

should say, on good grounds) as potentially threatening to the structure of family relationships. It is not surprising that what conduct has been considered incestuous varies with the nature of family structures; and I do not think it militates against this conclusion that incestuous behaviour can also express family breakdown as well as contribute to it.

Secondly, I think a great deal depends on precisely what changes in the law are contemplated. It makes a great difference whether one is proposing to abolish the criminal offence altogether; or to restrict its scope; or to alter the sentences which can be imposed when it is committed; or to allow marriages to be contracted which are at present excluded. We must consider both the educative function of the law, and assess precisely what harm has been done, if any, by the law as it now stands. I do not see that the paper has presented us with the evidence to judge on this last point, unless it is granted that incestuous conduct *as such* is harmless.

More generally, I feel that great caution should be observed in trying to alter social practices and institutions piecemeal. They form a very delicately balanced set of expectations, and we cannot lightly assume that some of these expectations can be altered while the rest remains unchanged. We can continue to expect one another not to molest minors, and not to commit sexual assault; but it is not clear to me that to remove the expectation that we should not behave incestuously even with a consenting adult would not tend to threaten the family relationships which we at present take for granted, and on which our happiness in part depends.

Commentary

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This paper raises a number of interesting issues about incest, but I will confine my comments to one particular aspect – the curious universality and strength of the incest taboo. Noble and Mason discuss the main explanations that have been put forward, finding each lacking in some respect. We are left, therefore, with a continuing sense of mystery.

I am not convinced that this enigma is justified. Providing that it is possible to recognise disadvantages from incestuous behaviour, then the occurrence of strong taboos becomes likely for reasons that I will try to explain.

It is perhaps easier to see the disadvantages of parent-child incest than sibling incest, and it may be relevant that the latter has the weakest taboo, and in some form is more readily accepted as a normal part of sexual development. Most of the disadvantages of the parent-child kind have been

alluded to in this paper, though they can perhaps be more clearly stated.

There are two obvious issues which may be threatened. The first is the integrity of the nuclear family unit – the structure of which is based on the sexual pair-bond of the parents. When one considers the threat to this pair-bond that can ensue when either person is involved in extra-marital sex, it would be hardly surprising to find that intra-family sexual relationship would be equally or more threatening. It is important here to make the distinction between sexual intercourse and implied or even overt but minimal sexual behaviour, because of the powerful ‘symbolic’ significance that the former has for a relationship. Thus, in considering the point of view attributed to the National Council for Civil Liberties, I would say that, whatever the degree of intra-family disturbance that might precede incestuous behaviour, the occurrence of that behaviour may move the family conflict onto a different and perhaps relatively irretrievable plane. Their argument also overlooks the potential importance that the incest *taboo* may play in maintaining the healthy family group. Whilst agreeing that the law relating to incest needs appraisal, I consider the conclusion that incest should be regarded simply as a symptom to be a naïve over-simplification.

The second issue under threat is the ‘parent-child’ relationship. My point here is less easily made, but I would suggest the caring role of the parent, and the unique nature of the parent-child relationship that continues even into the child’s adulthood, would be undermined by the occurrence of parent-child incest.

There are other reasons that have been put forward involving the power structure of the family and social group, the complexity of material inheritance and so on, that may all contribute to the threat of intra-family sexuality. I simply need to establish that there are sufficient reasons for avoiding incestuous relationships, at least between parent and child.

Having said that, I come to the next crucial point. There is a natural and perhaps inevitable sexual component of the relationship between parent and child. The early physical contact between mother and infant, the continuing physical expression of affection, the ‘rehearsal of heterosexual relationships’ between child and opposite sex parent, are all, I would suggest, valuable influences on the child’s sexual development.

It is therefore the combination of these two factors – the need to avoid incestuous relationships, and the need to exploit the limited sexuality of the parent-child relationship for normal development that generates the need for the powerful and externalised constraint that we call the ‘incest taboo’. (Compare and consider here the special taboo on sex between doctor and patient.)

The fact that the only universal incest taboo is on the mother-son relationship is at least consistent with this hypothesis as the physical closeness and intimacy of the mother and child is also universal. The hypothesis is also to some extent testable as the extent and intensity of the incest taboo should vary with the pattern of the parent-child relationships.

I am not suggesting that 'we are all consumed with incestuous desire' but rather that some limited degree of parent-child sexuality is normal and desirable. It would not surprise me to find that those who are least 'horrified' by incest are those who are most comfortable and accepting of this

limited degree of parent-child sexuality. And if I am right in my assumption, it may follow that the 'incest taboo' is at times 'counter-productive' in generating such a denial or avoidance of parent-child sexuality that its contribution to the child's sexual development is stifled.

Whether my argument can be sustained or not I would certainly agree that attitudes to incest should be reappraised. Paradoxically, this may have the advantage of helping parents to become more relaxed and comfortable with the sexuality of their children, hence forming less inhibited attitudes to sex in general.