

A Sensible Antiporn Feminism*

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A recent article in *The Boston Globe* asks, “What happened to the anti-porn feminists?”¹ Although a political debate about pornography still rages in the United States, civil libertarians and cultural conservatives dominate the dispute, whereas antiporn feminists, who played a leading role in opposing pornography in the 1970s, have considerably less public presence. Antiporn feminism has similarly dwindled in the academy where sex-positive feminists like Laura Kipnis and feminist-identified porn artists such as Annie Sprinkle have gained favor in English, art history, and gender studies departments. Academics in the humanities today are more likely to critically analyze pornographic works than to protest against them.

Why has antiporn feminism (hereafter APF) lost ground, particularly among self-identified feminists? Our *Globe* writer suggests that it is at least in part the recent growth of the porn industry and, in particular, the explosion of internet pornography that has weakened the antiporn case. Although these things certainly play some role, they cannot explain

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why antiporn feminism, in particular, has waned, while culturally conservative opponents of pornography are gaining influence.²

I'd like to offer another explanation, namely, that over the years APF has gained a bad reputation. Nowadays "antiporn feminism" conjures images of imperious and censorial finger-waggers who mean to police every corner of our erotic imaginations. Their insistence that pornography is harmful to women is considered overly simplistic, while their proposed remedy for this putative harm is taken to flagrantly violate the First Amendment.

In some instances this caricature is well deserved. However, I make the case that on certain key issues this criticism rests on a misunderstanding. It is part of the point of this article to critically examine the terms in which the pornography debate is framed and to expose confusions resulting from lack of precision on many levels. By clarifying terms like 'pornography', 'cause', and 'harm', I aim to sift out irrelevant and uncharitable criticisms of APF. But this is only part of my purpose here, for, as I mentioned, the caricature is partially warranted. I believe that APF has not presented its best arguments, has suffered from imprecision and subtlety in its delineation of pornography's harms, has refused to acknowledge the limits of its evidence for these putative harms, and has proposed remedies that are extreme, overly broad, and murky. In this article I will expose these flaws and point the way toward correcting them. In so doing, I hope to convince you that APF can be a sophisticated and reasonable position that is both supported by a powerful intuitive argument and sensitive to the complexities of the empirical data regarding pornography's effects. It can be, in a word, 'sensible'.

My investigation will take the following shape. Section I provides an argument for APF and outlines some of its central tenets. Section II disentangles the various sorts of injury that pornography is thought to cause, exposing a wide array of harms that vary considerably in their character and severity. Section III examines the most common criticisms of APF and argues that they can be deflected by attributing to APF a more sensible conception of causation. Section IV assesses the current state of the evidence for APF's case and outlines a path for future research. Section V addresses some lingering objections and suggests

2. For instance, in February of 2005, the Justice Department announced that it would appeal a recent decision by a federal judge that declared federal obscenity laws unconstitutional. In March of 2005, Attorney General Alberto Gonzales listed "the aggressive prosecution of purveyors of obscene materials" among his top priorities. See "Prepared Remarks of Attorney General Alberto R. Gonzales," Hoover Institution Board of Overseers Conference, February 28, 2005. Available at the attorney general's page on the Department of Justice Web site: <http://www/usdoj.gov/ag/>.

some problems for further reflection, while Section VI provides a brief conclusion.

I. THE HARM HYPOTHESIS

Let's begin with the vexing term 'pornography'.³ Some antiporn feminists construe the term so broadly as to encompass all forms and genres. This position has been justly criticized for ignoring the often liberatory power dynamics that characterize much gay and lesbian pornography, S/M (sadomasochistic) pornography, and pornography made by and for women.⁴ To account for such differences, a sensible APF restricts itself to *inegalitarian pornography*:⁵ sexually explicit representations that as a whole eroticize relations (acts, scenarios, or postures) characterized by gender inequity.⁶ Although this category overlaps significantly with

3. There are important debates about how to define the concept of "pornography" and distinguish it from neighboring categories like "erotic art." For treatments of the difficulties in distinguishing works of pornography from works of art, see Lynda Nead, *The Female Nude: Art, Obscenity, and Sexuality* (London: Routledge, 1992), and "'Above the Pulp-Line': The Cultural Significance of Erotic Art," in *Dirty Looks: Women, Pornography, Power*, ed. Pamela Church Gibson and Roma Gibson (London: British Film Institute, 1993), 144–55; Susan Kappeler, *The Pornography of Representation* (Minneapolis: University of Minnesota Press, 1986); Walter Kendrick, *The Secret Museum: Pornography in Modern Culture* (Berkeley: University of California Press, 1996); and Lynn Hunt, ed., *The Invention of Pornography: Obscenity and the Origins of Modernity* (New York: Zone, 1996). For a recent definition of pornography in the philosophical literature, see Michael Rea, "What Is Pornography?" *Noûs* 35 (2001): 118–45.

4. For discussions of varieties of pornography that do not fit the standard antiporn feminist picture, see Richard Dyer, "Idol Thoughts: Orgasm and Self-Reflexivity in Gay Pornography," in *More Dirty Looks: Gender, Pornography, and Power*, ed. Pamela Church Gibson (London: British Film Institute, 2004), 102–9; Claire Pajaczkowska, "The Heterosexual Presumption," in *The Sexual Subject: A Screen Reader in Sexuality*, ed. Terry Threadgold and Annette Kuhn (London: Routledge, 1992), 184–96; Cindy Patton, "Visualizing Safe Sex: When Pedagogy and Pornography Collide," in *inside/out: Lesbian Theories, Gay Theories*, ed. Diana Fuss (London: Routledge, 1991), 373–86; Becki Ross, "'It's Merely Designed for Sexual Arousal': Interrogating the Indefensibility of Lesbian Smut," in *Feminism and Pornography*, ed. Drucilla Cornell (Oxford: Oxford University Press, 2000), 264–317; and Ann Snitow, "Mass Market Romance: Pornography for Women Is Different," in *Passion and Power: Sexuality in History*, ed. Kathy Peiss and Christina Simmon (Philadelphia: Temple University Press, 1989), 245–63.

5. Larry May is, to my knowledge, the only antiporn feminist to explicitly restrict the area of concern in this way—his term is "non-egalitarian"—although he does not offer a definition. See Larry May, *Masculinity and Morality* (Ithaca, NY: Cornell University Press, 1998), chap. 4, esp. 77.

6. A few points of clarification. A work that includes a few scenes that eroticize inegalitarian relations but in which these are balanced or outweighed by other kinds of scenes—imagine, e.g., a story of a heterosexual couple who take turns in submissive roles while the partner plays the dominant role—would not count as "inegalitarian pornography." Also, I use "gender inequality" in the standard way to refer to the subordination of women; it does not refer to situations where men are subordinate to women. Thanks to an anonymous referee for pressing me to clarify these points.

violent pornography, the two are not coextensive, since some pornography eroticizes sexual relations that are violent but not inegalitarian, while other pornography is deeply degrading to women but not at all violent.

Antiporn feminism connects inegalitarian pornography (hereafter simply “pornography”) to harm in several ways. First, it distinguishes the harms occurring in the production of pornography (e.g., the various kinds of coercion, brutality, rape, and other exploitation sometimes inflicted upon women in making porn) from those that occur post-production. Second, among postproduction harms, some antiporn feminists distinguish the charge that pornographic materials themselves constitute harm, in the manner of hate speech,⁷ from the claim that exposure to such representations causes harm. This article focuses on this last kind of harm, which is always indirect, that is, it is always mediated through a second party, namely, the consumer of pornography. The basic idea is that pornography shapes the attitudes and conduct of its audience in ways that are injurious to women. I shall refer to this as the “harm hypothesis.”

The best argument for the harm hypothesis can be summed up in just a few steps as follows:⁸

7. In earlier works, Catharine MacKinnon suggests not just that exposure to pornography causes harm, but that pornography itself “is a harm” (*Feminism Unmodified: Discourses on Life and Law* [Cambridge, MA: Harvard University Press, 1987], 177) or is “an act of male supremacy” (ibid., 154). She elaborates this view that pornography is itself an act of harm—and not just causally tied to acts of harm—in *Only Words* (Cambridge, MA: Harvard University Press, 1993), where she uses hate speech as a model for the way in which pornographic materials themselves can do damage. As a theoretical underpinning for this view, MacKinnon makes use of J. L. Austin’s concept of performative utterances. A pornographic representation, according to MacKinnon, constitutes an act of subordination performed by verbal or pictorial utterances. This should be distinguished from considering pornographic representations as perlocutionary acts of subordination, in which the harm is a consequence of exposure to pornography. It should be noted that MacKinnon thinks that pornographic representations have both perlocutionary and illocutionary force, i.e., that pornography both is a harm and causes harm. Rae Langton offers a similar account. Several feminists question the identification of pornographic representations as performative utterances (see Rae Langton, “Speech Acts and Unspeakable Acts,” *Philosophy & Public Affairs* 22 [1993]: 293–330). Cynthia Stark, e.g., convincingly argues that MacKinnon fails to explain how pornographic representations themselves can be acts and, further, that her criticism of pornography in these terms actually collapses back into her view that consumption of pornography is causally tied to harmful attitudes and conduct. That is, Stark argues that MacKinnon’s construal of the harm is ultimately of the perlocutionary, causal sort (Cynthia Stark, “Is Pornography an Action? The Causal vs. the Conceptual View of Pornography’s Harm,” *Social Theory and Practice* 23 [1997]: 277–307).

8. My outline has been influenced by Joshua Cohen’s reconstruction of Catharine MacKinnon’s argument (Joshua Cohen, “Freedom, Equality, and Pornography,” in *Justice and Injustice in Law and Legal Theory*, ed. Austin Sarat and Thomas Kearns [Ann Arbor: University of Michigan Press, 1996], 99–137, esp. 103–5), although I depart from Cohen’s reconstruction in several significant ways, noted below.

i) Our society is marked by gender inequality in which women (and girls, although I shall say only “women” for ease of exposition) suffer many disadvantages as compared with men (and boys). This inequality is evident in both individuals’ attitudes and conduct and in institutional practices.⁹

ii) This is a grave injustice.

iii) Whether or not it is natural, the subordination of women is not inevitable but rather is sustained and reproduced by a nexus of social factors that range from the explicit (as in the denial of rights and privileges and other overt discrimination) to the very subtle. An important example of these more subtle means of subordination are the many ways in which children are socialized from an early age to “appropriate” gender roles, according to which boys should be masculine (i.e., self-confident, independent, courageous, physically strong, assertive, and dominant) and girls should be feminine (i.e., demure, passive, submissive, delicate, and self-sacrificing).¹⁰ The *modi operandi* of this socialization include religion, the household division of labor, and the influence of various representational forms such as advertisements, television, movies, popular music and music videos, fashion magazines, and high art, all of which often promote masculinity and femininity as ideals for men and women, respectively. Violence and force (as well as the threat of violence and force) also play a significant active role in maintaining gender norms and the subordination of women; that is, sexual assault enforces gender inequality and is not merely a symptom of it.¹¹

iv) Aspects of gender inequality have erotic appeal for many people. This can be seen, for example, in the way that gender stereotypes, such as dominance and strength for men and softness and submissiveness for women, standardly serve as markers of sexiness. At the extreme

9. For example, women are discriminated against in employment and are on average paid less than men; they typically bear the greater burden of child care and household chores; their reproductive freedom is restricted or constantly under threat of restriction; they are subject to various forms of sexual harassment in the workplace and other public arenas; and they endure, or at the very least are under the constant threat of, rape, battery, and incest both inside and outside the home. These are just some of the ways that women, simply because they are women, occupy a subordinate position in our society.

10. Catharine MacKinnon, e.g., describes femininity as “a self who is ingratiating and obsequious and imitative and aggressively passive and silent” (MacKinnon, *Only Words*, 7).

11. Susan Brownmiller provided the first thorough and eloquent explanation of sexual violence’s function as a means to keep women in a state of fear and thereby perpetuate male dominance in *Against Our Will: Men, Women and Rape* (New York: Simon & Schuster, 1975). For a more recent account of sexual violence as a technique for maintaining gender inequality, see Wendy Stock, “Feminist Explanations: Male Power, Hostility, and Sexual Coercion,” in *Sexual Coercion: A Source-Book on Its Nature, Causes, and Prevention*, ed. Elizabeth Grauerholz and Mary Koralewski (Lexington, MA: Lexington Books, 1991), 29–44.

end of the spectrum of gender inequality, nonconsensual violence against women is sexually stimulating for many.

v) Like gender inequality itself, the erotic appeal of unequal relations between the sexes is not inevitable, regardless of whether it is natural. Rather, this particular form of sexual desire is fostered by various kinds of representations, from fashion magazines to high art.¹²

vi) Eroticizing gender inequality—its mechanisms, norms, myths, and trappings—is a particularly effective mechanism for promoting and sustaining it.¹³ Its efficacy stems from several factors: (a) Transforming gender inequality into a source of sexual gratification renders this inequality not just tolerable and easier to accept but also desirable and highly enjoyable. (b) This pleasure to which gender subordination is linked is one in which nearly all humans are intensely invested, thereby strengthening gender inequality's significance and broadening its appeal. (c) This eroticization makes gender inequality appealing to men and women alike. Insofar as women want to be attractive to men, they internalize the subordinating norms of attractiveness and thereby collaborate in their own oppression.¹⁴ (d) Finally, sexualizing gender inequality enlists our physical appetites and sexual desires in favor of sexism. Since these are rarely, if ever, amenable to control via rational scrutiny, harnessing our appetites and desires to gender inequality is an effective way of psychologically embedding it.

vii) Pornography eroticizes the mechanisms, norms, myths, and trappings of gender inequality. Its fusing of pleasure with subordination has two components: (a) it does so in terms of its representational

12. Here I disagree with Joshua Cohen, who frames the argument in strongly social constructivist terms (Cohen, "Freedom, Equality, and Pornography," 104–5). As I argue below, APF need not take a social-constructivist stance.

13. This idea was first suggested by John Stuart Mill in *The Subjection of Women* (1869; Indianapolis: Hackett, 1988), although most antiporn feminists do not acknowledge this debt. However, David Dyzenhaus (in "John Stuart Mill and the Harm of Pornography," *Ethics* 102 [1992]: 534–51) does provide an explicitly Millian characterization of the harm caused by pornography, although he misses the point about pornography's eroticization of sexism and instead criticizes pornography by appeal to Mill's conception of false consciousness.

14. This idea also goes back to Mill who noted that "the object of being attractive to men [has] become the polar star of feminine education and formation of character" (Mill, *The Subjection of Women*, 16). As a "means of holding women in subjection," he points to the representation of "meekness, submissiveness, and resignation of all individual will into the hands of a man, as an essential part of sexual attractiveness" (Mill, *The Subjection of Women*, 16). MacKinnon expresses a similar view when she notes that the sexualization of gender inequality "organizes women's pleasure so as to give us a stake in our own subordination" (MacKinnon, *Feminism Unmodified*, 7). Both are clearly thinking of heterosexual women, although the point also stands for bisexual women as well. The fact that the point does not apply to lesbians is part of what some, like Monique Wittig, see as the feminist promise of lesbianism.

content by depicting women deriving sexual pleasure from a range of inegalitarian relations and situations, from being the passive objects of conquest to scenarios of humiliation, degradation, and sexual abuse; (b) inegalitarian pornography presents these representations of subordination in a manner aimed to sexually arouse.¹⁵

The argument concludes that, by harnessing representations of women's subordination to a ubiquitous and weighty pleasure, pornography is especially effective at getting its audience to internalize its inegalitarian views. This argument trades on a conviction dating back to Aristotle that still has currency in the philosophy of art today, namely, that understanding and appreciating representations often requires an imaginative engagement that can have lasting effects on one's character.¹⁶ Many representations enlist from their audience emotional responses that are ethically relevant. In so doing, they activate our moral powers and enlarge our ethical understanding by training our emotions to respond to the right objects with the proper intensity. Such representations not only affect the audience during actual engagement with the representation but may also have lasting effects on one's character by shaping the moral emotions. A similar conviction appears to underlie modern-day sex therapy, where pornographic representations are prescribed in order to mold patients' sexual inclinations and thereby treat various sexual dysfunctions. If representations can in this way improve one's character, then we should also expect them to be capable of deforming it by "perverting the sentiments of the heart," as Hume puts it.¹⁷ Antiporn feminists hold that pornography perverts the emotional life of its audience by soliciting very strong positive feelings for situations characterized by gender inequality and in so doing plays a role in sustaining and reproducing a system of pervasive injustice.

It should be noted that this argument pertains to pornography's

15. Note that the two components of this fusing do come apart. A representation might depict women desiring humiliation and sexual abuse but criticize this as unsavory or disgusting.

16. Aristotle presents these ideas in the *Rhetoric* and the *Politics*, and David Hume expresses something similar in "Of the Standard of Taste," in *Essays Moral, Political, and Literary* (1777), ed. Thomas Hill Green and Thomas Hodge Grose (Indianapolis: Liberty Fund, 1985), 226–49. For contemporary versions of this view, see Wayne Booth, *The Company We Keep: An Ethics of Fiction* (Berkeley: University of California Press, 1988); Noël Carroll, "Art, Narrative, and Moral Understanding," in *Aesthetics and Ethics: Essays at the Intersection*, ed. Jerrold Levinson (Cambridge: Cambridge University Press, 1998), 126–60, and "Moderate Moralism," *British Journal of Aesthetics* 36, no. 3 (July 1996): 223–38; and Martha Nussbaum, "'Finely Aware and Richly Responsible': Moral Attention and the Moral Task of Literature," *Journal of Philosophy* 82 (1985): 516–29, *Love's Knowledge: Essays on Philosophy and Literature* (Oxford: Oxford University Press, 1990), and "Exactly and Responsibly: A Defense of Ethical Criticism," *Philosophy and Literature* 22 (1998): 343–65.

17. Hume, "Of the Standard of Taste," 247.

adverse consequences for women and that this starkly distinguishes it from the arguments of those who disapprove of pornography because it offends religious beliefs or social mores.¹⁸ The peculiarly feminist objection is not that pornography is sinful, obscene, impolite, lewd, shameful, or disgusting but instead that pornography causes women harm in the sense that it impairs or thwarts their capacity to pursue their interests.¹⁹ Before we can see just which interests inegalitarian pornography purportedly thwarts and how, I need to deflect some worries about the argument.

1. First, it is important to note that the problem with inegalitarian pornography is not simply that it depicts women being degraded and subordinated; rather, the problem is that inegalitarian pornography endorses and recommends women's subordination and degradation.²⁰ This point is frequently misunderstood by critics of APF,²¹ at least in part because some antiporn feminists themselves confuse mere repre-

18. In proclaiming that pornography is "Not a Moral Issue" (in MacKinnon, *Feminism Unmodified*, 146–62), MacKinnon means to distinguish her concerns about pornography from those that motivate obscenity legislation, although this may seem an odd way of putting the point since harm is usually a moral issue. As Helen Longino puts it, "Pornography is immoral because it is harmful to people" (Helen Longino, "What Is Pornography?" in *Take Back the Night: Women on Pornography*, ed. Laura Lederer [New York: William Morrow, 1980], 40–54, 42).

19. A modified version of Joel Feinberg's analysis of harm serves well to capture the antiporn feminist criticism of pornography. According to Feinberg, A harms B when (1) A acts . . . (2) in a manner which is defective or faulty in respect to the risks it creates to B . . . and (3) A's acting in that manner is morally indefensible . . . and (4) A's action is the cause of a setback to B's interest, which is also (5) a violation of B's right (Joel Feinberg, *Harm to Others: The Moral Limits of the Criminal Law* [Oxford: Oxford University Press, 1984], 105). The important modification upon which I and many other feminists insist is that "interest" be understood in a nonpsychological and nonrelativistic sense such that a person can have an interest in X even if she does not care about, or even know about, X. For a discussion see May, *Masculinity and Morality*, 61–63; and also see Martha Nussbaum on adaptive preferences in *Women and Human Development: The Capabilities Approach* (Cambridge: Cambridge University Press, 2000), esp. chaps. 1 and 2.

20. Longino makes this point clearly and concisely when she writes: "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*" (Longino, "What Is Pornography?" 45; my emphasis).

21. For example, Lynne Segal makes this mistake when she writes: "We are, it is true, ubiquitously surrounded by images and discourses which represent women as passive, fetishised objects and men as active, controlling agents. . . . They saturate all scientific and cultural discourses of the last hundred years—from sexology, embryology and psychoanalysis to literary and visual genres, high and low. . . . Men don't need pornography to encounter these 'facts' of crude and coercive, promiscuous male sexualities, or helpless and yielding, nurturing female sensitivities" (Lynne Segal, "Does Pornography Cause Violence? The Search for Evidence," in Church Gibson and Gibson, *Dirty Looks*, 5–21, 18–19).

sentation with advocacy.²² But this is a mistake: a depiction of subordination or degradation is not by itself an endorsement of that subordination or degradation.

The pornographic endorsement of gender inequity has three essential ingredients, the first two of which pertain to representational content: (a) strong indications that subordinating, degrading, or objectifying acts are pleasurable both for the perpetrators and the women who are the objects of those acts and (b) the suggestion that such treatment is acceptable and even merited. But there is more to pornography's endorsement:²³ (c) inegalitarian pornography also eroticizes this degrading and objectifying picture of women. By employing conventional signs and codes of erotic representation, for example, sexual explicitness conjoined with particular postures, scenarios, outfits, or music and sound (obviously not all apply to each medium), pornography aims to kindle carnal appetites and arouse sexual desire. In sum, pornography endorses by representing women enjoying, benefiting from, and deserving acts that are objectifying, degrading, or even physically injurious and rendering these things libidinally appealing on a visceral level. And, as any advertiser will tell you, making something sexy is among the most effective means of endorsement.²⁴

2. The argument is sensitive to the wide range of degrees of gender inequity that pornography eroticizes: whereas some nonviolent repre-

22. For instance, Susan Wendell ("Pornography and Freedom of Expression," in *Pornography and Censorship*, ed. David Copp and Susan Wendell [Buffalo, NY: Prometheus, 1983], 167–83) continually employs the disjunction "recommends, condones, or portrays acts of rape" as if all of these were equally problematic from a feminist perspective. But if "portray" means something akin to "depict," as one might reasonably suppose, then the problem with portraying rape is not at all clear. A feminist documentary, e.g., might portray rape in order to reveal its horrors. Wendell appears to confuse merely describing X with advocating X, and Alan Soble rightly criticizes her and other antiporn feminists for this confusion (Alan Soble, "Pornography: Defamation and the Endorsement of Degradation," in *Pornography: Private Right or Public Menace?* 2nd ed., ed. Robert Baird and Stuart Rosenbaum [Amherst, NY: Prometheus, 1998], 134–48, 139ff.).

23. Longino maintains that these two features—representing degradation as pleasurable and acceptable—are "sufficient to constitute endorsement of the represented behavior" (Longino, "What Is Pornography?" 43–44). Soble takes issue with this, arguing that linking degradation with pleasure does not necessarily endorse it (Soble, "Pornography," 134–45, esp. 141–42). It should be noted that Soble does not discuss the second part of Longino's sufficient condition, namely, that "there is no suggestion that this sort of treatment of others is inappropriate to their status as human beings" [Longino, "What Is Pornography?" 43–44]). Longino does miss an important aspect of pornography's endorsement, namely, its eroticization of the conduct represented. This additional feature, which I contend is essential to the pornographic endorsement, meets Soble's objection.

24. This may be what Larry May has in mind when he likens the pornographic endorsement to subliminal methods used in advertising (May, *Masculinity and Morality*, 72).

sentations show women sexually stimulated by their own weakness, passivity, and domination by men, violent pornography represents women deriving sexual pleasure from rape. A sensible APF does not assume, for instance, that all inegalitarian pornography leads to rape.

3. The argument does not hold that pornography is the only thing that promotes and sustains gender inequality but rather that it is exceptionally effective in this regard.²⁵ Although other forms of representation are harmful to women—for instance, advertisements, movies, television, and music videos also promote deleterious stereotypes about women—pornography is thought to be especially harmful because it couches strongly inegalitarian messages in an intensely eroticizing format. This is important to note because, as discussed in Section III below, it means that although eliminating all inegalitarian pornography would be an important step toward gender equity, this would not eradicate gender inequality altogether.

4. The harm hypothesis need not appear within a social constructivist framework. It is true that most antiporn feminists hold that gender attributes and relations, as well as their erotic appeal, are not “natural,” in the sense of biologically rooted, but are shaped by historical events, social forces, and ideology. However, the argument can remain agnostic about whether gender inequality and its erotic appeal are in some sense natural; it need only acknowledge that they are not inevitable.²⁶ In this way, the argument is amenable to both social constructivists and those, like Mill, who attribute gender inequality at least partially to males’ superior physical strength.²⁷ The latter need not assume that our biological potentialities ordain the current state of affairs, since we compensate for all kinds of deficiencies by stimulating and nurturing some

25. Most antiporn feminists acknowledge this, although the point is often missed by critics. MacKinnon, e.g., never, to my knowledge, says that pornography is necessary for gender inequality; rather, she describes pornography as a “key means,” a “core practice” of gender inequality (MacKinnon, *Feminism Unmodified*, 3 and 149, respectively) or as a “lynchpin of gender inequality” (Catharine MacKinnon, *Toward a Feminist Theory of the State* [Cambridge, MA: Harvard University Press, 1989], 133).

26. As Ian Hacking makes clear, what’s really at stake in social constructivism is to show that the phenomenon in question (i.e., the thing said to be socially constructed) is not inevitable, i.e., that the phenomenon in question could have been otherwise and so can perhaps be changed (Ian Hacking, *The Social Construction of What?* [Cambridge, MA: Harvard University Press, 1999], esp. 6ff.).

27. Mill, *The Subjection of Women*, 5–6. Although Mill does insist upon the biological roots of sex inequality, he warns that we should not likewise take all current aspects of gender subordination (including the stereotypical traits of femininity and masculinity) to be natural, in the sense of biologically rooted. We cannot know the nature of each sex, he says, because we all were formed under conditions of gender inequality. He writes: “What is now called the nature of women is an eminently artificial thing—the result of forced repression in some directions, unnatural stimulation in others” (Mill, *The Subjection of Women*, 22).

potentialities while hindering others. Further, it does not follow from the fact that something is biologically rooted that it is for that reason justified. Mill, for instance, insisted that biologically rooted inequality between the sexes does not justify an unequal social organization. For the purposes of our argument against pornography, one need only accept that gender inequality is unjust and that it can be reinforced, nurtured, and exacerbated through its eroticization; one need not accept the more radical claim that gender inequality is entirely socially constructed.

5. A related noteworthy aspect of this argument and a frequently overlooked feature of APF is that one need not understand pornography's role in promoting and sustaining gender inequality in active terms. Sexualizing gender hierarchy can also reinforce or exacerbate already existing conditions of inequality,²⁸ undermine prohibitions or other strictures against discriminatory behavior, and predispose an audience to internalize the psychology of gender inequality.²⁹ According to the argument presented here, pornography need not actively solicit rape, for example, in order to be a significant force in promoting and sustaining gender inequality.

II. A TAXONOMY OF HARMS

Without further specification, the harm hypothesis remains futilely vague. To begin with, the alleged cause ranges from something as indefinite as prolonged exposure to pornography to something as specific as a single encounter with a particular representation. And the indirect postproduction harms are a motley assortment of adverse effects that differ significantly in their character, severity, and even kind of victim. When discussing pornography's purportedly harmful consequences, antiporn feminists have typically ignored such distinctions and treated the harms en masse, but this undermines the plausibility of the harm hypothesis and leads to confusions regarding what would count as evidence for it. I begin to resolve these problems by disentangling several levels of cause and effect operative in the harm hypothesis and delineating the many variables found at each level. This will not only refine the harm hypothesis and lend precision to feminism's case against pornography but also clarify

28. Longino explicitly frames pornography's injury to women in terms of its capacity to "reinforc[e] the oppression and exploitation of women [and its] . . . maintenance of a climate tolerant of both psychological and physical violence against women" (Longino, "What Is Pornography?" 48). Longino is right that to reinforce and sustain pre-existing conditions of inequality is to do real harm.

29. Diana Russell makes similar distinctions in "Pornography and Rape: A Causal Model" (in *Feminism and Pornography*, ed. Drucilla Cornell [Oxford: Oxford University Press, 2000], 48–93; this essay is a composite of two previously published essays, one dated 1988 and the other 1993).

our understanding of the remedies for its purported harms. Sharply defining these purported harms reveals that very few would be candidates for state intervention of any sort, thereby prying the harm hypothesis away from its association with censorship.

As noted earlier, the harm hypothesis is concerned with the third-party harms that pornography purportedly causes. This little-noted yet conspicuous fact means that there are actually two stages of cause and effect.³⁰ In the first stage, exposure to pornography (what I call the “stage 1 cause”) has some impact on its consumers (the “stage 1 effect”), and, in the second stage, this prompts the consumers to act (the “stage 2 cause”) in a manner injurious to another party (the “stage 2 effect”). Below I map out the variables at each stage in order to lay bare the wide range of harms that pornography is alleged to cause (see fig. 1).

A. Stage 1 Causes

Exposure to pornography is of two sorts: a specifiable and limited number of discrete encounters with particular pornographic representations, which I call *singular* causes, and processes of wider temporal duration, such as prolonged exposure to a variety of pornographic representations, which I call *diffuse* causes. Several variables apply to each sort of encounter. First, one must consider the “strength” of the pornography, or the degree to which it is inegalitarian. Second, one must consider the duration of each encounter and, with respect to singular stage 1 causes, the total number of encounters. In the case of diffuse causes, one must also consider the frequency of encounters and the total period of pornography use. Finally, it is important to distinguish cases where pornography use is relatively localized in a population from those where it is widespread (the significance of this distinction will become clear when we turn to stage 2 effects).

Putting these stage 1 causal variables together begins to reveal the complexities involved in specifying the first term of the harm hypothesis. If pornography has an effect on its consumers, it will likely take the form of a dose-response relationship, where an increase in the level, intensity, duration, or total level of exposure to the cause increases the risk of an effect. Consider an analogy with smoking. When predicting a person’s health, it is important to know not simply whether she is a regular smoker, as opposed to only having tried cigarettes a few times, but also how often she smokes, whether she smokes the entire cigarette, what strength of cigarette she prefers, and how long she has been a smoker. Whereas certain combinations of these variables will significantly raise a person’s chances of getting cancer, others will not. We should think of pornography along the same lines: whereas one person

30. I am grateful to Charles Larmore for pushing me to articulate this point.

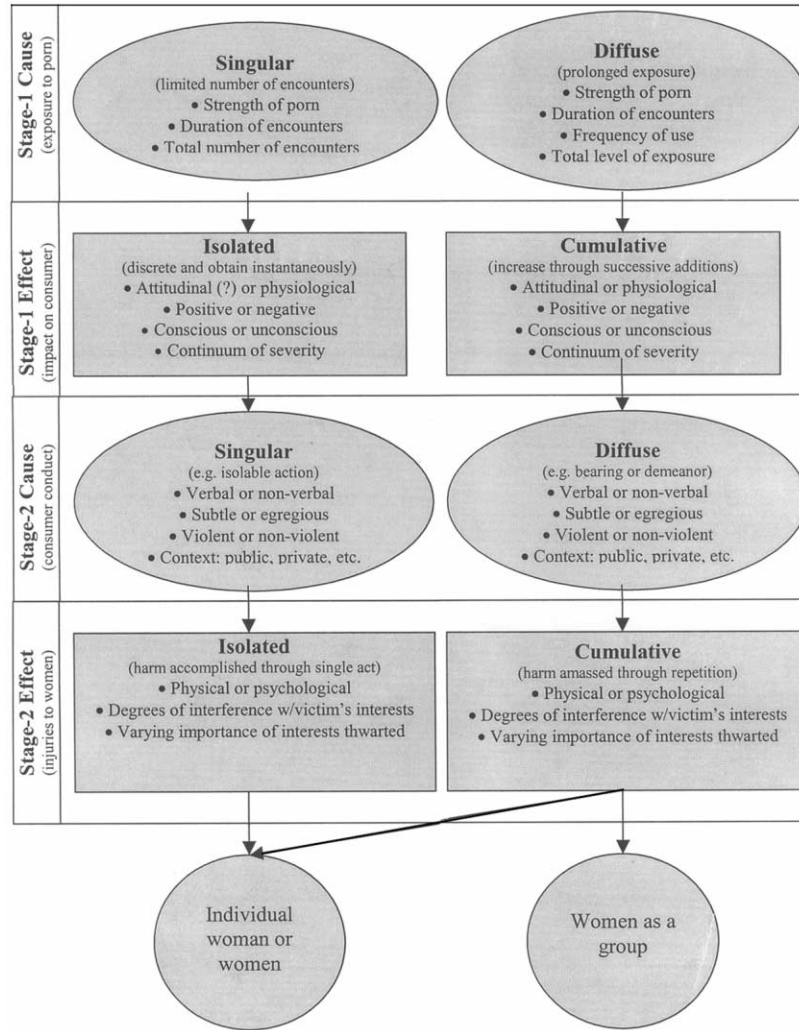


FIG. 1.—Summary of purported harms

might have occasionally encountered mildly inegalitarian pornography at some point in his life, another might have been a regular consumer of the most violent and inegalitarian pornography for years. Antiporn feminists and their critics have both overlooked the dose-response relationship, commonly speaking of exposure to pornography as if it were an all-or-nothing phenomenon. This fails to capture the subtlety of human interaction with representations and leads to extreme and implausible formulations of the harm hypothesis. A sensible APF begins by recognizing the many variables at play in the stage 1 causes.

B. Stage 1 Effects

Stage 1 effects (on consumers of pornography) also admit of many distinctions. *Singular* stage 1 causes, namely, particular encounters with individual works, yield isolated effects that are disconnected from other effects and obtain in an instant rather than amassing cumulatively. Most physiological responses to pornography are examples of such isolated effects (although, as we shall see below, there is dispute about whether discrete and limited encounters with pornography can yield isolated attitudinal effects). *Cumulative* effects which result from diffuse stage-1 causes, by contrast, increase gradually through successive encounters such that not any one encounter with pornography suffices to produce them. To return to our smoking analogy, ill effects like emphysema, heart disease, and lung cancer do not result from smoking just one or two cigarettes but instead are the aggregative result of long-term smoking. (The disanalogy here is that smoking is cumulatively harmful for the person who smokes, whereas pornography is purportedly harmful to a third party. Although this disanalogy is irrelevant to the isolated/cumulative distinction, it will become important in the last section of this article.)

Cutting across the distinction between isolated and cumulative stage 1 effects are a range of variables pertaining to the quality of these purported effects on consumers of pornography. First, we can distinguish *physiological* effects, such as training sexual responses to inequalitarian representations, from *attitudinal* effects. The latter can be well defined, as in conscious and explicit beliefs about women's inferiority, or diffuse, such as inclinations toward sexual situations where women are subordinate. Attitudes can be further divided into conscious and unconscious and positive and negative (e.g., positive attitudes toward rape as opposed to the breakdown of inhibitions against rape, as mentioned in the paragraph numbered 5 above).³¹ Finally, stage 1 effects lie on a continuum of severity from mildly sexist attitudes to violent conduct.

C. Stage 2 Causes

A stage 2 cause is the outward public manifestation of a stage 1 effect that can be perceived by, and so affect, another. It is, in a word, conduct.

As one might expect, pornography's purported stage 2 causes reflect the diversity and complexity of the alleged stage 1 effects. First, as with stage 1 causes, they can be *singular*, as in an isolable action or series

31. For research on pornography's purported disinhibitory effects, see Neil Malamuth, Maggie Heim, and Seymour Feshbach, "Sexual Responsiveness of College Students to Rape Depictions: Inhibitory and Disinhibitory Effects," *Journal of Personality and Social Psychology* 38 (1990): 399-408.

of actions, or *diffuse*, as with a general demeanor or bearing. Second, they vary tremendously in character: they can be verbal or nonverbal, violent or nonviolent, subtle or egregious. Third, they can appear in a variety of public and private contexts: from the family to the workplace, from sexual relations to a court of law. This broad spectrum of conduct ranges from something like a habit of openly glancing at women's bodies in professional contexts,³² to an unconscious disposition to be lenient with rapists on trial,³³ to an inability to distinguish coerced from consensual sex.

D. Stage 2 Effects

Finally we come to pornography's alleged injuries. As we have seen, antiporn feminists charge that pornography harms women by indirectly impairing or thwarting their interests. As one might expect, given the diversity and complexity in the chain of causes and effects seen thus far, these purportedly harmful effects vary significantly. First, the harms can result from particular acts or from dissipated activities without exact limits that do not lend themselves to precise measurement and definition; that is, in terms used earlier, the stage 2 effect can be *isolated* or *cumulative*. Second, the harms can be physical or psychological or both. Third, there are degrees of interference with women's interests, from mild interference to complete impairment. Finally, the interests that

32. It is extremely difficult to systematically measure such subtle and diffuse manners of comportment, much less correlate them with pornography consumption, although some have tried. One study that examines the effects of exposure to pornography on interactions between opposite-gender strangers tries to discern this very sort of nebulous harmful effect. The study exposed male college students to either nonviolent pornography or a nonsexual video and then subjected them to an interview by a female research assistant. (The interview did not involve questions pertaining to sex.) The female assistant, who did not know which type of video the subject had seen, recorded the subjects' apparent sexual interest in her. She was asked to consider, e.g., how much he looked at her body and how close he moved his chair to hers during the interview. The results showed that the research assistant could readily and reliably distinguish men who had seen the pornographic video from those who had watched the nonsexual video (Doug McKenzie-Mohr and Mark Zanna, "Treating Women as Sex Objects: Look to the (Gender Schematic) Male Who Has Viewed Pornography," *Personality and Social Psychology* 16 [1990]: 296–308). There are several problems with such studies. First, they rely at least in part on impressions of behavior that are quite difficult to isolate and measure. Second, the control is nonsexual material rather than egalitarian pornography, so the study proves too much for the feminist thesis. Perhaps any erotic material would have this effect.

33. Andrew Taslitz has convincingly shown the ways that narratives marked by gender hierarchy shape trial outcomes and, in particular, how they undermine justice for rape victims. He examines representations (from high art, popular culture, and pornography) and argues that these influence how jurors gauge a rape survivor's truthfulness, complicity in the rape, and harm incurred by the rape. See Andrew E. Taslitz, *Rape and the Culture of the Courtroom* (New York: New York University Press, 1999).

pornography purportedly thwarts vary in importance. Sexism is not an all-or-none phenomenon but rather exists on a continuum of severity. Sexual assault is an example of a severe injury that is accomplished through a single, isolable act. Constantly being treated as a sex object is considerably less severe cumulative harm: a few isolated instances rarely do lasting damage but regular uninvited sexual attention, however subtle, restricts a woman's participation in public life.³⁴

Cutting across the variables just mentioned is a distinction between two kinds of injured party: individual women and women as a group. *Individual harms* occur when a particular person's interests are thwarted or set back. *Group harms*, by contrast, are not merely the aggregate of harms to individual women but instead result from diminishing the status of the group as a whole.³⁵ The status of women is diminished when simply being a woman is sufficient to make one a potential target for harm—from underestimation of one's intellect to sexual assault. Although few feminists make this distinction explicitly, many attribute both individual and group harms to pornography. It is important to note that if group harms obtain, it is almost certainly only if pornography use is widespread in a society.³⁶

E. Why a Taxonomy of Harms Matters

Pornography's allegedly harmful effect—gender inequality—has a broad range of manifestations and severities. Distinguishing between these is essential for a careful, nuanced, and verifiable formulation of the harm hypothesis in the following ways.

First, it helps us to assess APF's plausibility. Since, as we have seen, the variables of the harm hypothesis are manifold and complex, one should not assume that each kind of cause yields each kind of effect. Certain causal claims—for example, that one man's isolated encounter with a single piece of pornography could by itself lead to rape or to the diminished status of women as a whole—are so unlikely as to seem preposterous, and yet it is for such unreasonable connections that APF

34. For an excellent description of the role of sexual objectification in maintaining male dominance, see Sandra Bartky, "On Psychological Oppression," in her *Femininity and Domination: Studies in the Phenomenology of Oppression* (New York: Routledge, 1990), 22–32.

35. For a discussion of group-based harms, see Larry May and Marilyn Friedman, "Harming Women as a Group," in *Social Theory and Practice* 11 (1985): 207–34. For a discussion of pornography as a group-based harm, see May, *Masculinity and Morality*, 63ff.

36. This distinction between individual and group harms is not the same as the distinction between isolated and cumulative effects. Although it is highly unlikely, as I say above, it is at least in principle possible that group harms result from widespread singular encounters with pornography. And it is more likely that some individual harms result from cumulative exposure to pornography. May conflates these two distinctions in *Masculinity and Morality* (63ff.).

is routinely criticized. To avoid such misunderstandings, a sensible APF should clearly delineate the various purported causes and effects so as to correlate them correctly.

A second reason to stress these distinctions between kinds of harms is that they greatly affect the nature of APF's proposed remedies. There are at least four options for preventing and redressing pornography's purported harms: (a) criminalization, (b) civil action, (c) restrictions and other forms of state regulation, or (d) moral condemnation. Whereas the first three are matters of state regulation, the last has no necessary legal implications. If pornography is found to be on balance harmful in the ways that antiporn feminists allege,³⁷ then it merits moral condemnation and perhaps even its public expression.³⁸ On this point all antiporn feminists should agree. The question is whether pornography's harms license anything more, and the answer depends entirely on just which sorts of harms pornography causes. If pornography's harms are limited to things such as men's underestimation of women's intellects, then, although we should condemn this as genuine harm, our condemnation would not license state intervention of any sort. Many things that are harmful and wrong have no policy implications, for example, bigotry, selfishness, lying, needlessly hurting others' feelings, adultery, and name-calling. It is, then, a mistake to assume—as so many do—that feminist opponents of pornography necessarily support legal remedies, much less censorship.

Even among those who do favor state regulation of some sort, there is a wider variety of positions than often supposed. Larry May, for instance, thinks that, except on very rare occasions, pornography causes only cumulative harms to women as a group. May holds that particular instances of pornography taken by themselves (what I call singular stage 1 causes) have no impact on women as a group and have at most a trivial effect on individuals.³⁹ For May, then, the harm hypothesis is restricted to wide-

37. That is, if pornography injures women in at least some of the ways delineated above and if it does not have counterbalancing positive effects and outward moral condemnation would be beneficial, this would justifiably lead one to do things like write articles condemning it, protest against it, boycott stores that sell it, and so forth. Thanks to an anonymous referee for this journal for helping to make this formulation more precise.

38. This fact is often obscured by MacKinnon's insistence that pornography is, as she puts it in a well-known essay mentioned above, "Not a Moral Issue." As discussed in n. 18 above, by claiming that pornography is not an issue for "morality," MacKinnon does not mean that we shouldn't make moral judgments about diffuse harm; rather she aims to distinguish the harm that pornography causes from the ways in which it might offend people's finer sensibilities.

39. As mentioned in n. 36 above, things get a bit messy here since May conflates the isolated/cumulative distinction with the individual/group distinction. Nevertheless, we can see that he denies both that pornography affects individuals and that isolated instances of pornography can have any effect. He writes, "Pornography seems relatively trivial at

spread and diffuse stage 1 causes correlated with stage 2 cumulative harms to women as a group, which he likens to pollution.⁴⁰ Just as no particular automobile—or even automobile manufacturer—is responsible for deleterious effects on a community’s health or on the environment, May argues, so no particular instance of pornography—or particular producer of pornography—is responsible for diminishing the status of women as a group: the ill effects of both develop gradually from the accumulation of many individual instances. This means that there is no individual culprit to pursue through civil action or criminalization. Instead of criminalization or civil action, May favors state regulation involving tactics like restrictions on the age of consumers or the modes of presentation (e.g., the allowable degree of violence and nonegalitarian relations).⁴¹

A significantly different approach is that of Catharine MacKinnon and Andrea Dworkin, who famously pioneered several ordinances that made harms caused by pornography civilly actionable as practices of sex discrimination.⁴² Four harms are named: coercion into pornographic performances, forcing pornography on a person, assault due to specific pornography, and trafficking in pornography. There is much to be said about this extremely controversial legislation, particularly with respect to First Amendment concerns, but I here restrict myself to examining the kinds of harm it targets. Of the four harms mentioned, the last two are the sort of postproduction harms that concern this article. I suggest that the ordinance treats these importantly different kinds of harm with the same remedy, a conflation that makes their view imprecise and extreme.

the individual level” (May, *Masculinity and Morality*, 73). He continues a bit later on the same page: “Because individual instances of pornography cannot be shown to cause harm to identifiable individuals, pornography should not be outlawed.”

40. May, *Masculinity and Morality*, 73. The first, to my knowledge, to coin the pollution metaphor was H. Patricia Hynes in her essay, “Pornography and Pollution: An Environmental Analogy,” in *Pornography: Women, Violence and Civil Liberties*, ed. Catherine Itzin (Oxford: Oxford University Press, 1992), 384–97. Hynes, however, is much more in line with the MacKinnon-Dworkin approach and appears to be in favor of banning pornography altogether.

41. May actually says little about the nature of the regulations he proposes, and what he does say looks, by his own acknowledgment, an awful lot like current obscenity law (May, *Masculinity and Morality*, 77–78). Despite this similarity, it should be noted that the feminist approach is importantly different from the obscenity approach: whereas the former emphasizes gender inequity, discrimination, and harm to women, the latter is concerned with offense and appeals to community standards of decency.

42. The first of these ordinances was passed by the Minneapolis City Council in 1983 but was twice vetoed by the mayor. In 1984, Indianapolis enacted a similar ordinance that used the Minneapolis hearings as their basis, together with additional hearings in Indianapolis. The Indianapolis ordinance was invalidated by the U.S. Court of Appeals for the Seventh Circuit in 1985 and summarily affirmed by the Supreme Court in 1986. See *American Booksellers, Inc. v. Hudnut*, 771 F.2d 323 (7th Cir. 1985), *aff’d mem.*, 475 U.S. 1001 (1986), reproduced in Catharine MacKinnon, *Sex Equality*, University Casebook Series (New York: Foundation, 2001), 1563ff.

First, the ordinance is directed at assault due to specific pornographic representations: “Any woman, man, child, or transsexual who is assaulted, physically attacked or injured in a way that is directly caused by *specific* pornography has a claim for damages against the perpetrator, the maker(s), the distributor(s), seller(s), and/or exhibitor(s), and for an injunction against the specific pornography’s further exhibition, distribution, or sale” (my emphasis).⁴³ The target here is a situation where a particular instance of pornography (a stage 1 singular, localized cause) yields an isolated nontrivial injury to an individual. The ordinance’s remedy for such an injury is just like other civil redresses for harmful regulatable speech such as defamation, namely, a monetary award for damages and an injunction to prevent further distribution of that particular harmful representation. In this way the MacKinnon-Dworkin ordinance is in line with current legal practice. That is, *if* particular pornographic representations are responsible for the sorts of serious injuries to individuals that MacKinnon and others allege, then it is, from our current legal perspective, reasonable to support legislation that makes it possible for the individual victims to seek damages from particular producers and distributors of that pornography. Further, there is a strong argument to be made that such legislation, if formulated with sufficient clarity and narrowness, would not violate the First Amendment.⁴⁴

But do individuals’ singular encounters with particular pornographic representations in fact yield isolated injuries to other individuals? It is, of course, an empirical question, one that I shall suggest we are far from answering adequately. But this is to say that, since we do not yet know whether singular encounters with particular pieces of pornography cause assault and other injuries, we cannot yet say whether a remedy of the sort offered by this clause of the MacKinnon-Dworkin ordinance is appropriate. It is a virtue of a civil remedy such as theirs that the plaintiff would be required to plead and to prove, under the normal legal standards, actual harms caused by pornography.

But isolated nontrivial injuries to individuals are not the only sorts of harm targeted by the MacKinnon-Dworkin ordinances. The trafficking clause states: “The production, sale, exhibition, or distribution of

43. Catharine MacKinnon and Andrea Dworkin, eds., *In Harm’s Way: The Pornography Civil Rights Hearings* (Cambridge, MA: Harvard University Press, 1997), 430. I cite the 1983 version of the Minneapolis ordinance since it served as the template for later ordinances. The ordinances are all reprinted (*ibid.*, 426ff.).

44. Of course, the Indianapolis ordinance was struck down by the Seventh Circuit Court of Appeals precisely because it was declared to violate the First Amendment (see *American Booksellers, Inc. v. Hudnut*, 1563ff.). But the matter is far from settled. For a detailed analysis of *American Booksellers, Inc. v. Hudnut*, see MacKinnon, *Sex Equality*, 1569–92. Cass Sunstein offers a strong defense of the ordinance in *Democracy and the Problem of Free Speech* (New York: Free Press, 1993), chap. 7, esp. 210–26.

pornography is discrimination against women by means of trafficking in pornography. . . . Any woman has a cause of action hereunder as a woman acting against the subordination of women. Any man or transsexual who alleges injury by pornography in the way women are injured by it shall also have a cause of action.”⁴⁵ This subsection of the ordinance targets group harms, making a provision for any woman to sue any pornographer for discrimination on behalf of women as a group. Our distinction between kinds of harms makes it clear why this part of the ordinance is especially controversial. First, by targeting a particular pornographer, the trafficking clause treats group harms as if they had singular causes, something that seems highly unlikely. It is much more likely that group harms are achieved only cumulatively and through widespread use of pornography, making this bit of the ordinance appear misguided and unjust. But this is all speculation since, as noted earlier, these are empirical questions to which we have no conclusive answers. Second, the trafficking clause does not differentiate between group harms in terms of severity or character, making it possible for a woman to sue a pornographer for something like its role in women’s diminished social status, which, although this should count as a genuine harm that merits moral concern, is not grave enough to justify regulation without making excessive incursions on freedom of expression. It is for this reason that Cass Sunstein urges civil legislation “with sufficient clarity and narrowness” that avoids overly sweeping categories such as “discrimination,” “subordination,” or “objectification” and instead limits the targeted harms to isolated violent injuries to individuals.⁴⁶

As mentioned earlier, state regulation is appropriate for only a select few of pornography’s purported harms. Many of the isolated harms to both individuals and to women as a group and most of its cumulative harms would not warrant legal remedies. To address these harms—if they can be empirically verified—a sensible APF should educate people about pornography’s contribution to gender inequality as well as seek new and creative ways to shape desires in an egalitarian direction. The latter might involve encouraging the production of egalitarian pornography.

III. ASSESSING THE CAUSAL MODEL

The harm hypothesis lies at the center of the pornography debate. Given the elaborate empirical efforts on both sides to prove or disprove it, it is surprising that the term ‘cause’ and other causal language are left almost completely unspecified. Antiporn feminists (with one notable exception) do not define it, although causal vocabulary abounds in their

45. MacKinnon and Dworkin, *In Harms Way*, 429.

46. Sunstein, *Democracy and the Problem of Free Speech*, 219ff.

indictment of pornography.⁴⁷ Likewise, their critics typically do not specify what they mean in denying a causal connection between pornography and harm. Both camps treat the term ‘cause’ as if it were self-evident and free from ambiguity. This is a mistake since ignoring the complexities of causal terminology leads the disputants to talk past one another on this key issue of whether pornography causes harm.

What are these complexities of causal terminology? Even before we subject the concept to philosophical scrutiny, our ordinary use of causal concepts appears to reveal several importantly different senses of the term. We say, for example, that kindling a flame under a pot of water will cause the contents to boil. If the water is reasonably pure and the altitude is close to sea level, then raising the temperature to 100° C will cause water to boil in every instance, and there is no other way to make water boil—at least in these circumstances. In philosophical parlance, we might say that raising water’s temperature to 100° C is both necessary and sufficient to make it boil. To take another example, *Mycobacterium* is the cause of tuberculosis, yet although it is necessary for the disease, it is not sufficient, since some people carry the bacterium but remain entirely asymptomatic. Finally, everyone accepts that regular cigarette smoking causes lung cancer, among other things. Yet even in cases of extreme smoking, lung cancer affects only a small fraction while the disease regularly strikes in the absence of any smoking at all. Smoking is neither necessary nor sufficient for contracting the disease, yet there is nevertheless widespread agreement among both experts and lay people that smoking causes cancer.

The fact that our everyday conception of causation at least appears to comprise such different senses, coupled with the fact that antiporn feminists do not say just what they mean by ‘cause’, should give us pause with respect to the pornography debate. Just what do antiporn feminists mean when they assert that pornography causes harm, and what do proporn feminists and others mean in rejecting this proposition? I shall argue that whereas antiporn feminists mean one thing by ‘cause’ when they claim that pornography causes harm to women, their critics saddle them with a quite different and less tenable conception of causation. This confusion, which has gone unnoticed in the literature, leads the disputants to talk past one another, and this obscures the true stakes of the debate. To help resolve this confusion, I propose a philosophically sensible and scientifically respectable conception of causation to which a cautious APF should adhere.

With the general shape of the problem in mind, let us turn to the standard criticism of the harm hypothesis, which has two related

47. The exception is Diana Russell’s well-known article, “Pornography and Rape: A Causal Model.” We briefly consider her definition of cause below.

prongs.⁴⁸ First, critics charge that the harm hypothesis is overly deterministic; second, they claim that the harm hypothesis contradicts the evidence. By examining each in turn, I show that both criticisms implicitly attribute to APF the wrong model of causation.

A. Determinism?

First, it is common to criticize APF for claiming that pornography causally determines its audience to think and act in ways that are harmful to women.⁴⁹ This sentiment is captured by Deborah Cameron and Elizabeth Frazer who, in an influential and often-cited article, liken APF's characterization of the causal relationship between pornography and its audience to the interaction between billiard balls.⁵⁰ The idea is basically this: just as the cue ball strikes the eight ball and propels it on a trajectory from point *x* to point *y* that is fixed by strict mechanical laws, so pornography makes its consumers think, feel, or act in fixed ways that obtain in every context. Cameron and Frazer are understandably critical of such a picture of pornography: after all, "humans are not like billiard balls."⁵¹ Although they are right to find the deterministic model inappropriate for explaining human action, they are wrong to assume that this is the model underlying the harm hypothesis.

Now, antiporn feminists do sometimes characterize the causal re-

48. It should be noted that many such critics self-identify as feminists. One of the first statements by feminist critics of APF was the brief submitted as part of the Hudnut case by the Anti-Censorship Task Force (FACT). That brief, "Brief of Feminist Anti-Censorship Task Force as Amici Curiae," is reproduced in MacKinnon, *Sex Equality*, 1592–97.

49. See, e.g., Judith Butler, *Excitable Speech: A Politics of the Performative* (New York: Routledge, 1997), and "The Force of Fantasy: Feminism, Mapplethorpe, and Discursive Excess," *differences: A Journal of Feminist Cultural Studies* 2 (1990): 105–25; Edward de Grazia, *Girls Lean Back Everywhere: The Law of Obscenity and the Assault on Genius* (New York: Random House, 1992); Donald Downs, *The New Politics of Pornography* (Chicago: University of Chicago Press, 1989); Laura Kipnis, *Bound and Gagged: Pornography and the Politics of Fantasy in America* (Durham, NC: Duke University Press, 1999); Marcia Pally, *Sex and Sensibility: Reflections on Forbidden Mirrors and the Will to Censor* (Hopewell, NJ: Ecco, 1994); Richard Posner, *Sex and Reason* (Cambridge, MA: Harvard University Press, 1992), and "Obsession" (review of MacKinnon's *Only Words*), *New Republic* 209 (October 1993): 31–36; Segal, "Does Pornography Cause Violence?" 5–21; and Nadine Strossen, *Defending Pornography: Free Speech, Sex and the Fight for Women's Rights* (New York: New York University Press, 2000).

50. Deborah Cameron and Elizabeth Frazer, "On the Question of Pornography and Sexual Violence: Moving beyond Cause and Effect," originally published in Itzin, *Pornography: Women, Violence and Civil Liberties*, 240–53. Cameron and Frazer liken the antiporn feminist causal argument to the sort of causation that they imagine (wrongly) to dominate the physical sciences: "The notion of cause is most appropriate in the physical sciences. For example, if we understand the forces acting upon them—things like gravity and inertia [*sic*—and we know their physical specifications (mass, weight [*sic*], etc.), we can accurately predict the motion of the two billiard balls colliding on a flat surface. The balls' 'behaviour' is determined by the laws of physics" (ibid., 368).

51. Ibid., 368. Walter Kendrick (*The Secret Museum*, 236) makes a similar point as well.

lationship between pornography and harm in a deterministic manner, and to that extent they merit the criticisms of Cameron and Frazer and others.⁵² But there are key places where an altogether different picture is suggested. For instance, when she directly addresses the issue of causation in a footnote, MacKinnon hints at an altogether different conception of the causal relation: “Positivistic causality—linear, exclusive, unidirectional—has become the implicit standard for the validity of connection between pornography and harm. This standard requires the kind of control that can be achieved only, if at all, in laboratory settings. . . . In real-world settings, a relation of linear consequentiality between pornography and harm is seldom sufficiently isolable or uncontaminated. . . . I am suggesting that the positivistic model of causation may be inappropriate to the social reality of pornography.”⁵³

I suggest that what MacKinnon means by “positivistic linear causality” is a deterministic conception of causation where x is a *deterministic cause* of y if and only if (i) x is temporally prior to y and (ii) the occurrence of x is sufficient for the occurrence of y . Because MacKinnon finds a deterministic view inadequate to the task of describing social life, she calls for a “more complex causality,”⁵⁴ although she does not explain what this means. But there is a readily available conception of causality that provides an appropriate framework for the harm hypothesis, circumvents problems raised by the critics, and is scientifically respectable, namely, probabilistic causality.

Debates about the correct way to capture the notion of probabilistic causation need not concern us here.⁵⁵ The heart of the view is this: x is a cause of y if and only if (i) x occurs earlier than y and (ii) the probability of the occurrence of y is greater, given the occurrence of x , than the probability of the occurrence of y given not- x . That is, x bears positive statistical relevance to y in the sense that the occurrence of x

52. For example, MacKinnon writes: “Sooner or later, in one way or another, the consumers want to live out the pornography further in three dimensions. Sooner or later, in one way or another, they do. *It makes them want to*” (MacKinnon, *Only Words*, 19). It’s not just that pornography will inevitably cause its users to want to imitate the demeaning and subordinating acts it represents; some, like Diana Russell, insist that pornography is sufficient for harmful behavior (see Russell, *Pornography and Rape*, 64).

53. Catharine MacKinnon, “Francis Biddle’s Sister: Pornography, Civil Rights, and Speech,” in MacKinnon, *Feminism Unmodified*, 163–97, 187 n. 115.

54. MacKinnon, “Not a Moral Issue,” 156. In the same essay, MacKinnon also mentions “an entirely new theory of social causality” (161).

55. For discussions of this problem, see Judea Pearl, *Causality: Models, Reasoning, and Inference* (Cambridge: Cambridge University Press, 2000); Wesley Salmon, *Causality and Explanation* (Oxford: Oxford University Press, 1998); and Patrick Suppes, *Probabilistic Metaphysics* (Oxford: Blackwell, 1984).

makes the occurrence of y more likely.⁵⁶ An important feature of this conception of causation is that it admits of degrees: causes can be more or less effective, and one measures the effectiveness of a cause by how much it raises the probability of the effects.

Probabilistic causation is a defensible, practical, and common conception of cause that any sensible APF should adopt.⁵⁷ It's not only the conception of causation accepted and employed in all areas of science,⁵⁸ but it also fits our ordinary uses of the term 'cause': when we say, for example, that smoking causes cancer, we mean that the first phenomenon significantly raises the chances of the other. The fact that smoking does not guarantee cancer and other diseases does not undermine a causal connection between smoking and ill health effects.

Just as we conceive of smoking's harms in probabilistic terms, so the hypothesis that pornography causes harm holds that men's exposure to pornography significantly increases the risk of a variety of harms to women. As with smoking, since pornography's alleged harms are multiple and complex, as discussed in Section II above, the risk of various injuries may differ; for instance, the risk of cumulative harms to women as a group may be greater than the risk of isolated harms to individuals. Section IV briefly considers how such determinations are made.

B. Evidence

The second and related prong of the standard criticism of the harm hypothesis is that it contradicts the evidence. This evidence comes from studies that (a) compare countries (or regions of countries) with strict controls on pornography to those with relaxed controls in terms of differentials in sex crime rates or gender equality or (b) compare dif-

56. For examples of apparent causes that fail to raise the chances of their effects, see Wesley Salmon, *Scientific Explanation and the Causal Structure of the World* (Princeton, NJ: Princeton University Press, 1984), 192–202. For a response and criticism, see D. H. Mellor, *The Facts of Causation* (London: Routledge, 1995), 67–68.

57. Fortunately, antiporn feminists can make use of the probabilistic conception of causation while remaining agnostic about the metaphysical issues of causation. Whichever metaphysical picture one affirms, it is a fact that we are far from being able to make total predictions about human behavior and psychology. Our epistemic limitations mean that we must be content for now (and perhaps forever) with probabilistic approximations in the domain of human conduct.

58. On the prevalence of indeterminate causation in modern physics (particularly quantum mechanics), see G. E. M. Anscombe, "Causality and Determination" (1971) in *Causation*, ed. Ernest Sosa and Michael Tooley (Oxford: Oxford University Press, 1993); Mellor, *The Facts of Causation* (esp. 53ff.); Suppes, *Probabilistic Metaphysics*; and Wesley Salmon's essay, "Determinism and Indeterminism in Modern Science," in his *Causality and Explanation*, 25–50. For arguments against the use of determinism in the field of genetics and biology, see Richard Lewontin, *The Triple Helix: Gene, Organism, Environment* (Cambridge, MA: Harvard University Press, 2000), and *Biology as Ideology* (New York: Harper Perennial, 1991).

ferentials in sex crime rates within a single country whose regulations on pornography have changed. These comparative studies yield two types of result.

The first reveals that certain societies with high levels of pornography have low levels of sex crimes. For instance, a commonly cited set of studies on Denmark reveals a drop in sex crime rates after the repeal of its pornography law in 1969.⁵⁹ Another study that is frequently cited by critics of APF reveals a low incidence of reported rape in Japan as compared with that in the United States,⁶⁰ although violent pornography (the sort sexualizing rape and other violence against women) circulates more openly and widely in Japan than in the United States.⁶¹ “If pornography increases misogyny—and indirectly rape,” Richard Posner asks, “why is the incidence of rape so low in Japan?”⁶²

The second kind of study shows that societies in which there are relatively low levels of pornography suffer from high levels of sexual assault or gender inequality. Some studies reveal that Singapore, which has very tight controls on pornography, experienced a greater increase in rape rates between 1964 and 1974 than did Stockholm, which has very liberal laws on pornography.⁶³ Several critics cite studies by Larry Baron showing that in the southern United States, circulation of pornography is at its lowest in the country despite the highest levels of social, political, and economic inequality between women and men.⁶⁴ Further, Baron finds a positive correlation between high pornography sales and high gender equality, and he suggests that both are due to political tolerance.

59. Berl Kutchinsky, “Toward an Explanation of the Decrease in Registered Sex Crimes in Copenhagen,” in *U.S. Commission on Obscenity and Pornography: Technical Report*, vol. 8 (Washington, DC: U.S. Government Printing Office, 1970), “Pornography and Its Effects in Denmark and the United States: A Rejoinder and Beyond,” *Comparative Social Research: An Annual* 8 (1985): 301–30, “Deception and Propaganda,” *Society* 24 (1987): 21–24, and “Pornography and Rape: Theory and Practice: Evidence from Crime Data in Four Countries Where Pornography Is Easily Available,” *International Journal of Law and Psychiatry* 14 (1990): 40–64.

60. See, e.g., Strossen, *Defending Pornography*, 255–56; Pally, *Sex and Sensibility*, 57–61; and Posner, *Sex and Reason*, 369–70.

61. According to Paul Abramson and Haruo Hayashi, Japan reports a rape rate of 2.4 people per 100,000, as compared with 34.5 per 100,000 in the United States. See Paul Abramson and Haruo Hayashi, “Pornography in Japan: Cross Cultural and Theoretical Considerations,” in *Pornography and Sexual Aggression*, ed. Neil Malamuth and Edward Donnerstein (Orlando, FL: Academic Press, 1984), 173–85. This matter is also discussed in Edward Donnerstein, Daniel Linz, and Steven Penrod, *The Question of Pornography: Research Findings and Policy Implications* (London: Collier Macmillan, 1987).

62. Posner, *Sex and Reason*, 370.

63. Donnerstein et al., *The Question of Pornography*.

64. See, e.g., Larry Barron, “Pornography and Gender Equality: An Empirical Analysis,” *Journal of Sex Research* 27 (1990): 161–68.

These potentially revealing studies are riddled with problems that appear to go unnoticed. First, the Danish study ignored changes in the legal definitions of sex crimes, so that, although the total number of lesser sex crimes dropped after the repeal of the pornography law in the Danish case, rape rates actually rose.⁶⁵ Second, some of these studies assume that legal restrictions on pornography correlate with the actual circulation of pornography. However, as Strossen herself points out, the censorship of pornography often increases its desirability and circulation on the black market. There are, after all, tight controls on pornography in Japan, and yet, as Abramson and Harashi point out, violent pornography abounds.⁶⁶ Third, most of these studies rely on statistics of reported rather than actual rapes. This is especially problematic in the case of sex crimes like rape that are notoriously underreported. The Japan study is a case in point. There is a strong incentive for Japanese women to remain silent about sexual harassment, domestic abuse, and rape because those who fight back suffer strong retribution. This is evident in the first Japanese sexual harassment case in Fukuoka in 1989, where, although the victim eventually won, she had to conceal her identity because of so many threats of violence against her and her family. The fact that rape is even more grossly underreported in Japan than in the United States casts doubt on Abramson and Harashi's widely cited study.

The most significant problem with these studies is that they risk what is often called the *ecologic fallacy*: ascribing characteristics to members of a group that they may not in fact possess as individuals.⁶⁷ The studies offer only statistics for the circulation of pornography in each country and the incidence of sex crimes for each country or the overall rating of gender equality for each region, thereby providing data only for groups and taking no account of variability among individuals in those regions with respect to pornography consumption. It is possible, given what is known about the Singapore case, for instance, that the few men who buy pornography are also the very same men who commit all or most of the rapes in the country, a fact that (a) would be compatible with a decrease in overall rapes and a decrease in porn sales and (b) *prima facie* supports the feminist antiporn case. In order to tell whether these studies disprove an association between pornography and

65. See John Court, "Sex and Violence: A Ripple Effect," in Malamuth and Donnerstein, *Pornography and Sexual Aggression*, 143–72, 144ff.

66. Abramson and Hayashi ("Pornography in Japan," 177) note that at the time of their study it was illegal in Japan to show pubic hair and adult genitals in sexually explicit stimuli. Despite these restrictions, pornography, and especially violent pornography, was widely available.

67. For a clear and detailed explanation of the *ecologic fallacy*, see Leon Gordis, *Epidemiology* (Philadelphia: Saunders, 1996), 169ff.

sex crimes, we also need exposure and outcome data for the individuals in the regions studied, something that APF's critics have not provided.

But let us imagine that the data for individuals corresponded to that for groups and that all other problems with these studies could be set right. What objections to the harm hypothesis do data of this sort raise? First, such studies show that gender inequality and violent sex crimes can result from other factors, such as the influence of professional sports, religion, television, or popular music. As Strossen puts it, pornography does not have "a corner on the sexism and violence market."⁶⁸ In other words, the studies of societies that impose tight restrictions on the circulation of pornography (assuming this in fact correlates with low circulation of pornography) yet suffer high levels of gender-based violence or gender inequality show that pornography is not necessary for sexual violence and gender inequality. Therefore it is, in the words of one critic, "absurd" to frame pornography as a cause and to conclude that restricting it in any way would prevent various harms to women.⁶⁹ Second, exposure to pornography does not, as Laura Kipnis puts it, "cause 100% guaranteed harm."⁷⁰ Pornography does not drive one to sexist behavior or to adopt sexist attitudes; plenty of people use pornography without any obvious ill effects. As indicated by the cases where pornography flourishes but levels of sex crimes are relatively low, pornography is not sufficient for sexual assault and other injuries. The third and final objection presented by these studies is that pornography's effects on its users are highly context dependent. If pornography is positively correlated with harms at all, the correlation is far from exceptionless.⁷¹ The critics of APF conclude that these studies "conclusively refute" the harm hypothesis.⁷²

The first thing to note is that most of these studies focus exclusively on one sort of harm, namely, sexual assault, and so they have nothing to say about the many other purported isolated and cumulative harms to both individuals and women as a group. But even with respect to sexual assault, the studies cited above would "conclusively refute" the

68. Strossen (*Defending Pornography*, 249), Segal ("Does Pornography Cause Violence?"), Pally (*Sex and Sensibility*), and Kipnis (*Bound and Gagged*) level similar criticisms.

69. Kendrick, *The Secret Museum*, 253. Segal similarly asserts that "pornography is not the problem here, nor its elimination the solution" ("Does Pornography Cause Violence?" 16).

70. Kipnis, *Bound and Gagged*, 205.

71. Lynne Segal puts it this way: "It is never possible, whatever the image, to isolate it, to fix its meaning and *predict* some *inevitable* pattern of response, independently from assessing its wider representational context and the particular recreational, educational or social context in which it is being received. . . . Context really does matter" (Segal, "Does Pornography Cause Violence?" 15; my emphasis).

72. Strossen, *Defending Pornography*, 254. Posner draws a similar conclusion in *Sex and Reason*, 371.

harm hypothesis only if it maintained that exposure to pornography were necessary or sufficient for rape. But this is not the right way to understand APF's harm hypothesis, which, I urge, is probabilistic in nature. This means that there may well be cases where pornography does not lead to rape or where rape is prevalent but pornography is not. This is not to say, however, that these studies entirely miss the point, for they do challenge a sensible APF to provide a plausible explanation for these and similar cases. Such an explanation should involve not only a detailed exposition of the errors mentioned above but also empirical justification of the harm hypothesis itself. We turn to the latter in the next section.

Another central aspect of a sensible harm hypothesis is that its causal connection holds *ceteris paribus*. We should expect that a man raised in a society like Denmark that has a high degree of gender equality would be less negatively affected by exposure to pornography than one living in a culture where women have few rights and men are socialized to dominate them. A host of variables that make up what one might call *context* can play a significant role in rape and other sexist conduct. But this does not mean that we should not consider pornography a cause of rape, for many factors can actively raise the probability of rape, each of which deserves to be considered a partial cause. To see what I mean, let us return to the analogy with diseases.

It is a central tenet of epidemiology, the modern study of the etiology of diseases, that the causes of diseases are neither singular nor simple; instead, multiple causes act together in an interdependent web of causal complements.⁷³ One cannot speak of "the cause" of heart disease, for example, since there are many: hereditary factors; dietary excesses of saturated fat, cholesterol, calories, or salt; obesity; stress; cigarette smoking; and lack of exercise, to name a few. Although none of these factors is necessary for heart disease and rarely is any single factor sufficient, several factors typically work together, often reinforcing each other to form a complex weblike causal mechanism.⁷⁴ Imagine a

73. For a clear and insightful discussion of epidemiology's historical development from a single-agent conception of causation to a causal pie model, see B. Burt Gerstman, *Epidemiology Kept Simple: An Introduction to Traditional and Modern Epidemiology*, 2nd ed. (New York: Wiley, 2003), 41ff.

74. Even pathogens do not act alone. As noted above, the tubercular bacterium *Mycobacterium* is necessary for tuberculosis but not always sufficient for the disease since some people carry *Mycobacterium* yet remain entirely asymptomatic. As with most diseases, complementary factors are required for the disease to manifest itself. In the case of tuberculosis, these complementary factors include genetic susceptibility, poor nutrition, immunosuppression, familial exposure, and many others. This example is taken from Gerstman (*Epidemiology Kept Simple*, 42), who notes that most causes of diseases are similar, being neither necessary nor sufficient.

familiar kind of case where smoking and stress cause a person to suffer a heart attack.

The facts that (a) the person's smoking did not act alone and (b) many nonsmokers suffer heart attacks means neither (c) that smoking was not a cause of the heart attack nor (d) that smoking is not a cause of heart attacks in general. There was a set of causal conditions, none of which was alone sufficient but each of which was necessary for the heart attack, that taken together were sufficient but not necessary for the heart attack.⁷⁵ To say that these causal conditions are interdependent, then, is to say that the effects of the causal agent depend on the prevalence of its causal complements in the population. For instance, the effects of stress depend on the prevalence of smoking, serum cholesterol, and lack of exercise, to name only a few, in the group. Causes are in this way interdependent on other causal factors.

A sensible APF follows this model, conceiving of pornography as one key factor that actively raises the probability of harms rather than the element singly responsible for them. As antiporn feminists like Cass Sunstein and Larry May make clear, it is completely misguided to hold pornography single-handedly responsible for things like rape or gender inequality or to expect that these would disappear were pornography eliminated.⁷⁶ Rather, we hypothesize that exposure to pornography is a salient risk factor for a variety of harms.

Seeing pornography as one salient ingredient in a larger causal pie is not only in line with our best science but also fits with current legal practice in the realm of tort law. (It should be remembered that the legal remedies proposed by MacKinnon and Dworkin fall into this category rather than criminal law.) In an essay that has not received sufficient attention in the pornography debate, Don Adams notes that tort law adheres not to a single-cause model of injury but to a recipe model of causality, where two or more defendants can be held jointly and severally liable for a single injury—a practice referred to as the joint and several liability of concurrent tort-feasors.⁷⁷ To illustrate this, Adams offers the following actual case. A company left its parking lots unlit for many weeks, and one night a man was mugged. The man sued the company and won because, the judge reasoned, the company's negligence causally contributed to and so was partially responsible for the

75. This has much in common with John Mackie's INUS condition, where a cause is understood as an insufficient but necessary part of a condition which is itself unnecessary but exclusively sufficient for its effect on that occasion. See John L. Mackie, "Causes and Conditions," in Sosa and Tooley, *Causation*, and Pearl, *Causality*, chap. 10.

76. Sunstein, *Democracy and the Problem of Free Speech*, 217, 219; May, *Masculinity and Morality*, 73.

77. Don Adams, "Can Pornography Cause Rape?" *Journal of Social Philosophy* 31 (2000): 1–43.

attack.⁷⁸ The judgment does not at all exculpate the assailant who would also have been held responsible had he been caught. In cases like this, responsibility can be divided among several parties and need not be limited to a singular cause. We should apply the same standards to pornography that reign in other areas of tort law, Adams reasons, making pornography a legitimate potential cause of rape in a legal sense. Just as a dark parking lot does not drive everyone to assault, so pornography does not drive everyone to rape, but in some cases pornography may be a significant ingredient in injurious conduct.

In short, a sensible APF should construe the causal relation between pornography and harm not in terms of necessary or sufficient conditions but rather as (a) probabilistic, (b) holding *ceteris paribus*, and (c) one salient component of a complex causal mechanism. This means that the purported injuries are not guaranteed to obtain in each instance of exposure to pornography and, further, that they can occur in the absence of such exposure. Although the comparative studies cited by critics of APF do reveal something about the conditions under which pornography does not have detrimental effects, they do not decisively refute, as Strossen and others would have it,⁷⁹ the antiporn feminist case when sensibly framed.

IV. DISCOVERING CAUSES

This new formulation of the harm hypothesis may seem vague. If it merely asserts that pornography may sometimes increase the risk of various harms, then what sense does it make to speak of pornography causing harm at all? Further, how do we verify such a hypothesis? That is, how can we tell whether there is a significant risk of any kind of harm associated with exposure to pornography?

As I have been suggesting, the etiology of diseases is no simpler, since diseases are the cumulative effects of numerous factors. Even infectious disease agents do not act alone: two people identically exposed to the same infectious agent can experience different symptoms or no symptoms at all, depending on various agent, host, and environmental factors. Noninfectious diseases like cancer are even more complicated, since there is no physical factor whose presence is necessary for the disease to occur. Nevertheless, epidemiologists have proven that regular smoking causes cancer. I suggest that feminists would do well to employ

78. *Loeser v. Nathan Hale Gardens, Inc.*, 425 N.Y.S.2d 104 (1980). This is cited in Adams, "Can Pornography Cause Rape?" 11–12.

79. As noted earlier, many critics take the studies cited above as conclusive evidence that the harm hypothesis is spurious. For Segal, as for many others, the fact that pornography is not necessary for gender-based violence and other inequality falsifies the harm hypothesis. I have shown that this is based on a grave misunderstanding of the purported causal link between pornography and gender-based harms.

the methods of epidemiology in attempting to verify the harm hypothesis.⁸⁰

So how does one discover the causes of a given disease? The investigation begins with clinical observations of individuals, but it cannot stop there. For instance, the simple clinical observation that most lung cancer patients were regular smokers did not count as evidence that smoking causes cancer because the number of cases of the illness were not related to the population at risk. Given merely clinical data, it is possible (a) that there is no special association between smoking and cancer,⁸¹ (b) that the causal connection goes the other direction (perhaps lung cancer creates a craving for cigarettes), or (c) that both lung cancer and cigarette smoking are collateral effects of a common cause. Mere correlation does not imply causation, even of the probabilistic sort.

This is important for the matter at hand because antiporn feminists have relied too heavily on data of the clinical sort to support the harm hypothesis. Testimony from both victims and perpetrators of sexual assault is regularly offered as evidence of pornography's harms in courts of law (esp. the MacKinnon-Dworkin hearings), governmental inquiries on the impact of pornography (the President's Commission on Obscenity and Pornography [1970], and the Meese Commission [1986]), as well as a variety of antipornography studies by both men and women.⁸² These very upsetting accounts repeatedly reveal that sex crimes of various sorts are preceded or accompanied by use of pornography.⁸³

The sheer number of such accounts, combined with the intimate connection between pornography's representational content (i.e., what is represented in pornographic works) and the nature of the criminal

80. Since I started this project, many have encouraged me to turn to epidemiology for a method of investigating pornography's purported harms. In particular, I am indebted to Virginia Chang, Martha Nussbaum, and two anonymous readers for *Ethics* for encouraging me to pursue this.

81. For instance, since it is also true that most smokers drink coffee, there is an association between coffee drinking and lung cancer. One cannot tell from the clinical data alone that coffee drinking is not a cause of lung cancer.

82. For testimony from victims of sexual assault and incest, see MacKinnon and Dworkin, *In Harms Way*. Diana Russell also questioned a sample of adult women in San Francisco and found that about 10 percent reported "upsetting sexual experiences with people who tried to get them to do something sexual they'd seen in pornography" (Russell, *Pornography and Rape*, 124). For testimony regarding pornography's injuries from male users, see Michael Kimmel, ed., *Men Confronting Pornography* (New York: Crown, 1990). For testimony from rapists, see Timothy Beneke, *Men on Rape* (New York: St. Martin's, 1982).

83. For a criticism of such anecdotal evidence, see F. M. Christensen, *Pornography: The Other Side* (New York: Praeger, 1990), 126–29, which offers a philosopher an incisive and thorough, if somewhat uncharitable, account of the evidence provided by antiporn feminists through 1990.

acts in question, warrants suspicion about pornography's role in such crimes. But anecdotal evidence alone does not establish a meaningful positive association, much less a causal connection. The problem is not the anecdotal nature of the presumed evidence but rather that these accounts are not related to the population at risk. It may be that a large percentage of rapists also masturbate, but this would only be meaningful if we knew something about the habits of nonrapists. In order for the anecdotal evidence to be meaningful, we need to know the following: How many regular consumers of pornography never commit a sex crime of any sort? And how many sex offenders never use pornography? Although feminists are rightly alarmed by the many accounts of pornography's connection with sex crimes—particularly since it is often used as a tool in the crimes—it is a mistake to take this as conclusive, or even strong, evidence for the harm hypothesis. Instead, feminists should take the anecdotal evidence as a springboard for pursuing a meaningful positive association and, ultimately, a causal connection. How should we proceed?

In order to verify associations suggested by clinical data, epidemiologists move to the macro level to compare disease rates among very large groups with differing levels of exposure to the suspected cause. In ecologic studies, large populations are compared in terms of the incidence of exposure to a suspected cause and the incidence and prevalence of a disease. In proving a causal connection between smoking and lung cancer, for instance, many studies compared the United States, Norway, Poland, Israel, France, and Japan to find that, as smoking increases, lung cancer also increases. This was a crucial step in demonstrating a positive association between smoking and the disease.

Antiporn feminists have begun to compare the incidence and prevalence of exposure to pornography and of sex crimes in different populations. For example, Court provides evidence that variations in the availability of pornography correspond positively with changes in reported occurrences of rape; in particular, rape reports increase in places where pornography also increases.⁸⁴ Scott and Schwalm found a strong correlation between incidences of rape per capita and sales of magazines like *Playboy* and *Penthouse*.⁸⁵ This corroborated Baron and Straus's earlier findings that showed a positive correlation between rape rates and the circulation of sex magazines in regions in the United States.⁸⁶ Although these studies are suggestive, they are plagued by many of the same

84. Court, "Sex and Violence."

85. See J. Scott and L. Schwalm, "Rape Rates and the Circulation of Adult Magazines," *Journal of Sex Research* 24 (1988): 241–50.

86. See L. Baron and M. Straus, "Four Theories of Rape: A Macrosociological Analysis," *Social Problems* 34 (1987): 467–89.

problems that undermine the ecologic studies proffered by APF's critics; for example, they assume that restrictions on pornography and reported rapes correspond to the actual amount of pornography circulating and the actual number of rapes. More important, there have not been enough careful and thorough ecologic studies to conclusively support a strong positive association between pornography and sex crimes, nor have there been, to my knowledge, any empirical investigations of pornography's other more subtle purported harms. In order for the harm hypothesis to become more than a hypothesis, we need more careful ecologic studies.

If antiporn feminists could produce a coherent body of studies demonstrating a positive association between pornography and harm, this still would not by itself establish causation, since, as noted earlier, ecologic studies only provide data for groups and do not give exposure/effect data for individuals of a population. In the case of smoking research, for instance, ecologic studies do not tell us whether those who developed lung cancer are the same individuals who smoked. In order to establish a positive association, one also needs exposure and outcome data for individuals in the population. Since such data are typically missing from large-scale comparisons of populations, epidemiologists turn to studies of individual characteristics, such as case control and cohort studies. Sticking with our smoking example, a case control study compares the smoking histories of a group of lung cancer patients with the smoking histories of a group of patients without lung cancer. A cohort study compares smokers and nonsmokers and determines the rate of lung cancer in each group. Finally, when possible, one will perform clinical trials or community trials, although such experiments are usually only permissible when the suspected causal agents are neutral or beneficial.

Antiporn feminists and other critics of pornography have produced some studies of the case control and cohort sort, although the studies are problematic and the results inconclusive.⁸⁷ The bulk of evidence

87. For instance, in the late 1960s five studies were performed for the U.S. Commission on Obscenity and Pornography that compare known sex criminals with those who were not known to have committed sex crimes in terms of exposure to pornography (not in the restricted sense of inegalitarian pornography but rather in the broader sense of "sexually explicit materials"). Of the five studies, one was inconclusive, three found less exposure to pornography in the group of known sex criminals than in the control group, and only one found greater exposure to pornography among sex criminals (*U.S. Commission on Obscenity and Pornography: Technical Report*). A few other studies compare the frequency of sex crimes committed by offenders who use pornography with the frequency of those committed by offenders who use none. One study found no difference (Gene Abel, M. S. Mittelman, and Judith Becker: "The Effects of Erotica on Paraphiliacs' Behavior," unpublished paper cited in Attorney General's Commission on Pornography, *Final Report*, U.S. Department of Justice, Washington, DC, 969-70, and also in Christensen, *Pornography*,

concerning individuals takes the form of clinical trials of various sorts that aim to test the impact of exposure to pornography.⁸⁸ These can be divided into (a) experiments that show how exposure to pornography can facilitate the formation and reinforcement of dimensions of sexist psychology (perceptions of and attitudes toward women) in both sexual and nonsexual contexts,⁸⁹ and (b) those that draw some connection between exposure to pornography and sexist conduct of various sorts.⁹⁰

174 n. 7), while two others did find a positive correlation between pornography use and coercive sex acts (see summaries of studies by M. P. Marshall and K. E. Koss, in U.S. Commission on Obscenity and Pornography, *Final Report*, 950 and 961, cited in Christensen, *Pornography*, 174 n. 9). All of these studies are problematic for a variety of reasons. First, they rely on memory reports, which are highly fallible. Second, they deal only with convicted sex offenders, yet given that statistics on sexual assault and incest suggest that the number of actual sex offenders is much higher than those who are convicted, there is a good chance that some of participants of such studies are misclassified.

88. This vast literature is summarized in MacKinnon, *Sex Equality*, 1543ff.

89. For example, Zillmann and Bryant did a group of studies in which male and female college students were exposed to "standard" pornography (i.e., nonviolent) pornography regularly for a period of weeks. The studies revealed that, as compared with control groups, the "prolonged exposure group" tended to trivialize rape and recommended a significantly shorter incarceration period for a convicted rapist, reported greater acceptance of male dominance in intimate relationships, and demonstrated increased callousness toward female sexuality. See Dolf Zillman and Jennings Bryant, "Effects of Prolonged Consumption of Pornography on Family Values," *Journal of Family Issues* 9 (1998): 518–44, "Pornography's Impact on Sexual Satisfaction," in *Journal of Applied Social Psychology* 18 (1988): 438–53, "Effects of Massive Exposure to Pornography," in Malamuth and Donnerstein, *Pornography and Sexual Aggression*, 115–38, and "Pornography, Sexual Callousness and the Trivialization of Rape," *Journal of Communication* 32 (1982): 10–21. Studies by Malamuth and others show that prolonged exposure to pornography with "rape myth" scenarios (i.e., women portrayed as enjoying rape) resulted in increased acceptance of and positive attitudes toward rape violence against women, increased endorsement of rape myth perceptions, and had adverse affects on observers' perceptions of women in general and rape victims in particular (see, e.g., Neith Malamuth, "Aggression against Women: Cultural and Individual Differences," in Malamuth and Donnerstein, *Pornography and Sexual Aggression*, 19–52; Neil Malamuth and James Check, "Penile Tumescence and Perceptual Responses to Rape as a Function of Victims' Perceived Reactions," *Journal of Applied Social Psychology* 10 [1980]: 528–47, "The Effects of Mass Media Exposure on Acceptance of Violence against Women: A Field Experiment," *Journal of Research in Personality* 15 [1981]: 436–46, "Sexual Arousal to Rape Depictions: Individual Differences," *Journal of Abnormal Psychology* 92 [1983]: 55–67, and "The Effects of Aggressive Pornography on Beliefs in Rape Myths: Individual Differences," *Journal of Research in Personality* 19 [1985]: 299–320; Neil Malamuth, Scott Haber, and Seymour Feshbach, "Sexual Responsiveness of College Students to Rape Depictions: Inhibitory and Disinhibitory Effects," *Journal of Personality and Social Psychology* 19 [1980]: 399–408). For an excellent summary of these and of studies with similar results, see James Weaver, "Social and Psychological Research Evidence: Perceptual and Behavioral Consequences of Exposure to Pornography," in Itzin, *Pornography*, 284–309.

90. Many studies show that exposure to both violent and nonviolent pornography can cause aggressive behavior under certain circumstances (e.g., Dolf Zillman, *The Connection between Sex and Aggression* [Hillsdale, NJ: Erlbaum, 1984]; Kenneth E. Leonard and

These experimental data are riddled with problems, some of which have been noticed by critics.⁹¹ First, many of the studies concerned with pornography's potential to incite unwanted sexual violence measure its impact on audiences (stage 1 effects) but tell us nothing about how this translates into actual harms (stage 2 effects). If pornography has a tendency to make coercive sex attractive to its audience, as some studies show, this will not necessarily translate into conduct, since the effect might be counterbalanced or outweighed by the consumer's other attitudes and commitments, thereby inhibiting the expression of any such desire. Second, the studies that do attempt to measure pornography's effect on actual conduct must, for ethical reasons, be satisfied with things like willingness to administer electric shocks as substitutes for actual aggressive behavior, and it is dubious that such artificial conditions reveal anything about real-world conduct.⁹² Third, the clinical trials are almost always performed on a small select group of people—namely, male college students—that is not randomized and so does not allow for extrapolation to the general population. Fourth, the clinical trials are also limited from a feminist perspective since (a) nearly all focus on sexual violence and do not attend to pornography's many other purported harms and (b) the experiments are restricted temporally and so cannot capture the effects of long-term exposure to pornography. Although smoking two packs of cigarettes in an afternoon might make me sick to my stomach, it won't give me lung cancer—and if it did, the disease wouldn't manifest itself for years. Likewise, we oughtn't expect short-term exposure to pornography to produce every sort of harmful effect, particularly those amassed cumulatively. If antiporn feminists like Larry May are right that pornography's effects are preponderantly cumulative, then the clinical trials are entirely misguided. For these reasons, a sensible APF would do better to focus on studies of the case control and

Stuart P. Taylor, "Exposure to Pornography, Permissive and Non-Permissive Cues, and Male Aggression towards Females," *Motivation and Emotion* 7 [1983]: 291–99; Edward Donnerstein, "Erotica and Human Aggression," in *Aggression: Theoretical and Empirical Reviews*, ed. Edward Donnerstein and Russell Green [New York: Academic Press, 1983], and "Pornography: Its Effect on Violence against Women," in Malamuth and Donnerstein, *Pornography and Sexual Aggression*, 53–82). As Weaver points out ("Social and Psychological Research Evidence," 301), it is for ethical reasons impossible to perform experiments that elicit the more violent types of sexist behavior. This means that many of these experiments are forced to rely on subjects' reports of psychological states and proxies, such as willingness to deliver electric shocks. Although these are serious limitations, Weaver insists that these data are "more informative and reliable than conventional wisdom, guessing, or ignorance" (301).

91. See Christensen, *Pornography*, 135–38, as well as F. M. Christensen, "Cultural Ideological Bias in Pornography Research," *Philosophy of the Social Sciences* 20 (1990): 351–75; Segal, "Does Pornography Cause Violence?"; Pally, *Sex and Sensibility*, esp. chap. 3.

92. As Donnerstein et al. (*The Question of Pornography*, 174) themselves admit, whether laboratory experiments tell us anything "about real-world aggression, such as rape, is still a matter for considerable debate."

cohort sort when attempting to produce data about individuals in the population supposedly at risk.

Finally, like most feminist research in this area, the clinical trials do not distinguish among kinds of pornography. We cannot tell from these data whether all forms of erotic material—and here we might include erotically explicit artworks—lead to sexist psychology and conduct or whether these harms result from a particular subset of erotic representation. I have urged that the best feminist argument against pornography focuses on the harms that arise due to the eroticization of inegalitarian relations between women and men. If this is right, then attempts to gather evidence for the harm hypothesis should concentrate on specifically inegalitarian pornography while using egalitarian pornography and erotica as controls. This would also have the benefit of prying feminist thought away from the apparent blanket condemnation of all erotic material.

Let us suppose that, through ecologic and case control studies, a meaningful positive correlation between inegalitarian pornography and various harms had been demonstrated. How do we get from this to establishing a causal relation? After all, it could be true that a large percentage of lung cancer patients were smokers and that lots of smokers get lung cancer and that the disease is much rarer among nonsmokers yet also true that (a) lung cancer causes the craving for smoking, rather than the converse, or (b) both smoking and lung cancer are collateral effects of some more primary cause. In order to determine whether an observed association is causal, epidemiologists standardly appeal to the following criteria:⁹³

1. *Temporality*: exposure to the suspected causal factor must precede the onset of disease and the interval between exposure and disease must be considered.

2. *Strength*: strong associations provide firmer evidence of causality than weak ones. Strength of association is measured by relative risk or odds ratio.

3. *Quantal-dose relationship*: an increase in the level, intensity, duration, or total level of exposure to a causal agent leads to a progressive increase in risk of disease.⁹⁴

93. These *Epidemiology Kept Simple* guidelines, sometimes referred to as *criteria* for causation, were first laid out by the Surgeon General's Advisory Committee on Smoking and Health and were later expanded by British scientist A. Bradford Hill in 1965. The guidelines are outlined in Gerstman, *Epidemiology Kept Simple*, 294ff., and Gordis, *Epidemiology*, 176ff.

94. Note that the absence of a dose relationship does not necessarily rule out a causal relationship, since there may be a threshold where no disease may develop up to a certain level of exposure.

4. *Consistency*: replication of findings is particularly important.⁹⁵

5. *Plausibility*: the association should be plausible within the current state of knowledge.

6. *Consideration of alternate explanations*: in judging whether an observed association is causal, the extent to which investigators have taken account of alternate explanations is important.

7. *Cessation data*: if a factor is a cause of a disease, the risk of the disease should decline upon reduction or elimination of exposure to the factor.

Although many antiporn feminists are reluctant to admit it, we are far from providing evidence that meets these criteria. It is for this reason that I refer to our position as a hypothesis. At this point we have only a persuasive argument supported by suggestive bits of evidence. But this is not a reason to capitulate to our critics, for their evidence is equally flawed and inconclusive, and when the antiporn feminist position is sensibly framed, their criticisms are considerably less persuasive. It took a very long time and extensive experimentation and research to determine that smoking causes lung cancer and other diseases. Research on the effects of pornography is still in its infant stages, and it is too soon to pronounce on the matter.

V. OBJECTIONS AND PROBLEMS FOR FURTHER REFLECTION

Here are some lingering challenges to the harm hypothesis. First, one might worry about the relationship between estimations of probabilistic harms for groups and the probabilities of harms for individuals within that group. It is not obvious, after all, that calculations of probabilistic causality based on large groups tell us anything about individual cases. If a study of a population of 100,000 shows that the relative risk of becoming a sex offender is five times greater in pornography users than in non-pornography users,⁹⁶ what does this say about John's risk of becoming a sex offender? John, let us imagine, regularly indulges in egalitarian pornography but is also a self-identified feminist who marches for women's causes and volunteers ten hours a week in a shelter for battered women. Since John's commitment to feminism would, one hopes, decrease his risk of becoming a sex offender, claims about pornography's causal effects based on studies of the general population would seem uninformative in his particular case. Put generally, the prob-

95. The greater the number of consistent studies, the stronger the causal evidence. One should note, however, that consistency alone does not prove causation, since multiple studies can suffer from similar biases.

96. *Relative risk* is the ratio of the disease rate in exposed persons to the disease rate in unexposed persons. It is distinguished from *attributable risk*, which is the disease rate in exposed persons minus that in unexposed persons.

lem is this: since the probability of x causing y for a population z is not necessarily the same as the probability of x causing y for an individual member of z , how can this way of thinking help us analyze individual cases?⁹⁷ If we cannot explain the relationship between probabilities for individuals and populations, then we are not entitled to the claim that my smoking raises my chances of lung cancer or that my consuming pornography raises my chances of sexist attitudes or conduct.

As noted earlier, it is precisely a recognition of the limitations of group data that pushes epidemiologists to studies of individual characteristics (case control and cohort studies). But one still might be skeptical of the relevance of such data to an individual in the population who did not actually participate in such a study.

This is where the multicomponent view of causality comes in. By employing biostatistics in extensive and systematic group and individual studies, epidemiologists identify the set of factors that constitute a causal mechanism. These interdependent risk factors include: macro-level factors, such as environmental and other external conditions that contribute to the disease process; individual-level factors, such as personal characteristics, genetic predispositions and immunologic factors; and micro-level factors necessary for the disease to occur (e.g., pathogens). Once the risk factors have been identified, an individual's chances of acquiring a given disease can be assessed by determining which risk factors are present. For instance, although the general statistic shows that elevated serum cholesterol increases one's risk of coronary heart disease (CHD), when dealing with an individual, this must be balanced against the other risk factors present. If that individual is a nonsmoking vegetarian and marathon runner with low blood pressure and no family history of the disease, her chances of CHD are less than 1 percent despite her elevated cholesterol. In this way medical professionals both assess an individual's risk status and determine the causes of diseases in afflicted individuals.⁹⁸ The relevance for APF is this: if it were empirically determined that regular exposure to pornography raises a person's chances of acting in a way that is injurious to women—and, again, we must keep in mind the wide range of harms—we would not need to worry about the relationship between studies based on populations and the risks for specific individuals so long as we knew the other risk factors

97. Thanks to Debra Satz for this formulation of the question.

98. By this I mean that post facto knowledge of diseases and predictive knowledge of diseases are in the same boat. In both cases doctors and researchers assess the risk factors present and then make probabilistic causal claims based on them. For instance, just as one cannot know with absolute certainty that an obese sedentary person will get CHD, so one cannot know with 100 percent certainty what caused a person's CHD; in both cases it is highly likely that obesity and a sedentary lifestyle are or would be the causes.

for the behavior in question. If, in an individual case, we could determine which risk factors obtain, then we could calculate the likelihood and extent of pornography's impact on that individual's behavior or, if he has already acted harmfully, determine the likely causes of his conduct.

Another set of worries about the harm hypothesis clusters around the fact that, even if a strong positive association between pornography and harm could be established, this does not imply causation. This leads to three related difficulties.

First, it is plausible that the direction of causation goes in the other direction. This is most likely a problem in the case of diffuse stage 2 causes, where the putative effects of exposure to pornography include attitudes like the underestimation of women's intellects or the taste for female submissiveness. As mentioned above, the arguments about how pornography influences its users' attitudes and conduct appear to depend on the implicit premise that men will find pornography sexually stimulating in the first place, and this initial appeal is difficult to explain without assuming viewers' predisposition toward sexist perceptions of women. This suggests that, although pornography may cater to sexist attitudes and desires, it is these prior attitudes and desires that explain the production and consumption of pornography, not the converse.

The second objection is that the association between pornography and gender-based harms may not be causal at all, since both could be collateral effects of a common cause. Consider the case of sexual assault. Joel Feinberg argues that pornography does not cause sexual assault but rather that the "cult of macho"—ideals of manliness that centrally involve the domination of women—independently gives rise to both.⁹⁹

Unlike the previous worries, the third objection concedes pornography's role in bringing about particular harms but worries that its role might be merely auxiliary. Perhaps pervasive gender inequality is the true cause of sexual violence against women and pornography is just what Richard Lewontin calls an agency: an alternative path of transmission for some more basic cause.¹⁰⁰ Although it is wrong to say that

99. Joel Feinberg, *Offense to Others: The Moral Limits of the Criminal Law* (Oxford: Oxford University Press, 1985), 150ff.

100. Lewontin, *The Triple Helix*, 101–5, and also his *Biology as Ideology*, 41ff. Lewontin illustrates the concept of *agency* with the following example. The chief "causes" of death in Europe at the end of the nineteenth century were infectious diseases, such as smallpox, tuberculosis, pneumonia, and measles. By the First World War, these deaths due to infectious disease had reduced dramatically. Interestingly, the reason for this dramatic change was not the discovery of pathogens (which had no observable effect on mortality rates), nor the development of modern drug treatments (because 90 percent of the reduction in death rates due to infectious disease had already occurred by the time of the discovery of antibiotics), nor changes in sanitation (since the principal diseases were airborne, not

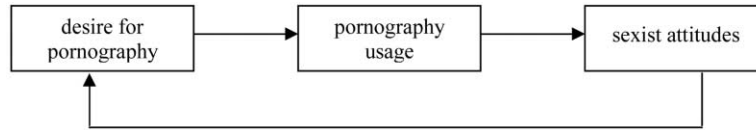


FIG. 2.—Feedback effects of pornography for individual users

an agency is completely irrelevant to the harm in question, our efforts would be better spent, so the objection goes, attacking the true cause of the harms in question, whatever that cause may be.

These are substantial difficulties that a sensibly formulated APF can answer. To begin with, we need to acknowledge that, however useful for capturing the probabilistic nature of the causal connection, the disease analogy breaks down at some point, because its asymmetrical cause-and-effect picture does not capture the complex reciprocal relationship between pornography and its purported harms. Whereas the causal association between smoking and cancer is unidirectional, a sensible harm hypothesis holds that pornography and many of its harms encourage and reinforce one another in the manner of a positive feedback loop. At the level of an individual consumer, the feedback loop would look something like what is shown in figure 2.

Although some sexist attitudes (e.g., fantasies, desires, or beliefs) are required for pornography to be attractive in the first place, according to the harm hypothesis, regular exposure to pornography reinforces and exacerbates these attitudes and may generate others, thereby inciting the desire for more pornography. The fact that some prior sexist attitudes are required for pornography to initially attract its audience does not mean that pornography plays no causal role in the formation of sexist attitudes. As I have argued, the harm hypothesis holds that pornography is a significant component in a complex causal mechanism. We now must complicate this multifaceted causal mechanism with the notion of a positive feedback loop in which the effects of exposure to pornography facilitate and accelerate the desire for more pornography. In some sense, the critics are right that the direction of causation does go the other way.

The second objection charged that pornography does not cause harm but rather that both pornography and its putative harms are col-

waterborne). The reason for the change was an increase in wages, which led to an improvement in nutrition, and a decrease in working hours, which lessened physiological stress. The real cause of the deaths in question, Lewontin argues, was a particular form of industrial capitalism that resulted in overwork and undernourishment; infectious diseases were simply the agencies of these deaths. Likewise, one could argue that pornography is a mere subsidiary pathway for the expression of the true cause, which we might call pervasive gender inequality.

lateral effects of some common cause. A sensible APF should remain open to this possibility which is always a concern when attempting to discover the causes of things. It is also just the sort of problem that epidemiological methods recommended here are designed to identify.¹⁰¹

VI. CONCLUSION

Does exposure to inegalitarian pornography cause sexist attitudes and behaviors? Does it lead men to underestimate, objectify, or discriminate against women? Does it provoke acts of physical violence or predispose its users to other antisocial behavior?

Such questions lie at the heart of the pornography debate. At first blush philosophical inquiry would seem useless in answering them, for either pornography causes harm or it does not, and nothing short of considerable empirical data can decide the matter. As we have seen, those on either side of the debate marshal evidence from cross-cultural studies, clinical trials, and personal testimony in order to support or deny a causal connection between pornography and harm, yet little attention has been paid to the terms in which the debate is framed. Both camps treat the terms 'pornography', 'cause', and 'harm' as if they were unambiguous, an imprecision that leads the disputants to talk past one another and that infects the arguments and the evidence on both sides: it is often unclear exactly what kind of harm one is trying to prove or deny or what sort of causal connection one is looking to establish or reject. It is here that philosophy can help by clarifying terms, sifting out irrelevant and uncharitable criticisms of positions, and providing the strongest arguments. In the end, however, we feminist philosophers can only go so far in our attempts to persuade others that pornography is, on balance, harmful or not. It is my view that we should welcome these limitations and do our best to offer precise yet nuanced positions to be empirically tested.

This article has tried to do just that by making a case for a sensible version of APF. By way of conclusion, here again are its central tenets. First, we are concerned not with the sweeping category of pornography in general but only with inegalitarian pornography. This allows for the possibility that some forms of pornography may be neutral or even beneficial with respect to gender equality. Second, we hold that the debate has for too long concentrated on pornography's purported connection with sexual assault, a focus that has naturally led to talk of state

101. Confounding is one of the most important problems in epidemiological studies. Confounding occurs when factor A was thought to be a cause of disease B, but factor X turns out to be a risk factor for both A and B, which explains the association between the latter. For a description of the statistical methods employed to detect confounding, see Gordis, *Epidemiology*, 185–89.

regulation and made APF appear alarmist and extremist in skeptics' eyes. As a remedy, this article offers a careful and nuanced delineation of pornography's alleged harms, recognizing a wide range of potential injuries that differ in terms of character and severity. Third, and related, we are sensitive to the entire range of pornography's putative harms when proposing means of prevention and redress. A sensible APF is cautious and judicious and not necessarily in favor of state regulation of pornography. Fourth, we understand the claim that pornography causes harm as a hypothesis that has yet to be conclusively proved (or refuted) and that must be tested empirically. This article proposes that APF employ the methods of epidemiology—our current best science of causes—in attempting to verify the harm hypothesis. Fifth, a sensible APF holds that gender inequality is the cumulative effect of multiple factors, of which inegalitarian pornography is just one. This is to say, we adhere to a multicomponent view of causality in which pornography is one factor in a complex causal mechanism. We do not hold pornography solely responsible for gender inequality, nor do we think that elimination of pornography would solve all our problems. Sixth, and related, we also construe the causal relation between pornography and its purported harms probabilistically and as holding *ceteris paribus*. This is to say, exposure to pornography is neither necessary nor sufficient for its putative injuries but rather raises the chances of harm depending on context. Seventh, and finally, we conceive of pornography's role in sexism on the model of a feedback loop: at the same time that inegalitarian pornography is the result of gender inequality, it also facilitates and accelerates this inequality, and it does so cumulatively.