
Symposia on Gender, Race and Philosophy

Volume 4, number 2 (Spring 2008)

<http://web.mit.edu/sgrp>

Comments on A. W. Eaton's "A Sensible Antiporn Feminism"

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Does pornography harm women? This is most naturally construed as a question about causation, and one to which liberals and anti-pornography feminists have traditionally offered opposing answers. Anne Eaton's paper is one of the most careful developments of the causal argument to have appeared for some time, and it deserves close attention from readers on all sides of the debate. Eaton's aim is to identify a 'sensible anti-porn feminism', as her title has it: one that (i) restricts a causal hypothesis to 'inegalitarian' pornography; (ii) is more precise about the nature of the causal relation, being probabilistic rather than deterministic, cumulative rather than isolated, and with two distinct stages, involving consumers, and then other parties; (iii) is alert to both the strengths and the weaknesses of the empirical evidence; and

finally (iv) is more pluralistic about the possible remedies, legal and otherwise, that may be appropriate if the harm hypothesis is vindicated. The reader comes away with not only a fresh and nuanced perspective on a familiar question, but also with a better grasp of how causation operates in complex real-life contexts. Identifying causal patterns is no simple matter for medical scientists and epidemiologists, yet policies are rightly developed in response to their hypotheses about, for example, the relation of smoking to cancer. Pornography presents similar empirical challenges, but they are not in principle intractable.

Some feminists have argued that pornography not only causes harm, but also *constitutes* a harm. MacKinnon and others, including myself, have argued that pornography is a certain kind of 'authoritative saying', a speech act that subordinates women, ranking women as inferior, legitimating discriminatory behaviour and violence against women, and depriving women of certain powers. Eaton mentions this alternative briefly before setting it aside (p. 677). She certainly has plenty on her plate without attending to the constitutive argument, but perhaps she sets it aside just a little too readily. Considerable work has been done to unpack the idea that pornography might harm women in a constitutive manner: for example, the idea that it discriminates against women (MacKinnon 1987, 1993); it subordinates women (MacKinnon 1987, 1993; Langton 1993); it enacts facts about what is permissible and not permissible (McGowan 2003); it alters conventions governing women's speech acts (Wieland 2007); it is comparable to hate speech and group libel (Brison 1998). Agreement might well be reached that certain forms of pornography—for example, an infamous *Hustler* image of a headless naked woman being fed into a meat grinder—harm women in the way that hate speech and racial insults are understood to be constitutively harming their targets.

As a matter of fact, though, Eaton sympathizes with Cynthia Stark's critique, according to which the constitutive argument collapses into the causal one. This is not the occasion to do justice to Stark's interesting critique, but perhaps predictably, I do not myself find it convincing. Briefly: Stark rightly shows that MacKinnon is making at least a causal argument. Then as I see it, she neglects passages where MacKinnon is making in addition a constitutive claim, and neglects the relevance of effects in helping grasp what kind of speech act pornography is—what 'illocutionary force' it has. This latter point is relevant to Eaton too. It is a familiar thought that perlocutionary effects can find their explanation in illocutionary acts. Why did you come to my party? Perhaps because I invited you. Why does pornography cause changes in consumers' norms about women? Perhaps because pornography legitimates those norms. The effects Eaton identifies may find their explanation in the speech act pornography is.

Let me also add that the constitutive approach may well have something to learn from Eaton's careful distinctions: for example, between individual and group harm (does pornography rank a particular woman, or many, or all women?); and between isolated and cumulative results (can norms about what is legitimate be altered by a cumulative series of speech acts, as well as by a particular one?). These questions are worth thinking about further.

Eaton is surely right to say that parties to the debate have often talked past each other, and that anti-pornography feminism has been needlessly burdened with a simplistic, 'billiard ball' picture of the causal claim, and a picture of harm narrowly focused on rape. Her insistence on an epidemiological model of causation is helpful, both as a corrective to the 'billiard ball' picture, and as a possible guide for the direction of future empirical research. It is perhaps worth noting that the causal evidence is a little stronger than

Eaton credits: recent meta-studies, which work by pooling the samples of existing studies, have provided more conclusive evidence of effects that concern feminists (the meta-studies are reviewed in Malamuth et. al. 2000). But that is not my topic. My main goal here is to highlight two possible features of pornography which would make its harms *unlike* like the harms of disease. Both features have implications for the epistemology of harm.

Suppose a cigarette company marketed a kind of cigarette that caused cancer, but also caused many people to stop noticing the symptoms of cancer, in others and (more rarely) in themselves, and prevented people caring about the symptoms if they did notice them. What a coup! Diseases don't in fact work like this, but perhaps pornography does. MacKinnon's causal claim about pornography has an epistemological dimension, not noted by Eaton, but relevant to questions about the complications and difficulties about evidence: the more pornography succeeds in turning the world into a pornographic place, the less it looks as though pornography is doing any harm. To be sure, this epistemological claim is also an empirical one, which in turn needs its own justification. But if we are to credit current evidence, some of it noted by Eaton, pornography weakens attitudes to sexual violence, so that pornography consumers are more likely to see sexually violent behaviour as more normal—this being manifested in dispositions to give lower sentences for convicted rapists, a lowered ability to notice violence in depicted sexual encounters, and a lowered ability to recognize testimony about rape for what it is. If this happens, pornography helps to mask its own harm: in a society pervaded by pornography, people to a certain degree become worse at recognizing the harm as harm, when suffered by others, and perhaps even when it is suffered by themselves.

There is a second disanalogy with the disease model. Consuming pornography, and interacting with others thereafter, are thoroughly human activities. One way we find out what is going on with other human beings is indeed to ask psychologists and social scientists, and to organize appropriate empirical studies. Another way we find out what is going on with other human beings is to ask them. Testimony has an important role to play in our knowledge of other minds, as feminists and philosophers have historically agreed (though not always for the same reasons). There seems to be little place for ordinary testimony in Eaton's proposal about evidence, but perhaps there ought to be, since, where it is credible, testimony may give epistemic access to the causal story at least for an individual case: for example, one that involves an individual consumer, encountering (in Eaton's terms) cumulative Stage 1 effects on himself, and isolated or cumulative Stage 2 effects on the woman or women in his life. To be sure, testimony has limits: self-ignorance, self-deception and vested interests may undermine the truth and sincerity of testimony, and its scope cannot on its own extend to wider group harms. But it is implausible to suppose that an individual cannot establish any causal relationships between events in his or her life without knowing the kinds of statistics epidemiologists would require.

Perhaps someone can know, say, that watching a particular horror movie gave him nightmares. Perhaps someone can know that consuming vast amounts of strangulation and necrophilia pornography over a long period gave him a taste for activities that helped lead him, in the end, to kill somebody (Graham Coutts murdered Jane Longhurst in 2003, after such a history—see e.g. Carter, 2007) Less dramatically, perhaps someone can know that watching pornography made him want more pornography, and more extreme pornography; and that he began to find certain material arousing that he never expected to find arousing, including

sexual scenes with children, animals, and torture. Someone can know that commitment to moral and political principles didn't stop such images becoming a turn-on. Someone can know that masturbating to pornography for many hours in the week left him less interested in sex with his partner. Someone can know that porn led him to demand things of his partner that he would never have thought of, or led him in the end to sexual alienation, or ennui.

Some remarkably frank interviews were collected by Pamela Paul, partly quoted in *Pornified* (Paul 2005). The effects they describe (in Eaton's terms, Stage 1 and Stage 2 effects) range from the laughable to the tragic. Here is a small sample. 'Tyler' describes how porn affects his expectations (p. 94): 'I'm a big fan of full shaved'. His last girlfriend wouldn't comply, complaining it gave her ingrown hairs, but he couldn't understand that—'Porn women don't have any problem shaving their hair'. 'Luis' also has expectations (p. 93): 'In porn, the women have orgasms so easily...but it usually takes longer in real life... I get pretty impatient.' Here is 'Dave' (pp. 52, 61-2, 66): 'I'm a feminist... I fully believe in the empowerment of women and equal rights and access—politically, economically and in every other sphere'. However, he says, 'I do prefer images where she's lying on her back with her head bent back toward the floor and the guy is inserting his penis down her throat...I like the concept of pleasure and torture at the same time... the idea that her throat is just being used to get this guy off'—just, he says, an enjoyable fantasy, 'a release... maybe not the best thing... Like eating a bag of potato chips'. He is in a relationship, trying to cut back his pornography use, but secretly conjuring the images to maintain arousal when with his partner. Here is 'Miles' describing sex with his wife (p. 233): 'I was just masturbating with her. All the while I was thinking either about porn or trying to make her say things she didn't want to say. I was really just using her—she was like a masturbatory accessory'. 'Rachel' describes a kind of

solipsistic sex with her porn-addicted husband (p. 232): 'I obviously knew where his body was, but where was his mind?... he was just not there with me... At a certain point I realized I was just a tool. I could have been anything or anybody. I felt so lonely, even when he was in the room.'

As for ennui, here is Paul Restivo (this time his real name): 'It's not easy to turn me on anymore. And that's not a good thing... What had my turtle in its shell? Pornography...[after five years] I am immune to all of it... I have seen everything – things I did not know the human body could do or wanted to do... I have built such a high immunity to sex that the whole idea of it is demystified. There are no secrets. There are no subtleties – the subtleties that can tease a person to arousal. Nope. Not here.' (Restivo 2004, cited in Paul p. 82.)

Should we dismiss ordinary testimony as merely 'anecdotal'? I'm reluctant, though I recognize the dangers. Testimony can help one understand a little more about some of the people consuming pornography, and those they interact with. It gives a picture, admittedly fallible, of a causal relationship, for an individual case, involving what Eaton calls Stage 1 and occasionally Stage 2 effects. Moreover it gives a kind of view from the *inside*, a more human picture, helping one grasp more about *what it is like* for the them, in ways that are less readily supplied by the social science statistics.

And here is something else about these stories. They help one see that we might want to amend Eaton's proposal, and observe that *some Stage 1 effects might be harms*: harms which, though they may not directly involve women, should nonetheless be of interest to a 'sensible anti-porn feminism'. Even though men are often advantaged by sexism, it is surely no news to feminists that men can also be damaged by it. And the stories revealed by testimonies of this kind show that men too can be harmed by pornography: their joy in sex undermined, their imaginations invaded, their relationships

destroyed. It is right of course to focus on Stage 2 effects on women, when it comes to possible legislation. The harms to women that could justify legislation would be more serious – for example, the harm suffered by Jane Longhurst; and pending UK legislation restricting the 'extreme pornography' to which her murderer Coutts had such easy access. Laws to protect *consumers* from harm would be seen as moralistic or paternalistic. However, recall that Eaton says we should widen our efforts to solve the problem of pornography, aiming not just at legislation, but also education – and there is no reason to restrict *this* to Stage 2 harms. It is not legal paternalism to spread the word about how consumers themselves may be damaged – and perhaps it could help, by broadening even further the appeal of a 'sensible' feminism.

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