

## RE-CREATING PATRIARCHY: CONNECTING RELIGION AND PORNOGRAPHY

JANE CAPUTI †

The radical feminist philosopher and theologian Mary Daly originally transformed the field of theology with her 1973 book, *Beyond God the Father*, disrupting the largely unquestioned understanding of God as male and identifying theology's political, eminently patriarchal dimension: "If God is male, then the male is God."<sup>1</sup> She soon went on to identify "patriarchy" itself as the "*prevailing religion of the planet*"<sup>2</sup>—one with many different sects but whose "essential message was necrophilia"<sup>3</sup>—and termed it a "sado-religion" characterized by "dominance and submission, and the forcing of women to their knees."<sup>4</sup> Daly's indictment of patriarchy as a religion, but also implicitly as a pornography, comes further into focus when her ideas enter into dialogue with the radical feminist critique of pornography articulated by legal theorist Catharine MacKinnon and radical feminist writer Andrea Dworkin.<sup>5</sup>

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† Professor, Center for Women, Gender and Sexuality Studies, Communication & Multimedia, Florida Atlantic University Center, 1997–present; Professor of American Studies, University of New Mexico, 1982–1997. I thank feminist legal theorist Ann C. Scales who has long been in fruitful dialogue with me on pornography and everyday pornography.

1. MARY DALY, *BEYOND GOD THE FATHER: TOWARD A PHILOSOPHY OF WOMEN'S LIBERATION* 19 (1st ed. 1973).

2. MARY DALY, *GYN/ECOLOGY: THE METAETHICS OF RADICAL FEMINISM* 39 (2d ed. 1990).

3. *Id.*

4. MARY DALY WITH JANE CAPUTI, *WEBSTERS' FIRST NEW INTERGALACTIC WICKEDARY OF THE ENGLISH LANGUAGE* 224 (1987).

5. See generally ANDREA DWORKIN & CATHARINE A. MACKINNON, *PORNOGRAPHY AND CIVIL RIGHTS: A NEW DAY FOR WOMEN'S EQUALITY* 24–30 (1988) (arguing that actors in law, politics, and the media have incorrectly framed the debate on pornography's role in

Beginning in the early 1980s, MacKinnon and Dworkin shifted the debate about pornography away from both right-wing censorial condemnations, which were based in anti-sex and anti-woman religious morality, and liberal, left-wing endorsements of pornography as simply sexually liberatory.<sup>6</sup> Rather, they insisted that pornography is a political and eminently patriarchal institution, and one that, like patriarchal religions, works to carry male domination into sexual meanings and relations.<sup>7</sup>

They define pornography as a practice of subordination—of hierarchy in action, male over female—accomplished through graphic, sexually explicit pictures and words that objectify women, or those figures used in the place of women.<sup>8</sup> MacKinnon and Dworkin's extended discussion, which occasioned much debate,<sup>9</sup> delineates specific elements of pornography, including women being put into "postures or positions of sexual submission, servility or display . . . scenarios of degradation, injury, torture . . . [dehumanized objectification, and] . . . presented as whores by nature."<sup>10</sup> In the \$97

society as one of "private virtue and public morality, not personal injury and collective abuse" and that pornography should instead be recast as "concept rather than practice, more thought than act, more in the head than in the world, its effects also necessarily appear both insubstantial and unsubstantiated, more abstract than real").

6. For a review of the origin of this terminology in this context, see DAVID ALLYN, *MAKE LOVE NOT WAR: THE SEXUAL REVOLUTION: AN UNFETTERED HISTORY* 184–95 (2000) (detailing the historical backdrop of arguments that pornography is not sexually liberatory, particularly focusing on films made in the 1970s). *See also* Catharine A. MacKinnon, *Not a Moral Issue*, 2 *YALE L. & POL'Y REV.* 321, 322–23 (1984) (distinguishing the author's concern with pornography as a core institution of male domination from prior legal questions about obscenity arising from moral concerns, which themselves developed from the male point of view).

7. DWORKIN & MACKINNON, *supra* note 5, at 72–75 (arguing that the proliferation of pornography into mainstream culture and pornography's substantial First Amendment protections have made it a tool, rather than a symptom, of patriarchal oppression in male-dominated society). *See generally* CAROL GILLIGAN & DAVID A.J. RICHARDS, *THE DEEPENING DARKNESS: PATRIARCHY, RESISTANCE, AND DEMOCRACY'S FUTURE* (2008).

8. DWORKIN & MACKINNON, *supra* note 5, at 36–39.

9. *See, e.g.*, A.W. Eaton, *A Sensible Antiporn Feminism*, 117 *ETHICS* 674, 691–92 (2007) (critiquing MacKinnon and Dworkin's proposed anti-pornography legislation, and arguing that feminists are more apt to criticize pornography instead of opposing it through the legislative process). *See generally* Lori Watson, *Pornography and Public Reason*, 33 *SOC. THEORY & PRAC.* 467 (2007) (evaluating feminist critiques of pornography as a civil rights issue, focusing on MacKinnon and Dworkin's arguments, and recasting MacKinnon's arguments in favor of reforming pornography regulations); Catherine H. Palczewski, *Contesting Pornography: Terministic Catharsis and Definitional Argument*, 38 *ARGUMENTATION & ADVOC.* 1 (2001) (evaluating the debate created by MacKinnon and Dworkin's proposed anti-pornography ordinances set forth in their book).

10. DWORKIN & MACKINNON, *supra* note 5, at 36.

billion global industry,<sup>11</sup> pornographic materials that conform to this definition are substantial and characteristic, particularly in the contemporary subgenre of so-called “gonzo pornography.”<sup>12</sup>

In much of my previous work,<sup>13</sup> I have focused on the ways that pornography, as so defined, does not merely constitute a genre—and a supposedly deviant one at that—but a mainstream worldview, one that Patricia J. Williams astutely calls a “habit of thinking,”<sup>14</sup> based in sexualized denigration, voyeuristic objectification, and domination. At the same time, pornographic thinking engenders all of these. The one “on top” is “the man,” or at least takes the place of the man, while the one on the bottom is understood as the “woman,” or at least takes, or is forced into, the place of the woman.<sup>15</sup> This worldview informs oppressions like racism and homophobia, which locate the “other” as on that “feminine” side of things—that is, as being intrinsically inferior, deviant, sinful, irrational, more body than

11. Jerry Ropelato, *Internet Pornography Statistics*, TOPTENREVIEWS, <http://internet-filter-review.toptenreviews.com/internet-pornography-statistics-pg2.html> (last visited Mar. 21, 2011) (noting additionally that in 2006, “[t]he [global] pornography industry [was] larger than the revenues of the top technology companies combined: Microsoft, Google, Amazon, eBay, Yahoo!, Apple, Netflix and EarthLink.”).

12. See, e.g., GAIL DINES, *PORNLAND: HOW PORN HAS HIJACKED OUR SEXUALITY* xi, 70–74 (2010) (defining “gonzo pornography” as a genre “which depicts hard-core, body-punishing sex in which women are demeaned and debased[.]” and describing its pervasiveness in mainstream culture and its negative effects on sexuality and society). See generally SHANNON GILREATH, *THE END OF STRAIGHT SUPREMACY: REALIZING GAY LIBERATION* (forthcoming 2011); ROBERT JENSEN, *GETTING OFF: PORNOGRAPHY AND THE END OF MASCULINITY* 55–72 (2007) (describing the negative effects of gonzo pornography on the physiological development of males); DVD: *The Price of Pleasure* (Media Education Foundation 2008) (discussing pornography’s role in portraying violent, racist, and sexist images, including through gonzo-style pornography) (on file with author).

13. See generally JANE CAPUTI, *GODDESSES AND MONSTERS: WOMEN, MYTH, POWER AND POPULAR CULTURE* 74–116 (2004) (discussing the prevalence of pornographic themes and images, particularly in advertisements, and describing how this has numerous destructive effects on society); DVD: *The Pornography of Everyday Life* (Berkeley Media 2007) (illustrating how the pornographic worldview influences every aspect of society) (on file with author).

14. PATRICIA WILLIAMS, *THE ROOSTER’S EGG: ON THE PERSISTENCE OF PREJUDICE* 123 (1995).

15. See PAT CALIFIA, *PUBLIC SEX: THE CULTURE OF RADICAL SEX* 175–82 (1994) (exploring and describing the characterization of the “other,” cast as the woman, as a kind of gendering); LYNN CHANCER, *SADOMASOCHISM IN EVERYDAY LIFE: THE DYNAMICS OF POWER AND POWERLESSNESS* 183 (1992) (arguing that in patriarchal societies, women are frequently referred to as the “other”); JAMES GILLIGAN, *PREVENTING VIOLENCE* 56–65 (2001) (identifying the described positions as a pattern of rape in male prisons). See generally Jasbir K. Puar, *On Torture: Abu Ghraib*, 93 *RADICAL HIST. REV.* 13 (2005) (anecdotally exploring this gendered dynamic through the torture of Iraqi male prisoners at the Iraqi Abu Ghraib prison by both female and male U.S. military personnel).

mind, hyper-sexual, hyper-violent, treacherous, savage, animalistic, and closer to nature.<sup>16</sup> The pornographic worldview—sexualizing and gendering domination—also informs all patriarchal institutions,<sup>17</sup> including slavery and racism,<sup>18</sup> imperialism, war and militarism,<sup>19</sup> medicine,<sup>20</sup> work, science and technology,<sup>21</sup> and, most assuredly, religion. This last topic will be my focus here.

16. See BRAM DIJKSTRA, *EVIL SISTERS: THE THREAT OF FEMALE SEXUALITY AND THE CULT OF MANHOOD* (2006) (arguing that the “closer to nature” characterization of women was a central argument for the racist and sexist framework of Social Darwinism). For discussions of historical instances of this worldview, see Elias farajé-jones, *Holy F—*, in *MALE LUST: PLEASURE, POWER, AND TRANSFORMATION* 327–36 (Kerwin Kay et al. eds., 2000) (discussing an instance in 1646 in New Netherland Colony in which two black men were ordered by a court to be tortured and executed for having a sexual relationship with one another, and using this historical account to analyze the roots of religious erotophobia and the difficulties of being a gay black man in modern society); and ANDREA SMITH, *CONQUEST: SEXUAL VIOLENCE AND AMERICAN INDIAN GENOCIDE* 7–33 (2005) (describing how many early American colonists viewed the use of sexual violence against native women as being “critical to the success of the economic, cultural, and political colonization,” and as a means of eradicating the supposed savagery and sinfulness of native cultures).

17. See ANDREA DWORKIN, *LETTERS FROM A WAR ZONE: WRITINGS, 1976–1989*, at 19–24 (1988) (discussing the violence and domination shown in pornography). See generally SUSAN GRIFFIN, *PORNOGRAPHY AND SILENCE: CULTURE’S REVENGE AGAINST NATURE* (1981) (discussing the pornographic worldview of domination and sexualizing violence in history, with particular focus on the Nazis).

18. See, e.g., PATRICIA HILL COLLINS, *BLACK FEMINIST THOUGHT: KNOWLEDGE, CONSCIOUSNESS, AND THE POLITICS OF EMPOWERMENT* 163 (1991) (arguing that modern forms of pornography in the United States derive directly from the practices of slavery). See generally Ann duCille, *The Unbearable Darkness of Being: “Fresh” Thoughts on Race, Sex, and the Simpsons*, in *BIRTH OF A NATION’HOOD: GAZE, SCRIPT, AND SPECTACLE IN THE O.J. SIMPSON CASE* 293–338 (Toni Morrison & Claudia Brodsky Lacour eds., 1997); WILLIAMS, *supra* note 14, at 122–36 (discussing the role of race and racism in now-Justice Clarence Thomas’s Senate confirmation hearings, and contrasting that with the role of race in his judicial record on the Supreme Court).

19. See ANNE MCCLINTOCK, *IMPERIAL LEATHER: RACE, GENDER AND SEXUALITY IN THE COLONIAL CONTEXT* 21–29 (1995) (discussing the history of imperialist Europe’s imagination of and attempts at creating a “porno tropics”). See generally SMITH, *supra* note 16, at 7–33, 55–78 (describing the use of sexual violence as a tool of war, genocide, and as a method of colonization).

20. The field of medicine has been criticized as having a propensity to objectify and degrade those with certain differences, including disabilities and intersexuality. See generally ELI CLARE, *EXILE AND PRIDE: DISABILITY, QUEERNESS, AND LIBERATION* 103–22 (1999).

21. See, e.g., CAROLYN MERCHANT, *THE DEATH OF NATURE: WOMEN, ECOLOGY AND THE SCIENTIFIC REVOLUTION* xix, 181 (1980) (discussing the dominant-submissive gendered origins of the scientific worldview, with science being “masculine” and nature “feminine”). I made this argument in relation to nuclear technology in great detail in JANE CAPUTI, *GOSSIPS, GORGONS, AND CRONES: THE FATES OF THE EARTH* 43–60 (1993). See also MARY DALY, *PURE LUST: ELEMENTAL FEMINIST PHILOSOPHY* 56–57 (1984) (critiquing certain practices that are destructive of nature as demonstrating “scientific pornography”).

Although pornography and patriarchal religion seem like utter opposites at first, they actually share much of the same framework. My argument here is that both pornography and patriarchal religion are founded in men's appropriation, control, silencing, and self-serving definition of female sexuality. Both rely upon a heterosexist, gendered structure (i.e., masculine dominant and feminine subordinate).<sup>22</sup> In both pornography and patriarchal religion, women are expected to submit, graciously or otherwise.<sup>23</sup> Both rank sex as something low, along with and akin to dirt, filth, and irrationality, while also opposing sex to what is valued: the high, the rational, and the pure.<sup>24</sup> One strips women while the other covers them up, but one way or the other both make women into sexual fetish or taboo objects identified primarily with sex and a sexuality that is opposed to rationality and social order.<sup>25</sup> Pornography colonizes sexuality in part by separating it from mind and spirit,<sup>26</sup> while patriarchal religion colonizes spirituality in part by separating it from the body, particularly the sexual body.<sup>27</sup> And, working together, both enforce the worldview and systemization of male domination known as *patriarchy*.<sup>28</sup>

22. This is the critique of pornography offered in DWORKIN & MACKINNON, *supra* note 5, at 31, and the critique of patriarchal religion found throughout the work of Mary Daly. E.g., DALY, *supra* note 1, at 13; DALY, *supra* note 2, at 39.

23. Christianity in many forms endorses the submission of wives to husbands. See, e.g., *Colossians* 3:18 (King James) ("Wives, submit yourself unto your own husbands, as it is fit in the Lord."). The dominatrix in heterosexist pornography obviously does not normatively "submit," but her position is understood as "kinky"—hence, still in line with normative gender roles—and she enacts a role scripted by the male masochist.

24. See Grace M. Jantzen, *Good Sex: Beyond Private Pleasure*, in GOOD SEX: FEMINIST PERSPECTIVES FROM THE WORLD'S RELIGIONS 3, 5 (Patricia Beattie Jung et al. eds., 2001) (explaining the largely utilitarian conceptions of sex in the Christian church during the Middle Ages, conceptions that focused almost exclusively on the production of babies, and condemned sex as a form of pleasure); see, e.g., GRIFFIN, *supra* note 17, at 14–16 (1981) (arguing that Christianity and pornography share the same "metaphysics").

25. For example, for the patriarchal Islamic right, women's sexuality is seen as "threatening to the social order, overwhelming, impossible for women to control, or impure." Ayesha M. Imam, *The Muslim Religious Right ("Fundamentalists") and Sexuality*, in GOOD SEX, *supra* note 24, at 19.

26. Susan Griffin, *Split Culture*, in HEALING THE WOUNDS: THE PROMISE OF ECOFEMINISM 11 (Judith Plant ed., 1989).

27. See SUSAN BORDO, UNBEARABLE WEIGHT: FEMINISM, WESTERN CULTURE, AND THE BODY 1–5 (1993) (describing a mind-body "split" as seen in the Western philosophical tradition and its adverse effects on women's freedom); see also GILLIGAN & RICHARDS, *supra* note 7, at 193.

28. GERDA LERNER, WHY HISTORY MATTERS: LIFE AND THOUGHT 146–47 (1997) (defining patriarchy as "a hierarchical, militaristic organization in which resources, property, status and privileges are allocated to persons in accordance with culturally defined gender

## I. THE CREATION OF PATRIARCHY

In her work, *The Creation of Patriarchy*, historian Gerda Lerner investigates the inception of patriarchy as it developed in the ancient Near East in its earliest form as an archaic state some five to seven thousand years ago.<sup>29</sup> This is the milieu that produced the Abrahamic patriarchal religions, and one of these, Christianity, will be my focus here.<sup>30</sup> Lerner starts by looking at common economic questions but quickly begins to see that she “needed to focus more on the control of women’s sexuality and procreativity.”<sup>31</sup> In doing so, she determines that men’s appropriation of women’s sexual and reproductive capacity occurred *prior* to the formation of private property and class society; the invention of private property derives from the model provided by the commoditization of female sexuality (through such means as the exchange of women and sale of brides, slavery, prostitution, installation of codes of female virginity, forced reproduction, and women being corralled into patriarchal marriage and family).<sup>32</sup> I would argue that modern pornography is a continuation of this basic stratagem of controlling and commoditizing female sexuality and turning it into a form of wealth for men.

From its inception, the patriarchal power structure had an essential interest in the maintenance of a father-dominated family. Instituting dominance over women provided, Lerner writes, “the model out of which slavery developed as a social institution.”<sup>33</sup> Men learned stratagems of subordination—paradigmatically, rape—as a way to break body and spirit, and went on to enslave women, and later men, from outside “groups who could be defined as strangers.”<sup>34</sup> “Thus,” Lerner concludes, “the enslavement of women, combining both racism and sexism, preceded the formation of classes

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roles,” and which manifests itself through male control of property, social institutions, female sexuality, and reproduction).

29. GERDA LERNER, *THE CREATION OF PATRIARCHY* 8 (1986).

30. Some of what I describe and critique here may not be applicable to all patriarchal religions. *E.g.*, CHANDRA TALPADE MOHANTY, *FEMINISM WITHOUT BORDERS: DECOLONIZING THEORY, PRACTICING SOLIDARITY* 20–21 (2003) (cautioning against assuming a “universal patriarchal framework” that “can be applied universally and cross-culturally”).

31. LERNER, *supra* note 29, at 8.

32. *Id.* at 212–216.

33. *Id.* at 99.

34. *Id.* at 213.

and class oppression.”<sup>35</sup> Un-enslaved women’s cooperation with patriarchy also was secured by domination, including rape and abuse in the family, and by the promise of class privilege and protection against external male aggression.<sup>36</sup> Women were divided against one another by artificially constituted, invidious race and class distinctions and the equally fabricated “division of women into ‘respectable’ (that is, attached to one man) and ‘not-respectable’ (this is, not attached to one man or free of all men).”<sup>37</sup> All women were defined by their relationship to a man and hence, under the protection, or not, of men. Depending on race, class, and age status, women were defined as private or public,<sup>38</sup> expensive or cheap,<sup>39</sup> brand new (i.e., virginal) or used,<sup>40</sup> and perhaps worst of all, useless—marginalized and socially annihilated.<sup>41</sup> All women were mandated

35. *Id.*

36. *Id.* at 87, 218.

37. *Id.* at 9.

38. Public and private women were easily distinguishable, depending on the use of a veil, or lack thereof. Private women—wives, widows, and daughters—wore veils out in public, as mandated by Assyrian law, while public women—concubines and slaves—were unveiled. This categorical division between unveiled and veiled women was symbolic of class divisions, as veiled women were considered off limits and respected, while unveiled women, physically exposed to the public, were viewed as unprotected and fair game to any man. *See id.* at 139.

39. I refer here to basic contemporary class distinctions between women, as indicated by popular terms such as “trailer trash” or “trophy wives.” The common notion behind these terms is that some women are cheap and some expensive, yet both equate women with objects. *See* Glenn E. Good & Nancy B. Sherrod, *The Psychology of Men and Masculinity: Research Status and Future Directions*, in *HANDBOOK OF THE PSYCHOLOGY OF WOMEN AND GENDER* 201, 209 (Rhoda K. Unger ed., 2001) (noting that men “attempt to collect ‘trophies’ in the form of sexual conquests. . . . [whereby] the man with the most beautiful woman by his side is thought to have the biggest trophy”). For a historical account of this type of possessory labeling, see MARGIT STANGE, *PERSONAL PROPERTY: WIVES, WHITE SLAVES AND THE MARKET IN WOMEN* 9 (1998) (positing that barbarians saw women as a “trophy,” confirming victory over an opposing tribe, and thus a form of ownership of the females by the males).

40. *See* JESSICA VALENTI, *THE PURITY MYTH: HOW AMERICA’S OBSESSION WITH VIRGINITY IS HURTING YOUNG WOMEN* 23 (2009) (arguing that women who have had sex are often referred to as “damaged goods” due to the strong correlation between purity and the notion of a female virgin).

41. For example, women who are too old to be deemed sexually attractive or useful. *See* IRIS MARION YOUNG, *JUSTICE AND THE POLITICS OF DIFFERENCE* 55 (1990) (“[M]arginals are people the system of labor cannot or will not use. . . . A whole category of people is expelled from useful participation in social life and thus potentially subjected to severe material deprivation and even extermination.”) One example of this would be the treatment of Hindu widows. *See* MARTHA C. NUSSBAUM, *SEX AND SOCIAL JUSTICE* 89–90 (2000).

to be heterosexual.<sup>42</sup> Lesbians were deemed non-respectable or simply non-existent.<sup>43</sup>

The most enduring resistance to patriarchy formed around a pre-existing religious tradition, based in what Lerner calls “meta-physical female power,” and focused on potent sexual and sexually sovereign Goddesses.<sup>44</sup> These Goddesses were maternal and sexual, young and old, and sometimes understood as gynandrous, containing both the female and the male.<sup>45</sup> They were identified with material reality—animals, elements, natural processes, and forces<sup>46</sup>—and were understood as immanent in matter (i.e., the Earth, moon, sun and stars, seasons, trees, springs, rivers, our human bodies, and so on).<sup>47</sup> Concepts and associated practices linked to Goddesses included: nakedness to indicate potency; displays or symbolic representations of the vulva as a sign of power; sensual, sexual or naked dance; group sex, including homosexual sex; and ceremonial transvestitism.<sup>48</sup> Their adherents, and their priestesses and priests, were

42. See MARILYN FRYE, *Willful Virgin or Do You Have to Be a Lesbian to Be a Feminist?*, in WILLFUL VIRGIN: ESSAYS IN FEMINISM, 1976–1992, at 124, 129 (1992) (stating that the status quo of male-dominated societies is premised on a near-universal construct of female heterosexuality); see also PAUL JOHNSON, LOVE, HETEROSEXUALITY AND SOCIETY 103–19 (2005) (arguing that society’s conception of sexuality as a binary homosexual/heterosexual system is flawed).

43. JUDITH C. BROWN, *IMMODEST ACTS: THE LIFE OF A LESBIAN NUN IN RENAISSANCE ITALY* 9 (1986) (arguing that the historical absence of accounts about same-sex desire between women in Western culture—in law, theology, and literature—is evidence of European society’s willful ignorance toward the concept of female same-sex love).

44. LERNER, *supra* note 29, at 9.

45. *Id.* at 130 (noting that “an earlier aspect of Mother-Goddess worship . . . stressed bisexuality or hermaphroditism”); see also MONICA SJÖÖ & BARBARA MOR, *THE GREAT COSMIC MOTHER: REDISCOVERING THE RELIGION OF THE EARTH* 67 (1991) (citing the ancient images of the Goddess as hermaphroditic as a symbol of her absolute power over her sexuality).

46. SJÖÖ & MOR, *supra* note 45, at 68; see also ANNE BARING & JULES CASHFORD, *THE MYTH OF THE GODDESS: EVOLUTION OF AN IMAGE* 40 (1991) (noting that the lost myth of the Goddess can be recovered through images such as the cave, the moon, the stone, the serpent, and wild animals).

47. SJÖÖ & MOR, *supra* note 45, at 68.

48. E.g., NANNÓ MARINATOS, *THE GODDESS AND THE WARRIOR: THE NAKED GODDESS AND MISTRESS OF ANIMALS IN EARLY GREEK RELIGION* 10 (2000) (describing with examples the notion that naked Goddesses of the Near East, and the rituals devoted to them, embodied the “ambiguous and highly dangerous” sexuality of females), see also LERNER, *supra* note 29, at 143 (explaining that the Goddess’s vulva was fashioned out of precious stone and “celebrated the sacredness of female sexuality and its mysterious life-giving [and healing] force”); Frédérique Apffel Marglin, *Yoni*, in 15 *THE ENCYCLOPEDIA OF RELIGION* 530, 533 (Mircea Eliade ed., 1987) (supporting the argument that symbolic associations of the vulva illustrate transformative powers of female sexuality).

often gender and sexually diverse.<sup>49</sup> Reverence from both women and men for these Goddesses continued long after women had been subordinated and the Goddesses were variously straightened, domesticated, and demoted to suit the new ruling order.<sup>50</sup> Lerner further notes, “We may be justified in regarding the extraordinary persistence of fertility and Goddess cults as an expression of female resistance to the predominance of male god figures.”<sup>51</sup>

The emergence of Hebrew monotheism, focusing not only on a male God but also on an erotophobic and bodiless father God—the one whom Andrea Dworkin calls the “God who does not exist”<sup>52</sup>—similarly and variously required the denial, revision, and demonization of these rival female divinities. To make this new, heavenly, de-sexed father God credible, it was essential that the rival earthy sex-mother-grandmother Goddess(es) and associated sexual signs and practices be denied, trivialized, and, in some cases, demonized.<sup>53</sup> As part of this process, I would argue, as Margaret Miles has done, that “in the Christian West female nakedness became a cipher for sin, sex, and death.”<sup>54</sup>

“This symbolic devaluing of women in relation to the divine,” Lerner writes, “becomes one of the founding metaphors of Western civilization.”<sup>55</sup> The other founding metaphor was supplied by Aristotelian philosophy, the notion that women are incomplete, irrational, and “damaged human beings of an entirely different order than men.”<sup>56</sup> Lerner notes that it is with the investiture of these metaphors “into the very foundations of the symbol systems of Western civilization, that the subordination of women comes to be

49. RANDY P. CONNER, *BLOSSOM OF BONE: RECLAIMING THE CONNECTIONS BETWEEN HOMOEROTICISM AND THE SACRED* 70–71 (1993).

50. See LERNER, *supra* note 29, at 141–42.

51. *Id.*

52. ANDREA DWORKIN, *INTERCOURSE* 123 (1987).

53. See Bertha Harris, *What We Mean to Say: Notes Toward Defining the Nature of Lesbian Literature*, *HERESIES: A FEMINIST PUBLICATION ON ART & POLITICS*, at 5–8; see also DAVID LEEMING & JAKE PAGE, *MYTH OF THE FEMALE DIVINE* 87–91 (1978) (discussing the change in Hebrew laws regarding rape and the attitude of fear and control reflected in those changes); June Nash, *The Aztecs and the Ideology of Male Dominance*, *SIGNS: J. WOMEN CULTURE & SOC'Y* 349, 361 (1978).

54. MARGARET R. MILES, *CARNAL KNOWING: FEMALE NAKEDNESS AND RELIGIOUS MEANING IN THE CHRISTIAN WEST* 12 (1989).

55. LERNER, *supra* note 29, at 10.

56. *Id.*

seen as ‘natural,’ hence it becomes invisible. It is this which finally establishes patriarchy thoroughly as actuality and as an ideology.”<sup>57</sup>

For centuries now men have defined themselves as superior by conceptually separating themselves from and lording over what previously was sacred—including women, sexuality, the given or natural world, the animal, and the body.<sup>58</sup> As (elite) men identified themselves with a supposedly separate and abstract mind, God was now transcendent, male, immaterial, asexual, and static, separate from and even antagonistic toward “things on the Earth.”<sup>59</sup>

Theologian elias farajájé-jones describes a formative early Christianity, where

outright hostility toward the body continued to shape attitudes toward women (considered as the very incarnation of body and lust) and sex. . . . ‘Aberrant’ sexualities were often portrayed as being linked to religious error . . . and therefore to evil. The end result is that, today, very few people find it possible to think of sex and the sacred together, in a positive way.<sup>60</sup>

For one highly influential church father, St. Augustine of Hippo, women were less rational than men and sexual lust was

57. *Id.*

58. See generally GRIFFIN, *supra* note 17, at 8–13 (discussing women, sexuality, the given world, the animal, and the body as “sacred images”).

59. *Colossians* 3:2 (King James) (“Set your affection on things above, not on things on the earth.”). But see DALY, *supra* note 21, at 8 (critiquing the “element-hating thrust of christian [sic] ideology, which seeks to kill Earthy wisdom”). Daly also points to hostility of the Christian God toward the earth, exemplified by the proclamation of the Gospel of Peter that the Lord will ultimately destroy the earth by fire. *Id.* at 9–10 (citing 2 *Peter* 3:10 (King James) (“But the day of the Lord will come as a thief in the night, in which the heavens shall pass away with a great noise, and the elements shall melt with fervent heat; the earth also, and the works that are in it, shall be burned up.”)); see also KIM POWER, *VEILED DESIRE: AUGUSTINE ON WOMEN* 51 (1995) (noting that women were assumed to have a “closer connection to all that was temporal and mutable” and that “in both East and West, the ‘holy’ was that most removed from the human and, therefore, women were by nature further removed from holiness than men.”). See generally LINDA HOGAN, *DWELLINGS: A SPIRITUAL HISTORY OF THE LIVING WORLD* 85–86 (1995) (“The Western belief that God lives apart from earth is one that has taken us toward collective destruction. It is a belief narrow enough to forget the value of matter, the very thing that soul inhabits.”). Like a number of commentators, Linda Hogan evaluates patriarchal religious opposition to the earth and nature without writing specifically about gender.

60. Elias farajájé-jones, *supra* note 16, at 329.

directly connected to loss of rationality.<sup>61</sup> For St. Augustine, and the Western patriarchal religious tradition in particular, women represented basically all that God (who does not exist<sup>62</sup>) was not.<sup>63</sup> And it is this foundational precept that is demonstrated over and over in pornography.

Pornography covertly but effectively affirms patriarchal religion by continually expounding one of its central premises: that women are not made in the image of God. For Judaism and Islam and some Christian denominations, God must never be represented.<sup>64</sup> Pornography, with women as its paradigmatic voyeuristic objects, spectacularly represents “woman” as the polar opposite of all that is seen—or, more accurately, unseen—as God.<sup>65</sup>

A 1977 poster advertising *The Best of the New York Erotic Film Festival* displays an outline of what seems to be the midsection

61. See SAINT AUGUSTINE: THE CITY OF GOD 388 (Gerald G. Walsh & Grace Monahan trans., Catholic Univ. Am. Press 1952) (n.d.) (“Such lust does not merely invade the whole body and outward members; it takes such complete and passionate possession of the whole man, both physically and emotionally, that what results is the keenest of all pleasures on the level of sensation . . . it practically paralyzes all power of deliberate thought.”). See also Lisa Sowle Cahill, *Sexuality and Christian Ethics: How to Proceed, in SEXUALITY AND THE SACRED: SOURCES FOR THEOLOGICAL REFLECTION* 19, 20 (James B. Nelson & Sandra P. Longfellow eds., 1994) (reviewing St. Augustine’s views on sex and sexual desire and noting his argument that sexual desire reduced humans to animalistic behavior). Further, Nancy Tuana demonstrates that in early Christian thought, women, because of their sex, and particularly their role in reproduction, were seen as more liable to be swayed by emotions and passions, rather than reason. NANCY TUANA, *THE LESS NOBLE SEX: SCIENTIFIC, RELIGIOUS, AND PHILOSOPHICAL CONCEPTIONS OF WOMAN’S NATURE* 11–12 (1993).

62. DWORKIN, *supra* note 52, at 123.

63. See TUANA, *supra* note 61, at x (arguing that throughout patriarchal Western traditions of philosophy, theology, and science, women were consistently defined as “less perfect than man,” and as having “inferior rational capacities . . . [and] defective moral sense”). Tuana further observes that man—and definitively not woman—is defined as the “primary creative force” and that women are consistently seen as being “in need of control.” Hence, women are seen as most unlike the male God, who is understood as perfect. *Id.* at xi.

64. See Cynthia Eller, *Divine Objectification: The Representation of Goddesses and Women in Feminist Spirituality*, 16 J. FEMINIST STUD. RELIGION 23, 41–42 (2000).

65. A great deal of scholarship considers the ways that, in Western traditions, women are paradigmatically conflated with being a spectacle for male voyeurism. See, e.g., JOHN BERGER, *WAYS OF SEEING* 45–47 (1972). At the same time, men and male bodies are protected from the kinds of exposure that are seen as making one vulnerable. Like God, who is invisible and may not be represented in many patriarchal cultures, the penis is taboo in much patriarchal art and popular culture. See, e.g., PETER LEHMAN, *RUNNING SCARED: MASCULINITY AND THE REPRESENTATION OF THE MALE BODY* 5 (1993) (“Patriarchy benefits from and may even be partly contingent on perpetuating the mystique of the penis-phallus.”).

of a naked white woman's body.<sup>66</sup> There is nothing unclear about the genital area though: it is a heavily detailed face of the devil, who is black, replete with protruding tongue and animal-like horns<sup>67</sup>—iconographic features, we should note, that have long been associated with Goddesses including, variously, the black world Goddess Diana,<sup>68</sup> the Yoruban “First Ancestor,”<sup>69</sup> the Egyptian Hathor and Isis,<sup>70</sup> the Hindu Kālī,<sup>71</sup> and the Greek Medusa<sup>72</sup> as well as nature gods like Pan<sup>73</sup> and the Disney character, Maleficent, the hero-slaughtered witch in *Sleeping Beauty*.<sup>74</sup> This poster is both seductive and sardonic. It assumes viewers are aware of the patriarchal religious morality that associates sex, and particularly the female sex, with evil, darkness, animality, and sin.<sup>75</sup> And it also reveals that pornography derives from and depends on that association.

Consider this diatribe from St. Tertullian, a third century Christian, who is typical in his pious condemnation of the female sex: “Do you know that you are each an Eve? . . . You are the devil's

66. See, e.g., *The Best of New York Erotic Film Festival*, MOVIEGOODS.COM, [http://www.moviegoods.com/movie\\_poster/best\\_of\\_new\\_york\\_erotic\\_film\\_festival\\_1974.htm](http://www.moviegoods.com/movie_poster/best_of_new_york_erotic_film_festival_1974.htm) (last visited Apr. 23, 2011) (link contains image of advertisement).

67. *Id.*

68. The black world Goddess Diana is Diana (also known as Artemis) of Ephesus, whose shrine was appropriated by the Catholic Church and rededicated as a shrine to Mary. See HALLIE IGLEHART AUSTEN, *THE HEART OF THE GODDESS: ART, MYTH AND MEDITATIONS OF THE WORLD'S SACRED FEMININE* 26–27 (1990); see also SHAHRUKH HUSAIN, *THE GODDESS* 30 (1997) (describing the blackness of Goddesses and its possible continuation into Europe's Black Madonnas).

69. See F. LANIER GRAHAM, *GODDESSES IN ART* 166 (1997).

70. See *id.* at 50.

71. See AJIT MOOKERJEE, *KALI: THE FEMININE FORCE* 62 (1988).

72. Medusa, the Greek Goddess whose gaze was said to turn “men” (I would understand this as meaning uninvited voyeurs) to stone, was one of a trinity of Goddesses and depicted with hair of snakes, protruding tongue, a direct gaze, and fangs. See HUSAIN, *supra* note 68, at 61; see also ROBERT GRAVES, *THE GREEK MYTHS* 127 (Moyer Bell Ltd. 1988) (1955).

73. Pan is said to have the “head of a goat,” a statement which presumes that he has horns of a goat as well. See Phillippe Borgeaud, *Pan*, in 10 *ENCYCLOPEDIA OF RELIGION* 6957 (Lindsay Jones ed., Mary Lou Masey trans., 2d ed. 2005); see also *Make Your Honey Horny This Holiday Season*, PAN'S DEVIL HORNS, <http://www.panshouseofhorns.com> (last visited Mar. 29, 2011) (displaying image of traditional Santa Clause cap, but with Pan horns attached to the front).

74. *SLEEPING BEAUTY* (Walt Disney Animation Studios 1959) (depicting Maleficent, the antagonist witch, with dark green skin, a black cloak, and two black, protruding horns).

75. See MILES, *supra* note 54, at 12–13 (“Medieval women, as well as many women that came before and after them, designed their religious practices around introjected images of their own bodies as figures of sin, sex, and death.”).

gateway . . . You destroyed so easily God's image, man."<sup>76</sup> St. Tertullian identifies the female sex as the conduit of the devil, denies that women are made in the image of God, and directs us to the source of the problem, Eve. The Adam and Eve origin story is not so much about the origin of the world, but, rather, about the origin of patriarchy (which defines itself as the world). Tellingly, this foundational story straddles the religious and the pornographic paradigm and is prominently featured in the iconography of each.<sup>77</sup> The Genesis myth demonizes the original Sex/Earth Goddess, who had long been identified with the tree, the serpent, the fruit of life, and the gift of knowledge;<sup>78</sup> it reverses the biological fact that it is women who give birth to men by having Eve come out of Adam; and it goes on to identify the woman as second to man and a weaker vessel at that. It also lays out a script for male domination and even male-dominant S&M as the very basis of heterosexual marriage: as God curses Eve, "thy desire shall be to thy husband, and he shall rule over thee."<sup>79</sup> In Christian patriarchal traditions, this sort of non-egalitarian heterosexuality becomes the only sanctioned form of sexual connection.<sup>80</sup> The Adam and Eve myth also provides a basis for subsequent commentators—religious and philosophical—to expound their belief, one way or another, that women are not really made in

76. Tertullian, *On the Apparel of Women*, in 4 THE ANTE-NICENE FATHERS 14, 14 (Alexander Roberts & James Donaldson eds., S. Thelwall trans., 1885) (citations omitted).

77. ADAM & EVE (Mar. 21, 2011), <http://www.adameve.com>; see also Christian Domestic Discipline Marriage, MYSPACE, <http://www.myspace.com/christianddmarrriage> (last visited Mar. 25, 2011) (promoting the submission of wives to husbands, which includes physical discipline, against a backdrop of images from the Garden of Eden).

78. See JOSEPH CAMPBELL WITH BILL MOYERS, THE POWER OF MYTH 47 (Betty Sue Flowers ed., 1988).

79. Genesis 3:16; cf. John MacArthur, *The Biblical Position on Women's Roles*, BIBLE BULL. BOARD, <http://www.biblebb.com/files/MAC/womensroles.htm> (last visited Mar. 21, 2011) (referring to the concept of control in Genesis 3:16 as a catalyst for an ongoing struggle between the sexes). See generally LAURA DOYLE, THE SURRENDERED WIFE: A PRACTICAL GUIDE FOR FINDING INTIMACY, PASSION, AND PEACE WITH A MAN (2000) (a Christian-oriented bestseller advocating female subordination by encouraging married women to submit to their husbands sexually, financially, and every other way in exchange for sex).

80. Gilbert Herdt, *Homosexuality*, in 1 ENCYCLOPEDIA OF RELIGION 4111, 4111 (Lindsay Jones ed., 2d ed. 2005) (noting that "since about the eleventh century CE homosexuality has been seen as antithetical to Western ideas of church, family, and state; this attitude generally reflects a traditional Judeo-Christian cosmology."). See generally FRYE, *supra* note 42, at 124–37.

the image of God.<sup>81</sup> This is a direct upending of the rival ancient tradition that actually found a face or representation of divinity in the vulva.<sup>82</sup>

Lerner observes that for the ancient religions overthrown by patriarchy, the symbol of the Goddess's vulva was central, representing the "sacredness of female sexuality and its mysterious life-giving force, which included the power to heal."<sup>83</sup> Similarly, in the pre-Vedic and Hindu traditions, the vulva or *yoni* stood for the "life-giving, animating power of the cosmos."<sup>84</sup> As the material source of life, the vulva is revealed by the Mambo (priestess) as the sign of "ultimate truth" for Haitian Voodoo.<sup>85</sup> In this way, then, pornography serves to propagate the patriarchal faith as it corrupts that tradition by making the vulva now the emblem not of truth but of deception, not of the divine, but of the devil.

Some who appreciate pornography, like the forceful and always interesting Virginie Despentes, claim the porn star as the "femme fatale," the "sex bomb," and the one who provokes the strongest reaction because her sexuality is so powerful.<sup>86</sup> But, as these epithets indicate, this female potency simultaneously is understood as something dangerous to men. The porn star's sexual rush does derive from historic reverence for Sex Goddesses and their cunctipotence,<sup>87</sup> but porn, protecting the phallus, encases that "Goddess" figure in a context where she is herself castrated—that is caricatured, scripted and caged, making her into an image that encodes historical layers of the continuing trauma of sexual oppression.

81. See TUANA, *supra* note 61, at 53–58 (analyzing the writings of Plato, Aristotle, Gratian, and St. Augustine, among others, and asserting that those figures argued that women are inferior, imperfect, or not made in the "image of God") (citations omitted).

82. See LERNER, *supra* note 29, at 143; see also POWER, *supra* note 59, at 44 (indicating "there is some archaeological evidence that the womb itself was considered a deity in some areas" in pagan Europe).

83. LERNER, *supra* note 29, at 143.

84. Marglin, *supra* note 48, at 530–533.

85. ZORA NEALE HURSTON, *TELL MY HORSE 137* (Turtle Island Books 1981) (1938).

86. See VIRGINIE DESPENTES, *KING KONG THEORY* 93–94 (Stéphanie Benson trans., 2006) (arguing that "[i]f . . . there is no higher aspiration for a woman than to appeal to men," then porn actresses—who are, as Despentes claims, intimidating to men—should not be pitied and victimized, but instead regarded as "the most seductive women on the planet").

87. Cunctipotence (female and female-identified potency) is not omnipotence, which is the ability to separate from and then dominate, control, and crush anybody and everything. Rather, cunctipotence bespeaks participation or communion in the creative interconnecting power of the commonplace, the whole, the All. See generally Jane Caputi, *Cunctipotence: Elemental Female Potency*, TRIVIA: VOICES OF FEMINISM (Sept. 2006), <http://www.triviavoices.net/archives/issue4/caputi.html>.

The church father St. Augustine not only disparaged the “demon” Goddess Cybele and her “obscene” rites,<sup>88</sup> but directed particular condemnation against the daemons (nature spirits) who inhabited trees, springs, and other sacred geographic spots.<sup>89</sup> “Judeo-Christianity. . . demonized the daemons,” in part because they were understood as intrinsically erotic forces.<sup>90</sup> St. Augustine, for example, denounced them as “filthy.”<sup>91</sup> The new Christian framework also demanded the demolition of the sacred groves of Europe,<sup>92</sup> and trees were subjected to a kind of bio-cleansing or “ecocide.”<sup>93</sup> At the same time, “the celebration of fertility as a dimension of the sacred was identified in the Christian mind with obscenity and evil.”<sup>94</sup>

This misguided identification culminated not only in ecocide but also in what has been called “femicide” or “gynocide”—the strategic murder of women for purposes of patriarchal domination.<sup>95</sup>

88. Aurelius Augustine, *The City of God*, in 1 THE WORKS OF AURELIUS AUGUSTINE, BISHOP OF HIPPO book II, at 53–54 (Marcus Dods ed. & trans., 1872); see also RANDY P. CONNER, *BLOSSOM OF BONE: RECLAIMING THE CONNECTIONS BETWEEN HOMOEROTICISM AND THE SACRED* 115 (1993).

89. Augustine, *supra* note 88, at 52–53.

90. POWER, *supra* note 59, at 44 (arguing that “daemones” were understood as sexual due to Christian associations of sex with sin, which resulted in a projection of appetites onto the daemones who sought to satisfy their lusts through the bodies of human beings; she further notes that the temptations offered by women to men were analogized to the temptations offered by daemones) (citations omitted).

91. See Augustine, *The Replacement of the Fallen Angels By Elect Men*, ENCHIRIDION ON FAITH, HOPE, AND LOVE ch. 9, ¶ 29 (Albert C. Outler ed. & trans., 1955) (“We know neither the number of holy men nor of the filthy demons, whose places are to be filled by the sons of the holy mother, who seemed barren in the earth, but whose sons will abide time without end in the peace the demons lost.”).

92. See Lynn White, Jr., *The Historical Roots of Our Ecologic Crisis*, 155 SCIENCE 1203, 1205–06 (1967) (arguing that for two thousand years Christian missionaries destroyed ancient belief systems in which “every tree, every spring, every stream, every hill had its own genius loci, its guardian spirit [or daemon],” by chopping down “sacred groves, which are idolatrous because they assume spirit in nature”).

93. CAPUTI, *supra* note 21. I first used the word “ecocide” in Jane Caputi, *American Psychos: The Serial Killer in Contemporary Fiction*, 16 J. AMER. CULTURE, no. 4, 1993, at 101–112. I define it as “large scale assaults on a besieged and feminine-identified Earth.” *Id.* at 104.

94. POWER, *supra* note 59, at 53.

95. Femicides are a form of hate crime, murders of women by men that are motivated by misogyny as well as by masculinist notions of manhood, honor, love, pride, pleasure, religion, culture, and sense of ownership of women. Femicides take many forms, including “honor killings,” witch-burnings, selective destruction of female fetuses and infants, boy-friends and husbands killing their girlfriends and wives, and stranger sex killings. Jane Caputi & Diana E. H. Russell, *Femicide: Sexist Terrorism Against Women*, in FEMICIDE: THE POLITICS OF WOMAN KILLING 13, 15 (Jill Russell & Diana E. H. Russell eds., 1992); see also ANDREA DWORKIN, *WOMAN HATING* 93–95, 118 (1973) (referring to acts of violence

This gynocide took shape in the papal-endorsed religious and simultaneously pornographic imagination of specifically female, evil, and demonic witchcraft.<sup>96</sup> The most notorious and influential witch-hunters, two Dominican monks, proclaimed all witchcraft to be the product of “carnal lust,” which, they claimed, was “insatiable” in women.<sup>97</sup> This lust, they claimed, drove female witches to indulge in outdoor orgies that included lesbianism as well as assorted sex acts with Satan.<sup>98</sup>

Priestly fantasies of naked, “filthy,” and “lust-crazed” witches were luridly depicted in artwork, which marked the beginnings of pornography as popular entertainment in the West.<sup>99</sup> Inquisitors did not stop at fantasy; they routinely subjected those accused of witchcraft to rape and other forms of sexual torture before sacrificing them.<sup>100</sup> Ultimately, this patriarchal religious and pornographic fantasy of women, sex, evil, nature, and the devil led to the executions of approximately 100,000 people, most of whom were women.<sup>101</sup>

Returning again to the 1977 poster for *The Best of the New York Erotic Film Festival*, we can note that while the outlined human figure has a softness and curviness usually associated with women, there really is nothing conclusive to suggest that the body is a female one; this body also could be male or inter-sexed.<sup>102</sup> Implicitly, then,

against women such as rape and torture as “gynocide”). Consistent with the foregoing sources, gynocide should be defined as “the fundamental intent of global patriarch: planned institutionalized spiritual and bodily destruction of women; the use of deliberate systematic measures (such as killing, bodily or mental injury, unlivable conditions, preventions of births), which are calculated to bring about the destruction of women as a political and cultural force.” DALY WITH CAPUTI, *supra* note 4, at 77.

96. DALY, *supra* note 2, at 178–87 (examining historical records of witch burnings in Europe between the 15th and 17th centuries) (citations omitted). See generally JANE CAPUTI, *THE AGE OF SEX CRIME* 93–121 (1987) (arguing that the contemporary patriarchal treatment of sex, which is equated with the “male mutilation and murder of a woman,” and pornography, which “consists in the conditioning of male arousal to female subordination, humiliation, objectification, pain, rape, mutilation, and even murder,” is analogous to the treatment of women as witches during significant periods of Western history).

97. HEINRICH KRAMER & JAMES SPRENGER, *THE MALLEUS MALEFICARUM OF HEINRICH KRAMER AND JAMES SPRENGER* 47 (Montague Summers trans., Dover 1971) (1928).

98. See SJÖÖ & MOR, *supra* note 45, at 298–300; see also ROSSELL HOPE ROBBINS, *THE ENCYCLOPEDIA OF WITCHCRAFT AND DEMONOLOGY* 461 (1959) (describing historical accounts of witch trials based on allegations of women engaging in sexual rituals with Satan).

99. SJÖÖ & MOR, *supra* note 45, at 309.

100. ANNE LLEWELLYN BARSTOW, *WITCHCRAZE: A NEW HISTORY OF THE EUROPEAN WITCH HUNTS* 131–33 (1994) (citations omitted).

101. See *id.* at 21.

102. See *supra* notes 66–67 and accompanying text.

all genitals are associated with the purported dark diabolism of sex, or as the authors of the *Malleus Maleficarum* averred, “the devil lies in the privy parts of men.”<sup>103</sup> While patriarchal religion and pornography work to demean the vulva, the penis is not really spared. It too is shamed and demoted, compared ignominiously to the almighty, omniscient, and omnipotent “phallus.”<sup>104</sup>

The phallus is something that does not really exist in nature: a simulation, sometimes literal and sometimes symbolic, of a penis in a state of permanent erection. This phallus serves, psychoanalytic theorists tell us, as the lofty and universal signifier of (usually white) male superiority, authority, and law,<sup>105</sup> or, as one of its boosters blathered, “all greatness and goodness, ‘the power and the glory,’ the intellect and all superior capacities and attributes.”<sup>106</sup> As such inflated language reveals, the phallus is the not-so-hidden model for the patriarchal God, the one who also does not really exist,<sup>107</sup> the one whose title in the Catholic faith is “The Omnipotent.”<sup>108</sup> According to Howard Schwartz, the Hebrew God could not be envisioned as having an actual penis because if he did, that would place his male worshipers in a “homoerotic” relationship with him.<sup>109</sup> Instead of open homoeroticism, then, we get a veritable god/rod,<sup>110</sup> along with the whole package of self- and body-loathing, homoerotic homophobia, and open misogyny.<sup>111</sup>

103. KRAMER & SPRENGER, *supra* note 97, at 26.

104. See EVA C. KEULS, *THE REIGN OF THE PHALLUS: SEXUAL POLITICS IN ANCIENT ATHENS* 1–5 (1985) (discussing the patriarchal symbol of the phallus as a sign of male power). See generally SUSAN BORDO, *THE MALE BODY: A NEW LOOK AT MEN IN PUBLIC AND IN PRIVATE* 84–94 (1999) (exploring ways that phallic symbols have been used in art, mythology, and popular culture to subvert the taboo nature of the penis).

105. See, e.g., *THE ROUTLEDGE CRITICAL DICTIONARY OF FEMINISM AND POSTFEMINISM* 294 (Sarah Gamble ed., 1999) (discussing the significance of the phallus in psychoanalytic theory).

106. Leonard R. Sillman, *Femininity and Paranoidism*, 143 *J. NERVOUS & MENTAL DISEASE* 165 (1966).

107. DWORKIN, *supra* note 52.

108. See G. Roxburgh, *Omnipotence*, in 10 *NEW CATHOLIC ENCYCLOPEDIA* 591–93 (Thomas Carson & Joann Cerrito eds., 2d ed. 2003).

109. See HOWARD EILBERG-SCHWARTZ, *GOD’S PHALLUS* 2–3 (1994).

110. DALY WITH CAPUTI, *supra* note 4, at 203 (defining “god/rod” as “projection by impotent pricklers of an omnipotent eternally erect divinity; divine ruler of phallocrats possessed by penis envy, who obsessively compete, measuring/comparing their rods—e.g., guns, missiles, rockets”).

111. Scholarship by Jeffrey Kripal has advanced the notion that when patriarchal religion defines homosexuality as

I welcome an encounter with divinity in the genitals—female, male, and ambiguous—but seeking divinity in the phallus is another matter indeed. The always hard, sterile, and detached phallus identifies power, not with capacity or creativity but with domination and violence, and is symbolized characteristically by weaponry.<sup>112</sup> The phallus is not a true representative of the penis, which is definitely attached, sometimes hard but more often soft, not eternal but changeable, not a weapon but a flower,<sup>113</sup> not an artifact but a body—alive, responsive, and fertile. Instead, the phallus, Susan Bordo argues, stands for “a superiority that is distinctively connected with . . . generic male superiority—not only over females but also over other species . . . [associated] with higher values—with the values of ‘civilization’ rather than ‘nature,’ with the *Man who is made in God’s image*, not *Homo sapiens*, the human primate.”<sup>114</sup> The always implicitly white, *civilized* phallus, then, is the emblem of the rejection of sexuality and the body, and ultimately of the dirt, darkness, the animal, and the Earth cultivated by patriarchal religion.

The machine-clean and inhuman white phallic model contrasts with male, Earth-based sex/fertility symbols, which celebrate species kinship, the capacity to give and receive pleasure and fertility. The white phallus, instead, is the emblem of the elevation of abstract, white-male-identified rationality and the attendant tendency

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a moral and psychosexual ‘objective disorder,’ . . . some stunningly rich and complex homoerotic subcultures [are produced] within its very heart, in effect defining sanctity as a form of repressed and sublimated (homo)sexuality. Theologically, liturgically, and institutionally, Catholicism privileges an all-male structure whose goal is to encourage and nurture, through a series of male-controlled practices and beliefs, a profound love for another male (deity).

Jeffrey Kripal, *Sexuality: An Overview [Further Considerations]*, in 12 *ENCYCLOPEDIA OF RELIGION* 8241, 8244–45 (Lindsay Jones ed., 2d ed. 2005). Moreover, a continuing homophobic homoeroticism continues to pervade Church doctrine and rituals, including any number of typically “gay” or “queer” practices, from the formation of same-sex communities to liturgical cross-dressing and the ritual adoration and consumption of the male body. *See id.*

112. Jane Caputi, *The Pornography of Everyday Life*, in *RACE, CLASS & GENDER IN THE MEDIA: A CRITICAL READER* 311, 311–19 (Gail Dines & Jean Humez eds., 3d ed. 2011) (forthcoming 2011); *see also* JAMES B. GIBSON, *Embracing Masculinity*, in *SEXUALITY AND THE SACRED: SOURCES FOR THEOLOGICAL REFLECTION* 195, 196–200, 205–08 (James B. Nelson & Sandra P. Longfellow eds., 1994) (exploring different symbols and images of the phallus and their relation to mythology, spirituality, and Christian theology).

113. RICHARD DYER, *Male Sexuality in the Media*, in *THE MATTER OF IMAGES: ESSAYS ON REPRESENTATIONS* 112 (1993).

114. BORDO, *supra* note 104, at 89 (emphasis added) (alteration in original).

to *dispirit*<sup>115</sup> and objectify. This phallic model seeks to obviate what is essentially our *earthy*—redefined here as “dirty”—sexuality, shaming the fallibly fleshy body along with all who are identified with the body instead of mind, with matter instead of spirit, and with “dirtiness” instead of purity.

## II. THE DIRTY AND THE PURE

Writing in 2001 in the left-leaning periodical *The Nation*, Mark Cromer, who describes himself as a pornographer as well as a journalist, expressed his fears that pornography would become “kinder and gentler” under the Bush administration.<sup>116</sup> But, he averred, “If the past and human nature are any indication . . . the outlaw element in porn, provocateurs like Rob Black and Max Hardcore, will likely rise (or sink) to the occasion and do the necessary dirty work to keep porn, well . . . dirty. The way it should be.”<sup>117</sup> Cromer’s prediction was correct. Porn, epitomized by these two pornographers, has become ever “dirtier.”<sup>118</sup> But what exactly does “dirty” mean in this context?

If we look to the pornographers Cromer cites, both use adult women who are done up to look like young girls performing sex with men old enough to be their fathers (like Hardcore himself, who appears in his own productions).<sup>119</sup> Black, who was profiled in a 2002 *Frontline* documentary *American Porn*<sup>120</sup> also produces films about men kidnapping, raping, and beating women. Much of Hardcore’s current pornography involves extreme violence as well as practices involving body wastes. “Dirty,” as Cromer uses it, then must signify a pornographic—and erotophobic—view of sexuality as equivalent to violation, defilement, and disgust.

115. DALY WITH CAPUTI, *supra* note 4, at 195.

116. Mark Cromer, *Porn’s Compassionate Conservatism*, NATION, Feb. 26, 2001, at 25–26.

117. *Id.* at 28.

118. Films and websites feature men forcing their penises down women’s throats to the point of gagging, men pissing into women’s mouths, and speculums inserted into women’s anuses to widen them so a man can piss into them and make the woman drink the results through a catheter. *The editorial staff has not independently verified these assertions.* – Eds.

119. Cromer, *supra* note 116, at 28.

120. *Frontline: American Porn* (PBS documentary film television broadcast Feb. 7, 2002), available at <http://www.pbs.org/wgbh/pages/frontline/shows/porn/view>.

This “dirty” paradigm of sexuality vividly preoccupies pornography, but it equally, if more subliminally, informs the incesting Christian “purity balls”<sup>121</sup>—rituals in which young girls, actual teenagers, pledge their virginity to older men, actual fathers.<sup>122</sup> This paradigm also frames abstinence-only education. One well-known exercise of the latter, as described in a report on abstinence sex education in Mississippi from the Sexuality Information and Education Council of the United States (SIECUS), is the “Cookie Exercise” that involves having four student volunteers each spitting a chewed-up Oreo cookie into a cup of water and then swapping cups with other students.<sup>123</sup> A fifth student holds a clean cup of water. The entire class is asked which cup of fluid they would rather drink. According to the lesson, the four students represent sexual activity while the fifth represents purity.<sup>124</sup> This “lesson” is critiqued by SIECUS, which avers, “The messages of this exercise are clear. Young people who have had sexual intercourse are dirty; they are the equivalent of spit.”<sup>125</sup> Pornography based, as it is, in a view of sexuality as “filthy” makes it the secret collaborator with such bad-sex-instruction and the malicious morality that frames it.

Centuries ago, St. Augustine labeled prostitutes as “sordid . . . void of modesty, [and] full of shame,”<sup>126</sup> yet warned that if they were removed from human affairs, it would result in a pollution of “all things with lust” and a “dishonor[ing] [of] all things with disgrace and turpitude.”<sup>127</sup> The celibate St. Thomas Aquinas drew upon St. Augustine’s work to compare the social function of prostitutes to that of sewers in a palace.<sup>128</sup> Nowadays, the same understanding of a

121. VALENTI, *supra* note 40, at 65–67 (describing these events as “promlike balls . . . [with] dancing, food, and entertainment . . . [where] the girls recite a pledge vowing to be chaste until marriage, and name their fathers as the ‘keepers’ of their virginity until a husband takes their place”).

122. *Id.*

123. Sexuality Information and Education Council of the United States (SIECUS), *Sex Education in Mississippi: Why “Just Wait” Just Doesn’t Work*, 20 (2010), [http://www.siecus.org/\\_data/global/images/Sex Education in Mississippi--Why ‘Just Wait’ Just Doesn’t Work.pdf](http://www.siecus.org/_data/global/images/Sex%20Education%20in%20Mississippi--Why%20Just%20Doesn't%20Work.pdf).

124. *Id.*

125. *Id.* at 20–21.

126. DALY, *supra* note 1, at 60 (quoting St. Augustine and identifying his views on prostitution as a form of “scapegoating”).

127. *Id.*

128. *Id.* at 61 (quoting Aquinas and comparing his views on prostitution to Augustine’s).

beneficial sexual transfer of “filth” from men to women<sup>129</sup> is conveyed by the pornographic practice of ATM, or “ass to mouth.”<sup>130</sup> Again, pornographic sexuality derives directly from patriarchal religious moralisms.<sup>131</sup> For the Abrahamic religions, all ills can be traced to Eve, whose “transgression against the command of Allah” not only marked women as morally weaker than man,<sup>132</sup> “but . . . also responsible for bringing *pislik* (dirtiness) into existence . . . creaturely functions of defecation, urination . . . sweating . . . menstruation.”<sup>133</sup> In this paradigm, mind or spirit is vehemently separated from body, and shame and disgust are attached not only to sexuality, but to the very condition of being human (from the Latin *humus*, meaning earth or dirt<sup>134</sup>).

Patriarchal “civilization” then defines progress just as patriarchal religion has defined holiness—as being in complete control over and distanced from the earthy and the material (including bodily functions, sexuality, and the animal and elemental world). Elites define themselves as “clean” and those they oppress as “dirty,” hyper-sexual, smelly, and so on.<sup>135</sup> Those who are defined as “unclean” then have to do the “s— work,” the menial labor, which includes sexual labor.<sup>136</sup> All women, but particularly prostitutes, are

129. See, e.g., Jane Caputi, “Take Back What Doesn’t Belong to Me”: *Sexual Violence, Resistance and the “Transmission of Affect,”* 26 *WOMEN’S STUD. INT’L FORUM* 1, 7–10 (2003) (exploring numerous instances of women being compared to or portrayed as “dirty” or “filthy” in literature, academia, film, and popular culture).

130. In this, a man removes his penis from a woman’s or someone else’s anus and, without cleaning himself, makes her suck on it. Also, a common pornographic appellation of women is “cumdumpster,” a naming that is veritably enacted in the pornographic convention of a man or group of men ejaculating on a woman’s face. *The editorial staff has not independently verified these assertions.* — Eds.

131. See MILES, *supra* note 54, at 12–13.

132. Carol Delaney, *Mortal Flow: Menstruation in Turkish Village Society*, in *BLOOD MAGIC: THE ANTHROPOLOGY OF MENSTRUATION* 75, 79 (Thomas Buckley & Alma Gottlieb eds., 1988); see also TUANA, *supra* note 61, at 79.

133. See Delaney, *supra* note 132, at 79.

134. WEBSTER’S THIRD NEW INTERNATIONAL DICTIONARY 1083, 1100 (2002) (tracing “human” first back to “homage” and then giving the derivation of “homage” as deriving from “L. *humus*, earth”).

135. See ANDREA SMITH, *CONQUEST: SEXUAL VIOLENCE AND AMERICAN INDIAN GENOCIDE* 24 (2005) (stating that oppressors believe natives need to be “liberated into a patriarchal standard of beauty”).

136. Iris Marion Young has suggested that “the category of menial labor is a form of racially, specific exploitation.” YOUNG, *supra* note 41, at 51–52. She also notes that as a group . . . women undergo specific forms of gender exploitation in which their energies and power are expended, often unnoticed and unacknowledged, usually to benefit men by releasing them for more important and creative work,

targeted for abuse, from harassment and rape all the way up to murder; some sex killers explicitly justify their activities by claiming that they are just “cleaning up” the streets.<sup>137</sup> Authoritarian, fascist, and genocidal regimes legitimate their horrors within the same framework: they claim to be restoring purity, keeping us safe from social “filth,” and “cleansing” their regions of those they define as intrinsically “dirty.”<sup>138</sup>

A major feature of straight pornography is “girl-girl” performances. Pictures of real lesbians kissing at gay pride rallies might elicit disgust for many porn consumers. But showcasing “normal girls” who are paid to perform those especially “dirty,” deviant, and degrading lesbian acts<sup>139</sup> is wildly popular. Also reflecting that pervasive homophobia is the dearth of any equivalent “boy-boy” sexuality in straight porn.<sup>140</sup> This equation of homosexuality with filth and taboo derives, again, from patriarchal religion. In March of 2005, an extraordinary interfaith alliance of male religious leaders in Jerusalem formed to try to stop an international gay pride festival in Jerusalem.<sup>141</sup> One Islamic leader stated the group’s aim: “We can’t permit anybody to come and make the Holy City dirty.”<sup>142</sup>

Calvin Hernton deems the way that racist Southern culture defined white “ladies” as pure and chaste and black women as dirty

enhancing their status or the environment around them, or providing them with sexual or emotional service.

*Id.* Obviously, women of color are implicated in both forms of exploitation in a white supremacist context. See also Caputi, *supra* note 129, at 1–14 (discussing the ways that sexual exploitation—in menial sex work and in rape and other forms of sexual violence—works to socially “dirty” women and transfer men’s negative affects, including self-hatred, rage, and guilt, to the women they exploit).

137. CAPUTI, *supra* note 13, at 186–87.

138. For example, the Nazi goal was to make Germany *judenrein*, that is, “cleansed of Jews.” ZYGMUNT BAUMAN, MODERNITY AND THE HOLOCAUST 129 (1989); see also Meryl Yourish, *Dirty Jews*, YOURISH.COM (Dec. 17, 2005, 11:49 AM), <http://www.yourish.com/2005/12/17/454>.

139. See, e.g., D. A. Clarke, *Prostitution for Everyone: Feminism, Globalization, and the “Sex” Industry*, in NOT FOR SALE: FEMINISTS RESISTING PROSTITUTION AND PORNOGRAPHY 149, 198 (Rebecca Whisnant & Christine Stark eds., 2004).

140. As an Internet search on girl-girl pornography will reveal, there is a plethora of such materials aimed at men. A search for boy-boy pornography leads only to gay pornography, not pornography specifically pitched to straight women. *The editorial staff has not independently verified these assertions.* – Eds.

141. Laurie Goodstein & Greg Myre, *Clerics Fighting a Gay Festival for Jerusalem*, N.Y. TIMES, Mar. 31, 2005, <http://www.nytimes.com/2005/03/31/international/worldspecial/31gay.html>.

142. *Id.*

and whorish as a kind of “pious pornograph[y].”<sup>143</sup> The original model for pious pornography is the Catholic Church’s reverence for the supposedly immaculate state of the Virgin Mary. Mary Daly radically reinterprets the dogma of Mary’s “immaculate conception,” which means she is born without Eve’s stain, “original sin.”<sup>144</sup> Daly traces the etymology of the word “sin” to a root that means “to be,” and argues that under patriarchy, the genuine original and courageous “Sin” for women is to manifest “elemental be-ing.”<sup>145</sup> By instituting worship of the Virgin Mary, the Church sought to satisfy the populace’s demand for a Goddess, but simultaneously disempowered her by purifying her of original being, selfhood, sovereignty, voice, sexuality, integrity, and all connection to the elemental Earth. This violation of the teenaged Virgin Madonna, who is put forth as a simulation of the original Sex Goddess and Earth Mother, theologically legitimates the violation of all female selfhood, as well as all flesh, all matter, and the Earth itself.

### III. SNUFF RELIGION/SNUFF PORNOGRAPHY

The pornographic definition of sex as masculine domination reaches its ultimate fulfillment in the “snuff” film, one that purports to show the actual rape, torture, mutilation, and murder of a woman or someone used in the place of the woman.<sup>146</sup> Again, there is a precedent in patriarchal religious myth, which is founded in a God or hero’s “murder/dismemberment of the Goddess,” whom Daly understands as “the Self-affirming be-ing of women.”<sup>147</sup> This paradigm underlies the story of the Babylonian Marduk’s slaying of the primordial creator Goddess Tiamat, using his penis as a weapon,<sup>148</sup> the Greek hero Perseus’s beheading of Medusa,<sup>149</sup> Jehovah’s breaking of

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143. CALVIN C. HERNTON, *SEX AND RACISM IN AMERICA* 133 (1965).

144. DALY, *supra* note 21, at 103.

145. *Id.* at 151.

146. *Cf.* CAPUTI, *supra* note 96, at 164–66 (citing multiple instances of male serial killers deriving homicidal inspiration from pornography); *see also* ROBERT H. MORNEAU, JR. & ROBERT R. ROCKWELL, *SEX, MOTIVATION, AND THE CRIMINAL OFFENDER* 213 (1980) (describing a graphic snuff film depicting a bound and nude woman who is brutally killed).

147. DALY, *supra* note 2, at 111.

148. *See, e.g.*, Michelle I. Marcus, *Sex and the Politics of Female Adornment in Pre-Achaemenid Iran (1000–800 B.C.E.)*, in *SEXUALITY IN ANCIENT ART: NEAR EAST, EGYPT, GREECE, AND ITALY* 41, 50 (Natalie Boymel Kampen ed., 1996).

149. *See, e.g.*, BARING & CASHFORD, *supra* note 46, at 340–44.

the heads of the Leviathan,<sup>150</sup> and the Aztec war God Huitzilopochtli decapitating and dismembering his moon Goddess sister, Coyolxauhqui.<sup>151</sup> Susan Griffin marks, and mourns, the continuation of this pattern in the extensive torture and murder of the God-made-flesh, Jesus.<sup>152</sup> The patriarchal religious condemnation of the flesh, the female, fertility, and matter itself leads inevitably then to the final gynocidal or snuff scenario: the patriarchal God's destruction of the (Mother) Earth by fire, as prophesied in the Gospel of Peter.<sup>153</sup>

The original and still enduring religious concept is that of Earth as a mothering principle.<sup>154</sup> In many religions, ancient and modern, Earth is understood not only as a mother, but "as a religious 'form' . . . [a] repository of a wealth of sacred forces."<sup>155</sup> Conversely, as we have seen, in less Earth-respecting and patriarchal traditions, Earth, which is synonymous with soil or dirt, becomes the core metaphor for obscenity.

African-American novelist, poet, essayist, and philosopher Alice Walker has this truth to tell:

150. *Isaiah* 27:1 (King James) ("In that day the Lord with his sore and great and strong sword shall punish le-vi-a-than the piercing serpent, even le-vi-a-than that crooked serpent; and he shall slay the dragon that is in the sea."); see also BARING & CASHFORD, *supra* note 46, at 419–20 (arguing that all mythological monsters, including Leviathan, have a direct lineage to the water and serve as a corollary to evil "Mother Goddesses" such as Tiamat and Ishtar, who were vilified in the Old Testament and served as a vehicle for Christianity and Judaism to superimpose new "sky-gods" on older earth-centric Goddess religions).

151. See BERNARDINO DE SAHAGUN, FLORENTINE CODEX: GENERAL HISTORY OF THE THINGS OF NEW SPAIN 1–9 (Arthur J.O. Anderson & Charles E. Dibble trans., The School of American Research and The University of Utah 1952) (n.d.); *The Birth of Huitzilopochtli, Patron God of the Aztecs, in NATIVE MESOAMERICAN SPIRITUALITY: ANCIENT MYTHS, DISCOURSES, STORIES, DOCTRINES, HYMNS, POEMS FROM THE AZTEC, YUCATEC, QUICHE-MAYA, AND OTHER SACRED TRADITIONS* 220, 220–25 (Miguel Leon-Portilla ed., Miguel Leon-Portilla et al. trans., 1980).

152. See, e.g., Interview by Karla Tonella with Susan Griffin on KPFA-FM, Pacifica Radio, Berkeley, Cal. (1981), *transcript available at* <http://bailiwick.lib.uiowa.edu/wstudies/griffin.html> (arguing that the story of Jesus' crucifixion represents the origin of society's sadomasochistic torture of all things associated with the human body, a tendency seen regularly in pornography).

153. *2 Peter* 3:10 (King James) ("But the day of the Lord will come as a thief in the night; in the which the heavens shall pass away with a great noise, and the elements shall melt with fervent heat, the earth also and the works that are therein shall be burned up."); see also DALY, *supra* note 21, at 9–10 (arguing that the passage from the second epistle of Peter is a "manifesto of necrophilic faith" that has "paved the way for modern technological war against the elements" through the use of nuclear arms and toxic chemicals).

154. See, e.g., Catherine M. Roach, *Mother Nature Imagery*, in THE ENCYCLOPEDIA OF RELIGION AND NATURE 1107–10 (Bron R. Taylor ed., 2005).

155. MIRCEA ELIADE, PATTERNS IN COMPARATIVE RELIGION 242 (Rosemary Sheed trans., 1958).

Some of us have become used to thinking that woman is the n—— of the world, that a person of color is the n—— of the world, that a poor person is the n—— of the world. But, in truth, Earth itself has become the n—— of the world . . . . While it is “treated like dirt,” so are we.<sup>156</sup>

The Earth is “treated like dirt” by being strip mined, clear-cut, polluted, trashed, exploited, and targeted with weapons of mass destruction. Those paradigmatic pornographic pictures of “women trussed up in chains and barbed wire, of female flesh bruised and bloodied and beaten raw” are really, Sjöö and Mor suggest, “our species’ maps of the mutilated earth.”<sup>157</sup> The devastating trajectory of the woman and Earth-hating religious/pornographic paradigm also can be discerned in the “cleansed” and “mechanized” bodies that preoccupy contemporary pornography—bodies shaved all over, save the head, bodies with anuses bleached, bodies all pumped up with steroids, bodies implanted with silicone, bodies surgically altered to suit the pornographic ideal.<sup>158</sup> The sterility, soullessness, and final commoditization such bodies represent is the end result of the religious/pornographic collaboration in the severance of body from mind, spirit from sex, male from female, God from Goddess, God from the Earth, and humans from the animal and the dirt.

The snuff teleology of patriarchal religion and pornography proceeds from that initial movement to destroy “Goddess,” defined, again, by Daly as the “Self-affirming be-ing of women,” and, I would add, those used in the place of women.<sup>159</sup> As the fervent prayer goes, “Glory to the Father, and to the Son, and to the Holy Spirit: as it was in the beginning, is now, and will be for ever.”<sup>160</sup> And, indeed, this original targeting of the autonomous female Self, as I argue in the next Section, continues to guide the pronouncements of the reigning Pontiff, Benedict XVI.

156. Alice Walker, *Everything is a Human Being*, in *LIVING BY THE WORD: SELECTED WRITINGS, 1973–1987*, at 139, 147 (1988) (quotation altered by removing expletives).

157. SJÖÖ & MOR, *supra* note 45, at 411.

158. *Id.*

159. DALY, *supra* note 2, at 111 (citation omitted).

160. ENGLISH LANGUAGE LITURGICAL CONSULTATION, *Gloria Patri: Layout 1*, in *PRAYING TOGETHER 31* (1988), available at <http://www.englishtexts.org/praying.pdf>.

#### IV. GENDER/PORNOGRAPHY

In November of 1994, vandals broke into the library at the University of New Mexico, targeting books and journals in women's and gay and lesbian studies sections.<sup>161</sup> They took an issue of the journal *Lesbian Ethics* and replaced the title with "God's Ethics," scrawled a swastika on the cover, and avowed that "God Made Women for Men."<sup>162</sup> The same sentiments motivating this hateful pronouncement can be discerned in the words of Pope Benedict XVI when, in 2004, writing then as Cardinal Ratzinger,<sup>163</sup> he deplored "[t]he obscuring of the difference or duality of the sexes" and those "ideologies which . . . call into question the family, in its natural two-parent structure of mother and father, and make homosexuality and heterosexuality virtually equivalent, in a new model of polymorphous sexuality."<sup>164</sup> These supposedly unnatural "ideologies" contravene what Ratzinger deemed to be women's most wonderful and supposedly natural feminine trait, which he calls a "capacity for the other."<sup>165</sup> He criticizes as especially egregious "a certain type of feminist rhetoric [that] makes demands 'for ourselves.'"<sup>166</sup> What Pope Benedict euphemistically calls the "capacity for the other"<sup>167</sup> actually designates the ways that women have been denied "Self-affirming be-ing"<sup>168</sup>—by being defined and treated by patriarchal men, and complicit women, as domestic drudges, sexual objects, decorative objects, disposable objects, "selfless 'mammies,'"<sup>169</sup> submissive wives, dutiful daughters, adoring mothers, and filthy (but simultaneously, gold-hearted) "whores." In other words, Pope Benedict's "capacity for the other" designates women as domestic and

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161. Jane C. Hood & Stephen Rollins, *Some Didn't Call it Hate*, 1 VIOLENCE AGAINST WOMEN 228, 228–29 (1995).

162. DVD: *The Pornography of Everyday Life* (Berkeley Media, LLC 2007).

163. Joseph Cardinal Ratzinger & Archbishop Angelo Amato, *Letter to the Bishops of the Catholic Church on the Collaboration of Men and Women in the Church and in the World*, VATICAN: THE HOLY SEE (May 31, 2004), [http://www.vatican.va/roman\\_curia/congregations/cfaith/documents/rc\\_con\\_cfaith\\_doc\\_20040731\\_collaboration\\_en.html](http://www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfaith_doc_20040731_collaboration_en.html).

164. *Id.*

165. *Id.*

166. *Id.*

167. *Id.*

168. DALY, *supra* note 21, at 111.

169. See generally COLLINS, *supra* note 18, at 68–78 (critiquing the construction of the stereotype of the "mammy" as one that was deployed to maintain African American women's subordination after the abolition of slavery).

sexual servants, if not slaves, who must habitually put others' needs above their own.

The heterosexist gender roles the Pope proselytizes provide the very foundation for the system of male supremacy. Lerner concludes that at the origin of patriarchy, men took the sexual difference between men and women and made it into a "distinguishing mark between the conquered and the conquerors."<sup>170</sup> Because the "difference" that women had was sexual and reproductive, conquest itself and hierarchy were identified, and experienced, as sexual.<sup>171</sup>

This sexualized domination and submission, institutionalized as compulsory heterosexuality, creates gender and, as MacKinnon contends, continually recreates "woman and man in the social forms in which we know them,"<sup>172</sup> including the social construction of a sexual desire in women "as that by which we come to want our own self-annihilation."<sup>173</sup> Women, thus, are made *for* men, not really by the God who does not exist,<sup>174</sup> but by the patriarchal men who made the God who made women for men.

Pope Benedict, who supposedly directly channels this God, returned to these themes in his 2008 Christmas address to the world, once again censuring all those who challenge traditional gender and linking this challenge, ironically enough, to the devastations that patriarchal societies are now visiting upon nonhuman nature.

If the Church speaks of the nature of the human being as man and woman, and demands that this order of creation be respected, this is not some antiquated metaphysics. What is involved here is faith in the Creator and a readiness to listen to the "language" of creation. To disregard this would be the self-destruction of man himself, and hence the destruction of God's own work. What is often expressed and understood by the term 'gender' ends

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170. LERNER, *supra* note 29, at 214.

171. MacKinnon, *supra* note 6, at 54.

172. *Id.* at 50.

173. *Id.* at 54.

174. DWORKIN, *supra* note 52, at 143.

up being man's attempt at self-emancipation from creation and from the Creator.<sup>175</sup>

Pope Benedict continued, "Rain forests deserve, yes, our protection but the human being . . . does not deserve it less."<sup>176</sup> All of this is extremely deceptive. The top-down, masculine-feminine, heterosexist gender roles Pope Benedict defends constitute a core threat against the rain forests and the indigenous people and creatures who inhabit them. In truth, these gender roles threaten just about every living organism, a few bacteria excluded, as they are inextricably linked, as Lerner asserts, to manhood-making violence<sup>177</sup> as well as to "militarism, hierarchy, and racism," thereby imperiling "the very existence of life on earth."<sup>178</sup> James Gilligan, who is a psychiatrist, educator, and former director of mental health for the Massachusetts prison system, after having treated the most violent of men, agrees. He concludes his impassioned and definitive study of the psychology of violence with this call:

The fundamental challenge for our time, I believe, is to break the link between civilization and patriarchy . . . . If humanity is to evolve beyond the propensity toward violence that now threatens our very survival as a species, then it can only do so by recognizing the extent to which the patriarchal code of honor and shame generates and obligates male violence. If we wish to bring this violence under control, we need to begin by reconstituting what we mean by both masculinity and femininity.<sup>179</sup>

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175. Pope Benedict XVI, *Address of His Holiness Benedict XVI to the Members of the Roman Curia for the Traditional Exchange of Christmas Greetings*, VATICAN: THE HOLY SEE (Dec. 22, 2008), [http://www.vatican.va/holy\\_father/benedict\\_xvi/speeches/2008/december/documents/hf\\_ben-xvi\\_spe\\_20081222\\_curia-romana\\_en.html](http://www.vatican.va/holy_father/benedict_xvi/speeches/2008/december/documents/hf_ben-xvi_spe_20081222_curia-romana_en.html).

176. *Papal Address: Key Extracts*, BBC NEWS (Dec. 23, 2008, 6:14 AM), <http://news.bbc.co.uk/2/hi/europe/7796970.stm>.

177. See generally GILLIGAN, *supra* note 15, at 229–40.

178. LERNER, *supra* note 29, at 229.

179. JAMES GILLIGAN, *VIOLENCE: REFLECTIONS ON OUR DEADLIEST EPIDEMIC* 267 (1996).

## V. UN-BECOMING PATRIARCHY

“As human beings,” Sjöö and Mor aver, “we not only worship our gods. We become them.”<sup>180</sup> Looking closely and critically at the patriarchal divine role model, they find a “‘Godhead’ of all major world religions . . . defined as a god of righteous war . . . wealth and hierarchic power[,] [and] an imperialist god who controls vast resources of wealth and power by controlling the female body and its reproductive processes as exploitative property.”<sup>181</sup> Simultaneously, he is a sex-negative and negating God who defines sex as filthy and sinful, and demands pain, shame, and self-annihilation as the price of sexual pleasure for women and those put in the place of women. Deeming women, “the sex,” to be inferior and intrinsically evil, this God “thus elicits violent pornography as the sexual punishment and exorcism of women,”<sup>182</sup> and those used in the place of women.<sup>183</sup>

A coming punishing and authoritarian state, actually, is what legal studies scholar, and failed Supreme Court nominee, Robert Bork predicts for America as the result of what he calls “the collapse of popular culture.”<sup>184</sup> Bork sees this breakdown evidenced in the proliferation of “sex, pornography, violence, vulgarity, attacks on traditional forms of authority, and outright perversion.”<sup>185</sup> Bork defines pornography from a moralistic patriarchal standpoint. In so doing, he correlates women’s, gay and lesbian, and sexual liberation with this collapse of the culture and calls for the reversal of some of the real gains of these movements by bringing back (have they ever really left?) shame and stigma, for example, associated with homosexuality.<sup>186</sup> But, as James Gilligan learned in his years of work with the most extremely violent of men, it is shame that is “the primary or

180. SJÖÖ & MOR, *supra* note 45, at 393.

181. *Id.* at 392–93.

182. *Id.* at 393.

183. See DWORKIN & MACKINNON, *supra* note 5, at 101 (defining pornography as the “sexually explicit subordination of women, graphically depicted, whether in pictures or in words,” and listing additional criteria); GILREATH, *supra* note 12 (arguing that gay men are treated with the same punishment and abjection because they identify with the “bottom” feminine role in gay pornography).

184. ROBERT H. BORK, *SLOUCHING TOWARDS GOMORRAH: MODERN LIBERALISM AND AMERICAN DECLINE* 139 (1999).

185. *Id.* at 126.

186. *Cf. id.* at 125 (characterizing the dissenters’ argument in *Bowers v. Hardwick* that sexual sodomy was within the scope of one’s right to privacy as indicative of radical individualism).

ultimate cause of all violence, whether toward others or toward the self.”<sup>187</sup> Consider in this context the still expanding crimes of sexual abuse and associated cover-ups perpetrated by the Catholic hierarchy. Remarking on recent reports of these atrocities in Ireland, Mark Patrick Hederman, abbot of Glenstal Abbey, a Benedictine monastery in County Limerick, explicitly linked the Catholic Church’s control over the population to its longstanding inculcation of shame and guilt around sex: “And the control was really all about sex. They told you if you masturbated, it meant you were impure and had allowed the devil to work on you. Generations of people were crucified with guilt complexes. Now the game is up.”<sup>188</sup> So too, as Gilligan guides us to recognize, the sexual abuse was rooted in that same shame, as can be inferred by the particular style—combining religious symbolism with abuse—of these atrocities.<sup>189</sup>

Though he was writing some time ago, Robert Bork represents a type of moralistic thinking, still prevalent, which wants to reinstitute respect for the authority of the patriarchal God/father and his representatives,<sup>190</sup> as well as the shame, guilt, and punishment associated with that all-powerful father. Bork also treats as equally problematic “songs about ripping vaginas and licking anuses,”<sup>191</sup> as if criminal sexual assault is the same thing as a non-violent, consensual, adult sexual act. Furthermore, Bork’s anti-

187. GILLIGAN, *supra* note 179, at 110.

188. Russell Shorto, *The Irish Affliction*, N. Y. TIMES MAG., Feb. 13, 2011, at MM42, <http://www.nytimes.com/2011/02/13/magazine/13Irish-t.html>.

189. In Ireland, two reports were published in 2009 and,

detailing the findings of civil investigations, the so-called Ryan Report examined abuse in institutions that were run by the Catholic Church, while the Murphy Report detailed abuse within the Diocese of Dublin. The reports fill five volumes and run more than 2500 pages. Sample entries from the Murphy Report include an account of a priest who digitally raped a girl during confession and then washed his hands in a bowl at the altar; a priest who probed a girl vaginally and anally with a crucifix; and a priest who routinely forced altar boys to drop their pants and beat them and then masturbated. The Ryan Report entries that detail the desolate existence of the mostly poor children in so-called industrial schools read like a cross between Charles Dickens and Dan Brown: “I was beaten and hospitalized by the head brother and not allowed to go to my father’s funeral in case my bruises were seen” and “I was tied to a cross and raped while others masturbated at the side.”

*Id.*

190. *See id.* at 287–88 (stating that feminism seeks “to destroy traditional religions” as is shown by “feminists within the church engag[ing] in neo-pagan ritual magic and the worship of pagan goddesses”).

191. *Id.* at 132.

pornography stance is not motivated by feminist concerns about social justice and equality. Rather, relying upon the standard justification for colonization and imperial conquest, he deplors an American cultural descent into “savagery” and condemns “liberal society” for refusing to put external legal and moral restraints on what he believes to be an inherently depraved human nature.<sup>192</sup> I share Bork’s concern regarding sexually violent pornographic popular culture but do not endorse his call for censorship or traditional moral restraints, for it is precisely that patriarchal punishing and shame-based morality and unequal gender roles that have produced the sexually negative, violent, and exploitative pornographic culture.

However opposite they seem, and however different their stratagems, both conventional pornography and moralism have been made in the image of the patriarchal God. Working together as apparent opposites, they offer false alternatives, one to the other. Hence, patriarchy is maintained since a culture supposedly can swing only between one of these or the other, never reaching anywhere *outside* of the patriarchal paradigm.

But there really is an outside. In her classic essay, *Uses of the Erotic: The Erotic as Power*, Professor Audre Lorde identifies sexuality not with irrationality, the devil, filth, sin, and punishment, but with sacred cosmic and generative forces, ones “that can provide energy for change.”<sup>193</sup> Cultivating and expressing the erotic, then, means interrupting its patriarchal distortion and exploitation in pornography as well as its persecution by religion. For the erotic corrupted in either of these ways becomes energy not for change but for stasis, energy channeled into the very life support of the oppressive system. The “power grid” for patriarchy is the pornographic-religious paradigm that exploits sex/spirit to make women and men into the kind of social beings whose sense of self, spirituality, and sexuality is wedded to the continuing re-creation of patriarchy.

The embrace of this understanding of the erotic as a manifestation of the life force, theologian and activist elias farajajé-jones avows, is “profoundly transgressive [sic], for it challenges many intersecting oppressions (white supremacy, hatred of women, homophobia, etc.)”—all of which are rooted in fear and loathing, all

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192. See generally *id.* at 331–43 (projecting consequences for American culture if cited societal trends continue).

193. Audre Lorde, *Uses of the Erotic: The Erotic as Power*, in *SISTER OUTSIDER: ESSAYS AND SPEECHES BY AUDRE LORDE* 53, 53 (1984).

of which cultivate a habit of splitting and a practice of punishment, all of which construct an “other” by projecting onto them all (denied and demonized) dirt, sex, wildness, nature, darkness, and death.<sup>194</sup> The embrace of the erotic leads to new politics, sexualities, or spiritualities, ones that bring all of these interconnecting forces back together and thus are capable of healing mind-body, male-female, and other related splittings. Some might find such talk of spirituality as too suggestive of a theocracy. But, if we take Mary Daly’s point that patriarchy itself is *the* global religion,<sup>195</sup> we might already be living in a theocracy and just not know it, a theocracy found not just in the Vatican and related “Men’s Associations,”<sup>196</sup> but also in the corporate-militarist alliance that is laying waste to life on Earth.

Despite Pope Benedict’s reference to the rainforests,<sup>197</sup> the patriarchal theocracy is an erotocidal one, “cleansing” the wild spaces, outside and inside, where the rival to the patriarchal God abides. An erotic spirituality thus goes outside, literally into nonhuman nature, seeking to reestablish respectful relations with life. Erotic spirituality also goes inside, activating the “animal beauty”<sup>198</sup> and intelligence of the body, and, if so inclined, freely venturing into that “polymorphous sexuality” the Pope finds unacceptable.<sup>199</sup> That sexuality is always one where women, as well as men who have been used as women,<sup>200</sup> refuse the prescribed self-annihilation and instead blasphemously discover and *make demands for our Selves*.

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194. Farajajé-jones, *supra* note 16, at 330.

195. DALY, *supra* note 2, at 39.

196. The phrase “Men’s Association” is used throughout a brilliant book by Ira Levin. IRA LEVIN, *THE STEPFORD WIVES* (1972).

197. Pope Benedict XVI, *supra* note 175.

198. FRYE, *supra* note 42, at 330.

199. Joseph Cardinal Ratzinger & Archbishop Angelo Amato, *supra* note 163.

200. DWORKIN & MACKINNON, *supra* note 7, at 101.