

Defining Stalking

As noted in the first chapter “Dimensions of Stalking”, one of the primary difficulties faced by researchers and practitioners attempting to explain and “deal with” stalking relates to its problematic status as an act that derives from both conformity and non-conformity.

In Western society, we have a very strong cultural belief in the romance and intensity of unrequited love as a narrative that conveys magnificent emotional intensity of which humanity is capable. Whether this narrative ends in the object appreciating and reciprocating the love, or the subject dying nobly through loss of this love, the general theme is one which has gained cultural reification across the centuries, enough to be celebrated in literature, performance art and the continuation of historical accounts.

However, one of the central features of “criminal” stalking is that it involves “repeated pursuit”. Persistent pursuit is, of course, also a central feature of “true love”. There is a vast cultural heritage (at least in Western culture) that legitimates persistent pursuit as “proof” that the love is real and, therefore, will ultimately be rewarded with reciprocation. If we turn to a variety of expressions of how society has culturally reified the nature of intimate relationships, we can very easily see why it is that criminal pursuits (that is, stalking) are so difficult to sensibly distinguish from legitimate pursuits (that is, proving one’s love).

Categorising Activity

If we use the most simple of definitions for the moment, that stalking is a *single-minded pursuit of another*, we come across an immense array of examples which, for conveniences sake, may be labelled “good love” stories.

A Single-Minded Pursuit of Another: Good Love

The notion that love involves pursuit, persistence and tests of perseverance is not one that is unusual across either cultures or time. When we delve in ancient mythology, we see clear examples of heroes engaging in the most extreme of behaviours in order to secure the returned *amour* of the object of their affections. These include accounts provided by almost any Greek mythological love story we care to think of (for instance, Orpheus and Eurydice, Perseus and Andromeda, Odysseus and Penelope). Invariably, challenges are faced and obstacles overcome in the *pursuit* of an indomitable love. Whilst, in the true spirit of Grecian tragedy, very few of these stories end happily, the notion that one must overcome both earthly and divine obstacles in the hunt for an inexplicable passionate love is one that has long been recognised and celebrated as something very important, and very *human*.

These stories are not of course confined to myth, as the devotion of such famous poets as Dante for Beatrice and Petrarch for Laura clearly reveal. Indeed, Dante is willing to go to hell and back (to describe the *Vita Nuova* somewhat literally) primarily so that the final outcome, salvation, results in him being with Beatrice.

And, perhaps most famously, it is Jane Eyre's persistence that finally allows for true love to prevail. Jane, as with our other male heroes, goes through a personal pilgrimage, finding love, having it denied her, living by her Christian values, only to be unexpectedly rewarded at the end of her journey by the sudden availability of her obsession —Rochester.

A figure came into the twilight and stood on the step—a man without a hat.... Dusk as it was, I had recognised—it was my master, Edward Fairfax Rochester, and no other. I stayed my step, almost my breath, and stood to watch him—to examine him, myself unseen, and, alas! To him invisible. It was a sudden meeting, and one in which rapture was kept well in check by pain. (Charlotte Bronte 1960)

It is certainly not only in the classic novels that we come across such themes. The premise by which the feisty young heroine is plucked away against her will by a charismatic male, heroically voicing her objections up until the very end of the novel, is hardly new. The final discovery she has actually fallen *headlong in love* with her protagonist is a familiar story line that has secured the success of *Mills and Boons* across the years, not to mention

ensured the literary longevity of Georgette Heyer, Jane Austen, and all three Bronte sisters.

It can be seen then that persistence, pursuit and dogged determination are qualities that are often demanded across cultures in order to *prove* and eventually *win* the prize of the subject's affections. Obstacles and endurance tests are simultaneously positioned as demonstrations of the true ardour of the pursuer, as well as the value of succumbing by the pursued to the dedication of the pursuer.

Obviously, such qualities are not the sole characteristic of what in our more enlightened times we now consider stalking. Whilst there may be shared qualities (pursuit, determination, refusal to give up), we recognise these more "noble" behaviours as qualitatively different to the uninvited and so ominous aspects of stalking.

With this thought in mind, we might expand on our original definition, and call stalking *a single-minded pursuit of another despite continued rejection*. However, this revised definition simply takes us into a different, but equally vast, cultural domain, old time romantic cliché—unrequited love.

A Single-Minded Pursuit of Another Despite Continued Rejection: Unrequited Love

While it may seem flippant to discuss unrequited or unfulfilled love, a painful but somewhat romantic experience most people experience at least once in their life, in relation to a crime as serious as stalking, the link between unrequited attachment and consequent stalking behaviours is important (Aron, Aron and Allen 1998; Meloy 1989; Sinclair and Frieze 2000). The links between culturally-legitimated notions and stalking behaviours are not being noted here flippantly. It is argued, in part, that because these "acceptable" expressions of emotions and behaviour are so clearly and prominently culturally defined, identifying the line between stalking and "legitimate" pursuit is so difficult.

One of the best examples we might note at this point is that of Shakespeare himself. As Shakespeare discusses his mistress, who we presume has just denied him her affections, in a series of sonnets, we witness the impassioned declarations of intense devotion.

Who taught thee how to make me love thee more,
The more I hear and see just cause of hate? (Sonnet 150, 5–10)

Shakespeare is, of course, not the only cultural icon we can cite concerning unfulfilled love, obsession and brooding pain. Emily Bronte's *Wuthering Heights* provides an ideal case study whereby Heathcliff's intense and dangerous love for Cathy is frequently cited as the "classic" love story of the last century. In this particular tale, tragedy, jealousy, intense love, and death, somehow coalesce into "romance".

But unrequited love does not in itself necessarily lead to acts of violence. More frequently, this emotion simply becomes the source of depression and despondency. Even so, the next connection between stalking and the dominant cultural narratives of our age is not difficult to discern if we further extend our definition of stalking to encompass: *a single-minded pursuit of another despite continued rejection, causing fear and apprehension*; or as we might want to think of it—bad love.

A Single-Minded Pursuit of Another Despite Continued Rejection, Causing Fear and Apprehension: Bad Love

What is particularly interesting about this conception is that just as unrequited love is culturally glorified, so too are violent responses to this phenomenon.

The classic example of this is of course *Othello*. Othello is the pre-eminent example of impassioned obsession, love, betrayal, and ultimately murder. It is interesting to note the manner in which Othello has been described as "by far the most romantic figure among Shakespeare's heroes", and, as expressing a love "as strange, adventurous and romantic as any passage of his eventful history, filling his heart with tenderness and his imagination with ecstasy" (*Bradley; From Shakespearean Tragedy, 1904*). This is a particularly interesting appraisal when we consider Othello's words while he smothers Desdemona:

Ah balmy breath, that dost almost persuade
Justice to break her sword! One more, one more.
Be thus when thou art dead, and I will kill thee,
And love thee after. One more, and this the last:
So sweet was ne'er so fatal. I must weep,
But they are cruel tears: this sorrow's heavenly;
It strikes where it doth love. (Act 5, Scene 2)

A similar theme is developed in the *Phantom of the Opera*, with the Phantom's pursuit of Christine, his pleas for her love, his desperate desire

for her, and the final abduction in the name of devotion. The success of the Andrew Lloyd Webber production of this narrative signals just how strongly this theme resonates with popular understandings of the nature of “true love”. When we read the final epilogue from the dying Eric, however, the resemblance of what is being so tunefully conveyed with some of the worst stalking murders is immediately apparent.

Of love ... daroga ... I am dying ... of love ... That is how it is... I loved her so! ... And I love her still ... daroga ... and I am dying of love for her, I ... I tell you! ... If you knew how beautiful she was ... when she let me kiss her ... alive ... It was the first ... time, daroga, the first ... time I ever kissed a woman.... Yes, alive.... I kissed her alive ... and she looked as beautiful as if she had been dead! (Leroux 1923, p. 237)

And lest we consider that such thoughts are no longer current currency, we may listen to Nick Cave and Kylie Minogue in the 1990s, singing their number one single: *Where The Wild Roses Grow*.

From the first day I saw her I knew she was the one
As she stared in my eyes and smiled
For her lips were the colour of the roses
That grew down the river, all bloody and wild
.....

On the second day I brought her a flower
She was more beautiful than any woman I'd seen
I said, "Do you know where the wild roses grow"
So sweet and scarlet and free?
.....

On the last day I took her where the wild roses grow
And she lay on the bank, the wind light as a thief
As I kissed her goodbye, I said, "All beauty must die"
And lent down and planted a rose between her teeth
(Cave 1996)

What we have then is a widespread cultural acceptance of the idea that passionate love may well entail violence. Whilst perhaps not as socially legitimate as unrequited love, these violent attachments occupy a particularly important position in the cultural landscape of contemporary society.

This cultural legitimization of violence as an aspect of true love leads to enormous difficulties when we come to understand and define what *is* stalking because so many aspects of stalking are so enmeshed in violent cultural narratives of “love”. It is here that we get to the crux of the problem of stalking.

Part of the reason for the difficulty in defining stalking as a concept lies in its paradoxical status as an act that is ambiguously located somewhere between crime and conformity. It has been argued that “the term stalking does not differentiate between a general class of behaviours (that are limited only by the constraints of the stalker) and the specific act of following someone” (Westrup 1998, p. 276). For example, behaviours such as telephoning an ex-lover or sending gifts are not inherently criminal (Weiner 1995, p. 33).

Matters of definition are critical at this point because of the cultural link between criminal stalking and conventional romantic interactions.

some of the actions employed by stalkers are extreme versions of actions that characterise ordinary intimacies: writing, calling, visiting and gathering information appear in perverse, terrifying incarnations, but those behaviours derive from more familiar, everyday courtship and friendship actions. Similarly, the core dynamic in relational stalking—persistence in seeking a relationship in the face of continuing rejection—mirrors in the extreme the dogged pursuit of “true love” idealised in the culture and media, as well as being a hyperbole of the manic love noted in normal courtship. (Emerson, Ferris and Brooks Gardner 1998, p. 292)

So what then do we see in our most infamous stalkers. Interestingly, John Hinkley, who attempted to assassinate President Reagan out of love for Jodie Foster, explains this act in a manner eerily resembling Browning:

I seem to have a need to hurt those people that I love the most. This is true in relation to my family and to Jodie Foster. I love them so much but I have this compulsion to destroy them.... My assassination attempt was an act of love, I'm sorry love has to be so painful. (Caplan 1987, p. 130)

Similarly, Arthur Jackson, who stabbed Saldana a dozen times after having travelling across the world to track her down,² bears some striking similarities to Kirkegaard or Dante.

it was spiritual lovesickness and divine inspiration...it's always been aesthetic and Platonic...[however] if she was a whore, God was going to appoint me to punish her. (Saunders 1998, p. 27)

It is not only the more infamous stalkers who can be compared to some of our greatest lovers. As the quotations below demonstrate, expressions of devotion, love, obsession and persistence are recurring themes in stalkers' testimonies.

I asked you to see me and you refused which is your right. It's my option to make your life miserable, if that's what you really want.... (cited in Victim Advocacy Centre 1999)

Mr P was charged with kidnapping.... When I asked him what he had done, he stated that he had handcuffed his girlfriend to the stickshift of his sports car and drove, despite her protestations, to Las Vegas from California. When I asked him why he did this, he said "It was my Italian way of saying 'I love you'." (cited in Meloy 1988, p. 280)

I have an obsession with the unattainable. I have to eliminate what I cannot attain. (Bardo cited in Saunders 1998, p. 25)

You'll be thinking of me. You may not be thinking good thoughts, but you'll be thinking of me. (cited in Victim Advocacy Centre 1999)

Discussion

So what is stalking? Few people would disagree with the view that the previous examples of stalking behaviours constitute dangerous and socially injurious practices that should be legislated against. Arguably, however, there are equally few people who would disagree with the view that

² The stalking and assault upon Saldana by Jackson is widely credited as initiating California's first stalking legislation. This is discussed in more detail in the third chapter "Current Explanations of Stalking".

Shakespeare and Browning were extraordinary poets who described what it means to be human with extraordinary sensitivity and perspicacity. It is precisely this contradiction in our social understandings of stalking behaviours that makes dealing with the subject such a difficult exercise.

The end result of this confusion is that it would appear that behaviours become stalking *when the victim defines them as such*. The behaviours themselves are, therefore, not necessarily inherently criminal, *unless* the target of the behaviours negatively interprets them. There may well be numerous examples where one person's stalking behaviours are another's courting practices. The importance of this point cannot be over-emphasised, as research has indicated that when those who have experienced persistent and unwanted attention were questioned as to whether they considered the behaviour a crime, one-third of respondents answered that the behaviours should be considered criminal, 37 per cent considered the behaviours to be "wrong, but not a crime", and 25 per cent of respondents considered the behaviours to be "just something that happens" (Budd, Mattinson and Myhill 2000, p. 49). The implications this volatile and often subjective status of behavioural practices has for defining stalking as a crime are enormous (as can be seen in current attempts to theoretically explain stalking).