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Explanatory preface

What follows is a small excerpt from a much larger project. My dissertation, entitled *Prisoners of Sex: Escaping the long shadow of feminism's "sex wars,"* is a critical genealogy of three debates presently at the center of feminist political theory, debates concerning the political theorization of subjectivity, the wisdom and sufficiency of state-centered politics, and the relationship of feminism to liberalism. By examining an oft-neglected episode from feminism's recent past, specifically, a series of late 20th-century internecine feminist conflicts over matters pertaining to sex and sexuality that have come to be known as feminism's "sex wars," my dissertation aims to glean a deeper understanding of these contemporary debates. More specifically, my dissertation aims to expose and explore the continuities between these contemporary debates and many of the central debates of feminism's sex wars - debates concerning the role of sex and sexuality in women's oppression and liberation, the place of legal reform in feminist campaigns against pornography, rape, and sexual assault, and the relationship of women's rights to civil rights. Once these continuities have been exposed, revealing that contemporary feminism's defining dilemmas, in fact, came from somewhere, questions such as whether or not these dilemmas retain their relevance, significance, and urgency for contemporary feminists become articulable and debatable. It is in this way, I believe, that my genealogical efforts will prove helpful to contemporary feminists interested in moving through and, perhaps, even beyond the impasses that define and dominate our political and theoretical present.

The excerpt below is from the third chapter of my dissertation, a chapter entitled "The 'Sex Wars' Come to Political Theory: 1980-1990." The preceding chapter is a historical overview of feminism's sex wars in which I strive to represent the sex wars on and in their own terms, paying particular attention to the competing political theoretical claims put forward by the various parties to these conflicts. In the third chapter, I describe and examine the ways in which many of these claims were initially taken up within the discipline of political theory. The excerpt included here introduces the guiding aims of the chapter and excavates and illuminates traces of antipornography feminist ideology and argumentation in Carole Pateman's early feminist work, specifically her article, "Women and Consent" (1980) and her path-breaking book, *The Sexual Contract* (1988).

The "Sex Wars" Come to Political Theory: 1980-1990

In 1987, in an article entitled "Where Is the Sex in Political Theory?," Wendy Brown declared that feminists have long been "afraid of sex" and, thus, have not "considered locating their theoretical work there" (Brown, 1987, 13). That Brown made

this claim when she did is nothing short of extraordinary for, as we saw in the previous chapter, by 1987, American feminists had been engaged in a series of debates over matters pertaining to sex and sexuality, such as pornography, prostitution, sadomasochism, heterosexuality, lesbianism, and butch/femme identities and practices, for more than a decade.¹ These debates, which divided feminists into two opposing factions (“antipornography” feminists such as Susan Brownmiller and Andrea Dworkin on one side versus “sex radical” feminists such as Carol Vance and Gayle Rubin on the other),² were so bitter and all-consuming that the period during which they occurred,

¹ I follow Gayle Rubin in dating the outbreak of feminism’s “sex wars” to 1976, the year in which Women Against Violence Against Women (WAVAW) and Women Against Violence in Pornography and the Media (WAVPM) formed in Los Angeles and San Francisco respectively (Rubin, 2012, 206). This choice is, admittedly, conservative. For instance, Nan D. Hunter traces the beginnings of the “sex wars” to 1966, a year that saw the formation of the National Organization for Women (NOW) to “protest, and endeavor to change, the false image of women now prevalent in the main media” (Duggan and Hunter, 2006, 16). Of course, given the fact that American feminists have been clashing over issues pertaining to sex and sexuality since the 19th century, one could reasonably date feminism’s “sex wars” as far back as feminism’s first wave. This is the position adopted by Sheila Jeffreys in *The Sexuality Debates*, an edited volume of significant feminist “documents on sexuality” that ranges from the 1860s to the 1920s. Whatever one’s preference in such matters, it remains clear that Brown’s 1987 portrayal of feminism as sexually reticent is simply inaccurate. Of course, this inaccuracy is, in all likelihood, a product not of Brown’s ignorance of the history of feminist engagements with sex and sexuality, but of her dissatisfaction with these engagements. In other words, Brown’s portrayal of feminism as “afraid of sex” seems to be polemical, itself an intervention in the very feminist sexuality debates that it occludes.

² This is, of course, an oversimplification. Both the antipornography and the sex radical “sides” of the sex wars were rife with conflict and disagreement. For instance, not every antipornography feminist agreed that pornography ought to be legislatively banned and not every sex radical feminist agreed that a preference for S/M sex was simply one more instance of benign sexual variation on par with a preference for, say, “vanilla” lesbian sex. Additionally, as Carolyn Bronstein, the author of a superb and comprehensive history of the feminist antipornography movement, has noted, the defining debates and dilemmas of the sex wars spawned a literature that spans “every conceivable theoretical perspective, including radical feminist, civil libertarian, third-wave feminist, liberal feminist, socialist feminist, First Amendment, neoconservative, postmodernist, sex radical, religious conservative, and empirical social scientific, among others” (Bronstein,

(from the mid-1970s to the early-1990s approximately), has come to be known as feminism's "sex wars."³ While the effects of the "sex wars" have been wide-ranging and long-lasting,⁴ in this chapter, I examine the ways in which many of the sex wars' defining concerns were first taken up within the discipline of political theory. More specifically, I excavate and illuminate traces of the sex wars – including the defining

2012, 9). These important caveats aside, the antipornography/sex radical dichotomy remains useful when discussing this period because, despite their political and theoretical diversity, most combatants in the sex wars arrayed themselves politically in accord with it.

³ The term "sex wars" became associated with this period thanks in large part to Ann Ferguson's contribution to a prominent feminist journal's forum on the feminist sexuality debates entitled "Sex War: The Debate between Radical and Libertarian Feminists," *Signs* 10(1984): 106-112. For illuminating perspectives and reflections on this period, see Julia Long's *Anti-Porn: The Resurgence of Antipornography Feminism* (Zed Books, 2012); Carolyn Bronstein's *Battling Pornography: The American Feminist Anti-Pornography Movement, 1976-1986* (Cambridge University Press: New York, 2011); *GLQ: A Journal of Lesbian and Gay Studies*, Vol. 17, No. 1 (2011); Gayle Rubin's "Blood Under the Bridge: Reflections on *Thinking Sex*" in *Deviations: A Gayle Rubin Reader* (Duke University Press: Durham, NC, 2012); Lisa Duggan's and Nan D. Hunter's *Sex Wars: Sexual Dissent and Political Culture* (Routledge: 2006); Jane Gerhardt's *Desiring Revolution: Second wave feminism and the rewriting of American sexual thought* (Columbia University Press: New York, NY, 2001); Lynn C. Chancer's *Reconcilable Differences: Confronting Beauty, Pornography, and the Future of Feminism* (University of California Press: Berkeley, CA, 1998); Drucilla Cornell's *Feminism and Pornography* (Oxford University Press: Oxford, UK, 2000) and *The Imaginary Domain: Abortion, Pornography, and Sexual Harrassment* (Routledge: New York, NY, 1995); Linda LeMoncheck's *Loose Women, Lecherous Men: A Feminist Philosophy of Sex* (Oxford University Press: Oxford, UK, 1997); Jane M. Ussher's *Fantasies of Femininity: Reframing the Boundaries of Sex* (Rutgers University Press: Newark, NJ, 1997), and *Signs*, Vol. 10, No. 1 (1984), a special issue on the "feminist sexuality debates."

⁴ For instance, in proceeding chapters, I elucidate the influence the sex wars have exerted on the emergence and development of three key debates in feminist political theory, debates concerning the political theorization of subjectivity, the wisdom and sufficiency of state-centered politics, and the relationship of liberalism to feminism. Beyond political theory, the sex wars have exerted an unmistakable influence on the emergence and development of "third wave feminism" as well as the fields of queer theory and sexuality studies. On these contemporary resonances of the feminist sex wars, see R. Claire Snyder's "What is Third Wave Feminism?: A New Directions Essay" and Heather Love's introduction to the 2012 *GLQ* retrospective on the sex wars.

concepts and arguments of both antipornography and sex radical feminism – in works produced by two influential feminist political theorists, Carole Pateman and Wendy Brown. To adequately understand and more fully appreciate some of Pateman’s and Brown’s most significant works, such as Pateman’s *The Sexual Contract* (1988) and Brown’s *Manhood and Politics* (1988), one must understand and appreciate as fully as possible the intellectual and political contexts in which these works were produced and in which they intervened. Among these intellectual and political contexts, I argue throughout this chapter, are feminism’s sex wars.

Carole Pateman and antipornography feminism

As the quotation from Wendy Brown at the beginning of this chapter evinces, political theorists were slow to arrive at the barricades during the sex wars. Many of the sex wars’ earliest combatants, such as Susan Brownmiller, Pat Califia, Andrea Dworkin, and Robin Morgan, were not professional academics, let alone political theorists. Of the few professional academics on hand for the sex wars’ earliest salvos, such as Sheila Jeffreys, Gayle Rubin, Kathleen Barry, and Diana Russell, none were political theorists and, moreover, none were publishing their sex-wars-related work in academic journals, still less those frequented by political theorists.⁵ It was not until the early 1980s that

⁵ For instance, sociologist Dianna Russell’s “On Pornography,” an article setting out the basic tenants of what would soon come to be known as the “antipornography feminist” critique of pornography, was published in 1977 in *Chrysalis: A Magazine of Women’s Culture*, a short-lived Los Angeles based feminist magazine (Rubin, 2011, 207). Anthropologist Gayle Rubin’s work from this period, “The Traffic in Women: Notes on the ‘Political Economy’ of Sex” (1975), “Sexual Politics, the New Right, and the Sexual Fringe” (1981), and “The Leather Menace” (1982), appeared in what were then relatively obscure edited volumes and a Canadian gay liberation magazine, *Body Politic*. Similarly, in the early 1980s, Sheila Jeffreys’ work such as the influential “Love your enemy?: the

political theorists joined the fray, and, as one might reasonably expect, feminist political theorists led the charge.

In 1980, in what is widely regarded as the flagship journal of the discipline of political theory, *Political Theory*, Carole Pateman published an article entitled “Women and Consent.” This article, which forms a link between Pateman’s earlier work in *The Problem of Political Obligation: A Critique of Liberal Theory* (1979) and her later and more expressly feminist work in *The Sexual Contract* (1988), draws explicitly on radical feminist analyses of the laws and “social beliefs and practices” surrounding rape in an effort to bring what Pateman describes as “the suppressed problems of consent theory” to the surface (Pateman, 1980, 156).⁶ Among the works informing Pateman’s analysis in “Women and Consent” is Susan Brownmiller’s groundbreaking⁷ feminist history of rape,

debate between heterosexual feminism and political lesbianism” (1981) was being published only in pamphlet form by independent feminist presses such as London’s Onlywomen.

⁶ According to Pateman, consent theory is far from the radical anti-patriarchal doctrine it purports to be. In fact, in her view, consent theory is merely a novel means of justifying the patriarchal relationships that volunteerist theories of society and politics threaten to undercut (Pateman, 1980, 151). That the concept of consent functions in this conservative manner is most obvious, Pateman argues, in the laws and social beliefs and practices concerning rape where submission, including enforced submission, is routinely identified with consent and where gendered conventions of appropriate sexual behavior render notions such as “consent” and “non-consent” virtually meaningless (Pateman, 1980, 156; 161). “Consent” functions in a similarly insidious manner, Pateman adds, in the laws and conventions concerning the employment and marriage contracts (Pateman, 1980, 163). She develops these latter insights more fully in *The Sexual Contract* (1988), a work I discuss at length below.

⁷ The impact and significance of Brownmiller’s *Against Our Will: Men, Women and Rape* is difficult to overstate. In 1975, Brownmiller’s book was featured on the cover of the *New York Times Book Review* as one of the Best Books of the Year. In that same year, *Time Magazine* hailed Brownmiller as a Person of the Year, making her one of very few women to have ever received that distinction. Two decades later, in 1995, the New York Public Library included *Against Our Will* in its *Books of the Century* exposition.

Against Our Will: Men, Women, and Rape (1975).⁸ As we saw in the previous chapter, by the time “Women and Consent” was published in the spring of 1980, arguments Brownmiller makes in this text regarding the centrality of rape to women’s oppression,⁹ the practical indistinguishability of rape and consensual sex,¹⁰ and the interrelationship of rape, pornography, and prostitution had become central tenants of antipornography feminist politics and ideology.¹¹ In fact, in the year leading up to the publication of

⁸ Pateman explicitly references Brownmiller’s book twice in her article. The first reference is in a footnote supporting her claim that rape is a widespread phenomenon affecting all women, even those who could not plausibly be said to have “precipitated” an assault such as the very old, the very young, and the heavily pregnant. As Pateman puts it in this footnote, “no woman is immune” (Pateman, 1980, 166). Pateman’s second reference to Brownmiller’s book is in a footnote supporting her claim that rapes are intentional acts perpetrated by rational men rather than mistaken or accidental acts perpetrated by “stupid or careless” men (Pateman, 1980, 160). Taken together, these two claims comprise what might be described as the thesis of Brownmiller’s *Against Our Will*, summed up here in one of the book’s most familiar passages: “Rape is nothing more or less than a conscious process of intimidation by which *all men* keep *all women* in a state of fear” (Brownmiller, 1975, 15). This analysis of rape was revolutionary in its day and served as the basis for a flurry of feminist anti-rape organizing and activism that in the early 1970s.

⁹ In *Against Our Will*, Brownmiller famously figures rape as the linchpin of male dominance. Rape, according to Brownmiller, “is nothing more or less than a conscious process of intimidation by which *all men* keep *all women* in a state of fear” (Brownmiller, 1975, 15).

¹⁰ Brownmiller’s argument regarding the distinction (or lack thereof) between consensual sex and rape is summarized in the main body of the text just below.

¹¹ In the concluding chapter of *Against Our Will*, Brownmiller forges a link between rape, pornography and prostitution that would go on to become the *sine qua non* of antipornography feminist ideology. “The case against pornography and the case against toleration of prostitution are central to the fight against rape,” Brownmiller writes, because both pornography and prostitution “promote and propagandize” the idea that “females [are]... dehumanized objects to be used, abused, broken and discarded” to “bolster... ‘masculine esteem’” (Brownmiller, 1975, 390). Brownmiller dubs this idea “the philosophy of rape” (Brownmiller, 1975, 394). However, Brownmiller continues, pornography is more than just “anti-female propaganda” sanctioning and encouraging rape (Brownmiller, 1975, 394). “[L]ike rape,” Brownmiller writes, “[pornography] is a male invention, designed to dehumanize women, to reduce the female to an object of sexual access” (Brownmiller, 1975, 394). In other words, for Brownmiller, pornography does not just perpetuate “the philosophy of rape;” it also dehumanizes and objectifies

Pateman's article, Brownmiller herself became a leading voice in the antipornography feminist movement, leveraging her notoriety as the author of *Against Our Will* to found Women Against Pornography (WAP), the first national antipornography feminist organization in the United States.¹²

In "Women and Consent," Pateman does not directly reference Brownmiller's influential claims concerning the interrelation of rape, pornography, and prostitution.¹³ She does, however, repeat and affirm other closely related claims, which, at the time of the article's publication, were widely and quite publicly¹⁴ embraced by the antipornography feminist movement. For instance, in "Women and Consent," Pateman challenges the conventional distinction between rape and consensual sex. More specifically, Pateman resists the view that "rape is... a unique act that stands in complete

women in and of itself, making it, essentially, the functional equivalent of rape. The antipornography feminist movement enthusiastically embraced Brownmiller's analysis of the relationship between (and, at times, it would seem, the equivalence of) pornography, prostitution, and rape. In fact, several years after the publication of *Against Our Will*, Brownmiller's comments on rape, prostitution, and pornography from this text were reproduced in the influential antipornography feminist anthology *Take Back the Night: Women on Pornography* (Morrow, 1980).

¹² Brownmiller was WAP's co-founder, chief spokesperson, and first president. She was also the author of the script used by the organization in its now infamous "porn tours" of Manhattan's Time Square. Brownmiller's involvement with WAP is recounted in great detail in Carolyn Bronstein's *Battling Pornography: The American Feminist Anti-Pornography Movement, 1976-1986* (Cambridge University Press: New York, 2011) as well as in Brownmiller's memoir, *In Our Time: A Memoir of A Revolution* (Delta: New York, 2000).

¹³ As we will see, in her later work, *The Sexual Contract* (1988), Pateman does echo Brownmiller's quintessentially antipornography feminist claims regarding prostitution and pornography.

¹⁴ By 1980, the antipornography feminist movement had risen to national prominence in the United States. For instance, in July of 1979, Brownmiller appeared on the *Phil Donahue Show* alongside WAP's other co-founder, Dolores Alexander and the co-founder of Women Against Violence in Pornography and Media (WAVPM), Lynn Campbell. For a detailed description of their appearance, see Carolyn Bronstein's *Battling Pornography: The American Feminist Anti-Pornography Movement, 1976-1986* (Cambridge University Press: New York, 2011).

opposition to the consensual relations that ordinarily obtain between the sexes” and characterizes it instead as “the extreme expression or an extension of the accepted and ‘natural’ relation between men and woman” (Pateman, 1980, 161). Brownmiller puts forward an almost identical argument in *Against Our Will*. “The real reason for the law’s everlasting confusion as to what constitutes an act of rape and what constitutes an act of mutual intercourse,” Brownmiller writes, “is the underlying cultural assumption that it is the natural masculine role to proceed aggressively toward [insertion of the penis], while the natural feminine role is to ‘resist’ or ‘submit’” (Brownmiller, 1975, 383-383).

Thus, for both Pateman and Brownmiller, the naturalization and normalization of force in conventional heterosexual relations makes the line between mutual heterosexual sex and rape exceedingly difficult if not impossible to determine. In Brownmiller’s influential antipornography feminist analysis, this claim plays a crucial role: it serves as the opening premise in a line of argument linking pornography (as well as prostitution) to rape. According to Brownmiller, both pornography and prostitution are among the most potent cultural forces at work naturalizing and normalizing force in putatively “consensual” heterosexual sex. In Brownmiller’s words, pornography and prostitution “promote and propagandize [the ideology of rape]” and “offer men, and in particular, impressionable adolescent males... the ideology and psychologic encouragement to commit their acts of aggression without awareness, for the most part, that they have committed a punishable crime...” (Brownmiller, 1975, 391). This argument is, of course, the *sine qua non* of antipornography feminism and the fact that Pateman’s “Women and Consent” recapitulates its foundational premise shows that, by 1980, the sex wars had finally arrived in the discipline of political theory.

Pateman's article bears other distinctive marks of antipornography feminist ideology. For instance, in "Women and Consent," Pateman, much like her antipornography feminist contemporaries, privileges sexuality as a site in which women's more generalized subordinate status is rendered especially visible and obvious. In Pateman's view, modern liberal societies' laws as well as their less formalized beliefs and attitudes concerning rape and "consensual" heterosexual sex reveal something deeper about the status of women in these societies, namely, that, "notwithstanding their formal civic status, women are regarded as men's 'natural' subordinates, and hence as incapable of consent" (Pateman, 1980, 154). Brownmiller makes a similar inference from the voluminous data on sexual assault she compiles in *Against Our Will*. According to Brownmiller, the failure of modern liberal societies to acknowledge and redress the sexual injuries sustained by women living within them evinces that the "male liberal tradition" is steeped in the "philosophy of rape" and, consequently, views women "as anonymous panting playthings, adult toys, dehumanized objects to be used, abused, broken, and discarded," not as free and equal rights-bearing individuals (Brownmiller, 1975, 391; 394). For both Pateman and antipornography feminists such as Brownmiller, then, sex and sexuality have pride of place analytically because they are seen as giving the lie to claims that gender equality is an accomplished fact in modern liberal regimes.

Pateman's analysis privileges sex and sexuality in another way that is wholly consonant with antipornography feminism. Like Brownmiller in *Against Our Will*, in "Women and Consent," Pateman figures rape as a prime mover driving, exacerbating, and reinforcing women's social, political and economic subordination. "Rape is central to the problem of women and consent in everyday life," Pateman writes, echoing the claims

of antipornography feminists like Brownmiller that “the ideology of rape” permeates “every level of our society” and affects “all women” (Pateman, 1980, 156; Brownmiller, 1975, 15, 389). Similarly, when Pateman argues that the morass of problems concerning women and consent in modern liberal societies presents “an entirely sufficient argument, not only for the democratic reconstruction of the liberal state, but for a simultaneous reconstruction of our sexual lives,” she echoes the claims of Brownmiller and antipornography feminists more generally that rape and the constellation of patriarchal myths and attitudes surrounding it may be “the central key” to understanding and unlocking women’s oppression (Pateman, 1980, 163; Brownmiller, 1975, 397).

While Pateman’s “Women and Consent” bears many marks of antipornography feminist influence, namely, its interrogation of the conventional distinction between mutual heterosexual sex and rape as well as its privileging of sex and sexuality as sites and sources of women’s subordination, it stops short of advocating a full-blown antipornography feminist agenda. In “Women and Consent,” Pateman’s primary aim is not to criticize pornography, prostitution, and the ideology of male supremacy that they support, but to expose the inegalitarian implications of liberal consent theory as it has been applied in the context of rape law. Eight years later, Pateman would expand upon this project and amplify her critique of the concept of consent in *The Sexual Contract* (1988). In this work, Pateman would also advocate and pursue a recognizably antipornography feminist agenda, including figuring both pornography and prostitution as crucial sites, sources, and symptoms of women’s subordination.

Pateman’s principal argument in *The Sexual Contract* might be stated thusly: Far from signaling the end of patriarchal rule and ushering in a new epoch of egalitarian and

consensual social relations, the social contract described by classic contract theorists like Hobbes and Locke is a “sexual contract” that supplants the rule of men as fathers (a political arrangement Pateman terms “classical” patriarchy) and establishes “a specifically modern form of patriarchy,” “fraternal patriarchy,” or the rule of “men *as men*”¹⁵ (Pateman, 1988, 1-3). The excavation of the neglected “sexual” dimensions of the classic social contract stories as well as an elucidation of their implications for contemporary politics and theory comprises the bulk of *The Sexual Contract*.

In the preface to *The Sexual Contract*, Pateman signals that her book is meant to be more than just another work of “mainstream political theory” (Pateman, 1988, x). In fact, she marks the book as an expressly feminist project and situates it in the broader context of radical feminist theory and activism. “Some of my arguments,” Pateman writes, “have been prompted by writers customarily labeled radical feminists... [and] my deepest intellectual debt is to the arguments and activities of the feminist movement” (Pateman, 1988, x-xi). Later, in the first chapter of *The Sexual Contract*, Pateman reveals that one of the “radical feminist” writers to whom she is most deeply indebted is Adrienne Rich, a prominent and influential figure in the early antipornography feminist movement.¹⁶ In fact, Pateman’s principal argument in *The Sexual Contract* – that the

¹⁵ On the distinction between “classical” and “modern” patriarchy, see Carole Pateman, “‘God Hath Ordained to Man and Helper’: Hobbes, Patriarchy, and Conjugal Right,” *British Journal of Political Science* 19(Oct. 1989): 445-463.

¹⁶ As discussed in the previous chapter, Rich was a founding member of Women Against Pornography (WAP). She also authored an afterword to the influential antipornography feminist anthology *Take Back the Night: Women on Pornography* in which she likens pornography to “witch burning, lynching, pogroms, fascism,” and “slavery” (Lederer, 1980, 314; 318). In her essay “Compulsory Heterosexuality and Lesbian Existence” (1980), an essay that Pateman references directly in *The Sexual Contract*, Rich contends that pornography is an integral part of the “political institution” of “compulsory

“social contract” is a “sexual contract” that “establishes men’s political right over women” – owes much to Rich’s controversial essay, “Compulsory Heterosexuality and Lesbian Existence” (Pateman, 1988, 2).¹⁷

In this essay, first published in 1980 in the interdisciplinary feminist journal *Signs*, Rich challenges the presumption prevalent amongst both feminists and non-feminists alike that heterosexuality is the “‘sexual preference’ of ‘most women’” (Rich, 1980, 633). If it is true that most women “prefer” or “choose” heterosexuality, Rich queries, then why does there exist “a pervasive cluster of forces, ranging from physical brutality” (e.g. clitoridectomy and rape) “to control of consciousness” (e.g. pornography as well as “the idealization of heterosexual romance in art, literature, media and advertising”) that seek to obliterate “lesbian existence” and “enforce women’s total emotional, erotic loyalty and subservience to men” (Rich, 1980, 633, 648, 640)? “[W]hen we look hard and clearly at the extent and elaboration of measures designed to keep women within a male sexual purlieu,” Rich writes, we begin to see heterosexuality not as the “‘sexual preference’ of ‘most women,’” but “as a *political institution*” aimed at “assuring male right of physical, economic, and emotional access” (Rich, 1980, 645, 647, 17).

heterosexuality” insofar as it presents “enforced submission and the use of cruelty, if played out in heterosexual pairing” as “sexually ‘normal’” (Rich, 1980, 20).

¹⁷ In the course of summarizing the central argument of *The Sexual Contract*, Pateman mentions Rich by name and cites her essay directly. Here is the relevant passage in full: “The original pact is a sexual as well as a social contract: it is sexual in the sense of patriarchal – that is, the contract establishes men’s political right over women – and also sexual in the sense of establishing orderly access by men to women’s bodies. The original contract creates what I shall call, following Adrienne Rich, ‘the law of male sex-right’” (Pateman, 1988, 2).

Pateman's central argument in *The Sexual Contract* – that contract is the distinctively modern means of “establishing orderly access by men to women's bodies” and shoring up “the law of male sex-right” (a phrase and concept that Pateman borrows directly from Rich's essay)¹⁸ – is well understood as a supplement to Rich's account of compulsory heterosexuality (Pateman, 1988, 2). Building on Rich's contention that men secure physical, economic, and emotional access to women by way of a “political institution,” Pateman suggests that, in modern liberal societies, this political institution is contract (Pateman, 1988, 2). Far from “exemplifying and securing individual freedom,” Pateman argues, contracts, especially those to which women are most frequently a party such as the marriage contract, the contract between prostitute and client, and “the contract entered by the so-called surrogate mother,” inevitably give rise to “relations of domination and subordination” in which a woman (whether as a wife, a prostitute, or a surrogate) places the “right of command” over her body (evasively termed “the property in her person” by the language of contract) in the hands of a man¹⁹ (Pateman, 1988, 8; 4-5). This argument, the defining argument of Pateman's book, can be seen as a continuation and elaboration of Rich's account of compulsory heterosexuality; it is an

¹⁸ Pateman cites the passage from Rich's essay in which this phrase occurs. That passage reads as follows: “In the mystique of the overpowering, all-conquering male sex drive, the penis-with-a-life-of-its-own, is rooted the law of male sex-right to women, which justifies prostitution as a universal cultural assumption on the one hand, while defending sexual slavery within the family on the basis of ‘family privacy and cultural uniqueness’ on the other” (Rich, 1980, 645). Rich uses this phrase in the course of an approving discussion of another influential antipornography feminist work, Kathleen Barry's *Female Sexual Slavery* (1979).

¹⁹ Pateman's primary concern in *The Sexual Contract* is women's subordination through the marriage, prostitution, and surrogacy contracts. However, the book's third chapter, “Contract, the Individual and Slavery,” explores the subordination of both women and men through another contract concerning “property in the person,” this time in the form of “labor power,” the employment contract.

attempt to come to terms with precisely how the “political institution” that ensures men’s ready access to women functions and is legitimated in modern liberal societies.

This continuity between Pateman’s *The Sexual Contract* and Rich’s “Compulsory Heterosexuality and Lesbian Existence” signals a wider continuity between Pateman’s book and antipornography feminist ideology. Perhaps the most obvious feature common to both *The Sexual Contract* and virtually all antipornography feminist writing is the figuration of pornography as a site, source, and symptom of women’s subordination to men. While it would be misleading to suggest that pornography is among Pateman’s central concerns in *The Sexual Contract*, it would be equally misleading to suggest that concern with pornography is completely absent from this text. For instance, in the first chapter, Pateman observes that “men still eagerly press for the enforcement of the law of male sex-right and demand that women’s bodies, in the flesh and in representation, should be publicly available to them” (Pateman, 1988, 14). Later in the text, Pateman expands upon this remark. “The general display of women’s bodies and sexual parts, either in representation or as live bodies,” Pateman writes, “is central to the sex industry and continually reminds men – and women – that men exercise the law of male sex-right, that they have patriarchal rights of access to women’s bodies” (Pateman, 1988, 1999).

Such portrayals of pornography as a means by which men both proclaim and exercise their “patriarchal rights of access to women’s bodies” is typical of antipornography feminist writing. The title of Andrea Dworkin’s antipornography feminist manifesto, *Pornography: Men Possessing Women* (1979), is exemplary in this regard. So too is the following passage from that text: “In the male system,” Dworkin

writes, “women are... the whore who belongs to *all* male citizens... Buying her is buying pornography. Having her is having pornography” (Dworkin, 1989, 202).

Thus, for both Pateman and antipornography feminists like Dworkin, pornography is one common, highly visible, and virtually unregulated way in which men dominate or “possess” women in contemporary society. However, it must be borne in mind that neither Pateman nor antipornography feminists believe pornography to be the *sole* means by which this is accomplished. Rather, as the passages quoted just above intimate, Pateman and antipornography feminists believe pornography works in concert with what they consider another mainstay of male supremacy: prostitution.²⁰

Perhaps the most prominent antipornography feminist to draw a link between pornography, prostitution, and women’s subordination is Susan Brownmiller. “The case against pornography and the case against toleration of prostitution are central to the fight against rape,” Brownmiller writes in the final chapter of *Against Our Will*, a book whose influence on both antipornography feminism and Pateman’s earliest feminist work I have already demonstrated (Brownmiller, 1975, 390). In Brownmiller’s view, critiquing

²⁰ As discussed in the previous chapter, despite the single-minded focus on pornography their name implies, antipornography feminists were, in fact, concerned with many forms of what they considered “violence against women,” including pornography, of course, as well as rape, incest, wife battering, child abuse, sadomasochism, and prostitution. This wide array of concerns is reflected in many definitive antipornography feminist works, including Susan Brownmiller’s *Against Our Will: Men, Women, and Rape*, Andrea Dworkin’s *Pornography: Men Possessing Women*, the antipornography feminist anthology *Take Back the Night: Women on Pornography*, and Kathleen Barry’s *Female Sexual Slavery*. Also, the name of the first antipornography feminist organization in the United States, Women Against Violence Against Women (WAVAW), points to the fact that antipornography feminist concerns extended far beyond pornography. Carolyn Bronstein discusses the influence of feminist anti-violence activism on the emergence of antipornography feminism at some length in the second chapter of *Battling Pornography: The American Feminist Anti-Pornography Movement, 1976-1986* (Cambridge University Press: New York, 2011).

prostitution and pornography is crucial to feminist anti-rape efforts because both pornography and prostitution “institutionalize the concept... that sex is a female service that should not be denied the civilized male,” and, thus, “offer men... the ideology and the psychologic encouragement to commit [rape]” (Brownmiller, 1975, 391-392). “When young men learn that females may be bought for a price,” Brownmiller reasons, “... then how should they not also conclude that that which may be bought may also be taken without the civility of a monetary exchange?” (Brownmiller, 1975, 391).

Andrea Dworkin also posits a fundamental relation between prostitution, pornography, and women’s subordination to men. In fact, in Dworkin’s view, this relationship is so fundamental that it has left its mark on the word “pornography” itself. “[P]ornography,” Dworkin explains in *Pornography: Men Possessing Women*, “derived from the ancient Greek *pornē* and *graphos*, means ‘writing about whores,’” or, “the graphic depiction of women as vile whores” (Dworkin, 1989, 199; 200). After making this etymological point, Dworkin proceeds to argue that the connection between pornography and prostitution runs even deeper. According to Dworkin, pornography does not merely represent women as “vile whores”; it actually reduces them to this degraded status. “In the system of male sexual domination,” Dworkin contends, “women are *porneia*, in our real live bodies the graphic depictions of whores, used as whores are used, valued as whores are valued” (Dworkin, 1989, 224).

Kathleen Barry, another notable antipornography feminist,²¹ posits a similar relationship between pornography, prostitution, and women’s subordination to men. In

²¹ In 1976, Kathleen Barry co-founded Women Against Violence in Pornography and Media (WAVPM), a San Francisco-based antipornography feminist organization that organized the first national feminist conference on pornography.

Female Sexual Slavery (1979),²² a book primarily concerned with laying bear the international sex trafficking industry, Barry devotes an entire chapter – the book’s lengthiest, in fact – to elucidating the role pornography plays in the perpetuation and legitimation of forced prostitution. According to Barry, pornography embodies and promotes “the ideology of cultural sadism,” an ideology that, in her view, helps maintain “female sexual slavery” by making the sexual use and abuse of women appear normal, natural, and inevitable (Barry, 1979, 182). By making men into “the powerful, objectifying aggressor” and women into “the naturally masochistic sexual object existing only for male sexual use and satisfaction,” pornography, Barry explains, “encourage[s] and support[s] sexual violence, defining it into normal behavior,” thus enabling the forced prostitution of women and girls to flourish on a global scale with “safety, support, and impunity” (Barry, 1979, 174; 184-185).

As these examples demonstrate, critiques of prostitution are part and parcel of antipornography feminist ideology. Prostitution draws antipornography feminist fire because, in the antipornography feminist view, prostitution, like pornography, embodies and perpetuates the belief that women are objects who exist solely for men’s sexual use, a belief that, in turn, serves as the cornerstone of male supremacy. In *The Sexual Contract*, Pateman echoes this antipornography feminist critique of prostitution. In a chapter entitled “What’s Wrong with Prostitution?”, Pateman argues that, contrary to the sanguine views put forward by contractarians and even some feminists, prostitution is not

²² As explained in an earlier note, this is the work that inspired Adrienne Rich to coin the phrase “the law of male sex right,” a phrase and concept that figures prominently in Pateman’s *The Sexual Contract*. Also, in the course of laying out her own critique of prostitution in *The Sexual Contract*, Pateman cites Barry’s *Female Sexual Slavery* directly.

“merely a job of work;” it is an institution of “sexual mastery” (Pateman, 1988, 190; 207). “When a man enters into the prostitution contract,” Pateman explains, “he is not interested in sexually indifferent, disembodied services;” he contracts to “obtain unilateral right of direct sexual use of a *woman*’s body” (Pateman, 1988, 207; 204). He contracts, in other words, to constitute himself as a “civil master for a time” (Pateman, 1988, 207). It is in this way, Pateman argues, that, through prostitution, “the law of male sex-right is publicly affirmed and men gain public acknowledgment as women’s sexual masters” (Pateman, 1988, 208). This, Pateman forcefully concludes, “is what is wrong with prostitution” (Pateman, 1988, 208).

It is also, in Pateman’s view, what is wrong with sadomasochism. According to Pateman, the fact that the sex industry caters to “a vigorous demand for ‘bondage and discipline’ or fantasy slave contracts” is further evidence that pornography and prostitution are primarily about the shoring up of “the law of male sex-right” (Pateman, 1988, 199). Responding directly to Pat Califia’s sex-radical feminist defense of sadomasochistic sexual practices and pornography,²³ Pateman argues that sadomasochism is not “a rebellious or revolutionary fantasy,” but “a dramatic exhibition of the logic of contract and of the full implications of the sexuality of the patriarchal masculine ‘individual’” (Pateman, 1988, 186). Bearing in mind that Pateman’s central argument in *The Sexual Contract* is that contract is a modern means of patriarchal domination, the characterization of sadomasochism she offers here is tantamount to an

²³ Pateman cites and criticizes Pat Califia’s article, “Feminism and Sadomasochism.” Califia wrote and published this article in 1981 as a rebuttal to antipornography feminist critiques of sadomasochism. Pateman’s comments in *The Sexual Contract* read as a sort of antipornography feminist rejoinder to Califia’s defense.

accusation that apologists for sadomasochism like Califia are patriarchal collaborators and abettors of women's subordination.

Of course, such accusations were commonplace during the sex wars. For instance, in the introduction to *Against Sadomasochism: A Radical Feminist Analysis* (1982), a volume that features contributions from several antipornography feminist leaders including Women Against Violence in Pornography and Media (WAVPM) co-founders Kathleen Barry, Susan Griffin, and Diana Russell, sadomasochism is described as “firmly rooted in patriarchal sexual ideology” (Linden et. al., 1982, 4). In her contribution to this volume, Russell, who is also one of the volume's co-editors, offers a response to defenses of sadomasochism that emphasize its consensual nature that closely resembles Pateman's response to such defenses in *The Sexual Contract*. Rather than questioning whether or not sadomasochistic sexual encounters are actually consensual as their defenders contend, Russell makes the following claim: “[W]anting or consenting to domination and humiliation does not make it nonoppressive. It merely demonstrates how deep and profound the oppression is” (Linden et. al., 1982, 177).

Thus, it is not only in Pateman's scattered remarks concerning pornography, but also in her much more developed critiques of prostitution and sadomasochism that the influence of antipornography feminist ideas and arguments on *The Sexual Contract* is readily visible. Like many antipornography feminists, including those she directly references in her text like Kathleen Barry and Adrienne Rich, Pateman conceives of pornography, prostitution, and sadomasochism as expressions of male dominance. They are not potentially liberating avenues of sexual exploration and expression to which both women and men should be permitted unfettered access as sex-radical feminists maintain.

They are, rather, patriarchal institutions through which “the law of male sex-right” is proclaimed and fulfilled. Women, in Pateman’s view, will never find freedom within the ambit of these institutions nor in that of the contractarian ideology undergirding them because, she insists, all of these things were designed for the express purpose of securing “the delights of mastery” for *men* by constituting women as their subordinates (Pateman, 1988, 230). This argument bears all of the hallmarks of anti-pornography feminism and bespeaks the influence of sex-wars era concerns, concepts, writings, and arguments on Pateman’s *The Sexual Contract*.

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The 1980s have traditionally been considered in terms of market extension and as the articulation of a pensive, self-referential artistic sphere. Hence, the appeals to the final moments of identity-centred historicism, appeals that are visible in the returns to painting in Europe, or to the theses of the end of history as a justification of global neoconservatism, have resulted in this decade being considered through the paradigms of spectacle and banalisation. Lines in the Sand. Chapter of the series The Gulf Crisis TV Project Video, 1990. In English with Spanish subtitles, 28â€™. Hito Steyerl. Collaboration with different agents and international political and cultural collectives. L'internationale. A network of artistic internationalism made up of six European museums. Preview â€™ Sex Wars by Lisa Duggan. Sex Wars: Sexual Dissent and Political Culture. by. Lisa Duggan. 3.69 â€™ Rating details. â€™ 52 ratings â€™ 5 reviews. Sex Wars is a collection of writings by Duggan and Hunter that brings together the best of the important work they have done on sexual politics in America over the past decade. Sex Wars traces the development of this politics and its deployment in three different arenas--speech and representation, legal regulation, and scholarship. Get A Copy. Kindle Store \$33.88. It was really funny to picture Catharine MacKinnon discoursing on legal theory in front of a big group of right wing politicians and Christian activists.