

# **FEMINIST EPISTEMOLOGY: AN EXPOSÉ**

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## **Introduction**

Firstly, I would like to thank Simon and all at the Birkbeck Philosophy Society for inviting me to give this talk. Thank you all for coming. I am honoured that you all turned up to listen and hopefully after I have spoken, we can have a good discussion, possibly in the bar: after all, this is a student society. I appreciate that some of my friends have turned up as well as the society regulars, but I will prioritise questions from current students at Birkbeck.

The title of this talk is "Feminist Epistemology: An Exposé." That requires a few definitions. The first is "epistemology" which might not be known to the non-philosophers in the room. That's the easy part. The second is what is a "feminist"? This is not so simple, but hopefully I will explain what I mean by it. There is a third definition which becomes very important and that is the definition of a woman. It might seem a trivial question: everyone knows what a woman is. If that is your thinking, I would agree with you. Or, at least, I would have agreed with you until I studied feminist philosophy. Once you embed yourself in feminist theory you will find that what a feminist thinks is a woman is not necessarily the same as what everyone else thinks is a woman. As well as providing such explanations, I aim to explain the different ways feminists claim to know what they know. I will also try and give some information about what feminists know, or at least claim to know, about aspects of the world and social relations.

### **What is Epistemology?**

Epistemology is theory of knowledge. So, for example, epistemological questions would include: How do you know that two plus two equals four? And so on. Feminist epistemology is therefore how feminists know things as feminists, and/or how women know things as women.

### **What is feminism?**

I foresee a problem with this talk. And that is when I say what the feminist view is, people might disagree with me. They could say that

they are a feminist, or they know feminists, and they do not have the opinions that I attribute to them. The problem then is that there is no particular standard. The type of feminism I am going to talk about, one could call "academic feminism." It is the type taught in universities in the UK and USA, including here, at Birkbeck College. It is the type of feminism that you will see if you read the feminist entries in the online but peer reviewed *Stanford Encyclopedia of Philosophy*<sup>1</sup> and the blog popular with academic feminists, *Feminist Philosophers*.<sup>2</sup> Such feminists take the view that Feminism and capitalism cannot coexist (H:24).

What is this feminism and from where did it originate? I am not talking here about the Emily Pankhursts and the Suffragettes (sometimes known as the first wave of feminism). I am also not talking about "Twitter feminism" / "pop feminism", or third wave feminism, the type of feminism which might be associated with journalists such as Laurie Penny, if you are familiar with her work.<sup>3</sup> The type of feminism I am discussing started in the late 1960s in America. It is known as the "second wave."

There have been various different types of feminists and it was deemed important who controlled the word "feminist." Catharine MacKinnon is a radical feminist. She stole a march in the early 1980s by arguing the following: liberal feminism is just liberalism applied to women, Marxist

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<sup>1</sup> <https://plato.stanford.edu/>

<sup>2</sup> <https://feministphilosophers.wordpress.com/>

<sup>3</sup> As an example, see Laurie Penny's book, *Unspeakable Things: Sex, Lies and Revolution*, (London: Bloomsbury, 2014). For a recent "second wave" feminist critique of some of the views that Laurie Penny would express, see, as examples, various chapters in, Miranda Kiraly and Meagan Tyler (Eds.) *Freedom Fallacy: The Limits of Liberal Feminism*, (Ballarat, VIC, Australia: Connor Court Publishing Pty Ltd, 2015). Contra this type of feminism, Catharine MacKinnon, a second wave feminist, argues women cannot "fuck our way to freedom" (M87:219).

feminism is just Marxism applied to women, and that the only true feminism, "feminism unmodified" (M87) was her own brand of feminism: radical feminism. In a paper she published in 1983 she declared "radical feminism is feminism" (M83:639). At that point in time she stopped using the word "radical" and said her views were just "feminist." She even went further. At feminist conferences she would loudly denounce views from feminists who did not agree with her as "not feminist" (LI:755). She was quite successful in doing it. The word "feminist" was, at least in the academic sphere, reasonably well appropriated by radical feminists.<sup>4</sup>

### **Feminist Epistemology:**

According to Sandra Harding, there are three types of feminist epistemology: feminist empiricism, feminist standpoint, and postmodernism (H106). I shall take each in turn.

### **Consciousness-Raising**

A key form of feminist empiricism is consciousness-raising. Picture the scene. It was 1969 and the Vietnam War was raging. Many young women opposed to that war were active in the anti-Vietnam War movement, and read Marxist material.

Those who were feminist developed a theory. This theory did not come out of thin air. It was a reaction to Marxist theory with which they were familiar. What did Karl Marx say? He said there are two major groups in society: the ruling class and the proletariat.

Mackinnon put it, "feminism turns marxism [*sic*] inside out and on its head" (M89:125). The feminists argued that Marx was right that there are two key groups in society, but he was wrong about what they were. As

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<sup>4</sup> In 1994, Christina Hoff Sommers, herself a non-radical feminist, wrote a book entitled *Who Stole Feminism?*, where she accused feminists such as Mackinnon of having "Stolen 'feminism' from a mainstream that never acknowledged their leadership" (HS18).

far as the feminists were concerned the two groups were men and women.

Consciousness-raising groups began “among women who all considered themselves radicals” (S:144). It was a self-selected and biased sample of women. They were overwhelmingly “antiracist, anticapitalist and anti-imperialist” (W:120), as well as “overwhelmingly white and mainly middle class” (W:122).

In consciousness-raising groups active from 1969 through to the early 1970s, the radical feminists claim they learnt about women’s lives and their shared experiences. It was due to these shared experiences that women could be called a “sisterhood.” Despite the fact that these consciousness raising groups were pretty much dead by 1975, it is from them that we know about women today.

What was discovered in consciousness-raising groups via the shared experience of this self-selected group of radical women in New York, Chicago, and elsewhere in the USA in the early 1970s is “the point of view of all women” (M87:50) and it is a “claim to truth”(M89:121). What was discovered then was deemed true for “all women” in the 1980s when feminists were writing books, and what was discovered then is still deemed true in 2017, nearly 50 years later, as these books are still on academic reading lists. One does not need an advanced degree in logic to see a flaw in such reasoning.

## **The Feminist Standpoint**

Standpoint feminism is most associated with socialist-feminism as opposed to radical feminism. It has a more direct appeal to Karl Marx (HAR5:231-234, HAR7:367), but like consciousness-raising it still aims to discover “things common to all women’s lives” (HAR5:234). The feminist standpoint is a theory of social relations. Its supporters declare the vision available to those who dominate (men, in their argument) both “partial

and perverse," whereas the vision available to the oppressed (women, in their argument), which does not come naturally and "must be struggled for", "exposes the real relations among human beings" (HAR5:232). This assertion, if true, means that if one wants to know why men view pornography or play rugby, one would get a more accurate answer by asking women than asking men.<sup>5</sup>

The claim to epistemic privilege is controversial. Susan Haack suggests the opposite is true: the oppressed are epistemically *disadvantaged* as "their oppressors control the information that reach them" (HAA:33). Nancy Hartsock, a promoter of the feminist standpoint, admitted that "the criteria for privileging some knowledges over others *are ethical and political* rather than purely 'epistemological'" [emphasis added] (HAR7:372-373).

### **Postmodern Epistemology**

Postmodernists take the view that women are different and there is no universal women's voice: "none of us can speak for 'woman' because no such person exists" (F:642). *All* visions are "partial and perverse" because *all* knowledge come from some perspective. Hence the vision of the oppressed is just another perspective as opposed to "true" reality (HE:345,348). The best that can be hoped for is that it will be "less partial and distorted" (H3:56).<sup>6</sup>

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<sup>5</sup> MacKinnon determines the reason why men play rugby and women generally do not is to keep men strong and women physically weak. "Someone who is physically weak is more easily able to be raped" (M87:118).

<sup>6</sup> See MacKinnon's article, "Points against Postmodernism," for a highly critical view (M00).

## **Fractured Identities: A problem for both Consciousness Raising and the Feminist Standpoint**

A challenge has come from what Sandra Harding refers to as “fractured identities”: black women, working-class women, lesbians etc. If women, in general, are oppressed, then black women and lesbians could be viewed as doubly oppressed.

Angela Harris, in her critique of MacKinnon’s work, accuses MacKinnon of treating black women “as white women, only more so.” MacKinnon’s approach “seeks to define and pursue women’s interests as the fate of all women bound together” (M83:639n). This “fails to capture the experience of black women” (HARI:592,598). Ellen Willis posits that this is a key reason why the consciousness-raising groups were white and middle class: “black and working-class women could not accept the abstraction of feminist issues from race and class issues, since the latter were so central to their lives” (W:122). Willis’s claim makes sense in the light of this comment from hooks: “Many black women denounced women’s liberation as ‘white female foolishness’” (hoo4:9). hooks also explains that while individual black women turned up to the groups, “Many never returned after a first meeting.” hooks insists that sexism “has never determined in an absolute way the fate of all women in this society” and hence argues that many women are not oppressed (hoo:5).

The radical feminist response to this is that women should be united. The primary oppression is the domination of women. Charlotte Bunch explained: “Race, class and national oppressions come from men, serve, ruling class white men’s interests, and have no place in a women-identified revolution” (J:295).

## Epistemic Injustice

Miranda Fricker developed an idea that she labelled “hermeneutical injustice.” This claimed injustice is that harms are carried out to women because something has happened to them and there is no real way of explaining it as there is no term for it. She provides the case of Carmita Wood who suffered, while working in a lab, from a distinguished male professor who “seemed unable to keep his hands off her.” He deliberately brushed against her breasts, jiggled his crotch when near her, and planted unwanted kisses on her, and so on. When it was discussed with other women, many claimed similar experiences, but there was no name for it. They had a “*click aha!*” moment.<sup>7</sup> They had learnt something through shared knowledge. One of them came up with a term to which they all agreed what had happened: “Sexual harassment.” Now that term was known, they had a hermeneutical resource. The male professor harassing Carmita Wood, also suffered a “hermeneutical lacuna” as he did not know the term either, but the difference is that he was not the one disadvantaged. In fact, there not being a term “sexual harassment” suited his purpose. The failure to have that resource, according to Fricker, (in this case the term, “sexual harassment”) is a “structural prejudice” and discriminatory because it is “socially powerless groups” that suffer (F07:149-155).

A different type of epistemic injustice is also discussed by Fricker and supported by Rae Langton, and that is what they label “testimonial injustice.” This is when women are not listened to or have their testimony discounted because they lack credibility. If men say things such as “What does she know, she is only a woman”, then women’s credibility is unfairly harmed. Powerful groups (men) can do this to powerless groups (women). The objective view in the patriarchy is the male standpoint (M87:50). Feminists understand that from this position:

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<sup>7</sup> Fricker attributes the success of discovering the term, sexual harassment, to consciousness-raising groups and second wave feminism (F07:162-163).

“to know has meant to fuck.” The use of the vulgar, “fuck” is deliberate: it uniquely captures the meaning “because it refers to sexual activity without distinguishing rape from intercourse” (M83:636n, M89:251n). As it is men who fuck, it is men who know. This epistemic injustice arises due to an “unjust distribution of credibility” which “could serve to exclude women from the class of those who function as knowers” (L:132).

## **Individuals**

Feminists repeatedly attack the idea of women as individuals and individualism (G:162-186). MacKinnon insists that “women are not individuals.” She adds, in case of disbelief, “To retort that we ‘are’ will not make it so” (M87:59). MacKinnon is clear that classifying women as individuals “will obscure the need to *make change so that it can be so*” (M87:59). MacKinnon *needs* women not to be individuals so she can make claims about “all women.” To justify this she claims that there is “an enforced lie that all women are the same” (M89:38). What she means by this is that argument is that men view all women the same and hence women are the same. This claim has a number of problems: a clear one is that it falls apart if men do not see all women as the same.

## **What is Gender?**

It is common in feminist theory to separate what is a female which is biological to what is a woman which has a social meaning. This is gender.

## **Domination/Power**

The key point is that gender is socially constructed and institutionalized (M82:533). That means it is not a function of nature. If it were a function of nature, it could not be changed and feminists are interested in changing things. Gender is a relation, not a thing. What is a woman is how she stands in relation to a man (H13). “Sexuality is a social construct of male power, defined by men, forced on women, and constitutive of the meaning of gender” (M89:128). It is useful to start with Karl Marx.

Marx was interested in the economic organisation of society. The ruling class owns the means of production and exploit the workers. He urged, in *The Communist Manifesto*, that workers of the world unite and seize control of the *means of production*. The feminist definition of a woman is just a play on that. They argue that a woman is someone with the *means of reproduction* controlled by men and which they have to seize back control (FI:11). As such, we can see the feminist definition of a woman owes more to Karl Marx than it does to science.

As gender is enforced, and women are powerless, women do not define what they are.<sup>8</sup> If you want to know what a woman is, look at pornography. That is where you will find what a woman is (M91b:21).

The relationship between men and women is akin to that between master and slave relationship. Man is the master, and women the slave (HA2:219). MacKinnon offers a simple formulation: men fuck and women get fucked (M89:4). "Man fucks woman: subject verb object" (M89:124). It is in this very process where women are turned into objects. They are "thingified." It is this that is "the primary process of the subjection of women" (M89:124).

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<sup>8</sup> The definition of women as those with the means of reproduction is the more classic radical feminist view. (Some use a definition whereby a woman is someone either with the means of reproduction or presumed to have the means of reproduction). MacKinnon departs from that because means of reproduction is related to nature (M83:639n). She is more interested in the social meaning and hence her focus is on sexuality. For her, a woman "is identified as a being who identifies and is identified as one whose sexuality exists for someone else, who is socially male" (M89:118). By this definition, it can be seen that identifying as a woman is not sufficient. This does not define a woman. MacKinnon's careful wording in that definition is instructive: a woman has to identify, be identified, and be identified as someone who identifies as having the required characteristic. She defines sexuality as "the dynamic of sex as social hierarchy, its pleasure the experience of power in its gendered form" (M89:xiii). For her, it is sexuality that is "the linchpin of gender inequality" (M82:533).

"To be rapable...defines what a woman is" (M89:178). Rape is a political act designed to keep women subordinate (J:262). In order to define a woman as someone who is "rapable," MacKinnon positively cites Carolyn Shafer and Marilyn Frye's statement: "Rape is a man's act, whether it is male or a female man and whether it is a man relatively permanently or relatively temporarily; and being raped is a woman's experience, whether it is a female or a male woman and whether it is a woman relatively permanently or relative temporarily" (M89:178).

Andrea Dworkin declared, in a book on the set reading list for a lecture last week in the Philosophy and Gender course for final year undergraduate and postgraduate students here, at Birkbeck College Department of Philosophy, the following: the penis is "the hidden symbol of terror" more significant than guns, knives and bombs (D:15). She added, "Violence is male; the male is the penis; violence is the penis or the sperm ejaculated from it. What the penis can do it must do forcibly for a man to be a man" (D:55-56).

The power of men and the powerlessness of women is definitional: "women/men is a distinction not just of difference, but of power and powerlessness.... Power/powerlessness is the sex difference" (M87:123). Michel Foucault famously said "Power is everywhere" (FO:93). The feminists say the patriarchy is everywhere (J:283). The idea of female power is "a contradiction in terms, socially speaking" (M87:53). Men are so powerful, that what they think becomes the way it is: "The world 'arranges itself' — at least in part—to fit what the powerful believe. Believing women to be subordinate can make women subordinate: thinking so can make it so, when it is backed up by power" (L:139, M87:164, HA2:228). If a man says "This is how it is," it is taken to be that way (HA2:252n75). Consider the following: According to feminist thinking, men say "all women are whores." Because men say this (according to feminist thinking) then they make it happen. Feminism therefore "stresses the indistinguishability of prostitution, marriage, and sexual harassment" (M87:59).

Writing much more recently, Sally Haslanger a supporter of MacKinnon and of the domination theory of gender, puts it that if a society exists where being female does not result in subordination, "there are no women" (HA12:8). In particular contexts "a woman may not always function socially as a woman [and] a man may not always function socially as a man." For her, the feminist project wants "to bring about a day where there are no more women." Using her definition of a woman, she is "happy to admit that there could be females who aren't women" and accepts the truth by her own account, "certain females don't count as 'real' women." It does not cause her concern that she "marginalizes" these females because "they are not the ones who matter" (HA12:228-240).

MacKinnon insists women are "victims" (M87:220) and she continually portrays them that way: "To be poor, financially dependent, and a primary parent constitutes part of what a woman means"<sup>9</sup> (M87:73). Haslanger appreciates a problem with the view: "if someone wants to be a 'real' woman, she should conform to the definition of women provided" (HA12:239). Despised by such feminists are butch/femme lesbian relationships (J:274-275). This is because they replicate heterosexual power relations: "Lesbians can so violate the sexuality implicit in female gender stereotypes as not to be considered women at all" (M89:110).

If we change social relations it "could have the result that there are no men and women, even if there continue to be males and females" (HA2:212).

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<sup>9</sup> Both radical and socialist feminists view that there is not just "compulsory heterosexuality", there is also "compulsory motherhood" (J:318; J320).

## **An aside: A difference between feminists and identity politics on gender**

What is identity politics? At this point I am going to deviate from an academic definition on identity politics<sup>10</sup> to a definition increasingly used on social media. This is the idea that people should be able to choose their own gender. A news story, published last month in the *Guardian*, commented on the decision by the high mistress, Clarissa Farr, of St Paul's girls' private school to allow pupils to choose their own gender: pupils could, if they wished, use boys' names and wear boys' clothes, be known as a boy or even as gender-neutral. Farr was quoted as saying "We are moving to the point where your gender is a choice" (T). Note the difference between this view and the view of gender I have put forward as the view from feminists. They do not believe gender is a choice, they believe it is thrust upon you and enforced by the patriarchy.

## **The Problem with Race, Class and other Characteristics in the Feminist Model**

There is a fundamental issue at stake if the only relationship pairs considered are those that fit vertically into a model one tries to apply with men dominant and women subordinate. Consider the case of Anna Stubblefield, a white female able-bodied philosophy professor, who relatively recently had intercourse with D.J., a black man who suffers from cerebral palsy, wears diapers, and cannot either dress himself or speak (EN). If "Power/powerlessness is the sex difference," D.J. would have to be declared powerful and Stubblefield powerless or Stubblefield declared male and D.J. female. Either of these declarations are patently ridiculous. The alternative would be to say that this feminist definition of the sex difference is faulty: my own preferred solution. If the claim were to be made that I have picked an extreme example, so be it, but there are

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<sup>10</sup> For an academic discussion, see the entry on identity politics in the *Stanford Encyclopedia of Philosophy* written by Cressida Heyes. <https://plato.stanford.edu/entries/identity-politics/>

plenty of cases where it is not clear that the woman is the subordinate one in a given relationship. Consider, as an example, a class based differential whereby a bourgeois woman is having an affair with her working-class tennis instructor whom she pays. Anne Snitow comments "enormous hidden tensions and differences" would have been revealed had the question of class been explored in the consciousness-raising meetings (E:91). In fact, the argument has been made that because many middle-class women had been used to therapy, they were far more comfortable talking about the matters raised than working-class women and this, in itself, drove a wedge between women of the different classes in consciousness-raising groups (E:91). Moreover, "writers had a certain power in the movement because they could get their ideas across much more easily than other women." This contravened the ideology of "women's shared powerlessness" (E:151).

The problem is that as soon as you allow divisions by race and class, there is seemingly no end to it. Many women wanted to air different grievances: Asian-American women, lesbians, Jewish women, old women, fat women, women with allergies, and so on. Then they can splinter further: lesbian groups can split into black lesbians and white lesbians. The key point is that the argument that women, by definition, are powerless, falls apart if some women are deemed to have more power than others. In the limit, one arrives at the postmodern view: women are different. Miranda Fricker is candid in her objection: it "risks falling short of a genuinely political stance" (F00:149).

It is because of this obvious problem that feminists tend to avoid discussing relationships that do not fit their simple model. If women are powerless and men powerful, then is it true that in Nazi Germany that Aryan women were powerless and Jewish men were powerful? Is it also true that in Apartheid South Africa, or even the United States in 2017, that white women are powerless and black men are powerful? And is true that a wealthy woman is powerless and a very poor gay man is powerful? These combinations can go and on.

To avoid these complications, feminists simply talk about white, able-bodied, heterosexual men because they can all agree that they are the powerful ones. Avoiding an issue does not make good philosophy.

### **Women's Lack of Freedom**

Applying a Marxist analogy, Mackinnon argues that just as a worker has no choice but to work and be exploited for so doing, a woman has no choice away from "getting fucked" in a "compulsory" heterosexual relationship (M87:60-61).

Women, under capitalism, "*are* the property" of men (M84:341) and the "destiny" of all women "is marriage" (M87:76). She repeatedly declares women's freedom restrained, as "men's feet are on women's necks" (DU:28; M87:30,45).<sup>11</sup> Once this analogy is fully understood, the argument becomes clear: nothing a woman does under patriarchy is the action of a free person; whatever they do is under coercive conditions.

This way of thinking about male power and female powerlessness, if taken to the extreme, leads to the formulation of the Leeds Revolutionary Feminists: "Men are the enemy. Heterosexual women are collaborators with the enemy." It follows that "Every woman who, lives with or fucks a man helps to maintain the oppression of her sisters and hinders our struggle" (LRF:7). They therefore urged "all feminists should be political lesbians." Their definition of a political lesbian is "a woman-identified woman who does not fuck men. It does not mean compulsory sexual activity with woman." In other words, a political lesbian is a woman who has abandoned heterosexual life (LRF:5). Lesbians are women liberated from the system and are engaging in subversive revolutionary activity against compulsory heterosexuality (J:273).

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<sup>11</sup> Cf. Karl Marx who saw the proletarians as in "chains" (MAR:86).

## The Merging of Sex and Rape Under Patriarchy

In MacKinnon's argument, women cannot say "no" to sexual advances. They do not have that ability: "'I don't want to' is not *in* most women's sex-role learning" (M87:90). She insists "Few women are in a position to refuse unwanted sexual initiatives" (M82:532). It is not just saying "no." MacKinnon does not even think that women can consent. She asks whether "consent is a meaningful concept" (M89:178). Her response would be that it is not.<sup>12</sup> Consider the "No Means No" slogan. This is a liberal-feminist slogan (O:1157). And as I said earlier, MacKinnon does not think that liberal-feminism "is worthy" of being called feminism (M87:60). A slave is not in a position to say "No" to their master and a woman is not in a position to say "No" to sexual advances by men.

The title of Susan Brownmiller's book on rape is *Against Our Will* (B). It is not *Against Our Consent*. If consent in the patriarchy is meaningless because women cannot say no to sexual advances as men's feet are on women's necks, it follows that intercourse in the patriarchy is rape. MacKinnon said "Compare victims' reports of rape with women's reports of sex. They look a lot alike" (M89:146). She insists that "rape converges with intercourse because both express the same power relation" (M87:154).

Women's desires, like men's desires, are socially constructed and determined by pornography, which in itself is men's "truth about sex" (M87:171). Hence, even if the woman *desires* sex, it can still be rape: in a

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<sup>12</sup> MacKinnon's endnote to this matter contains a quote from Carol Pateman: "Women exemplify the individuals whom consent theorists declared are incapable of consenting. Yet, simultaneously, women have been presented as always consenting, and their explicit non consent has been treated as irrelevant or has been reinterpreted as 'consent'" (M89:298n25). Alison Jaggar provides the radical feminist view: "what has been called consent must be renamed coercion" (J:268).

world where men are powerful and women are powerless “force and desire are not mutually exclusive” (M83:630; M89:137-140,149-150).<sup>13</sup>

By the standards of MacKinnon, if a man wants to have sex with a woman and the woman does not want to have sex at that time but agrees to do so because she loves him, she is coerced by “something like love” and we have a case of rape. Likewise, if a woman becomes a prostitute to earn money, she is economically coerced. Any man who has sex with that woman, even if she agrees to do it for the payment proffered, is a rapist. And as Mackinnon believes that prostitution and marriage are indistinguishable, any man who has sex with his wife has committed rape (M87:59,82-83,88). Dworkin declared that romance is “rape embellished with a meaningful look” (LE:XXI).<sup>14</sup>

A charge that has been levelled at second wave feminists is the one that they believe all sex is rape. They vehemently deny this is what they believe.<sup>15</sup> Strictly speaking, they are correct that they do not believe it. However, that is not the full story. A careful reading of their work will show that what they believe is that all sex that occurred from “the first day that matters” (M87:40) until now is rape. In other words, there has not yet been sex that is not rape but theoretically, in a new society, one

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<sup>13</sup> On this general matter, see Natalie Stoljar’s discussion of “deformed desires” and “adaptive preferences” which in feminist philosophy can be viewed as “paradigmatically nonautonomous” (ST). For a specific example on a different matter to sex, see MacKinnon’s comments on suttees, Indian widows who are “supposed to throw themselves upon their dead husband’s funeral pyres.” For MacKinnon, suttees “deepest victims” are perhaps “women who want to die when their husband dies” (M89:50).

<sup>14</sup> C.f. Robin Morgan: “most of the decently married bedrooms across America are settings for nightly rape” (MO:137).

<sup>15</sup> “MacKinnon does not say that all intercourse is rape; she has never said that and she does not believe that” (O:1157)

of equality, of which the feminists approve, such sex will be possible.<sup>16</sup> Until that time, "every fuck is a rape even if it feels nice because every man has power and privilege over women" (J266).

A key area of disagreement between white feminists and black feminists is rape. White feminists insisted that the starting point in a rape trial should be "believe the woman" and a change in the burden or level of proof (M87:5, M91, P:232-233). Black feminists, on the contrary, prioritised their black identity over their women's identity, recalled black men being lynched as a result of false allegations of rape by white women, and denounced the "believe the woman" view as "white women's feminism," implying racism (PK:60). Central to Harper Lee's classic novel, *To Kill a Mocking Bird*, is not the idea that women are not believed, but that a black man is not believed in the event he is accused by a white woman (LEE).

MacKinnon explains, "the *law* of rape protects rapists and is written from their point of view to guarantee impunity from most rapes" (M07:25). This claim is ahistorical. The "reasonable doubt" formula "was never designed to protect the accused." It had a Christian purpose: "protecting the souls of *the jurors* against damnation" in the event they convicted an innocent defendant (WH:4).

If women cannot consent, it would be appropriate to treat them in law as children. Indeed, MacKinnon co-authored an ordinance against pornography. When challenged in court, its defenders tried to use a legal precedent the Supreme Court ruling in the case *New York v. Ferber* which was designed to protect "the physical and psychological well-being of a minor," to similarly protect women. The judge ruled it out:

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<sup>16</sup> Feminists do not tend to say what they mean by equality: "Women are not permitted fully to know what sex equality would look like, because they have never lived it. It is idealist, hence elitist, to hold that they do. But they do not need to. They know inequality because they have lived it." (M89:241).

“adult women as a group do not, as a matter of public policy or applicable law, stand in need of the same type of protection which has long been afforded children” (BA).

Moreover, if women cannot consent and this is accepted into law, women will be entirely shut out of the capitalist system: they will never be able to obtain a credit card or buy anything as they will have a get out clause: they never consented. Of course, this factoid is unlikely to bother feminists as they can retort that they are anticapitalist and this provides another good reason to get rid of capitalism.

As to the truth of this idea that women cannot say no, Camille Paglia is correct: “That a woman, whether or not she has dependent children, has no choice but to submit without protest to a degrading situation is absurd” (K:109).

## **Conclusion**

To conclude, I want to say there is an awful lot on feminist theory that I have only glossed over in this talk. There are also subjects in feminist philosophy I wanted to talk about but time did not permit. Among them, fascinating is the debate on pornography that nearly split the feminist movement in two in the 1980s. Perhaps that could be a further talk. I would hope, however, that I have enlightened you at least in part as to some of what is taught in feminist philosophy classes.

If you can only remember one thing about gender from what I have said in this talk, make it is this: men fuck, women get fucked.

Thank you very much for listening.

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## Referencing Code

B: Brownmiller, 1975.

BA: Barker, 1984.

D: Dworkin, 1981.

DU: DuBois, E C., Dunlap, M C., Gilligan, C J., MacKinnon, C A. & Menkel-Meadow, C J., 1985,

E: Echols, 1989.

EN: Engber, 2015.

F: Flax, 1987.

FI: Firestone, 2015.

F00: Fricker, 2000.

F07: Fricker, 2007.

FO: Foucault, 1998.

G: Grimshaw, 1986.

H: Harding, 1991.

H3: Harding, 1993.

HA2: Haslanger, 2002.

HA12: Haslanger, 2012.

HAA: Haack, 1993.

HAR5: Hartsock 1985.

HAR7: Hartsock, 1997.

HARI: Harris, 1990.

HE: Hekman, 1997.

HS2: Hoff Sommers, 1992.

HS: Hoff Sommers, 1995.

hoo: hooks, 2000.  
hoo4: hooks, 2014.  
J: Jaggar, 1983.  
K: Klein, 2002.  
L: Langton, 2000.  
LE: Levy, 2007.  
LEE: Lee, 2010.  
LI: Littleton, 1989.  
LRF: Leeds Revolutionary Feminists, 1981.  
M00: MacKinnon, 2000.  
M82: MacKinnon, 1982.  
M83: MacKinnon, 1983.  
M84: MacKinnon, 1984.  
M87: MacKinnon, 1987.  
M89: MacKinnon, 1989.  
M91: MacKinnon, 1991.  
M91b: MacKinnon, 1991b.  
MAR: Marx, 1988.  
MO: Morgan, 1994.  
O: Olsen, 1989.  
P: Pineau, 1989.  
PK: Patai and Koertge, 2003.  
S: Sarachild, 1978.  
ST: Stoljar, 2015.  
T: Topping, 2017.

W: Willis, 2012.

WH: Whitman, 2005.

## **Bibliography**

Barker, S E., 1984, *American Booksellers Ass'n Inc. v. Hudnut*, 598 F. Supp. 1316. 1984.

[http://www.leagle.com/decision/19841914598FSupp1316\\_11725/AMERICAN%20BOOKSELLERS%20ASS'N,%20INC.%20v.%20HUDNUT](http://www.leagle.com/decision/19841914598FSupp1316_11725/AMERICAN%20BOOKSELLERS%20ASS'N,%20INC.%20v.%20HUDNUT)  
[Accessed March 21, 2016].

Brownmiller, S., *Against Our Will: Men, Women and Rape*, New York: Fawcett Columbine.

DuBois, E C., Dunlap, M C., Gilligan, C J., MacKinnon, C A. & Menkel-Meadow, C J., 1985, "Feminist Discourse, Moral Values, and the Law – A Conversation. The 1984 James McCormick Mitchell Lecture", in *Buffalo Law Review*. 34 (1): 11-87.

Dworkin, A., 1981, *Pornography: Men Possessing Women*. London: The Women's Press Ltd.

Echols, A., 1989, *Daring to Be Bad: Radical Feminism in America, 1967-1975*. Minneapolis: University of Minnesota Press.

Engber, D., 2015, "The Strange Case of Anna Stubblefield", in *New York Times Magazine*, October 20.  
<http://www.nytimes.com/2015/10/25/magazine/the-strange-case-of-anna-stubblefield.html> [Accessed March 19, 2017].

Firestone, S., 2015, *The Dialectic of Sex: The Case for Feminist Revolution*, London: Verso.

Flax, J., 1987, "Postmodernism and Gender Relations in Feminist Theory", in *Signs: Journal of Women in Culture and Society*, 12 (4): 621-643.

Foucault, M., 1998, *The History of Sexuality, Volume 1: The Will to Knowledge*, London, Penguin.

Fricker, M., 2000, "Feminism in epistemology: Pluralism without postmodernism", in *The Cambridge Companion to Feminism in*

- Philosophy*, Fricker, M. and Hornsby, J., (eds.) Cambridge: Cambridge University Press: 146-165.
- Fricker, M., 2007, *Epistemic Injustice: Power and the Ethics of Knowing*, Oxford: Oxford University Press.
- Grimshaw, J., 1986, *Feminist Philosophers: Women's Perspectives on Philosophical Traditions*, Hertfordshire: Harvester Wheatsheaf.
- Haack, Susan. 1993. "Epistemological Reflections of an Old Feminist," *Reason Papers* 18. Fall: 31-43.
- Harding, S., 1991, *Whose science? Whose knowledge?*, Ithaca: Cornell University Press.
- Harding, S., 1993, "Rethinking Standpoint Epistemology: 'What is Strong Objectivity?'"', in Alcoff, L, and Potter, E, (eds.), *Feminist Epistemologies*, New York: Routledge
- Harris, A P., 1990, "Race and Essentialism in Feminist Legal Theory", in *Stanford Law Review*, 42 (3): 581-616.
- Hartsock, N. C. M. 1985, *Money, Sex and Power: Toward a Feminist Historical Materialism*. Boston: Northeastern University Press.
- Hartsock, N. C. M. 1997, "Comment on Hekman's 'Truth and Method: Feminist Standpoint Theory Revisited': Truth or Justice?", in *Signs: Journal of Women in Culture and Society*, 22(2): 367:374.
- Haslanger, S., 2002, "On Being Objective and Being Objectified", in *A Mind of One's Own: Feminist Essays on Reason and Objectivity (Second Edition)*, Antony, L. M. and Witt, C. E. (eds) Cambridge MA: Westview Press.
- Haslanger, S., 2012, *Resisting Reality: Social Construction and Social Critique*, Oxford: Oxford University Press.
- Hekman, S., 1997, "Truth and Method: Feminist Standpoint Theory Revisited", in *Signs: Journal of Women in Culture and Society*, 22(2): 341-365.
- Hoff Sommers, C., 1995, *Who Stole Feminism? How Women Have Betrayed Women*, New York: Touchstone.

- hooks, b., 2000, *Feminist Theory: From Margin to Center*, Second Edition, London: Pluto Press.
- hooks, b., 2014, *Ain't I a Woman: Black Women and Feminism*, Second Edition, Abingdon, Oxon: Routledge.
- Jaggar, A M., 1983, *Feminist Politics and Human Nature*, Sussex: The Harvester Press.
- Klein, E R., 2002, *Undressing Feminism: A Philosophical Exposé*, St Paul, Minnesota: Paragon House.
- Langton, R., 2000), "Feminism in epistemology: Exclusion and objectification", in *The Cambridge Companion to Feminism in Philosophy*, Fricker, M. and Hornsby, J. (eds.) Cambridge: Cambridge University Press: 127-145.
- Lee, H., 2010, *To Kill a Mocking Bird*, London: Arrow Books.
- Leeds Revolutionary Feminists, 1981, *Love your enemy? The debate between heterosexual feminism and political lesbianism*, London: Onlywomen Press, Ltd.
- Levy, A., 2007. "Foreword", in Andrea Dworkin: *Intercourse: The Twentieth Anniversary Edition*. New York: Basic Books: xi-xxvii.
- Littleton, C A., 1989, "Feminist Jurisprudence: The Difference Method Makes", in *Stanford Law Review*, 41(3): 751-784.
- Mackinnon, C A, 1982, "Feminism, Marxism, Method, and the State: An Agenda for Theory", in *Signs: Journal of Women in Culture and Society*, 7 (3): 515-544.
- Mackinnon, C A, 1983, "Feminism, Marxism, Method, and the State: Toward Feminist Jurisprudence", in *Signs: Journal of Women in Culture and Society*, 8 (4): 635-658.
- Mackinnon, C A, 1984, "Not a Moral Issue", in *Yale Law & Policy Review*, 2 (2): 321-345.
- Mackinnon, C A, 1987, *Feminism Unmodified: Discourse on Life an Law*, Cambridge, Massachusetts: Harvard University Press.

- MacKinnon, C A, 1989, *Toward a Feminist Theory of the State*, Cambridge, Massachusetts: Harvard University Press.
- MacKinnon, C A, 1991, "The Palm Beach Hanging", *New York Times*, December 15, E15.
- MacKinnon, C A, 1991b, "From Practice to Theory, or What is a White Woman Anyway?", in *Yale Journal of Law and Feminism* (4): 13-22.
- MacKinnon, C A, 2000, "Points against Postmodernism", in *Chicago-Kent Law Review*, 75 (3): 687-712.
- Marx, K., 1988, "The Manifesto of the Communist Party", in *The Communist Manifesto*, Marx K. and. Bender F L. (ed.) . New York: W.W. Norton & Company, Inc. 54-86.
- Morgan, R., 1994, *The Anatomy of Freedom: Feminism in Four Dimensions*. Second Edition, New York: W.W. Norton & Company.
- Olsen, F., 1989, "Feminist Theory in Grand Style", in *Columbia Law Review*, 89 (5): 1147-1178.
- Patai, D., & Koertge, N., 2003, *Professing Feminism: Education and Indoctrination in Women's Studies*, New and Expanded Edition, Lanham, Maryland: Lexington Books.
- Pineau, L., 1989, "Date Rape: A Feminist Analysis", in *Law and Philosophy*, 8 (2): 217-243.
- Sarachild, K., 1978. "Consciousness-Raising: A Radical Weapon" in Kathie Sarachild (Ed.) *Feminist Revolution*. (An abridged edition with additional writings. Redstockings of the Women's Liberation Movement). New York: Random House. 144-150.
- Stoljar, N., 2015, "Feminist Perspectives on Autonomy", in *The Stanford Encyclopedia of Philosophy* (Fall Edition), Zalta E N. (ed.) <http://plato.stanford.edu/archives/fall2015/entries/feminism-autonomy/> [Accessed March 19, 2017].

Topping, A., 2017, "Campaigners hail school decision to let pupils choose gender identity," *Guardian* February, 19. (Online edition available at: <https://www.theguardian.com/world/2017/feb/19/st-pauls-girls-school-pupils-choose-gender-indentity> [Accessed March 20, 2017].

Willis, E, 2012, *No More Nice Girls: Countercultural Essays*. Minneapolis: University of Minnesota Press.

Whitman, J Q, 2005, "The Origins of 'Reasonable Doubt'", Yale Law School Faculty Scholarship Series. Online at [http://digitalcommons.law.yale.edu/cgi/viewcontent.cgi?article=1000&context=fss\\_papers](http://digitalcommons.law.yale.edu/cgi/viewcontent.cgi?article=1000&context=fss_papers) [Accessed March 19, 2017].