

Defining Pornography

The debate around the issues of pornography, censorship and freedom of expression goes on

by Leti Boniol

Pornography has been (and still is) one of the most contentious issues that has divided the women's movement in the recent years. This article attempts not to make a definitive position but rather to examine the different positions around this issue with the hope of stimulating more discussions from the Southern women's perspectives.

"Smut" literature and X-rated movies are being blamed for the continued rise in the number of rapes and other forms of violence against women committed in the Philippines. Government statistics indicate that about eight women are raped daily.

About 25 tabloids, half of them carrying sensational sex stories and lewd photos of nude or seminude women on their front pages, are peddled everyday in the streets of Metropolitan Manila. The surveys say that half of Manila's over 18 million population read these tabloids which have a combined circulation of about 3.4 million. Are any of these millions of readers responsible?

In response to an antismut campaign waged in late 1998 by a former newspaper publisher, the police confiscated and burned in public thousands of copies of several tabloids and arrested the newsboys selling tabloids. Some publishers complained that the campaign was illegal, and was directed against newspapers critical of the administration.

The academe has also reacted. "Using the police to go after tabloid publishers and authorising them to make judgments on matters of values and public morals sends the wrong signals," pointed out University of the Philippines (UP) journalism professor Georgina Encanto in an article in the Philippine Journalism Review (October-December 1998). The practice could lead to abuses, she said. These operations also in effect constrain press freedom, she added, a "form of prior restraint that violates the Constitutional right to freedom of expression."

The publishers have filed a case in court. The question is: who is to define pornography?

Legal Definitions

"At the core of the concept of pornography is that it is [an] expression involving human sexuality," said UP law professor Perfecto Fernandez in his article "Indicators of Pornography," (PJR, October-December 1998). There is plenty of jurisprudence on obscenity and pornography, he says, but "there has not been any conceptual statement of pornography which commands universal assent."

Fernandez cited U.S. jurisprudence in enumerating some of the items considered "hard-core pornography" which are punishable by law in the Philippines. These include those "patently offensive representations or descriptions of the ultimate sexual acts, normal or perverted, actual or simulated; patently offensive representations or descriptions of masturbation, excretory functions and lewd exhibitions of the genitals; and child pornography or pictorial representation of children in a variety of sexual activities, including exposure of the genitalia."

But there are gray areas which have to go through a test: "Does the material appeal to prurient interest (is it sexually titillating?) Does the work portray sexual conduct in a patently offensive way (arousal or repulsion)? Does the work, taken as a whole, have a redeeming social value? But who is to judge what is prurient or offensive?"

But Encanto counters: "The problem with this test is that it uses the effects of the so-called pornographic materials on their reading audience as the basis for determining their obscenity."

"It also assumed that there is a simplistic relationship between the exposure to so-called pornographic materials and the behaviour of the individual person," she adds. That reading or listening to smut materials leads to the commission of acts of violence has yet to be proven by documented studies, Encanto maintains. "There has yet to be a study to show that exposure to pornographic materials per se caused a higher incidence of rape."

Encanto echoes other feminists including the U.S.-based Feminists for Free Expression (FFE) who say that "no reputable research in the U.S., Europe, or Asia finds a causal link between pornography and violence."

This is not the first time that an antismut campaign is being waged in the Philippines. In the past, moral crusaders campaigned to stop obscene publications.

More than a Century-old Campaign

The antipornography campaign dates back to the Victorian period in the late 19th century in Great Britain. "Past generations of feminists attacked prostitution, pornography, white slavery, and homosexuality as manifestations of undifferentiated male lust," said Judith Walkowitz in her article "The Politics of Prostitution." But these earlier moral campaigns, she says, frequently "failed to achieve their goals." Feminists who started a discourse on sex "lost control of the movement as it diversified." This "resulted from contradictions in their attitudes; in part, it reflected feminists' impotence to reshape the world according to their own image."

Begun as a libertarian struggle against the state sanction of male vice, the repeal campaign helped to spawn a hydra-headed assault against sexual deviation of all kinds. The struggle against state regulation evolved into a movement that used the instruments of the state for repressive purposes.

In their defense of prostitutes and concern to protect women from male sexual aggression, earlier generations of feminists were still limited by their own class bias and by their continued adherence to a 'separate sphere' ideology that stressed women's purity, moral supremacy, and domestic virtues.

A Central Issue

Today, pornography remains one of the central issues in the "sex wars," say Stevi Jackson and Sue Scott in their article "Sexual Skirmishes and Feminist Factions: Twenty-five Years of Debate on Women and Sexuality."

On one side are those who see pornography as "centrally implicated in women's oppression and who campaign vigorously against it, and on the other are those who "seek to appropriate erotic imagery for women" and oppose a tighter regulation of pornography.

Both pornography and prostitution involve the commodification of sexuality in a marketplace where the men are the frequent buyers, Jackson and Scott say. Both provide employment for women.

But sex work involves more than market relations, they explain. "It entails specifically sexual forms of exploitation and depends upon the commodification of women's sexuality. It is not just exploitation per se which is addressed by feminist critiques of pornography and prostitution, but the ways in which this intersects with other oppressive aspects of sexuality, in particular with sexual violence and the prioritization of male sexual 'needs.'"

Jackson and Scott explain that the 18th century campaigns aligned the feminists with the moral Right. "It is therefore imperative that the feminist aim of liberating women is differentiated from the moralists' goal of reinforcing the patriarchal family. Feminists campaigning against pornography have often found themselves in uneasy alliances with the Right, leaving them open to attack from other feminists....Those who sought an end to sexual exploitation found their campaigns hijacked by those moralists who wanted to keep women in a 'protected,' and hence subordinate, place within the family."

Whereas the moral Right's objections to pornography are framed in terms of 'obscenity,' a specifically feminist critique of pornography arises from wider concerns about women's control of their own bodies. It entails women's refusal to be reduced to their physical sexuality and resistance to our subordination as objects for male use and pleasure. The appropriation of women's bodies by men is a fundamental feminist issue, which is why some feminists have put so much energy into combating pornography, sexual exploitation and violence.

Sallie Tisdale in her book *Talk Dirty to Me: An Intimate Philosophy of Sex* (1994), says that pornography is "a central symbol of the society-wide confusion over sex." To her, "its only function is to arouse our primal sexual response....designed to bypass the brain as much as possible."

She criticises "conservative feminists such as...Andrea Dworkin...[who] believe that violence, even murder, is the end point of all pornography-and that pornography is the natural product of a sexually-violent culture."

Antipornography Feminists

Dworkin defines pornography from the root meanings of the Greek words *porneia* and *graphos* which is the "graphic representation of women as vile whores." This definition, she claims, has not changed even for contemporary pornography. The only change in the meaning has to do with the method of graphic depiction-which has increased in number and kind.

In her book *Pornography: Men Possessing Women* (1989), Dworkin noted, "The pornography industry in the United States is larger than the record and film industries combined. Pornography is now carried by cable television and

marketed for home use in video machines, technologies which demand the creation of more and more porneia to meet the market opened by the technology."

Shiela Jeffreys, author of the book *The Idea of Prostitution*, agrees with Dworkin. She quotes radical feminist Catherine MacKinnon who suggests that "...Pornography clearly represents dominant male-supremacist sexual values, or it would not be so massively profitable."

If pornography has not become sex to and from the male point of view, it is hard to explain why the pornography industry makes a known ten billion dollars a year selling it as sex mostly to men; why it is used to teach sex to child prostitutes, to recalcitrant wives and girlfriends and daughters, to medical students and to sex offenders...

Jeffreys agrees that pornography and prostitution are "indivisible." Prostituted women testify about "the use of pornography to season them, its use in brothels, the filming of them for pornography which suggests that pornography and prostitution are integrally connected," she added. She cited a 1984 research that showed that 38 percent of the prostitutes interviewed had been used in pornography when under 16 years old.

"The controversy within feminist theory over prostitution replicates that over pornography," Jeffreys points out. This should be the case, she said, since the acts which take place in the making of pornography, are precisely the acts of prostitution, i.e. sexual acts for money.

The only difference, she said, is that the antipornography campaign has been strong and direct but had not, until recently, directly challenged prostitution. She mentioned the campaigns in the U.S. of groups such as the Women against Violence in Pornography and the Media, and the Women against Pornography, and in Britain, of the Women against Violence against Women, which "have generated, since the late 1970s, considerable feminist activism and theory."

For Free Expression

Yasmin Tambiah, coordinator of a women and governance project in South Asia at the International Centre for Ethnic Studies in Sri Lanka, defines pornography as simply "images and texts produced for the explicit purpose of sexually arousing the viewer or the reader." Tambiah says, "Pornography is an issue for Sri Lankan feminists, as it is for feminists elsewhere, but there has been quite limited discussion within the local women's movement."

Some feminists believe that "if a poll was taken, most women's rights advocates and activists in Sri Lanka would support legislation against pornography, primarily because of the belief that pornography is, by definition, harmful and degrading to women, although there would be some difference of opinion as to what precisely ought to be censored," Tambiah adds.

For those who dismiss and condemn pornography as "without any redeeming social value," Tisdale argues that "it wouldn't exist if it had no value." She explains: "Simply as a well-established, multimillion-dollar business it has to be taken seriously. Pornography is an expression of that conservative icon, the free market: reviled but incredibly profitable, popular with a wide cross-section of the population, compelling in spite of enormous criticism."

Tisdale makes a case for women's access to "reproductive information and information about sexual pleasure." People's accounts of their first sexual experiences always strike her as a "litany of ignorance," she says, and wonders what it would be like "if people had ready access at a young age not only to reproductive information, but information about sexual pleasure and the enormous varieties of sexual experience. I hear cries of how awful it is for women's sexual identity to be shaped by traditional pornography-as though women's sexuality is not now and hasn't always been shaped by the dominant desires of other people, of men." She then poses the question: "What if women controlled this resource? Are degradation and prudishness our only choices?"

Pornography, like prostitution, Tisdale explains, "both fascinate and repel us at once, because they are bluntly about sex as sex and nothing more. Prostitutes and pornography remove sex from the arena of romance and love and directly address the libido. People tend to make both too much and too little out of both."

As such, Tisdale points out that "porn is treated as being intrinsically different from other forms of expression because sex is treated as being intrinsically different from other acts. It's really the sex itself that's being criticized..."

An anticensorship group, based in the U.S, is arguing another angle to the antipornography campaign. Alarmed by a proposal to ban a list of bad words and images because they will "improve women's condition," the Feminists for Free Expression says that "without tolerance for a broad range of words and images, women could never have founded a feminist movement-considered dangerous and sinful 25 years ago. Without tolerance, the goals of women will be harmed today."

The FFE added: "If one group may be censored because some find it offensive, all groups may be censored including women. The best protection for women's ideas and voices is the constitutional protection of free speech."

Tisdale says she resists censorship of any form of speech or expression because she knows that "sooner or later something she writes or wants to read or see or talk about is going to be forbidden." Only the established order can censor, she says, because only it has an interest in censorship. "Yet, the establishment cannot know what offends me even though censorship is often framed as being for the good of many."

Obscenity, she says, is defined partly by community standards, "but community is defined politically by a certain class of men, and community standards largely reflect historically visible male experiences."

Women can't make these choices for her, either, Tisdale continues, "because they are able to be just as wrong about me, in different ways, as men." She adds that there is no such thing as a social consensus. "Any consensus that attempted to combine all points of view would cease to be a consensus, and instead be a shouted-down compromise of 'anything goes' or 'nothing goes'."

In a round-table discussion on pornography and censorship organised in February 1994 by Ms. Magazine, two prominent U.S. feminists and antipornography crusaders also rejected government's hand in censorship.

Antipornography activist Norma Ramos said she doesn't trust the government but that other civil rights laws may be tapped. "Censorship helps pornography flourish," she said. But the laws should be repealed.

Marilyn French, author of *The Women's Room*, *The War Against Women*, and other feminist writings, said that the government could use an antipornography law to keep her from publishing a novel.

"Loving freedom and liking sex should be convincing reasons to oppose censorship," stressed Nadine Strossen, president of the American Civil Liberties Union in a 1996 speech. "Pornography censorship," she added, "is not necessary for preserving women's rights."

Strossen, who wrote the book *Defending Pornography - Free Speech, Sex, and the Fight for Women's Rights*, believes that pornography has become controversial simply because of a misunderstanding of the word. The dictionary says that the word means "nothing more or less than expressions that are intended to be or have the effect of being sexually exciting, sexually arousing or sexually provocative." But people, she adds, use the term to refer to "whatever it is we hate in the realm of the sexual."

The ACLU president says she defends the "right of every individual, male or female, to make his or her own decisions about what to see and what not to see in the realm of sex."

Another reason to oppose pornography legislation is that it targets the wrong groups. Shari Graydon, former president of Media Watch, which is concerned with female representation in the mainstream media in Canada, pointed this out during a 1996 forum on pornography at the Simon Fraser University. "When put into practice the censorship laws worked backwards," she said. "They targeted the wrong groups when they should be used in the most progressive way possible. Censorship law enforcers usually look only at the images or ideas presented and ignore their context, which is an integral part of how consumers of pornography interpret the material."

What's more, Graydon added, "State intervention through obscenity laws has now become irrelevant due to the accessibility of pornography on the Internet." She suggests that one strategy in general is simply educational.

Tambiah opposes establishing boundaries to the freedom of expression:

"Given that the articulation of consensual sexual activity among adults outside the bounds of heterosexual marriage is unlikely to find approval and support, and that almost any exercise of sexual autonomy by a woman is likely to result in her social ostracism," she says, "I would be concerned that clamping down on pornography, whether by the community or by the state, again underscores the sentiment that sex is dirty, unnatural, a 'western obsession,' etc., and that a woman who likes sex is beyond redemption (after all, 'respectable' women are still expected to keep their legs crossed!). Establishing a boundary would also be premised on the assumption that pornography is uniform, homogeneous. Among other concerns, this negates women's own capacity to be producers and discerning consumers of pornography who are actively engaged in defining their own sexual desires and fantasies."

Tambiah adds that women have to learn from legislation in countries such as Canada where antipornography laws have actually resulted in the further targeting of communities that are already sexually stigmatised, such as lesbians and gay men. "Legislation would exacerbate the risks faced by such communities where there are laws criminalising even consensual lesbian and gay sex, such as in Sri Lanka," she points out.

Yasmin Jiwani, Coordinator of the Feminist Research, Education, Development, and Action Centre in Canada, added that education is not enough. "Women should be at the centers of power...[they] need to have access to realms of expression...in order to create alternative pornography and put forth their views on what they find explicit and offensive."

In the words of Tisdale: I'm glad women are making pornographic films, writing pornographic books, starting pornographic magazines; I'm happier still when the boundaries in which women create expand. I don't believe there are limits to what women can imagine or enjoy. I don't want limits, imposed from within or without, on what women can see, or watch, or do. Even if I don't get it, even if I don't like it.

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Leti Boniol also writes for the Philippine News and Features (PNF), another alternative news agency.

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