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*Ethics*, Volume 100, Issue 2 (Jan., 1990), 398-407.

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*Ethics*

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# Sex and Power\*

*Carole Pateman*

Catherine MacKinnon is one of the most controversial feminist theorists writing at present. Both her arguments and her campaign against pornography arouse strong feelings. MacKinnon's sharp sallies, barbed aphorisms, and engaged, sometimes passionate, but important and thought-provoking arguments in *Feminism Unmodified* will add plenty of fuel to the flames. Some of her arrows are directed at feminists, in particular those who occupy positions of influence in law or universities but who "collaborate" in women's subjection (chap. 15). The book contains sixteen speeches delivered between 1981 and 1986, together with an introduction and afterword. Many of the speeches, MacKinnon states, are published in the form in which they were delivered, and occasionally interjections from the audience are included; there is an immediacy about the prose not often encountered in political philosophy or jurisprudence. There are seventy-five pages of footnotes and references to legal cases.

In the introduction, MacKinnon singles out three themes that unify the book: sexuality, gender, and pornography. Six chapters of *Feminism Unmodified* are devoted to pornography, and MacKinnon also refers to it throughout the book. She also discusses the question of equality and difference, currently a subject of intense debate among feminists; launches a vigorous attack on liberal approaches to law and feminism and the associated conceptions of objectivity, universality, gender neutrality, and privacy; and presents some firm views on epistemology and the character of feminist theory. There are also chapters on a case brought by a Native American woman against her tribe and on women and sport.

The title of the book reflects MacKinnon's rejection of feminism that is modified by additions such as "liberal" or "socialist." Feminism is frequently divided into liberal, socialist (or Marxist), and radical varieties. Such classifications are more misleading than helpful in current political conditions, but, more important, the modifiers imply that feminism cannot stand alone and is always dependent on another theory for a mode of inquiry and major arguments. As MacKinnon noted in one of two earlier papers (the argument of these is drawn on and amplified at various points in *Feminism Unmodified*) feminism is often seen "not as a systematic analysis but as a loose collection of factors, complaints, and

\* A review of Catherine A. MacKinnon, *Feminism Unmodified: Discourses on Life and Law* (Cambridge, Mass.: Harvard University Press, 1987), pp. 315, \$9.95 (paper). Page references to this book appear parenthetically in the text.

*Ethics* 100 (January 1990): 398-407

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which are merely descriptive of women's misfortunes.<sup>1</sup> Part of MacKinnon's aim in the book is to show that feminism—unmodified—is a powerful explanatory political theory in its own right. A properly feminist theory must be unmodified because other political theories repress or ignore the problem addressed by feminism—the political problem of men's power over women. Modified feminism, reliant upon the very theories that systematically obscure the problem of men's power, must be replaced by what MacKinnon calls “the dominance approach” (p. 40).

I share MacKinnon's view of the distinctive contribution of feminist theory. Contemporary feminism has revealed a problem that was once discussed in political theory—in the pages of the social contract theorists, for example, or by the so-called utopian socialists—but that is now treated by mainstream political theorists as falling outside their proper concerns. The prevailing assumption is that the relation between the sexes is a matter of nature and irrelevant to politics. The claim that men exercise jurisdiction over women by virtue of their natural capacities, as a consequence of the natural difference between the sexes, was advanced by the contract theorists in order to head off the revolutionary implications for sexual relations of the doctrine of natural freedom and equality. Men's domination of women was thus placed outside the criticism and controversy that surrounded the justification of other forms of rule.<sup>2</sup>

Ironically, this exclusion, which began as an explicitly political strategy, is now accepted by contemporary theorists as a valid limitation on the scope of political inquiry. They do not, therefore, ask any questions about why the characters of women and men are seen in a specific manner, or question the construction of the difference between the sexes as the political difference between freedom and equality (for men) and subjection (for women). Men's power over women is precisely the problem with which feminism has been concerned since the late seventeenth century, but feminist writers have never been included in the canon of political theory, and feminists today are only slowly recovering the tradition of feminist thought. MacKinnon's insistence that feminism deals with a specific problem, through an approach distinct from other political theories, is thus welcome. Her elaboration of unmodified feminism is not, however, without some fundamental difficulties.

The difficulties become apparent in MacKinnon's discussion of the seemingly irresolvable dilemma about equality and difference. The standard view sees the issue as one of sameness and difference between the sexes: either men and women share a common humanity (they are the same, therefore equal) so that laws and institutions should be gender neutral; or women's difference from men requires laws and institutions that recognize that women need special treatment or protection

1. Catherine A. MacKinnon, “Feminism, Marxism, Method, and the State: An Agenda for Theory,” *Signs: Journal of Women in Culture and Society* 7 (1982): 515–44, 528. The second article is “Feminism, Marxism, Method, and the State: Toward Feminist Jurisprudence,” *Signs* 8 (1983): 635–58.

2. These questions are discussed in Carole Pateman, *The Sexual Contract* (Cambridge: Polity Press; Stanford, Calif.: Stanford University Press, 1988), and in “‘God Hath Ordained to Man a Helper’: Hobbes, Patriarchy and Conjugal Right,” *British Journal of Political Science* (1989), also in *Feminist Interpretations and Political Theory*, ed. Mary L. Shanley and Carole Pateman (Cambridge: Polity Press, in press).

(they are not the same, or equal). Such an approach, as MacKinnon points out, requires a standard or yardstick against which equality can be measured, so that those who are equal (the same) can be treated in the same fashion; problems of classification and discrimination thus predominate. The familiar difficulty then arises that equality, universality, and neutrality, or the absence of discrimination, quickly come into conflict with efforts to promote equality for groups of people, for example, women. The special classification required and the special (different) treatment demanded to foster equality for a whole category of individuals can only appear from this perspective as discrimination and as antithetical to equality.

But the problems go deeper than this. Feminists, including MacKinnon, have observed that the standard for equality between the sexes is made in the male image. Ostensibly gender neutral laws and policies implicitly embody a masculine standard against which women are measured. At the beginning of the modern period, political and civil "equality" was constructed as a relationship between men, between the "individuals" who possessed the natural capacities to enjoy this standing in public life. After all, women are the 'different' sex, not men. The question is always that of women's equality with men (the standard) and, since women, who are different from men, are involved, the problem of equality versus difference—protection, special treatment, discrimination—will therefore arise over and over again.

Special or protective treatment for women has long been a vexed question within feminism, but only since the 1970s, with the advent of 'gender neutral' legislation, have the problems with equality become fully clear. They have been revealed with particular clarity in the United States, where individualism of a singularly radical, asocial character, fosters the assumption that any acknowledgment at all of women's difference from men is inimical to equality (the sameness of individuals). For example, MacKinnon cites the curious legal contortions in the United States over pregnancy and women workers. Men cannot become pregnant, but can equality be maintained if women's difference in this respect is recognized in legislation? The American Civil Liberties Union argued against provisions for maternity leave and subsequent job security on the grounds that this penalized male workers, gave pregnant women "rights not enjoyed by other workers," and so caused hostility (p. 242, n. 18). But "other workers," that is, men, do not become pregnant, so there seems no way out of the equality/difference dilemma.

MacKinnon argues that to see the problem as one of equality and difference is a fundamental mistake. First, she argues that *inequality*, the power that men exercise over women, not equality is the issue for women. Second, MacKinnon denies that sexual difference is the problem. She criticizes both those who assume that sexual difference is a matter of nature so that the meaning of manhood and womanhood can be determined by direct scrutiny of natural or biological characteristics, and those who appeal for a reevaluation of difference, of women's different voice and women's special attributes and tasks. She argues that there is no natural difference between men and women that lies repressed beneath existing social relations or that requires reevaluation. There is only power. 'Men' and 'women', 'sex' and 'sexuality', as these terms are presently understood, are brought into being through men's domination of women. "There would be no such thing as what we know as the sex difference—much less would it be the social issue it is or have the social meaning it has—were it not for male dominance" (p. 51).

MacKinnon's solution to the dilemma of equality and difference is, therefore, to deny that either term is relevant. At this crucial point, however, MacKinnon's argument lacks historical depth and an appreciation of the paradoxes and contradictions of women's position. To be sure, few discussions of equality take account of the structure of inequality of sexual relations, but that is not to say that women's position can be understood without recognizing that women are both equal and subordinate, both free and subject, both citizens and yet not citizens in the same way as men. By dismissing both equality and difference, MacKinnon is unable to ask any questions about the relationship between these two categories and how they have been constructed as opposites.

Equality and difference are not necessarily opposed, but, historically, this is how the categories have developed. Thus, any acknowledgment of women's bodily difference from men can only appear as an attempt to pull back into the sphere of equality matters that equality must exclude. At best, from within the existing construction of the categories, recognition of difference can be seen as an exception, as "special" treatment or "protection" but not as part of equality. A consideration of how the problem of men's power emerged and was repressed in modern political theory indicates that the meanings of equality and difference are mutually dependent. Men's equality depends upon the political significance accorded to sexual (women's) difference. Women's bodies are such that they lack the attributes of the equals who can participate in public life; yet, at the same time, women's political incorporation has also been determined by that bodily sexual difference—as much of MacKinnon's discussion illustrates. The question has never been whether sexual difference is politically relevant but, rather, how that difference is to be given political expression.

Indeed, the claim that sexual difference is nothing more than an artifact of men's power sits very oddly with much of the discussion of *Feminism Unmodified*. MacKinnon's major claim, which distinguishes her position from many other feminist approaches, is that what is at issue in the present structure of social relations is *sexual* subordination. It is sex and sexuality—sexual power—and not, as many other feminists have argued, reproduction, or mothering, or domestic labor, or men's control of women's labor power, or the law of the father, that lies at the center of women's subordination. MacKinnon's insistence that women's subordination to men is different from the subjection of other groups or categories of people because it is sexual in character is the most important contribution of *Feminism Unmodified*. The cornerstone of men's claim to jurisdiction over women is that they have right of sexual access to women's bodies. This is, I have argued, the right established through the (story of the) sexual contract at the same time that the right of jurisdiction by the state over individual citizens is established through the social contract. But it does not follow that sexual difference is nothing more than an artifact of men's domination of women.

MacKinnon may not have argued in this fashion if she had not used the now ubiquitous terminology of 'sex' and 'gender'. 'Gender' was introduced by feminists to combat the patriarchal claim that nature has decreed women's place. 'Sex' was declared the province of nature, of biology, of physiology, and bodily differences between women and men. 'Sex', or the natural male and female forms, was separated from 'gender', or the social constructions and meanings that constitute the masculinity and femininity of "individuals." There were good political reasons for such a terminological strategy in the early days of the revival of the organized feminist movement in the late 1960s, and the assumption underlying the sex/

gender distinction, that the body is socially and politically neutral, fits in with the language of “sex roles” of the period. These roles were assumed to be entirely conventional, determined by ‘socialization’ or education; that is to say, they were the roles of genders, not embodied sexes, and feminism could hold out the promise of education and social reform that would lead to a gender neutral world.

The fundamental problem with this language is that the body is not politically neutral or neuter. Humankind has two bodies—and the bodies of women and men have very different social and political significance. Men do not exercise power as, or over, a ‘gender’, but over embodied women; men, as MacKinnon argues, exercise power as a sex, and wield sexual power. This is not to say that what it is to be a man or woman is derived from some essential, timeless facts of nature. Nature, bodies, biology, sex, always have a social and political meaning; but, at the same time, human beings share natural bodies with the animals, subject to the natural processes of birth, growth (appropriate to their sex), and death. The implicit assumption of arguments about ‘gender’ is that sex (nature) is infinitely malleable, that it poses no limits, so that ‘gender’ can be anything at all, or nothing at all, if we so desire. In short, it is an argument about the conquest of nature. Many feminists have become increasingly anxious about the implications for women of men’s project to conquer nature, especially since the development of the new reproductive technologies. But there are few signs yet of the necessary rethinking of the sex/gender dichotomy, although many other elements of the series of oppositions that express the division between nature and civilization (such as private/public, emotion/reason, love/justice, difference/equality, feminine/masculine) have come under feminist scrutiny.

MacKinnon’s use of ‘sex’ and ‘gender’ is exceedingly confusing. She states, for example, that from the perspective of the dominance approach, “the only real question is what is and is not a gender question” (p. 43), that gender is only “ascriptively” tied to bodies (p. 234, n. 26), and that the social meaning of difference is “gender-based” (p. 51). Yet she also says that she uses “sex and gender relatively interchangeably” (p. 263, n. 5). The confusion is not surprising when MacKinnon’s major thesis, that men’s power is sexual power, makes little sense translated into “gender.” For example, maternity leave is an issue because only women become pregnant and they do so as a result of sexual intercourse with men. Again, MacKinnon notes that not all men, all the time, have power. Sometimes men are used sexually by other men as if they were women. Typically these are young boys or men in prison, that is, men who, by virtue of their youth or incarceration lack power. Yet, as MacKinnon states, even men in such a position do not “experience or share the meaning of being a woman” (p. 234, n. 26). They remain men. They experience their violation as embodied men, with all that the embodiment entails for their political position as a sex.

Consider, too, MacKinnon’s discussion of abortion. She notes that the Playboy Foundation has always provided funds to support abortion rights, and she argues that the reason is that abortion sets up an “equality” between men and women. Here, the language of “gender” comes into play: abortion can be seen as an attempt to render sexual difference irrelevant in the name of gender equality. Women can engage in sexual activity in exactly the same way as men without having to take account of the (natural) consequence, pregnancy, that can ensue for the gender who happen to have women’s bodies. Such gender equality means that there is no good reason for one gender to refuse the sexual advances of the

other—hence Playboy’s interest in abortion. MacKinnon’s argument about abortion, however, is about sex and sexual power. She argues that virtually everyone involved in the controversies over abortion, activists and philosophers alike, have ignored the fact that sexual intercourse precedes pregnancy. The relations between women and men within which intercourse takes place are, therefore, also ignored.

Under conditions of men’s domination, MacKinnon argues, abortion “facilitates women’s heterosexual availability” and “frees male sexual aggression” (p. 99). Abortion can make it all the harder for women’s refusal of consent to be treated seriously, but this is not to say, as MacKinnon’s statements imply, that abortion in itself “frees” men’s aggression. The incidence of backyard abortions suggests that much the same problem about consent existed when abortion was illegal. MacKinnon also exaggerates by claiming that “virtually every ounce of control” that women have gained from legal reform “has gone directly into the hands of men—husbands, doctors, or fathers” (p. 101). If men have exclusive control over (legal) abortion and if it redounds to their sexual advantage, then there would seem to be no reason why abortion should be so controversial, or why, as MacKinnon emphasizes, its legal status should be so insecure and under constant attack.

That legal reforms are under threat has been clearly demonstrated since MacKinnon made these speeches. *Roe v. Wade*, the case which legalized abortion in the United States, has not yet been attacked directly, but in July 1989 the Supreme Court opened the way for state legislatures to restrict women’s access to abortion (and so encouraged anti-abortionists elsewhere to increase their pressure for similar restrictions). In a majority verdict, the Court upheld as constitutional a Missouri act which prohibits the use of public facilities for, and participation of public employees in, abortions. In an argument that reaffirmed what has usually been the case—that money is what counts for access to safe abortions—the Court stated that the restriction was merely upon “a woman’s ability to obtain an abortion to the extent that she chooses to use a physician affiliated with a public hospital.”<sup>3</sup> Abortion might thus seem to be a matter that political philosophers should consider in their long controversy about whether or not the provision of public facilities and welfare is required if the worth and dignity of democratic citizenship is to be upheld. Yet abortion is rarely discussed in this way. Indeed in the United States, far from any connection being drawn between access to abortion and women’s standing as citizens, the ruling in *Roe v. Wade* was that legal prohibition of abortion violated the constitutional right to privacy.

Privacy, MacKinnon states, includes protection against unwarranted governmental intrusion into “individual bodily integrity, personal exercise of moral intelligence, and freedom of intimacy” (p. 97). MacKinnon asks whether the privacy doctrine actually applies to women. Her conclusion is that it does not; “privacy” in this context means the protection of men’s right of sexual access to women’s bodies, whether or not in any instance the woman consents. For two decades feminists have drawn attention to the many ways in which the separation of “private” life from the “public” world has denied women right of protection and bodily integrity, and how, at the same time, government and the law have reached across into the privacy of the home to uphold men’s power and privilege as a sex. “Privacy” for women, as MacKinnon stresses, means something different than it does for men. A defense of abortion in terms of privacy avoids the question

3. Excerpted from the U.S. Supreme Court decision as quoted in the *New York Times* (July 4, 1989).

whether enforced motherhood is a matter not of privacy but of public citizenship. Feminists might ask how it is, when enforced labor was long ago deemed incompatible with free democratic citizenship, that so many popular and official voices see no contradiction between the enforced labor of motherhood and women's standing and dignity as citizens.

MacKinnon's arguments will appear most peculiarly American to readers in other countries in her extensive discussion of pornography. In Australia and Britain, for example, feminists are certainly critical of pornography, but the subject has neither been as central to feminist concerns nor aroused the passions and divisions among feminists that it has in the United States. One reason for this difference is undoubtedly that only the United States has the First Amendment, and only there has pornography been defended so strongly on the grounds of free speech. Another reason, exemplified in MacKinnon's speeches, is that American feminists have been much more willing to insist that pornography is a major, or even the major, *causal* factor in women's subordination than have British or Australian feminists. The latter are less likely to see pornography as an independent causal factor than as one part of a wider sex industry that reflects and reinforces a structure of masculine power.

MacKinnon argues that pornography, when seen from a feminist perspective, allows us to understand the meaning of sex and sexuality in a system of male dominance. In pornography, domination, submission, force, and violence are eroticized. "Sex" is eroticized domination. The sex portrayed in pornography is not merely deviant or perverted, but an exposure of the reality of the structure of sexual relations. "Sex" is usually assumed to be consensual. Thus, when pornography depicts coercion, the assumption is that it is not about sex but violence. MacKinnon vigorously contests the comfortable belief that sex can be sharply demarcated from coercion, force, and violence. This is another valuable aspect of her argument. The separation between freedom and submission becomes difficult to sustain once sexual relations cease to be parceled out into discrete boxes, with "sex," that is, consensual intercourse, in a box of its own and rape, prostitution, pornography, and the rest also neatly boxed away and declared to be different from "sex." Once the relationship between all these features of sexual life is considered, the place of consent in any meaningful sense (i.e., a sense which recognizes women's right to refuse men sexual access) becomes increasingly hard to discern.

MacKinnon argues that pornography, together with rape, sexual harassment, and other forms of sexual abuse of women, "form a distinctive pattern: the power of men over women in society" (p. 5). She repeats a series of facts in several speeches: 44 percent of American women have been raped or faced an attempted rape; 43 percent of girls under eighteen have been sexually abused; 85 percent of working women report being sexually harassed during their working lives; between 60 and 70 percent of murdered women were killed by a husband, lover, or ex-lover. Such matters are not easy to quantify, but it is not the precise percentages that are so important for MacKinnon's argument as the fact, now confirmed by a large body of empirical evidence from the Anglo-American countries, that very large numbers of sexual assaults by men against women occur every year.

Political theorists and moral philosophers place very high value on consent as a constitutive principle of democracy, but there is remarkably little discussion in the mainstream literature about the significance of such facts for consent and,



hence, for women's standing as citizens. Or, indeed, about the fact that, in Britain, husbands still retain the legal right to rape their wives. Empirical evidence shows that the courts, as well as men in general, have great difficulty in distinguishing enforced submission from consent.<sup>4</sup> Judges sometimes make very plain that what "sex" means is the right of men to sexual access to women, irrespective of consent. In a recent case in Britain, for example, a judge merely placed on probation a man who sexually assaulted his mentally retarded twelve-year-old step-daughter, because, the judge said, his wife's pregnancy led "to a lack of sexual appetite in the lady, and considerable problems for a healthy young husband."<sup>5</sup> Nor is the demand that women's bodies should be on sale as commodities in the capitalist market seen as peculiar or problematic in itself (the problem is invariably seen as a question of the psychology of the prostitute).

MacKinnon also presents a threefold argument against the view that pornography is merely an example of free speech. First, she criticizes the claim that pornography is comparable to the expression of minority opinion. Pornography is a huge business; MacKinnon cites a figure of eight billion dollars per year. If the worldwide sex industry, including prostitution, sex tours, and so forth, were taken into account the scale of this branch of capitalism is clearly vast. Second, MacKinnon argues that what is at issue in pornography is not speech but silence. The framers of the First Amendment, she argues, assumed that free speech existed. Their concern was to prevent governmental infringement of this right. But men's and women's speech is not equally free. Men's speech is authoritative and women's words are discounted; women have been silenced. But this is hardly so true as it once was, and women have never been completely silenced. Feminists in the nineteenth century were well aware of the problem of sexual abuse, but their words were not sufficient to ensure that "wife torture," as they sometimes called one aspect of the question, was treated as a real, serious problem. Since the current revival of the women's movement, women have begun to gain a wider hearing about rape and other forms of assault, even if there is a very long way to go. Still, MacKinnon rightly emphasizes that women's speech is not extended through pornography, which both literally and figuratively portrays women as either unable to speak or in no need of speech, except for the word "yes."

MacKinnon's third argument attacks the view that pornography is harmless and, therefore, deserves all the legal protection accorded to freedom of speech. Speech that causes harm is usually excluded from protection. MacKinnon begins by taking issue with the liberal interpretation of the First Amendment that separates words and pictures from action and then claims that only the latter can inflict harm. One example she gives is of a sign saying "whites only"; she asks "is that the idea or the practice of segregation?" (p. 156), and certainly there are many performative utterances which are actions through the medium of words. MacKinnon argues that pornography is an act, repeated over and over again. She states, for example, that "male power makes authoritative a way of seeing and treating women, so that when a man looks at a pornographic picture . . .

4. See, e.g., Susan Estrich, *Real Rape* (Cambridge, Mass.: Harvard University Press, 1987); and Carole Pateman, "Women and Consent," *Political Theory* 8 (1980): 149-68, also in *The Disorder of Women: Democracy, Feminism and Political Theory* (Cambridge: Polity Press, 1989). MacKinnon discusses consent in "Feminism, Marxism, Method, and the State: Toward Feminist Jurisprudence," pp. 635-58.

5. Shyama Perera, "Mackay Orders Abuse Case Report," *Guardian* (December 1, 1988).

the *viewing* is an *act*, an act of male supremacy" (p. 130). Or again, pornography is the "quintessential social act" in a system of male dominance (p. 154). But however pornography is characterized, as speech or action, the crucial question is whether it is harmful. The general view seems to be that it is not—unpleasant perhaps, or distasteful, but not harmful.

MacKinnon's reply is that conventional approaches to pornography cannot find the harm because they always look in the wrong place. When pornography is seen as a question of the application of an abstract, politically neutral definition of obscenity, or as a question of the morality of the portrayal of sexual activity, then no harm can be discerned. The harm only becomes apparent when pornography is seen as a problem about political power and the portrayal of the sexual assault of *women*. MacKinnon refers to at least three different ways in which pornography harms women. The first is the least contentious; evidence from criminal cases shows that some assaults are directly prompted by pornography (and—for what this kind of thing is worth—laboratory experiments have shown that men's attitudes to women change for the worse through exposure to pornography). The second form of harm is that real women have been photographed to make pornographic pictures and films, and they are sometimes physically forced to perform the acts, or, more indirectly, economic coercion is involved since the sex industry pays better wages than most occupations open to women. The women are harmed twice over: through their coercion and through their bodily involvement and subsequent representation of their sexual degradation.

The third example of harm is the most controversial: pornography causes harm to all women because it is the cause of the sex difference. Pornography, MacKinnon states, "turns sex inequality into sexuality and turns male dominance into the sex difference" (p. 3), and "pornography institutionalizes the sexuality of male supremacy" (p. 148). I have already criticized MacKinnon's argument that the sex difference is merely an artifact of power, and I do not find her argument convincing when the power is held to be that of the pornographer. MacKinnon refers to the need for a new theory of social causality, but two decades of feminist theorizing have provided some adequate means to understand pornography. The really difficult problem is achieving the social change necessary to create freedom for women. At one point MacKinnon dismisses critics who argue that women's subjection predates pornography, so pornography cannot be the cause, by accusing them of believing that any action against pornography will be of no assistance to women. They need believe no such thing.

Fully to understand how pornography harms women, an understanding is also required of the social, economic, and intellectual changes that aided the transformation of the private collections of the upper classes and the furtive trade in "dirty books" (or postcards) into "porn," into part of the worldwide mass marketing of sex, that is, women, as a capitalist commodity. MacKinnon says nothing about how pornography has become such a major industry in recent years. The sex industry could not have developed if the meaning of sexual difference had not already been established as the political difference between men's freedom and women's subjection, and "sex" had not already meant men's mastery. I have tried to chart some of the most important elements in the development of these meanings in *The Sexual Contract*.<sup>6</sup> Pornography is now a major

6. Pateman, *The Sexual Contract*.

mechanism through which these meanings are reinforced and transformed in their contemporary guises.

Some of MacKinnon's statements suggest that she is concerned with meaning rather than cause. For instance, she says that "the way pornography produces its meaning constructs and defines men and women as such" (p. 173). Or consider her claim that the fundamental question is "the mechanism of social causation by which pornography *constructs* women and sex, defines what 'woman' means and what sexuality is, in terms of each other" (p. 161); or, "pornography codes how to look at women, so you know what you can do with one when you see one" (p. 173). And, in pornography, what men can do when they have one of us has no limits. Women are represented as freely available for sexual use, whether or not they are willing, and violence, degradation, and humiliation are represented as sex; the meaning of womanhood is proclaimed to be sexual submission. MacKinnon notes that, at heart, none of us believes that the woman represented in pornography is ourselves; sadly, she is. The emergence of the sex industry and the representation of sex as women's (enforced) submission is a major obstacle to women's autonomy, political equality, and citizenship. Perhaps, as MacKinnon says, opening up the graphic portrayal of the sexual subjection of women to public scrutiny is a mistake. One can only hope so.

Some feminists have accused those hostile to pornography of being "antisex." The same accusation was made in the past against feminists concerned about the character of sexual relations, especially if they saw chastity as the only way for women to maintain their freedom and integrity. The charge is curiously misplaced. The feminist critics are not against sexual enjoyment; on the contrary, their goal is a structure of relations within which women can freely and autonomously enter into consensual sexual activity. They wish to see a society in which women can withhold as well as give consent and in which enforced submission is seen as a crime not "sex." The problem remains of how to undermine the representation of women (sex) in pornography. Some feminists have turned to arson against pornography stores, and much has been written, many speeches made, and gatherings held. MacKinnon has made a very controversial attempt to provide a legal remedy in the ordinance that she and Andrea Dworkin drafted for the city of Minneapolis. The ordinance, which treated pornography as a violation of women's civil rights and allowed (civil) action by victims and against trafficking, is discussed and defended in *Feminism Unmodified*, and copious legal citations are provided. In Australia, customs regulations have been used to prohibit imports of the most sadistic material and pornography involving children. Use of law, of course, brings its own problems, such as black markets, smuggling, and the well-known problems of defining "pornography," but perhaps the law is a necessary recourse for women given the scale of the industry.

MacKinnon's book is lively, very provocative and, by and large, easy to read, although I would no doubt have followed some sentences more easily as a member of the audience when the speeches were delivered than as a reader ("pornographed" [p. 128] is an unnecessary addition to the language). MacKinnon concentrates relentlessly on some unpleasant facts about power and sexual relations, facts which do not usually figure very largely in philosophical discussions. But anyone concerned about freedom, justice, equality, and democracy needs to think very hard about those facts and MacKinnon's powerful speeches.