

# Pornography, Oppression, and Freedom: A Closer Look

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A question which is often asked at the beginning of any discussion on pornography is "How do you define it?" The answer is difficult. A good clear definition of pornography has eluded everyone. Twenty years ago, the United States Supreme Court was defining pornography as material which "taken as a whole appeals to prurient interest." Ten years later, Justice Potter Stewart said, "I can't define it, but I know it when I see it." Today federal law states that the definition of pornography is to be left up to the individual communities to decide. This, of course, has totally confused the country. What seems to be acceptable in San Francisco may be appalling in a small town, and communities themselves are having trouble deciding what they think is "patently offensive" and without "serious literary, artistic, political or scientific value." Feminists have a further objection to this definition: If pornography does not offend local community standards, we say, then something is wrong because it should!

In this paper, published here for the first time, feminist philosopher Helen Longino puts forth a serious definition of pornography which we believe withstands a rigorous and critical examination and which may prove helpful to teachers, doctors, laypeople, and jurists—anyone, in fact, who is interested in a good working definition of the term. She goes on to apply this definition to the question of pornography and the First Amendment.

## I. Introduction

The much-touted sexual revolution of the 1960's and 1970's not only freed various modes of sexual behavior from the constraints of social disapproval, but also made possible a flood of pornographic material. According to figures provided by WAVPM (Women Against Violence in Pornography and Media), the number of pornographic magazines available at newsstands has grown from zero in

1953 to forty in 1977, while sales of pornographic films in Los Angeles alone have grown from \$15 million in 1969 to \$85 million in 1976.<sup>1</sup>

Traditionally, pornography was condemned as immoral because it presented sexually explicit material in a manner designed to appeal to "prurient interests" or a "morbid" interest in nudity and sexuality, material which furthermore lacked any redeeming social value and which exceeded "customary limits of candor." While these phrases, taken from a definition of "obscenity" proposed in the 1954 American Law Institute's *Model Penal Code*,<sup>2</sup> require some criteria of application to eliminate vagueness, it seems that what is objectionable is the explicit description or representation of bodily parts or sexual behavior for the purpose of inducing sexual stimulation or pleasure on the part of the reader or viewer. This kind of objection is part of a sexual ethic that subordinates sex to procreation and condemns all sexual interactions outside of legitimated marriage. It is this code which was the primary target of the sexual revolutionaries in the 1960's, and which has given way in many areas to more open standards of sexual behavior.

One of the beneficial results of the sexual revolution has been a growing acceptance of the distinction between questions of sexual mores and questions of morality. This distinction underlies the old slogan, "Make love, not war," and takes harm to others as the defining characteristic of immorality. What is immoral is behavior which causes injury to or violation of another person or people. Such injury may be physical or it may be psychological. To cause pain to another, to lie to another, to hinder another in the exercise of her or his rights, to exploit another, to degrade another, to misrepresent and slander another are instances of immoral behavior. Masturbation or engaging voluntarily in sexual intercourse with another consenting adult of the same or the other sex, as long as neither injury nor violation of either individual or another is involved, are not immoral. Some sexual behavior is morally objectionable, but not because of its sexual character. Thus, adultery is immoral not because it involves sexual intercourse with someone to whom one is not legally married, but because it involves breaking a promise (of sexual and emotional fidelity to one's spouse). Sadistic, abusive, or forced sex is immoral because it injures and violates another.

The detachment of sexual chastity from moral virtue implies that we cannot condemn forms of sexual behavior merely because they strike us as distasteful or subversive of the Protestant work ethic, or because they depart from standards of behavior we have individually

adopted. It has thus seemed to imply that no matter how offensive we might find pornography, we must tolerate it in the name of freedom from illegitimate repression. I wish to argue that this is not so, that pornography is immoral because it is harmful to people.

## II. What Is Pornography?

I define pornography as *verbal or pictorial explicit representations of sexual behavior that, in the words of the Commission on Obscenity and Pornography, have as a distinguishing characteristic "the degrading and demeaning portrayal of the role and status of the human female . . . as a mere sexual object to be exploited and manipulated sexually."*<sup>3</sup> In pornographic books, magazines, and films, women are represented as passive and as slavishly dependent upon men. The role of female characters is limited to the provision of sexual services to men. To the extent that women's sexual pleasure is represented at all, it is subordinated to that of men and is never an end in itself as is the sexual pleasure of men. What pleases women is the use of their bodies to satisfy male desires. While the sexual objectification of women is common to all pornography, women are the recipients of even worse treatment in violent pornography, in which women characters are killed, tortured, gang-raped, mutilated, bound, and otherwise abused, as a means of providing sexual stimulation or pleasure to the male characters. It is this development which has attracted the attention of feminists and been the stimulus to an analysis of pornography in general.<sup>4</sup>

Not all sexually explicit material is pornography, nor is all material which contains representations of sexual abuse and degradation pornography.

A representation of a sexual encounter between adult persons which is characterized by mutual respect is, once we have disentangled sexuality and morality, not morally objectionable. Such a representation would be one in which the desires and experiences of each participant were regarded by the other participants as having a validity and a subjective importance equal to those of the individual's own desire and experiences. In such an encounter, each participant acknowledges the other participant's basic human dignity and personhood. Similarly, a representation of a nude human body (in whole or in part) in such a manner that the person shown maintains self-respect—e.g., is not portrayed in a degrading position—would not be morally objectionable. The educational films of the National Sex Forum, as well as a certain amount of erotic literature and art, fall into this category.

While some erotic materials are beyond the standards of modesty held by some individuals, they are not for this reason immoral.

A representation of a sexual encounter which is not characterized by mutual respect, in which at least one of the parties is treated in a manner beneath her or his dignity as a human being, is no longer simple erotica. That a representation is of degrading behavior does not in itself, however, make it pornographic. Whether or not it is pornographic is a function of contextual features. Books and films may contain descriptions or representations of a rape in order to explore the consequences of such an assault upon its victim. What is being shown is abusive or degrading behavior which attempts to deny the humanity and dignity of the person assaulted, yet the context surrounding the representation, through its exploration of the consequences of the act, acknowledges and reaffirms her dignity. Such books and films, far from being pornographic, are (or can be) highly moral, and fall into the category of moral realism.

What makes a work of pornography, then, is not simply its representation of degrading and abusive sexual encounters, but its implicit, if not explicit, approval and recommendation of sexual behavior that is immoral, i.e., that physically or psychologically violates the personhood of one of the participants. Pornography, then, is verbal or pictorial material which represents or describes sexual behavior that is degrading or abusive to one or more of the participants *in such a way as to endorse the degradation*. The participants so treated in virtually all heterosexual pornography are women or children, so heterosexual pornography is, as a matter of fact, material which endorses sexual behavior that is degrading and/or abusive to women and children. As I use the term "sexual behavior," this includes sexual encounters between persons, behavior which produces sexual stimulation or pleasure for one of the participants, and behavior which is preparatory to or invites sexual activity. Behavior that is degrading or abusive includes physical harm or abuse, and physical or psychological coercion. In addition, behavior which ignores or devalues the real interests, desires, and experiences of one or more participants in any way is degrading. Finally, that a person has chosen or consented to be harmed, abused, or subjected to coercion does not alter the degrading character of such behavior.

Pornography communicates its endorsement of the behavior it represents by various features of the pornographic context: the degradation of the female characters is represented as providing pleasure to the participant males and, even worse, to the participant females, and there is no suggestion that this sort of treatment of others is inappro-

priate to their status as human beings. These two features are together sufficient to constitute endorsement of the represented behavior. The contextual features which make material pornographic are intrinsic to the material. In addition to these, extrinsic features, such as the purpose for which the material is presented—i.e., the sexual arousal/pleasure/satisfaction of its (mostly) male consumers—or an accompanying text, may reinforce or make explicit the endorsement. Representations which in and of themselves do not show or endorse degrading behavior may be put into a pornographic context by juxtaposition with others that are degrading, or by a text which invites or recommends degrading behavior toward the subject represented. In such a case the whole complex—the series of representations or representations with text—is pornographic.

The distinction I have sketched is one that applies most clearly to sequential material—a verbal or pictorial (filmed) story—which represents an action and provides a temporal context for it. In showing the before and after, a narrator or film-maker has plenty of opportunity to acknowledge the dignity of the person violated or clearly to refuse to do so. It is somewhat more difficult to apply the distinction to single still representations. The contextual features cited above, however, are clearly present in still photographs or pictures that glamorize degradation and sexual violence. Photograph album covers and advertisements offer some prime examples of such glamorization. Their representations of women in chains (the Ohio Players), or bound by ropes and black and blue (the Rolling Stones) are considered high-quality commercial "art" and glossily prettify the violence they represent. Since the standard function of prettification and glamorization is the communication of desirability, these albums and ads are communicating the desirability of violence against women. Representations of women bound or chained, particularly those of women bound in such a way as to make their breasts, or genital or anal areas vulnerable to any passerby, endorse the scene they represent by the absence of any indication that this treatment of women is in any way inappropriate.

To summarize: Pornography is not just the explicit representation or description of sexual behavior, nor even the explicit representation or description of sexual behavior which is degrading and/or abusive to women. Rather, it is material that explicitly represents or describes degrading and abusive sexual behavior so as to endorse and/or recommend the behavior as described. The contextual features, moreover, which communicate such endorsement are intrinsic to the

material; that is, they are features whose removal or alteration would change the representation or description.

This account of pornography is underlined by the etymology and original meaning of the word "pornography." *The Oxford English Dictionary* defines pornography as "Description of the life, manners, etc. of prostitutes and their patrons [from *πόρνη* (*porne*) meaning "harlot" and *γραφειν* (*graphein*) meaning "to write"]; hence the expression or suggestion of obscene or unchaste subjects in literature or art."<sup>5</sup>

Let us consider the first part of the definition for a moment. In the transactions between prostitutes and their clients, prostitutes are paid, directly or indirectly, for the use of their bodies by the client for sexual pleasure.\* Traditionally males have obtained from female prostitutes what they could not or did not wish to get from their wives or women friends, who, because of the character of their relation to the male, must be accorded some measure of human respect. While there are limits to what treatment is seen as appropriate toward women as wives or women friends, the prostitute as prostitute exists to provide sexual pleasure to males. The female characters of contemporary pornography also exist to provide pleasure to males, but in the pornographic context no pretense is made to regard them as parties to a contractual arrangement. Rather, the anonymity of these characters makes each one Everywoman, thus suggesting not only that all women are appropriate subjects for the enactment of the most bizarre and demeaning male sexual fantasies, but also that this is their primary purpose. The recent escalation of violence in pornography—the presentation of scenes of bondage, rape, and torture of women for the sexual stimulation of the male characters or male viewers—while shocking in itself, is from this point of view merely a more vicious extension of a genre whose success depends on treating women in a manner beneath their dignity as human beings.

### III. Pornography: Lies and Violence Against Women

What is wrong with pornography, then, is its degrading and dehumanizing portrayal of women (and *not* its sexual content). Pornography, by its very nature, requires that women be subordinate to men and mere instruments for the fulfillment of male fantasies. To

\* In talking of prostitution here, I refer to the concept of, rather than the reality of, prostitution. The same is true of my remarks about relationships between women and their husbands or men friends.

accomplish this, pornography must lie. Pornography lies when it says that our sexual life is or ought to be subordinate to the service of men, that our pleasure consists in pleasing men and not ourselves, that we are deprived, that we are fit subjects for rape, bondage, torture, and murder. Pornography lies explicitly about women's sexuality, and through such lies fosters more lies about our humanity, our dignity, and our personhood.

Moreover, since nothing is alleged to justify the treatment of the female characters of pornography save their womanhood, pornography depicts all women as fit objects of violence by virtue of their sex alone. Because it is simply being female that, in the pornographic vision, justifies being violated, the lies of pornography are lies about all women. Each work of pornography is on its own libelous and defamatory, yet gains power through being reinforced by every other pornographic work. The sheer number of pornographic productions expands the moral issue to include not only assessing the morality or immorality of individual works, but also the meaning and force of the mass production of pornography.

The pornographic view of women is thoroughly entrenched in a booming portion of the publishing, film, and recording industries, reaching and affecting not only all who look to such sources for sexual stimulation, but also those of us who are forced into an awareness of it as we peruse magazines at newsstands and record albums in record stores, as we check the entertainment sections of city newspapers, or even as we approach a counter to pay for groceries. It is not necessary to spend a great deal of time reading or viewing pornographic material to absorb its male-centered definition of women. No longer confined within plain brown wrappers, it jumps out from billboards that proclaim "Live X-rated Girls!" or "Angels in Pain" or "Hot and Wild," and from magazine covers displaying a woman's genital area being spread open to the viewer by her own fingers.\* Thus, even men who do not frequent pornographic shops and movie houses are supported in the sexist objectification of women by their environment. Women, too, are crippled by internalizing as self-images those that are presented to us by pornographers. Isolated from one another and with no source of support for an alternative view of female sexuality, we may not always find the strength to resist a message that dominates the common cultural media.

The entrenchment of pornography in our culture also gives it a significance quite beyond its explicit sexual messages. To suggest, as \* This was a full-color magazine cover seen in a rack at the check-out counter of a corner delicatessen.

pornography does, that the primary purpose of women is to provide sexual pleasure to men is to deny that women are independently human or have a status equal to that of men. It is, moreover, to deny our equality at one of the most intimate levels of human experience. This denial is especially powerful in a hierarchical, class society such as ours, in which individuals feel good about themselves by feeling superior to others. Men in our society have a vested interest in maintaining their belief in the inferiority of the female sex, so that no matter how oppressed and exploited by the society in which they live and work, they can feel that they are at least superior to someone or some category of individuals—a woman or women. Pornography, by presenting women as wanton, deprived, and made for the sexual use of men, caters directly to that interest.\* The very intimate nature of sexuality which makes pornography so corrosive also protects it from explicit public discussion. The consequent lack of any explicit social disavowal of the pornographic image of women enables this image to continue fostering sexist attitudes even as the society publicly proclaims its (as yet timid) commitment to sexual equality.

In addition to finding a connection between the pornographic view of women and the denial to us of our full human rights, women are beginning to connect the consumption of pornography with committing rape and other acts of sexual violence against women. Contrary to the findings of the Commission on Obscenity and Pornography a growing body of research is documenting (1) a correlation between exposure to representations of violence and the committing of violent acts generally, and (2) a correlation between exposure to pornographic materials and the committing of sexually abusive or violent acts against women.\* While more study is needed to establish precisely what the causal relations are, clearly so-called hard-core pornography is not innocent.

From "snuff" films and miserable magazines in pornographic stores to *Hustler*, to phonograph album covers and advertisements, to *Vogue*, pornography has come to occupy its own niche in the communications and entertainment media and to acquire a quasi-institutional character (signaled by the use of diminutives such as

\* Pornography thus becomes another tool of capitalism. One feature of some contemporary pornography—the use of Black and Asian women in both still photographs and films—exploits the racism as well as the sexism of its white consumers. For a discussion of the interplay between racism and sexism under capitalism as it relates to violent crimes against women, see Angela Y. Davis, "Rape, Racism, and the Capitalist Setting," *The Black Scholar*, Vol. 9, No. 7, April 1978.

"porn" or "porno" to refer to pornographic material, as though such familiar naming could take the hurt out). Its acceptance by the mass media, whatever the motivation, means a cultural endorsement of its message. As much as the materials themselves, the social tolerance of these degrading and distorted images of women in such quantities is harmful to us, since it indicates a general willingness to see women in ways incompatible with our fundamental human dignity and thus to justify treating us in those ways.\* The tolerance of pornographic representations of the rape, bondage, and torture of women helps to create and maintain a climate more tolerant of the actual physical abuse of women.† The tendency on the part of the legal system to view the victim of a rape as responsible for the crime against her is but one manifestation of this.

In sum, pornography is injurious to women in at least three distinct ways:

1. Pornography, especially violent pornography, is implicated in the committing of crimes of violence against women.
2. Pornography is the vehicle for the dissemination of a deep and vicious lie about women. It is defamatory and libelous.
3. The diffusion of such a distorted view of women's nature in our society as it exists today supports sexist (i.e., male-centered) attitudes, and thus reinforces the oppression and exploitation of women.

Society's tolerance of pornography, especially pornography on the contemporary massive scale, reinforces each of these modes of injury: By not disavowing the lie, it supports the male-centered myth that women are inferior and subordinate creatures. Thus, it contributes to the maintenance of a climate tolerant of both psychological and physical violence against women.

\* This tolerance has a linguistic parallel in the growing acceptance and use of nonhuman nouns such as "chick," "bird," "filly," "fox," "doll," "babe," "skirt," etc., to refer to women, and of verbs of harm such as "fuck," "screw," "bang" to refer to sexual intercourse. See Robert Baker and Frederick Elliston, "Pricks' and 'Chicks': A Plea for Persons." *Philosophy and Sex* (Buffalo, N.Y.: Prometheus Books, 1975).

† This is supported by the fact that in Denmark the number of rapes committed has increased while the number of rapes reported to the authorities has decreased over the past twelve years. See *WAVPM Newspaper*, Vol. II, No. 5, June, 1978, quoting M. Harry, "Denmark Today—The Causes and Effects of Sexual Liberty" (paper presented to The Responsible Society, London, England, 1976). See also Eysenck and Nias, *Sex, Violence and the Media* (New York: St. Martin's Press, 1978), pp. 120-124.

#### IV. Pornography and the Law

Congress shall make no law respecting the establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

—FIRST AMENDMENT, BILL OF RIGHTS  
OF THE UNITED STATES CONSTITUTION

Pornography is clearly a threat to women. Each of the modes of injury cited above offers sufficient reason at least to consider proposals for the social and legal control of pornography. The almost universal response from progressives to such proposals is that constitutional guarantees of freedom of speech and privacy preclude recourse to law.<sup>7</sup> While I am concerned about the erosion of constitutional rights and also think for many reasons that great caution must be exercised before undertaking a legal campaign against pornography, I find objections to such a campaign that are based on appeals to the First Amendment or to a right to privacy ultimately unconvincing.

Much of the defense of the pornographer's right to publish seems to assume that, while pornography may be tasteless and vulgar, it is basically an entertainment that harms no one but its consumers, who may at worst suffer from the debasement of their taste; and that therefore those who argue for its control are demanding an unjustifiable abridgment of the rights to freedom of speech of those who make and distribute pornographic materials and of the rights to privacy of their customers. The account of pornography given above shows that the assumptions of this position are false. Nevertheless, even some who acknowledge its harmful character feel that it is granted immunity from social control by the First Amendment, or that the harm that would ensue from its control outweighs the harm prevented by its control.

There are three ways of arguing that control of pornography is incompatible with adherence to constitutional rights. The first argument claims that regulating pornography involves an unjustifiable interference in the private lives of individuals. The second argument takes the First Amendment as a basic principle constitutive of our form of government, and claims that the production and distribution of pornographic material, as a form of speech, is an activity protected by that amendment. The third argument claims not that the pornog-

rapher's rights are violated, but that others' rights will be if controls against pornography are instituted.

The privacy argument is the easiest to dispose of. Since the open commerce in pornographic materials is an activity carried out in the public sphere, the publication and distribution of such materials, unlike their use by individuals, is not protected by rights to privacy. The distinction between the private consumption of pornographic material and the production and distribution of, or open commerce in, it is sometimes blurred by defenders of pornography. But I may entertain, in the privacy of my mind, defamatory opinions about another person, even though I may not broadcast them. So one might create without restraint—as long as no one were harmed in the course of preparing them—pornographic materials for one's personal use, but be restrained from reproducing and distributing them. In both cases what one is doing—in the privacy of one's mind or basement—may indeed be deplorable, but immune from legal proscription. Once the activity becomes public, however—i.e., once it involves others—it is no longer protected by the same rights that protect activities in the private sphere.\*

In considering the second argument (that control of pornography, private or public, is wrong in principle), it seems important to determine whether we consider the right to freedom of speech to be absolute and unqualified. If it is, then obviously all speech, including pornography, is entitled to protection. But the right is, in the first place, not an unqualified right: There are several kinds of speech not protected by the First Amendment, including the incitement to violence in volatile circumstances, the solicitation of crimes, perjury and misrepresentation, slander, libel, and false advertising.† That there are forms of proscribed speech shows that we accept limitations on the right to freedom of speech if such speech, as do the forms listed, impinges on other rights. The manufacture and distribution of material which defames and threatens all members of a class by its recommendation of abusive and degrading behavior toward some members of that class simply in virtue of their membership in it seems

\* Thus, the right to use such materials in the privacy of one's home, which has been upheld by the United States Supreme Court (*Stanley v. Georgia*, 394 U.S. 557), does not include the right to purchase them or to have them available in the commercial market. See also *Paris Adult Theater I v. Stonon*, 431 U.S. 49. † The Supreme Court has also traditionally included obscenity in this category. As not everyone agrees it should be included, since as defined by statutes, it is a highly vague concept, and since the grounds accepted by the Court for including it miss the point, I prefer to omit it from this list.

a clear candidate for inclusion on the list. The right is therefore not an unqualified one.

Nor is it an absolute or fundamental right, derived from any other right: If it were there would not be exceptions or limitations. The first ten amendments were added to the Constitution as a way of guaranteeing the "blessings of liberty" mentioned in its preamble, to protect citizens against the unreasonable usurpation of power by the state. The specific rights mentioned in the First Amendment—those of religion, speech, assembly, press, petition—reflect the recent experiences of the makers of the Constitution under colonial government as well as a sense of what was and is required generally to secure liberty.

It may be objected that the right to freedom of speech is fundamental in that it is part of what we mean by liberty and not a right that is derivative from a right to liberty. In order to meet this objection, it is useful to consider a distinction explained by Ronald Dworkin in his book *Taking Rights Seriously*.<sup>8</sup> As Dworkin points out, the word "liberty" is used in two distinct, if related, senses: as "license," i.e., the freedom from legal constraints to do as one pleases, in some contexts; and as "independence," i.e., "the status of a person as independent and equal rather than subservient," in others. Failure to distinguish between these senses in discussions of rights and freedoms is fatal to clarity and understanding.

If the right to free speech is understood as a partial explanation of what is meant by liberty, then liberty is perceived as license: The right to do as one pleases includes a right to speak as one pleases. But license is surely not a condition the First Amendment is designed to protect. We not only tolerate but require legal constraints on liberty as license when we enact laws against rape, murder, assault, theft, etc. If everyone did exactly as she or he pleased at any given time, we would have chaos if not lives, as Hobbes put it, that are "nasty, brutish, and short." We accept government to escape, not to protect, this condition.

If, on the other hand, by liberty is meant independence, then freedom of speech is not necessarily a part of liberty; rather, it is a means to it. The right to freedom of speech is not a fundamental, absolute right, but one derivative from, possessed in virtue of, the more basic right to independence. Taking this view of liberty requires providing arguments showing that the more specific rights we claim are necessary to guarantee our status as persons, "independent and equal rather than subservient." In the context of government, we understand independence to be the freedom of each individual to participate as

an equal among equals in the determination of how she or he is to be governed. Freedom of speech in this context means that an individual may not only entertain beliefs concerning government privately, but may express them publicly. We express our opinions about taxes, disarmament, wars, social-welfare programs, the function of the police, civil rights, and so on. Our right to freedom of speech includes the right to criticize the government and to protest against various forms of injustice and the abuse of power. What we wish to protect is the free expression of ideas even when they are unpopular. What we do not always remember is that speech has functions other than the expression of ideas.

Regarding the relationship between a right to freedom of speech and the publication and distribution of pornographic materials, there are two points to be made. In the first place, the latter activity is hardly an exercise of the right to the free expression of ideas as understood above. In the second place, to the degree that the tolerance of material degrading to women supports and reinforces the attitude that women are not fit to participate as equals among equals in the political life of their communities, and that the prevalence of such an attitude effectively prevents women from so participating, the absolute and fundamental right of women to liberty (political independence) is violated.

This second argument against the suppression of pornographic material, then, rests on a premise that must be rejected, namely, that the right to freedom of speech is a right to utter anything one wants. It thus fails to show that the production and distribution of such material is an activity protected by the First Amendment. Furthermore, an examination of the issues involved leads to the conclusion that tolerance of this activity violates the rights of women to political independence.

The third argument (which expresses concern that curbs on pornography are the first step toward political censorship) runs into the same ambiguity that besets the arguments based on principle. These arguments generally have as an underlying assumption that the maximization of freedom is a worthy social goal. Control of pornography diminishes freedom—directly the freedom of pornographers, indirectly that of all of us. But again, what is meant by "freedom"? It cannot be that what is to be maximized is license—as the goal of a social group whose members probably have at least some incompatible interests, such a goal would be internally inconsistent. If, on the other hand, the maximization of political independence is the goal, then that is in no way enhanced by, and may

be endangered by, the tolerance of pornography. To argue that the control of pornography would create a precedent for suppressing political speech is thus to confuse license with political independence. In addition, it ignores a crucial basis for the control of pornography, i.e., its character as libelous speech. The prohibition of such speech is justified by the need for protection from the injury (psychological as well as physical or economic) that results from libel. A very different kind of argument would be required to justify curtailing the right to speak our minds about the institutions which govern us. As long as such distinctions are insisted upon, there is little danger of the government's using the control of pornography as precedent for curtailing political speech.

In summary, neither as a matter of principle nor in the interests of maximizing liberty can it be supposed that there is an intrinsic right to manufacture and distribute pornographic material.

The only other conceivable source of protection for pornography would be a general right to do what we please as long as the rights of others are respected. Since the production and distribution of pornography violates the rights of women—to respect and to freedom from defamation, among others—this protection is not available.

## V. Conclusion

I have defined pornography in such a way as to distinguish it from erotica and from moral realism, and have argued that it is defamatory and libelous toward women, that it condones crimes against women, and that it invites tolerance of the social, economic, and cultural oppression of women. The production and distribution of pornographic material is thus a social and moral wrong. Contrasting both the current volume of pornographic production and its growing infiltration of the communications media with the status of women in this culture makes clear the necessity for its control. Since the goal of controlling pornography does not conflict with constitutional rights, a common obstacle to action is removed.

Appeals for action against pornography are sometimes brushed aside with the claim that such action is a diversion from the primary task of feminists—the elimination of sexism and of sexual inequality. This approach focuses on the enjoyment rather than the manufacture of pornography, and sees it as merely a product of sexism which will disappear when the latter has been overcome and the sexes are socially and economically equal. Pornography cannot be separated from sexism in this way: Sexism is not just a set of attitudes regarding

the inferiority of women but the behaviors and social and economic rules that manifest such attitudes. Both the manufacture and distribution of pornography and the enjoyment of it are instances of sexist behavior. The enjoyment of pornography on the part of individuals will presumably decline as such individuals begin to accord women their status as fully human. A cultural climate which tolerates the degrading representation of women is not a climate which facilitates the development of respect for women. Furthermore, the demand for pornography is stimulated not just by the sexism of individuals but by the pornography industry itself. Thus, both as a social phenomenon and in its effect on individuals, pornography, far from being a mere product, nourishes sexism. The campaign against it is an essential component of women's struggle for legal, economic, and social equality, one which requires the support of all feminists.\*

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