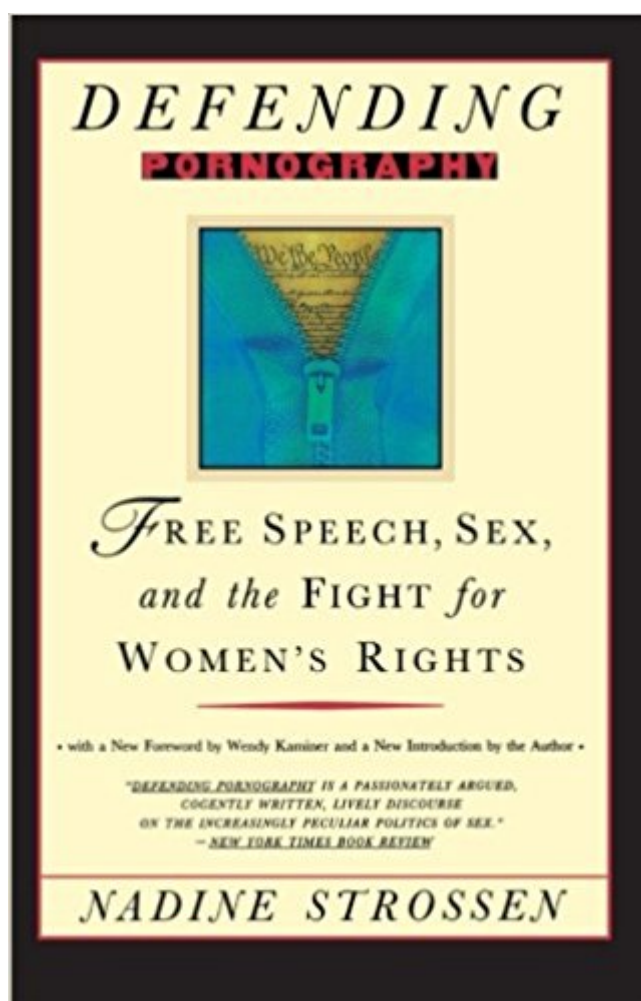


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# Defending Pornography: Free Speech, Sex, And The Fight For Women's Rights



## Synopsis

Reissued with a new foreword and introduction by the author Traditional explanations of why pornography must be defended from would-be censors have concentrated on censorship's adverse impacts on free speech and sexual autonomy. In contrast, Nadine Strossen focuses on the women's rights-centered rationale for defending pornography.

## Book Information

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## Customer Reviews

University of Michigan law professor and anti-pornography crusader Catharine MacKinnon has avoided debating Strossen, a New York University law professor who heads the American Civil Liberties Union. As this book shows, Strossen has a broad arsenal of vital arguments. Free speech has long been a strong weapon to fight misogyny, she notes, and she catalogues the fuzzy legal theories behind censorship. She ascribes feminist panic over sexual expression to a surge in "cultural feminism," which was a response to 1970s setbacks to more tangible feminist projects like the ERA. The "MacDworkin" (MacKinnon and Andrea Dworkin) proposed law to fight "subordinating" porn, Strossen argues, misreads evidence of its effects on men and ignores more influential media images like advertising as well as the complexity of female sexuality. In practice, as recent Canadian cases show ominously, such censorship laws have been used to seize lesbian, gay and feminist material. Strossen writes in professorial prose, with numerous quotes from better writers, and eschews the opportunity to explore murkier issues like the sexism inherent in much pornography. But she forcefully makes her point that scapegoating porn diverts activists from more important fights for women's rights. Author tour. Copyright 1994 Reed Business Information, Inc.

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In this antithesis to law professor Catherine MacKinnon's *Only Words* (LJ 9/15/93), Strossen, president of the American Civil Liberties Union, attempts a public debate with MacKinnon, who has refused arranged debates with feminists in the anticensorship/pro-pornography camp. Mac-Kinnon's view is that pornography, in the guise of free speech, rails against women's equality guarantee. Strossen sees censoring pornography as effectively rendering the right wing's agenda to control the media and an attack on the First Amendment. Tackling the toughest question, she traces the recent history of censorship in relation to sexual speech. Although Strossen complains that MacKinnon's name-calling tactics is divisive, she herself chomps greedily at her free-speech bit and does the same. Strongly recommended as an important work for academic and large public libraries.-?Paula N. Arnold, Vermont Coll. Lib., Norwich Univ., Montpelier Copyright 1995 Reed Business Information, Inc. --This text refers to an out of print or unavailable edition of this title.

A great book in the oft-forgotten polemic tradition. Strossen resists the temptation to attack the phony feminists for their political marriage with rightwing religious extremists, instead successfully following the arguments of the anti-porn moral police to their logical conclusion: an absolute end of any semblance of freedom of expression. This is of course all based in solid fact, unlike the old "studies prove porn is linked to violence" canard. Anti-sex crusader Andrea Dworkin, one of the subjects covered in detail in the book, found out first hand when she had her own works banned under anti pornography laws she helped to create! Recommended reading for almost everyone, especially now that this topic is in the news again with "liberal" / "democratic" Icelandic parliament members threatening to outlaw sexual content on the internet.

Excellent argument from civil liberties point of view. Very well written. Author was president of American Civil Liberties Union for 18 years; and a constitutional law professor.

About 30 years ago, a small faction of feminists changed the debate around pornography. Prior to their intervention the picture was simple: in one corner we had the liberals who had long sought more personal freedom in the realm of sexuality, and less governmental control over sexual representation - books, videos, magazines, art forms. In the opposite corner stood the conservatives, staunch defenders of controls over sexual conduct and expression. Into this polarised picture stepped a segment of the feminist movement often dubbed "MacDworkinites" after their

leaders: University of Michigan law professor Catherine MacKinnon and writer Andrea Dworkin. They argued that pornography should be suppressed not for traditional "moral" reasons but because it leads to discrimination and violence against women. They drafted an ordinance, or model law, which provided the basis for anti-pornography laws in a number of American states. They formed alliances with conservatives, many of whom were opposed to women's rights, and under a joint anti-pornography banner attacked a wide range of sexually oriented expression. So successful has the MacDworkinite campaign been, that many people believe the suppression of pornography is a high priority for all feminists, or even for all women. But from the start their ideas and initiatives were countered by anti-censorship feminists. This book adds an impressive voice to the anti-censorship argument. Nadine Strossen is a professor at New York Law School, editor of the Harvard Law Review and president of the American Civil Liberties Union. A feminist and passionate defender of free speech, her book sets out not just to present the well-worn argument that censorship is always injurious to freedom, but to counter the feminist rationale for suppressing pornography with a feminist rationale for defending it. In summary, Strossen argues that any scheme for censoring pornography would undermine women's rights and interest in many ways: "It would be enforced in a way that discriminates against the least popular groups in our society, including feminists and lesbians: it would perpetuate demeaning stereotypes about women, including that sex is bad for us: it would perpetuate the disempowering notion that women are essentially victims; it would distract us from constructive approaches to countering discrimination and violence against women; it would suppress many works that are valuable to women and feminists; it would arm women's efforts to develop their own sexuality." In contrast to these, and other, costs to feminist goals, the advocates of censorship can cite only one benefit - that it would reduce violence and discrimination against women - a benefit that is far from proven as repeated research had failed to find a causal link between pornography and sex crimes. To support her case, Strossen has amassed a vast body of evidence. Perhaps most compelling comes from Canada, where a Supreme Court decision in 1992 (*Butler v. The Queen*) introduced MacDworkinite legislation. The Canadian version is less sweeping than the original ordinance proposed by MacKinnon and Dworkin, but numerous commentators have demonstrated how it has been used, in Strossen's words, as "a potent weapon to suppress free speech for all, as well as the equality rights of various disempowered groups, including the very women whose rights it was supposed to enhance." Supremely ironic is that the Butler legislation has been used to confiscate two books written by Andrea Dworkin herself. It's easy to see why the anti-pornography movement so readily gained support. It tapped into women's concern about sexual violence and seemed to offer a quick-fix solution or at least something

concrete that could be done. It also tapped into the feelings of violation and disgust which pornography engenders in some women. Some, but not all. And therein lies the difficulty - who decides which representations are "degrading" to women and what are merely a turn-on? Pornography is a vague term, with no legal definition or significance and is so amorphous that it can be - and is - used to encompass any sexual expression which a dominant group find objectionable. When it comes to sex, and sexual representation, one person's revolting obscenity is another's treasured delight. That Western society find this hard to handle can be seen in the way we treat those dubbed sexually "deviant". Strossen's book demonstrates how the anti-porn movement feeds into this deep-rooted distrust of sex. The book arises from the twists and turns the US justice system has taken around the issue and at times is US-centric but the questions it raises are relevant to all. If you'd like to move beyond polarised sloganeering around the contentious topic of pornography, this authoritatively documented and persuasively argued book provides an excellent place to begin.

Strossen's indignation of the 'MacDworkinites' is spot on and necessary in a world filled with political spin and personal ideologies. She defends the freedom of speech and the ideas that, as citizens, we hold very dearly. It is not enough to state that Strossen's arguments are logical, distinct, and thoughtful. Free expression and speech are imperative to a culture who believes they are free. She points out the liberties the government makes when it comes to our individual freedoms. Strossen takes on a functional perspective of 'pornography' and understands that sexual expression is not the only way we (citizens) are oppressed. The rhetoric is intelligent in a respect that it allows each and every one of us to assume that sexual orientation, expression, and thought are practical and natural in humans.

Nadine Strossen's text is useful reading for anyone distressed by the tone of the most prominent anti-censorship activists - she points out the willingness of MacKinnon and Dworkin to ignore civil rights in favour of passing the laws they want, shows how anti-censorship laws, when in place, are not used to target heterosexual porn but gay and lesbian literature, and generally deplores the image of women in the MacDworkin canon as helpless children who need protecting by the benevolent laws of a (hang on, patriarchal and sexist) government. As an ACLU lawyer, she's been attacked for defending pornographers, but she points out that the ACLU has also defended the rights of anti-porn feminists to display inflammatory material. (A comical image: the ACLU defending people's right to say that the ACLU are scum!) She has a perhaps misty-eyed view of conditions in

the porn industry, but her argument that the consequences of censoring porn vastly outweigh the value of doing so is, I think, unarguable. (For example, if porn were to be banned, it wouldn't stop being made; but working conditions would be a hell of a lot worse, and the women who work in it would lose all legal protection they have.) A refreshing moment of sanity in a debate that has mostly been characterised by insanity and terror tactics on one side and incoherence on the other. You still have a right to free speech in the USA. Don't waste your time trying to censor porn when there are far more widespread and less glamorous problems that women have to deal with every day.

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