Mari Mikkola (editor)
Beyond Speech: Pornography and Analytic Feminist Philosophy
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Before speech act theory dominated discussion of the harm *constituted* by pornography, analyses focused on the harm *caused* by pornography. Speech act analyses offered new theoretical possibilities. Anti-pornography feminists could play the same game as free-speech defenders of porn. Pornography may be speech, but speech can also be action. And, women speak too. Pornographers' speech performs the action of silencing women. There are two claims to freedom of speech--that of pornographers and that of women--and they cannot both be realized at the same time. This is just one of the arguments made possible by speech act theory, and it seems like a pretty good one. The problem is that when people think about porn they think about a lot of things, and speech may not be at the top of the list.

The cover art for this book is described by its producer on Shutterstock as "leather upholstery of a magnificent sofa." The blurb on the book says that the essays in the book aspire to go "beyond" speech act analyses of pornography. In particular, the stated goal is to "highlight novel issues" including issues in aesthetics, trans identities, racialization, and feminist pornography. The leather upholstery of the magnificent sofa, however, signals something else. Rather than *beyond* speech, it takes the reader back to what might have been her very first understanding of pornography: a depiction of people having sex on a magnificent leather sofa. The book is divided into four sections: (I) Speech Act Approaches to Pornography, (II) Pornography and Social Ontology, (III) Objectification as Harm of Pornography, and (IV) Feminist Pornography: An Oxymoron? The book's introduction undersells the collection. It says the goals are to "take stock" and "highlight some novel issues" (11); it goes on to say that the goal of the collection is to "create new lines of inquiry" but not to provide definitive discussions of these inquiries (15). This is overly modest. There are, in fact, a number of compelling, novel, and creative arguments made in this collection. Because this is an edited collection, and the authors are writing from a variety of vantage points and from different areas of expertise, I will not be able to address each argument fully and separately. Rather, I discuss a few themes in the book that are provocative enough to deserve close study by readers.

Rae Langton is owed much of the credit in developing a series of speech act arguments about the ways in which pornography constitutes subordination. In this collection, her contribution approaches a similar conclusion but from a different angle. Here she considers the (dis)analogies

between porn and law. One example is this: the law is made up of words, whereas porn is largely images, and images feel more real (25). This positions us in a different epistemic relation to the images. Whether Langton meant this or not, this is part of the force of *maker's knowledge* (more on this below). For example, think about the status of a fictional character in a written text and a fictional character in a visual representation. They are, ontologically speaking, identical. Neither character exists in the way that a real person exists. There is an important difference, though, especially for pornography. This is that a real woman performing real acts is required for the visual representation but not for the written text. Her character may be a woman who desires and enjoys a sexual interaction with a stranger; the actress is having the sexual interaction, even though she may not desire it or enjoy it, and the other person may not be a stranger. The context is fictional, but many of the actions are not. Perhaps this significant ontological difference contributes to the epistemic difference. This epistemic difference in turn bears on what we take the epistemic authority of pornographers to be. When several of the writers in this collection (in particular, Langton, Louise Antony, and Mari Mikkola) deploy Langton's concept of "maker's knowledge" they are referring to the idea that the makers of pornography make something true by virtue of their controlling the production of the evidence we have for our knowledge about people, their (sexual) agency, and their value. Understood another way, we learn about the value of people, sexually and otherwise, in part by consuming pornographic representations. The nature of these representations has a strong epistemic valence for us: we believe what we see. More importantly, these representations purport to represent the value of people (as subjects, as objects), and they do it so much that they make it true. Not every author is taken by this analysis, and some deny that it can be buttressed by speech act theory in particular (61).

A view presented at several points in the book is that maker's knowledge might be complicated by diverse makers (128). This point is layered. On one hand, it says that the argument for maker's knowledge is undermined by the opposing views presented by feminist pornographers. On the other hand, it seems like the pornography made by feminists is still maker's knowledge, but it just comes to different conclusions (for example, "non-harmful maker's knowledge" [131]). One of the ways in which the book attempts to go beyond *speech*, then, is to look at *knowledge* instead. Rather than focusing on the act perpetrated by the speech event, we ought to focus on the knowledge created by producing, promulgating, and consuming pornographic images.

But does the move from speech to knowledge get at the harm that porn causes? Does it recognize the experience that we have when we make or consume porn? Perhaps we can think about it this way: if we discover that someone close to us is enjoying porn for the first time, what do we think about it? If it bothers us, why is this so? Do we not want him to "know" things that aren't true? Is this possible? Perhaps we don't think that those representations are really knowledge-creating, accurate depictions of reality. Do we worry about immoral thoughts: the immoral thoughts that some people deserve or enjoy humiliation, pain, or subservience; some people can be used as objects; some people should be objectified along gendered or racialized lines; and that sexist and racist objectification is somehow worse than egalitarian objectification? The authors in this collection carefully take apart each of these possibilities.

The very idea of objectionable maker's knowledge is puzzling. If I claim to know something about, for instance, the value of women, then it seems like I am saying that the makers have the authority to create knowledge, that the knowledge I have arrived at is supported by beliefs

(perhaps with propositional structure), and that I could come to know a different conclusion if presented with different beliefs held together by arguments. Several authors in this book upset this way of thinking about maker's knowledge. Antony doubts whether pornographers have the authority (even if they do have the power) to render it true that women are inferior (61); a similar claim is made by Katherine Jenkins (106-07). (My own view is that authority is needed for knowledge-ascriptions of the kind discussed here, but that only power is needed for meaning-ascriptions. Moving "beyond" speech to knowledge increases the epistemic standard.) Several authors are skeptical that the "knowledge" rendered by pornography has been arrived at in any kind of traditional way, or in any way over which one has control. A.W. Eaton concludes the book with the claim, "The problem is that we cannot simply argue our way toward finding the right things attractive and sexy" (256). Eaton describes Aristotelian habituation whereby we develop tastes, and these tastes shape our views of (in)equality as expressed in erotic representations. If I happen to find domination erotically appealing, no amount of education on equality is going to change that. It may be possible that I can be argued into new beliefs about equality, but I cannot be argued into shedding my taste for inequality.

Tastes do change, however. It may even be the case that porn does not play the dominant role in shaping inegalitarian tastes, and may even present opportunities for breaking racial and sexual stereotypes and demeaning characterizations. Representations of inequality are everywhere, with porn perhaps mirroring rather than creating them (Petra van Brabandt, 233; cf. Talia Bettcher on porn's role in "reality enforcement," 175). The allure of sexual representations may have the power (if not the authority) needed to undermine these unequal representations. Robin Zheng skeptically considers possible empowering narratives of demeaning, racialized pornographic representations, unsure that the narratives are more than mere adaptive preferences under oppressive circumstances (187; cf. Hans Maes, 213). But, Zheng still asks whether there are Aristotelian possibilities for the destigmatizing and erotically transforming tastes for many different bodies in "the way required for genuine social equality" (188). A similar view is considered by Maes, who argues for a richer conception of "sexiness" that cultivates a desire for "magnificent" bodies (201). Like Eaton, Maes recognizes that what we find "sexy" is a matter of emotional response, and not a matter of reasoned attitude (206). This, then, gets back to the constitutive structure of porn. Debates about the harm of porn have turned on whether to focus on what harm porn *causes* people to enact versus what harm is *constituted* by porn itself. The constitutive accounts are much more powerful, but harder to defend. In these arguments, however, we see new possibilities. If we have no control over our taste for "sexiness," this implies that the construction of sexiness by pornographic imagery is conditioned. This is the public backdrop (Bettcher, 161) or the Aristotelian habituation (Eaton, Zheng). *This*, perhaps, is the true heart of maker's "knowledge." The dominance of pornographic representations in the nexus of representations of sexual (and other) agency, desirability, and personhood conditions porn consumers into certain emotional responses to "sexiness." The manufacturers of porn make it the case that some representations of some bodies, engaged in some kinds of behavior, results in some kinds of responses. And those responses are *real*, especially insofar as they are noncognitive and not subject to control by, for example, ethical reasoning.

Several authors consider the possibility of egalitarian, queer, and feminist pornographies reshaping the public backdrop of "knowledge" or sexual taste. These constitutive questions prompt discussion of what porn *does*, with less attention to what porn *is*. Van Brabandt revisits

Catherine MacKinnon's influential definition of porn and compellingly questions the line between, for example, sexual objects and *dehumanized* sexual objects, and how reductive representations can be aesthetically determined (224). Mikkola defends an account of pornographic artifacts understood in terms of makers' intentions (116). What count as pornographic artifacts and intentions is enormously interesting, especially given the ubiquity of "tube," person-to-person, and DIY pornography. The model of pornography that has been assumed in anti-pornography arguments is one where the identity, intention, and motivation of pornographers has been fairly transparent, as has the product. The idea that egalitarian, queer, and feminist pornographies can play a role in the conditioning of tastes is especially interesting in the new porn environment. This is an environment where porn is mostly on the internet, and the production and profit structure has changed to reflect a DIY aesthetic that includes real people in real places, without idealized bodies or constrained representational choices (232-33). These people, on whatever magnificent sofas they happen to have, reflect and promote sexual taste. How we are habituated by this, however, can only be determined by who is creating this content and, in the modern porn environment, what the algorithms tell us we want next.

This book draws the reader into many more lines of inquiry than could have been discussed here. The essays present inspired pairings between feminist theory, trans theory, aesthetics, and metaphysics in ways that advance the literature in promising new directions.