

## Israeli Culture

## Man as the Standard,' Woman as the Other'

A ground-breaking force in determining international legal attitudes toward sexual harassment and rape, Prof. Catharine MacKinnon agrees that she has been less successful in fighting pornography.



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In at least one area - pornography - Catharine MacKinnon has failed spectacularly. Ever since she began writing about women in the pornography industry and to advocate for them, at the start of the 1980s, nothing in their situation has changed. Her criticism of the damage caused by pornography has achieved nothing.

"On the contrary," she says. "During the past 20 years the situation has only deteriorated. Today pornography is accessible and available everywhere. It is possible to obtain it with a few keystrokes, it comes in through Internet to every home where there is a computer and the women who work in the industry, in the thousands, are weak and exploited and have no options."

MacKinnon, 60, a professor of law at the University of Michigan at Ann Arbor, is without a doubt the most influential feminist legal expert in the world today. Her failure in the area of pornography is not a trivial matter and it merits consideration. On a one-day visit to Israel last week, she came to lecture about a certain area in which she has recently been impressively successful: the attitude in international law toward the rape of women during wartime. MacKinnon represented, pro bono, victims of rape in the Serbian-Croatian war. In 2000 she won in the famous Kadic

vs. Karadzic case and obtained for the women - victims of the Bosnian Serb war criminal Radovan Karadzic - compensation totaling \$745 million. More importantly, she advanced the awareness of rape during wartime as an act whose aim is genocide.

However, MacKinnon's influence is evident primarily in other areas, which have to do with the mainstream of society. All of the basic terms accepted today in the United States, and also in the cultural and legal system in Israel, regarding sexual harassment in the work place as a prohibited form of discrimination against women, as well as rape and violence within the family, and the criticism of the idea of "consensuality" in rape (the fact that forced sex is considered rape even if the woman who was raped said "yes"), that is, the very fact that women today have the possibility of obtaining legal aid in cases in which they have been injured in a gender-related context - all of these are the fruit of MacKinnon's theoretical and activist work.

An eye-opening collection of articles by MacKinnon in these areas, "Legal Feminism in Theory and Practice," was recently published in Hebrew by Resling Publishing in a translation by Idit Shorer. A basic article of hers on pornography will also appear in the book entitled "Studying Feminism: A Reader: Articles and Basic Documents in Feminist Thought," forthcoming in the "Genders" series at Hakibbutz Hameuchad Publishing House. Thus, for the first time, Mackinnon's ideas are being made accessible to readers of Hebrew. It is not surprising, then, that the hall where her lecture was held last Wednesday at the law faculty of the Hebrew University of Jerusalem was too small to hold the hundreds of people who flocked to the doors. Indeed, many had to remain outside.

### **No change in the power structure**

A few hours before her lecture at the Hebrew University, MacKinnon spoke with Haaretz about her successes and her abject failures, and about her substantive ideas that provoke thought and controversy. From what she says and from the way she analyzes the power relations between men and women, great pessimism emerges. MacKinnon's basic idea is that gender - that is, the concepts of "man" and "woman" - is not about difference, but rather about dominance. By virtue of their definition, she argues, the man is dominant and the woman is dominated, subordinated to his needs. And in any case, the male, as Simone de Beauvoir saw before her, is the standard, is "man" - the pattern on which everything is based and from which everything is derived - whereas the woman is the "other," who is defined relative to him. Just as in anatomy the human body is studied and the model is usually the male body, whereas the female body is shunted into the study of gynecology, as a special case - the same holds true in culture: Woman is not part of the human standard.

MacKinnon stresses: "De Beauvoir showed the problem: that the woman is the `other,' and the man is the standard. I am showing something else: that the things that have been depicted as a solution to the problem - that is, the feminist struggle for equality, for the equalization of the rights of women to the rights of men - are in fact part of the problem."

MacKinnon makes it clear that the very fact of wanting to be equal to men perpetuates the assumption that men and masculinity are the model that determines what is worthy and what is desirable. "If we want to achieve equality in such conditions of inequality, our way will become endless," she comments.

Has anything changed since you began to write about this state of affairs more than 20 years ago? Is the male less of an exclusive standard, and has the image of women changed so that it is more influential?

MacKinnon: "The social structure that I describe is challenged, but it is not changing. The changes that are occurring have to do with the way we deal with this structure. The fact that women now have human rights - is a change. The fact that violence toward women is revealed to the public and is being challenged - is a change. More and more women are seeing that their lives are restricted in an artificial way and are becoming small and limited because they are women. And in a certain sense young men are also beginning to see that maleness, which affords them superiority, is not giving them everything they need. Though it is better to be dominant than dominated, nevertheless this is not necessarily a good deal, even for men."

In recent years, in the Western countries, because of the flourishing of the consumer culture, the impression has in fact been created that women are becoming the standard. That men are becoming feminized, in order to adapt themselves to a culture in which the consumer is at the center - not the worker, the manufacturer or the artist, not the builder or the warrior. What is your opinion? Do you think that a fundamental change, problematic though it might be, is occurring in the gender structure that you describe?

"Women as consumers are not the standard of the consumer society. They buy things that men want them to buy, in order to serve the men's needs. Make no mistake: The fact that many women are doing something does not mean that they are doing it from a position of control and choice."

But hasn't something changed in men and masculinity?  
Aren't the marketing industry, the malls and consumerism subordinating men and transforming them into the new women?

"No. When men choose to consume cosmetics and fashion – this is a lifestyle choice and not a life choice. The power structure is not changing."

### **Equality and eroticism**

It sometimes seems as though MacKinnon's radical feminism does not respect women. If a woman is by definition subordinate to a man's authority, and is defined by him and in relation to him – it is difficult to imagine a totally free and independent woman. This is especially difficult with respect to sex and pornography. MacKinnon assumes that heterosexual sexual relations are defined and shaped by the male point of view. Sex is penetration and subordination, she says, only from the male perspective. She argues that unequal sexual relations – relations of conquest and forced submission – became eroticized in order to perpetuate the inequality between the sexes.

In your opinion, can equality be erotic? Isn't the power game an inalienable part of the erotic experience?

"Yes, definitely, people can find eroticism in relations with people whom they respect and whom they see as equals. This is the real political dissent. This is the greatest challenge of the social struggle. To make equality erotic. I don't believe that a power game is necessary to put life into erotic relations. We have been taught that this is what is exciting, but it is not essential to the erotic."

Doesn't the lesbian and homosexual experience refute your assumption that apparently sexual relations construct the

relations between the sexes and a woman is always subordinated and submissive, against her will?

"Definitely. Women with women and men with men – these relationships create something interesting within the paradigm. These sexual relations are not necessarily hierarchical and there is more of a possibility in them for equality. When women choose women sexually, this is a very powerful challenge to male dominance. This is a choice that symbolizes the fact that men are not essential to life and to sex. But one of the strategies of male dominance to subvert this power is to make lesbians sexy and thus take possession of them for themselves, as an instrument for their pleasure."

However, with respect to pornography, you don't agree with the criticism by a number of feminist theorists who assume that it is possible to produce pornography that is not demeaning to women and that does not cause violence toward them? That it is possible to display stimulating sex between women, and stimulating sex between men and women, with the camera viewing it from a woman's perspective, or at least from a perspective that is not violent and exploitative?

"First of all, if the film does not explicitly show sex that subordinates and exploits women, it is not a pornographic film – according to my and [the late American feminist writer and anti-pornography activist] Andrea Dworkin's definition of pornography. And secondly, I am very familiar with this criticism, and with the argument in support of non-pornographic pornography, but in general this is only hypothetical. They always say that they can make pornography of this kind, but they do not succeed in doing so. The male gaze is not necessarily the male's gaze. A woman can also be an exploitative onlooker. As long as one person relates to another person in a demeaning way like

that, the principle of forcing sex on someone who is less powerful than you remains in effect. And it makes no difference whether the person is a child, or a feminine man or a masculine man, or a woman - the principle is that sex is control."

### **Confused media**

It would appear that of all the areas in which you have dealt and have been influential, pornography is the one area in which you have not succeeded in wielding influence. How do you explain this? Is the problem in the argument or in the listeners?

"The pornography industry has burgeoned and flourished with the Internet and has entered deeply into private life. It has undergone huge normalization. And this is terrible for women in general and to women who have no options, who are the ones who are harmed by the industry, in particular."

Why have you failed? Why have your proposals for legislation in the area of pornography failed and in all other areas - sexual harassment, rape, sexual assault and so forth - you have succeeded in bringing about real change?

"It's very simple: Power and money win. There is not a sexual harassment industry. There aren't people who are making millions out of sexual harassment the way people are making millions from pornography. The moment we succeed in advancing legislation against pornography in one of the states in the United States, or in the world, someone in the international lobby of pimps hears that this is getting under way and they organize and exercise tremendous power to prevent change. They hire huge public relations firms and they invest lots of money and make sure that this does not succeed.

"And not only that. The problem is that the printed and electronic media support pornography, on the mistaken assumption that a prohibition on pornography threatens them and their power. They confuse obscenity laws and the pornography laws that Andrea Dworkin and I have proposed, and they think that they are publishing pornography and their freedom of expression will be limited. But in fact we have made a clear distinction between pornography and all the rest. What there is in advertisements for Hollywood films is not pornography."

But the non-pornographic eroticism in advertising and mainstream films is also likely to contribute to the demeaning and harming of women. And it is consumed by everyone.

"Ordinary advertisements and films do not lead to violence and rape. Pornography does do this. Studies show this clearly. And pornography is what influences the mainstream, and not the other way around. The struggle has to focus on pornography."

Do you miss Andrea Dworkin, your partner in the fight against pornography, who died last year? Do you accept the way she was described in the eulogies: "the last radical feminist"?

"Yes, I miss her very much. We were very close. In recent years we worked together less, because Andrea was very ill and it was hard for her to work. This was very difficult for her - that she couldn't work. But we were in touch and I miss her. But, no. Andrea is not the last radical feminist. Nor am I. There are others like us. Not all of them are as famous as I am, but there is definitely still a large group, alive and kicking, that is continuing to do the work."