. Because here I am with a dead bird and there are feathers everywhere and let's see you deal with that.



I thought he might scratch me when I took him off the bird, but he let me carry him outside. Then he followed me back inside and went to his food, the bird forgotten.

I was more irritated than upset by the death. And guilty. That cat was my family's responsibility; we were liable for its actions. If it killed birds, we were at fault.

I felt kind of cross with the bird. Lying there dead for me to deal with. Making me feel guilty. Then I saw there was bird shit on my daughter's bedside lamp, and that was upsetting. To see such a concrete expression of panic. Such a basic, naked final act.

I sprayed a lot of cleaner on the lamp. I wiped it down pretty hard. I threw all the paper towels in the dustpan with the bird and then I started scanning the room, looking for more shit. I found a few feathers but I felt sure I'd missed a few because there was so much stuff in the room—so many places for feathers to hide behind.

I was standing in my daughter's room with a dead bird in a dustpan at my feet, thinking, If I took away one or two things, she wouldn't notice.

There was a bowl of bracelets and earrings—cheap things she'd collected over the years but never wore. Unimportant things she wouldn't miss. I thought I could start with those. She'd never notice if I removed one or two.

I was scanning the room looking for things I could remove without her noticing when Caleb came to the doorway.

I said, The cat. A bird. I wasn't going to . . .

He said, Did you get it? Is it dead? He was standing in the doorway and not coming in, and I thought, Trained. His sister has us both well trained.

I lifted the dustpan. He took a step back and I said, It's dead.

He followed me outside to the dustbin. I threw the bird away and he followed me inside. He watched me wash my hands at the kitchen sink and then he said, I have to write an essay for school. It has to be good.

The essay was for social studies. He told me more than once that it had to be good. It was going to count for a lot and had to be good.

The students had to choose their own topic—one that combined social studies with something they were passionate about.

I looked at my son. He looked at me and then he said, Mr Hiller.

I nodded. Mr Hiller had taught my daughter social studies. I remembered his approach. He liked a bit of passion. He liked making the kids present their work.

So how can I help? I wanted to know. When's it due? Have you chosen your topic? D'you need help choosing your passion? I can help you choose your passion, I said.

He said, I've chosen my subject.

I said, Oh.

It turned out my son had already written his essay. He wanted me to read it.

I said, Proofreading. I can do proofreading.

Just read it.

All the other kids will be getting their parents to proof read theirs, I almost said, and it was true. They all get their parents to correct their work. And to write it. I know because some of my friends talk about how they've got degrees in this and that—from all the essays they've written for their kids. I almost said, Your sister would let me correct hers, but I stopped myself. His sister would let me write the whole damn thing and I wasn't doing that. I'm not like some of those parents.

Feedback, I said. I'll be happy to give you feedback.

He said, Just read it.

I kept quiet then. If I pushed things he might not let me read it. If I played it carefully I could get some corrections in. I could sneak in some punctuation.

My son's essay was called, My Holiday.

Seriously.

I read the title and I thought, Okay, so maybe he's discovered irony. He's got to an age where he can recognise irony. That made me pleased but then I thought, will Mr Hiller like irony? Will the kids get that he's being ironic? Is irony passionate? And then I saw my son was not being ironic. This was an essay about his holiday. Seriously. Though I have to say, it was some holiday. A trip to New York for the whole family—destination copied from my velcro friend who'd said, If you want your kids to leap up at the thought of a family holiday, suggest New York.

It was some holiday, all the more sweet because it felt like it might be the last time we'd have a family holiday like that—where they were the children and we were in charge. Already, near the end of the trip, they were slipping away for a few hours on their own. Adopting their gormless parents tone when guiding us towards the correct ticket office.

It was some holiday and I was pleased my son drew on it for his essay. Though he didn't need to explain the flight path in quite so much depth. Or our accommodation in Brooklyn. Or which subway line we took into Manhattan.

For the first few paragraphs I was thinking, Where's the passion? Where's the social science? Where's the passionate social science? I was thinking he would put his audience to sleep if this was his opening. And then I read further and I saw this was not an essay about his holiday. It was an essay about society and science, and it was not altogether bad.

I was flattered by my son's choice of topic. Not only because he'd drawn on the educational angle of our trip, but because I thought I might have triggered his passion with my questions about fever and hyperthermia. I might have lit a little flame and I was flattered.

Even though the grammar wasn't great and the language was a bit clichéd.

My son's essay described a visit we'd made to the Tenement Museum on the Lower East Side. There'd been an exhibition about a boat, the *SS Massilia*.

The year, read my son's essay, was 1892. The city, New York. The topic on everyone's lips, a boat carrying Jewish refugees from Eastern Europe. The boat, the *SS Massilia*.

The Eastern European Jewish immigrants had embarked on the ship in Marseilles after being thrown, as my son put it, from *pillars to posts, from frying pans to fires*.

Not exactly encapsulating the pogrom experience but he was only fifteen and his passion was science rather than writing.

In their route from frying pan to fire these refugees had travelled through Odessa to Constantinople, where they were received by a charity and transported by train to Marseilles to board the *SS Massilia*, that fated ship. Once on board the passengers travelled in the foul conditions of those overcrowded, steerage vessels. It was, said my son, a rough crossing. There were storms. The

trip took 28 days rather than the normal 7–12 days. But finally, they made it to New York Harbour, where they were reminded, by the poem carved onto the pedestal of the Statue of Liberty, that they were the *wretched refuse of your teeming shore*.

As if that message hadn't been beaten into them already, I thought.

On arrival in New York Harbour the passengers were given a cursory medical examination—an average of six seconds was spent on each inspection. They were declared healthy, allowed to disembark and were taken by a Jewish Charity into housing in the Lower East Side.

They might have breathed a sigh of relief at finally reaching safe haven, wrote my son, but little did they know that their troubles were just beginning.

These refugees were poor. They were in bad health. Their job prospects were low. They were largely dependent on charity. They lived in overcrowded tenements. Conditions were unsanitary. Food was unwholesome. Conditions, my son wrote a few times, were not hygienic. He went on a bit about the toilet situation—how most tenements had only outdoor privies which might serve scores of families. How these were only emptied sporadically.

He went on a bit about the unsanitary conditions. I thought, Cut cut cut.

He quoted from a book we'd bought on our visit to the museum—*Quarantine!: Eastern European Jewish Immigrants and the New York City Epidemics of 1892* by Howard Markel. Describing the mainly Jewish section of the Lower East Side, it spoke about the odor of rotting fish, meat and vegetables sold in uncovered pushcarts, the immense amount of animal waste from horse-drawn wagons and trucks, dirty streets, and the stench of a crowded humanity where over 82,000 people lived, worked, and played within fifty square blocks. *Dirt was all pervading in the Lower East Side, as were its frequent companions: crime, prostitution, and vice.*

Okay, I thought. Enough. I've got the message. It really wasn't necessary to underline *all pervading*.

But these troubles were just the beginning, my son said, because . . . on February 11<sup>th</sup>, 1892, twelve days after the boat had sailed into New York Harbour, fifteen residents of one boarding house, all of whom had entered New York on the *SS Massilia*, started displaying symptoms of typhus fever.

There was a bit of a digression then, in which my son explained that typhus fever was not to be confused with typhoid. I didn't like this digression. It broke the flow of the story. But I supposed it was necessary for him to introduce some science since this was his passion. Also, I was quite interested in his explanation of how the diseases got their names. Typhoid because it appeared to be typhus. And typhus from the Greek for smoke or mist—a term Hippocrates used to describe the stupor which typhus patients fell into.

I liked this idea of a misty, sleepy, cloudy stupor. It felt slow and lazy. Like an opium languor. Something one might relax into. A bit of an antidote to the head-banging concept of fever I'd adopted since re-reading *Wuthering Heights*.

I felt less inclined towards typhus when I read the rest of Caleb's essay. He described, in detail, the symptoms typhus fever patients suffered: the elevated temperature, the rashes, the pain, the vomiting, the foul smell. The deaths. The disgusting little lice that carried the disease.

My son's essay went on to explain the etiology of typhus in way too much detail. I knew the essay was supposed to include his passion, but all the detail about the lice and their faeces seemed a bit much for a social studies essay. All that detail about how itching patients scratched the illness into their own blood stream. All that use of the word *disgusting* whenever the word louse appeared.

The essay ended very suddenly on a note I found both judgmental and repetitive: If the carriers of the illness had been better understood, if proper standards of hygiene were maintained, all this could have been avoided. All this could have been avoided, he wrote, had they seen the link between their illness and the disgusting lice that were crawling all over their bedding.

I was disappointed by my son's criticism, disappointed too that he hadn't focused more on the political side of the story. I wanted more on the government policies and the response from the authorities. I wanted more on the anti-Semitic sentiment aimed specifically at Eastern European Jews. That was the part of the exhibition I'd found most powerful. It was in the book he'd relied on so heavily.

I found the book on Caleb's desk. It wasn't hard to find. I didn't dig around or anything. I scanned through the book—it was well-written and easy to read. Medically sound but still accessible. I found a few quotes I thought he might want to include. I typed some of these up so he could, if he decided he wanted to use

them, copy and paste. I wasn't doing his work for him. Just making his life easier. There was one passage in particular which I thought should go in:

The epidemiological convenience of the situation is difficult to deny: one dreaded disease, one scapegoat, one neighbourhood, even one ship that brought the vectors of disease from the Old World to the New. And while there were no official proclamations of anti-Semitism emanating from the Health Department offices, their strategies and actions differed decidedly when dealing with someone within this particular circle of disease causation.

I typed that up and I made a short note to remind him that the true situation was that the passengers had probably picked up typhus in Constantinople. They'd been away from Eastern Europe for far too long to have got it there. They'd had no contact with Russia since October 1891. Typhus was known to be a problem in Constantinople, yet there was no quarantine for passengers from this or other ports. The association of this disease with Russian Jews was therefore both objectionable and medically unsound. The city's response was similarly flawed.

I remembered some of it from the exhibition—the round-up of Russian Jews who had been on the ship, healthy and unhealthy alike. The inspections of synagogues, of kosher restaurants, of boarding houses, pushcarts, vendors' stalls, all the places that Russian Jews might visit.

I typed up another quote, this time contemporary, from *Quarantine!*. Just in case my son wanted to use it. Just in case. It was his choice.

[The health inspectors, accompanied by a Yiddish-speaking agent of the United Hebrew Charities,] climbed the rickety steps of the houses, penetrated the stifling rooms, questioned in their own rasping patois men toiling over sewing machines, women stitching to keep body and soul together and black-eyed children even; critically examined everybody and with the most peculiar care those whom they found abed; carried away women while their husbands tore their hair and their children wept in frightened ignorance. It was a dreadful task, for all

of the patients were ignorant and already cowed by oppression. They were being hurried to an execution for all they knew.

I thought he might like to add something to his essay about North Brother Island, where Jews rounded up in these inspections were interned. *Quarantine!* explains that between February 12th and April 1st, 1892, about 1200 people, most of whom were Russian Jews, were rounded up. More than 1100 of these were healthy. Conditions there were so unsanitary that many healthy people became ill. There was, once again, overcrowding and inadequate water supply. The food was not kosher. Burials were not conducted according to Jewish rites. Because of the absence of kosher food, many interns refused to eat. Healthy people were weakened by hunger, by exposure to the elements and by being forced to live in close proximity with those who did carry the disease.

*Quarantine!* describes how the calls for kosher food were portrayed in the non-Yiddish media. The refusal to eat unkosher food was portrayed by much of the mainstream media as the arrogant demands of ungrateful beggars.

I read that passage and immediately quelled my own sudden thought that maybe they should have shut up and eaten the food. My own immediately quelled ambivalence when I read about the ambivalence of the German Jews who were already settled in New York, absorbed, integrated. The German Jews who had, in their bright new land, moved away from the ultra-orthodox Judaism still practiced by the Russian Jews in favour of a new, modern, 'reformed' way of practicing their religion. The assimilated Jews who'd thrown off Yiddish, the language of the ghettos, who'd moved from the sewage-stained, superstition-riddled shtetls into the clean air of an educated existence.

I quelled the thought that the interned Jews should not have drawn attention to themselves, to all of us, by refusing the food. I quelled the thought and I felt guilty for having felt it in the first place, illogically grateful that my daughter wasn't there with her nose for hypocrisy. She would have picked up my ambivalence. No matter how quickly I quelled it, she would have picked it up.

She'd picked it up in New York, on the day of the exhibition.

After we saw the exhibition we walked around the Lower East Side and eaten hot beef on rye at the famous restaurant that had been in the movies. The sandwiches they served were gigantic and I'd said, Your grandfather would have so loved this. I'd spoken about my father's love for hot beef on rye and other food from the Old Country. I'd used the term Old Country. I'd told the kids about the Pale and how their great-great-great grandfather was such a superb musician that the family got special dispensation to live outside of the Pale, in St Petersburg.

My daughter was impressed by the gigantic sandwiches but unimpressed by the musical family hero. She said, Passing, Your great-great-great grandfather was passing as a non-Jew.

I was shocked by that. I defended my great-great-great-grandfather. My son defended him too. He said they did what they had to do to survive. To support their families.

Even if it meant passing, my daughter had said. Pretending you're not Jewish so you can swan about in St Petersburg while the rest of the crew is huddled down in their hovels in the Pale. Tinkling away at the old ivories while the rest of the gang are trying to draw a drop of milk their one dry old cow. Tapping out the beat for the Czar while all the rest are fleeing—

You would have done the same thing, her brother interrupted. If it had been you.

She hadn't disagreed. Which made me admit I was kind of proud of my great-great-great grandfather who'd made it out of the Pale.

My daughter was scathing. She argued I was inconsistent—I gave them mixed messages. One minute I was all sentimental about the Old Country and its food. Next minute I was encouraging them to pass. One minute I was throwing Yiddish terms at them. Next minute I was telling them about my grandfather who refused to speak the language.

My grandfather's refusal to speak Yiddish made perfect sense. I'd explained it to the children a few times, and on that hot beef and rye day I explained it again. Yiddish was the language of the shtetls. Of poverty and oppression. It was the language of a persecuted people. Yiddish was a language to be thrown off along with the superstition and degradation of the shtetls.



I'd explained that then but, reading my son's essay, quelling my thoughts and thinking about the migration authority's response to the influx of European Jews, I began to wonder. *Quarantine!* describes measures, following the *SS Massilia*, to keep European Jews out of the United States. One such measure was to pass a law saying that only literate people were to be admitted. The Czar had forbidden Jews from getting an education. Yiddish was not recognised as a language so those whose only language was Yiddish could be excluded, no matter how literate they might be in their own tongue.

My daughter, with her nose, might have sniffed out something interesting. She might have wondered whether my ancestors were really illiterate. Or whether they had, in throwing off the oppression they were escaping, not bought into some of the prejudices of the bright new world they were desperate to enter.

My daughter thought I had funny ideas about pride and identity. She thought I drew arbitrary lines between religion and superstition. She said I would have been on the side of the German Jews—I would have given charity to the Russian immigrants but otherwise looked down on them. She suggested that, if I was born in Russia, I would have tried to pass.

Things might have escalated into a fight but my husband stepped in. He distracted everyone with a story about a great grandfather of his who'd fled Russia on a boat like the *SS Massilia*. This great grandfather had disembarked in New York, had been disgusted by what he saw there—the filth, the overcrowding. He'd gone back to the harbour and left on the next boat. That's how the family ended up in South Africa.

Wow, said my daughter. Quite a group of ancestors you've given us. On the one side there's the great-great-great who preferred institutionalised racism to a bit of shared space. On the other there's the ivory tinkler who'd rather pass than live with his own relatives. Yup, said my daughter, that's one helluva stock we come from.

My husband and I could have argued with her. We could have tried to explain. But her tone was teasing. She put her arm around me. We were on holiday and the food from the Old Country was good.

My husband said, Cheesecake. We have to finish this day with cheesecake.

## Chapter Fourteen

I emailed the quotes to my son. I tried a few times to talk to him about his essay but he brushed me off, eventually saying, It's handed in, Mum. Move on.

He said it in a jokey tone so I didn't pull him up on it. Also, I might have been delaying getting back to my Spannermen and the charges of aiding and abetting. I might have got just a bit caught up in reading *Quarantine!* and googling images of the *SS Massilia*.

So I moved on. I moved back to my Spannermen, who were still waiting to see if charges would be laid against them.

Charges were finally laid against sixteen Spannermen. Included in the accused were a retired pig breeder, an antiques dealer and restaurateur, an ice cream seller, a carer in a home for mentally handicapped, a missile engineer, a computer programmer, the proprietor of a fancy dress shop, a United Nations lawyer, a lay preacher, a fireman and Alan Oversby (aka Mr Sebastian), one of the foremost living tattoo and piercing artists, often named as the founder of the modern body piercing movement. All men were named. Their names, professions and work places were published. Jobs were lost. Homes were lost. Relationships were destroyed. Mothers read their son's names in the newspaper alongside the words *lewd, immoral and unnatural*.

The matter was first heard in the Old Bailey, before Judge Rant. The only evidence against the accused was the videos and their own statements.

After two weeks of argument on whether consent was a defence to the charges, Rant found that it was not. On the basis of this preliminary decision and on the advice of their lawyers, all accused pleaded guilty. Eleven of the men were convicted, and three—Anthony Brown, Roland Jaggard, and Colin Laskey—were sentenced to prison terms of up to four and a half years. Others, including Oversby, received suspended sentences.

Jaggard (calling himself Spannerman) describes his prison experience in a posting on a website devoted to body modification:

A constant air of menace pervaded the place. Tension, anger and threats between prisoners and from the staff was common. For me it

was a terrible situation in which to be. In spite of enjoying heavy SM CBT play, I am NOT a violent person and had never been in a fight with anybody in my life. The prospect of being beaten-up was very real and filled me with a constant fear. Our fellow prisoners were not the sort of people we (the Spanner folk) had ever mixed with before in our lives, nor hoped ever to mix with in the future.

I was taken with Jaggard's account of his fears—not because it could appear incongruous for a man who happily engages in sado-masochistic cock and balls torture to fear the caged violence of a prison—I don't believe there is any incongruity there at all. On the contrary, Jaggard's fear in prison highlights the consensual nature of the S&M activities he and his fellow accused engaged in. Rather, I was taken with Jaggard's account of his fears because these fears so closely mirrored my own, and I wondered whether my law school friend would come out of her retirement to defend me if charges were laid.

I wondered if she remembered the conversation we'd had on the day of the topless woman with the gigantic breasts. If she remembered how we admitted that our fears had driven us to law school, and how many in our group were afraid of going to jail. I wondered if she thought of that fear when she decided to give up criminal law. Was she aware how many of us would have wished, if we did end up being charged with some of other offence, for a lawyer like her to help us out of it?

There's that moment in court room dramas when the sentence is handed down and the accused hears that he is going to jail. When the bailiff steps forward. When his wife puts a tissue to her mouth, his mother collapses and her sister, overdressed besides her, leans in and covers her with her own body. The convicted man's legs crumble beneath him. He would fall to the ground but there are hands to pull his shoulders up. There are hands to handcuff him, to pull him away from his mother who is reaching for her last touch. There are cameras flashing, sirens wailing.

Then there's a voice calling above the sirens and the lights, my friend's voice calling, Appeal. We'll appeal. The sirens pause, the mother's hands find her son's.

The cameras stop flashing and the accused sees, stepping forwards in her spotless robe, his lawyer, my friend the criminal lawyer, and there is hope.

There would have been that moment in *Brown*. When the Spannerman and his co-accused understood they were going to jail. When their lawyers' voices found a way through their fear. Appeal. We'll appeal.

Without my law school friend's voice saying, Appeal, there'd be nothing to stop the sirens.

Six of the men, including the three who received prison terms, appealed, first to the Appeal Court where the matter was heard by the Chief Justice, Lord Lane.

The basis of this appeal was that a person could not be guilty of assault occasioning actual bodily harm or unlawful wounding in respect of acts carried out in private with the consent of the victim. The appeal was dismissed and the convictions upheld. Some sentences were reduced.

Once again there was that moment in the court room drama. Once again the men appealed, this time to what was at the time the highest court in the United Kingdom, the House of Lords. The House of Lords decided, on a 3:2 majority, that consensual assault causing harm above the level of common assault is *prima facie* unlawful. This *prima facie* unlawfulness can be overturned in certain recognised instances.

The decision to uphold the conviction of the accused has been widely criticised, the judges' logic widely pilloried. But despite all the criticism and vilification of this decision, it was not overturned in a final appeal which the accused made to the European Court of Human Rights, and it remains a persuasive precedent, supported by many, still argued in cases, and given renewed attention by the *50 Shades of Grey* phenomenon and the case law it has given rise to. If my fever ever found its way into court it is not unlikely that *R v Brown* would be argued by one side, to be disparaged by the other.

An obvious argument in defence of the *Brown* accused (and in support of my quest) is that of personal autonomy one. The *it's my body* argument lies at the heart of the liberal requirement that there must be harm to another before the criminal law can intervene. And it has a universal, innately human ring to it—you're not the boss of my body. My own kids have thrown it at me any number of

times. When they were small I had to hold myself back from saying, Well, actually, actually . . .

The House of Lords didn't hold back.

It was said, every person has a right to deal with his body as he pleases. I do not consider that this slogan provides a sufficient guide to the policy decision which must now be made, said Lord Templeman. It is an offence for a person to abuse his own body and mind by taking drugs. Although the law is often broken, the criminal law restrains a practice which is regarded as dangerous and injurious to individuals and which if allowed and extended is harmful to society generally.

The defence counsel in *Brown's* case stressed that the accused did not seek to proselytise in any way. The Spannermen's numbers had remained more or less constant over many years, their actions secret. The House of Lords rejected this argument, stressing that a youth (one K) had been introduced into the group, and that the actions were videoed . . . *the possibility of proselytisation and corruption of young men is a real danger even in the case of these appellants and the taking of video recordings of such activities suggest that secrecy may not be as strict as the appellants claimed to your Lordships*, said Lord Jauncey. *If the only purpose of the activity is the sexual gratification of one or both of the participants what then is the need of a video recording?*

I can't help but wonder what Lord Jauncey would have made of the mainstreaming sex videos. But his reference to corruption is interesting, suggesting as it does that young men may be harmed because their morals are degraded; that the degradation of one's character is in itself, harm. Jauncey might have found support for this argument from ancient philosophers. The legal writer, Feinberg, writing on harm to others, says: *No doctrine was more central to the teachings of Socrates, Plato and the Stoics than the thesis that a morally degraded character is itself a harm quite independent of its possessor's interests.*

If the accused did try to proselytise, they seem to have been singularly unsuccessful at it. They appear to have managed to lure in only one new member—young K—and he, we are told, was not much of a stayer. By the time

of the High Court Trial the judge was able to say that it was *some comfort at least to be told, as we were, that K has now it seems settled into a normal heterosexual relationship.*

But even if there is limited risk of converts, it may still be against the public interest to allow the action. It is still possible that society may be harmed by the conduct.

*Society is entitled and bound to protect itself against a cult of violence. Pleasure derived from the infliction of pain is an evil thing. Cruelty is uncivilized,* said Lord Templeman in a dictum that is hard to contradict. The problem is not the dictum. The problem is where it takes us: *Sado-masochistic homosexual activity cannot be regarded as conducive to the enhancement or enjoyment of family life or conducive to the welfare of society,* said Lord Lowry.

So when does the welfare of society permit consent to an assault? When is the prima facie unlawfulness overturned? When, said the judges in *Brown*, there is *good reason*. Tattooing, piercing, boxing, ritual circumcision and surgery were identified by the majority as some instances where there are good reasons. The minority judge Mustill added religious mortification. None mentioned sexual gratification. None mentioned enhanced creative state.

One might argue with the judges' choice of allowable assaults (and many have) but I was more interested in the refusal to lay down a general rule, and where that left novel instances of consent such as my quest, since my quest did not fall into any of the identified classes of acceptable behaviour I would need to make a call on whether there was good reason. I'd need my friend's help in making this call because, as was pointed out in a recent New Zealand case, it is difficult to find a *unifying theme* in *Brown's* classes, and some of the exceptions, *such as tattooing and ear-piercing, are hard to justify on the basis of positive social good.*

The difficulties in applying *Brown's* classes to novel activities is illustrated in the case of *R v Wilson*, decided only four years after the House of Lords' decision on *Brown*, when the convicted Spannermen were still planning their appeal to the European Court of Human Rights. Mrs Wilson visited her doctor seeking treatment for an infected wound on her buttock. The doctor discovered the letter A branded onto one of her buttocks and the letter W on the other. These had

been branded on with a hot knife. The doctor reported the matter to the police and Mrs Wilson's husband was interviewed. He readily admitted having branded his wife with his initials, saying:

I put them there. She wanted a tattoo and I did not know how to do a tattoo, but she wanted my name tattooed on her bum and I didn't know how to do it; so I burned it on with a hot knife. It wasn't life threatening, it wasn't anything, it was done for love. She loved me. She wanted me to give her—put my name on her body. As I say, she asked me originally if I would tattoo my name on her. She wanted me to do it on her breasts and I talked her out of that because I didn't know how to do a tattoo. Then she said, *Well, there must be some way. If you can't do a tattoo, there must be some way*, she says. I think her exact words were summat like, I'm not scared of anybody knowing that I love you enough to have your name on my body, something of that nature, and between us we hit on this idea of using a hot knife on her bum. I wouldn't do it on her breasts.

The lower court, following *Brown*, convicted Mr Wilson though the judge expressed reluctance at having to do so:

The reality that I have to deal with is that . . . until such time as the legislature or the European Court do something about it we are now saddled with a law which means that anyone who injures his partner, spouse, or whatever, in the course of some consensual activity is at risk of having his or her private life dragged before the public to no good purpose.

One can imagine how these words must have buoyed the men convicted in *Brown*. Here was a judge in the Crown Court arguing that no good purpose was served by their having their private lives dragged before the public. Here was a judge suggesting that the precedent created by *Brown* is one which he unwillingly complies with: *Sadly, I take the view that I am bound by the majority*

*in the case of Brown and that I would have to, in those circumstances, direct this jury to convict.*

The jury convicted and Mr Wilson, no doubt encouraged by the judge's reluctance, appealed the decision. Perhaps a higher court would be bolder, find some basis to overrule the precedent in *Brown*, and overturn Mr. Wilson's conviction.

The Appeal Court did overturn Mr Wilson's conviction and he was free to go home to his wife. But it denied the Spannermen any moral victory they might have been hoping for—because the Appeal Court acquitted Mr Wilson not by departing from the decision in *Brown*, but by distinguishing it.

We are abundantly satisfied that there is no factual comparison to be made between the instant case and the facts of . . . *Brown*: Mrs Wilson not only consented to that which the appellant did, she instigated it. There was no aggressive intent on the part of the appellant. On the contrary, far from wishing to cause injury to his wife, the appellant's desire was to assist her in what she regarded as the acquisition of a desirable piece of personal adornment, perhaps in this day and age no less understandable than the piercing of nostrils or even tongues for the purposes of inserting decorative jewellery.

The accused men in *Brown* served their sentences while Mr Wilson and Mrs Wilson comfortably settled into middle age, well on their way to living happily ever after. I was still uncertain whether the law would present a real hurdle to my quest, whether I had the evidence to overcome my friend's skeptical tone. My quest didn't fall into one of *Brown's* recognised categories. I would have to fall back on the general dictum that I could consent only if I had good reason to.

So is seeking creative inspiration good reason?



## Chapter Fifteen

The possibility that spiritual advancement might constitute good reason was considered in 2005 in New Zealand, in a case regarding an exorcism that led to the death of a woman.

Keum Ok Lee, known as Joanna Lee, moved to New Zealand from Korea in 2000. A witness described her as an *Introvert. Very tidy person, obedient, she always tried to sacrifice herself for others.* She may have suffered from Vitiligo, an illness which causes patchy discolouration of the skin.

From her arrival in New Zealand until her death some six to eight weeks later, Joanna lived in the home of Mr Lee (to whom she was not related) in Mt Roskill, a suburb of Auckland sometimes known as New Zealand's Bible Belt because of its high number of churches per capita. Little is known about Joanna. On her death police were unable to find anyone to notify. She seems to have met Lee in Korea when he was visiting to attend a conference, and to have been so impressed by his spirituality that she came to New Zealand to be healed by him.

Lee was a Buddhist who grew up in Korea and, at the age of 31, had a Road-to-Damascus conversion to Christianity. He left his wife and family in Korea and came to New Zealand to study at the Pentecostal Assemblies of God's Advanced Ministry of Training Centre in Auckland. Here he met and married a Korean New Zealander. They had a daughter. Having completed a two-year Assemblies of God diploma in theological and biblical Studies, Lee was given probationary credentials as a minister. He then went to London where he preached for some six months. On returning to Korea he was charged and imprisoned for fraud and absence from compulsory military service. God spoke to Lee while he was in jail. He told him to return to New Zealand, specifically to Mount Roskill.

On returning to New Zealand, to Mt. Roskill as commanded, Lee started conducting exorcisms. Not gentle laying a hand-on-the-head type exorcisms but a particular brand of exorcism developed by Lee himself—deliverance. The devils Lee saw couldn't be expelled by a simple hand on the head. These devils had to be battled from the body. By *blowing whistles, roaring aloud, and physically pushing the evil spirits out of the body.* A neighbour described Lee and his followers: "*They are queer, full stop. There is chanting, raving and squealing—*

*violent squealing. I went outside one night because I thought someone was being attacked, but it was a woman and a man squealing as hard as they could for five minutes.*

Lee's exorcisms were particularly physical. He believed that demons lived in the stomach and needed to be physically pushed out through the mouth. One of Lee's followers, who also underwent exorcism, described how he had put pressure on his chest, neck and stomach, how he had bounced on his stomach and it had been very painful, how the pressure had been *so tight, it was hard to breathe.*

According to his testimony (and there is nothing to gainsay this), Joanna complained that she was being killed by demons and agreed to an exorcism.

Joanna was 156 cm tall. She weighed 44 kg. Lee weighed around 50 kg. Lee believed that there were around 20 demons living in Joanna and that the deliverance would be prolonged. Both Joanna and Lee fasted for three days before her exorcism.

The exorcism began around 8 pm in a rented hall. It continued through the night, ceasing at around 7 am when another group who had rented the hall arrived. Lee's group then moved back to his home where they rested until midday when the exorcism began afresh. It continued until the evening. To assist with the exorcism Lee burned personal possessions of Joanna's, including a baptism certificate.

Church members were present throughout, sometimes chanting, beating on drums, blowing horns, sometimes (on Lee's instruction) sitting on Joanna. When asked to describe Lee's demeanor during the exorcism, a witness said that Lee was *very glad because he could see the demons going out.*

But not all the demons were going out. One particularly persistent, utterly fatal demon clung on.

A church member, Joseph, described the exorcism of this tenacious demon. His description was paraphrased in court:

Mr Lee was sitting on her chest and [the witness] could see from his posture that he was holding her neck. Joanna began struggling very hard and trying to take the hands, which were holding her neck, away. Mr Lee

asked Timothy (another church member), Lydia and Grace to hold Joanna's arms and limbs. Lydia and Timothy held one of Joanna's arms each and Grace sat on Joanna's thighs. Joseph said that Grace could not stop Joanna's legs struggling so she asked him to hold Joanna's legs. He held her ankles. Grace remained on Joanna's thighs. It was very hard to hold Joanna's legs at first and he had to ask another man to help. Mr Lee was still sitting on Joanna's chest and still had his arms in the same position as before but Joseph could not tell how hard he was pressing. Joseph thought at the time that they were holding Joanna so that she could be free from the demons.

Later, when asked by an investigator why they were touching Joanna, Timothy said: *Because Joanna's arms and limbs were moving, and then the deliverance cannot be carried successfully, especially at the last stage, her movement became very strong, that means the demon was going to kill her so we had to hold her arms to make it successful.*

Joanna struggled. Lee's followers believed this was the demon, resisting deliverance. *At that time she said some other strange things as well, said the follower Lydia. And also the way she spoke to the pastor was different. She didn't use the respect word, she said Stop Stop bluntly, so we thought it was Satan's word."*

Joanna died around 8.30 that night. Believing she would be resurrected, Lee and his followers kept her in the house for some days, during which time her body started decomposing. Members of the church watched over the blackening body and, when the stench became great, washed it with alcohol. There were maggots.

Lee still believed Joanna would be resurrected and he instructed one of his followers to lie on the corpse and blow into its mouth while Lee shouted, Get up. Get up.

On Lee's instruction videos were made of Joanna's corpse and the rituals performed on it. These would be provided to the media after her resurrection. One of his followers was appointed as media liaison to deal with the media frenzy which would accompany the announcement of Joanna's resurrection.

Almost a week after Joanna's death a neighbour came to the house and was shown the decomposing corpse. The neighbour called the police.

Joanna's corpse was so badly decomposed it was hard for the pathologists to determine the exact cause of death. She had two broken ribs, a broken sternum and associated bruising. The Crown argued that the cause of death was manual strangulation.

Lee was arrested and charged with manslaughter. He showed investigators the videos of Joanna's corpse, pointing out a pinkening of her skin tone, a finger moving.

Investigators told Lee that the pinkening was simply decomposition—Joanna's skin was peeling off. And the moving finger—one of Lee's followers appeared to be nudging it. Still, Lee believed Joanna would be resurrected. He chose not to have legal representation at his trial.

The Crown's argument went as follows: Public policy prevents consent being raised as a defence in the circumstances of this case and, even if this defence was allowed, Joanna did not actually consent to the level of violence meted out. If she did consent then her consent was vitiated by incapacity or mistake at the time of the fatal blow.

It's not unusual the way the prosecution framed the argument—the way it covered all its bases. Any law student would recognise this sort of argument. But I knew what my velcro friend would have to say about it. She'd say, Excuse me? What the fuck? She'd find the argument nonsensical and bothersome. She'd say, Choose a point and stick to it. She'd look me in the eyes and say, Do you lawyers never have courage in your convictions?

I found myself getting annoyed simply at the thought of what she might say and had to calm myself down with the memory of our Roman Law lecturer from law school—a man with a mumbling manner and a sad face. He gave us an example from Roman times of such an argument: Your vase wasn't broken when I returned it. If it was broken when I returned it that was because it was already broken when you lent it to me. If it wasn't already broken when you lent it to me it had an invisible crack which would lead to a break. If it didn't have an invisible crack . . . etc., etc.

There were some students who'd challenged him on the argument. My law school friend had defended the argument. She'd said, Look at the steps one by one. Each one, as an individual step, stands on its own. Each step is logical.

When someone had argued against her she'd said, Every opportunity. Your client must be given every opportunity.

Even then, the defence lawyer. Even then, recognising that every argument must be made.

I wondered, though, if she found it trying to be constantly arguing points that seemed to contradict each other. I wondered if it started messing with her values.

An argument can be beautiful but still mess with your values.

Had Joanna survived she might have said, I consented. She, like the men in *Brown*, might have stood up and said, I desired this. But she did not survive and, leaving aside for now the question of whether one can actually consent to being killed, my own belief is that Joanna did not genuinely consent, not to the level of violence meted out on her and certainly not to her own death. She was a woman alone in a foreign country. In thrall to a charismatic man. In thrall to religious zealotry and promises of salvation. But I recognise that my view may be patronising, condescending and at odds with Joanna herself, with her religious beliefs and practices.

And while the reality of Joanna's consent might have been an important question for *Lee's* case, it is not really a question for my quest. For my quest there could be no doubt that my consent would be real. As for Joanna—before we can ask whether she in fact consented, we need to determine whether her consent is relevant. It won't be relevant unless consent is a recognised defence.

The Crown argued that it would be against public policy to allow the defence of consent in this case, citing, amongst other factors, the degree of force applied to Joanna, the psychological force applied to her and the risk of death or injury to other followers who participated in the rituals.

The trial judge, Justice Paterson, agreed with the Crown and disallowed the defence of consent, based mainly on a particular provision in our Crimes Act, section 63. This section tells us that: *No one has a right to consent to the infliction of death upon himself or herself; and, if any person is killed, the fact that he or she*

*gave any such consent shall not affect the criminal responsibility of any person who is a party to the killing.*

Based on this section Judge Paterson directed the jury that if it accepted *the Crown's submission of facts, namely, that Mr Lee killed Joanna by strangling her, then consent [was] not an issue. No person can consent to being assaulted in such a manner that the assault kills that person.*

Since the jury accepted the submission that Lee killed Joanna by strangling her, consent became, for this court, irrelevant.

Although consent had become irrelevant Judge Paterson did discuss a number of English cases on the defence of consent. One of these was the Court of Appeal decision where the court said *it is not in the public interest that people should try to cause, or should cause, each other actual bodily harm for no good reason . . . it is immaterial whether the act occurs in private or in public; it is an assault if actual bodily harm is intended and/or caused.* He also referred with favour to the dicta in *Brown* that the infliction of bodily harm is unlawful, and the consent of the victim is irrelevant, unless the activity falls into one of the recognised grounds.

On the last day of the trial, Lee, who had previously taken no part in the proceedings, delivered a closing message. He wept openly in the court and begged the judge and jury to allow more time before sentencing, so that Joanna could be resurrected, and himself vindicated.

By then it was over a year since Joanna's death. Her body had been cremated. Since no relatives could be found, the local Pentecostal church had given her a Christian burial.

The jury deliberated for only four hours before finding Lee guilty of manslaughter. He was sentenced to six years in prison. The judge made it clear this sentence was intended as a deterrent not only for Lee but also for others.

Back in prison Lee had another, this time secular, awakening: he realised things might have gone better for him had he mounted a proper defence. He sought an appeal.

There were problems with allowing the appeal, not least of which was the distance witnesses had put between themselves and Lee. Senior Sergeant Rogers, who led the investigation into Joanna's death, doubted that witnesses would be willing to give evidence again.

Several of the participants in the appellant's ceremonies, once removed from his influence, began to feel extremely foolish that they had believed the deceased would return to life if they continued to follow the Pastor's directions and pray over her. It took many hours of support and rapport building to get the remaining witnesses to give evidence against the appellant.

There, in the policewoman's evidence, was a new version of the police to occupy my thoughts—a policeman who was a woman. A woman who spent hours on support and rapport-building so she could help bring a man to justice in memory of a dead woman who had no family to bury her. Senior Sergeant Rogers was the policewoman from a British TV series—dogged, calm, a woman who you want on your side. A woman who would find a Korean translator to put her witnesses at ease, would spend hours looking at the evidence long after her translator had gone home to his family. A woman who would stay awake so she could make long distance calls to Korea, who never claimed overtime.

My Senior Sergeant Rogers would be short with the neighbour who said, They were queer. Period. She would be gentle with the witnesses. She would understand how a human being can be carried along by fervor only to later feel extremely foolish. My Senior Sergeant Rogers was a policewoman who did not judge.

Which is not to say I would have got into a police van with her.

The long distance calls would be necessary because some of Lee's followers had returned to Korea. Only his wife continued to support him.

Despite the evidential problems, the scattered witnesses and other concerns such as the timing of the appeal, an appeal was allowed. A key issue for this appeal, and my primary concern, was the role of consent. If Joanna had consented, and if this consent had been real, meaningful consent, would it have relieved Mr Lee of liability?

I didn't understand the issue for appeal at first. My first thought was that consent couldn't possibly be relevant—given that Joanna died, and given that section 63 disallows the defence of consent in cases of death. I almost called my law school friend and said, Hey, you need to explain this to me—not only

because it would help me understand the case but also because she'd enjoy engaging with a legal conundrum. It was the sort of thing she loved. It was the sort of thing she could get hooked on. I was about to call her but then I read further and I saw the answer was obvious. It wouldn't have stopped her in her tracks for even a second.

Consent was relevant despite the death because the court accepted the argument proposed in *Adams*, a standard textbook on Criminal Law in New Zealand, that section 63 only applies to the intentional causing of death—to consent to being murdered. It does not apply where death accidentally follows from consented assault. The test, said the court, is an intention-based one rather than a results-based one. We ask not what level of injury was actually caused, but rather what level of injury the accused intended.

If the doctor intended only passing indisposition but I actually died as a result, section 63 would not apply at all, since there would have been no intentional causing of death. If a doctor inducing a fever in me intends only passing indisposition and I become thoroughly diseased, the defence of consent would be tested not against the resulting disease but against the doctor's intention. Unlike the family member performing euthanasia or Armin Melwes, the German cannibal, a doctor inducing a fever in me would not be intending to kill me. Death would not be the intended outcome of my quest. This makes sense if we think about the wording of the section—no one has the right to consent to the infliction of death. It is consent to death that is being disallowed. I thought, That's why my friend hadn't mentioned it—because it wasn't relevant. I thought, Phew, and then I thought, That lets the doctor off the hook, but where does it leave me?

When I was about eighteen my mother started talking to me about a death conversation—about how we should, once a year, all sit down and discuss what would happen if one or both of our parents died. Were the wills in order? Did we know where the cheque book was, how to pay for electricity, where our birth certificates were stored? Would we know who to call, what to put on the death notice? Were there any special requests for the funeral? When should the plug be pulled?

My mother got the death conversation from the radio. She got many of her ideas from the radio. In this, as in other respects, I have become my mother.



She used to carry a portable radio around the house with her. She'd put it on a shelf as she folded towels, have it next to her in the kitchen when she cooked. Her advance down the passage would be accompanied by the weather, an afternoon drama, the news. From the time it took for the pips to announce the hour, to the presenter saying, And here is the news, comic books could be hidden inside homework, cigarettes thrown in the bushes, and everyone was smiling when the presenter said, In Soweto today.

My mother's peripatetic radio was petite, suitable for perching on the birdbath when she worked in the garden. Her stationary radio was a heavy old-fashioned thing with a piece of wire coat hanger as an aerial. It sat on my father's side of the bed, boxy and stolid and stable enough to withstand his active nights.

In our family history there were stories about how, in the middle of the night, he knocked it off the table or turned it on, or frantically threw off the bedding looking for it, trying to find it in his sleep. He was a busy sleeper, my father, full of dreams and nightmares and thrashing arms. And a crier in his sleep. A man who dreamt and wept and said, in the voice of his five-year-old self, the wirelits, I can't find the wirelits.

So when my mother started a conversation by saying, I heard something interesting on the radio, there'd be talk of the wirelits and teasing about how it must be true if it came from the radio. Someone might tell a story, like the one about how the DJ on the music station had, immediately after a news item announcing the declaration of a state of emergency, played a snippet of Talking Heads' *Road to Nowhere*. That might get everyone talking about the state of emergency or censorship or why the DJ was, despite the brave placing of *Road to Nowhere*, still a prat. And then, later, when it was all exhausted my mother might say, So, so they were talking about death. About the death conversation and how we should have it.

There she was—trying to impose order. My mother, the optimist.

She was right about the death conversation. We knew she was right but still we teased her about it. My father, who would normally defend his wife against the childish jokes, didn't stop us. He sat quiet because he knew why we were teasing. He shared our discomfort at the thought of talking about death and, for him, the death conversation held the additional horror of placing him, annually,

in a position where he would have to explain which bills hadn't been paid, which patients shouldn't be chased for money, why he had three credit cards and why there were tax-related documents under his bed in the box that once held a little injured bird we'd found in the garden.

He let us tease because worse than talking about death or exposing his finances, worse than pulling the box from under the bed and causing someone to wonder, What did happen to that bird? Did it really get better and fly away when we were at school? Worse than those things, for my father, was the thought his wife might one day die.

It terrified him, that thought. It terrified him and he wasn't afraid to tell us. I'll kill myself, he used to say. If your mother dies before me I'll kill myself.

He had a suicide kit ready. We all knew he had a suicide kit ready. He'd told the family, his friends, his secretary. If she dies before me I'll use that kit.

We believed him. I found it comforting. I'm pretty sure my siblings did too. You'd think it wouldn't be comforting—the thought of losing both one's parents, of being orphaned, just like that. I never feared being orphaned but having my father alive when my mother wasn't—that I feared. The thought of him grieving for her, frantically throwing the bedding off looking for her in the bed next to him, weeping in his sleep—that was scary.

Once, on a walk, my mother fell down a gorge. My father was walking with her. They were walking together. And then she was gone, suddenly gone. He had a heart attack. Literally. Not a large one—small enough that he could watch her scrambling back up, could recover beside her, but still large enough that he would need an angioplasty, and would describe, with bright eyes, the marvellous medicine that allows a balloon to be inserted into an artery and then, miraculously, blown up. Large enough that it would become a family story—how Mummy fell down a gorge and Daddy had a heart attack; how fragile Daddy's heart is.

My father's fragile heart didn't allow the death conversation.

My mother let it go.

As an adult I read a book where people could choose the age they died and, if they chose a sensible age, say 80 or thereabouts, there would be financial benefits for them and their children. I wondered about this. I thought it might be

a good idea. I asked my mother what she thought. She said, No. No matter how old or how sensible the age, no—because every creature fears death. Above all else we fight, said my mother, to live. Even if I was old and decrepit, said my mother. Even then I'd fight to live.

My father had died by then but he would have been happy to hear her say that. His fragile heart would have been shored up at hearing my mother say she would fight, no matter what, to live.

I thought of my mother saying that every creature fights to live, and I felt bad again about the dead bird in my daughter's room, the shit on the lamp, the woman with stage four bowel cancer begging for funding.

Joanna Lee seems to have fought to live. She struggled very hard and tried to move the hands that were holding her neck. Mr Lee had to ask congregants to help him hold her still.

Giving her evidence, Lydia said: *At that stage Joanna's legs and arms were moving with a very big movement.* She said that, at Mr Lee's request, various males had come to hold Joanna down, which stopped the movements. Joanna's face had no expression at all at that stage.

Joanna's thrashing about could have been some sort of seizure. It might have been her trying to throw off her attackers. But she struggled and she said, Stop, stop. She said it bluntly.

In Lee's defence, his lawyer argued that the majority approach in *Brown* (which held that consent to serious assault was unlawful unless permitted by public policy) should be foregone in favour of Lord Mustill's minority (lawful unless shown to be unlawful) approach. And then she posed this question: *The aim of liposuction is a flatter stomach; the aim of exorcism is a clean soul . . . [We] can consent to the former which causes serious injury and carries serious risks, so why should exorcisees be denied the same right?*

The court accepted counsel's argument that *Brown* majority's illegal-unless-in-the-public-good argument should be rejected in favour of the minority approach of legal-unless-against-the-public-good. This is no small shift. It recognises that we should only criminalise conduct when there are legitimate (moral) reasons for doing so. It confirms my law school friend's values as I understood them.

This decision marks, then, a clear finding in favour of allowing the defence of consent even if the consenting victim dies.

Lee's appeal was allowed, his earlier conviction overturned and a retrial ordered. This retrial did not take place because Lee had, by this time, completed his sentence and returned to Korea. Had a retrial been held, a key issue would, I imagine, have been whether Joanna did indeed consent, whether her apparent consent was real. The prosecution would have argued that she didn't really consent. The scattered witnesses would have returned to give their evidence. They would have looked to my policewoman as they spoke. She would have nodded encouragement.

Lee's trial was widely covered in the news. Bloggers had much to say about it. From ExChristian.net, a blog created

for the express purpose of encouraging those who have decided to leave Christianity behind comes this posting: . . . our Appeal Court judges have performed an Easter miracle. They have given exorcism the sanction of the law—even when it goes horribly wrong. And they have given every teen Goth the perfect excuse to maim their fellow travellers. Forget Guy Fawkes mayhem, Halloween is going to be a doozy this year.

I wanted my law school friend to sit ExChristian.net down and explain the decision to him. I wanted her to take him through it step by step. I wanted him to read it. I wanted everyone to read it. The decision in *R v Lee* is beautiful. Far from placing a hurdle in the way of my quest, *Lee* removes them for despite the factual context, it's not really about Lee. Or about exorcism. It's about the boundaries of criminal law and choice and autonomy and who is the boss of our bodies. It's about a court recognising and expressly stating that our law places a high value on personal autonomy and that judges should be wary of imposing their own personal views of acceptable behaviour. It's about values.

*Lee* gives judges something to work with in the future, a guiding principle: Consent is a defence unless there are public policy reasons to exclude it and unless those policy reasons outweigh the social utility of the activity and the high value placed by our legal system on personal autonomy.

## Chapter Sixteen

My velcro friend called.

She was in her car, outside my house. She didn't want to come in. She wanted me to go out to her. So I went out and I sat in her car.

She wanted me to go with her to her daughter's school.

On the weekend?

Yes, on the weekend. Zoe's art class is busy painting sets for the school play. We're going to arrive with doughnuts and snacks for the crew. We're just going to drop them off and leave, she said.

Aren't you a nice mother?

The best . . . except for you.

And that netball mother who used to run onto the field with oranges for her daughter, I said.

We both groaned. We reminisced for a while about how we really didn't like that mother. Then my friend said, Mind you, the kid is quite something. Someone was telling me about her the other day. You don't want to hear about all that kid's achievements.

No, I said, I do not.

My friend said the art students would be thrilled. She said Zoe was expecting her.

Zoe was not expecting her. We knew this for sure because Zoe was not there.

There was an awful, awkward scene where the art teacher explained that Zoe had called in sick.

I lied. I said my friend had just come back from a trip, that I'd just fetched her from the airport. We hadn't been home yet. My friend said, Yes, yes, I came straight from the airport. Poor Zoe must be at home.

She grabbed my arm and squeezed it hard.

She'll be wanting her mother, the art teacher said. Sick as she is.

Yes, yes, said my friend. I'd better—

Better go, I said. We'd better go home and look after Zoe.

The art teacher handed the bag of snacks back but my friend said, No. You keep them. So the teacher took two doughnuts out of the bag—for Zoe sick at home. My friend was holding the doughnuts in her hands. The art teacher was saying, Sorry, sorry, let me find something to wrap them in, let me. She found a roll of paper towel and handed it to my friend, Sorry sorry.

My friend gushed about how much Zoe would enjoy the doughnuts—sick as she was. The art teacher gushed about how she wished Zoe well and how much they'd enjoy the treats. The kids kept painting the sets, their heads low over their work, their eyes glancing at us. Their mouths moving.

My friend kept her hand on my arm, squeezing hard. We were all being kind. Me, the art teacher, my friend—being kind with our lies.

Back in the car, she said, Okay , so maybe Zoe wasn't expecting me.

I didn't say anything. We didn't talk.

My friend started driving and after a while I started telling her about Lee's case. She said, Do you think someone can get a devil in them? and I said, Shit no. We spoke about exorcism and then we were at my house.

She didn't want to come in. But she wasn't in a hurry to go home and face her daughter. I had the doughnuts on my lap. I handed them to her and she said, there's was no fucking way I'm giving these to Zoe.

We sat in the car and ate them.

She knew she was going to have to have it out with Zoe. She knew there was no avoiding that. But still, she said, I wish I could just ignore this whole thing happened. Just go home and pretend I'd never been there.

I said, Teenagers.

Fucking teenagers, she said.

I went inside and washed my hands. My kids were in their rooms. I was feeling kind of queasy. I took a glass of water and the telephone to my room and I sat on the bed and called my law school friend.

She asked about my fever. I told her I was researching the law on consent. I said, You and me are going to have a little chat about the case law on consent. She said, Any time. But when I said, How about tomorrow? she said she couldn't make it. She was still working on her university application. She was struggling to write up her personal motivation.

I thought that might indicate a lack of real incentive.

I said, Good on you for doing a proper job of the application, for taking it seriously.

I was thinking, Already this psychology business is coming between us.

She couldn't make the next week because things were hectic at work. So maybe the week after?

I said, Sure, sure, any time.

Maybe she heard a tone in my voice because she said, So tell me about your research. Which cases have you read so far?

I told her I'd been reading *Brown* and *Lee*. She didn't need reminding what they were about. She said, Good, good. Those are good cases. Then she said, what do you make of *Barker*?

*Barker*? I hadn't read *Barker*.

She said, You probably should read *Barker*, sorry.

I thought she was apologising about giving me extra work.

I didn't want to talk about consent after that—not if there were gaps in my knowledge.

I was going to tell her about the trip to the school with the doughnuts but she had to go. There was someone at her door.

Later, I wondered whether she would have told me about *Barker* had she known about my velcro friend's errant daughter.

## Chapter Seventeen

Barker's case was decided in 2009. I have taken the facts of the case directly from the judgment because, as a result of suppression orders, there aren't many other accounts to draw from. And for another reason: I want distance between myself and these facts. I wish I'd never read them. I wish I didn't know they are true. The facts of *Barker's* case left me frightened—for my daughter, for my velcro friend's daughter who is often not where she's supposed to be, for other people's daughters.

The fear for my daughter is the mother's standard fear—that she might, simply because my back is turned, one day find herself in danger. I'm an old hand at this fear and have learnt, as did my mother, to seal it away in a Tupperware container—something that doesn't leak or stink out the fridge when it goes off.

The fear for other people's daughters is harder somehow, to seal away. It seeps out of the zip lock container and catches me when I'm sitting at the computer.

At first I thought *Barker* was not much different from *Brown*. We were back in S&M territory. According to the court:

Mr Barker has an interest in bondage, discipline and sadomasochism (BDSM). In 2006, he acquired a house which he set up as a venue for BDSM, with costumes, props and a number of fetish-themed rooms, including what Mr Barker called a *shibari* or suspension room. One of Mr Barker's interests was the practice of *scarification*, which, in the BDSM context, refers to a form of body modification that involves the cutting or incision of skin to produce permanent or semi-permanent scars.

So far, so good, I thought. Nothing I haven't read before, I thought.

Then I got to complainant A. She was 15 years old.

She had self harmed in the past and had scars on her arms and chest.

The court's summation of A's evidence was:

A's evidence was that Mr Barker then asked her to pose for him, offering her a shower to warm up as she had been out in the rain and



a gothic-style costume to wear. Once she had changed into this garb, Mr Barker grabbed her by the hair and poured some wine into her mouth. A then agreed to Mr Barker flogging her with a leather whip.

To this end, Mr Barker led her into the suspension room, tied her up with fabric and encouraged C to kiss her feet while he was whipping her. During the whipping M, one of Mr Barker's female associates (with subsisting name suppression) pulled down the front of A's dress, applied nipple clamps to her and ran a sewing tool over her chest. A said that, after some time, those present became aware that her hands were turning blue and Mr Barker said something like *not much longer* and, after a while, she was untied.

A's evidence was that she then went outside for a cigarette. When she came back in, she went to the lounge and watched as Mr Barker scarified M's teenage daughter by cutting patterns into her skin. Mr Barker then told A that he wanted to do something similar to her. A's evidence was that she did not want this to occur but that she *complied*. In cross-examination, A agreed that she had not said or done anything to suggest to Mr Barker that she was not consenting to the scarification.

A agreed that there was *possibly* some discussion beforehand about the cutting and that she was given a *safe word* to use in the event that she wanted the scarification to stop. She said that she did not use the word because *I suppose I was a bit stubborn*. She was clear, however, that Mr Barker said nothing to her about the permanence (or otherwise) of the scarring.

Using a scalpel, Mr Barker cut a dragon symbol into A's right shoulder blade. The significance of this symbol was that Mr Barker's *stage name* in BDSM performance was *Dragon*. He allegedly asked A to masturbate while he was cutting her, and she pretended to do so. He also told her that he wanted to cut her breasts open.

The girls in *R v Barker* were 15 and 17 years old. At least one of them was living away from home. There is no mention in the court case of their parents. The mother of a friend is mentioned. She was one of the adults doing the injuring.

I got up and went to the kitchen. My daughter was in there making toast. My son was in his room. I texted my velcro friend to ask whether she'd seen Zoe. She called me back straight away. She said Zoe was home. They were fighting.

I said, That's good, and she said, Is it?

Zoe was outside, my friend said, having a cigarette. A fucking cigarette.

They were between rounds. That was the only reason my friend could talk. She was in the bathroom, hiding out until her daughter came back in and started round two.

Apparently I'm the one who deserves to be punished, my friend said. She's the one caught wagging. She's the one caught lying. Yet this is apparently all my fault. Apparently I am the wrongdoer here. She can go outside and have a cigarette and me, I'm locked in the bathroom like a fucking criminal.

I said, The good news is she's home.

She said, Ha. Then she said, Oh man, she'll be coming back in for the next round soon. Give me a pep talk. I need pepping. I'm starting to flag. I need a bucket of water on my head.

You can do it, I said. You're a wonderful mother.

She said, More. I need more pepping. We're about to go another round and she's a scrapper. Pep me up, she said. Pep me like I'm a boxer about to leave my corner.

I said, Come on Rambo, you can—

Rocky, she said, I think you mean Rocky.

Come on Rocky, you can do it. You're Sylvester Stallone. You're Raging Bull. You're what's her name from—

Million Dollar Baby, said my friend. I'm the million-dollar baby.

I said, That's my girl, and she said, Wish me luck.

She went back to fighting with her daughter. I had to go back to the law reports. I didn't want to but I had to.

Inga Clendinnen, the Australian historian, describes stapling the pages of a book together so she doesn't inadvertently read the horror described in them. I felt the same way about the facts described in *R v Barker*. But I forced myself to read them because, as Clendinnen says, where the account we are reading is factual, we may have a duty to take note. The pages Clendinnen stapled together

were in a work of fiction to which she felt *under no obligation to attend*. When non-fiction is being recounted, the matter may be different. In factual accounts *we recognize our moral relationship to the protagonists, and therefore our compassionate duty to be attentive*.

I forced myself to move on to Complainant B. I owed those daughters a duty to be attentive.

Complainant B, then 17 years old, was introduced to Mr Barker by C after she had expressed an interest in participating in a pagan bloodletting ritual. B gave evidence that she had understood from C that the ritual would involve a drop of blood being taken from her arm or shoulder area.

Mr Barker picked B and C up and took them to his premises. Although she was shocked by the interior of Mr Barker's house, she trusted C and did not try to leave. B's evidence was that Mr Barker questioned her about previous drug use, and allegedly offered her nitrous oxide and party pills, which she took. He gave B a leather corset, a G-string, and high-heeled boots to change into while C changed into a cloak. Mr Barker wanted C to be naked underneath the cloak, but she insisted on wearing her underwear.

B became affected by the drugs she had taken and passed out, at least momentarily. When she awoke, Mr Barker pulled her into the suspension room and chained her arms to a beam suspended from the ceiling. There had been no discussion beforehand about what was to happen (either at the premises or on the way to the premises) but she was expecting from what C had told her that there would be a drop of blood taken from her shoulder. She agreed that she was *okay* with this.

Mr Barker was chanting in a language which *sounded foreign* to B. He then got C to touch her breast and asked B whether or not she liked it. She did not answer and then, without saying anything more, he unzipped her corset and began to cut her right breast. She said that she asked him to stop but he would not. Mr Barker then continued with her left breast with cuts that seemed more violent and which were more painful. During the breast cutting, he had his

hands on her breasts. She said that he was not fondling them but was just pushing his hand up against her . . .

B's scars were still apparent at the time of trial and appeared to be of a particularly crude and disfiguring nature.

If I'd been a proper lawyer I'd have written up the evidence and arguments Barker led in his defence. My law school friend would probably insist on it. But I couldn't. I'd had no difficulty describing scrotums being nailed to blocks, a woman being assaulted to death but when it came to the girls in *Barker*, I held back. I thought of my friend fighting with her daughter and I held back from writing up Barker's defences.

The girls were 15 and 17 years old. The accused was 50. And, unlike *Brown*, there were complainants. The young girls complained.

The District Court convicted Barker of injuring with intent to injure and wounding with intent to injure. Barker appealed, arguing the District Court erred in excluding the defence of consent on public policy grounds.

The question faced by the Court of Appeal was whether the defence of consent ought to have been excluded. The majority held the defence should not have been excluded.

This does not mean a defence of consent would have been upheld had it been canvassed. But the defence ought not, according to the Court of Appeal, have been disallowed altogether.

*I should make it plain, said Judge Hammond, that I share . . . complete dismay and distaste at the exploitative and tawdry activities of Mr Barker in relation to these young women. Nevertheless, the fact that such activities would likely be seen as abhorrent by the vast majority of New Zealanders is not a reason, in and of itself, to remove an otherwise applicable defence.*

Judge Hammond reminded me that disgust is not enough to support a call for criminal sanction. Citing *Lee* he reiterated that in New Zealand, policy reasons for forbidding consent must outweigh the social utility of the activity and the high value placed by our legal system on personal autonomy.

A high value should be placed on personal autonomy. Any constraints on human activity must be justified . . . [S]uch an approach would fit in with the manner in which the law has

developed in New Zealand . . . where the tendency has been not to countenance too many limits on the availability of consent as a defence.

Judge Hammond recognised that social utility is more than the *enhancement or enjoyment of family life* that Lord Templeman looked for in *Brown*. Scarification, too may have social utility: *The particular practice may be a form of communication, it may be a form of ornamentation, or it may be a cultural practice which may go as far as rites of initiation or personhood.*

The lower court's decision was overturned. This does not necessarily mean that matter was over—Barker could have been retried and the reality of the girls' consent investigated.

The Crown elected not to retry Barker. It is quite likely that the girls' interests weighed heavily in this decision. There had been two trials already. A third trial would have focused closely on the facts—the reality of the girls' consent. It would have been evidence-heavy and the girls would have had to recount, again, what they'd been through.

I understood these matters might tip the Crown away from a retrial but I was sorry Barker was not retried. I told myself it was because of deterrence and warnings to others but really I wanted to see the fucker punished. It was quite possible he would have been convicted even if the defence of consent was allowed. The defence might have struggled to establish genuine consent. The girls' ages, the sexualised circumstances, the drugs, the possibility that Barker overstepped the boundaries of any consent that was given—all of these point towards a conviction.

I wanted to see the fucker punished but I wrote, in an email to my law school friend, that it made sense for the Court of Appeal to overturn the initial conviction. It was the right thing to do. The majority judges showed a willingness to overcome their own distaste. They rejected a paternalistic approach to criminal intervention. They respected personal autonomy. Together with the judges in *Lee*, they gave my quest a war cry: *Policy reasons for forbidding consent must outweigh the social utility of the activity and the high value placed by our legal system on personal autonomy.*

I didn't print that out and stick it up next to Stelarc and Anne Frank, but I did email it to my law school friend, together with an apology for being unsupportive of her decision to leave law.

She said, Change can be hard.

I replied, Psychobabble? Already?

## Chapter Eighteen

The next day I still felt queasy.

My husband was standing next to my bed with a cup of tea. He usually went running on a Sunday. There was a group of them that ran together. Sometimes they had lunch afterwards.

He did ask whether I wanted him to stay home and look after me, but only after he'd put his running gear on. So he was standing there, all in lycra, holding the car keys in his hand, saying he was happy to cancel if I wasn't feeling well, and of course I said, No, no, go.

Of course I said he should go. I wasn't really sick, just a bit off.

He told the kids they shouldn't make too much noise and he left.

The kids came and stood in the doorway, looking in on me.

My daughter said, It's because you've been hanging out with Zoe's mum.

And I said, Excuse me?

Caleb told me, my daughter said, about her fever nonsense. Now you're sick. I hope she hasn't infected you.

I looked at Caleb. He looked down. I said, I told Caleb, and now I'm telling you, it's not Zoe's mum who wants the fever. It's a friend from—from work. And anyway, this friend hasn't done anything. It was just something they were interested in. No one's going to be infecting anyone.

My daughter held up her hands. Chill, I was just joking.

My son kept quiet.

My daughter said, It may or may not be a friend from work, but still, I worry about how much you're hanging out with Zoe's mum. You had a play date with her yesterday and now look at you—sick.

I said, I'm not sick. Just a bit off.

My daughter spoke over me: I'm thinking Zoe's mum might be a bad influence. I'm wondering whether we should stop you from playing with her.

She turned to Caleb. What do you think? Should we cancel the next play date? Caleb said, Definitely.

And my daughter said, that's sorted then. I'll call Zoe and tell her.

She laughed. He smiled. I said, Very funny.

I held out my teacup. Please top this up for me.

My daughter was not done teasing. She put on a groany whiny voice: Tea, tea, I need tea. And scrambled eggs. Make me scrambled eggs. I'm sick. I need scrambled eggs in bed. And a hot lemony drink. Make me a hot lemony drink and scrambled eggs. And tea.

The scrambled eggs line made me smile. Even though she was using it to mock me, I smiled at the scrambled eggs.

Scrambled eggs made me think about my mother and mumps.

Mumps was the only real illness I ever knew my mother to have. We used to say it was against the rules for her to get sick. For mumps the rule was broken.

She got mumps from us, her children. One of us had mumps and then another and my mother had said, You'd better all have mumps and get it over with. It would be awful, she said, if you had it as adults.

She'd sat us in a circle and passed around an apple and we all got mumps. We were all sick together and it was kind of fun.

Afterwards, when we were better and back at school, my mother got mumps and it was horrible for her. Her face swelled way up and everyone said, It's much worse if you have it as an adult. Much much worse.

She was in pain and I felt sorry for her, but it was quite nice when my mother got mumps.

My mother is a woman who says, Walk with me. We'd have something to discuss with her and she'd say, I'm listening. Walk with me. Help me while we talk. She'd turn off her radio and we'd follow her to the washing line or the car where the grocery bags were or the linen cupboard where the clean sheets were. We'd follow her and tell her what we needed and when we needed it and she'd be nodding and saying, Okay, okay. She'd be nodding and folding, unpacking and walking and moving and saying, Maybe. Let me discuss it with your father.

When she had mumps she stayed put. She sat in her bed and we could sit on a chair next to her bed and talk to her and it was nice. I could be a nurse and be quiet and say to my younger siblings, She wants scrambled eggs. Scrambled eggs is all she can eat.

I could tell my friends at school about how sick my mother was and when they said that everyone had mumps. It was going around, I could say, Yes, but if you



have it as an adult it's far, far, far worse. My mother's glands might never go down completely.

I could make a bit of a fuss about how huge her cheeks were and how all she could eat was scrambled eggs and how I had to go straight home after school to check up on her, and a part of me wanted it to go on forever. A part of me wanted her to stay sick and still and undistracted in her bed forever.

A part of me wanted to stay in that sick room with her for ages.

A part of me was gratified that my children knew what I liked when I got sick.

Scrambled eggs and a hot drink, my daughter said again in her whiny voice, and I just smiled. I could take a teasing.

She brought me tea and patted my shoulder and they left me alone.

I sat up in bed with the computer on my lap. I thought I might look up some more court cases. There was a recent rape case where the accused relied on a mistaken belief of consent. I thought I might read it but I couldn't. Not when I was already feeling unwell.

The actors in my court cases pushed the boundaries of what human beings could do to themselves. No doubt about it. They confronted the borders of consent and forced us to think about who really is the boss of our bodies. They gave us real life push-the-limits examples.

But they weren't subversive. They weren't rebellious.

Their actions couldn't possibly be insurrection, happening as they did, in secret. There's nothing rebellious about exposure in the doctor's room, the police interview room. It's not subversive when discovery is a botch up. Those actors might have shifted our law's perception of consent but that was not their goal. What changes they brought were brought because they'd failed—to resurrect the body. To remain secret.

That must mess with your values, I thought. I wanted to call my law school friend to ask her, but I knew she was busy.

Caleb came and stood at my door.

I held up my empty teacup.

He said, There's a dead bird in the lounge.

He was holding a broom. He'd been planning on sweeping the lounge. Because you're sick, he said. I was going to do it because you're sick.

But then he'd found the bird.

It could have been there for days, he said.

The sofa had been pulled away from the wall.

It was a big bird. It had a ring around its leg.

I didn't know what to do. I guess I kind of panicked. I called my daughter. She came in with a friend and I thought, Oh bugger, now the whole neighbourhood will know our cat killed a protected species, and left it in a bed of dust balls.

I gave my daughter a look that said, You know I don't like it when your friends come into the house without greeting me.

She gave me a look that said, You're in a dressing gown and it's almost noon.

I told the friend I was sick and she said, Oh.

The two girls were calm. They stood over the bird and the friend said, It's a kaka. They've been coming into the neighbourhood a lot lately. From the sanctuary.

I'd heard about the kaka. How they'd been extinct in Wellington but were now gaining numbers through the work of the sanctuary. I'd heard about all the work being done to support their numbers.

The girl said, My mother complains about them pulling nails off the roof.

My daughter said, You have to phone the sanctuary and tell them.

When I didn't reply straight away she said, You have to call them. They'll probably want it back.

That bird could have been there for days. It could be crawling with god knows what. I wasn't going to touch it. It scared me. My daughter looked at me sternly. You have to call.

The sanctuary was closed. I didn't leave a message. I called our vet instead. She knew we were good people. She knew our cat. She'd once said he was a sweetie.

The vet said we didn't have to call the sanctuary. There were always a few deaths and they factor them into their studies. Then she asked if our cat brought in a lot of birds and I said, Well, not a huge amount.

If he's catching kaka he must be a good hunter, she said. You might want to keep him in at night.

I told my daughter she might have to keep the cat in her room at night. She said, Yeah, like that's gonna happen.

I didn't argue with her in front of her friend.

I paid the two of them to get rid of the bird. They fetched a spade and a pitchfork. I looked at the pitchfork and said, You won't . . . you're not.

It's for scooping, my daughter said. Unless you have a better idea. She pretended to stab at the bird with the fork. She looked at her friend. They literally rolled their eyes.

I didn't watch them scoop the bird up. I went back to bed. After a few minutes my daughter came in, carrying my purse. She said it was all cleaned up and she handed me the purse. She held out her hand for money and said, Honestly, you are such a wuss.

I started googling bird-killing cats. All the websites spoke about keeping the cat inside at night. I was resistant. I hated the idea of locking the cat up.

I found a bib you could buy online. You put it round your cat's neck and it stopped them from pouncing. The website said it was the most effective way of stopping cats killing from birds. It came in three colours (one of them 'purrrple'). There was a version with a luminous necktie (for male cats) or a shiny pearl necklace (for females). I dithered over the choice and eventually went for the pearl necklace.

I thought I'd show my kids the bib.

I took the computer to my son. He doubted the bib would work.

My daughter and her friend were laughing behind her closed door. I didn't knock or go in.

I took my computer back to bed and emailed a photo of a cat in a bib to a few friends. In the subject line I wrote, Who's afraid of a cat image?

I copied in a few people from my old work. It felt like a good way of making contact with them.

My velcro friend replied pretty much immediately. She called and said, Your email was a lifesaver. Literally, she said, a lifesaver. She said that one, two, maybe three lives had been saved by my cat bib email.

She was calling from a café. She'd been there for an hour already, on her own. She said, Come and meet me. Please please please. The staff here think I'm a

crazy old lady. Come and prove to them I have some friends. If you're not here within the hour lives could be lost.

So I got up and I got dressed.

I knocked on my daughter's door. I called that I was going out. She came to the door of her room and said, Too sick to get out of bed but well enough to go out with your friends are you?

Her friend laughed like she was scandalised.

My daughter didn't ask who I was going to meet. Ridiculously, I was relieved.

My son said, But don't you usually do housework on Sunday? If you're not sick, can't you—

So then I agreed to pay him to clean the house. It seemed only fair.

My friend was on her third coffee. She was thinking of moving on to wine. She was sitting outside so she could smoke. Her eyes were deep-set. She smelled of cigarettes.

I wanted to sit inside. I wanted to say I wasn't well. I kept quiet and listened.

Zoe had moved out of home. Packed a bag and gone. There'd been a fight. My friend had told her daughter she was impossible to live with and Zoe had said, Well, fine then. You don't have to live with me. She'd called the boyfriend with the concave chest. He'd come in his car. There'd been a scene outside the house. In the street. Zoe and the boyfriend had zoomed off in one direction. My friend had zoomed off in another.

And that, she said, is how I came to be sitting here drinking coffee and scrolling through my phone, thinking, Please somebody send me a cat photo. Somebody save my life with a cat photo.

Where was Mike?

Mike. Mike. Mike was outside in his studio. Where he always is. You didn't think he'd come out and show his face just because his only child is leaving home, did you?

Her tone had an odd jauntiness to it. A jauntiness she lost when she said, Poisonous. Zoe said I'm poisonous. My own daughter said keeping away from me was self-protection for her. She said it outside, in the street. Where all the neighbours could hear.

I said, Who cares what the neighbours think? They can't judge you. Didn't your one neighbour have a son who joined the military? Who are they to judge?

God yes, and their other son is a spokesman for the Conservative Party.

And you thought you had problems.

She managed a half-smile and I said, She'll come round. It's just a matter of time.

How long? A year? Two years? When she's 25 and her brain is finally formed? That's eight years away. Is this going to go on for another eight years? And what about me? What am I supposed to do in the meantime?

In the meantime, you do nothing. You sit tight. You have coffee with me. You keep busy.

You sound like Mike.

I looked up and she said, There was a time when you would have helped me steal Zoe away.

Steal Zoe away? Me?

Yes, my friend said. She lit a cigarette and let the smoke blow right near my face. Yes, you. Let me remind you. Let me paint the scene.

My friend's scene is of a group of parents who are sitting around at a kid's birthday party. There's an entertainer dressed as a clown. He's running around the garden in his giant shoes and the kids are running after him. There are kids shrieking and balloons waving. The parents are sitting at a bit of a distance from the clown, under an awning. They're drinking juice out of plastic cups and saying, What would you do if your kid turned 16 and . . . joined a cult. Did drugs. Sat on the couch all day eating chips and got fatter and fatter and obesely fat. Became a porn star? What would you do if your kid turned 16 and became an obesely fat porn star?

I remembered that birthday party. I didn't remember the obesely fat porn star but I remembered the conversation. The discussion had got a bit raucous. The juice had been replaced by wine.

My velcro friend remembered my answer to every question. My response to every scenario had, according to her, been, I'd steal them away. If my son was addicted to drugs? Well then, I'd bundle him into my car, take him to an island and clean him out. Cult member? Same treatment. Couch potato, porn star—

There was no problem, my friend told me, which I would not solve by bundling my kids up in my car and taking them to an island.

I imagined myself trying to bundle my son into the car. Or my daughter. She'd escape my grasp with one twist and feint. He'd plant his feet and refuse to move. Each would resist in their own way and I would have to bow to their resistance. They were so big, so physically themselves, there would be no bundling them anywhere. And the law would be on their side. If they were over 16 the law would not allow me to steal my children and take them to an island.

I thought, Man, I really had no idea.

My plan had been arrogant and naïve and also sad. To have thought the control I had over my children—the physical, emotional, legal authority I once had over my children—would persist. To have been so certain they would, once they'd dried out, forsaken their false prophet, lost weight and left the industry, thank me.

To have thought that.

I said to my friend, There I was, swearing I'd steal them away, and here I am too terrified to even walk into my daughter's room.

My friend said, You had it right.

I got a horrible feeling in my stomach. I remembered I wasn't entirely well. I tried to read her face. I started telling myself I didn't have to do anything I didn't want to do. She couldn't force me to go with her to steal Zoe. I could say no to her. I could just say no.

She was talking about bravery and taking action and how good parents didn't just talk about acting in their kids' best interest. They did it, even if it meant stealing their kids away to an island. She was saying I'd inspired her—at that kid's party and when we'd spoken about her velcro room. I'd reminded her it wasn't always enough to have your heart in the right place. You had to act, too.

Zoe is not a small girl. She's tall and bulky—frankly, fat. She takes after her father that way. My friend is slight. I'm less slight but still no match for the daughter. And the boyfriend might be there. Concave chest or not, he was a grown boy. Things could get ugly.

I said, That time when I spoke about stealing my kids. That time I was still thinking I was the boss of their bodies. Maybe not the boss but . . . yeah, yeah, the boss. But now they're—

Big enough and ugly enough to take care of themselves, my friend interrupted. That's what Mike said about Zoe.

She looked at me and said, Zoe might be big. She can definitely be ugly. But taking care of herself?

She stabbed her cigarette out and lit another. I could see she wanted to cry. She said, She's still so fucking young. Young and stupid.

I comforted my friend: Zoe's had a good, secure upbringing. The boy seems to care for her. She's not running around on the streets. She's fundamentally stable.

I was thinking about *Barker*. I was comforting myself as much as my friend. I was putting distance between our children and the girls in *Barker*.

I trotted out all the lines we parents say to each other. It's just a stage she's going through. All teenagers are horrible. It's compulsory for them to be horrible. They may not even want to be horrible but they have to. The first rule of adolescent daughters: be horrible to your mother. You hate her.

My friend said, Your daughter doesn't hate you, and I said, Well, today she called me a wuss and a pussy. In front of her friend.

I exaggerated a bit. I made it sound worse than it was. I thought that would make my friend feel better.

She squinted at me through cigarette smoke. A wuss and a pussy?

A wuss and a pussy!

Well she's wrong, said my friend. Would a wuss encourage me to steal my daughter and take her to an island?

I didn't actually encourage you to . . .

Would a pussy go ahead with the fever you're planning? Would a pussy do that?

I kept quiet. My friend dragged hard on her cigarette. You'll show them who's the pussy. You and your fever will show them who's the pussy. When they see how far you're willing to go for your art—that's when you can turn around and say, Who's the pussy now?

She called the waiter over and ordered two glasses of wine. I said, I'd better not drink. I'm actually not feeling well.

She started asking questions about what was wrong and the waiter was hovering with a can-you-hurry-up-and-order look on his face.

So I said, It's nothing really. I was just feeling a bit off.

And she said, In that case, you definitely need a glass of wine.

She stared at the waiter, as if surprised to see him still standing there. She said, Like I said, two glasses of the chardonnay.

The wine came and we clinked glasses and I said, To your velcro room.

I thought that would get us off the topic of our kids but she said, You're not suggesting I move Zoe's stuff out of her room are you?

No, no. Definitely not. God no. Because she'll come round.

She'll come round, my friend repeated after me.

She'll come round, I agreed. She'll move back and drive you nuts and then, in a few months' time she'll be off again. To university.

That'll be good, my friend said. If she goes to university that'll be good. I'll have a celebration. I'll build the velcro room then. I'll invite all my friends and we'll throw ourselves against the walls. Then.

We chinked wine glasses again and I thought we'd move on to other things but she said, Right, so you're not going to kidnap Zoe with me. The velcro room is out for now. So that leaves Plan B.

Plan B?

You leave me no choice but to kill Concave Chest.

Her face was serious. I'll put my gardening scissors through that concave chest of his.

I said nothing. I drank my wine. I thought, Let her vent.

She told me about a dog that lived next door to them when Zoe was small. The dog used to bark and upset Zoe. My friend started stocking up on rat poison. She would've killed the dog but the neighbours moved.

She told me about a kid who bullied Zoe at primary school. Once, that bullying kid was alone in the swimming pool. No one else was around and my friend thought, I could drown this kid who is bullying my child. I could actually kill her. She looked around to see if anyone was watching.



Had the parents not walked outside at just that moment, I would have done it, she said. I feel the same way about Concave Chest. Only stronger.

She'd thought it through. She'd been planning it when my cat in a bib arrived. First she'd send Zoe away—she'd pay for her to take a trip to visit her cousin in Australia. Zoe'd jump at the chance. And when Zoe came back, the boy would be gone. She'd comfort Zoe. He was never good enough for you anyway.

It would be weeks before Concave Chest was missed. His family lived far away and he was in the sort of job that people just move away from. She'd watched his house and she knew when he came and went. No one would suspect a middle-aged woman like her.

And if they question me, well, she said, I'll have your friend the famous criminal lawyer round for tea and that will be the end of that.

She looked directly at me and said, You know, I really could kill that twerp. I could chop off his fucking head with my gardening machete. She made a swiping movement with her arm and nearly upset her wine glass.

She looked at me and said, There you have it, Plan B, Part 1.

I couldn't help myself. I asked what Part 2 was and she said, Mike. I'm thinking poison for him. Or ground glass in his mince.

Mike? Why Mike?

She said, let me tell you about Mike. Yesterday I called him for dinner. It was just him and me. Zoe was out. He came in, filled up a plate and took it out to his studio. Later he brought the empty plate in and left it in the sink. For me to fucking wash, my friend said. I could put ground glass in his dinner and he wouldn't notice. I could put arsenic in his meat. I could hit him over the head with my cast iron frying pan.

She brought her thumb and forefinger so they were almost touching, right up to my face. I could smell the nicotine on them. She said, when I saw that plate in the sink, I was this close . . . this close to stabbing him in the guts with the kitchen knife.

And Zoe? I was trying to keep my voice light, though there was nothing light in my friend's tone. Nothing light when she said, not Zoe. I'm a good mother.

After a while I told her about Anthony. I thought his problems might distract her from her own and, as other people's problems can sometimes do, cheer her up. She was not cheered. She said, As scandals go, it's kind of pathetic and tragic. Kind of bald and overweight. Middle-aged and tragic. Like all our scandals these days.

I thought I'd distract her with talk of performance artists. I told her how taken I'd been with Stelarc and the rest of them. She said, Yeah. She sounded unenthusiastic. I asked her why and she said, It's all a bit of a wank, don't you think?

What? What's all a bit of a wank?

You know—all that bleeding over a gallery floor. All that video-ing yourself while you do it. All that semen and tattoo ink. All that petting zoo cuteness.

Cuteness, I said.

And she said, Yeah. All a bit 1970s, don't you think?

She lit another cigarette and I was quiet, watching her.

After a while she asked if I'd read about the Russian artist who cut off his earlobe.

Pavlensky? What about him?

He's been sent for psychiatric evaluation. It was in the news today.

I asked her for a cigarette. She pushed the box closer to me, put the lighter on top of it. I rotated the cigarette between my fingers a few times before lighting it.

I thought, Who cares if my kids smell smoke on me? They're not the bosses of my body.

## Chapter Nineteen

It was Tuesday morning when the school called. My son's dean wanted to see me. I asked the secretary what it was about but she said she didn't know. I was cross about being called in to a meeting. And also a bit worried. And cross in case this was about him missing a few days of school the previous week. He'd been sick. It was only a few days and he was back in class now.

I'd done everything right. I'd called the school. I'd left a message on their ridiculous answering machine saying that he was not well. Okay, so I may have been a bit vague about the nature of his illness, but so what? You can be sick enough to stay home but not sick enough to go to the doctor. And anyway, I thought, what business is it of the school's? I'm his mother. If I call and say he's too sick for school, then he's too sick for school.

I called my husband at work. I said, This is all just because he missed a few days of school.

My husband wanted to know how many days exactly. He said that whenever he got home from work Caleb seemed to be okay.

That made me doubly angry—at the school and at my husband. They shouldn't have been second guessing me. I was the boy's mother. I told my husband he needn't come to the meeting but he said that he wanted to. So I said, Well okay, if you want to.

Yes, he said, I do. He had a bit of a tone but I let it go.

In the end I was pleased my husband came to the meeting with the dean. We had to sit outside his office waiting for ages. I was antsy and cross and nervous. All that waiting made me nervous. My husband started teasing me about my fear of authority. He started teasing me about how I could get litigious when I felt nervous. I said, I don't get litigious and I'm not nervous.

Okay, he said, okay, but babe, please babe, don't get into a fight with the dean.

When he saw I wasn't laughing he stopped saying, Please babe. He put his arm around me and said, It'll be okay. Whatever it is, we'll deal with it and it will be okay. That was nice. He held my hand when we went into the meeting and the dean saw we were a united couple, good parents.

I wasn't getting in a fight with the dean but I thought it best to front-foot the discussion, so I said, If this is about Caleb missing a few days of school, then—

No, said the dean, it's not about that. He smiled at us in a manner I found condescending and said, But if there's anything you want to share with me.

My velcro friend would have smacked his smug little face. That's what I thought. I smiled as if his joke was funny and let him speak.

According to the dean there were a few things which, in and of themselves may not individually be cause for concern but which, gathered together, cumulatively, might be . . . um . . . disquieting.

So that's the way you're going to play it, I thought. You're going to present us with a few innocuous things against our son and when we try to defend him, when we try to push back, you're going to argue for a cumulative effect. I'm on to you, I thought. I didn't study law for nothing.

Bring it on, I thought. Build your little argument brick by brick. I'll sit here and I'll listen and when you're done I'll blow your house down. Your little house is only as strong as its weakest brick, I thought.

I looked over at my husband. He looked concerned. I wanted to say, Don't worry. I've got this. I didn't study law for nothing. My husband looked at me and then at the dean. We're listening, he said.

The first little brick in the dean's argument was an essay my son had written for social studies.

Caleb chose to write about your recent trip to New York, said the dean.

I nearly said, Mr Hiller and his passion. But I thought it best to let him do the talking. I nearly said, I absolutely did not help him with that essay. I wanted to, but he wouldn't let me. All I did was read it. I nearly said that but I was being tactical so I said instead, We had a wonderful trip. The kids loved it. We were so lucky to have the opportunity. To have that time all together as a family. The kids were so lucky to have that wonderful opportunity, I said. Weren't they?

They were, said the dean in a tone that still felt condescending.

Well, Caleb wrote about your trip to a museum.

Which one? I asked. We went to so many. So many museums. The kids learnt so much. All those wonderful museums. And art galleries, I said. Who would have thought that teenagers could get so excited about art?

I was gabbling on a bit. My husband looked at me as if to say I was gabbling on a bit. He didn't know that I wasn't just gabbling—that while I was gabbling I was casting my mind back to what my son had written. Was there anything in there that could be . . . um . . . disquieting?

Well, said the dean, he didn't write about the museum itself. Rather an exhibition there. An exhibition about a ship of immigrants that arrived in New York.

The Tenement Museum, I said. That's the one. The Tenement Museum and that ship, that ship, what was it called? I turned to my husband.

The *SS Massilia*, he said.

The *SS Massilia*, I said. What a sad story.

Yes, said the dean. Very upsetting. Caleb seems to have found it . . . um, disquieting.

Had he found it disquieting? He'd found it disgusting. I remembered the judgment in his tone. But disquieting? I turned to my husband. We looked at each other.

We looked at each other and we looked at the dean and he said, I've discussed this with Caleb and he has agreed that I can talk to you.

About the *SS Massilia*? my husband asked.

Well, yes, said the dean. The *SS Massilia* and Caleb's worry that it could happen again.

What? What's Caleb worrying about? What could happen again?

Caleb seems to be worrying that there could be another outbreak of illness. He seems to be worrying about quarantine, said the dean.

And I said, Well, that's just ridiculous.

It was all ridiculous. Every aspect of it was ridiculous. That there would be an outbreak of illness, that Caleb would be worrying about it, that there would be quarantine. It was all so ridiculous.

My husband honed in on the quarantine angle. Maybe not so ridiculous, he said. There was that Ebola nurse.

Ah, yes, said the dean. Ebola. Caleb seems to be . . . um, disquieted about Ebola.

Ebola? Why would he be . . . um, disquieted about Ebola? I wanted to know. My husband pulled a face when I said, Um, disquieted, but the dean kept his impassive.

Impassive and calm as he told us that Caleb seemed to have a general anxiety around illness. He seemed to have a general fear of contagion. A fear that there might be some sort of outbreak, that there would be mass round-ups and quarantining. The dean spoke calmly and slowly. He told us about Caleb's essay on the typhus outbreak. He told us that, rather than doing a science project on DNA, Caleb had handed in research on how viruses spread. He told us that for English he'd handed in an essay in which he'd counted the number of times the writer of *The Hot Zone* used the word 'liquefy' when referring to the symptoms of Ebola. For History he'd ignored the instruction to write about the build up to World War II and had written, rather, on how Hitler used the concept of Judenfeiber . . . Jew Fever, the dean said, as if my husband and I needed it translated for us—how Hitler cited Judenfeiber in *Mein Kampf*.

Cumulatively, he said. Cumulatively these things are . . . well. And then there are the prayer meetings.

The previous week, Caleb had been holding prayer meetings with the other two Jewish kids at the school.

That was when I felt for my husband's hand and he took mine.

He held my hand and then squeezed it, hard, when the dean said, He's teaching them passages from the Quran.

The dean said, Passages from the Quran, and I said, What on earth?

My husband said, Those aren't prayer meetings.

We agreed my husband would phone the parents of the other Jewish kids. He'd explain to them that Caleb was not trying to convert their children. He was trying, in his own way, to protect them. He'd explain about the bus in Kenya where hijackers killed anyone who couldn't recite passages from the Quran. He'd explain that we were working with the school. That we were on to it.

We'd talk to Caleb and we'd find him help.

We'd keep in touch with the school and meet regularly with the dean.

On our way out, I shook the dean's hand and thanked him.

I was alone in my house. The cat was mewling at the door but I wouldn't let her in. There was something in her tone that made me think she might have a bird. I locked the cat flap so she couldn't come in. I phoned my law school friend but her phone was on answer phone. I started leaving a message, explaining about the dean but then I just said, Call me.

I stood in the doorway of my son's room and stared at his tidy desk. His books were placed perfectly straight, perfectly arranged. His bed was tight and tucked and made me think of a soldier saying, You can bounce a penny on it.

I needed to talk to someone but my law school friend wasn't answering and I wasn't ready for my velcro friend to tell me, He'll come round. It's just a stage. His brain is still forming.

I wanted family. I called my brother.

I didn't tell him about Caleb but I think he could tell something was wrong. His drummer's ear could hear it in the pacing of my pauses. He asked if I was calling about the meningitis so I said, Yes. Meningitis, yes.

I'd emailed him a while back to ask about his illness—whether he had any memories. I'd asked for hallucinations in particular.

He said, The bad news is I have only one hallucination memory. The good news is, it involves you.

Is that good news? I asked.

And he said, Sure. Everyone likes to hear about themselves.

Even if it's in an hallucination?

Especially if it's in an hallucination.

In my brother's hallucination he woke up, suddenly and abruptly on his sick-bed stretcher in my parents' room. He turned towards my parents' bed. My father's face was not there, at eye level, gazing into his. My parents' bed was empty. My mother's chair was empty but for a book. The book lay open, its pages exposed as if she'd dropped it while fleeing.

In my brother's hallucination he looked towards the door. The handle was turning. The door creeping open.

Just like a bad horror movie, my adult brother told me. He was making light of it, but even across the phone lines there was fear in his tone.

He's lying helpless and alone. The door is creeping wider. Everything is happening slowly. The timing's off. My father's not in his bed, looking. My mother's not in her chair, watching. He's alone and the door is opening by itself and he's terrified.

Terrified as the door widens further.

Terrified when I walk into the room.

My brother paused in his telling.

I said, What? Did I have snakes in my hair? A dagger in my hand? Were there birds circling over my head?

No, said my brother, nothing like that. Just you. Just standing in the doorway. Just looking at me.

What was so scary about that? Where's the hallucination? The fear? Where's the harm in a seven-year-old girl?

The harm wasn't in you, said my brother. The harm was in me.

In my brother's hallucination I walked into the room. Into his contagion. Into the quarantine. As if I didn't know his breath was fatal. I didn't know he could kill me with a sigh.

I was approaching. He was trying to stop me, trying to shout at me to get out, go away. Didn't I know he was dangerous?

I was coming closer and closer and his scream was silent. His hands were pinned to his side.

I came right up to his face and stared into it and breathed in his miasma.

He paused then, and I knew this hallucination was scarier for him than a sister with eels on her head and a blood-dripping dagger in her hand. Decades later, across miles of telephone lines, I could hear his fear.

I broke the silence. What then? What happened then?

Nothing. The next thing my brother remembered was opening his eyes and seeing my mother in her chair with a cup of coffee in her hand and her book in her lap. Then my father was there, explaining that it was all a hallucination. My presence in the room was a fever dream. It was all just his mind playing tricks.

My father explaining to him that everything, everyone would be fine.



After my brother and I had said goodbye and I'd put the phone down, I sat still in my chair for a while. I remembered.

I remembered being told we were not to go into my parents' room because my brother was ill. I remembered seeing my mother leave the room and thinking, I'll just stick my head in. I'll just look at his face. No one will ever find out.

I remembered my curiosity.

I remembered the sight of my brother with his hair curly like Caleb's, tangled on the pillow. Him opening his eyes and looking at me. Me looking back.

I remembered my father asking if I'd been into the room.

I remembered lying and him saying, Well, okay then.

My father said, That's good, then. But I could see from his face that he didn't believe me. For the next few days he kept looking over at me and I thought he was looking for proof of my lie.

My father said, Well, okay then. That's good. He hugged me then turned to go into the sick room.

My father's in my brother's room. My brother's crying. He's scared and ashamed and he's saying over and over, Gigi was here, she walked right up to me and breathed my poison. Breathed my poison, breathed my poison.

My mother is calm but tightly wound. She says, Two minutes. Two minutes at most. Long enough to make a cup of coffee.

My father looks at his tightly wound wife and his desperate son. He watches their expressions and he says, She was never in here. It's the fever playing tricks on your mind.

He holds his wife close. They gaze at their son.

## NOTES

### Introduction

My approach to the legal material was heavily influenced by the work of Joel Feinberg. Feinberg's *Moral Limits of the Criminal Law* is an authoritative four-volume work. I relied in particular on Volume 3, *Harm to Self*. While Feinberg's work is expressly mentioned only once (in Chapter 13), it greatly influenced my thinking and determined the path of the legal analysis. Feinberg's premise is that, because criminal sanction constitutes a far-reaching interference with human liberty, any decision to criminalise conduct must be morally justifiable. He identifies four 'liberty limiting' principles that have and might be used to justify criminal sanction: the harm principle, the offence principle, paternalism, and legal moralism. These four 'liberty-limiting' principles may be summarised as follows:

1. **The harm principle:** Relying heavily on John Stuart Mill, proponents of this principle argue that the need to prevent injury or harm to others is always a morally relevant reason in support of state coercion. There is little controversy as to whether this is a legitimising principle, but there is controversy as to whether this is the only legitimising principle. Extreme liberals argue that it is, and that the other principles are both unnecessary and irrelevant.
2. **The offence principle:** Proponents of this theory argue that something less than harm to others may be sufficient to justify criminal coercion, and that the need to prevent (serious) offence to others is also a legitimising principle. Some liberals argue that this principle (with qualifications) is also legally relevant.
3. **Paternalism:** Paternalists recognise the harm and offence principles, but do not see either one as necessary. In addition, paternalists allow criminal coercion to protect the very person it prohibits from acting. If the justification for preventing me from inducing a fever is to protect me from harming myself, this would be a paternalistic approach.
4. **Legal moralism:** Irrespective of whether anyone is harmed or offended by the conduct, legal moralism allows for criminalisation to prevent immoral conduct.

The legal chapters focus on the following cases:

- The four cases in the trials of the ‘Spannermen’: The initial conviction, two appeals against this conviction, and a final appeal to the European Court of Human Rights. The cases are:
  - *R v Brown*: A decision of the Central Criminal Court decided by Judge Rant QC.
  - *R v Brown* [1992] 2 All ER 552; [1992] QB 491, 94 Cr App R 302: A decision of the Court of Appeal heard by Lord Lane CJ, Rose and Potts JJ.
  - *R v Brown* [1994] 1 AC 212; [1993] 2 All ER 75: A decision of the House of Lords heard by Lord Templeman, Lord Jauncey of Tullichettle, Lord Lowry, Lord Mustill and Lord Slynn of Hadley.
  - *Laskey, Jaggard and Brown v United Kingdom* [1997] 2 EHRR 39: An appeal to the European Court of Human Rights. The court handed down its ruling in February 1997.
- *R v Lee* (2006) 22 CRNZ 568.
- *R v Wilson* (1996) 2 Cr App Rep 241.
- *R v Barker* [2009] NZCA, 186; [2010] 1 NZLR 235.

*R v Barker* was subject to a suppression order. The suppression order appears, in block capitals, at the beginning of the case report: ‘THERE ARE SUBSISTING SUPPRESSION ORDERS WHICH REMAIN IN FORCE AS TO THE NAMES OR ANY PARTICULARS LIKELY TO LEAD TO THE IDENTITY OF THE COMPLAINANTS AND SOME WITNESSES IN THIS CASE.

ORDER PROHIBITING PUBLICATION OF THE JUDGMENT AND ANY PART OF THE PROCEEDINGS (INCLUDING THE RESULT) IN NEWS MEDIA OR ON INTERNET OR OTHER PUBLICLY AVAILABLE DATABASE UNTIL FINAL DISPOSITION OF RE-TRIAL PUBLICATION IN LAW REPORT OR LAW DIGEST PERMITTED.’

I sought confirmation from the Court of Appeal that it was now acceptable for me to use the judgment. I received an email from the Court of Appeal saying: 'Your request has now been considered and the Judge has confirmed that the Court has no concerns over your use of the published judgment for your thesis'.

## Chapter 1

### 10.

**A state of emergency was clawing at the country** Two states of emergency were declared in the 1980s. The first covered only part of the country. It ran for eight months, starting in July 1985. Three months after this emergency was lifted, a second state of emergency was declared, in anticipation of the tenth anniversary of the Soweto uprisings of 1976. This second state of emergency covered the entire country and lasted for four years.

**David Bruce** Bruce was sentenced to six years in jail in 1988 for refusing to do military service. This was the maximum available sentence and Bruce was the first conscientious objector to receive it. A year later, the length of military service was cut from two years to one and the state president declared that the sentences of conscientious objectors would also be halved. This decree by the state president illustrates the authority the president held over the judiciary. For more on Bruce and other conscientious objectors, see

<http://www.sahistory.org.za/people/david-bruce#sthash.pSwOS4EW.dpuf>.

**End Conscription Campaign (ECC)** The ECC was formed in 1983. Many of the ECC's activities were accompanied by striking artwork, printed mainly on posters (and also, in my memory, T-Shirts). The text accompanying these images was often in Afrikaans, and directed at white South Africans, saying such things as *Wat Soek Jy in die Townships Troepie?* (What are you doing in the township, little soldier?) – an attack on the use of the defence force in quelling anti-government unrest in the black townships. For more on the ECC, see <http://www.sahistory.org.za/organisations/end-conscription-campaign-ecc>. To see images such as the one on Gigi's T-Shirt in Chapter 1, Google End Conscription Campaign images.

**skyfing** (skerf): Smoking marijuana. South African slang.

12.

**my Criminal Procedure Act** South Africa's Criminal Procedure Act 51 of 1977. Gigi would have put this Act down because of the passing of the Internal Security Amendment Act 66 of 1986. This Act amended the Internal Security Act 74 of 1982 to allow, among other things, for detention without trial for a period of up to 180 days on the authority of a policeman above a certain rank. The police were entitled to use this authority if they believed the detention would contribute to the 'termination, combating or prevention of public disturbance, disorder, riot or public violence at any place within the Republic' (section 50 Internal Security Act 74 of 1982 as amended).

## Chapter 2

14.

**Chris Burden nailed to a car** Burden had himself nailed to a car for his piece *Trans-Fixed*. In an interview, Burden described the piece thus (Ebert, 1975):

Let's see. I was standing on the rear bumper of a VW bug, nailed to the roof of the car through the palms of my hands. The car was inside a garage, and the spectators were outside. The garage doors opened, and the VW was pushed halfway out, with the engine in neutral. It ran at full blast, making a screaming noise. Then the ignition was turned off, the car was pulled back into the garage and the doors were closed. To the spectators, it was well, sort of like an apparition.

**the short clip where his friend shoots him** Burden was shot by a friend for his piece, *Shoot*. For a film of this piece (filmed by Barbara Burden, Burden's wife at the time), and to hear Burden explaining it, see

<https://www.youtube.com/watch?v=JE5u3ThYyl4>.

**Yang Zhichao's back blistering** In a work presented in 2000, *Iron*, Zhichao had his personal identification number branded into his shoulder. Images of this and his other works are available on Google Images.

**ORLAN** For more on ORLAN's work, see her website (<http://www.orlan.eu/>).

**Reza 'asung' Afisina smacking himself across the face** Afisina smacks his face repeatedly and aggressively in his 2001 piece *What . . .* This piece was presented

at the Singapore Art Museum in 2013. The Singapore Art Museum is a quiet gallery. Before one sees the piece, one hears the slapping and the recitation. The slapping is an unnerving sound.

**15.**

**We hoped he would turn up and do something dreadful to himself** Paul Schimmel made this statement in his introduction to a 1988 retrospective of Burden's work (*Chris Burden Saved from the 'Clutches of History'* [Herman, 2013]).

**Pyotr Pavlensky, his mouth sewn shut** In 2012 Pavlensky sewed up his mouth in response to the arrest and sentencing of members of the band Pussy Riot.

**Pyotr Pavlensky naked on a wall** In 2014 Pavlensky cut off his earlobe, while sitting naked on the wall of the Serbsky State Scientific Centre for Social and Forensic Psychiatry. Pavlensky is currently incarcerated, awaiting trial for vandalism arising from a piece called *Threat: Lubyanka's Burning Door*, during which he set fire to the entrance of the Federal Security Service (the KGB's successor). Pavlensky is discussed again in Chapter 18, where further information is given on his prison status. Images from these and other Pavlensky pieces may be found on Google Images.

**The Artist is Present** A 2012 documentary on Marina Abramovic's retrospective at New York's Museum of Modern Art.

**Stelarc's Ping Body** There are various versions of this work on YouTube. The performance Gigi describes is the one at the Dutch Electronic Arts Festival in September 1996, available on YouTube at

<https://www.youtube.com/watch?v=wTYYJZG0f68>. This piece was first performed some 20 years ago, when the internet was still relatively young. Yet the use of the internet for remote control of a human being remains startling.

**The vulnerable, out of control body was eloquent** Gigi declares herself drawn to the bravery, vulnerability and eloquence in the work of performance artists but their work is fundamentally different to her quest in that there is no performance aspect to her quest. She does not propose presenting her feverish body to an audience. She balks at even the idea of publishing a record of her fevered dreams. The artists Gigi is so taken with are among the more well known and established performance artists and all, apart from Yang Zhichao and Pyotr

Pavlensky have been working for some decades. This choice of artists supports, to some extent, the view pointed to by Gigi's velcro friend on pg. 168 where she refers to performance art as 'all a bit 1970s'.

15.

**I remembered hearing about Elizabeth Knox** Knox's 'book about an angel' is *The Vintner's Luck*. Knox relates that the idea of writing a book about an angel came to her while she was suffering with a fever. 'The setting of my book is not a nowhere and it's not here; it's the anywhere of dreams (the story came to me in a dream when I had pneumonia)' (Knox 2000, p. 28).

**There is a point in time when thinking ceases and action must begin** Stelarc has made this statement (or variations of it) in more than one interview. In some of these interviews he ascribes it to 'Nietzsche or Wittgenstein'. See, for example, Abrahamsson and Abrahamsson, 2007 p. 302.

19.

**Genius is a form of the life force that is deeply versed in illness, that both draws creatively from it and creates through it** From the 1979 translation by Lowe-Porter (p. 374).

### Chapter 3

20.

**de Bono's Lateral Thinking** Edward de Bono's 1970 book *Lateral Thinking: Creativity Step By Step*.

22.

**mealies** sweetcorn

**Looking on Darkness** A novel by André Brink, first published in Afrikaans (as *Kennis van die aand*), then in English, in 1973. The book was banned on the grounds that it was blasphemous and contained a 'crude mix of sex and violence' (Rickard, 2012, p. 357). It tells of a black actor who falls in love with, and is later convicted of murdering, a white woman. The ban was lifted in 1982.

28.

**malpitte** A member of the nightshade family, *Datura stramonium*. Also known as jimson weed. The word 'malpit' means 'crazy seed' in Afrikaans. The Afrikaans

plural is malpitte. I have used this plural throughout, even when referring to the singular (as in malpit-eating in Chapter 4), so as to avoid confusion for readers who are not familiar with the single and plural tenses in Afrikaans.

29.

**dagga** South African slang for marijuana.

## Chapter 4

31.

**Adrian Leverkühn** The protagonist in Thomas Mann's *Doctor Faustus*. Gigi's siblings' side discussion about whether Leverkühn made a deal with the devil reflects different readings of the text. Crawford (2003), for example, argues that 'there is no devil in the novel' (p. 168). The more popular view, as expressed on Wikipedia, is what Crawford (p. 168) calls the 'standard reading' that there was indeed a deal with the devil. The argument that the devil was imagined is reflected in a number of texts.

32.

**the Dogme 95 guys** Dogme 95 is a model for filmmaking developed by the Danish directors Lars von Trier and Thomas Vinterberg. Dogme 95's manifesto (known as the 'vow of chastity') is available at:

[http://cinetext.philo.at/reports/dogme\\_ct.html](http://cinetext.philo.at/reports/dogme_ct.html).

**the Futurists** The Italian artistic philosophy developed by the poet Filippo Tommaso Marinetti. Pamphlets containing Marinetti's Futurist Manifesto were dropped by Marinetti around Milan in 1909. An English translation of the manifesto is available at

<http://www.italianfuturism.org/manifestos/foundingmanifesto/>.

**the Stuckists** The Stuckists describe themselves on their website ([www.stuckism.com](http://www.stuckism.com)) as: 'International art movement for contemporary figurative painting with ideas. Anti the pretensions of conceptual art. Anti-anti-art. The first Remodernist art group. Daubers (daubing in the new painting). Founded 1999'. The Stuckist manifesto can be read on their website.

**the Dadaists and their manifestos** The first Dada manifesto was written by Monsieur Antipyrine in 1918. It is available, in full at

<http://www.arthistoryarchive.com/arthistory/dada/Dada-Manifesto.html>.



Tristan Tzara produced a second manifesto in 1918. This, too, is available at <http://www.arthistoryarchive.com/arthistory/dada/Dada-Manifesto.html>.

**Marina Abramovic and her artist's manifesto** *An Artist's Life MANIFESTO*, is read aloud by the artist at <https://www.youtube.com/watch?v=uTH4wYhWH54>. She introduces her manifesto by declaring: 'A manifesto is such an old-fashioned thing'.

33.

**I did read an interesting essay in Granta** *Confessions of a Middle-Aged Ecstasy Eater* (Anonymous, 2001).

34.

**Stephen R. Donaldson** Stephen R Donaldson, author of the 10-book fantasy series *The Chronicles of Thomas Covenant*.

35.

**Sterkfontein** The Sterkfontein Hospital in Krugersdorp, Johannesburg. As described in the next chapter, Sterkfontein Hospital is not far from the Sterkfontein Caves, a World Heritage Site known as the 'cradle of humankind'. These caves have been a rich source of archeological discoveries, particularly for the remains of early hominids. For more information on the caves, visit the official visitor centre, Maropeng, at <http://www.maropeng.co.za/content/page/the-sterkfontein-caves>

## Chapter 5

38.

**Sterkfontein Mental Home.** Discussed in the notes to Chapter 4.

40.

**Purim, Yom Kippur, Sukkot, Hanukkah** Jewish holidays. Matzo is eaten at Pesach only.

## Chapter 6

43.

**that bus in Kenya** On 22 November 2014, in Northern Kenya, Al-Shabaab gunmen killed 28 people on a bus. The gunmen reportedly called on passengers to recite passages from the Quran, and shot those who could not (Buchanan,

2014). An account of this incident may be read at <http://www.reuters.com/article/us-kenya-attacks-idUSKCN0J604W20141122>. A video news report of the incident is available at <https://www.youtube.com/watch?v=kv6SPUrvFFo>.

## Chapter 7

45.

**Give me the power to create fever and I shall cure any disease** This declaration has been ascribed to Hippocrates and also Parmenides. The healing power of fever is described in a number of Hippocrates' aphorisms. Aphorism 40, for example, reads: 'When pains, without inflammation, occur about the hypochondria, in such cases, fever supervening removes the pain'. Similarly, according to Aphorism 52 'Fever supervening on painful affections of the liver removes the pain', while Aphorism 57 states 'Fever supervening in a case of confirmed spasm, or of tetanus, removes the disease' (Hippocrates, trans. 2014).

**Julius Wagner-Jauregg** Later in this chapter Wagner-Jauregg is referred to as Wagner von Jauregg. His name went through three incarnations. He was born Julius Wagner in 1857. In 1883 his father was knighted and granted the title 'Ritter'. Wagner's father then added the words 'Ritter von Jauregg' to their name – Ritter meaning knight, von indicating baronetcy, and Jauregg being an adaptation of his father's mother's maiden name (Jauernigg). Julius therefore became Julius Wagner von Jauregg – until the end of World War I, when all Austrian nobles were stripped of their titles through the passing of the *Adelsaufhebungsgesetz* (Law on the Abolition of Nobility). From this point on, Wagner-Jauregg was known by the surname I have used for him. This is the name most commonly ascribed to him, probably because it was the name he was using when he was awarded the Nobel Prize.

The *Adelsaufhebungsgesetz* was passed in 1919, the same year that the Commission for the Investigation of Derelictions of Military Duty held its first hearings. Both were products of the end of World War I. I did not find any mention of Wagner-Jauregg's views on the stripping of titles, but one does wonder whether 1919–1920 was something of a bad year for him.

**He was the first psychiatrist to win a Nobel Prize** The other two psychiatrists to win Nobel Prizes (both in Physiology or Medicine) were Antonio Caetano de Abreu Freire Egas Moniz and Eric Kandel. Moniz won a half share of the prize in 1949 and Kandel won a third share in 2000.

Moniz's award was given 'for his discovery of the therapeutic value of leucotomy in certain psychoses' (Nobelprize.org, n.d.a). The leucotomy (also spelled leukotomy) is what we now call lobotomy. As with Wagner-Jauregg's fever treatment, lobotomies were initially promoted as offering real relief to patients suffering from anxiety, depression and schizophrenia. And as with Wagner-Jauregg's fever treatment, this procedure was in vogue for a short time, until overtaken by pharmacological developments. In 1952 (only three years after Moniz won the Nobel Prize) the first anti-psychotic, Chlorpromazine, became available (under the name Thorazine).

Eric Kandel and his colleagues Arvid Carlsson (a Swedish pharmacologist) and Paul Greengard (an American neuroscientist) won the prize in 2000 'for their discoveries concerning signal transduction in the nervous system' (Nobelprize.org, n.d.b).

Kandel was born in Vienna in 1929. At that time Wagner-Jauregg, Freud and my grandfather were all living in Vienna. In Kandel's Nobel biography he explains his relationship with the city: 'My parents loved the dialect of Vienna, its cultural sophistication, and artistic values. "The greatest grim irony of all was the fierce attachment of so many Jews to a city that through the years demonstrated its deep-rooted hate for them," wrote George Berkley, the American historian of Vienna and its Jews. This fierce attachment was considered by the historian Harvey Zohn to be the most tragically unrequited love in world history' (Frängsmyr, 2001). Kandel's family fled Austria shortly before for the United States shortly before World War II.

When Kandel won the Nobel Prize in 2000, it was claimed that his was an 'Austrian' Nobel, something he found 'typically Viennese: very opportunistic, very disingenuous, somewhat hypocritical'. He also said it was '... certainly not an Austrian Nobel, it was a Jewish-American Nobel'. After that, he got a call from then Austrian president Thomas Klestil asking him, 'How can we make things right?' Kandel said that first Doktor-Karl-Lueger-Ring should be renamed – Karl

Lueger was an anti-Semitic mayor of Vienna, cited by Hitler in *Mein Kampf*. The street was ultimately renamed in 2012. City officials said this renaming should be seen as exceptional, since Viennese street names reflect Austria's history – both good and bad. Leuger continues to be commemorated elsewhere in Vienna. Second, Kandel wanted the Jewish intellectual community to be brought back to Vienna, with scholarships for Jewish students and researchers. He also proposed a symposium on the response of Austria to National Socialism (Geni, 2016).

**46.**

**dybbuk** A creature from Jewish mythology – a ghost/spirit/disturbed soul that clings to the body of a living person. The word 'dybbuk' comes from the Yiddish 'dibek', Hebrew 'dabhaq'; and means to cleave (to). In Chapter 2 Gigi touches on her grandfather's escape from the 'superstition-riddled' shtetles. Belief in the dybbuk is one of the superstitions her family would have thrown off when they moved to the 'clean air of an educated existence'.

**47.**

**Linkovo** A town in Lithuania, now known as Linkuva.

**48.**

**general paresis of the insane (GPI)** GPI was initially known as 'general paralysis of the insane'. Hurn (1988, p. 14) points out that this name emphasised the integral part played by insanity in the diagnosis of this illness. However, as the belief grew that patients' gradual loss of limb use was due, not to true muscular paralysis, but rather to loss of the mental impetus to move, so 'paralysis' seemed inappropriate to many doctors, and 'general paresis' became a recognised alternative name.

**49.**

**By 1914 there were over 100,000 new cases and three million cases of syphilis in Great Britain alone** According to Kaplan, 'As the 20th century loomed, the syphilis organism showed its adaptability to the tides of history. By 1900, it was estimated that 5–20% of the population of Europe and the USA had, or would have, syphilis. In 1914, there were over 100 000 new cases and 3 million cases of syphilis in Great Britain alone, a prevalence of 7%' (2010, p. 22).  
**general medicine ignores . . . of the profession at large as to even its existence** Harrington Turk, cited in Hurn, 1988, p. 36.

**Histories of psychiatry routinely stress the precariousness of a specialty 'always but a step away from a profound crisis of legitimacy'** Hurn, 1988, p. 36.

51.

**A person who is insane . . . paralytic coma soon closes the scene**

Superintendent of Bethnal House Asylum, cited in Hurn, 1988 p. 6.

52.

**Simon's thinking of the police chief who said, Swirling in a cesspit of their own making** The police chief and his comment are discussed in depth in the notes to Chapter 12

53.

**Shell Shock Cinema by Anton Kaes** Simon relies on this book for its telling of the Kauders story, but Kauders is not the focus of the book. *Shell Shock Cinema* (Kaes, 2011) is an analysis of the films of the Weimar era (hence the subtitle *Weimar Culture and the Wounds of War*) – a consideration of the part played by films in making visible the shock of humiliating defeat on a nation's identity.

54.

**[E]lectrical power currents were passed through the bodies of . . . without, of course, having been cured** Kaes, 2011, p. 67.

**In this serious time the cardinal point of view . . . of our so closely allied armies** Erwin Stransky, as quoted in Brunner, 1999, p. 109.

**never forget that we physicians have now to put all our work in the service of one mission: to serve our army and our fatherland** Brunner, 1999, p. 109.

**implied that the whole psychiatric establishment, encouraged by the military . . . not have to miss one human sacrifice!** Kaes, 2011, p. 47.

55.

**The Commission for the Investigation of Derelictions of Military Duty** This Commission was formed in December 1918 by Austria's provisional National Assembly.

**It is really necessary to have seen the whole procedure . . . in order to realise the nonsense of these allegations by Herr Kauder** de Young, 2015, p. 142.

56.

**I will naturally treat . . . his fault** de Young, 2015, p. 142.

**the claims of humanity . . . demands of national war** Freud, as quoted in Kaes, 2011, p. 48.

**In a written memorandum he wrote** Freud's memorandum was delivered on 25 February 1920. The following day *The Cabinet of Dr. Caligari*, directed by Robert Wiene, opened in Berlin cinemas. This film features a 'demented, brain-washing asylum director' (Lerner, 2003, p. 219).

57.

**nothing more than an epic event in the respective histories of psychoanalysis and psychiatry** de Young, 2015, p. 142. Lerner (2003) calls this incident a 'momentous event in the history of psychiatry and psychoanalysis' (Lerner p. 217).

**The meeting between Freud and Wagner-Jauregg brought into relief two vastly different conceptions of man . . . and treatment of mental disorders** Garcia, 1986, p. 96.

59.

**Steve Biko** Steve Bantu Biko was the founder of the Black Consciousness Movement in South Africa. He was arrested under the Terrorism Act on 18 August 1977. He died in detention on 12 September 1977.

60.

**I am not glad and I am not sorry about Mr. Biko. It leaves me cold (Dit laat my koud)** South Africa's then Minister of Police James (Jimmy) Kruger addressing a party congress of the ruling Nationalist Party. The address was in Kruger's native Afrikaans. Describing the role of doctors, Kruger said the following (IV – The Death of Steve Biko, n.d.):

“That day the district surgeon came. On the 9 September the man still lay there lay there on the mat. And then police said: “Don't just call the district surgeon, call the chief district surgeon. Let him come and look at this man”.

“The first district surgeon wrote a letter to the detective to say “There is nothing wrong with him”. The chief district surgeon and the district surgeon told the Security Police: “Man, there is nothing wrong with this man” . . .

'Do you know what we brought in? We brought in a private specialist. We had a specialist with this man. We said, "Look at this man".

And on Sunday, 11 September, after we had had all those doctors and specialists, then the district surgeon said, 'Man, send him to one of the bigger hospitals' . . .

'Later that night – there is a peephole in these places, so that the people do not hang themselves . . .

'Incidentally, I can just tell congress, the day before yesterday one of my own lieutenants in the prison service also committed suicide and we have not yet accused a single prisoner.

'And when this man came to look in the peephole he saw that the man was lying very still. And he did not touch him and did not open the door. He did nothing. Because he also knows that if you touch him they say "Your finger-print is there, what did you do?" He left the man. I do not blame him. He went back and told a man: "The man is lying dead still. There is something wrong". And they summoned the doctor and they found the person was dead . . .

'But from my point of view, on the facts that I have, it looks to me as if what had to be done was done.

'I say to you as Minister, that I cannot see how we could have acted differently.'

## 60.

**I knew a journalist had written about it** The journalist is Donald Woods, the editor of *The Daily Dispatch* newspaper and a friend of Steve Biko. When Biko died in detention, *The Daily Dispatch* published the story. A picture of Biko's body in the mortuary was presented on the front page. In response to the exposure given by *The Daily Dispatch* to Biko's death, a police officer sent T-shirts laced with a skin irritant, Ninhydrin, to Woods' children. His 5-year old daughter was burned on her face and arms. The incident prompted the family to flee South Africa.

## 61.

**How could those doctors do that** Gigi's father is questioning the five doctors who examined Biko while he was in detention. An inquest into Biko's death revealed he had sustained three lesions to the brain and that these led to his

death. In his final address to the inquest court, Sydney Kentridge SC, one of the counsel for the Biko family, described the relationship between the doctors and the prison colonel as 'one of subservience bordering on collusion' (Baxter 1985, p. 139). The failure of South Africa's Medical Association to censure the doctors led to its expulsion from the World Medical Association. No immediate disciplinary action was taken against the doctors involved, despite three formal complaints to the Medical and Dental Council, and considerable public pressure from other doctors. In 1985 the South African Medical and Dental Council finally announced it would institute a formal hearing into the conduct of the doctors. Two of the doctors (Lang and Tucker) were found guilty of improper conduct. Dr Tucker was also found guilty of disgraceful conduct. Both doctors were acquitted of the charge of having subordinated the patient's interests to those of the security police. Dr Lang was cautioned and reprimanded, but allowed to continue practicing. Dr Tucker was suspended from practicing for three months, but this penalty itself was suspended, on the proviso that he was not found guilty of any contravention in the next two years.

63.

**Should he be given quinine? . . . . Then the malaria of the soldier was stopped with quinine** Wagner-Jauregg, 1946 p 577.

63.

**actively and efficiently at work** Wagner-Jauregg, 1946 p 581.

**Malaria fever treatment spread rapidly through Europe and the United States** Doctors in Britain were more circumspect. Davis (2008, p. 184) cites 'a variety of ideological and practical reasons' for this reluctance to embrace malaria fever therapy in Britain. Davis points out that, despite the slow uptake of malaria fever therapy, it had a longer life in some British hospitals, since many were initially wary of penicillin. The Scottish Western and Northern Regional Hospital Boards continued to employ malaria therapy as late as 1959. When malaria therapy was abandoned, this did not mean the end of fever treatment – fevers continued to be used in some resistant cases of GPI, but these were not induced through malaria infection. Rather, a device that generated fevers through electromagnetic induction – the inductotherm – was used (Davis, 2008, p. 184).



**It was rejected by the Swedish professor of psychiatry** The professor who blocked Wagner-Jauregg's first nomination was Bror Gadelius.

**64.**

**the *Völkischer Beobachter*** The *Völkischer Beobachter* was one of the more extreme Nazi newspapers. In its obituary to Wagner-Jauregg, published on 29 September 1940, the newspaper called him an 'upright German', and said, 'Without his genetics the stock of ideas constituting the national socialist view of society is no longer conceivable' (Whonamedit, n.d.).

**a man with a 'dubious history'** In 2004 an extensive investigation was initiated by the state of Upper Austria to examine 'whether the person after whom the psychiatric hospital is named [Julius Wagner-Jauregg] should be seen as someone with a dubious history'. The commission conducting the investigation consisted of a historian, a social scientist, a sociologist and a psychiatrist. It concluded that Wagner-Jauregg was at no time a member of the Nazi Party, and that the eugenics he believed in was, at the time, part of the 'mainstream international scientific debate'. The commission therefore concluded that Wagner-Jauregg should not be seen as a man with a dubious history (Regal & Nanut, 2007, p. 75).

**hopeless, immoral, stupid** Scull, 2006, p. 134, citing case records of psychiatrists treating neurosyphilitic patients. Scull argues that: 'The introduction of Jauregg's new therapy brought a marked change: psychiatrists wrote and presumably reacted far more empathically and positively towards their patients, who were allowed to become active participants in their treatment' (2006, p. 134).

## Chapter 8

**66.**

**tabes** A syphilis-related neurological condition. Arthur Conan Doyle wrote his doctoral thesis on this condition in 1885, when neuro-syphilis was at its height.

**sulfozinum** Also known as sulfazine, sulfozine, sulphazine. A purified sulphur substance, which is combined with olive or peach oil and injected directly into the muscles. It produces extremely elevated temperatures and severe pain. In Russia, the use of Sulfozine, insulin coma therapy and electroconvulsive therapy

without consent were all forbidden in 1987, under Gorbachev's perestroika reforms (Motov, 2002). Despite this, accounts suggest it is used in prisons and mental institutions (United States Bureau of Citizenship and Immigration Services, 1998).

**Carroll** The psychiatrist who treated Zelda Fitzgerald. Carroll wrote case studies of many of his patients, but not, unfortunately, of Fitzgerald (de Young, 2015). Her treatment produced 'a moment or two of encouraging lucidity after three days of recurring high fevers, vomiting and debilitating headaches' (de Young, 2015).

**68.**

**thermostat** Hamlin (2014) argues: 'The metaphor of the household thermostat would be seized upon by writer after writer' from the 1950s onwards (p. 289–290). He adds that, 'Rivaling domestic thermostat metaphors in frequency, and wholly integrated with them, were military metaphors.' (p. 289).

**70.**

**he made a few speeches where he said that the world had a fever** Al Gore referred to the planet having a fever on various occasions. In March 2007 he addressed the United States House Energy Committee and the Senate Environment Committee as follows: 'The planet has a fever. If your baby has a fever you go to the doctor. If the doctor says you need to intervene here, you don't say, "Well I read a science fiction novel that tells me it's not a problem". If the crib's on fire you don't speculate that the baby is flame retardant. You take action. The planet has a fever' (NT3nd, 2014).

**71.**

**There was a centre on the South Island** The BriLin Centre is a New Zealand company that offers hyperthermia treatment. The centre's name is drawn from the first names of the financier who financed the centre and the daughter of its founder (see <http://brilin.co.nz/index.php/ct-menu-item-2>).

**Sauna domes** The company that calls itself TRULY HEAL sells sauna domes. The TRULY HEAL Sauna Dome is described on the website as 'a portable far infrared sauna and is great if you would like to have a hyperthermia treatment in the comfort of your own home. Consider it your own personal immune booster and

deep tissue detoxifier' (see <http://trulyheal.com/product/truly-heal-sauna-dome-hyperthermia-treatment/>).

The current advertised price is US\$1,900. TRULY HEAL's best price guarantee provides that, if you find a better price anywhere else 'we'll beat it'. TRULY HEAL does warn that 'DO IT YOURSELF FEVER is not for everybody . . .'.

## Chapter 9

75.

**a plan aimed at overcoming *the economic fears of sickness*** In 1949, Truman called on Congress to introduce his health care plan. In addition to national health insurance, Truman's plan would have funded doctors and hospitals in rural areas and created federal standards for hospitals.

**In 1949 the American Medical Association (AMA) used the painting in its campaign against Truman's efforts to introduce a national health insurance**

The AMA hired the public relations firm Whittaker and Baxter to promote its opposition. The campaign cost the AMA \$1.5 million. It was, at the time, the most expensive campaign in United States history. Whittaker and Baxter branded Truman's efforts 'socialised medicine' (the firm had previously had success with campaigns that played on the fear of communism). As the face of this campaign, the AMA used Fildes' portrayal of a doctor at the bedside of a sick child, with the words: 'Keep Politics out of this Picture'. *TIME* reported that 'more than 55 million pieces of campaign literature were distributed . . . and over 65,000 posters of *The Doctor* went up in medical offices and elsewhere' (cited in Verghese, 2008, p. 121). Truman's health proposal was defeated. The United States did not get national health care. How influential the AMA was in this result is a matter of some debate, but the term 'socialised medicine' entered public discourse – coffee clubs of doctors' wives met to discuss the evils of socialised medicine in the 1960s. In 1961 Ronald Reagan released an LP (produced by the AMA) speaking out against socialised medicine. When Obama tried to introduce 'Obamacare' in 2013, the phrase started appearing again, in media reports, blog postings, political speeches. In 2014 Sarah Palin called on voters to 'elect leaders who will buck the march to socialized medicine known as Obamacare' (Beamon, 2014).

**A library of books written in our honour . . . for the medical profession** An extract from a speech by Professor Mitchell Banks of the Royal Infirmary. The full quotation is: ‘What do we not owe to Mr. Fildes for showing to the world the typical doctor, as we would all like to be shown - an honest man and a gentleman, doing his best to relieve suffering? A library of books written in our honour would not do what this picture has done and will do for the medical profession in making the hearts of our fellow-men warm to us with confidence and affection’ (Korda, 2015, p. 183).

76.

**novelties such as the stethoscope, the ophthalmoscope, the thermometer and other tools of inspection and measurement, recently imported from the Continent** Barilan, 2007, p. 75.

**It seems that Fildes created . . . thinking** Barilan, 2007, p. 68.

77.

**The painting represents our desire . . . dedication to the child** Verghese, 2008, p. 121.

**Buchan, author of the bestselling domestic textbook** This text is discussed further in Chapter 10. A complete online edition of this work is available at <http://www.americanrevolution.org/medicine.php>.

**It may seem strange . . . management of his young** Buchan, 1826, p. 38.

78.

**This doctor tracks a rich array . . . posture in bed** Hamlin, 2014, p. 4.  
**over her pillow . . . features** Brontë, 1956, p. 121.

**Day and night he was watching . . . inflict** Brontë, 1956, p. 123.

79.

**for he had enough to do in the parish** Brontë, 1956, p. 86.

**In *Wuthering Heights*, the doctor, Kenneth, tends to rush off** The contrast between Kenneth and Fildes’s doctor appears to present Kenneth in a poor light. However, as Gigi’s father points out in Chapter 9, medical attention was very much home-based. And, as Nelly points out, ‘two or three miles was the ordinary distance between cottage and cottage’ (Brontë, 1956, p. 86).

**Later, alongside developments in thermometer usage** Thermometer usage entered mainstream medical care in England just a few years before *The Doctor*

was painted. In 1868, Carl August Wunderlich, professor of medicine at Leipzig, published *Medical Thermometry and Human Temperature*. Wunderlich's thermometer and the readings he obtained from it established the normal temperature range for humans at between 36.3 °C and 37.5 °C. Wunderlich's thermometer was a foot long and cumbersome to use. It took 20 minutes to establish a patient's temperature. A smaller, portable, and considerably more handy thermometer, which took only five minutes to make a reading, was designed by Thomas Clifford Allbutt in 1866.

## Chapter 10

82.

**One of the spots where clouded daylight . . . fidelity** Charlotte Brontë's assessment of Nelly is from the preface to the 1850 edition issued after Emily's death in 1848. In this preface Charlotte Brontë refers to the critics who viewed the book as a 'rude and strange production'. Some of these reviews were found in Emily's desk after her death. One reviewer wrote: 'This is a strange book. It is not without evidences of considerable power: but, as a whole, it is wild, confused, disjointed, and improbable; and the people who make up the drama, which is tragic enough in its consequences, are savages ruder than those who lived before the days of Homer' (from an anonymously authored article, *The Examiner*, 8 January 1848).

83.

**The Champion** This is a short film made in 1915 for Essanay. The full film is available at <https://www.youtube.com/watch?v=uPvhbLr5JVw>

84.

**I was almost always at Wuthering Heights . . . would set me to** Brontë, 1956 p. 44.

**pinched with a prolonged wrench** Brontë, 1956 p. 72.

**cant lass** 1956 p. 44

86.

**henceforth quarter themselves in the back-kitchen** Brontë, 1956 p. 52.

87.

**had to tend them, and take on the cares of a woman at once** Brontë, 1956 p. 46

88.

**I sympathised for a while; but when the children fell ill of the measles . . . uncomplaining as a lamb;** Brontë, 1956 p. 46.

**an objective description of disorders . . . experience and worlds** Sacks, 2012 p xxxvi-vii.

89.

**mounting the stair made her breathe very quick . . . to sympathise with her** Brontë, 1956 p. 52.

**got thoroughly drenched for her obstinacy. . . her hair and clothes** Brontë, 1956 p. 84.

90.

**did not make a gentle nurse** Brontë, 1956 p. 86.

91.

**Acute pain in the head . . . erratic behaviour, forgetfulness, and irritability** James Copland in Peterson (1976) p. 447.

**a thousand smiths' hammers. . . head** Brontë, 1956 p. 109.

**There she lay . . . assumed the aspect of death** Brontë, 1956 p. 110.

92.

**Dr. Thomas Graham's Modern Domestic Medicine** The Brontë family's copy is currently held at the Brontë Parsonage Museum. The book was annotated by Emily's father, Patrick, over decades of use. Photographs of this annotated book may be viewed at <http://www.bl.uk/collection-items/modern-domestic-medicine-annotated-by-the-Brontës>.

**had enough to do in the parish** Brontë, 1956 p. 86.

93.

**The various kinds of mental emotion ... predisposing causes of fever** Forbes, J., Tweedie, A., Conolly, J, 1845 p. 180.

**external composure .... ghastly countenance and strange, exaggerated manner** Brontë, 1956 p. 112.

**all the annoyances.... a mere ruin of humanity** Brontë, 1956 p. 122.

96.

**You'd hear of odd things... day or two.... pure lack of invention in my experiments** Brontë, 1956 p. 136.

97.

**Edgar is restored from the ill-temper.... you'll hit on exactly the most efficient method of revenging yourself on me** Brontë, 1956 p. 106.

**'Oh Catherine! ... disguise his despair** Brontë, 1956 p. 141.

98.

**You've broken my heart.... for your suffering** Brontë, 1956 p. 141.

**Don't torture me till I am as mad as yourself** Brontë, 1956 p. 142.

99.

**Shuganamakop** Mad in the head. A combination of Yiddish 'meshuggah' (mad), Sesotho 'ka nama' (self), and Afrikaans 'kop' (head). (This term does not appear in any slang dictionaries, and may be used by a small group of people (or by one person, the speaker here)).

## Chapter 11

108.

***volenti non fit injuria*** Latin maxim meaning 'to the willing person no harm is done'. Gigi's translation of the maxim is correct, but she does not recognise that this defence is limited to actions in tort (a civil action for damages rather than a criminal prosecution). The criminal equivalent of the *volenti* defence is consent--the focus of Gigi's research in the following chapters.

**The Crimes Act** New Zealand's Crimes Act 1961.

## Chapter 12

109.

**When standards of decent behaviour . . . about enforcing it** 'James Anderton explained' (n.d.).

110.

**swirling around in a cesspool of their own making** James Anderton made this comment twice: first in his address to a police training event in Manchester, and

then in an interview on a BBC religious programme.

**Police Oracle** This site describes itself as: ‘The UK’s largest provider of police news and information. With the latest in police jobs, police transfers, police equipment and police training’.

**how close the country’s second largest police force came to meltdown**

*Manchester Evening News* (2012, January 4), under the headline ‘Revealed: Secret documents show how Margaret Thatcher helped save ex-Manchester police chief Sir James Anderton after row over Aids comments’. This headline points to the role played by Margaret Thatcher’s government in keeping Anderton in his job, despite calls for his resignation. According to this article, Thatcher ‘privately backed Sir James’s right to speak out – and stamped down demands for a public inquiry into the state of the force’. Similarly, *The Telegraph* (2012, January 4) reported: ‘It can [be] revealed that the government staged a series of crisis meetings aimed at keeping Sir James in post, and that other chief constables accused Sir James of “bringing ridicule” on the police service. The papers also show that senior civil servants were dismayed over the top cop’s “religious overtones” and feared he had a “taste for martyrdom”, but that Mrs Thatcher, the then Prime Minister, privately backed Sir James’s right to speak out – and stamped down demands for a public inquiry into the state of the force’.

**111.**

**Casspirs** Armoured personnel carriers with particular land-mine resistant features. Originally developed in one of South Africa’s neighbouring states, Namibia, they are used widely by the South African defence force and police.

**purple paint at demonstrators** In September 1989 police sprayed demonstrators in Cape Town with purple paint in an effort to mark demonstrators for easy identification and arrest later. One of the demonstrators managed to take control of the spray gun and to turn it on government buildings. *TIME* magazine now includes this demonstration as one of its ‘Top 10 Most Influential Protests’ that changed the world. (Rosenfeld, 2011)..

**townships** An area where Africans were permitted to live during Apartheid. These townships were close enough to white areas that Africans could commute in daily for work, but not so close as to make the commute an easy one. Alexandra, which Gigi’s boyfriend was delivering pamphlets to, is located about



20 kms outside Johannesburg.

### 115.

**Michelle Remembers** A book by Canadian psychiatrist Lawrence Pazder and the patient who was to become his wife (the Michelle of the title), published in November 1980. It purported to relate Michelle's recovered memories of extreme sexual, physical and emotional abuse at the hands of satanists (one of whom was, according to Michelle, her mother). The publication of the book sparked a period of 'moral panic' in the United States, Britain and other countries. The effect of this book was felt in New Zealand, where the 'Satan scare' manifested itself towards the end of the 1980s (Hill, 1998). Hill attributes the 'Satan scare' to two key factors: *Michelle Remembers*, and the 1980 *Diagnostic and Statistical Manual of the American Psychiatric Association* (DSM-III), which in 1980 added 'multiple personality disorder' to its list of diagnoses.

**Pamela Klein** Pamela Klein is a rape crisis worker from the United States, who has been described as a 'self-appointed expert in satanic and ritual abuse' (Feldman, Feldman, & Smith, n. d., p. 109). Klein moved to the United Kingdom in 1985, where she was indefatigable in spreading her message of satanic abuse. The consequences were tragic: in two towns (Rochdale and Orkney) people became convinced their town was populated by satanists. By the time the affair died down, 32 children had been removed from their homes (Feldman, Feldman, & Smith, n.d., p. 110).

**Dungeons and Dragons** A fantasy game first sold in 1974. In the 1980s it contributed to 'full-on moral panic' (Allison, 2014). The fear of Dungeons and Dragons was largely sparked by Patricia Pulling, an American mother whose son committed suicide. Pulling attributed her son's death to the game. She formed an organisation called BADD (Bothered about Dungeons and Dragons). Pulling appeared on a number of television shows, including *60 Minutes*.

**Ozzy Osbourne** The musician Ozzy Osbourne bit the head off a bat at a concert in Iowa in 1982. An audience member threw a bat on stage and Ozzy, who later said he thought it was a rubber bat, bit its head off.

### 115.

**The tops were charged . . . on themselves** From the *HardCell* article 'SM and the law' (n.d.).

**Prosecutors don't publish reasons for their decisions** In New Zealand, information about decisions to prosecute (or not prosecute) may be requested through the Official Information Act 1982. In coming to the decision whether to prosecute, prosecutors are obliged to follow the *Solicitor-General's Prosecution Guidelines* (Crown Law, 2013). These guidelines lay down two broad criteria under the 'test for prosecution': an evidential test that requires that the 'evidence which can be adduced in Court is sufficient to provide a reasonable prospect of conviction' (p. 6); and the public interest test, which provides that 'prosecution is required in the public interest' (p. 6). This second leg of the test is not satisfied by mere desirability in the public interest.

## Chapter 13

120.

**Tenement Museum** New York does have a Tenement Museum, but there is no evidence to support Gigi's account that the museum held an exhibition on the *SS Massilia*. The Museum's website does, however, give useful information on events involving the *SS Massilia*. The Museum is located in Orchard Street, in the exact neighbourhood where the passengers from the *SS Massilia* were living when their typhus showed itself.

121.

**He quoted from a book we'd bought on our visit to the museum**

***Quarantine!: Eastern European Jewish Immigrants and the New York City Epidemics of 1892*** This book is currently not for sale in the Tenement Museum's bookshop. There is no evidence to suggest it has ever been for sale there, as Gigi suggests.

**an average of six seconds** The six-second test took place on Ellis Island. Doctors marked arriving passengers' clothes with a chalk symbol if they were considered a risk to public health. Insanity was indicated with an X mark.

123.

**The epidemiological convenience . . . circle of disease causation** Markel, 1997, p. 50.

**climbed the rickety steps . . . for all they knew** Markel, 1997, p. 50 quoting Joseph Pulitzer. Pulitzer was, at the time, writing for *New York World*.

## Chapter 14

127.

**lewd, immoral and unnatural** *Herald Scotland* reported that some of the charges laid against the 'Spannermen' related to the running of a disorderly house at which people performed 'acts of sadistic and masochistic violence and in accompanying acts of a lewd, immoral and unnatural kind' (15 charged after Operation Spanner, 1989).

**A constant air of menace pervaded the place . . . ever mix with in the future** Jaggard, writing as Spannerman (*HardCell SM and the law* (n.d.)).

129.

**The House of Lords decided, on a 3:2 majority, that consensual assault causing harm above the level of common assault (such as in SM) is prima facie unlawful** The majority view in *Brown*, that the consensual assault is prima facie unlawful established an important precedent. It placed the onus on the party relying on consent to establish more than consent. In addition, the party relying on consent must establish that their act fitted into one of the recognised instances identified by their Lordships. This illegal-unless-proven-legal approach runs contrary to the Feinberg argument that any state infringement of liberty is unlawful unless established to be lawful. Lord Mustill followed an approach more in keeping with Feinberg's in his minority judgment.

**The 50 Shades of Grey phenomenon** For a round-up of the 'five most bizarre court cases inspired by 50 Shades of Grey', see 'Fifty Shades court cases: A Grey area of law' (Wade, 2015).

130.

**It was said, every person has a right . . . harmful to society generally** *R v Brown* [1994] 1 AC 212 at 236 per Lord Templeman.

**the possibility of proselytisation and corruption . . . video recording** *R v Brown* [1994] 1 AC 212, at 239 per Lord Jauncey.

**No doctrine was more central to the teachings of Socrates, Plato and the Stoics . . . Possessor's interests** Feinberg 1984, p. 66.

131.

**some comfort at least to be told . . . normal heterosexual relationship** *R v Brown* [1994] 1 AC 212 at 235 per Lord Templeman.

**Society is entitled and bound to protect itself . . . Cruelty is uncivilised** *R v Brown* [1994] 1 AC 212 at 237 per Lord Templeman.

**Sado-masochistic homosexual activity . . . to the welfare of society** *R v Brown* [1994] 1 AC 212 at 241 per Lord Lowry.

The discussion on when the prima facie unlawfulness will be overturned is from *R v Brown* [1994] 1 AC 212 at 216 and 221 per Lord Templeman.

**The New Zealand case which points to a difficulty in finding a unifying theme in *Brown*** *R v Lee* (2006) 22 CRNZ 568 at 616 per Glazebrook J.

**The Spannermen's appeal to the European Court of Human Rights was unsuccessful** This appeal failed on the grounds that states are entitled to regulate physical harm through their criminal law.

**132.**

**I put them there . . . I wouldn't do it on her breasts** *R v Wilson* (1996) 2 Cr App Rep 241 at 242 as per Roger Birch for the Crown.

**The reality that I have to deal with . . . to no good purpose** *R v Wilson* (1996) 2 Cr App Rep 241 at 245 as per Russell LJ.

**Sadly, I take the view . . . direct this jury to convict** *R v Wilson* (1996) 2 Cr App Rep 241 at 245 as per Russell LJ.

## Chapter 15

**134.**

**a case regarding an exorcism that led to the death of a woman** The New Zealand decision *R v Lee* (2006) 22 CRNZ 568.

**introvert . . . herself for others** From a witness account, as related by the court in *R v Lee* (2006) 22 CRNZ 568 at [11].

**blowing whistles, roaring aloud . . . spirits out of the body** 'Exorcist "pastor" jailed for six years on manslaughter' (Devereux & Yandall, 2001).

**They are queer, full stop . . . for five minutes** 'Exorcist "pastor" jailed for six years on manslaughter' (Devereux & Yandall, 2001).

**135.**

**so tight, it was hard to breathe** From the testimony of a witness who himself experienced an exorcism: *R v Lee* (2006) 22 CRNZ 568 at [17].

**very glad because he could see the demons going out** *R v Lee* (2006) 22 CRNZ 568 at [19].

**Mr Lee was sitting on her chest . . . so that she could be free from the demons** *R v Lee* (2006) 22 CRNZ 568 at [20].

**136.**

**Because Joanna's arms and limbs were moving . . . to make it successful** *R v Lee* (2006) 22 CRNZ 568 at [25].

**At that time she said some other strange things . . . it was Satan's word** *R v Lee* (2006) 22 CRNZ 568 at [29].

**138.**

**No one has the right to consent ... party to the killing** This section disallows consent to the infliction of death. It impacts, of course, on decisions involving assisted suicide. This section is concerned specifically with 'consent to the infliction of death upon himself or herself', unlike Gigi's quest, which is not concerned with consent to the infliction of death, but rather with the infliction of harm that could, potentially result in death.

**139.**

**it is not in the public interest that people . . . harm is intended and/or caused** *Attorney-General's Reference (No 6 of 1980)* [1981] QB 715 at 719 per Hammond J. Cited in *R v Lee* (2006) 22 CRNZ 568 at [59].

**140.**

**Several of the participants . . . evidence against the appellant** *R v Lee* (2006) 22 CRNZ 568 at [85]. It appears from the judgment that Sergeant Rogers might have travelled to interview witnesses in 2001, since both witnesses refused to return for the trial.

**141.**

**Adams, a standard textbook on criminal law** Since the case, this text has been updated on a number of occasions. My bibliography includes both the edition relied on by the court and the most recent edition.

**Armin Meiwes** Armin Meiwes was convicted in 2004. As with the *Brown* case, there seems to have been some uncertainty about the most appropriate charges for Meiwes, since cannibalism is not a recognised crime in Germany. Meiwes was initially charged and convicted of manslaughter only, and sentenced to eight and

a half years in prison. Later, charges of murder were added. He was convicted on these charges and a life sentence was handed down. Meiwes's defence relied on consent given by the deceased, Bernd-Jurgen Brandes.

**144.**

**at that stage . . . No expression at all at that stage** *R v Lee* (2006) 22 CRNZ 568 at [20].

**The aim of liposuction is a flatter stomach . . . denied the same right**

Submission of counsel for the accused, Nicolette Levy, in the substantive appeal on 15 March 2005 in the Court of Appeal of New Zealand (CA 437/04) between Yong Bum Lee (appellant) and the Queen (respondent), as quoted by Kavan (2007).

**ExChristian.net** 'Hallelujah! Here's an Easter miracle from an unholy source' (Laws, 2006).

## Chapter 16

**149.**

**Then she said, What do you make of *Barker*?** *R v Barker* [2009] NZCA, 186; [2010] 1 NZLR 235; (2009) 24 CRNZ 308.

## Chapter 17

**150.**

**Mr Barker has an interest in bondage, discipline . . . semi-permanent scars** *R v Barker* [2009] NZCA 186 at [6] per Glazebrook J.

**A's evidence was that . . . He also wanted to cut her breasts open** *R v Barker* [2009] NZCA 186 at [10]–[14] per Glazebrook J.

**153.**

**we recognize our moral relationship to the protagonists, and therefore our compassionate duty to be attentive** This is a quotation from 'Representing the Holocaust: The case for history' (Clendinnen, 1998).

**154.**

**I should make it plain . . . an otherwise applicable defence** *R v Barker* [2009] NZCA 186 at [117] per Hammond J.

**A high value should be placed . . . consent as a defence** *R v Barker* [2009] NZCA 186 at [115] per Hammond J.

**The particular practice may be . . . initiation or personhood** *R v Barker* [2009] NZCA 186 at [126] per Hammond J.

155.

**must outweigh . . . personal autonomy** *R v Barker* [2009] NZCA 186 at [54] per Glazebrook J, citing *R v Lee* [300] with approval. In the same paragraph, the court refers back to Lord Mustill's minority judgment in *Brown*.

## Chapter 18

160.

**I'd heard about the kaka. . . the work of the sanctuary** The sanctuary Gigi refers to is Zealandia in Karori, Wellington, which works with kaka. Zealandia's website ([www.visitzealandia.com/species-members/kaka/](http://www.visitzealandia.com/species-members/kaka/)) describes the kaka as a 'large, olive-brown forest parrot'. According to this same site, kaka 'had effectively been extinct in Wellington since the early 20th century until they were transferred back into the wild at Zealandia in 2002'. Kaka numbers have grown quickly, thanks to the work of Zealandia. The bird is, however, considered vulnerable nationally.

161.

**I found a bib you could buy online** The Australian firm Catbib manufactures and sells these bibs from their website (<http://www.catbib.com.au/buy-online>). This site does sell the pearl necklace and tie designs, but it does not stipulate that one option is for males and the other for females, as Gigi suggests. It offers the bibs in various shades of blue and 'purrple'.

168.

**After a while she asked if I'd read about the Russian artist who'd cut off his earlobe** Pyotr Pavlensky's cutting off of his earlobe is described in Chapter 2. As of February 2016 Pavlensky is undergoing psychiatric evaluation at the very institution he chose as the venue for his demonstration against the use of psychiatry as a political weapon. Gigi's friend says it was in the news 'today', suggesting they are having the conversation early in February 2016. Gigi's friend does not mention that in February 2016 Pyotr Pavlensky was nominated for the

country's top art prize, the Innovatsiya Prize. The piece nominated for this award was a 2015 performance work, *Threat: Lubyanka's Burning Door*, during which he set fire to the entrance of the Federal Security Service (the KGB's successor). As of the end of February 2016 Pavlensky is awaiting trial for vandalism, arising from this act. On 17 February *artnews* reported that the art prize had been cancelled in response to Pavlensky's nomination. (Perlson, 2016). A day earlier, *The Calvert Journal* reported that Pavlensky's piece had been removed from the list of nominations and that a number of board members had resigned from the competition's expert board. In this article the piece is given the title *Menace* (Morton, 2016).

## Chapter 19

171.

**There was that Ebola nurse** Kaci Hickox is a nurse who worked with Doctors without Borders in West Africa. Hickox assisted with the treatment of patients suffering from Ebola in Sierra Leone. When she returned to New Jersey in the United States she was placed under quarantine – an order she defied by going for a bicycle ride. Hickox challenged her forced quarantine and a judge ruled the restrictions on her movement to be unnecessary. Hickox would have objected to Gigi's husband calling her the 'Ebola nurse'. In a piece for *The Guardian*, 'Stop calling me "the Ebola nurse"', Hickox wrote: 'I never had Ebola. I never had symptoms of Ebola. I tested negative for Ebola the first night I stayed in New Jersey governor Chris Christie's private prison in Newark. I am now past the incubation period – meaning that I will not develop symptoms of Ebola. I *never had Ebola*, so please stop calling me "the Ebola Nurse" – now!' (Hickox, n.d.).

172.

**he counted the number of times the writer of *The Hot Zone* used the word 'liquefy'** This was suggested to me by Smith (2014), who pointed out that: 'Over and over, he uses words like "dissolving," "liquefy," "bleeding out" to describe patient pathology (If I had been playing a drinking game while reading and did a shot every time Preston uses "liquefy" in the book, I'd be dead right now)'. The problem with this book, Smith argues, is that it is presented and defended as a



true story, which it is not. When I read the book, I was, I must admit, unsure about how to take it.

## AFTERWORD

My initial proposal was that *Feverish* would be a work of creative non-fiction that tracked an actual quest to induce a fever in myself and explored, amongst other things, the ethical constraints such a quest would present.

Before applying to do the PhD I discussed self-induced fever with family members. They did not object to my going ahead with it (my mother was not pleased with the idea, but her objection was the 'you'll do what you want anyway' demurrer of a woman who has successfully marshalled five children to healthy middle-age). Rather than objecting to my quest, my family and friends were interested and for the most part enthusiastic. Their apparent enthusiasm, together with any ethical objections they might raise later, promised to provide rich material which would feed the work. I went ahead and applied for the PhD programme.

Part of my motivation for doing this work through a university was the institutional support a university offers - the knowledgeable experts, the libraries, the enquiring minds and pursuit of understanding. All of these would, I believed, help me realise my quest. Naively perhaps, I did not consider the barriers the university environment would assert. In particular, I did not appreciate the reach of the university's ethical strictures.

Victoria University's Human Ethics Policy does not expressly mention harm to self. But the Human Ethics Committee does require approval for any research that 'involves human subjects or human tissue or affects people's privacy, rights and freedoms.' I was presented then with two options: I could go ahead and induce my fever without ethics approval, or I could apply for approval from the University's Ethics Committee.

Inducing the fever without consent would have probably exposed my supervisors to censure from the University and might have exposed the University to undeserved publicity and approbation. Having sought to fulfill this project within the University, it did not seem proper for me to actively ignore its rules.

As for seeking the approval of the Human Ethics Committee - I seriously considered this option. There were, however, a few drawbacks to seeking approval. Perhaps the greatest one was the improbability that approval would be

granted. Since I knew approval was unlikely, the exercise of applying for it seemed contrived and dishonest. It would also be meaningless because it would not advance the project.

I could have given the process of seeking ethical approval meaning by documenting and critiquing it in my work. But I felt this would be a dishonest manipulation of the ethics process. Also, if I wanted to integrate an account of the approval process in my work, I would have needed to seek approval from the Human Ethics Committee to do so — another exercise unlikely to advance my project. If approval were granted to use an account of the process, the risk would have been a different one — that the analysis of the ethical approval process would swallow up the work, and skew its weighting heavily towards this analysis.

The University's Human Ethics Guidelines are, no doubt, designed to address valid concerns, but they presented for me a real obstruction - one which seemed insurmountable if I stuck with my initial proposal of writing a piece of non-fiction.

Besides the difficulties presented by the need to get ethical approval, the non-fictional approach carried another major disadvantage - if I were to present the work as non-fiction I would owe the reader veracity in all respects. The freedom to make things up would be forfeited, words could not be attributed to characters, events could not be manipulated for dramatic effect. The writer Aharon Appelfeld, when questioned by Philip Roth on his choice to fictionalise his life story, said, 'The things that happened to me in my life have already happened, they are already formed, and time has kneaded them and given them shape. To write things as they happened means to enslave oneself to memory, which is only a minor element in the creative process. To my mind, to create means to order, sort out and choose the words and the pace that fit the work. The materials are indeed materials from one's life, but, ultimately, the creation is an independent creature' (Roth 1988).

But the commitment to honesty is also powerful, particularly where the writer is purporting to perform an act of defiance. The vulnerability and nakedness which an honest account requires lie at the heart of much of the transgressive art that this quest draws from. When the performance artist Marina Abramovic

proposed using an illusionist in one of her works the suggestion was decisively scotched - 'It's the totally wrong thing to do,' her collaborator Kelly tells her. 'Your work doesn't have anything to do with illusion' (Akers, Dupre 2012).

In an effort to integrate the honesty of a factual account with the freedom of fiction, I settled on a form that allowed me to move freely between factual investigations of real world material, memoir, and novelistic invention around created scenarios and characters. I aimed to write what Javier Marias called a false novel. Talking about his book, *Dark Back of Time*, Marias said, 'I'm passing my life through a filter. That is the important thing for me. In fact, my wish is that the reader doesn't notice the different origins of the material but reads everything as what it is—as part of a novel' (Fay 2006).

The thesis is a novelised, fictionalised account of Gigi's desire to induce a fever in herself. Mirroring, perhaps, my own route to fiction, Gigi's fever quest is initially in the forefront of her mind. The opening of the work presents her desire to perform an act of bravery, to display dedication to her art, to gather creative inspiration for her next book. She appears committed to realising her goal. But her concrete quest soon becomes lost, as she gets caught up in memoir, in the daily trials of her family and friends, and in something like a feverish state. In this quasi-fevered state, Gigi researches a number of fever-related topics.

The thesis does not purport to present an all-encompassing review of fever. Rather, it presents a view of fever that has been filtered through Gigi's mind, at a time when she is in a quasi-feverish state. What this quasi-fever does is to simultaneously focus Gigi's mind and open it up, an effect similar to that of GPI described by the superintendent of Bethnal House Asylum on pg. 52: 'Everything is invested with immensity, grandeur, or beauty. Common pebbles are transformed into gems...'

In her quasi-fever, Gigi is surrounded by fever-related gems. Which ones she picks up to study is determined by her personality, her past, and events in her present.

The child Gigi was concerned with the moral, educative aspects of fever that she found in the Victorian children's literature she read at the time. The teenaged Gigi, experiencing a friend's descent into mental illness was concerned with care, with the duties we owe to those in a feverish state, with the imagination required

to enter a fevered mind. These concerns drove her reading of *Wuthering Heights*, a book she sought insight from as a teenager.

As an adult, Gigi's concerns have shifted somewhat. In the meantime, she has studied law, raised a family, given up her job to write a book. The anxiety she describes to her friend at the beginning is now manifesting in new worries: fears around Jewish identity, around criminal liability, consent to harm and personal autonomy.

Thus Gigi is at once the main character in the novel and the filter through which fever passes. As a teenager she worried about care. As an adult, about consent. These are the gems she has picked up at different stages of her life. In her quasi-feverish state, they are the ones she returns to, and reconsiders in depth.

By honing in on the fever-related topics that concern Gigi at different stages of her life, I hope to have presented both some unusual views of fever and a look into a mind, and how this mind operates when it focuses its attention.

Gigi's father is a key character in driving her choices. Her fever-related concerns are driven largely by a desire to understand him and his profession. She focuses, therefore on psychiatry, the treatment of mental illness, the doctor's responsibilities to those in poor health. Gigi's father invokes her grandfather, a man who wanted to study psychiatry but was unable to. The reasons for this become connected, in Gigi's mind, with his Jewish identity. This theme reflects her family narrative where illness is associated with the shtetles Gigi's ancestors escaped from. The family history continues to colour Gigi's choices and, it appears, those of her son.

Because Gigi is legally trained, and inclined towards anxiety, her thoughts about self-harm turn to matters of law and in particular, consent to harm. Self-harm poses a difficult challenge to the criminal law. It forces the law to weigh up considerations of public interest against personal autonomy, to choose between the competing claims of paternalism and liberalism. It forces the law too, to determine its own boundaries. How far can criminal law go to protect people from themselves? These are questions that Gigi is concerned with, not only because of her anxiety for her own quest, but also because she is a mother whose children and friends are struggling to evaluate who is 'the boss of their bodies'.

Because self-harm sits on the borders of the criminal law, the cases which test the boundaries are those which sit on the borders of human consent. Sado-masochism, consent to aggressive exorcism, consent to being eaten, tattooed, scarred - these present challenges for anyone seeking to develop embracing legal principles.

Gigi's background in law, her fear of jail, her childhood of relative privilege in the repressive Apartheid regime all force her to confront these challenges, and to do so thoroughly so that there is no risk of criminal sanction for her or anyone else.

In tackling these issues, Gigi focuses on the cases that would be argued in a court in New Zealand if her quest ever did make its way to court. The cases she focuses on were chosen not for thematic links to fever, but rather for their precedent value in New Zealand. They are the textbook cases, which one or other side would look to if Gigi's matter went to court. Since Gigi is concerned only with cases that would be argued in her case, she does not consider foreign decisions other than English ones. Because New Zealand law has its roots in English law, the House of Lords decisions in *Brown* and *Wilson* are highly persuasive despite being decisions of foreign courts. Neither does she consider assisted suicide which, because of the drafting of our Crimes Act 1961, falls outside of the ambit of Gigi's enquiry, as explained in the notes to pg.138.

Rather, she chooses to focus on the textbook cases on consent for New Zealand - *R v Brown* and *R v Lee*. These two are the *loci classici* on this area of law, the standard starting point in questions of consent. While they appear not to be thematically linked to Gigi's quest, they must be considered in depth in any consent to harm enquiry in New Zealand.

Once assisted suicide is removed from the enquiry, there is not much case law on consent to harm in New Zealand. The only recent case on the matter was *Barker's* case. Since it is a decision of the Court of Appeal, it is binding on any lower court in New Zealand. While *Brown*, *Lee* and *Barker* may, on their facts appear distant from Gigi's quest, if her case did go to court, they are the recognised cases that one side or the other would turn to. Gigi declares to herself and to others that she is on a quest for actual, literal fever, but it is clear that she is not seeking fever for fever's sake. Rather, she wants the heightened, feverish

passion of immersion in a creative experience. What she does not see is that her quest for fever is giving her precisely the encompassing experience she seeks. She is surrounded by fever. It colours her world-view; her memories are filtered through it; her Jewish identity becomes tied up with it. The small domestic events that make up her life are put through the amplifiers of fevered perception. Ultimately, the literal fever is subsumed into a larger, fever-related drama, which unfolds for her family.

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