

Contexts and pornography

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Rae Langton argues that pornography has the illocutionary force of subordinating women. If true, Langton holds, pornography violates women's right to equality and this undermines pornography's liberal defences (1993: 297–98). Jennifer Saul, however, argues that Langton must settle for a less radical claim: '*pornographic viewings are sometimes the subordination of women*' (2006: 247). If pornographic works are considered as speech acts, they must be utterances in contexts; and this, Saul argues, undermines Langton's claim. Claudia Bianchi (2008) defends Langton, arguing that Saul focuses on the wrong context to fix pornography's illocutionary force; once we focus on the right one, Langton need not settle for Saul more moderate thesis. But, I shall argue here, Bianchi's argument relies on a questionable assumption about pornographers' intentions and on a disanalogy between pornography and Mr Jones's note. It doesn't, then, show that Saul focuses on the wrong context.

Saul makes her case with the example of Ethel's sign (2006: 235–36). Imagine that Ethel is in an environment where people communicate non-verbally. For convenience, Ethel makes useful multi-purpose signs. One sign reads 'I do' and Ethel uses it to perform various illocutionary speech acts (like marrying [*sic*] and confessing to a murder). The sign doesn't fix which speech acts Ethel performs, having no illocutionary force by itself. Neither does the context of writing (encoding) the sign because Ethel

intended to use it in various future communications. Ethel's illocutionary speech acts, then, must be fixed by the contexts of using (decoding) the sign. Saul takes pornographic recordings, e.g. films, to be like Ethel's sign. As recordings, they lack illocutionary force by themselves. And since pornographic recordings can be involved in a variety of future viewings, their illocutionary force is not fixed by the context of encoding either; it is fixed by the context of decoding (pornographic viewings). But, Saul claims, since some pornographic viewings are benevolent, Langton's claim is undermined (only *some* viewings are the illocutionary subordination of women).¹

Bianchi's response hinges on a parallel holding between determining the illocutionary force of recordings and the reference of indexical expressions in recordings. The example of Mr Jones's note shows that the latter is fixed by neither the actual context of encoding nor the actual context of decoding, but by the expected context of decoding. Mr Jones writes a note to his wife at 8 a.m. that states 'As you can see, I'm not here now. Meet me in two hours at Cipriani's'. He expects her to read it at 5 p.m., thus inviting her to Cipriani's for 7 p.m.. Intuitively, the reference of 'in two hours' is fixed by the intended time and place of decoding, provided that Mr Jones's intentions are available to Mrs Jones. The same is supposedly true of pornographic recordings: for Bianchi, pornography's *intended* viewing contexts fix their illocutionary force, not their actual viewing contexts. Further: 'If a work of pornography is indeed intended as an illocutionary act of subordinating women ... and *if* this intention is made available to the addressee, no benevolent viewing may change' pornography's illocutionary force (Bianchi 2008).

Bianchi claims that *if* pornographers intend to subordinate women, benevolent viewings do not change pornography's subordinating illocutionary force. But the antecedent is not obviously true. Langton admits that pornography may subordinate women although pornographers don't intend to subordinate women (1993: 313), while Saul holds that pornographers are probably just intending to make money (2006: 243). Bianchi disagrees: she contends that making money is probably the perlocutionary effect of pornographers' intention to subordinate women. But, subordination of women could also be the perlocutionary effect of pornographers' intention to make money. Bianchi must, then, do more to show that she is right about pornographers' intentions. Actually, determining these intentions is very tricky on Bianchi's view: it requires 'encyclopaedic knowledge of the world and of [pornographers'] desires, beliefs

¹ Benevolent viewings do not (1) make the viewer more likely to treat women as inferior, (2) take pornographic viewings to be acts of subordinating women, and (3) treat pornographers as being authoritative about sex (Saul 2006: 245).

and intentions' (2008: 314), something unlikely to be determined from the philosopher's armchair.

Bianchi might claim in response that pornographers do not intend to subordinate women but, nevertheless, do expect their works to be viewed in certain subordinating contexts. This, if true, supports her argument. Some odd consequences, however, may follow from this move. For Langton, pornography is the illocutionary subordination of women if (1) pornographic viewings are taken to have subordinating effects; (2) viewers of pornography are taken to interpret them as subordinating women; and (3) viewers are taken to consider pornographers as being authoritative about sex (1993: 309). For Bianchi's argument to work pornographers would have to single out audiences that take pornographic viewings to satisfy these three conditions and they would have to intend their works to be viewed by those audiences. Now, Saul argues that most audiences do not take pornographic viewings to be subordinating. The audiences that do are anti-pornography feminists, who take pornographic viewings to be women's illocutionary subordination (2006: 241). (This is a sub-group of anti-pornography feminism; e.g. one might hold that pornography has subordinating perlocutionary effects, but no illocutionary force.) If Saul is right about audience interpretation, Bianchi's argument requires that pornographers intend their works to be viewed by a particular sub-group of anti-pornography feminists. And I doubt pornographers have *this* intention.

Moreover, thinking that pornographers expect their works to be viewed in subordinating contexts is implausible. They would have to expect pornographic viewings to take place in contexts where the viewings have subordinating effects, viewers interpret pornography as the subordination of women and take pornographers to be experts about sex. But few viewing contexts clearly satisfy all conditions. Bianchi's argument, then, would require that pornographers expect their works to be viewed in a few contexts by a small audience. This is not a profitable strategy and I doubt pornographers *intend* to make financially unprofitable works. If this is right, it is unlikely that they intend to confine expected viewing contexts to the few clearly subordinating ones. Rather, at the time of their making, it is unknown where, when and by whom pornographic recordings will be viewed. This suggests that pornographers don't have any single expected viewing audience, time or place in mind. Pornographic recordings, then, are disanalogous to Mr Jones's note: he wrote the note to a single intended audience (Mrs Jones), to be read at a single intended time (5 p.m. on the day of encoding) at a single intended place (their home). But since pornographic recordings are *not* like this, they are unlike Mr Jones's note with respect to their authors' intentions.

Pornographic recordings are disanalogous to Mr Jones's note in another sense as well. Pornography is viewed for sexual arousal; during feminist

talks; by anti- and pro-pornography feminists, women and men; in benevolent or non-benevolent contexts; as fiction or ‘truth about sex’; in private and public places; as being the subordination of women and not. Pornographic recordings are used as multi-purpose recordings while Mr Jones’s note is not; and this makes pornography akin to Ethel’s sign. Now, making Mr Jones’s note analogous to Ethel’s sign/pornographic recordings shows that Saul has not focused on the wrong context. Imagine that during a week of anticipated busy socializing, at least some of which may occur at Cipriani’s, Mr Jones contracts laryngitis, losing his voice. For communication, Mr Jones writes multi-purpose notes one of which reads ‘Meet me in two hours at Cipriani’s’. (I have abridged the original note, but nothing hangs on this.) He does so intending to communicate with others that they meet at Cipriani’s at a certain time without knowing where, when or if at all he will be using the note. The same is true of pornographic recordings and Ethel’s sign: at the time of encoding, their authors did not know where, when, by whom, or if at all, the recordings will be viewed (e.g. a pornographic film might have such an awful title that no one views it; Ethel might not have made any speech acts with her sign).

During the week Mr Jones uses the note to perform various speech acts. He shows it on Monday at 5 p.m. to Mrs Jones inviting her to Cipriani’s for 7 p.m.; on Wednesday to his colleague Mr Smith at 10 a.m. inviting him to Cipriani’s for 12 noon; and on Friday to his sister Ms Jones at 7 p.m. inviting her to Cipriani’s for 9 p.m.. Which context determines the reference of ‘in two hours’ in these cases? Both Bianchi and Saul agree that it is not fixed by the actual encoding of the note (when Mr Jones wrote it). On Bianchi’s original view, the note’s expected decoding context fixed the reference of ‘in two hours’. But, this context is no longer a good candidate: if the note is a multi-purpose one, Mr Jones did not have a particular intended time and place of decoding in mind when he wrote the note. Once Mr Jones’s note is analogous to pornographic recordings/ Ethel’s sign (intended to be used in various future contexts unknown at the time of the encoding), the context that fixes the reference of ‘in two hours’ is the *actual decoding* of the note: when Mrs Jones, Mr Smith and Ms Jones *read* it. And if (as Bianchi claims) a parallel holds between determining the illocutionary force of recordings and the reference of indexical expressions in recorded messages, the context that fixes both on my example is that of actual decoding, the same one Saul took to be relevant for fixing the illocutionary force of pornographic recordings. Bianchi, then, does not show that the relevant context Saul focuses on is the wrong one.²

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