SUMMARY. The belief that sadomasochism (SM) is violence or abusive behavior has resulted in harassment, physical attacks, and discrimination against SM-identified individuals. Historically, they were often opposed by self-identified feminists. One reason the women who practiced SM were targeted was the official opposition to sadomasochistic practices promulgated by the National Organization for Women (NOW). Current statistics of incidents of discrimination, harassment and physical attacks against SM-identified individuals and SM groups are compiled by the National Coalition for Sexual Freedom (NCSF). [Article copies available for a fee from The Haworth Document Delivery Service: 1-800-HAWORTH. E-mail address: <docdelivery@haworthpress.com> Website: <http://www.HaworthPress.com> © 2006 by The Haworth Press, Inc. All rights reserved.]

KEYWORDS. SM, BDSM, sadomasochism, social discrimination, sexual rights
For the purposes of this article, sadomasochism or “SM” includes a wide range of alternative sexual practices including: consensual power exchange, body modification, role play (which highlights the power exchange), and intense physical and emotional stimulation in a sexual context. The term “SM groups” refers to non-profit membership organizations which provide social and educational opportunities for SM-identified individuals to learn about and practice SM in a safe and consensual manner.

I will use the term SM community to denote the over 500 SM groups that promote consensual SM behaviors in weekly, monthly and annual events in the United States alone (NCSF, retrieved 3/10/03). There are over 250 weekend SM events that are produced every year by SM groups and businesses in accordance with local, state and Federal laws (Rhodes, retrieved 2/26/03). These events include the following: (1) SM educational conferences that provide workshops on relationships, lifestyle issues, and sexual techniques as well as social opportunities such as parties, interactive role-playing games, charity fundraisers, entertainment, and banquets; (2) camps and retreats which take place in rustic settings and involve limited educational workshops as well as campfires, hiking and other outdoor activities; (3) “leather” contests, which are similar to beauty contests, that select “titleholders” for bars, cities, states, regions and international titles, i.e., International Mr. Leather and International Ms. Leather; (4) “runs” held by fraternal clubs in which members gather for a weekend of socializing; (5) street fairs which provide a venue for specialty vendors to reach SM practitioners.

In addition, the development of the Internet has enabled adults who are curious about SM to access educational forums and information, both in-person and online. Numerous businesses cater to the needs of the members of the SM community by selling books, clothing and equipment such as padded furniture, restraints, and implements that are used to stimulate the body.

The growth of this subculture can be seen in mainstream marketing strategies that target adults who have an interest in SM. In 2003, these included advertisements in major magazines by Dove Bars and Absolut vodka, as well as a Dannon Yogurt commercial featuring a couple with the wife dressed as a French maid, highlighting one common role-play scenario engaged in by SM-identified individuals.

Despite the growth of the SM community, the social stigma against SM is so pervasive that many individuals hide their sexual preferences from their partners, family, friends, medical doctors and/or mental
health professionals. In one recent survey of adult SM group members, 70% of the respondents reported they were at least partially closeted (NCSF, 1998, p. 2). The Violence & Discrimination survey was created by NCSF and was distributed electronically and in paper form from April 1998 to February 1999 to SM-identified individuals who were members of an SM group or attending a large SM conference or contest. Because individuals conceal their SM practices, there are few accurate real-life representations that depict ordinary SM-identified individuals who are parents, neighbors and coworkers, rather than whip-wielding, latex-clad dominatrixes. Thus the stigma against SM is perpetuated by media stereotypes and religious-based moralistic opposition.

SM AND THE FEMINIST MOVEMENT

The early feminist movement, which supported political, economic and social equality of the sexes (NOW, retrieved 2/26/03), often had lesbian leaders. These women advocated for lesbian rights as part of larger struggle for women’s rights and personal freedom. They felt that women could decide with whom and how to engage in sex. The National Organization for Women (NOW), which is the largest organization of feminist activists, passed a conference resolution in 1971 resolving to support lesbian rights through education and legislation (NOW, retrieved 2/26/03). However, this embrace of minority rights within the feminist movement specifically excluded SM-identified women.

Feminist Opposition to SM Practices

Feminists throughout the 1970s were caught up in the so-called “sex wars,” a decades-long conflict carried out in both the media and legislatures to determine organized feminism’s position on sex. Some vocal feminists rejected pornography and sadomasochistic practices, while other feminists supported them as issues of personal freedom (Vance, 1984).

Members of NOW passed a conference resolution entitled The 1980 Delineation of Lesbian Rights Issues (SM Policy Reform Project, retrieved 2/26/03). This resolution stated that NOW rejected sadomasochism along with pornography, public sex, and pederasty, because these issues, “violate the feminist principles” upon which NOW was founded.
In particular, *The 1980 Delineation of Lesbian Rights* stated, “Sado-
masochism is an issue of exploitation and violence, not affectional/sex-
ual preference/orientation.” This position was further strengthened in
NOW’s 1982 “Concept Paper on 1980 Conference Resolution” which
was attached to the original resolution (SM Policy Reform Project,
retrieved 2/26/03):

Sadomasochists seek to legitimize and provide a premeditated
structure for violence. NOW opposes any repressive legislation
concerning private consensual sexual activity between adults.
Nevertheless, NOW opposes institutionalized violence as well as
social structures which encourage or advocate the use of physical
and psychological violence or domination among individuals.
This opposition to violence precludes support or advocacy of sa-
domasochism as a feminist issue.

This official stance against SM had a serious effect on women who
engage in SM practices. NOW compared SM to the “social structures
which encourage . . . violence or domination,” meaning the patriarchal
hierarchy. Anti-SM feminists claimed that the patriarchal society condi-
tioned women to take on certain roles, and SM practitioners were con-
demned for perpetuating those power relationships in their sexual
behaviors (Linden, 1982, pp. 4-5). Some feminists tried to forcibly root
out forms of patriarchal behavior by attacking and harassing SM-identi-
fied women. As one contributor to *Against Sadomasochism*, a volume
of essays by feminists who rejected SM practices, stated, “Isn’t it time
we stopped playing at power and especially time we stopped playing
with the power of the rule of the fathers? Surely it is time we beginning
to empower each other so we can become a force capable of success-
fully resisting domination” (Hoagland, 1982, p.160, emphasis in origi-
nal).

At the 1993 March on Washington, a nationwide survey was initiated
by Female Trouble, a women’s SM group in Philadelphia (Female
Trouble, retrieved 2/26/03). This survey exclusively focused on the les-
bian community and documented a pattern of abuse against SM-identi-
fied women by other lesbians (Keres, 1994).

As documented in the results of the survey entitled *Violence Against
SM Women Within the Lesbian Community* (Keres, 1994, p. 3):

Reactionary lesbian feminism . . . created a confrontational atmo-
sphere within our community that targets SM women and they
have duped and intimidated many women in the lesbian community into looking the other way when SM women are attacked. Touting themselves as the harbingers of “truth,” they have sought to inflict their dogma upon a diverse and complex lesbian community, audaciously claiming the right to dictate and control the sexual expression of lesbian women.

Of the 539 SM-identified women who took part in the survey, over half reported they had experienced some form of physical assault or discrimination within the lesbian community because of their SM practices (Keres, 1994, p. 23). The surveys found twenty-five percent had suffered physical assault, including being hit, shoved, jabbed, chased, spat upon or objects thrown at them by women in the lesbian community. Another thirty percent were refused admittance or ejected from social, recreational, political, educational and spiritual groups within the lesbian community (Keres, 1994, p. 8).

It did not matter which SM role these women preferred; they were condemned as being violent simply because of the way they expressed their sexuality. The violence occurred against “bottoms” (those who preferred to receive stimulation), “tops” (those who preferred to give the stimulation), those who “switch” (play both top and bottom roles) (Keres, 1994, p. 36). Violence also occurred against the plurality of women who liked to “switch,” meaning they played both top and bottom roles (Keres, 1994, p. 36).

As early as 1982, Vivienne Walker-Crawford, another contributor to Against Sadomasochism, acknowledged that some of her fellow feminists who opposed SM were actually attacking SM-identified women, and offered the following justification:

Sadomasochism is a cancerous growth that has taken firm root in most wimmin [sic]. Sexual sadomasochism is exposure of that growth on very intimate terms. The proponents of sexual sadomasochism have turned themselves inside out to mirror our disease. This disease is frightening in its enormity. We immediately recoil, not wanting to recognize its vileness. Here we “beat the messenger with the bad news.” We beat and badger these wimmin, throwing our internal fear and confusion onto them. (Walker-Crawford, 1982, p. 150)

It was ironic that some lesbians found it acceptable to act violently against an SM-identified woman because she was, by their definition,
guilty of violence. This use of violence, ostensibly to end violence, was not questioned openly within the greater feminist community during the decades prior to the 1990s.

**SM Compared to Violence**

The proponents of NOW’s anti-SM policy did not provide research documenting the problems that purportedly arose from SM behaviors. Instead, they quoted a few people who had encountered abuse during SM encounters, and generalized those accounts in order to condemn all SM practices (Linden, 1982, p. 16).

Some SM-identified individuals further confused the issue by claiming their sexual practices involved “violent” emotions. SM-identified author Tina Portillo (1991, p. 50) stated in the *Leatherfolk* anthology: “Instead of using violence to expel energy the way I did in my younger days, I choose SM as the vehicle for expressing the emotions that threaten to overwhelm me.”

However when the practices themselves are considered, there are clear differences between SM versus abuse. The typical pattern of abuse includes the intentional intimidation of one partner to coerce or isolate the other. Abuse is unpredictable and out-of-control behavior. Abuse also tends to be cyclical in nature, escalating over time, and is characterized by calm periods between the episodes and promises that the behavior will never happen again (Abuse Counseling and Treatment, retrieved 2/26/03).

SM, on the other hand, is desired, consensual behavior. The participants consent freely to a power exchange, and can withdraw that consent and stop the interaction at any time (Houlberg, 1993). Limits and the level of desired stimulation are discussed, and communication takes place before, during, and after SM activities. SM participants seek out opportunities to engage in these activities and attempt to ensure their practices are as safe as possible.

Abusive individuals can be found in all groups, but SM itself is not inherently abusive. SM practitioners do not force or coerce their partners though SM behaviors may appear that way to casual observers. The goal of SM is to engage in mutually satisfying sex (Leather Leadership Conference, 1998, retrieved 3/10/03).
SM-Identified Feminists Protest Discrimination

In 1996, SM-identified members of NOW organized a campaign to remove the organization’s anti-SM policy. An ad hoc project was formed and named the SM Policy Reform Project. These SM activists rejected attempts to police women’s sexuality, claiming it was contrary to NOW’s core belief that women have the right to choose for themselves, whether it concerned their careers, their lifestyles, or their sexual expression.

The SM Policy Reform Project sponsored a series of educational events at local NOW chapters to explain the differences between SM versus abuse. SM practitioners “came out” about their SM sexuality to fellow NOW members, and emphasized the importance of education about safe, sane and consensual SM practices. They demanded that NOW refrain from labeling SM as violence and help clarify the issues surrounding consent and abuse. NOW members were also made aware of the extent of violence and discrimination against women who practiced SM, which sprang in part from NOW’s own anti-SM policy.

Many NOW members responded positively to the campaign to eliminate the anti-SM policy. At the July 1999 NOW National Conference in Beverly Hills, California, enough signatures were gathered to present an SM-positive statement along with other proposed NOW declarations. The Action Vice-President of NOW, Elizabeth Toledo, invited Susan Wright, the coordinator of the SM Policy Reform Project, to a breakfast meeting prior to the vote. Toledo stated that NOW leaders opposed the SM Policy Reform Statement because it contained language supportive of SM practices.

Toledo proposed a compromise that the original 1980 Delineation of Lesbian Rights be replaced with a statement of rights which would no longer oppose SM practices, nor would it openly support SM practices. It was understood by pro-SM feminists that the NOW leadership would be successful in opposing an SM-positive statement. Therefore, the NOW members representing the SM Policy Reform Project at the 1999 convention agreed to this compromise in order to remove the anti-SM policy.

With the support of NOW delegates and members at the July 1999 National Conference, NOW’s official policy against SM was removed. The 1999 Delineation of Lesbian Rights replaced The 1980 Delineation of Lesbian Rights Issues that contained NOW’s anti-SM policy (SM Policy Reform Project, retrieved 2/26/03). The 1999 Delineation of Lesbian Rights is straightforward and neither condemns nor supports any
specific form of lesbian sexuality (SM Policy Reform Project, retrieved 2/26/03):

**Whereas** NOW demonstrates a strong commitment to lesbian rights, and

**Whereas** NOW’s agenda embraces the rich diversity of issues and experiences that impact women’s lives,

**Therefore Be It Resolved,** that NOW reaffirms its commitment to a lesbian rights agenda that was a grassroots strategy to fight bigotry and discrimination based on real or perceived sexual orientation;

**Be It Further Resolved,** that this resolution replaces the 1980 DeLineation of Lesbian Rights.

Though still not openly supportive of SM practitioners, the feminist community is backing away from intolerance and antipathy. Women with differing viewpoints about sexuality are increasingly being listened to instead of censored and dismissed.

However without an SM-positive policy, NOW chapters are not likely to sponsor discussions about SM safer sex techniques. Educational discussions about sexual limits, consent, boundaries, relationships and desires would be a positive addition to NOW’s wide range of feminist topics. NOW is unlikely to support anti-discrimination legislation or defend SM practitioners from discrimination, nor help women with SM interests find fellowship/sisterhood with women of similar interests.

**MAINSTREAM PERCEPTIONS OF SM PRACTITIONERS**

SM groups have assumed the responsibility to provide open discussions about sadomasochism. These SM groups create a safe environment for adults to talk about their sexuality and desires. Through this process, SM-identified individuals can learn how to recognize the differences between abuse and SM and how to engage safely in their activities.

The early SM groups marched in the footsteps of gay liberation groups formed in the 1960s (Rubin, 1981, pp. 196-197). The movement
for sexual minority rights, including privacy rights and the right to sexual self-determination, was first known as the homosexual or “gay” movement. In the 1970s, due to the growing strength of feminists fighting for gender equality, this movement became identified as “lesbian and gay.” Then individuals who had a sexual interest in both sexes, bisexuals, elucidated the special problems that they faced. Over time the movement became known as “lesbian, gay and bisexual.” By the mid-1990s, transgendered individuals also delineated the special challenges that they faced, and the new umbrella term became “LGBT.” Despite the problems SM practitioners faced, the presence of SM-identified individuals in the leadership of the LGBT movement, as well as the presence and support of SM organizations and businesses, SM has not been added officially to the movement.

The lack of commitment to fighting for SM rights by other sexual minority support groups led to the formation of SM advocacy groups. Currently there are a handful of SM groups that perform activism as well as provide educational forums. These include Gay Male S/M Activists (established in 1982), the National Leather Association–International (established in 1986), DC Sexual Minority Advocates (1998), and Baltimore AT-EASE (1999).

The National Coalition for Sexual Freedom (NCSF) was formed in 1997 to provide an advocacy umbrella for SM educational and social groups. Since 2002, NCSF has also included two other subculture groups in its advocacy program–swing and polyamory organizations (both of which involve non-monogamous relationships)–because they face similar legal and discrimination issues (NCSF, retrieved 12/12/03). NCSF is committed to creating a political, legal, and social environment in the United States which allows consenting adults to engage in alternative sexual expression without fear of discrimination or discrimination. The NCSF sponsors advocacy programs that directly combat the stigma against SM, such as the Media Outreach Project, Legal Education Outreach Program, Protect Your Privacy project and the Incident Response team.

The Woodhull Freedom Foundation is a new organization formed in early 2003 that addresses both international and national sexual freedom issues as well as a host of other health and human rights issues. The Woodhull foundation focuses on legislative reforms, and staff members do not engage in media advocacy or regularly assist individuals and SM groups who have been subject to discrimination.
Discrimination of SM-Identified Individuals

The 1998 Violence & Discrimination Survey by the NCSF documented a pattern of discrimination against SM practitioners. Of the 1017 SM-identified individuals surveyed, thirty-six percent had suffered some kind of violence or harassment because of their SM practices, while thirty percent had been victims of job discrimination (NCSF, retrieved 2/26/03).

NCSF annually tracks requests for assistance and compiles them in an Incident Response report. The 2002 report cites 81 separate cases with over 600 total contacts with NCSF staff as they attempted to resolve the incidents (NCSF, retrieved 12/15/03). NCSF assisted in 34 incidents involving individuals while the other 47 incidents involved groups, clubs or events (NCSF, retrieved 12/15/03).

The largest category of incidents concerning individuals involved parents who were engaged in child custody and divorce cases. SM-identified parents continue to experience difficulties in gaining or maintaining child custody through family court proceedings. NCSF worked with the attorneys who represented parents who are accused of being unfit because of their SM behaviors. In some cases, the courts decided that alternative sexual expression alone was not cause to deny child custody. In other cases, the sexual interests of the parent were a stated reason for denying custody or curtailment of visitation.

Job discrimination continues to be a problem for SM-identified individuals. In 2002, NCSF helped more than a dozen people draft and file formal complaints with their employers regarding employment discrimination (NCSF, retrieved 12/15/03). One high-profile incident concerned United Nations Weapons Inspector Jack McGeorge, who never concealed his involvement in SM. The propriety of McGeorge’s participation as a weapons inspector in Iraq because of his sexual identity was questioned by the Washington Post (Grimaldi, 2002a; Rose, 2002). The scandal died out when Hans Blix, the Chief UN weapons inspector, stated that McGeorge would be retained as a member of the inspection team (Grimaldi, 2002b).

The Ombudsman of the Washington Post, Michael Getler, stated on December 8, 2002, that he did not find his newspaper’s recent articles regarding the UN Weapons inspection team “up to the usual standard” and that James V. Grimaldi had “yielded to the titillation factor in featuring McGeorge so prominently” (Getler, 2002).

Individuals also consulted with NCSF on a variety of other issues including: the legality of obscene materials, guidelines for posting sexu-
ally frank information on Internet Websites, the laws and regulations pertaining to private SM parties, and dealing with personal media exposure (NCSF, retrieved 12/15/03).

Discrimination complaints were also made about two Internet companies in 2002 (NCSF, retrieved 12/15/03). In July, eBay pulled all of its SM-related material for sale, while Match.com deleted a psychotherapist’s ad because it mentioned that the therapist had her own polytherapy practice.

**Opposition to SM Events**

The growing prevalence and visibility of SM events prompted a new trend in February-May 2002. Various conservative groups (Concerned Women for America [CWA], the American Family Association [AFA], and the American Decency Association [ADA]) mounted campaigns against five SM conferences in the Midwest (NCSF, retrieved 12/15/03). The campaigns were attempts to force each hotel to cancel the conference or to mobilize government regulatory agencies to find ordinances that would be violated.

The SM conferences provide workshops on safe sex techniques and relationship issues, and included charity functions, social activities, banquets, entertainment, vendors, and role-playing games. Each of these five Midwestern conferences worked with NCSF to counter sensationalized media claims made by the conservative advocacy groups, as well as resisting action by local authorities who attempted to shut down the SM conferences.

In April 2002, because of the media storm surrounding a St. Louis event, Missouri State Senator John Loudon introduced a resolution to prohibit all SM conferences from taking place in Missouri. The matter eventually was referred to the State Attorney General and Health Department who investigated (NCSF, retrieved 12/15/03). Ultimately, the event was held without incident.

The CWA pressured Cendant Corporation, the world’s largest hotel franchiser with more than 6,400 hotels, into sending a letter to its franchisees threatening them with reprisals if they booked “controversial” guests or groups that “national interest groups find offensive” (Silverman, retrieved 12/16/03). This letter was sent in March 2002 to hotel franchisees from Henry R. Silverman, the Chairman Board of Directors of Cendant Corporation.

As a result of CWA pressure, Cendant hotels canceled their contracts with two of the SM conferences. Both conferences were able to relocate
to new host hotels, but with obvious inconveniences and problems. The NCSF coordinated a successful media, petition and letter-writing campaign that convinced Cendant Corporation to clarify its position in September 2002, reaffirming the right of hotel franchisees to host the events of their choice (NCSF, retrieved 12/16/03). As of this date, a number of SM events are being hosted in hotels that are owned by Cendant franchisees.

Opposition to SM events based on moral and religious grounds continued in September 2003. One SM group planned to hold a conference in Ocean City, Maryland. Previously they had held their annual conference in New Carrollton, Maryland, without difficulty. However, two negative media reports about the upcoming SM conference were published in local newspapers in September 2003 (Carmean, 2003; Mook, 2003). These articles quoted two local churches, two Ocean City Councilmen, a parent with the Ocean City Elementary Parent-Teacher Association, and a local business owner who all questioned the appropriateness of the SM conference being held in their “family resort.” Despite a statement by the Ocean City Police Chief that the activities at the conference were legal because they were being held in private (Mook, 2003), the local business association and church members continued to put pressure on the host hotel to cancel the SM conference.

The event was cancelled when City Solicitor claimed the conference would violate a rarely invoked provision in the Maryland Code relating to liquor license-holding establishments (Guy, 2003). Because the hotel had a liquor license and even though no alcohol was to be served at the annual conference, the activities would have technically violated the regulations. That interpretation makes it essentially impossible for these events to be held in counties covered by this provision; given their large size, no venue exists that does not hold a liquor license.

Another SM conference canceled in 2003 had been scheduled to occur in a suburb of New Orleans. The organizers contacted the local police precinct, as is standard practice to ensure that planned activities conformed to local regulations (Doster, 2003). The police chief responded by sending letters to 15 hotels, urging them to refuse to hold the event. In addition, the police chief authorized a press release bragging about his actions, though he quoted no laws or codes that the event would have violated (Doster, 2003). This SM conference was forced to relocate to New Orleans.
The Sexual Freedom Movement

The sexual freedom movement rests on the efforts of individuals, SM groups and SM businesses that actively support the right of adults to practice alternative sexual expression. This support is generated through letter-writing campaigns, fundraisers for legal defense funds, assistance during incidents, and media advocacy.

When a private party was raided in Attleboro, Massachusetts, in July 2000, SM groups raised over $30,000 for a legal defense fund. The host was charged with 13 counts, ranging from operating a business without a license, to assault and battery, and possession of a dangerous weapon: a wooden spoon (Pagnozzi, 2001). A party participant was arrested for performing consensual sadomasochism under the law that “consent is not a defense to assault” (Pagnozzi, 2001). After two years of legal proceedings, all charges were dismissed.

Many states still retain statutes that forbid the use of “consent as a defense to assault” during legal proceedings. These statutes were once used to arrest perpetrators of domestic violence before specific state legislation was enacted. “Consent is not a defense to assault” is now increasingly being used to target consensual SM activities which prosecutors deem to be too extreme (NCSF, retrieved 12/14/03).

CONCLUSION

The freedom issues facing SM-identified individuals are numerous. The list of protected classes in anti-discrimination legislature should be amended to specify that individuals cannot be fired or refused membership because of their consensual sexual practices with adults. People serving in the armed forces shouldn’t be dishonorably discharged because of their SM practices. Judges in family courts need to be educated about consensual SM so that SM-identified individuals are not denied child custody nor receive unfair divorce settlements. Media outlets also must be educated so that negative stereotypes about sadomasochism are not perpetuated.

In addition, many SM activists believe that the American Psychiatric Association’s Diagnostic and Statistic Manual should be revised, eliminating in their entirety the diagnoses for Sexual Sadism and Sexual Masochism (302.83 and 302.84). The stigma of mental illness now hangs over the head of every individual who practices SM because of these diagnoses. The APA’s DSM is regularly used as justification for
discriminating against SM-identified individuals; much as NOW’s former anti-SM policy was used to justify discrimination against SM-identified women.

The wider goal of SM advocacy is to ensure that adults can choose freely the sexual practices that are best for them while being empowered to protect themselves from abuse and STDs. Thousands of SM-identified individuals have volunteered their time to assist SM groups in educating adults about safe and consensual sexual practices.

Currently, adult sexual education is hampered by the continuing stigma against SM. Groups and individuals are afraid to “come out” and make their presence known because of the pervasive legal and social discrimination that can ensue. Yet the best way to change the social perception of SM is for SM-identified individuals and SM groups to become more visible. Therefore the negative cycle is perpetuated.

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