

# Pornography and Accommodation\*

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#### Abstract

In "Scorekeeping in a Pornographic Language Game", Rae Langton and Caroline West borrow ideas from David Lewis to attempt to explain how pornography might subordinate and silence women. Pornography is supposed to express certain misogynistic claims implicitly, through *presupposition*, and to convey them indirectly, through *accommodation*. I argue that the appeal to accommodation cannot do the sort of work Langton and West want it to do: Their case rests upon an overly simplified model of that phenomenon. I argue further that, once we are clear about why Langton and West's account fails, a different and more plausible account of pornography's influence emerges.

According to Catharine A. MacKinnon (1993), pornography *subordinates* and *silences* women. Precisely what that might mean is far from obvious, and some authors (e.g. Parent, 1990) have argued that MacKinnon's view is incoherent. In a series of now well-known papers, however, Rae Langton has developed an interpretation of MacKinnon's claims that has struck many as promising: Pornography, or at least quite a lot of it,<sup>1</sup> subordinates women by establishing such socio-political 'facts' as that women's consent to sex is not required, and it silences women by

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<sup>&</sup>lt;sup>1</sup> Although MacKinnon uses the term "pornography" in a 'thick' sense, Langton does not always seem to follow her in this regard (see e.g. Langton, 1998, p. 92, esp. fn. 7). I myself prefer to use the term in a morally and politically neutral way, as seems more common in ordinary discourse: as applying, roughly, to sexually explicit media that, in some sense, and to some significant extent, is intended to facilitate sexual arousal in those who engage with it. (I doubt that any satisfying conceptual analysis is possible, but that only makes "pornography" like most other words.) That said, I'll not be particularly careful in what follows about when I'm talking about pornography quite generally and when I'm talking just about what we might call "misogynistic pornography". Context should make that clear enough.

establishing, for example, that a woman's "No" is not always a refusal, at least in a sexual context.

It is as essential to Langton's view as it is to MacKinnon's that pornography *establishes* such 'facts', and not just in a causal sense: Pornography is supposed to "make[] women socially inferior" (L&W, p. 306, my emphasis)<sup>2</sup> and to "make certain actions—refusal and protest unspeakable for women in certain contexts" (Langton, 1993, p. 324, my emphasis). Liberal 'defenders' of pornography have often been willing to grant that (a lot of) pornography communicates and even spreads despicable attitudes. But they regard such consequences as lamentable effects of pornography's regrettable success in the 'marketplace of ideas': Somehow, it manages to convince its audience to adopt the views about gender and sexuality that it expresses (see e.g. Cohen, 1996; Strossen, 2000). Langton, by contrast, argues that pornography does not just express or assert such claims but performs a different sort of speech act that *establishes* the truth of what it expresses: like when an umpire says "Out!" or a judge says "I find the defendant guilty". These are speech acts of the sort that J. L. Austin (1962, pp. 152-4) called 'verdictives'.

As Langton would later concede, however, pornography does not fit the classic Austinian model: "Its speakers do not officially, and authoritatively say, for example, 'I hereby subordinate'...". There is thus a need for a supplement that explains how pornographic speech might "nonetheless work in ways that are comparable to classic Austinian illocutions" (Langton, 2012, pp. 82–3). Providing such a supplement is one goal of the paper "Scorekeeping in a Pornographic Language Game", which Langton wrote with Caroline West. Their proposal is that pornography works its black magic through what David Lewis (1979) called 'accommodation'. According to Langton and West (L&W), the stories that pornography tells presuppose certain 'facts' about gender and sexuality, such as that women enjoy being raped. It is not that such claims are asserted explicitly, any more than someone who says "I wonder whether Jean regrets voting for Smith" explicitly asserts that Jean voted for Smith. But the stories pornography tells, L&W claim, make little sense if one tries to interpret them against a background in which it is assumed instead that women do not enjoy being raped (L&W, p. 312). In 'reading' pornography, then, one is forced to take its presuppositions on board, to 'accommodate' them, as Lewis would have us say. Pornography thus expresses its

 $<sup>^{2}</sup>$  References marked "L&W" are to Langton and West (1999).

misogynistic attitudes implicitly, through presupposition, and conveys them indirectly, through accommodation.

There is nothing in this account so far to which a liberal 'defender' of pornography need object. As noted above, many of Langton's opponents would agree that pornography expresses misogynistic attitudes about gender and sexuality and that it sometimes succeeds in instilling those atittudes in its audience. It is in response to such opponents that L&W attempt to show that certain features of presupposition and accommodation can help us to understand how pornography might, once again, "work in ways that are comparable to classic Austinian illocutions" (Langton, 2012, pp. 82–3), making women socio-sexually inferior by decree.

In the paragraph before the one from which I just quoted, Langton seems to describe her goal more modestly: to show how "pornography might have the illocutionary force of altering norms and social conditions, by legitimating, or advocating, certain beliefs, attitudes, and behaviour" (Langton, 2012, p. 82). Once again, there is much in that formulation with which Langton's liberal opponents could agree: They agree that pornography alters norms and social conditions by affecting people's beliefs and other attitudes; they very explicitly also think that it does so by advocating for those norms; etc. What makes Langton's view different is the claim that these effects are due to pornography works *like an Austinian performative* and makes women socio-sexually inferior just by saying that they are. The particular suggestion that L&W are making is that it does so through the mechanisms of presupposition and accommodation.<sup>3</sup>

I will be arguing that accommodation cannot do the work that L&W want it to do. The underlying difficulty is that they operate with a simplified model of presupposition that elides certain subtleties. In many settings, these do not matter, so many philosophical discussions operate with the same simplified model. In the present context, however, what the simplified model omits turns out to be crucial.

We'll proceed as follows. In section 1, we will review the notions of presupposition and accommodation. We will then briefly discuss, in

 $<sup>^3</sup>$  Both Jennifer Saul (2006b) and Louise Antony (2011) raise serious questions about whether pornography is sufficiently like speech for tools borrowed from speech act theory usefully to be applied to it. I'm sympathetic, especially where photographic and cinematic pornography are concerned (cf. Bauer, 2015, pp. 85–6), but I'll here grant L&W this assumption.

section 2, what L&W think pornography presupposes and so is able to convey through accommodation. That done, we'll consider, in section 3, some initial questions about the role L&W take accommodation to play, so as to bring that role into better focus. The core of the paper is section 4, which argues that it is far less clear than L&W suppose why pornography's presuppositions should persist beyond the local context in which they are introduced. But Langton has elsewhere endorsed the claim that pornography has a certain sort of authority concerning matters of gender and sexuality, and it is natural to suggest that this is what is supposed to explain the persistence of the presuppositions it introduces. I consider this proposal in section 5 and argue that Langton conflates two notions of authority. Once they are disentangled, a different and more plausible model of how pornography might influence its viewers emerges. We'll discuss that model in section 6.

#### 1 Presupposition and Accommodation

The notion of presupposition that is relevant to this discussion is what Robert Stalnaker (1970) called *pragmatic* presupposition. Before Stalnaker, presupposition was typically regarded as a 'logical' relation between a sentence and a proposition. Thus, Sir Peter Strawson (1950) famously argued that the sentence "The King of France is bald" presupposes that France has a king: If France has no king, then, or so Strawson tells us, the sentence has no truth-value. Since one's assertive utterances ought at least to be truth-evaluable, a sentence's presuppositions came to be seen as 'felicity conditions' on its utterance: One ought not utter a sentence whose presuppositions are not satisfied.

Stalnaker, by contrast, argued that the more fundamental notion is what someone presupposes. It would be better, on his account, to say that a person who assertively utters "The King of France is bald" makes it manifest that *they* are presupposing that France has a king. And, in so far as this sentence has a 'felicity condition', it is not that France should have a king but rather that it should be mutually presupposed, among the parties to whatever conversation is under way, that France has a king. These mutual presuppositions constitute what would later come to be called the 'common ground' of the conversation (cf. Stalnaker, 2002).

It was already realized in the early 1970s, however, that there are plenty of cases in which it is perfectly all right to utter a sentence even though its felicity conditions, in this sense, are not satisfied (Karttunen, 1974; Stalnaker, 1974). I might say to you, "I wonder whether Jean regrets voting for Smith", knowing full well that you do not know for whom Jean voted. But now you do know: You assume that I am aware what my utterance presupposes; you can therefore infer that I am myself presupposing that Jean voted for Smith; and, not seeing any reason not to do so, you join me. As Lewis (1979, p. 339) puts it, "Say something that requires a missing presupposition, and straightaway that presupposition springs into existence...", at least assuming that one's conversational partners do not object. This is the process that Lewis called *accommodation*.

Lewis (1979, pp. 344ff) himself speaks of there being a *rule* of accommodation, which he suggests may be a constitutive rule that partially defines what conversation is, much as the rules of chess define what chess is. Stalnaker (2002, \$3-5), by contrast, argues that there is no such rule and that accommodation is the result of broadly Gricean principles concerning the co-operative nature of conversation, an idea further developed by Mandy Simons (2003). Fortunately, we will not need to decide this issue here. I mention it only to deflect, in advance, any objection based upon a conception of accommodation as a 'rule'. It would surely be a mistake for L&W (or their sympathizers) to commit themselves to Lewis's particular view on this matter, since the issue remains unresolved (and certainly seems to be independent).<sup>4</sup>

We can now understand better what model L&W are proposing. Langton is more explicit about it in a later paper, parts of which were already quoted above:

Unlike the speech of a legislator, ... pornography [is] not usually spoken by officials uttering classic Austinian illocutions. Its speakers do not officially, and authoritatively say, for example, 'I hereby subordinate [women]'.... Such speech acts work more subtly. They may implicitly *presuppose* certain facts and norms, rather than explicitly enacting them; but these implicit presuppositions may nonetheless work in ways that are comparable to classic Austinian illocutions. Consumers then change their factual and normative beliefs by taking on

<sup>&</sup>lt;sup>4</sup> Although L&W (pp. 309–10) do tend to speak as if there were a 'rule' of accommodation, they do not, so far as I can see, actually rely upon that claim. But Mary Kate McGowan, whose work I will discuss in section 4.2, does seem to do so. See note 27 and the text to which it is attached. (That said, it will be evident in what follows that I tend to agree with Stalnaker about this matter.)

board the 'common ground' (in Robert Stalnaker's phrase), or the 'conversational score' (in David Lewis's phrase) that is presupposed in the pornographic 'conversation'. (Langton, 2012, pp. 82–3, emphasis original)

Note the role that is played here by "taking [the presuppositions] on board", that is, by accommodation. This is what allows the "pragmatic story", as Langton calls it, to "explain how speech can alter beliefs rather directly" (Langton, 2012, p. 84). Pornography that makes misogynistic presuppositions alters the common ground of the 'conversations' that occur when it is viewed, adding those presuppositions to it through the mechanism of accommodation.<sup>5</sup> But, Langton tells us, "... altering the shared 'common ground' just *is* altering the shared 'common belief'" (Langton, 2012, p. 84, emphasis original). These new beliefs will then "persist in... conversations with real women" (L&W, p. 313), in particular, in sexual interactions that men who have viewed misogynistic pornography have with women, something that turns out not to be so good for those women.<sup>6</sup>

In what follows, I am going to argue that the 'pragmatic story' is undermined by complexities of which L&W fail to take sufficient notice. The claim that pornography presupposes certain misogynistic facts that viewers must then accommodate does not, I will claim, help us to understand how pornography might have the sorts of effects that L&W claim it does. First, though, it will be worth discussing, at least briefly, what sorts of presuppositions L&W think pornography makes.

<sup>&</sup>lt;sup>5</sup> One might wonder whether this is true, even if we set aside cases in which the presuppositions are consciously rejected. Couldn't someone look at "Dirty Pool" (see below) and just be aroused by the photographs, without paying any attention at all to the story? If so, then its misogynistic presuppositions never get added to the common ground. But Langton needn't hold that those presuppositions are always added, only that, if someone is paying attention to the story, then they will get added. That would be enough for pornography to be able to silence women in some cases—though how many cases would be an open question.

<sup>&</sup>lt;sup>6</sup> Most philosophers who discuss pornography focus exclusively upon heterosexual pornography and its effect upon heterosexual relations. That is regrettable, for a variety of reasons, but L&W are no exception, so I'll focus on that case here. Edward D. Miller (2012) is an exception. Petra van Brabandt (2017) also discusses some queer pornography, though of a very artsy sort (see also van Brabandt and Prinz, 2012). Outside philosophy, much more attention is paid to such material. See, for example, Patton (1991), Beirne (2012), Ryberg (2015), Young (2017), and especially the now-classic Dyer (1985), which might well be regarded as birthing serious academic engagement with cinematic pornography.

## 2 What Does Pornography Presuppose?

L&W make some very strong claims about what pornography presupposes, namely, that "... 'Gang rape is enjoyable for men', or 'Gang rape is enjoyable for women' or 'Sexual violence is legitimate'..." (L&W, p. 312). These specific claims are made about a somewhat infamous pictorial, "Dirty Pool", that was published in *Hustler* magazine in January 1983, though L&W insist that this pictorial "is in many ways typical" (L&W, p. 311, n. 20). But L&W's interpretation of this particular pictorial might be questioned (see Heck, 2020a, §4), even if it had not been borrowed from an anti-pornography slideshow produced by a political organization with a definite agenda.<sup>7</sup>

Still, there certainly have been pornographic films that, at least arguably, make the sorts of presuppositions L&W mention. One example is *Behind the Green Door*, which was directed by the Mitchell Brothers and released in 1972. Gloria (played by Marilyn Chambers) has been abducted and taken to some sort of sex club. As a mime warms up the crowd, Gloria is prepared for what is to happen to her. Six women lead her onto the stage, and an announcement is made to the audience:<sup>8</sup>

Ladies and gentlemen, you are about to witness the ravishment of a woman who has been abducted. A woman whose initial fear and anxiety has mellowed into curious expectation. Although at first her reactions may lead you to believe that she is being tortured, quite the contrary is true. For no harm will come to those being ravished. In the morning, she will be set free, unaware of anything except that she has been loved as never before. ...So, with the knowledge that you are powerless to stop the performance, just relax and enjoy yourself to the fullest extent.

<sup>&</sup>lt;sup>7</sup> L&W's characterization of the pictorial is taken from a paper by Catherine Itzin (1992, p. 30), who, in turn, is simply quoting a presentation developed by the group Organizing Against Pornography. According to the Minnesota Historical Society (2019), this group, which was founded in 1984 as the Pornography Resource Center, "was actively involved in the passage by the Minneapolis City Council of an anti-pornography ordinance, which had been prepared by Catharine MacKinnon in 1983".

<sup>&</sup>lt;sup>8</sup> My attention was drawn to *Green Door* by Linda Williams's discussion of it (Williams, 1989, pp. 156–60). As it happens, Williams does not get the announcement quite right. It is not easy to understand. I had to listen to it several times, and I'm still not sure I've got it right.

In fact, Gloria is still 'reluctant' when her 'ravishment' begins, but she is soon overcome by her own arousal and before long seems to be participating enthusiastically. Arguably, then, *Green Door* does presuppose the rape myth that women, even when initially 'reluctant' to engage in sexual activity, will sometimes enjoy themselves in the end.<sup>9</sup>

Whether very much contemporary pornography makes such presuppostions is obviously an empirical question, however, and my own view is that hardly any does (Heck, 2020a, §3). But, for our purposes here, we can set the question aside. Although there is plenty of pornography nowadays that is, or so I would argue, not particularly sexist, it is also true that there is quite a lot of mainstream pornography that is sexist (to a greater or lesser degree), and I strongly suspect that such pornography helps perpetuate sexism (and, indeed, other forms of oppression). So it's a nice question whether the notion of accommodation might help us understand how pornography effects harm, even if it turns out to do so in ways more subtle than by propogating rape myths.

For the sake of argument, then, I'll assume henceforth that the sorts of presuppositions L&W claim to find in pornography—ones concerning the legitimacy of sexual coercion, for example—are indeed widespread.<sup>10</sup>

#### 3 How Much Accommodation?

There's an obvious sort of worry about L&W's analysis, one I've encountered several times in conversation (and in teaching their paper). As we'll see, this worry is misplaced, but discussing it will help us better to understand the role that accommodation plays in L&W's account. More importantly, doing so will help us to isolate what I take to be the crucial question about their account.

Suppose that Fred has never before watched pornography. One day, though, he decides to watch *Behind the Green Door* and so is forced to accommodate the film's misogynistic presuppositions. A few days later, Fred watches *Joy*, a 1975 film that, according to Linda Williams (1989, p. 165), "begins with the rape of a high school virgin who...yells out at her

 $<sup>^9</sup>$  Darren Kerr (2012) has argued for a more progressive reading of *Green Door*, but I'll not interrogate the more common reading here.

 $<sup>^{10}</sup>$  For what it's worth, I am far from sure that the notion of presupposition is very helpful in this context, but I'll not challenge that aspect of L&W's position here. I'll note, however, that the account given in section 6 need not assume that pornography *presupposes*, say, that anal sex does not require special consent.

attackers as they flee that she wants 'more'...".<sup>11</sup> The presuppositions this film makes look very much like the ones *Green Door* (allegedly) makes. If so, however, then those presuppositions are already in place, and Fred will not need to accommodate them.

This is just one example, of course, but it generalizes, because the sorts of presuppositions (we're assuming) that pornography makes have to be very general if they're to be widespread, and they need to be widespread if pornography is to have the sorts of effects L&W claim it does. But then it's unclear how large a role accommodation can really play: Once you've watched one film, you've already been forced to accommodate its presuppositions; you don't need to accommodate them again when you watch the next one.

But L&W can readily agree that pornography's presuppositions will only need to be accommodated initially.<sup>12</sup> Indeed, L&W's view is explicitly that misogynistic attitudes are both "introduced *and reinforced* by pornography" (L&W, p. 314, my emphasis). They are introduced when Fred first watches *Green Door*. And it seems as if L&W can happily allow, too, that it may take more than one film for Fred really to get the message that pornography is speaking.<sup>13</sup> Eventually, though, Fred will get it. Once he's got it, that doesn't mean the message is no longer there, that is, that the presuppositions are no longer made, nor even that they no longer have an effect. They may not now be so noticeable, because they fit so easily with what Fred takes himself already to know, and thus seem to confirm it. That, then, is the way in which pornography reinforces its misogynistic presuppositions, functioning after those presuppositions have been accommodated more as a reminder than as a news flash.

One might, however, still want to insist that L&W very much need to claim that pornography is, at least often, responsible for introducing such presuppositions. Their view, remember, is that pornography "in some sense *makes* women socially inferior, and *makes* sexual violence normal and legitimate" (L&W, p. 306, my emphasis). But suppose that the sorts of socio-sexual norms that pornography presupposes were independently

<sup>&</sup>lt;sup>11</sup> I have not seen this film but am prepared to accept Williams's description of it.

<sup>&</sup>lt;sup>12</sup> Accommodation is (and was originally introduced as) the exceptional case. Ordinarily, the presuppositions of one's utterances are antecedently in place. The mistake was to think that they always are.

<sup>&</sup>lt;sup>13</sup> There is apparently a very different notion of accommodation, used in sociology and related fields, on which it can take a very long time for something to be accommodated. To be sure, L&W clearly have Lewis's model in mind, and Lewis-style accommodation is supposed to be all but instantaneous. But it needs argument that they cannot be more flexible. (Thanks to Jason Stanley here.)

prevalent in the culture. Then pornography would, for the most part, only serve to reinforce attitudes that people had acquired before they encountered it. In that case, we presumably would not wish to say, with MacKinnon, that *pornography* subordinated and silenced women but only that it helped to sustain other social structures that did so. That would be a bad thing, no doubt, but it would be a very different bad thing.

And the sorts of socio-sexual norms that L&W claim pornography presupposes *are* independently prevalent in our culture. Consider, for example, the myth that women often refuse sex they actually intend to have.<sup>14</sup> This is hardly part of an ideology that is special to, or that originated with, pornography. On the contrary, such attitudes are as widely presupposed in other forms of popular culture as they are in pornography, and they have been for a very long time.<sup>15</sup> The fact that Fred has never before watched a pornographic film therefore gives us no reason to suppose that he has not previously been exposed to, and already absorbed, the sorts of presuppositions made by misogynistic pornography. The point here is not just the familiar one that sexism long pre-dates pornography. Rather, the point is that there is no easy path from claims about what pornography presupposes to the claim that pornography ever *introduces* those presuppositions.

To put the point differently, the cultural ubiquity of the norms that pornography (allegedly) presupposes makes it far from obvious why it should have any special role in getting viewers to accept those norms. On the contrary, it seems likely that there are complex interactions between pornography, other forms of popular media, and other sources of socio-sexual norms (such as religious and cultural traditions), all of which have a role to play. Maybe pornography is especially efficacious, its sexually explicit character making the attitudes it presupposes seem to have a special urgency. But *why* sexually explicit media should be a particularly effective messenger seems to be little discussed, either in philosophy or elsewhere.<sup>16</sup>

<sup>&</sup>lt;sup>14</sup> There's an interesting history to empirical work on this particular myth. Nicola Gavey (2005, esp. Ch. 2) discusses it at some length. I argue elsewhere that this work casts serious doubt upon the claim that pornography silences women, at least as Langton understands that claim (Heck, 2020a, §2).

<sup>&</sup>lt;sup>15</sup> Margaret Jackson (1984) discusses the ubiquity of such myths in sex advice books, and sex research, in the early twentieth century. Going much further back, A. W. Eaton (2012a) discusses the eroticization of rape in renaissance painting.

<sup>&</sup>lt;sup>16</sup> Langton (2017, p. 25) claims that pornography "works in part by harnessing the power of sexual desire, arousal, and orgasm", but she does not explain how. Gail Dines,

I confess that, for a time, I thought that the line of argument just rehearsed seriously undermined L&W's claim that pornography 'makes' women socio-sexually inferior. But it doesn't. Even if the problematic norms are culturally ubiquitous, that does not imply that pornography does not, in some important sense, 'establish' those norms by introducing them into the common ground of pornographic conversations. Suppose that Fred has somehow managed to free himself from the sorts of rape myths prevalent in our culture. One day, though, he foolishly decides to watch Behind the Green Door. In order to engage with the film, Fred must accommodate its misogynistic presuppositions. Otherwise, the film would make no sense. Just watching the film thus threatens to undo all Fred's hard work. So what misogynistic pornography does, on this account, is inevitably to pull its viewers into a world in which sexual violence is normal and legitimate, re-establishing such norms for them, whenever that should need doing, and reinforcing them otherwise. To be precise, then, what we should say is probably that misogynistic pornography helps to *maintain* those norms, however they were originally established, and thereby helps maintain the patriarchy.

Whether such norms also have other sources would thus seem to be irrelevant to the question whether pornography "makes sexual violence normal and legitimate" (L&W, p. 306). It is easy to hear that claim as: Pornography is what makes sexual violence normal and legitimate. So read, the claim implies that sexual violence would not be normal and legitimate but for pornography. But, in fact, nothing prevents L&W from conceding that other things also legitimate sexual violence. To be sure, there is a familiar sort of anti-pornography rhetoric that tends to give a different impression—pornography is the root of all misogyny—and it is an old complaint that anti-pornography feminists overstate the role that

a sociologist, frequently alludes to the special efficacy of sexually explicit media, for example, in this passage:

By the time they first encounter porn, most men have internalized the sexist ideology of our culture, and porn, rather than being an aberration, actually cements and consolidates their ideas about sexuality. And it does this in a way that gives them intense sexual pleasure. This framing of sexist ideology as sexy and hot gives porn a pass to deliver messages about women that in any other form would be seen as completely unacceptable. (Dines, 2010, pp. 87–8)

But Dines never really explains how or why pornography should be particularly good at instilling such messages. (Note also that Dines comes close to denying that pornography's presuppositions ever need accommodating.) Eaton (2007; 2017) is the only philosopher I know who does seriously address this question.

pornography plays in effecting and sustaining women's subordination (see e.g. Vance and Snitow, 1984). But what I have been arguing here is that L&W's central claim survives this observation, important though it may otherwise be.<sup>17</sup>

### 4 The Persistence Problem

Summarizing their discussion of silencing, L&W write: "Our suggestion is that the presuppositions introduced by the pornographic conversations [e.g., that women do not always mean *no* by 'No'] persist in...conversations with real women" (L&W, p. 313). That these presuppositions persist beyond the context in which they are introduced is obviously essential. For suppose that viewers of misogynistic pornography could simply discard its misogynistic presuppositions after engaging with it. Then their being forced to accommodate those presuppositions while viewing misogynistic pornography would have no effect on women with whom they later interacted; those presuppositions would long since have been forgotten.

In this section, then, we will consider what I shall call 'the persistence problem': Why should we suppose that pornography's presuppositions are liable to persist beyond the local context in which they are introduced? L&W do address a version of this problem, one that arises from the fact that pornography is often fictional, and we'll consider their discussion in section 4.3. But the worry about persistence has deeper roots.

## 4.1 Presupposition as Local

In many of his discussions of presupposition, Stalnaker operates with what he describes as a 'simple model' according to which the common ground consists of mutually held beliefs (Stalnaker, 1974, p. 49; 2002, p. 704): What I presuppose is what I believe we all believe.<sup>18</sup> But, in general, presuppositions are not beliefs (Stalnaker, 1974, p. 52; 2002, §5). The most common counter-examples are explicit suppositions. "Suppose Alex is a spy", I might say, inviting you to reason with me under that

<sup>&</sup>lt;sup>17</sup> What may not survive it is the political significance of the claim. If, as I suggested above, there is not much pornography that makes the sorts of misogynistic presuppositions that L&W think are common, then eliminating misogynistic pornography (were that possible) might not have much of an effect on gender inequality.

<sup>&</sup>lt;sup>18</sup> And what I believe we all believe we all believe, etc, so that the structure of presupposition has a familiar iterative structure.

supposition. Then, assuming you do join me, our conversation proceeds until further notice with the presupposition that Alex is a spy in place. Thus, it is now acceptable for you to say, "Then Sam must be a spy, too". The word "too" is a so-called presupposition trigger: Use of that word is felicitious, in this case, only if it is presupposed that some other conversationally relevant person is a spy. That this utterance is felicitous shows that it really is being presupposed that Alex is a spy.

Other sorts of cases reinforce this point. Imagine Tony says to you, "Jean doesn't know that Alex is a spy". Not yourself believing that Alex is a spy, you might challenge them. But you might just decide to play along, perhaps in an effort to learn more about Tony's peculiar worldview. If you do, then the presupposition that Alex is a spy is once again in effect, this time through accommodation. The felicity of the question "Do you think Sam might be a spy, too?" makes this plain.

One-sided 'conversations' will frequently exhibit this sort of structure. Imagine reading, on a certain sort of website, "Some people have speculated that Michelle Obama was also born in Africa". No one who is familiar with recent American politics would need to pause over the presupposition triggered by "also". One knows exactly what is being presupposed (that Barack Obama was born in Africa), and one can easily accommodate that presupposition for the duration of the article. Of course, one can also refuse to do so, but, if the author relies extensively upon this presupposition, that may make it difficult for one to make sense of what follows. In order to engage with the article, one has to play along.

The terms usually used in this connection are "accept" and its cognates (Stalnaker, 2002, p. 715). So, in the converations described a couple paragraphs ago, we would be said to 'accept' that Alex is a spy. But our accepting it amounts to different things in different cases, and this technical notion of acceptance must be sharply distinguished from nearby notions. Acceptance, in this sense, is in no way a dilute form of belief.<sup>19</sup> Supposition utterly lacks the 'truth-directed' character of belief, and what you 'accept' in the context of a particular conversation can even contradict what you actually believe, as two of the examples just given show.

<sup>&</sup>lt;sup>19</sup> The notion of 'acceptance' is sometimes used this way in discussions of various forms of instrumentalism: So one might 'accept' some scientific theory without actually believing it and, in particular, without accepting the ontological claims it makes. The notion of 'acceptance' needed in linguistic theory is not that notion.

There is another way in which presuppositions differ from beliefs, one that is even more important in the present context. One's beliefs are (in general) independent of any conversation in which one may happen to be engaged. Presuppositions, by contrast, are (in general) local to a given conversation. The examples given above once again illustrate this point: We are making a supposition, or are playing along, only for the duration of a certain conversation. So, as Stalnaker (2002, p. 716) puts it, one's presuppositions at a given time are what one is prepared to take for granted *for the purposes of the conversation in which one is engaged at that time*. The italicized qualification is essential. I am not prepared, at any time, to take it for granted *simpliciter* that Alex is a spy. If I were, I would contact the relevant authorities.

The simplified model encourages neglect of such subtleties. If what's presupposed is also believed, then presuppositons are not 'local'. New beliefs acquired through accommodation just do persist after the current conversation ends, simply because they are new beliefs. But presuppositions are not always believed, and the case in which they are not believed is, as far as conversational dynamics are concerned, utterly unexceptional: The same mechanisms that are at work when presuppositions are believed are also at work when they are not believed. That was a large part of Stalnaker's point.<sup>20</sup>

It is not, of course, as if no presuppositions are trans-conversational. Information gleaned through accommodation can and often will persist beyond the local context. That is what happens, for example, in the case mentioned earlier, in which you learn through accommodation for whom Jean voted. But, in general, we cannot just assume that presuppositions that are introduced through accommodation (or any other mechanism) will persist beyond the local conversation, even when the conversation is intended to be serious and factual rather than playful or counterfactual.<sup>21</sup>

 $<sup>^{20}</sup>$  In one place, Langton (2012, p. 84) acknowledges this fact, but then dismisses its significance, writing: "...[B]asically, on Stalnaker's approach the shared common ground is identified with certain belief-like propositional attitudes of the speakers...". But, while acceptance is belief-like as opposed to desire-like or intention-like, it is not belief-like in the way that matters here. In that sense, counterfactual supposition is also belief-like.

<sup>&</sup>lt;sup>21</sup> Naomi Wieland (2007, pp. 443–5) raises a similar question, though in a very different context. She offers Langton the view that, in pornography, the meaning of the word "No" has actually changed: "No" *literally* means *yes* within pornography itself. There then arises the question how that change spreads to (some) real-life sexual contexts. Wieland

With all that in mind, then, let us return to the case of Fred, who has not previously subscribed to rape myths but is now watching *Behind the* Green Door. It may well be that, in order to engage with the film, he must accommodate its presuppositions. In that sense, the film pulls Fred into a world in which sexual violence is legitimate. But his ability to make sense of the film does not depend upon his accepting its presuppositions in any sense other than the technical one, and he need not accept those presuppositions for any longer than the duration of the film. Indeed, Fred might explicitly reject the truth of what the film presupposes and accept its presuppositions only somewhat reluctantly.<sup>22</sup> Indeed, many viewers of pornography seem to be in this kind of position: They regard the presuppositions made in much mainstream pornography as distasteful (at best), but they are willing to go along with them because (i) they have reasons to want to engage with pornography, and (ii) they are either (a) unaware of the sort of pornography that at least strives to offer an alternative to what is most readily available on the web,<sup>23</sup> or (b) are for some reason unable to access it.<sup>24</sup>

The point is not just that Fred *can* accept such presuppositions without believing them, i.e., that viewers of pornography *need not* believe what it presupposes. L&W can readily concede that not all viewings of pornography result in women's being (further) subordinated. The point, rather, is that we cannot explain, e.g., why viewers of *Green Door* and similar films regard some women's attempts to refuse sex as insincere—that is, why these films silence women—simply in terms of viewers' having to

does tell a story about this, on Langton's behalf, but, as Ishani Maitra and Mary Kate McGowan (2010, §3) argue in their reply, it has all kinds of problems.

<sup>&</sup>lt;sup>22</sup> One might regard Fred's willingness to accommodate such presuppositions as morally problematic. Whether it is will depend upon how exactly he is engaging with the film, an issue that is far too complex to discuss here. Related issues are discussed in aesthetics under the title "The Puzzle of Imaginative Resistance" (see e.g. Gendler, 2000). There are also very general issues in aesthetics about the relation between aesthetic value and ethical value—often discussed under the label 'immoralism'—that would also be worth considering in this connection (see e.g. Carroll, 1996; Eaton, 2012b).

<sup>&</sup>lt;sup>23</sup> The cultural invisibility of 'ethical pornography' is a problem in its own right, but not one I shall discuss further here—except to remark that one way to counteract the negative social effects of pornography as it currently exists is, at least arguably, to encourage and support queer and feminist pornography and the people making it (cf. Eaton, 2017; French and Hamilton, 2018).

 $<sup>^{24}</sup>$  A student once remarked to me that, although she knew of such alternatives, they seemed to be available only if one was willing to pay for them. To which I could only respond, borrowing from Jiz Lee (2015), that 'ethical porn starts when we pay for it'.

accommodate the presupposition that "No" sometimes means  $yes.^{25}$  If viewers merely accept this presupposition (in the technical sense) while they are watching the film, and discard it thereafter, then there will be no such effects. But that is what accommodating a presupposition is: accepting it for the purposes of the conversation in which one is then engaged.

## 4.2 McGowan on Conversation Exercitives

As we'll see below, L&W probably do not intend to explain how pornography might "work in ways that are comparable to classic Austinian illocutions" (Langton, 2012, pp. 82–3) simply in terms of presupposition and accommodation. Mary Kate McGowan, however, does seem to want to do so.<sup>26</sup>

McGowan (2003, p. 161) agrees with L&W that pornography silences women by "enact[ing] permissibility conditions for the (heterosexual) sociosexual arena", thereby making certain conversational moves that women might wish to make infelicitous (e.g., sexual refusal). McGowan (2003, pp. 167–8) doubts, however, that pornographers have any special authority of the sort that Langton and MacKinnon ascribe to them (as we will discuss in section 5). She therefore sets out to argue that pornography might enact the relevant norms anyway.

McGowan (2003, p. 169) first claims that every "conversational contribution invoking a rule of accommodation changes the bounds of conversational permissibility". The argument is brief:

Since rules of accommodation make the [conversational] score automatically adjust<sup>27</sup> so that what actually happens counts as fair play, any conversational contribution that invokes a rule of accommodation thereby changes the score. Since what counts as fair play [e.g., felicitous assertion] depends on the score, changing the score changes the bounds of conversational permissibility. (McGowan, 2003, p. 173)

Since pornography works through accommodation, then, engaging with it must change what is conversationally permissible.

 $<sup>^{25}</sup>$  Just as a reminder: I do not necessarily agree that women are silenced in this way. See note 14.

<sup>&</sup>lt;sup>26</sup> In a later paper, Langton (2012, pp. 83–4) seems to endorse McGowan's approach.

<sup>&</sup>lt;sup>27</sup> This claim seems to depend upon there really being a *rule* of accommodation. It also seems to ignore the fact that presuppositions can always be challenged, something McGowan (2009, p. 396) elsewhere dismisses as a "complication".

In fact, however, accommodation has nothing to do with it: *Every* utterance alters the conversational score, if only by entering into the common ground the presupposition that the utterance was made (Stalnaker, 2002, pp. 708–9). So every utterance alters the bounds of conversational permissibility. This need not trivialize McGowan's view, since, as she puts it, "... we can be discriminating about exercitives by being discriminating about the permissibility facts enacted" (McGowan, 2003, p. 176). That is, McGowan can reasonably insist that what is problematic about pornography is not the mere fact that it enacts permissibility facts—all utterances do so-but what kinds of permissibility facts it enacts. But then it is hard to see that any real progress has been made: The problem, as seen from within McGowan's framework, was always to say what kinds of permissibility facts pornography is able to enact. Does pornography only enact norms that affect pornographic conversations? Or is it able to enact norms that affect women's real-life sexual interactions with men?

In explaining how, on her view, pornography might silence women, McGowan offers the following example:<sup>28</sup>

... [C]onsider a pornographic scenario where the woman says "No" but in which she is depicted as clearly communicating her sexual consent. This type of pornography...might, in some contexts, enact a norm such that saying "No" counts as an insincere refusal (and cannot count as a sincere one). (McGowan, 2017, p. 55)

But even if we assume that pornography can enact such a norm, why should we suppose that it should apply outside the pornographic scenario in question? The only permissibility facts an utterance is guaranteed to affect are those concerning the permissible moves in the specific conversation of which it is a part. The point, once again, is not just that the new norm *need not* persist. The point is that accommodating such a norm only requires accepting it, in the technical sense, for the purposes of the 'pornographic conversation' in which one is then involved. That is what accommodation is. So we cannot explain how pornography enforces

<sup>&</sup>lt;sup>28</sup> It really isn't clear what the problem is supposed to be if the woman has, indeed, "clearly communicat[ed] her sexual consent". Consent need not be verbally expressed, and a verbal "No", in the presence of a *clear* non-verbal "Yes", might figure as part of a role-play and be experienced as erotic by both partners. But then there are all kinds of issues here about role-play, sexual fantasy, and the like, that we cannot consider here (but see Kukla, 2018; Heck, 2020b).

socio-sexual norms that silence real women simply in terms of the abstract structure of conversational dynamics, as applied to 'pornographic conversations' in which the real women affected by those norms are not involved.

## 4.3 Challenging Presuppositions

As mentioned above, L&W address a form of the persistence problem in their discussion of the fictional character of much pornography.<sup>29</sup> Fiction often proceeds against a 'background' of fact or, as L&W emphasize, of purported fact. A reader who successfully identifies such background 'facts' can then learn something about the real world (e.g., how the streets of London are laid out) or, potentially, *mis*learn falsehoods (e.g., that women are socio-sexually inferior).

There should be no doubt that this kind of thing can happen. But, in the present context, the observation raises at least as many questions as it answers. Do pornographers actually make the sorts of "authorial moves" required to make it evident to their readers that such 'facts' as that women enjoy rape are supposed to be part of the factual background (L&W, p. 316)? Probably it would be better to regard pornographers as what L&W call "background blurrers" who instead *fail* to make the sorts of "authorial moves which enable readers to distinguish background from mere fiction". If so, then it will presumably be possible for some viewers to "mistake fiction for background, and learn what should not be learned" (L&W, p. 317).

But what reason is there to suppose that a significant number of viewers do regard pornography's misogynistic presuppositions as part of the intended factual background? Even if some do, why should we suppose that they will be inclined to accept pornographers' judgements as gospel (cf. Barker, 2014, p. 144)? L&W mock the 'liberal' view that pornography aims to presuade its viewers of certain socio-sexual opinions, insisting that "Pornography is designed to generate, not conclusions, but orgasms" (L&W, p. 305).<sup>30</sup> To be sure, little mainstream pornography aims to

 $<sup>^{29}</sup>$  Most pornography, I would argue, traffics not so much in fiction as in *fantasy*. The difference between these two notions, which L&W (pp. 306, 314) conflate, becomes crucial when the question is what pornography presupposes (cf. Liao and Protasi, 2013; Heck, 2020a), but we can set the matter aside here.

<sup>&</sup>lt;sup>30</sup> As Saul (2006a, p. 60, fn. 6) points out, pornography is not particularly effective, by itself, at producing orgasms. The point will not matter here, but it will matter a great deal when it comes time to think realistically about how people engage with pornography.

alter its viewers' opinions. But nor do people who watch pornography typically do so in order to learn about the social status of women. Even if viewers do "mistake fiction for background", then, it is unclear why doing so should lead them to "learn" anything at all. So the question remains: What reason do we have to suppose that the presuppositions that pornography introduces into the local context are liable to persist beyond it?

At one point, L&W suggest that pornography's power to "affect[] the score of the sexual language game" might rest, in part, on "the nature of presupposition itself, which—as we remarked earlier—is inherently more difficult to challenge than outright assertion" (L&W, p. 313). There is something to this thought, but L&W's way of expressing it is at best misleading. What they had said earlier was:

... [W]hen something is introduced as a presupposition it may be harder to challenge than something which is asserted outright. A speaker who introduces a proposition as a presupposition thereby suggests that it can be taken for granted: that it is widely known, a matter of shared belief among the participants in the conversation, which does not need to be asserted outright. ... A challenger faces the cost of contradicting not simply the speaker, but the general opinion. (L&W, pp. 309–10)

What L&W say in the first sentence is, as we shall see below, correct. But the claims that follow are false, at least if they are intended (as they clearly are) as general remarks about "the nature of presupposition".

Consider an example discussed above, in which you learn through accommodation that Jean voted for Smith. Your informant need not suppose that fact widely known; she may even know that it is not and choose to convey it implicitly for that very reason.<sup>31</sup> Many of the other sorts of examples that commonly appear in the literature on accommodation can be used to make the same point, for example, utterances involving definite descriptions. If I say, "I can't make the meeting because I have to take my cat to the vet", that presupposes that I have a cat. If you didn't already know that I have a cat, you will have to accommodate (unless you

 $<sup>^{31}</sup>$  Stalnaker (1974, p. 201) already describes the abstract structure of such cases, though he does not give any specific examples. He wrongly supposes, however, that the speaker must be pretending that the presupposed material is already part of the common ground. It is part of what makes Lewis's discussion important that he avoids that trap.

object). But the only sense in which I'm suggesting that it can be 'taken for granted' that I have a cat is the technical sense discussed above. I need not be suggesting that it is common knowledge that I have a cat.

What passes for 'common knowledge' typically is part of the common ground. I do normally presume that other speakers will know who the president of the United States is, what day it is, and so forth. But what's part of the common ground, in any given conversation, need not be widely known (or even known at all). It needs, by definition, to be mutually accepted, but only among the participants in the present conversation, and only after it has been accommodated. So it is not true, even in quite ordinary cases, that what is presupposed is widely known.

Nonetheless, there is a sense in which presuppositions are, in general, more difficult than assertions to challenge, namely, that challenging them requires redirecting the conversation.<sup>32</sup> But that is all. It is not as if it is especially difficult to say, "Did Jean really vote for Smith?" or "I didn't know you had a cat!"<sup>33</sup> Nor is there anything conversationally inappropriate about such statements. It's just that making either would amount to changing the subject, even if only briefly.

H. P. Grice (1989, p. 26) famously remarked that "... each participant recognizes in [a given conversation], to some extent, a common purpose or set of purposes, or at least a mutually accepted direction". There are ways in which this 'conversational direction' seems to track the distinction between content that is asserted and content that is merely presupposed. Someone who says "I wonder whether Jean regrets voting for Smith" is, in effect, proposing to discuss Jean's feelings about Smith's performance since the election, not Jean's voting record (nor, for that matter, the reasons for the speaker's curiosity). That is what is 'at-issue' in the speaker's remark, to use the now current terminology.<sup>34</sup> To question 'not-at-issue' content—such as merely presupposed content—is thus to shift the conversation away from the direction suggested by one's interlocutor.

 $<sup>^{32}</sup>$  This is sometimes called 'derailing', but that term has acquired a derogatory sense nowadays that would be completely inappropriate to the phenomenon we are discussing here.

<sup>&</sup>lt;sup>33</sup> Note how the special features of this case affect it. People do normally know whether they have cats, so challenging the presupposition directly would involve an accusation either of serious confusion or of lying.

<sup>&</sup>lt;sup>34</sup> This term seems to have been made popular by Christopher Potts (2015), who reports that it is originally due to William Ladusaw.

It seems reasonable, then, to suppose that there may be social costs associated with challenging presupposed material. I seriously doubt that these are great enough to do the work L&W need done, but we need not pursue that question. For our purposes, it is irrelevant what is involved in openly challenging presupposed material. The question we have been discussing is what reason we have to believe that the presuppositions introduced by pornography persist beyond the local context. As we saw earlier, there is no requirement that one challenge presuppositions one does not oneself believe, even in cases where it is clear that the speaker does believe them, and even when the speaker seemingly expects you to share their belief. One can just silently 'accept' those presuppositions for the duration of the conversation and discard them when it is over.<sup>35</sup>

This point applies all the more in the case of 'one-sided' conversations, such as viewing pornography. One can voice one's rejection of a given presupposition to oneself, as it were, but there are no social costs to doing so. And, having done so, one can then simply accommodate the presupposition—accept it, in the technical sense—and proceed. Nothing in the 'nature of presupposition', then, will help us to understand how pornography propagates its presuppositions beyond the local context.

## 5 Two Types of Authority

Following MacKinnon, L&W assume that pornography has special authority concerning matters of gender and sexuality, and they indicate that their "conclusion about pornography's power to subordinate and silence women requires th[is] premise about pornography's authority" (L&W, p. 306). It's a natural suggestion, therefore, that L&W might invoke pornography's authority to explain how it propagates its misogynistic presuppositions beyond the context of viewing.<sup>36</sup>

<sup>&</sup>lt;sup>35</sup> I have heard it suggested that at-issue content demands one's cognitive attention, so one might be less attentive to not-at-issue content and therefore be more inclined to accept it without reflection. The question is, presumably, emprical, and my understanding is that there is no very strong evidence for this sort of claim (to say the least). But, insofar as there is such a phenomenon, it is surely sensitive to how plausible the presupposed content antecedently is: The presupposition that the earth is flat will not just be absorbed the way the presupposition that I have a cat is. That takes us back to the sorts of worries discussed in section 3.

<sup>&</sup>lt;sup>36</sup> Langton (2012, p. 83) also describes McGowan's view as differing from the one she and West develop precisely because it does not require pornographers to have any special authority.

Indeed, L&W seem to make something very much like this move in their discussion of the fictional character of pornography: "Where the background propositions in a fiction are partly false", they write, "a reader expecting authorial reliability on background propositions may acquire false beliefs" (L&W, p. 316). So, the thought might be, pornography's authoritative status with regard to gender and sexuality leads viewers to trust its (implicit) pronouncements on those topics, and that leads them to take its misogynistic presuppositions on board not just while watching but more permanently.

It is much disputed whether pornography has any special authority.<sup>37</sup> But set that aside. There is a serious danger of equivocation here. The sort of authority that is important in the context of Langton's analysis of subordination and silencing is supposed to be comparable to that of a judge or an umpire: someone who can, through a particular sort of speech act, *make something so*. A reader who is "expecting authorial reliability", by contrast, is simply granting the author *epistemic* authority. As Louise Antony (2017, pp. 79ff) has emphasized, however, this is authority in entirely different sense.<sup>38</sup>

Langton (2017, p. 33) has recently acknowledged her prior neglect of this distinction, but then proceeds to argue that its two sides are closely enough connected for her purposes. Epistemic authority, she writes, "is usually a felicity condition for the issuing of authoritative statements of fact... (e.g., an umpire says 'The ball is out')". But this example makes Antony's point for her. As John McEnroe would be happy to tell you, an umpire's incompetence, though it might eventually get them fired, is not incompatible with their having the authority to declare a ball out.<sup>39</sup> Such statements are authoritative only in a legalistic sense: As far as further play is concerned, the ball was out, even if it clearly ought to have been called in. Something similar is true in the case of another example that Langton (2017, p. 33) discusses: Knowledge of medicine is typically required for a medical license, but it is the license, not the knowledge, that gives someone the authority to *make it the case*, just by saying so, that someone may be supplied with otherwise prohibited

<sup>&</sup>lt;sup>37</sup> There is now a large literature on this issue. See e.g. Green (1998); Langton (1998); Wieland (2007); Maitra and McGowan (2010).

<sup>&</sup>lt;sup>38</sup> I stumbled upon this point myself shortly before Antony's paper was published. Nancy Bauer (2015, pp. 79–80) comes close to making this same charge.

<sup>&</sup>lt;sup>39</sup> One of the greatest tennis players in history, McEnroe was famous for arguing with the officials.

drugs.<sup>40</sup> In particular, the legal implications of a doctor's prescription do not depend upon the correctness of their diagnosis.<sup>41</sup>

Langton sometimes speaks as if pornographers are like the members of the Marylebone Cricket Club, just with the power to decide the rules of the 'sexual language game' rather than those of cricket. That is the claim that, as I mentioned earlier, is much disputed.<sup>42</sup> What I have been arguing, in effect, is that Langton has conflated that claim with a far more plausible one in the same vicinity: that (some) viewers of pornography think that pornographers are simply *better informed* than they are about certain subjects. Indeed, not even that much is required. Perhaps what (many) viewers of pornography think is just that it conveys the unvarnished truth about sexuality, whatever the attitudes of its producers.<sup>43</sup> But that is a claim that L&W's opponents can freely accept. Indeed, it is one they might want to emphasize.

Langton (2017, §2.4) spends a good deal of time arguing, with reference to a 2013 report from the UK Office of the Children's Commissioner,

<sup>41</sup> Langton gives another example that has a different problem:

<sup>&</sup>lt;sup>40</sup> Langton does not say what sorts of verdictive or exercitive speech acts doctors (*qua* doctors) can perform, but this one seems plausible. It certainly isn't the case that a doctor can, just by saying so, make it the case that someone has some disease or other (though they can make it the case that someone has a certain diagnosis, which might be important for insurance purposes).

<sup>... [</sup>E]pistemic and practical authority coincide when a speaker enacts a rule by credibly reporting that it *is* a rule (e.g., 'In our house, lights out is at 10p.m.')...: norms can be brought into existence by someone saying or presupposing that they are already in place. (Langton, 2017, p. 33)

But, if I'm understanding the example correctly, no rule can be created by a mere report that there is such a rule. The audience may be led to *believe* that there is such a rule and so to behave as if there was. But that is a different matter: The speaker's epistemic authority gives them the *power* to shape others' behavior in this way. Do not be misled by the fact that the *sentence* "In our house, lights out is at 10p.m." can be used by someone with appropriate authority to establish such a norm. That use would not be a mere report. Compare Antony (2017, pp. 70–1) on the difference between the constative (descriptive) and verdictive uses of "I find the defendant not guilty".

 $<sup>^{42}</sup>$  Maitra (2012) has developed an interesting proposal about how 'informal' authority arises, applying it specifically to racist hate speech. Langton (2017, pp. 33–4) expresses some enthusiasm for this suggestion, and Maitra's work may well make it easier for us to see how pornography could have some sort of authority. But the question at issue here is *what kind* of authority pornography might have, and that is left untouched by Maitra's work.

<sup>&</sup>lt;sup>43</sup> This formulation (which I owe to Rachel Leadon) avoids the question, emphasized by Saul (2006b, pp. 242–3), who are the agents of the speech acts allegedly performed when pornography is viewed.

that teenagers often look to pornography for information about sex—and that what they 'learn' is not always what one would have hoped. But, even if that is true,<sup>44</sup> it simply does not follow that "... pornography is in a real sense 'the law' for some..." (Langton, 2017, p. 35). The most we can conclude is that many teenagers are inclined to take at face value what they see in pornography: to grant it a kind of epistemic authority concerning gender and sexuality that it may well not deserve.

Adolescents are often starved for information about sex. What they get at school, and very often at home (in contemporary English-speaking societies, at least), is not just laughably inadequate but is not even directed at the question to which they really want to know the answer: how one actually has sex with someone (else). What passes for sex education, when it is not just thinly veiled sex-shaming and fear-mongering, is often limited to elementary biology and personal safety (see e.g. Pound et al., 2016). Even what one might have regarded as basic anatomical information—e.g., the function of the clitoris—is often omitted, for fear that acknowledging that sex is pleasurable might send the wrong message.<sup>45</sup> Moreover, it should hardly be news that adolescents (and even adults) sometimes fail to engage with media critically. So, even if we do not know exactly why, it would hardly be surprising if some viewers failed to appreciate that 'porn sex' is often very different from 'real sex' and so 'learned' unfortunate lessons.

I do not say that dismissively. On the contrary, I think we should take seriously the idea that pornography has a kind of epistemic authority about sexuality for some or even many viewers. Doing so might allow us to explain some (though probably not all) of the harm that pornography does. Fully developing this proposal would require a separate paper. But it is worth our considering an example, if only by way of making it clearer what kind of explanation is on offer and what strategies it suggests for mitigating pornography's harms.

<sup>&</sup>lt;sup>44</sup> A recent Canadian study found that increased exposure to pornography is correlated with *better* knowledge of sexual anatomy and behavior (Hesse and Pedersen, 2017), though it is not clear whether there is any causal relationship. (Nor is that clear in the UK report.) And, as the USA's experience with the report of the Meese Commission taught (see e.g. Vance, 1992), it is worth being skeptical about reports on pornography commissioned by socially conservative governments, especially reports identifed as 'rapid evidence assessments' (cf. Barker, 2014, pp. 143–4).

 $<sup>^{45}</sup>$  Maggie Jones (2018) reports that, in an otherwise progressive class on sexual education, one teacher's attempt to talk about the function of the clitoris was cut off by another. She had "inched across a line in which anatomy rested on one side and female desire and pleasure on the other".

#### 6 Pornography and Anal Intercourse

Breanne Fahs and Jax Gonzalez have argued that women's experience of receptive anal sex has much to teach us about the ways in which gender inequality affects women's sexual lives. For one thing, it helps to make clear "the complicated relationships women have to consent including slippages such as partial or halfhearted consent..." (Fahs and Gonzalez, 2014, p. 514). Indeed, Fahs and Gonzalez often seem impatient with the question whether the women in their study *consented* to anal sex. Consent is a notion with primarily legal significance, whereas the questions Fahs and Gonzalez want to ask are in some more general sense ethical. Indeed, what most interest Fahs and Gonzalez are the harms women suffer despite their consenting. But if there are such harms, and I think there clearly are,<sup>46</sup> then understanding how pornography has affected women's experience with anal sex may require us to ask more refined questions than whether pornography has somehow legitimized anal rape.

There has been a significant increase over the last couple decades in the number of heterosexual women who have attempted receptive anal intercourse (Herbenick et al., 2010, p. 256). There are probably several reasons why, but, as Fahs and Gonzalez (2014, pp. 511–2) note, it is not unreasonable to suppose that one of them is the frequency with which anal sex occurs in mainstream pornography. The sort of preparation that is typically required for anal intercourse is usually edited out, however. I am not sure I would want to say that it is often presupposed that no special preparation is required for anal sex. But it is nonetheless easy to see how someone who naïvely regarded pornography as, in relevant respects, an accurate presentation of what sex is 'really like' might come to believe that anal intercourse is every bit as easy and pleasurable for women as vaginal intercourse typically is, so that no special preparation is required. If so, then pornography may be at least somewhat responsible for the fact that many people try to engage in anal intercourse without appropriate lubrication, something that can be extremely painful for the receiving partner (Herbenick et al., 2011, p. 207). Indeed, one Croatian study found that almost half the

<sup>&</sup>lt;sup>46</sup> There is now a significant literature on this topic. See, e.g., Gavey, 2005; Peterson and Muehlenhard, 2007; Beres et al., 2014; Cahill, 2014; Thomas et al., 2017. The issue burst onto the public scene in late 2017 with the publication of the short story "Cat Person" in *The New Yorker* (Roupenian, 2017) and then a much discussed article in *babe* just after the New Year (Way, 2018).

women surveyed had to discontinue their first attempt at receptive anal intercourse because it was too painful (Štulhofer and Ajduković, 2011, p. 352).<sup>47</sup>

Yet more worryingly, many of Fahs and Gonzalez's subjects report having been prodded, pressured, or shamed into trying anal sex by partners who have come to regard it as "a normal part of heterosexual routines" (Fahs and Gonzalez, 2014, p. 511).<sup>48</sup> The point here is not (just) that pornography has de-stigmatized anal intercourse. That in itself is not a bad thing. The thought, I take it, is that pornography may have re-shaped our shared social understanding of what heterosex generally involves and, thereby, the expectations and assumptions that people bring to sexual encounters. That, in turn, affects the boundaries of consent.

Suppose David and Susan have just met at a hotel bar and have together retired to her room. Although each of them will have their own sexual tastes and proclivities, they will typically share an understanding of how their encounter might be expected to evolve: roughly, what sorts of things each of them expects the other to do or not to do.<sup>49</sup> All of the activities in which they are about to engage will require consent, of course, but some of the activities in which they might engage would require *special* consent. For example, Susan might well expect that David would welcome it if she performed oral sex on him. For her to begin moving in that direction without explicitly asking would, I take it, be quite a normal thing for a woman to do, expecting that, as she does so, David will signal his interest or disinterest either bodily or verbally. But for David to move as if to slap Susan's face, or to put his hands around her neck, or to start using degrading language towards her—those acts seem different.<sup>50</sup> These are things that some people enjoy, but they are

<sup>&</sup>lt;sup>47</sup> Fahs (2014, p. 282) misunderstands the question asked in the title of this paper: "Should We Take Anodyspareunia Seriously?" The question is not whether we should take seriously women's experience of pain during receptive anal intercourse (that being what anodyspareunia is). The question is whether anodyspareunia should be regarded as a form of *sexual dysfunction* comparable to dyspareunia (pain during vaginal intercourse). What makes that question important is its *normative* implications.

<sup>&</sup>lt;sup>48</sup> I take it that this does not undermine the claim that these women consented, in a legal sense, though it well illustrates why Fahs and Gonzalez worry about an over-reliance upon the notion of consent as a tool of ethical analysis.

<sup>&</sup>lt;sup>49</sup> What I have in mind here is related to, but probably not quite the same as, what are known in the sociological literature as 'sexual scripts' (see e.g. Simon and Gagnon, 1986; Frith and Kitzinger, 2001).

<sup>&</sup>lt;sup>50</sup> I'll leave it to the reader to continue the list. Suffice it to say that much contemporary pornography goes well beyond these limits (see e.g. Maddison, 2009). The point is not

not the sorts of things one can just do, assuming that one's partner will speak up if that's not what they want.

Similarly, changing orifices during intercourse is very different from changing angles, speeds, or positions: It is not something one can just do. A woman whose partner did so could reasonably claim to have been raped. One cannot even just make as if to initiate anal intercourse, figuring one's partner will speak up if that's not what they want. A woman whose partner did so could, it seems to me, reasonably object that he had not sought her consent in the way he should have; she might even suspect that he was attempting to manipulate her into doing something 'in the moment' to which she might not consent if she were explicitly asked.

Anal sex, then, requires 'special consent', but—and this is the crucial point—that is a contingent feature of our society's understanding of heterosex. It is something that could change and that pornography could contribute to changing. Social norms and expectations supervene on individual attitudes, and, in our society, pornography probably does have a significant effect upon individual attitudes about sexuality. Indeed, there is some evidence that pornography has already done more than just de-stigmatize anal intercourse. Fahs and Gonzalez report that some of their subjects feel some *cultural* pressure to try anal sex due to their own sense that it has become something that women are expected to do, and so something that their (male) partners expect them to do, at least once a relationship has become sufficiently serious (see also McBride, 2019). Fahs and Gonzalez then observe:

The complex ways that the cultural context *produces* interest in anal sex (or the belief that *most* women engage in anal sex) seems evident in these narratives, as peers and pornography collide to create new norms about sexual behavior. (Fahs and Gonzalez, 2014, p. 512, emphasis original)

Once again, creating new socio-sexual norms is not, in itself, a bad thing. That is something feminists have been trying to do for a long time, and with some success (see e.g. Ehrenreich et al., 1986). The problem is that this particular change, though it affects women directly, has occurred without much input from women. It seems, rather, to have been the result of a discourse about sexuality that has largely excluded

that such activities are necessarily objectionable, but that 'special consent' is needed for them, and that mainstream pornography rarely portrays any such consent as having been given (see Blue, 2005).

women's perspectives, desires, and fantasies and that rarely foregrounds women's sexual pleasure (or, more generally, sexual experience), except in cartoonish caricature. $^{51}$ 

It may well be, then, that pornography shapes individual and social attitudes about gender and sexuality in ways that are contrary to women's interests. For example, pornography may be partly responsible for some heterosexual couples' engaging in sexual interactions that are excrutiatingly painful for the women involved. But, to explain how pornography has such effects, we do not need to treat pornographers as somehow akin to legislators or judges. Quite independently of pornography, women are socialized to cater to and defer to men, and men are socialized to expect women to do so. Such gendered power dynamics cannot but restrict and distort women's (sexual) choices, even when they do not wholly deprive women of (sexual) autonomy, because they subordinate women's (sexual) experience to men's whims. If, to that toxic mix, we add bad information and unrealistic expectations about anal sex, as pornography arguably does, then the result is all too predictable.

But we still need to be careful how we assign blame. It is no doubt true that pornography doesn't teach people that, if anal sex is to be pleasurable, then the receiving partner needs to learn how to relax muscles over which they have no direct voluntary control (see e.g. Taormino, 2006, esp. Ch. 2). But it was always a stupid idea to leave sex education to pornography. Since that is what it has become, however, pornographers should accept the responsibility that the freedom they cherish brings with it.<sup>52</sup> Still, it would be far less of a problem how pornography portrays sex if people didn't respond so naïvely to that portrayal: regarding it as documentary evidence of what sex is 'really like' rather than as a (carefully edited) videographic portrayal of sexual fantasy.<sup>53</sup> Comprehensive sex education that includes what has come to be called 'porn literacy'—skills and strategies for critically engaging with pornography (see e.g. Tarrant, 2015; Lust and Dobner, 2017)—could do much to miti-

<sup>&</sup>lt;sup>51</sup> That is one of the ways in which feminist pornography strives to be different, and one of the reasons that feminist pornography may actually be supportive of gender equality (cf. Eaton, 2017; Heck, 2020b).

 $<sup>^{52}</sup>$  Some queer and feminist pornography eroticizes the preparation that is typically needed for anal sex. One example is Erika Lust's film "His Was First in My Ass", from *XConfessions 6* (Lust Productions, 2016). Shine Louise Houston's *Crash Pad* films also generally include the necessary preparation when anal penetration is involved.

<sup>&</sup>lt;sup>53</sup> Or, if it is documentary evidence of something, then of the extraordinary abilities of highly trained sexual athletes (an analogy that has become almost a cliché).

gate pornography's harms. It wouldn't hurt to include honest information about anal intercourse and other 'non-normative' sexual acts, either.<sup>54</sup>

More generally, rather than trying to discourage people from engaging with pornography, we could instead encourage people to engage with it responsibly. But doing so requires us first to lift the shame that surrounds the 'use' of pornography—a dismissive term that I have scrupulously avoided—and to acknowledge, openly, that it actually is possible to engage with pornography in ways that are healthy and thoughtful, as well as pleasurable.<sup>55</sup>

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<sup>54</sup> As Štulhofer and Ajduković (2011, p. 347) sensibly put it: "The findings that a substantial proportion of women reported pain at first and subsequent anoreceptive intercourse highlight a need for more information and education about anal eroticism".

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