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Only Words

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ONLY WORDS. By Catharine A. MacKinnon. Cambridge: Harvard University Press. 1993. Pp. v, 152. \$14.95.

Professor Catharine MacKinnon's¹ short book, *Only Words*, has already produced a flurry of reactions. Only a few who have reviewed the book, which sets out MacKinnon's theoretical framework for her campaign against pornography, have treated it, or MacKinnon, kindly. Most have been unabashed in their criticism. Judge Richard Posner in the *New Republic*, for example, labels her "reckless."² In the *Nation*, Carlin Romano closes his review, in which he invites the reader to follow along as he fantasizes raping MacKinnon,³ by calling her an "authoritarian in the guise of a progressive."⁴ Ronald Dworkin's review in the *New York Review of Books*, while generally respectful, spells MacKinnon's first name Catherine rather than Catharine⁵ and includes on the opening page a caricatured drawing of the professor with crossed arms and pursed lips, topped with a wild tornado of voluminous hair.⁶

Moreover, many of the criticisms reviewers have leveled are gender biased. For instance, Calvin Woodard states that the arguments MacKinnon employs in *Only Words* come merely from a woman sounding "a heartbreaking cry for help."⁷ At the same time, however, her blunt, aggressive writing seems to have invaded a rhetorical space traditionally reserved for the words of men. Woodard, for example, labels MacKinnon "militant,"⁸ apparently unbothered by any inconsistency in his characterizations. Carlin Romano gets on the bash-MacKinnon-because-she-is-acting-like-a-man bandwagon when he laments that "precisely because of her star power, MacKinnon can't be laughed off. She's the lead commando in a legal phalanx" ⁹ Still another reviewer uses her allotted page in the *Village Voice* to muse about the possible sexual nature of MacKinnon's relationship with the recently newsworthy Jeffrey Masson.¹⁰ The com-

1. Professor of Law, University of Michigan Law School.

2. Richard A. Posner, *Obsession*, *NEW REPUBLIC*, Oct. 18, 1993, at 31, 34. Judge Posner also complains that the book contains "no nuance, qualification, measure or sense of proportion." *Id.* at 31.

3. Carlin Romano, *Between the Motion and the Act*, *NATION*, Nov. 15, 1993, at 563, 563.

4. *Id.* at 570.

5. Ronald Dworkin, *Women and Pornography*, *N.Y. REV. OF BOOKS*, Oct. 21, 1993, at 36, 36.

6. *Id.*

7. Calvin Woodard, *Speak No Evil*, *N.Y. TIMES*, Jan. 2, 1994, § 7 (Book Review), at 11, 12.

8. *Id.* at 12.

9. Romano, *supra* note 3, at 564.

10. See Mim Udovitch, *Imagine That*, *VILLAGE VOICE*, Jan. 25, 1994, at 19 ("I like men who have both [ideas and erections], preferably men who are capable of having more than one of

bined implication seems to be that we should not take MacKinnon's legal critiques seriously because she is a helpless commando who has a lot of sex.

Why the hostility? Why do these reviews read more like reactions than engagements? Did MacKinnon anticipate, or in fact even invite, this sort of response? To answer these questions, I should first outline what her book does.

The mere 110 pages of text divide into three parts. In the first part, titled "Defamation and Discrimination," MacKinnon attempts to link the production and consumption of pornography to a host of social sex inequalities, including rape and sexual harassment (pp. 3-41). Pornography, according to MacKinnon, *creates* these inequalities, at least indirectly: "Pornography does not leap off the shelf and assault women. Women could, in theory, walk safely past whole warehouses full of it, quietly resting in its jackets. It is what it takes to make it and what happens through its use that are the problem" (p. 15).

This cause-and-effect relationship between pornography and sex inequality motivates MacKinnon's project, yet some writers still doubt its empirical validity. Ronald Dworkin, no newcomer to the debate about pornography and free speech,¹¹ has gone so far as to assert that "no reputable study has concluded that pornography is a significant cause of sexual crime: many of them conclude, on the contrary . . . that desire for pornography is a symptom rather than a cause of deviance."¹²

Perhaps because she recognizes that the causal link remains, in legal parlance, a disputed issue of fact,¹³ she lends her claim intellectual, if not empirical, force by relying on modern speech-act theory. Pornography, MacKinnon claims, is more than allusive; it *does* things: "Its place in abuse requires understanding it more in active than in passive terms, as constructing and performative rather than as merely referential or connotative" (p. 21; footnote omitted).

This strategy is clever, and MacKinnon correctly identifies J.L. Austin's *How To Do Things with Words* as the "original enuncia-

both. (And from what one reads by and about Jeffrey Masson, that's the kind Catharine MacKinnon's got.)").

11. A 1981 article by Dworkin, for example, provides an extremely readable account of the numerous concerns at play in this debate. See Ronald Dworkin, *Is There a Right to Pornography?*, 1 OXFORD J. LEGAL STUD. 177 (1981).

12. Dworkin, *supra* note 5, at 38.

13. MacKinnon might fruitfully draw here on the growing body of feminist science suggesting that, at its core, Western scientific inquiry grows out of and reinforces sex bias. See, e.g., SANDRA HARDING, *WHOSE SCIENCE? WHOSE KNOWLEDGE?* (1991). In other words, if social science as we now experience it fails to find an empirical link between pornography and sex crime, the failure might indicate an inability of the scientific method rather than an absence of an actual link. Given this possible failing of science, anecdotal evidence of a connection — the very kind MacKinnon employs — might be the best we can rely on in ascertaining the relationship of pornography to behavior.

tion of the theory of performative speech."¹⁴ A useful exploration of what pornography does, however, in all its various modes of production, commerce, and consumption, would require a more textured understanding of speech-act theory than the streamlined account MacKinnon gives in *Only Words*. Although the paradigmatic speech act — a minister's pronouncing a couple man and wife or a jury's finding a defendant guilty — is easily understood as an act in addition to an utterance, pornography pushes the bounds of the paradigm. For example, the only utterances in pornography are usually written down or taped on film or videocassette. Thus, the performer of the alleged speech act is rarely in the presence of his or her audience, the obvious exception being the case of live sex shows. Can "speech" in such a circumstance be or have the effect of a speech act? That is, are speech acts iterable? If I want to marry Jane Doe, can I play a recording of a minister proclaiming us to be married, or would the performance of marriage require the minister's presence?

Questions such as these have spawned a significant literature building on and critiquing Austin's ideas, particularly focusing on the problem of iterability of performative speech. Jacques Derrida, for instance, has observed "the possibility for every performative utterance (and a priori every other utterance) to be 'quoted.'"¹⁵ Austin, however, considered reiterated speech acts hollow, void: "[L]anguage in such circumstances [of reiteration] is in special ways — intelligibly — used not seriously, but in ways *parasitic* upon its normal use All this we are *excluding* from consideration."¹⁶ To Derrida, Austin's bracketing of this crucial element of performative speech — its iterability — renders the Austinian version of speech-act theory flawed, or at least incomplete.¹⁷ If Derrida is correct and Austin's description of the performative does not seek to explain the nature and effects of reiterated speech, then where is the Austinian performative speech in pornography? Who is saying what to whom and in what context? This all is not to say that the "speech" in pornography does not create inequality; the discussion merely suggests that MacKinnon needs to look beyond Austin if she hopes to describe accurately the mechanisms by which pornography "performs" its dirty work.¹⁸

14. P. 21 n.31 (citing J.L. AUSTIN, *HOW TO DO THINGS WITH WORDS* (1962)).

15. JACQUES DERRIDA, *Signature Event Context*, in *LIMITED INC 1*, 16 (Gerald Graff ed., Samuel Weber & Jeffrey Mehlman trans., 2d ed. 1990).

16. AUSTIN, *supra* note 14, at 22.

17. See DERRIDA, *supra* note 15, at 17 ("For, ultimately, isn't it true that what Austin excludes as anomaly, exception, 'non-serious,' *citation* (on stage, in a poem, or a soliloquy) is the determined modification of a general citationality — or rather, a general iterability — without which there would not even be a 'successful' performative?" (footnote omitted)).

18. Consider, in this light, an example of harm MacKinnon attributes to pornography: "In pornography, women are gang raped so they can be filmed." P. 15. Speech-act theory sheds little light on the mechanism by which this harm occurs. What is the speech here and what is it doing? Speech-act theory might help to explain, for instance, why the video broadcast of the

MacKinnon's vivid description of pornography and its effects¹⁹ suffers from another weakness as well: it fails to address the potential harm of pornography to men.²⁰ That is, perhaps male consumers of pornography also suffer by their exposure to it. The damage to men would be of a different sort than the damage to women; it would be a degradation and corruption of men's views of sexuality, and perhaps, the argument might go, the law should discourage activity or commerce that corrupts and degrades. According to Ronald Dworkin, this argument grows out of

the hypothesis that humans will develop differently and in fact best, and find the most suitable conditions for their own flourishing, if their law cultivates an ennobling rather than a degrading attitude towards their sexual activity by prohibiting, even in private, practices that are in fact perversions or corruptions of the sexual experience.²¹

To be sure, arguing that pornography hurts men would be secondary to the thrust of MacKinnon's argument — that pornography creates sex inequality — but such an argument might be useful from a strategic standpoint. Given that *Only Words* has been described, perhaps unfairly, as “radiat[ing] the kind of hostility, resentment and contempt toward men that MacKinnon skewers men for expressing toward women,”²² MacKinnon would benefit by at least acknowledging the interest men might have in ensuring the success of her campaign.²³

Regardless of these shortcomings, the first part of the book effectively performs its intended function. It recasts the reality of what pornography *does* — or at least what MacKinnon says it does — and contrasts that with what First Amendment law thinks pornography *says*:

gang rape has a particular effect on someone; it does not help disentangle the harms intrinsic in the production of pornography from the speech doctrine that protects the finished product.

19. See, e.g., p. 19 (“Sooner or later, in one way or another, the consumers want to live out the pornography further in three dimensions. Sooner or later, in one way or another, they do.”).

20. I am not speaking here about gay male pornography, which — at least according to John Stoltenberg, a compatriot of both MacKinnon and Andrea Dworkin — also finds its roots in misogyny and perpetuates sex inequality by eroticizing sexual dominance. See generally John Stoltenberg, *Gays and the Pornography Movement: Having the Hots for Sex Discrimination, in MEN CONFRONT PORNOGRAPHY* 248 (Michael S. Kimmel ed., 1991). Stoltenberg reasons that gay pornography, because it calls upon the same vocabulary as straight pornography, reinforces misogyny, which in turn perpetuates homophobia.

21. Dworkin, *supra* note 11, at 189.

22. Romano, *supra* note 3, at 564.

23. On the other hand, such a gesture might undermine MacKinnon's pungent rhetorical strategy of addressing the book to the individual female reader. She begins the first page with an imperative: “Imagine . . . [y]ou grow up with your father holding you down and covering your mouth so another man can make a horrible searing pain between your legs.” P. 3. In case the reader glosses over this syntactic slap, MacKinnon reiterates the point, using *you* or *your* a total of 30 times on the first page alone. She thus forces even male readers to participate in her imagined reality. If she were later to make a separate nod to any potential male readers, she would undermine the power and universality of her initial command that each of us envision himself or herself as suffering the harms pornography visits upon women.

In . . . the approach of current law, pornography is essentially treated as defamation rather than as discrimination. That is, it is conceived in terms of what it says . . . rather than in terms of what it does. Fundamentally, in this view, a form of communication cannot, as such, *do* anything bad except offend. [p. 11; footnote omitted]

This reconception of pornography as something that does something in addition to saying something is critical to the antipornography movement. Without it, pornography remains protected expression.

Having presented her argument for a reconception of pornography in Part I, MacKinnon returns to safer ground in Part II, titled "Racial and Sexual Harassment" (pp. 43-68). Her purpose here is to bolster the arguments in Part I, or at least make them more palatable, by immersing the reader in an area of law and life in which words have long been viewed as acts: "If ever words have been understood as acts, it has been when they are sexual harassment. . . . Only words — yet they have not been seen as conveying ideas . . ." (p. 45). MacKinnon attempts to show how absurd it would be to characterize behavior we now label as harassment as expression worthy of constitutional protection.²⁴ With the harms of pornography fresh in the memory from Part I, the reader, MacKinnon hopes, will see that pornography is really just like harassment, and so protection of pornography is just as absurd as would be protection of harassment.

This strategy — showing that pornography is identical in relevant respects to something the law already prohibits — is really just an instance of traditional analogical reasoning; it is like saying, "Pornography is more like harassment than speech, so we should treat it like harassment." Given the traditional method of this element of MacKinnon's argument, it seems odd to read Judge Posner maligning the book as "a verbal torrent that appeals . . . to elemental passions (fear, disgust, anger, hatred) rather than to the rational intellect."²⁵ The strategy, to the contrary, displays just the sort of reasoning law professors hope to impart to their students through the case method and analysis of hypothetical fact patterns.

Despite its appeal, simplicity, and traditional structure, however, the analogical argument may not be strong enough alone to support a wholesale shift in the regulation of pornography. In the first place, Title VII creates a civil cause of action to counter only *workplace* harassment.²⁶ A woman targeted for sexual harassment on the street or

24. For example, she observes:

The workplace comment "Black women taste like sardines" has not been construed as a possible advertisement for fish, hence protected commercial speech. . . . When a man slips a woman's paycheck into his pants and requires her to "go for it," nobody suggests he is making a militant display of dissent against the economic system.

P. 47 (footnote omitted).

25. Posner, *supra* note 2, at 31.

26. *Meritor Sav. Bank v. Vinson*, 477 U.S. 57, 63-67, 73 (1986) (recognizing a cause of action for workplace harassment under Title VII).

in the home remains, according to the law, merely offended, notwithstanding that nonworkplace harassment probably also contributes to sex inequality. Thus, if we were to treat pornography as we treat harassment, where would we prohibit it? Everywhere? Only where women's equality matters most?

The analogical argument also falters because it unfairly underestimates the force of expressive concerns in the debate regarding just how far antiharassment regulation should go. MacKinnon admits that courts *are* now considering the extent to which campus speech codes, for instance, impinge on speech rights.²⁷ However, she never directly faces the implications of the growing concern over the conflict between harassment law and speech law for her analogical argument. If the judicial and academic trend is to pay increasing attention to the expression suppressed by harassment law, then MacKinnon might want to rethink whether she really wants the law to treat pornography the same way it treats harassment.

These criticisms, however, are really no more than quibbles. The question MacKinnon asks — Why should we treat pornography more like speech than harassment? — is valid. From an ahistorical standpoint, it has no compelling answer. Of course, MacKinnon *does* know how legal protection of pornography developed historically:

In America, the examples that provide the life resonance of the expressive freedom, the backdrop of atrocities for the ringing declarations, derive mostly from attempts to restrict the political speech of communists during the McCarthy era. . . . The story of the First Amendment is an epic story of overcoming that, of progress, of making sure it never happens again. [pp. 74-75]

Thus, she argues in Part III — “Equality and Speech” — that First Amendment doctrine has developed an unwarranted obsession with protection of speech that is in one way or another unpopular (pp. 71-110). She labels this obsession the “‘speech you hate’ test You can tell you are being principled by the degree to which you abhor what you allow” (p. 75).

MacKinnon argues in this last part of her book, however, that our experiences with McCarthyism need not be the only historical backdrop against which we develop our First Amendment doctrine. Equally important, if not more so, are the values embodied in the Fourteenth Amendment's Equal Protection Clause. MacKinnon rightfully wonders why modern speech doctrine, which postdates the Fourteenth Amendment, largely ignores equality concerns.²⁸ For

27. The potential conflict between speech rights and workplace harassment law is beginning to receive scholarly attention as well. See, e.g., Eugene Volokh, Comment, *Freedom of Speech and Workplace Harassment*, 39 UCLA L. REV. 1791 (1992).

28. See, for example, p. 71:

[T]he First Amendment has grown as if a commitment to speech were no part of a commitment to equality and as if a commitment to equality had no implications for the law of

instance, the state protects nude dancing as speech, yet nude dancing arguably contributes to sex inequality by exposing women to harms because of their sex. If so, the Constitution might require the state to recognize that the equality guarantee limits or even trumps the alleged speech right protecting the dancing.²⁹ Our Constitution is, as MacKinnon notes, "a document that accepts balancing among constitutional interests as method" (p. 84). In suggesting that the Fourteenth Amendment might provide limits on speech rights independent of those deriving from the First Amendment itself, MacKinnon performs once again her classic move. Just as she has done with so many other legal issues,³⁰ she recasts pornography as an instance of sex inequality.

Of course, even MacKinnon accepts that in a true balancing of interests, equality might not always win.³¹ All she wants is a "fair fight . . . between equality and speech as two constitutional values" (p. 85). This request is really quite modest, especially when posed to her adversaries who presumably incant the "marketplace of ideas" mantra. Reviewers, however, have balked at the idea of exposing First Amendment freedoms to equality scrutiny. Ronald Dworkin, for instance, worries that "the frightening principle that considerations of equality require that some people not be free to express their tastes or convictions" could lead to government censorship of any material that "might reasonably offend a disadvantaged group."³² Even though

speech — as if the upheaval that produced the Reconstruction Amendments did not move the ground under the expressive freedom, setting new limits and mandating new extensions, perhaps even demanding reconstruction of the speech right itself.

Id.

29. It might also be proper to question whether affirmative state protection of behavior that works an inequality on a protected group also works an "expressive harm" on that group. Cf. Richard H. Pildes & Richard G. Niemi, *Expressive Harms, "Bizarre Districts," and Voting Rights: Evaluating Election-District Appearances After Shaw v. Reno*, 92 MICH. L. REV. 483, 506-07 (1993) ("An expressive harm is one that results from the ideas or attitudes expressed through a governmental action, rather than from the more tangible or material consequences the action brings about. On this view, the meaning of a governmental action is just as important as what the action does."). In other words, even if First Amendment doctrine would argue for protection of a certain form of expression, resonances from governmental failure to protect the targets of that expression might nevertheless militate *against* protection.

30. MacKinnon has argued that the law should view a number of topics through the lens of sex inequality and treat laws that affect these topics as governed by the Equal Protection Clause. Among these topics are rape, see, e.g., Catharine A. MacKinnon, *Reflections on Sex Equality Under Law*, 100 YALE L.J. 1281, 1301 (1991) ("Women are sexually assaulted because they are women: not individually or at random . . ."); reproduction, see, e.g., *id.* at 1309 ("[W]omen, because of their sex, are subjected to social inequality at each step in the process of procreation."); homosexuality, see, e.g., CATHARINE A. MACKINNON, *TOWARD A FEMINIST THEORY OF THE STATE* 248 (1989) (arguing that in a world viewed through a sex equality lens, "[g]ay and lesbian rights would be recognized as sex equality rights"); and sexual harassment, see, e.g., CATHARINE A. MACKINNON, *Sexual Harassment: Its First Decade in Court*, in FEMINISM UNMODIFIED 103, 109 (1987) (stating that "sexual harassment is sex-based discrimination").

31. For instance, in imagining how her constitutional scheme might play out in the courts, she reckons that "pornography ordinances and hate crime provisions fail constitutional scrutiny that they might, with constitutional equality support, survive." P. 85.

32. Dworkin, *supra* note 5, at 40.

Dworkin overstates MacKinnon's argument,³³ his fear of what government might do with this equality-justified license to censor may not be wholly unfounded. The Canadian Supreme Court, for instance, has upheld laws restricting hate propaganda³⁴ and obscenity,³⁵ relying largely on equality principles. The repercussions of these decisions, however, may not be identical to those for which MacKinnon and others had hoped. One opinion piece in the *New York Times* has noted that MacKinnon has become the target of widespread anger among Canadian artists, writers, and activists.³⁶ Apparently, Canadian authorities have used the terms "degrading and dehumanizing" — terms lifted straight from the judicial opinion MacKinnon champions in *Only Words* as a victory for women — to justify seizing lesbian, gay, and feminist material and fining a bookstore owner for selling a lesbian magazine.³⁷

These acts of censorship and harassment might demonstrate the danger of misapplying MacKinnon's vision of an equality-tempered speech right, but they do not prove the theory is flawed. Presumably, MacKinnon would argue that Canadian heterosexuals were not at risk of sexual abuse and assault as a result of the sale of lesbian literature. Thus, those who found the materials degrading — nonlesbians — were not deserving of equality protection, for "[i]n this new model, principle will be defined in terms of specific experiences, the particularity of history, substantively rather than abstractly. It will notice who is being hurt and never forget who they are" (p. 109).

With her argument that the constitutional equality guarantee should inform free speech doctrine, MacKinnon has brought the reader full circle, back to the opening pages of the book in which she attempts to link pornography to social inequality. The structure of the argument is simple: First, show that pornography harms women —

33. Throughout the book, MacKinnon makes clear that "offense" is neither her target nor her motivation. It seems unlikely then that she would ever approve a constitutional scheme whereby mere offense on the part of a member of a disadvantaged group would justify curtailing established First Amendment freedoms. The civil statute she and Andrea Dworkin drafted created a civil cause of action through which women *harmed* through pornography could sue to "prove its role in their abuse, to recover for the deprivation of their civil rights, and to stop it from continuing." P. 92. Offense, under this statute, is not among the harms constituting a deprivation of civil rights. Ronald Dworkin's fear, therefore, may direct itself to a straw man argument. Admittedly, however, MacKinnon does occasionally appear dismissive of the value of speech rights. See, e.g., p. 108 ("Wherever equality is mandated, racial and sexual epithets, vilification, and abuse should be able to be prohibited, unprotected by the First Amendment.")

34. See *Regina v. Keegstra*, [1990] 3 S.C.R. 697 (Can.).

35. See *Butler v. Regina*, [1992] 1 S.C.R. 452 (Can.).

36. Leanne Katz, *Censors' Helpers*, N.Y. TIMES, Dec. 4, 1993, at 15. It would seem that almost everyone — conservatives, liberals, artists, writers, activists — opposes MacKinnon's anti-pornography campaign. She does retain some powerful allies, however, including, apparently, Mother Nature. The vast majority of pornographic videos are produced in Southern California's San Fernando Valley — directly above the epicenter of the recent Northridge earthquake. *X-rated Industry Is Disrupted*, N.Y. TIMES, Jan. 31, 1994, at A11.

37. Katz, *supra* note 36, at 15.

that is, that it creates inequality. Next, show that pornography is similar to harassment, an issue the law already views as raising equality concerns. Finally, make a structural argument that the Constitution itself requires the law to examine pornography through an equality lens. This argument in itself does not appear particularly offensive, so we are still left with the question: Why have the reactions to the book and its author been so hostile?

The answer must lie not in what the book says but in how it says it. *Only Words* does not read like a law review article.³⁸ Instead, MacKinnon takes every opportunity to display her rhetorical strengths. She knows and uses the emotional punch of sharply visual and visceral language.³⁹ This style is often riveting, always challenging. Occasionally, however, the speed of MacKinnon's language seems to get the better of her. For instance, in an effort to force the reader to break out of a particular thought paradigm, she frequently simply pronounces that something *is* or *is not* something the reader probably never before thought it was or was not: "You find that the pictures, far from making what happened undeniable, are sex . . ." (p. 4). "What was words and pictures becomes, through masturbation, sex itself" (p. 25). These equivalences frequently seem to get caught in their own syntax and the point is lost: "In pornography, pictures and words are sex. At the same time, in the world pornography creates, sex is pictures and words. As sex becomes speech, speech becomes sex" (p. 26). "So-called speech that works as a sex act is not an argument. An orgasm is not an argument and cannot be argued with" (p. 63). "When words of sexual abuse are in our mouths, that is pornography, and we become pornography because that is what pornography is" (p. 66).

So what. My guess is that among the reasons MacKinnon chose to write *Only Words* as a book was to avoid the constraints student editors of law reviews impose on authors. The *Michigan Law Review*, for instance, would probably have required MacKinnon to footnote each of the equivalences quoted above. We would have advised her that her argument would be more accessible if she were to tone down some of her rhetoric. We would have asked her to provide readers early on with a roadmap to her piece, so as to guide the reader gently through her argument step by step.

Only Words, however, is a book, not a law review article. That MacKinnon made the risky choice⁴⁰ to write it in a discomfoting

38. With only 110 small pages of text and 192 endnotes, however, it is about the length of a moderately sized law review article.

39. See, e.g., p. 17 ("With pornography, men masturbate to women being exposed, humiliated, violated, degraded, mutilated, dismembered, bound, gagged, tortured, and killed. . . . The women are in two dimensions, but the men have sex with them in their own three-dimensional bodies, not in their minds alone. Men come doing this.").

40. I claim that MacKinnon *chose* to write *Only Words* the way she did because, in comparing this book with her other writings, it becomes obvious she *can* write in the traditional aca-

style is to her credit. Moreover, books, as evidenced by this issue of the *Michigan Law Review*, get reviewed. They get attention. *Only Words* has received attention largely because of the way MacKinnon wrote it. She must have intended this.

If so, then Catharine MacKinnon has pulled off something really quite clever. Her book, of course, *is* only words, yet it has incited unbridled anger and verbal abuse. Carlin Romano expressed his fury by imagining raping the professor. MacKinnon claims the publication of this fantasy actually raped her.⁴¹ Only words, yet look at the responses, look at the rage directed toward the professor. These responses and the anger and fear that lurk within them have in a sense become part of the text of *Only Words*; to read them is to read a part of what MacKinnon aimed to show. Like the pornography she hopes will someday reside only "in a glass case next to the dinosaur skeletons in the Smithsonian" (p. 110), MacKinnon's words have engendered real abuse, directed at her *as a woman*. In short, she has proved her point.

— David C. Dinielli

democratic mode. See, for example, her 1991 *Yale Law Journal* article: MacKinnon, *Reflections on Sex Equality Under Law*, *supra* note 30. She clearly knows how to write in a manner that garners critical approval. Telling is the newest paperback cover of *Feminism Unmodified*, which quotes a glowing review from the *New York Times*: "[*Feminism Unmodified*] is passionate, brilliant . . . [.] MacKinnon offers a systematic and persuasive perspective on issues that are central not only to feminism but to social theory in general." MACKINNON, *FEMINISM UNMODIFIED*, *supra* note 30, at front cover (quoting Alison M. Jaggar, *Male and Female, Men and Women*, N.Y. TIMES, May 3, 1987, § 7 (Book Review), at 3).

41. Richard Lacayo, *Assault by Paragraph*, TIME, Jan. 17, 1994, at 62.