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Women's Breasts: So What?

By Carlin Meyer

Will there be topless beach "zones" in the Rockaways? The idea is not so far-fetched, since earlier this month the New York State Court of Appeals more or less said it's O.K. for women to bare their breasts in public so long as it isn't for commercial purposes or done in a "lewd" manner. The court held that a statute barring display of "private or intimate parts," including "that portion of the breast which is below the top of the areola," did not apply to a purposeful display of bosom by seven women seeking to challenge the statute.

So New York City Parks Commissioner Betsy Gotbaum, who thinks bare-breastedness is no big deal, has been asked by State Senator Jeremy Weinstein of Howard Beach to consider designating topless zones as a compromise between Rockaway residents who agree with her and those who worry about the effect on testosterone-crazed adolescents. She has declined to do so.

We should be proud of the state's highest court; it didn't say it was fine for legislatures to impose their moral views about female bare-breastedness on the public, the way the U.S. Supreme Court did in a case about nude dancing in Indiana last year.

The Supreme Court held that although the dancers were engaging in expressive conduct protected by the First Amendment, the community's moral opposition to "people appearing in the nude among strangers in public places" was sufficient to override protection. The Court said it was fine for Indiana legislators to insist on

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"G-strings and pasties."

We should be glad our Court of Appeals isn't so stupid. Who in the world thinks there's a big difference between g-strings and total nudity? And pasties? I mean, really. If Indiana prosecutes an African dance troupe, will the Court rule that Hoosiers can't see traditional African dance unless "pasties" are worn?

Our Court of Appeals, at least, indicated that if New York's statute pro-

Topless bathing in the Rockaways.

hibited ordinary breast-baring, it would have held it unconstitutional absent good reasons why the Legislature chose to punish women's breast-baring but not men's.

I wonder what good reasons would be? That the mere sight of topless women would send men into uncontrollable frenzy? Some feminists are concerned that exposing more of the female body will increase men's lascivious leers, boorish jokes, even anti-woman violence. But as Judge Vito J. Titone of the Court of Appeals noted, many experts believe that concealment of women's breasts enforces cultural obsession with them and fosters unhealthy attitudes by both sexes. He also noted that other societies and many places in the U.S. permit topless bathing at public beaches and regard it as "unremarkable." Only one other state, Indiana, criminalizes non-lewd exposure of breasts.

Or would it be a good reason that the Legislature wants to protect, as it

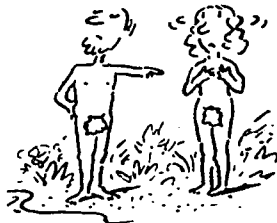
originally put it, "parents and children [from the] discomfort caused by unwelcome public nudity"? But if discomfort is the issue, why would the Legislature specify breasts as opposed to other sorts of "exposure" — like working next to people with unusual diseases or deformities — that we are rightly required to tolerate? Isn't "discomfort" just a transparent cover for the sort of moral judgments that have condemned every inch of female exposure since the flappers of the 20's challenged Victorian fashion strictures?

Would it be claimed that New York might lose manufacturing jobs in its new areola-cover industry?

Not until I was 21 did I realize that my breasts were nothing to be ashamed of just because they didn't look like those on my Barbie doll. Then I joined a bevy of bare-chested female bathers, and learned that their breasts weren't perfectly rounded, evenly matched, or unblemished either. Maybe if a few real Rockaway bosoms are bared, more young women and men will notice that breasts are not as toy manufacturers, filmmakers, pornographers and novelists portray them. Maybe girls would be less ashamed of them and wouldn't feel the need to wear "falsies" or to ask physicians to enlarge them with injurious synthetics.

True, it will take an awful lot of real-life breast-baring to overcome media representation of women's bodies. Women tend to zero in enviously on well-formed, youthful comparators. But I'll bet young girls acting from curiosity will be just as interested in middle-aged, blemished breasts.

For the moment, ladies, we can take pride in our imperfect fruit and give our children a sense of the bare truth about women's breasts. □



Nurit Karlin