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# 11 / *Pornographic Subordination: How Pornography Silences Women*

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Catharine MacKinnon opens *Only Words* with a challenge to her reader: "Imagine that for hundreds of years your most formative traumas, your daily suffering and pain, the abuse you live through, the terror you live with are unspeakable—not the basis of literature."[1] With this opening, MacKinnon gives pride of place to her commitment to the importance of women's being able to name, describe, and protest our experience. She raises the question of literature here, but her concern is really the law and particularly the law as it protects pornography. My concern is not to address whether legal reform is appropriate; my goal is to help to make sense of MacKinnon's claim that pornography silences women. I urge that we think about the interpretive frameworks that pornography establishes and promotes, particularly their power over ourselves and others around us, and that we try to be creative in combating these forces—whether the law steps in or not. MacKinnon would like to see the law prevent some men (and sympathizing women) from nearly monopolistic control over defining women as particular kinds of sexual beings. Such prevention would open the possibility that perhaps, once the voices of today's pornographers are quieted, other voices could be heard. MacKinnon's project of silencing pornographers is only half the story. We must also be constructing our own interpretations of women and sexuality. We must be thinking of what we *want* to be saying, and we must begin to say it.

The claim that pornography silences women is like other silencing claims; it seems so exaggerated that it is generally dismissed. Weakly interpreted, the claim reminds us of the terrible fact that women die every year in the process of making pornography and that these women neither foresaw their deaths nor consented to them. MacKinnon's point is stronger. She is urging that the very existence of pornography as we know it today, a multibillion-dollar-a-year industry with very wide-ranging influence, serves to silence all women as agents and undermines our ability to define ourselves and live our lives outside of its cultural matrix.[2] Its general conflation of sex with male dominance and female subordination is totalizing; everything comes within the sphere it has appropriated for itself. So, we have two interdependent tasks: we must break down the totalizing power of pornography, and we must construct our own cultural matrices within which we can acknowledge our dignity and live healthier, happier lives.



This problem of gaining the authority to name our experience is a theme throughout late twentieth-century feminist work; it is a general problem for oppressed people, not specific to women's oppression. Because oppression silences, fighting oppression requires developing voices, languages, and cultural and interpretive matrices for the articulation of our experiences. It is difficult for the oppressed to name their experiences and describe their worlds, for oppression puts them in a double bind. If they tell how things seem to them, they will be viewed as either complicit or crazy. James Baldwin, and more recently Nathan McCall, both express gratitude to Richard Wright for his controversial novel *Native Son*, which Wright almost did not write for fear of the disdain of the black middle class and the glee of racist whites.[3] Bigger Thomas is a frightening protagonist. Still, many African American men found his presence in literature liberating. Baldwin said, "Growing up in a certain kind of poverty is growing up in a certain kind of silence," adding that the basic elements of your life are unnamable because "no one corroborates it. Reality becomes unreal because no one experiences it but you."

Similarly, Catharine MacKinnon argues that the claim that pornography is a form of speech, "an expression of ideas, a discussion, a debate, a discourse," ultimately teaches women that "language does not belong to you, that you cannot use it to say what you know, that knowledge is not what you learn from your life, that information is not made out of your experience. You learn that thinking about what happened to you does not count as 'thinking' but doing it apparently does. You learn that your reality subsists somewhere beneath the socially real" (OW, 6). Richard Wright's *Native Son* was a faithful portrayal of a way of life, a condition of life, that had been invisible to and invalidated by the world, especially the reading

world, until he wrote it. Depicting Bigger Thomas was a brave and radical act, which Baldwin did not see as retarding the chances for black liberation despite the concerns of the black middle class and the joys of white racists. Baldwin explains why it is so important to gain the ability to speak for oneself, to depict and describe one's world; he says: "Life was made bearable by Richard Wright's testimony. When circumstances are made real by another's testimony, it becomes possible to envision change."[4]

## ABSOLUTISM

The power of our words and images to make things real by naming them is the heart of the issues concerning hate speech and pornography. Words and images do have the power to make something seem real, and sometimes seeming is the first step toward being. This power works both sides of the street. As MacKinnon notes, "Elevation and denigration are all accomplished through meaningful symbols and communicative acts in which saying it is doing it" (OW, 13).[5] The worry is that the normative force of the derogatory categories is so strong that uttering them moves beyond the realm of mere discourse and into the realm of coercive action.

Antipornography feminists and antihate speech activists tend to be absolutist about the interpretation of the images or expressions that constitute harmful modes of discourse. They tend to hold that the derogatory words and images have one interpretation, that it is harmful, and that it is produced in and serves to reinforce a context of oppression and exploitation. Absolutists maintain that derogatory words or images have no redeeming value, for they cannot be used in nonderogatory ways. Absolutists think that the community's only power is to eradicate the terms. Richard Delgado, for example, claims that racist derogatory terms "are badges of degradation even when used between friends; these words have no other connotation."[6] No matter who says these words, when, where, and why, the terms each have one meaning and one function—degradation. Similarly, MacKinnon claims that pornographic images ultimately say and do just one thing: they subordinate women through sex. Contexts may mediate other discourses, but MacKinnon proclaims that "pornography is largely its own context" (OW, 108).



Absolutists are right that our expressions, through the use of words and pictures, have an ontological power that must not be overlooked. Words and images have the power to shape reality. Absolutists are also right to emphasize that saying words and presenting images count as acts or deeds, but unfortunately they tend to offer too simplistic an account of what those deeds are. This oversimplification of the linguistic, conceptual, and ontological force of these derogatory terms and subordinating images is what grounds the Absolutist's practical political program. Once the oversimplification is exposed, we can see and respect the tremendous complexity of what we can do with our words and images, even these nasty ones.

Absolutists generally appeal to the power of the broader social context to explain the derogating force of the words or images; this force is what severely restricts the interpretation of the expression. For example, in *Words That Wound* Mari Matsuda says, "Racist speech is particularly harmful because it is a mechanism of subordination, reinforcing a historically vertical relationship" (1993, 36). Pornography maintains gender hierarchy; there can be no doubt that these expressions occur in a context in which there is "a historically vertical relationship" and that pornography is instrumental in maintaining women's subordination. MacKinnon reverses Matsuda's order of explanation; she sees sexist oppression as the result of pornography, arguing that social "inequality is substantially created and enforced—that is, done—through words and images. Social hierarchy cannot and does not exist without being embodied in meanings and expressed in communication" (OW, 13). Pornography, according to MacKinnon, is not a problem just because it says that women are subordinate, for there are "many ways to say what pornography says, in the sense of its content." The achievement of pornography is what's unique, since "nothing else does what pornography does" (OW, 15).

Elsewhere, MacKinnon explains that "what pornography *does* goes beyond its content: it eroticizes hierarchy, it sexualizes inequality. It makes dominance and submission into sex. . . . [Pornography] institutionalizes the sexuality of male supremacy, fusing the eroticization of dominance and submission with the social construction of male and female."[7] So pornography is not defined by sexual explicitness but rather by its fusion of sexuality with male dominance and female submission. This fusion goes some way toward effecting the subordination. MacKinnon and Dworkin's Model Ordinance defines

pornography as "the graphic sexually explicit *subordination* of women through pictures and / or words" (OW, 121 n. 32) and specifies a variety of contents through which such subordination may be achieved. Most people reading their definition of pornography focus on the list of contents and think that one can read backward: if "women are presented as dehumanized," then it is pornography; if "women are presented as sexual objects who enjoy sexual humiliation or pain," then it is pornography, and so on. But these "contents" are not sufficient for a set of words or images to be pornography; somehow the picture has to get from being about subordination to being itself subordinating. It is crucial that MacKinnon and Dworkin emphasize the subordinating power of the depiction, which leaves open the possibility that not all graphic sexually explicit depictions of women's subordination will be pornographic. I am not sure this is a possibility that the ordinance is really supposed to leave open, but I suggest later that MacKinnon *must* leave it open in order to promote women's testimony about our lives.

## THE CASE: *BOWMAN V. HELLER*

Now I ask you to consider a sexual harassment case involving pornography that is currently on appeal in Massachusetts. This case helps to illustrate a direct use of pornography to undermine a woman's credibility, but it also suggests a provisional answer to how pornography silences women more generally.

In late October 1987, David Heller cut some pictures out of a pornographic magazine and pasted the face of his coworker Sylvia Bowman over the models' faces. Heller then photocopied the pictures, distributing them first to five colleagues he thought would enjoy the "joke"; ultimately, they passed throughout the Massachusetts Department of Public Welfare, where both he and Sylvia Bowman worked. Heller took the image of Bowman's face from postcards she was using to campaign for president of the union, thereby linking his created image with her campaign. Sylvia Bowman did not see the photocopies until after she had lost the union election; later, she sued Heller for sexual harassment. She won, and he has appealed, with Alan Dershowitz at his side. Dershowitz, claiming to abhor what Heller did, argues that the lower court's decision violates Heller's



right to free speech. David Heller says that the photo collages were "a harmless prank" and "a childish satire"; he still doesn't get it about the harm he did to Sylvia Bowman.

Sylvia Bowman heard about the pictures the day they first hit the office, but she decided, with the help of her campaign manager, John Stockman (who had seen them), not to view them while she was actively campaigning. She was warned that they would be devastating. When the campaign was over but before the results were known, Bowman met Stockman at a luncheonette during a break, at which time he handed her a sealed envelope with the pictures and advised her not to look until she was home. When Stockman left, Bowman looked; her shock was so intense that she doesn't remember what she did next. One witness said she thought that Sylvia Bowman was having a heart attack or a stroke; her psychologist has testified that Bowman is now suffering from post-traumatic stress disorder.[8]

One amicus brief argues that Heller "interfered with Bowman's ability to freely and effectively participate in her workplace. As a result . . . Bowman instead found herself the object of sexual remarks, ridicule, and derision. Bowman found it increasingly difficult to attend work-related activities and eventually could not go back to work at all."[9]

Little in this story fits the standard paradigm of hate speech. No one hurled a face-to-face epithet at another person, no one expressed anger, there was no violence and no direct or explicit threat of violence. And yet, there are important similarities between the standard model of hate speech and the less acute but more chronic and perhaps more insidious cases that the Bowman case exemplifies. One key similarity is that when we put the perpetrator's behavior into a broader social context, we can see how it serves to reinforce patterns of oppression, exploitation, and discrimination. Derogatory words and images have the power that they do because they support and are supported by a host of other sorts of social practices, from discriminatory employment practices to the redlining of neighborhoods to unequal access to education, and so on.

The pattern of the *Bowman v. Heller* case is quite typical of what has come to be at issue in discussions about whether freedom of speech (particularly men's) should be restricted in this arena because of the harm pornography does (particularly to women). This case blatantly exemplifies a pattern typical of the way many men and women

react to pornographic images. David Heller thinks it is fun and "a harmless prank" to superimpose Bowman's face on the bodies of pornographically posed women; Sylvia Bowman feels assaulted by such images. That this happened so publicly is somewhat unusual, but neither Bowman nor Heller has stepped outside of their traditionally gendered identities for their parts in this drama. Heller is the adolescent boy, thrilled that sex is a game that's rigged in his favor. Bowman is the good woman who must distance herself from these images and the women within them—this is woman-as-sex and that's not the kind of woman she is. Bowman is positioned as the chaste woman who has been maligned. These identities are not exhaustive, of course, and they may even be stances enacted because this drama is playing itself out in the courtroom. For Bowman, in the context of the court, it would cost dearly to identify in any way with the women who are victimized in the making of pornography or to identify with those who see such sexual explicitness as liberatory.

David Heller's photo collages began with pornographic magazines; he saw the women in these magazines, and he imagined Sylvia Bowman as these women. The result was, in his eyes, "absurd." Women pictured in pornography have faces of their own, but in those contexts their faces are not of much consequence and are often obscured. Their pose, their exposure, their body as a thing for male consumption, is what matters. In fact, it is all too common for men to mentally put other women's faces on these images, and the faces they superimpose tend to be familiar. It also goes the other way around: men impose and superimpose these images on women's bodies. Robert Jensen reports, for example, that a man "who was convicted of molesting two 6-year-old girls and said he had also raped teenage girls, explained how he would masturbate at home to pornography while thinking of the young girls who rode the bus he drove and then watch the girls on the bus while fantasizing about the pornography."[10] We don't know how often this happens, but it puts us all in the position of Sylvia Bowman—not having opened the envelope yet and knowing the time has come when we cannot ignore it any longer.

In the eyes of the law, the issues surrounding *Bowman v. Heller* concern sexual harassment and freedom of speech. Heller was certainly being expressive when he made his nasty pictures, but he was not necessarily declaring or stating or asserting anything at all. Creating and presenting an image is not the same as saying a sentence



or shouting a slogan. In this case, the creation of the image is more like the shouting of an epithet, in that it is a basic linking of a person with an expressive unit and the conceptual and behavioral network with which it is associated. If this interpretation is right, then the central action of *Bowman v. Heller* should be understood as like the paradigmatic hate speech case, except that it didn't first happen face to face.

When David Heller created and circulated the pictures of Sylvia Bowman, he used images in a way that is very much like name-calling. Sociologist Irving Allen points out that name-calling "is a technique by which outgroups are defined as legitimate targets of aggression and is an effort to control outgroups by neutralizing their efforts to gain resources and influence values."[11] Think about the effect of Heller's composites on Bowman: like other forms of derogation, the pictures served to mark Bowman as a member of an out-group, they rationalized other forms of sexist treatment from other men in Bowman's office, and they reinforced psychological oppression.[12] They put Bowman in her place, as a woman.

The central cases of hate speech are generally taken to be those in which the speaker seems hateful and the words are clearly used as weapons. Yet the same reductive classification also occurs in cases in which there is no obvious anger, in which the words or images have become so normal that they are nearly invisible, cases in which we don't give them a second thought. Even in such cases, the individual is reduced to the derogated category. Taking the metaphor of words as weapons seriously, keep in mind that some weapons work like guns, exploding in a violent moment, whereas others work more like Agent Orange, strategically and somewhat indirectly, taking their biggest toll over time. The law is most interested in the incendiary nature of face-to-face name-calling. But an exclusive focus on these cases yields a very different understanding than one that also attends to speech acts like "You know Sylvia, the so-and-so." Such casual third-person uses may be more pervasive and ultimately more powerful, for they insidiously reinforce the mode of discourse along with its conceptual framework and its social ontology.

Such uses presuppose that it is okay to divide the world into those who are so-and-sos and those who are not, that being a so-and-so is a relevant feature of a person's identity, that so-and-so's are different from and less than not-so-and-so's, and that they deserve worse

treatment and certainly less respect. Generally, in using a term, one makes an implicit commitment to the viability and value of the expression and the network of meanings with which it is associated. Even casual third-person uses reinforce the mode of discourse and its associated conceptual framework—the stereotypes associated with the terms. Perhaps most important, such uses tend to reinforce belief that the terms actually refer to distinct ways of human being.

In the Bowman case, we see a vivid illustration of the way that a particular conception of women's sexuality is used both to silence one woman and to teach her (and us) about what it is (or ought to be, by the pornocrat's lights) to be a woman. It is interesting that Sylvia Bowman was not initially the intended audience. Heller created the image to ruin Bowman's chances of becoming union president; the images were made for third parties, not for Bowman. The question of the effect on Bowman seems not to have been at issue for Heller. The images were meant to neutralize her power in the workplace through ridiculing her to others behind her back. This third-person use of the images was crucial to their efficacy.

Heller claims that by creating and showing the pornographic pictures he was ridiculing Bowman; Alan Dershowitz claims that Heller was just saying that she is a woman (and so should not be elected). Although the trial court sealed its evidence, the *Boston Globe* reported that the images both depicted women masturbating, one holding a banana.[13] The image of Bowman's face came from her campaign postcard. Think for a moment about campaign portraits. Such portraits generally show the candidate looking at the camera and smiling, a direct gaze. Putting such a direct-gazing smiling face on top of the masturbating model says much more than that Sylvia Bowman is a woman. To see that this is so, suppose instead that Heller had taken a photo from a 1950s *Ladies' Home Journal* of a woman in an apron taking cookies out of an oven and pasted Bowman's face on it—Sylvia Bowman as Donna Reed. Both involve stereotypes that fail to fit Bowman, but one image is explicitly sexual, while the other is glaringly not.

Sylvia Bowman says she felt humiliated by what David Heller did to her. If Dershowitz wants to argue that Heller's photo collages are equivalent to saying, "Don't vote for her—she's a woman," he must explain why Bowman wouldn't have felt humiliated if Heller had actually stood up and said this sentence. Such a statement probably



would have made her angry and probably would not have cost her many votes. But the pictures are not reducible to such a sentence. What was expressed and done with these images? My view is that Heller not only reminded Sylvia Bowman (and others) that she is a woman, but he chose a particular arena, an arena of explicit male control of women as sexual beings, to make the point that she is supposed to be a thing for male consumption. He also reminded her (and others) that she doesn't measure up on this scale—that's one way in which he thinks he is ridiculing her. In reminding her that she is a sexual thing to be consumed and that she not only can be viewed this way but now has been viewed this way by many people she knows and whose respect she values, Heller exposes "the public lie that women are respected persons."[14]

In creating these pictures, Heller underscores MacKinnon's point that for women "the values of pornography are the values that rule our lives" (1987, 133) and that central to these values is male supremacy. Bowman, an activist, portrayed as gruff, acerbic, and certainly aggressive in campaigning for the presidency of her union local, must be made to remember that she is ultimately subordinate to any and every man in the office. In making the pictures, Heller sets himself up as Bowman's "revealer": he speaks with self-proclaimed and socially (if covertly) endorsed authority about who Sylvia Bowman is. Creating these pictures is an expression of Heller's power as male; here's MacKinnon, in *Feminism Unmodified*: Male power makes authoritative a way of seeing and treating women, so that when a man looks at a pornographic picture—pornographic meaning that the woman is defined as to be acted upon, a sexual object, a sexual thing—the *viewing* is an act, an act of male supremacy" (1987, 130). Heller isn't just caught *looking*—he is, like a god, caught *creating*. Not only is he acting by looking, but he is controlling what he sees. She may be masturbating, but he made her do it. And now, when her coworkers see her campaign postcard, with its smiling cameo head and direct gaze, they will think they know what she is smiling about—they will associate that image of Sylvia Bowman's head with the pornographically posed bodies—and that mental connection will continually erode their respect for her.

Absolutists are right about at least one thing: *Derogatory terms and images are part of the process of naturalizing the domination and subordination that characterize oppression.* Sylvia Bowman was

"put in her place" by Heller's photo collages; she was told, through the images and the impact of the images on her coworkers, that no matter what her social and economic contribution to the world, she was ultimately just a woman, a thing to be stripped and viewed and had, an object of male consumption and predation. Bowman's boss told her that he found the pictures "stimulating." Others agreed with Heller that it was ridiculous to think of Bowman as sexual. Either way, Sylvia Bowman feels that she cannot go back to work. Derogatory terms have the power to shape our social ontology, our social ways of being, because they are prescriptions parading as descriptions, giving people a proclaimed reality to live down to. Because that so-called "reality" is constituted by rigid stereotypes, the person labeled by the term cannot simply shrug off certain aspects of the stereotype: what doesn't fit does damage.

The apparently rigid connection between the word or image and its associated stereotype seems to support the absolutist's one-image-one interpretation view. But this view is too narrow, too fixed, and too rigid to be true. Thinking of terms or images as having one meaning is a neat way to do theory, but it leads to false views: here it leads us to think of language as somehow fixed and settled, a set of tools each with one function. It leads us to focus on contents rather than contexts. Reality intrudes on such a theory.

## RECLAIMERS

There is another side to this story, however, a side that I am only going to briefly mention, although I think it is very important. *Reclaimers* differ from Absolutists in thinking that derogatory words or images may have some redeeming value and that they may sometimes be used in nonderogatory ways. Holding that communities can control the meanings of their own words and images, Reclaimers think that we can and should try to change the meanings of these terms of subordination. Attempting a sort of linguistic aikido, some members of the groups against which these terms have been used have been trying, with varying degrees of success, to reclaim the derogatory terms and turn them into terms of endearment, or at least terms of in-group reference that differ significantly in meaning from the original terms used by the dominant group. Some African Americans say that they can use "nigger" as a term of endearment, some lesbians use "dyke" as a term of pride, some disabled people join Reynolds Price in preferring the term "gimp," and many gay men and lesbians have adopted and promoted the term "queer."



Such reclamations attempt to change the meanings of these terms through subversive uses within the subcommunity. Reclaimers want to disarm the harmful power of these terms and images by internal reorganization—by changing their meanings—rather than by external sanctions. What is taboo gains power, so the Reclaimer does not want to strengthen the taboos against these terms. Instead, the Reclaimer asks us to recognize the subcommunity's jurisdiction over the meaning of its own self-referring labels and images. If the community succeeds in changing the norms governing the meaning and use of their terms, they'll have changed the very power of the term. (Antipornography feminists tend to be Absolutists about the interpretations of the images they see in pornography, whereas anticensorship feminists tend to be more like Reclaimers in that they argue that pornography can sometimes be liberatory for women.)

The Reclaimer's position highlights the fact that meaning not only requires whatever preestablished potential meanings a term can have—its culturally supported contents, as it were—but also the active interpretation of the interplay between those potential contents and the context in which they occur. What is innocent in one context may be damnable in another and vice-versa. When a makeup artist doing an actor's face says, "You have the most remarkable cheekbones," we see no reason for concern. On the other hand, a dean uttering this same sentence to a job candidate during an interview does something very different with the same words. Context may make the difference between whether an utterance is a threat or a promise, whether it is an act of aggression or a dramatic demonstration, whether it is an appropriate observation or an act of discrimination. Keeping context in mind, it is not hard to see the Reclaimer's point that whether a term is derogatory on a particular occasion of use may well depend upon who says it, under what circumstances, and why. Perhaps whether a sexually explicit image is subordinating will also depend upon features of its context.

Unfortunately, our current context is saturated with pornography. MacKinnon argues that "the more pornography there is, the more it sets *de facto* community standards. . . . In other words, inequality is

allowed to set community standards for the treatment of women" (OW, 88). Attention to hate speech and pornography highlights the norms that are built into our language and the categories it contains and reinforces; in particular such attention highlights how riddled these norms are with inequality, even today. The danger is that once the daily injustices become taken for granted, naturalized, we then assume that there is a metaphysical basis for our social differences, and this cycle becomes self-perpetuating. At root, the problem is that these derogatory terms and images have the power to prescribe and enforce a social reality that is morally unjust.

On Heller's behalf, Alan Dershowitz argues that "even if the photocopies were 'nothing more than a reduction of Bowman to a sexual object and an attack on her as a woman, rather than as a political candidate,' . . . Heller, had he so chosen, would have been perfectly entitled, as a matter of constitutional right, to urge others to vote against Bowman *precisely because* she was a woman, or, indeed, an 'ugly', 'obese' or 'old' woman."[15] Dershowitz admits that the intent of these images is "to ridicule" Bowman, which is accomplished in part by making her just like the women in the magazines (what a whore) and also by highlighting how little she is like them—old, fat, coarse, and ugly, according to the prosecution (they are saying she is a worthless whore). By putting Bowman on this scale of sexual desirability, a scale clearly weighted against sixty-something heavyset women, Heller attempts to make her appear "ridiculous." The trial court found that the collages "communicated to" Bowman that "despite her long commitment to both her work and union activity, she could quite easily be reduced to nothing more than a naked woman, spread-eagled and exposed" (*Bowman* brief, 8). Who among us is immune to such reductive treatment?

Catharine MacKinnon seeks to remind us that the assault of pornography is an assault on our credibility. It is an interpretive matrix that women like to forget or to treat as peripheral to our experiences, but it is not peripheral to the ways that many men view women and to the ways in which they undermine our credibility in our work and other projects. MacKinnon wants the content of our lives, as we see it, including our most heinous moments, to be sayable, to be said. Within current social practices, these daily horrors of women's lives are unsayable: "You cannot tell anyone. When you try to speak of these things, you are told it did not happen, you



imagined it, you wanted it, you enjoyed it. Books say this. No books say what happened to you. Law says this. No law imagines what happened to you, the way it happened. You live your whole life surrounded by this cultural echo of nothing where your screams and your words should be" (OW, 3).

What MacKinnon wants to be sayable is not just a set of neutral descriptions of our experiences, not merely "he touched me here and did this and said that," but also statements and judgments about those more neutrally described events. She wants to build what philosophers call "thick" descriptive terms into the content category—rape, incest, and so forth—not just basic or "thin" terms, like descriptions of physical movements. But seeing certain movements *as* rape requires an interpretive framework that many people lack. This familiar philosophical point appears in many apolitical contexts; it is, for example, Nelson Goodman's point about realism being relative to systems of interpretation.[16]

Goodman argues that we call an artwork realistic because its mode of representation closely matches our everyday interpretive practices; it is easy to interpret it using the same skills we use to interpret what we see all around us. Realists do not challenge our habits of seeing. In a misogynist society, pornography is realist in this sense. It does not challenge the basic interpretive frameworks that construct women as sexual objects. Particularly relevant to this is Sandy Bartky's view that feminists "are no more aware of different things than other people; they are aware of the same things differently."[17] The interpretive framework is what gives life to the distinction between content and point of view. Once one sees a woman as a person, then one will see certain acts as rape and build that interpretation into the object. It is this interpreted reality, this "thick" version of reality, that MacKinnon wants said and sayable.

Against the view that the cure for bad speech is more speech, a view that would support the reclamation project, MacKinnon says that "so long as pornography exists in the way it does, there will not be more speech by women. Pornography strips and devastates women of credibility, from our accounts of sexual assault to our everyday reality of sexual subordination. We are stripped of authority and reduced and devalued and silenced" (1987, 193). We may speak, but we are speaking a language that is not generally understood. Inferences we would draw, which we would expect others to draw, are left

undrawn without a shared alternative framework. MacKinnon is claiming that pornography has such powerful control of the interpretive framework that even when women speak the horrors of our lives, these events are not perceived as horrible but rather as erotic, as a turn-on. She says that "in a world made by pornography, testimony about sexual harassment is live oral pornography starring the victim" (OW, 67), which may be why the trial court sealed Heller's photo collages. MacKinnon suggests that it is impossible to evade the framework of pornography, that this framework undermines women's credibility as speakers, and that our "thick" judgments of the events that have so shaped our lives not only do not make sense but cannot be heard to even gain consideration. Pornography silences through its totalization.

## A PROBLEM

MacKinnon's position against pornography is troubled by a conflicting set of claims that ultimately undermines her goal of promoting women's semantic authority. MacKinnon's goal is to promote for women the freedom to describe and depict our experience *as* we experience it. Yet she claims that women's *experience* is pornographic (the reality depicted in pornography has become the reality of our lives; we really are raped, battered, objectified, and so forth, and this reality is interpreted—even by women—as sex).[18] Because pornography has had such a powerful effect on our social ontology—it made men men and women women—it makes sexism sexy. MacKinnon sees it as having so shaped our gendered identities that "woman" is a pornographic construct as we know it.

Pornography is a totalizing discourse—it covers everything, and once it is explicitly brought to bear on someone, as it was on Sylvia Bowman, its impact cannot be undone. From this MacKinnon concludes that pornographic images (pictures and words) should be prohibited in order to allow women the freedom to articulate our own experiences as our own, and not be pornographed when we do. But if MacKinnon is right that women's experiences are pornographic, then to speak them is to make more pornography. Banning the content, even banning the complex content of pornography, will just result in



the further silencing of women's testimony about our experiences in a heterosexual misogynist society.

And so we come to the question, can we really speak ourselves outside of pornography as long as pornography continues to exist? MacKinnon suggests that we cannot and that this is one good reason to attack pornography head-on. On the other hand, most feminists can read Linda Marchiano's *Ordeal* without putting it within the pornographic interpretive matrix; it doesn't turn us on.[19] We tend to read it as an account of the crimes Marchiano was subjected to when she starred in *Deep Throat*. We find in the book testimony of a survivor's struggle to cope, which shows that although pornography is powerful, it is not totalizing.

The critical matrix of pornography is a major force in women's oppression, and MacKinnon's work helps to show us why. I think that she is right about a lot of things for which she does not get enough credit, but what is missing from her writings, although perhaps not from her advocacy work more generally, is an explicit appreciation of the way that feminist countercultures have made possible lives and realities that were formerly impossible and only raggedly lived. This mutual reinforcement of women by women is one of the achievements of women's consciousness-raising groups in the 1960s and 1970s, and it is still going on today. A woman does not need to believe that everyone has ears for her story before she can tell it—she just needs a few someones.[20] As long as some folks are participating in the mutually influencing dialogue that marks community, then the story can be told and preserved.

MacKinnon's position on silencing suggests that all our stories are perverted by the context of pornography from the moment they are even thought, much less told. I wonder how much that position is conditioned by her thinking about the law and the context of trying to get other lawyers and judges, mostly men, mostly white, mostly saturated with pornography, to take women and our experiences seriously, to even believe that we exist as we know that we do. And when I wonder this, I wish she could think a little bit more the way Marilyn Frye was thinking when she said a few years ago, in response to a somewhat hostile question, that she really is not so much interested in dismantling patriarchy as in seeing what kind of world women could create, that she hopes that in the process of creating

such a world, well, maybe patriarchy would just crumble from lack of interest.[21] Women have already begun the process of speaking themselves outside of pornography and outside of patriarchy more generally. These insistent voices are the "more-speech cure": it is time to pay more attention to these important voices.

## NOTES

I would like to thank Chico D. Colvard for research assistance on this chapter.

1. Catharine A. MacKinnon, *Only Words* (Cambridge: Harvard University Press, 1993), p. 3; hereafter OW.

2. See Gail Dines, Robert Jensen, and Ann Russo, *Pornography: The Production and Consumption of Inequality* (New York: Routledge, 1998).

3. Richard Wright, "How 'Bigger' Was Born," in *Black Voices: An Anthology of Afro-American Literature*, ed. Abraham Chapman (New York: Penguin, 1968), pp. 551–53; Nathan McCall, *Makes Me Wanna Holler* (New York: Random House, 1992), pp. 117, 158–60.

4. Cited by Margaret Spillane, in "The Culture of Narcissism," in *Culture Wars: Documents from Recent Controversies in the Arts*, ed. Richard Bolton (New York: New Press, 1992), p. 304.

5. MacKinnon, *Only Words*, p.13. She lists all performatives: signs saying "Whites Only" or "Help Wanted—Male" or speech acts such as "You're fired."

6. Richard Delgado, "Words That Wound: A Tort Action for Racial Insults, Epithets, and Name-Calling," in *Words That Wound: Critical Race Theory, Assaultive Speech, and the First Amendment*, ed. Mari J. Matsuda, Charles R. Lawrence III, Richard Delgado, and Kimberlé Williams Crenshaw (Boulder, Colo.: Westview, 1993), p. 107; see also pp. 94 and 109–10. As I have argued, the expressive commitment of the term is at issue, not the connotation; see Lynne Tirrell, "Derogatory Terms: Racism, Sexism, and the Inferential Role Theory of Meaning," in *Feminism and Philosophy of Language*, ed. Kelly Oliver and Christina Hendricks (Albany: State University of New York Press, 1998). Delgado's use of "connotation" here and elsewhere in his article is the ordinary language use, so I take him to mean something like "attitudes conveyed or associated with the expression."

7. Catharine A. MacKinnon, *Feminism Unmodified* (Cambridge: Harvard University Press, 1987), p. 172.

8. Brief of the appellee Sylvia Smith Bowman, at *Bowman v. Commissioner of the Department of Public Welfare, et al.* 420 Mass. 517 (1995) SJC-06726, pp. 7–9.

9. Brief amicus curiae of the Lawyers' Committee for Civil Rights Under the Law of the Boston Bar Association, the Asian Lawyers' Association of Massachusetts, the Massachusetts Black Lawyers Association, and the National Conference of Black Lawyers, in support of plaintiff—appellee (Sylvia Smith Bowman), at *Bowman v. Commissioner of the Department of Public Welfare, et al.* 420 Mass. 517 (1995) SJC-06726, p. 6.

10. Robert Jensen, "Pornography and the Limits of Experimental Research," in *Gender, Race, and Class in Media*, ed. Gail Dines and Jean M. Humez (Thousand Oaks, Calif.: Sage Publications, 1995), 298–306.



11. Irving Lewis Allen, *The Language of Ethnic Conflict: Social Organization and Lexical Culture* (New York: Columbia University Press, 1983), p. 15.

12. For more on psychological oppression, see Franz Fanon, *Black Skin, White Masks* (New York: Grove Press, 1967), and Sandra Lee Bartky, "On Psychological Oppression," in *Femininity and Domination: Studies in the Phenomenology of Oppression* (New York: Routledge, 1990), pp. 22–32.

13. Kimberly Blanton, "'Free Speech' new defense in cases of harassment," *Boston Globe*, 7 August 1994, pp. 1, 24.

14. Carolyn Shafer and Marilyn Frye, "On Rape and Respect," in *Women and Values*, 1st ed., ed. Marilyn Pearsall (Belmont, Calif.: Wadsworth, 1986), pp. 188–96.

15. Brief for the appellant David Heller, at *Bowman v. Commissioner of the Department of Public Welfare, et al.* 420 Mass. 517 (1995) SJC-06726, p. 30.

16. Nelson Goodman, *Languages of Art* (Indianapolis: Hackett, 1976), pp. 3–44. For more on this, see Lynne Tirrell, "Aesthetic Derogation," in *Aesthetics and Ethics: Essays at the Intersection*, ed. Jerrold Levinson (Cambridge, Eng.: Cambridge University Press, 1998), pp. 283–314.

17. Sandra L. Bartky, "Toward a Phenomenology of Feminist Consciousness," in *Femininity and Domination: Studies in the Phenomenology of Oppression* (New York: Routledge, 1990), p. 14.

18. Monique Wittig argues that "woman" itself is a derogatory term, because it is what it is, means what it means, only in contrast and in comparison with "man," so, "woman" means "slave to man" (*The Straight Mind* (Boston: Beacon Press, 1992), pp. 9–18).

19. Linda Lovelace, with Mike McGrady, *Ordeal* (New York: Berkley Books, 1981); "Linda Lovelace" is a pseudonym for Linda Marchiano.

20. On the importance of community for the making of meaning, see Lynne Tirrell, "Definition and Power: Toward Authority Without Privilege," *Hypatia* 8, 4 (Fall 1993): 1–34.

21. Marilyn Frye, comments during the discussion period after presenting a paper on recent feminist treatments of essentialism to the Women's Studies Program and the Philosophy Department at the University of North Carolina at Chapel Hill, spring 1992.