

People 8-2-70

Maugham

# Why I think the judge was wrong over April

Essaoutra, Morocco, Saturday.

I HAVE just heard that an English court of law has decided that April Ashley is "not a woman for the purposes of marriage but is a biological male and has been so since birth."

Her marriage to Arthur Corbett, heir to Lord Rowallan, who was Chief Scout from 1945 to 1959, has been declared null and void.

I am appalled, for April's sake and for the sake of her future.

I never knew April in the days she was named George Jamleson. But long before I met her in Ibiza, I had heard all about her.

I knew that she had been brought up as a boy. I knew that she had joined the Merchant Navy and had tried to kill herself with an overdose of sleeping pills in San Francisco.

"I was in despair," April was to explain to me later. "I seemed in those days to inhabit a boy's body. But I knew that this body didn't belong to me."

## THE PLAN

Back in England, April was given psychiatric treatment. It was useless. April had one fixed desire—to be a woman. At that stage she made a secret plan.

April began to save every penny she could. She joined a troupe of female impersonators. She started to take female sex-hormones to encourage the development of her already feminine physique.

But she was still bound by the fetters of her body.

On May 11, 1960, April underwent a major operation of fantastic intricacy in Casablanca. The operation was performed by the brilliant sex-change surgeon, Dr. Borou.

As April lay on the trolley, waiting to be wheeled into the operating theatre the anaesthetist leaned over her.

"Goodbye, Sir," he murmured.



A remarkable article by LORD MAUGHAM

The operation was successful. But the subsequent pain and the dramatic shock to her system were such that—to this day—April can never bear to talk about it.

"But at last I was a woman," April said to me. "This thought kept up my spirits through those long, dark days."

When she was strong enough to travel April returned to London. She changed her name by deed poll to April Ashley. The Ministry of National Insurance issued her a woman's insurance card.

She was now treated as a woman for National Insurance purposes and for nursing. April worked most successfully as a female model and in cabaret.

It was during this period that April met the Hon. Arthur Corbett. I have never met Mr. Corbett. I will say nothing about him. But the facts are these. Corbett found April the most glamorous woman he had ever met. He was quite "mesmerised" by her. He thought of her as a woman—because "she looked like a woman and acted like a woman."

Arthur Corbett was at that

time married. He and his wife had four children. But he was unhappy. In September, 1961, a separation was arranged with his wife. He asked April to marry him. She refused. In December he bought a villa at Marbella, in the south of Spain. Together with April he started a night-club.

But though April shared his life she didn't share his bed. Then, in September, 1963, they married. The marriage was a disaster. They parted after 14 days.

When I met her in Ibiza three years ago she was a slim, elegant young lady with an unlined, smooth-skinned face and an attractive smile. She was amusing and quick-witted. And she was essentially feminine.

At parties, she was always cheerful and entertaining. Her vitality never seemed to flag.

But sometimes I felt I could detect a sadness beneath her apparent cheerfulness. One



April Ashley after the divorce case. Despite the court's verdict she will continue to be treated as a woman, says Lord Maugham.

evening—after a small party in my villa—I asked her if she had any hidden reason to be unhappy.

"No," April answered slowly. "Not exactly. But sometimes . . . sometimes when I see people looking at me, I wonder if they're not remembering . . . I wonder what they're thinking about me."

"They're thinking what an attractive woman you are," I said.

"I hope so," she answered. "Because I don't want them to remember. I'm a woman, now. I want to be accepted as such."

"That's why I'm more at ease with people who don't know anything about me. They can see I'm a woman, and they treat me as such."

And, indeed, April was treated as a woman—both by those who knew her well and by those who didn't.

April had succeeded. The picture of herself that she had imagined years ago, the picture she had worked so hard to attain, the picture for which she had suffered so deeply, had been completely realised.

But now, this unfortunate action in the Divorce Court has broken that picture. What, in effect, has happened?

Mr. Justice Ormrod has decided that, in determining the sex of an individual, the criterion must be chromosomal or biological.

"According to this view, an individual biological sexual constitution is fixed at birth. It cannot be changed. By this test, April is still a man."

So where does this leave April? For a start, it means that since April is a man she is not married to Arthur Corbett and never has been.

But—far more important—it

'Sometimes when I see people looking at me, I wonder what they're thinking'

means that her whole life has been left in a kind of limbo.

"She has been left as a step-child of medicine," says her solicitor, Peter Madok. And he adds these important words. "Not only April but others in this position. The decision has left her in limbo legally."

"I am absolutely shattered," said April. Surely April's case calls for an immediate examination of the law in relation to sex-changes?

If a person happens to be born with predominantly male chromosomes, if that person feels wholly feminine and desires to be a woman, if that person undergoes a ghastly ordeal in order to assume the shape of a woman, and, lastly, if that person is treated by the world as a woman, then can it possibly be correct or just that such a person should still be treated as a man?

In fact, among her many friends—both male and female—April will continue to be treated as a woman.

In England, our laws—eventually—have always grown to conform with what the mass of the people considers to be decent and reasonable.

## THE PLEA

I am convinced that the people of Britain, who are innately kind, do not wish to cause unnecessary suffering to those who have discovered as they grow up that the sex and shape of their bodies do not accord with the inclinations of their minds and hearts, or with the passion of their souls.

Therefore, I would like to make a plea for such people. Let the law be both wise and kind. Let the law be changed. "I can't function as a man," April is reported to have said. "I am absolutely shattered."

But April has a wonderful resilience. I'm sure it will now spring to her rescue. After all, she is still young—only 34.

Indeed, there is proof that April is by no means defeated.

April is going ahead with plans to open with her friend and business partner, Desmond Morgan, a £20,000 restaurant off the Fulham Road—called "April and Desmond," or "A.D.8" for short.

I believe people will flock to April's restaurant to eat well in pleasant surroundings—and to be greeted by a person who, whatever the law may in due course decide, will to them be the embodiment of a gracious and pleasant hostess.

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