

2017

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Kate M. Phelan

Royal Melbourne Institute of Technology, [kate.phelan2@rmit.edu.au](mailto:kate.phelan2@rmit.edu.au)

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### Recommended Citation

Phelan, Kate M.. 2017. "Is Feminism Yet a Theory of the Kind That Marxism Is?." *Feminist Philosophy Quarterly* 3, (1). Article 2.  
doi:10.5206/fpq/2016.3.2.

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## Is Feminism Yet a Theory of the Kind That Marxism Is?<sup>1</sup>

Kate M. Phelan

### Abstract

On Catharine MacKinnon's view, feminism aspires to be a theory of the kind that Marxism is: a theory of the organisation of the social world as sex hierarchy, just as Marxism is a theory of the organisation of the social world as class hierarchy. In 1982, MacKinnon observed that feminism was not yet such a theory, and set out to make it one. She did this by developing a theory of sexuality as to feminism what work is to Marxism. If one shares MacKinnon's view that feminism aspires to be a theory of the kind that Marxism is, then one sees MacKinnon as, with her theory of sexuality, creating, albeit in beginning form, a feminist theory. One thus considers MacKinnon's theory of sexuality a definitive moment in the history of feminist theory. Yet, for all its importance, no one, neither critics nor proponents, has analysed this theory on its own terms. It is therefore not clear whether MacKinnon's theory of sexuality succeeds, and so whether feminism is yet a theory of the kind that Marxism is. In the spirit of progressing MacKinnon's project, in this paper, I return to her theory and consider whether it succeeds.

**Keywords:** feminism, marxism, Catharine MacKinnon, sexuality

To answer an old question—how is value created and distributed?—Marx needed to create an entirely new account of the social world. To answer an equally old question, or to question an equally old reality—what explains the inequality of women to men? or, how does gender become domination and domination become sex? or, what is male power?—feminism needs to create an entirely new account of the political world.

– Catharine A. MacKinnon, *Toward a Feminist Theory of the State*

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<sup>1</sup> I am grateful to Caroline Norma, for reading and commenting on endless iterations of this paper, Karen Jones, for a conversation that convinced me that I was onto something, the participants of the Workshop on Gender and Philosophy, for their enthusiasm for and helpful thoughts on an earlier version of this paper, Phoebe Hollins and Gabrielle Smith, for the example of resilience and persistence that they are to me, and the reviewers of this paper, for a critique that has resulted in a clearer, fairer, and more genuine paper.

In 1982 and 1983, Catharine MacKinnon wrote a pair of articles, “Feminism, Marxism, Method, and the State: An Agenda for Theory,” and “Feminism, Marxism, Method, and the State: Toward Feminist Jurisprudence,” in which she sought to transform feminism into the theory that for her it aspires to be. On her view, the sexes are socially arranged hierarchically, and this hierarchy is not only unjust but also, crucially, primary, just as for marxism the classes are socially arranged hierarchically and this hierarchy is not only unjust but also primary.<sup>2</sup> So, on her view, a feminist theory aspires to be a theory of the sexes as so arranged. As such, it aspires to be a theory of the kind that marxism is. She says,

Marxism and feminism are theories of power and its distribution: inequality. They provide accounts of how social arrangements of patterned disparity can be internally rational yet unjust. But their specificity is not incidental. In marxism to be deprived of one’s work, in feminism of one’s sexuality, defines each one’s conception of lack of power per se. They do not mean to exist side by side to insure that two separate spheres of social life are not overlooked, the interests of two groups are not obscured, or the contributions of two sets of variables are not ignored. They exist to argue, respectively, that the relations in which many work and few gain, in which some fuck and others get fucked, are the prime moment of politics (1982, 516–517).

MacKinnon did not arrive at this view of feminist theory independently of feminist work. She saw this view as on some level held by feminists, as motivating and guiding their work, even where that work explicitly contradicted it. Indeed, perhaps this is why feminism has been drawn to and shaped by marxism, because feminists have sensed that sex hierarchy somehow resembles class hierarchy, that it is, like class hierarchy, fundamental. And perhaps this is why, however much it has been drawn to marxism, it has ultimately rejected it and set out on its own, because feminists feel also that sex hierarchy is inexplicable by marxism, that it demands an entirely new explanation.

But if feminism aspires to be such a theory, it was, MacKinnon saw, not yet that. She says,

My initial strategy assumed that feminism had a theory of male dominance: an account of its key concrete sites and laws of motion, an

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<sup>2</sup> I follow MacKinnon in writing “Marxism” in lower case. She explains why she does this: “I have rendered “marxism” in lower case . . . . Since I wish to place marxism and feminism in equipoise, the disparate typography would weigh against my analytic structure. Capitalizing both would germanise the text” (MacKinnon 1982, 516).

analysis of why and how it happened and why (perhaps even how) it could be ended. I assumed, in short, that feminism had a theory of gender as marxism had a theory of class. As it became clear that this was not the case in the way I had thought, the project shifted from locating and explicating such a theory to creating one by distilling feminist practice, from attempting to connect feminism and marxism on equal terms to attempting to create a feminist theory that could stand on its own (1989, x).

This is not at all to diminish the significance of the feminist work that preceded MacKinnon, rather, it is to say that that work, however insightful, had no thoroughgoing account of sex hierarchy as primary. MacKinnon sought to transform feminism into the theory that for her it aspires to be by developing a theory in which sexuality is to feminism what work is to marxism.

If one shares, as others (Rowland and Klein 1997; Millett 2000) and I do, MacKinnon's view that the sexes are socially arranged hierarchically, where this hierarchy is primary, then one sees MacKinnon as, with her theory of sexuality, creating, albeit in beginning form, a feminist theory. Susan Bernick suggests something like this when she describes MacKinnon's work as "a logical culmination of radical feminist thought" (1992, 1), and radical feminist thought as "the central trunk of feminist theory" (1992, 2). One thus considers the formulation of MacKinnon's theory of sexuality a definitive moment in the history of feminist theory.<sup>3</sup>

But this is only if one shares her view. And many feminists do not (Mahoney 1992; Romany 1991; Harris 1990). They object to it, I think, for two reasons. The first is that they take it to imply that sex hierarchy is the most severe inequality, and they disagree that it is. The second is that they see it as theoretically divorcing sex hierarchy from other inequalities, and thus failing to grasp the interconnectedness of all forms of inequality. But by primary, MacKinnon means only that this hierarchy exists unto and for itself, that it is not derivative of another hierarchy, existing only to serve that, as Engels ([1884] 2010) considered it to be. Or, more simply, she means that sex hierarchy is an issue of its own. And this, that it exists unto itself, means, with regard to its relationship to other inequalities, nothing other than that it does not exist in order to serve them. I think Ellen Willis captures nicely what is meant by primary. She says, "I sided with the 'feminists,' who at some point began calling themselves 'radical feminists.' We argued that male supremacy was in itself a systemic form of domination—a set of material, institutionalized relations, not just bad attitudes. Men had power and privilege and like any other ruling class

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<sup>3</sup> Examples of work which sees MacKinnon's theory of sexuality as a definitive moment in the history of feminist theory include Rapaport 1993; de Lauretius 1990; and Littleton 1989.

would defend their interests; challenging that power required a revolutionary movement of women. And since the male-dominated left would inevitably resist understanding and opposing male power, the radical feminist movement must be autonomous, create its own theory and set its own priorities" (1984, 93). So, the claim that sex hierarchy is primary neither implies that sex hierarchy is the most severe inequality nor theoretically divorces it from other inequalities.

Moreover, firstly, it seems to me that it is because feminists saw sex hierarchy as existing unto itself and so demanding an entirely new explanation, namely, a feminist one, that feminism came into being. As Iris Marion Young says, "We need not merely a synthesis of feminism with marxism, but a thoroughly feminist historical materialism" (1980, 181). She continues, "A feminist historical materialism must be a total social theory, not merely a theory of the situation and oppression of women. That theory will take gender differentiation as its basic starting point, in the sense that it will seek always to keep the fact of gender difference in the centre of its accounts, and will reject any account that obscures gender-differentiated phenomena" (1980, 184).

Secondly, I think that a theory of sex hierarchy as primary is politically helpful, for such a theory makes sex hierarchy an issue of its own, no longer merely an aspect of another issue, namely class hierarchy. As such it makes it *the* issue, and so itself worthy of our attention. Or, in MacKinnon's language, it makes "the woman question," which had "always been reduced to some other question," finally "the question, calling for analysis on its own terms" (1989, 12).

Thirdly, I think that even if we abstractly disagree with the claim that sex hierarchy is primary, we still have reason to keep MacKinnon's theory. This is because it has explanatory force. It makes sense of, for instance, why persons are socially divided into two groups, man and woman, why the word sex refers to both the categories male and female and the sex act, why virility is the measure of manhood, why women are seen as, indeed are, masochistic, why sexual intercourse, the paradigmatic sex act, takes the form of penetration, why rape is rarely seen as such. This is why MacKinnon's theory resonates with feminists, even those who criticise it. Drucilla Cornell, for instance, says, "Before turning to my critique of MacKinnon, I want to pay her the tribute she clearly deserves for her relentless insistence that any theory of equality for women will fall short of its own aspirations if it neglects the question of how sexual identity, and more specifically femininity, is constructed through a gender hierarchy in which women are subordinated and subjected" (1991, 2248).

But while MacKinnon's theory of sexuality may be considered a definitive moment in the history of feminist theory, no one, neither critics nor proponents, has analysed it on its own terms. As Bernick perceives, "Rather than analysing the logic of the arguments MacKinnon marshals in favour of her position . . . her critics in the main reject her logic without or prior to engaging it" (1992, 8–9). It is not clear whether MacKinnon's theory of sexuality succeeds, and therefore whether feminism is yet the theory that for her it aspires to be. Moreover, it is

not clear which aspects of her theory, if any, require work if feminism is to be such a theory. With the aim of clarifying the current state of MacKinnon's theory so that we feminist theorists who find this theory promising may know what work is to be done in order to progress it, in this paper I return to MacKinnon's theory and consider whether it succeeds.

In the first part of the paper, I outline MacKinnon's theory of sexuality, in the second, I explain Marx's account of how work organizes the social world as class hierarchy, in the third, I reconstruct MacKinnon's account of how sexuality organizes the social world as sex hierarchy, and in the fourth, I consider whether her theory of sexuality succeeds. Finally, as my aim in returning to MacKinnon's theory is ultimately to establish what work is to be done in order to progress it, having found that it does not succeed, I then suggest a line of inquiry that may get MacKinnon's theory back on course.

### **I. MacKinnon's Theory of Sexuality**

MacKinnon argues that "sexuality is to feminism what work is to marxism: that which is most one's own, yet most taken away" (1982, 515). By this she does not mean that sexuality is to feminism what work is to marxism only in that it is "that which is most one's own, yet most taken away." The parallel between sexuality in feminism and work in marxism runs much deeper than this. This becomes clear as she goes on:

Marxist theory argues that society is fundamentally constructed of the relations people form as they do and make things needed to survive humanly. Work is the social process of shaping and transforming the material and social worlds, creating people as social beings as they create value. It is that activity by which people become who they are. Class is its structure, production its consequence, capital its congealed form, and control its issue.

Implicit in feminist theory is a parallel argument: the moulding, direction, and expression of sexuality organizes society into two sexes—women and men—which division underlies the totality of social relations. Sexuality is that social process which creates, organizes, expresses, and directs desire, creating the social beings we know as women and men, as their relations create society. As work is to marxism, sexuality to feminism is socially constructed yet constructing, universal as activity, yet historically specific, jointly comprised of matter and mind. As the organized expropriation of the work of some for the benefit of others defines a class—workers—the organized expropriation of the sexuality of some defines the sex, woman. Heterosexuality is its structure, gender and family its congealed forms, sex roles its qualities generalized to social persona, reproduction a consequence, and control its issue. (515–517)

In this passage it becomes clear that what MacKinnon means by “sexuality is to feminism what work is to marxism” is that, like work in marxism, it is that which necessarily organizes the social world hierarchically. As work in marxism is organized by some for their benefit, namely, those who own the means of production, sexuality in feminism is organized by some for their benefit, namely, men. As the owners of the means of production organize work for their benefit, they make work that which divides people into classes, those who own the means of production into one class and those who work into another, and arranges the classes hierarchically, those who own the means of production as those who profit and those who work as those who are exploited. Similarly, as men organize sexuality for their benefit, they make sexuality that which divides people into the sexes, men and women, and arranges the sexes hierarchically, men as dominant and women as subordinate. As work divides people into classes and arranges the classes hierarchically, it organizes the social world as class hierarchy. Similarly, as sexuality divides people into sexes and arranges the sexes hierarchically, it organizes the social world as sex hierarchy. So to ask if MacKinnon’s theory of sexuality succeeds is just to ask if MacKinnon succeeds in showing that sexuality organizes the social world hierarchically as work does in marxism.<sup>4</sup> Given the parallel, in order to determine whether MacKinnon’s theory of sexuality succeeds, it will be helpful to first understand how work in marxism organizes the social world hierarchically.

## II. Marx’s Account of How Work Organizes the Social World as Class Hierarchy

Marx begins his theory with a conception of a person. This conception is one of a person as first and foremost a material being, that is, a corporeal, flesh-and-blood being. This is implicit in Marx and Engels’s assertion that “life involves before everything else eating and drinking, a habitation, clothing and many other things” ([1932] 1974, 48). Marx thus conceives of what a person first and

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<sup>4</sup> I am concerned with whether MacKinnon’s theory of sexuality specifically being to feminism what work is to marxism succeeds. Her theory of sexuality may be understood differently, for example, as a theory of sexuality as socially constructed, or as “that which is most one’s own, yet most taken away” (MacKinnon 1989, 3), or as “the linchpin of gender inequality” (113). Understood as one of these theories, it may succeed (although, I do not think it succeeds as the third). But given that MacKinnon opens her essay, “An Agenda for Theory,” and her book, *Toward a Feminist Theory of the State*, with the claim that “sexuality is to feminism what work is to marxism,” and that she follows this claim with the passages that I have cited above, this understanding of her theory of sexuality—being to feminism what work is to marxism—seems to me that which most fully grasps what MacKinnon means her theory to be. As such, it seems worth considering whether thus understood it succeeds.

foremost needs to live as what he needs to live as such a being, which are just material things, such as food and water.

But one does not just find in the world what one needs to live; rather, one must make it. Marx and Engels imply this when they say, “Men . . . begin to distinguish themselves from animals as soon as they begin to *produce* their means of subsistence” ([1932] 1974, 42). Work is the process by which one makes what one needs to live: “Production creates the objects that correspond to the given needs” (Marx [1939] 1993, 89). On Marx’s view, one must enter into relations with others in order to work ([1849] 1933, 28). It is thus necessarily through work that one first enters into relations with others. This means that work necessarily organizes social relations, which is to say, the social world. This is the first half of Marx’s account. I turn now to the second—how work organizes the social world as class hierarchy.

Only some people own the means of production, the means by which one works. Under capitalism, these people are the capitalists. As the capitalists own the means of production, and as those who do not own the means of production must work in order to live, so cannot refuse to work on the terms of the capitalists, the capitalists have control over work, and can therefore organize it such that they profit. But that they can so organize work does not explain why they do. Marx argues that the system of capitalism necessitates that the capitalists profit. This is because this system is such that if the capitalist does not make a profit, he will go under, thereby ceasing to be a member of the capitalist class, and losing the status that comes with that (Marx [1876] 1976, 739).

Now to the question of how the capitalists organize work such that they make a profit. To make a profit is just to withdraw more value. But according to the law of exchange, commodities of equivalent value must be exchanged. How then can the capitalist withdraw more value? Marx argues that under capitalism a commodity has two values: one is the use-value and the other the exchange-value ([1876] 1976, 125–177). The use-value is the usefulness of the product (125–126). The exchange-value is the proportion at which the commodity can be exchanged for another commodity (126). Unlike use-value, exchange-value is not “inherent” in the commodity, it is “purely relative” (126), in other words, contingent. It is determined by the amount of labour-time necessary for its production (130). As the capitalist must buy and sell commodities at their exchange-value, the only way in which he can withdraw more value is by withdrawing it from the use-value of a commodity (270). In order to make a profit, then, the capitalist must find a commodity that, in being used, can produce more value than the value that he paid to use it. The capitalist finds this commodity in labour-power, which is the capacity for labour. How, through using labour-power, the capitalist produces more value than the value that he paid to use it is as follows.

Firstly, as I have said, the exchange-value of a commodity is determined by the amount of labour-time that is necessary to produce it. So, the exchange-

value of labour-power is the amount of labour-time that is required to produce labour-power. As the means of subsistence are what render a person in a condition to work, they are what produce labour-power (Marx [1876] 1976, 274). The exchange-value of labour-power is thus the amount of labour-time that is required to produce the means of subsistence. Marx tells us to suppose that half of a day is the amount of labour-time necessary to produce the means of subsistence that a person requires to be in a condition to work for one day, which is to say, to produce labour-power for one day (276). This means that the exchange-value of labour-power for one day is half of a day of labour-time. Marx then tells us to suppose that half of a day of labour-time is embodied in three shillings (276). So, the capitalist must pay the worker three shillings for the use of his labour-power for one day. Marx tells us to suppose finally that the worker can spin 20 pounds of yarn over one day (301), which means that the yarn is the embodiment of one day of labour-time (296). As half of a day of labour-time is embodied in three shillings, one day of labour-time is embodied in six shillings. So, the exchange-value of twenty pounds of yarn is six shillings. In sum, the capitalist has paid the worker three shillings for the use of his labour-power, but in using his labour-power, receives six shillings. The capitalist thus manages to withdraw more value through the use of labour-power. But it is not just that he makes a profit, he does so by exploiting the worker. He has paid the worker three shillings, as that is an amount that is commensurate with the value of six hours of labour-time, but the worker has produced for the capitalist a commodity which embodies, hence has the value of twelve hours of labour-time. The capitalist has paid the worker the value of six hours of labour-time but the worker has provided the capitalist with the value of twelve hours of labour-time.

If the capitalist must organize work such that he makes a profit, and if he makes a profit through the use of labour-power, then he must be assured of getting labour-power. In order for him to be assured of this, two conditions must be fulfilled. The first condition is that the owner of labour-power must continually own his labour-power (271). In order for labour-power to continually be a commodity in the market, the owner of labour-power must continually be able to sell it, which requires that he continually own it. In order to continually own it, "he must always sell it for a limited period only" (272). The second condition is that the owner of labour-power be continually forced to sell it (272). This assures the capitalist of being able to continually buy it. In order for the owner of labour-power to be forced to sell it, selling it must be the only way that he can get what he needs to live.

The payment of a wage fulfils the first condition. The wage is an amount of money that the capitalist pays the worker for his labour-power over a definite period of time (Marx [1849] 1933, 17). In other words, it is the exchange-value of labour-power over a definite period of time. That it is paid to the worker for his labour-power means that the labour-power is the worker's own. As it is the exchange-value of labour-power over a definite period of time, the worker can

sell his labour-power only for a definite period of time, which means that the worker always ultimately gets his labour-power back. In this way, the wage makes the worker continually own his labour-power.

The payment of a wage also fulfils the second condition. As the wage is the exchange-value of labour-power, the value of the wage is equivalent to the value of labour-power. As the exchange-value of labour-power is the amount of labour-time that is required to produce the means of subsistence, the value of labour-power is equivalent to the value of the means of subsistence. In short, the value of the wage is equivalent to the value of the means of subsistence. With his wage, then, the worker can buy only that which is equivalent to the means of subsistence. This means that he can buy only that which produces his labour-power. He cannot buy the means of production, which would enable him to make and sell commodities, and thereby live without selling his labour-power. He must therefore continually sell his labour-power in order to buy what he needs to live.

If the capitalist makes a profit through the use of labour-power, and if he is assured of getting labour-power just through the payment of a wage to the worker, then the capitalist organizes work such that he makes a profit through the payment of a wage to the worker. Work thus becomes a process by which the capitalist makes a profit, and, as he makes a profit by exploiting the worker, by which the worker is exploited. Work, then, is that which organizes people into classes, the capitalists into one class and the workers into another, and arranges the classes hierarchically, the capitalists as those who profit and the workers as those who are exploited. But this is not all, for if, as I have explained, it is necessarily through work that one first enters into social relations, which means that work is necessarily primary in organizing social relations, then for work to organize people into classes and arrange the classes hierarchically is for work to organize the social world as class hierarchy.

### **III. MacKinnon's Account of How Sexuality Organizes the Social World as Sex Hierarchy**

I must begin by acknowledging that, differently from Marx, MacKinnon does not lay out in step-by-step fashion an account of how sexuality organizes the social world as sex hierarchy. But it seems to me clear that she does consider sexuality as playing this role and that she does mean to have an account of it as such. If we bear this in mind as we read her work, then we can see the pieces of this account within it and assemble them so that they form an explicit account. The account that I go on to provide is, then, most accurately described as a reconstruction of MacKinnon's account. But I do think it is a construction that is true to MacKinnon's ideas, and that realizes rather than alters or distorts them.

Like Marx, MacKinnon begins with a conception of a person. But unlike Marx, hers is one of a person as, in the first instance, existing only in society. She says, "The person in radical feminist thought is necessarily socially constituted"

(1989, 46). This means that a person has no existence prior to or apart from his or her social existence, that a person exists only inasmuch as a person socially exists. The being that a person is, then, is just the being a person socially is, which is just the being as which a person is socially defined. This is the being man or woman. This is clear in that a person is born a boy or girl, which means that a person comes into existence as one comes into existence as a boy or girl, that a person's being consists in his or her gender. Thus, the being that a person is, is just the being man or woman. Judith Butler makes a similar point, saying, "Insofar as social existence requires an unambiguous gender affinity, it is not possible to exist in a socially meaningful sense outside of established gender norms" (1985, 508).

If a person is just the being man or woman, then what a person needs to live is just what the being man or woman needs to live. On MacKinnon's account, the being man is just the sexual being that man is, the being woman just the sexual being that woman is. She conveys this when she says, "Sexuality is that social process which creates, organizes, expresses, and directs desire, creating the social beings we know as women and men" (1982, 516). That is, sexuality is the process that creates, organizes, expresses, and directs sexual desire, which is to say, makes what men and women sexually desire, which is to say, forms men and women as sexual beings, and, forming them as sexual beings, forms them as the beings men and women. Here, MacKinnon is saying that the being man is just the sexual being that man is and the being woman just the sexual being that woman is. Perhaps, says MacKinnon, this is why the word sex means both the sexual act and the categories male and female (1989, 143). If the beings man and woman are just the sexual beings man and woman, then men become men and women, women in becoming the sexual beings they are. As one becomes a sexual being in satiating one's sexual desire,<sup>5</sup> and as one satiates one's sexual desire in sexual acts, men and women become sexual beings, thus, become men and women, in sexual acts. In having sex, in the sense of sexual act, men and women have sex, in the sense of male or female being.

What the beings man and woman need to live, then, is just what the sexual beings man and woman need to live. What a sexual being needs to live, in other words, what sustains it, is just what satiates its hunger. The hunger of a sexual being is sexual hunger, that is, sexual desire. What satiates sexual desire is the object of sexual desire (Vadas 2005, 182). So, what the beings man and woman need to live is the object of their sexual desire. This means that the sexual occupies in feminism the place of the material in marxism: that which one needs to live. Perhaps this is why a sexual desire is often seen as a need;<sup>6</sup> to see it as such is to see the object of it as not merely desirable but as necessary.

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<sup>5</sup> I explain this in greater detail below.

<sup>6</sup> See, for example, Maslow 1943, 381.

As one must live before all else, one must get what one needs to live before all else. So, as in marxism a person must get material things before all else, in feminism men and women must get the object of their sexual desire before all else. As in marxism one does not just find in the world what one needs to live, nor does one in feminism; rather, one must make it. Sexuality is the process by which one does this. This means that sexuality is, as much as work in marxism, the process by which one makes what one needs to live. MacKinnon does not explicitly state that sexuality is the process by which one makes the object of sexual desire, but it must be this process, given her view that sexuality is the process that forms men and women as sexual beings. One is formed as a sexual being as one gets what makes one exist as a sexual being, which I have explained is the object of sexual desire. So, if sexuality is the process that forms men and women as sexual beings, then it is the process by which one gets the object of sexual desire. As one does not find but must make the object of sexual desire, the process by which one gets that object is just that by which one makes it, which means that sexuality is the process by which one makes the object of sexual desire. As one must get what one needs to live before all else, one must engage in the process of sexuality before all else. It is, then, necessarily through sexuality that one first enters into relations with others. This means that sexuality necessarily organizes social relations, hence, the social world. This is the first half of MacKinnon's account. I turn now to the second—how sexuality organizes the social world as sex hierarchy.

On MacKinnon's account, as men have epistemic authority while women do not,<sup>7</sup> men's image of a man is socially accepted as what a man is in truth. Men thus come to see that image as what they must become in order to become men, which is to say, in order to exist. And so they become that. Therefore, what a man *is*, is just what men's image of a man is. On MacKinnon's view, that image is one of just a masculine being. She says, "Masculinity precedes male as femininity precedes female, and male sexual desire defines both" (1989, 130). On her view, a masculine being is just a sexual being who desires dominance. She says, "Dominance eroticized defines the imperatives of its masculinity" (130). So, men's image of a man is one of just a sexual being who desires dominance. Suggestive of this, a man's virility is considered the measure of his manhood. To be virile is to be forceful. It is also to be sexually potent, which is to say, to be able to act as a sexual being, which is to say, to succeed as a sexual being. Thus, for a man to be forceful is for him to succeed as a sexual being, is, socially, for him to succeed as a man. In short, a man is just a sexual being who desires dominance.

On MacKinnon's account, the erotic is not given by nature; rather, it is that as which society defines it. She says that "sexual is whatever sexual means in a particular society" (1987, 53). But this does not mean that the erotic is as

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<sup>7</sup> I explain why this is below.

both men and women define it. As men have epistemic authority and women do not, the erotic is just as *men* define it (MacKinnon 1987, 53). Men define the erotic as what they experience as erotic, which, on MacKinnon's view, is dominance. She says, "Whatever it takes to make the penis shudder and stiffen with the experience of its potency is what sexuality means culturally. Whatever else does this . . . Hierarchy, a constant creation of person/thing, top/bottom, dominance/subordination relations, does" (1989, 137). Thus, the erotic is just men's dominance.

If the erotic is just what men experience as erotic, then a sex act is just an act in which they get what they experience as erotic. That is, one does a sex act in order to satiate one's sexual desire, as suggested by the fact that if a man does not reach orgasm in sex, then he considers the sex to have been unsuccessful. If in doing that act one did not satiate one's sexual desire, then one would not do that act in order to satiate one's sexual desire, and so that act would cease to be a sex act. A sex act, then, is just an act in which one satiates one's sexual desire (Vadas 2005, 179). Because what satiates one's sexual desire is just the object of sexual desire, in other words, what is to one erotic, then a sex act is just an act in which one gets what is, to one, erotic. So, by making the erotic just what they experience as erotic, men make a sex act just an act in which they get what they experience as erotic. Suggestive of this, the act of penetration is sex despite the fact that women often do not reach orgasm in that act (Koedt 1973).

As what men experience as erotic is dominance, a sex act is just an act in which they get dominance. To get dominance is to get dominance over the other. As people are socially divided into men and women, that other, to men, is women. A sex act is thus just an act in which men become dominant and women subordinate. Hence, sex as conquest, as suggested by the fact that to have sex is for men to "have" women, which is to say, for men to possess women, for men to make women men's own, which is for men to get dominance over them.<sup>8</sup>

While MacKinnon argues that a sex act is just an act in which men get dominance, she does not explain exactly what getting dominance involves. As I see it, one gets dominance over another just in the precise moment in which he

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<sup>8</sup> As MacKinnon explains, that heterosexual sex is sex as conquest does not mean that homosexual sex is not, for "sexuality in that form may be no less gendered" (1987, 60). That is, as it is not in being biological beings but in being sexual beings that men and women are men and women, sex between biological males or females, does not thereby cease to be sex between men and women. In it, the one who dominates, for being the one who dominates, occupies the position of the man, the one who is dominated, for being the one who is dominated, occupies the position of the woman. Homosexual sex thus remains heterosexual sex, in the sense that it is done between beings who are socially men and women, which means that it remains sex as conquest. (See also MacKinnon 1989, 141–142.)

subordinates her to himself. To subordinate her to himself is just to make her subject to his own will. One makes another subject to his own will just by overcoming her will; if he does not overcome her will, then she remains autonomous. One overcomes another's will just by doing something to her against her will. If it were not against her will, if she were willing to do that, then he would not be overcoming her will. It might be objected that one need not overcome another's will in order to make her subject to his own will, for she could choose to be subject to his will. But if she is subject to his will only because she has chosen to be so then her subjection to his will is ultimately her subjection to her own will, hence, not to his will. In short, one gets dominance over another just by doing something to her against her will. Robert Dahl's view of what it is to have power closely resembles this. He says, "My intuitive idea of power, then, is something like this: *A* has power over *B* to the extent that he can get *B* to do something that *B* would not otherwise do" (1957, 202–203). So, if a sex act is just an act in which men get dominance, then it is just an act done by men to women against women's will. This explains why women are told to resist men's sexual advances (as in, play hard to get); resisting men's sexual advances, sex can be done by men to women against women's will, hence, can be an act in which men get dominance, hence, can be sex. While MacKinnon does not explain exactly what getting dominance involves, she does seem to share the view I have presented, recognizing that men require women's resistance in order to feel that they are getting dominance. She says, for instance, "Force is the desire dynamic, not just a response to the desired object when desire's expression is frustrated" (1989, 136). And, elsewhere,

The struggle to have everything sexual allowed in a society we are told would collapse if it were, creates a sense of resistance to, and an aura of danger around, violating the powerless. If we knew the boundaries were phony, existed only to eroticize the targeted transgressable, would penetrating them feel less sexy? Taboo and crime may serve to eroticize what would otherwise feel about as much like dominance as taking candy from a baby. Assimilating actual powerlessness to male prohibition, to male power, provides the appearance of resistance that makes overcoming possible, while never undermining the reality of power, or its dignity, by giving the powerless actual power. (1989, 132–133)

If a sex act is just an act done by men to women against women's will, then, as to do something to another against her will is just to violate her, a sex act is just an act in which men violate women. MacKinnon often describes sex as violation. She says, for instance, "From pornography one learns that forcible violation is the essence of sex. Whatever is and does that is sex" (1989, 140). Suggestive of this is that men find a "tight" vagina sexually desirable and a "loose" one sexually undesirable (Braun and Kitzinger 2001). The tighter it is, the

more physically forcible sex can be, the looser, the less forcible. Thus, the more forcible sex feels to men, the more pleasurable sex is, which means the more sex, sex is.

If a man is just a sexual being who desires dominance, then what men need to live is just what they need to live as sexual beings who desire dominance. This is the object of their sexual desire, dominance. As sexuality is the process by which one gets the object of sexual desire, men must organize sexuality to the end of getting dominance in order to exist. They do this through the process of sexual objectification. MacKinnon says, "Sexual objectification is the primary process of the subjection of women. It unites act with word, construction with expression, perception with enforcement, myth with reality. Man fucks woman; subject verb object" (1982, 541). How the process of sexual objectification works is as follows.

Masculine qualities are seen as enabling objectivity, while feminine qualities are seen as precluding it.<sup>9</sup> That is, men, for being men, are thought to be capable of detachment, hence, of externality to the object of inquiry, hence, of objectivity. Women, for being women, are thought to be emotionally involved, "ruled by subjective passions" (MacKinnon 1982, 536), hence, incapable of objectivity. Consequently, men are seen as occupying the objective standpoint, while women are not.

Objectivity is considered the right way of knowing (MacKinnon 1989, 106–107). As the right way of knowing is just the way of grasping the truth, this means that what is seen from the objective standpoint is considered just what is in truth. As men are seen as occupying the objective standpoint, their image of a woman is accepted as a woman as she is in truth. As it is so accepted, it is established in men's and women's minds as a woman as she is in truth, reinforcing to men who they see a woman as being, and creating for women who they see themselves as being. Men's image of a woman, construed as a reflection of a woman, becomes women's self-image. As it becomes their self-image, it becomes to women all of what they must become in order to become women, which is to say, in order to exist. For women, then, to cease to be this image is to cease to exist. Zoe Moss expresses this: "What, fat, forty-three, and I dare to think I'm still a person? No, I am an invisible lump" (1970, 170).

If men's image of a woman becomes to women all of what they must become in order to exist, then women must know what that image is, in order to become it, in order to exist. Men's image of a woman is what men see women as. So, in order to know what men's image of a woman is, women "watch themselves being looked at" (Berger 1972, 47), seeing how they are seen through male eyes. They observe what of themselves men look at, and do not, taking in what makes them be there to male eyes, and what is counter to that, which is what is to be fostered and what denied if women are to become men's

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<sup>9</sup> See, for example: Browne 2004; Baron-Cohen 2003.

image of woman, if women are to exist. This means that, looking at women, men make women know what women must become in order to exist. Knowing what this is, women then become just that.

If women so become men's image of a woman, then what a woman is, is just what that image is. Taking from Simone de Beauvoir, MacKinnon argues that men's image of a woman is one of just a feminine being. She says, "The discovery that the female archetype is the feminine stereotype exposed 'woman' as a social construction" (1982, 530). It might be objected that men's image of a woman is no longer one of a feminine being. But if we consider the attributes of a feminine being to be, as MacKinnon says, "docile, soft, passive, nurturant, vulnerable, weak, narcissistic, childlike, incompetent, masochistic, and domestic, made for child care, home care, and husband care" (530), then we can see that this is not the case, for although women can perhaps be less docile, soft, passive, weak, vulnerable, childlike, incompetent, and so forth, while remaining women, women who are not these things, women who are truly assertive, aggressive, strong, invulnerable, independent, self-sufficient, worldly, ambitious, and so forth, are seen as men (530). This means that for ceasing to be feminine beings, women cease to be seen as women, which means that men's image of woman is still just one of a feminine being.

If men's image of a woman is one of just a feminine being, then what a woman is, is just what a feminine being is. MacKinnon argues that feminine qualities constitute sexual availability, saying, "Vulnerability means the appearance/reality of easy sexual access; passivity means receptivity and disabled resistance, enforced by trained physical weakness; softness means pregnability by something hard. Incompetence seeks help as vulnerability seeks shelter, inviting the embrace that becomes the invasion, trading exclusive access for protection . . . from the same access" (530; ellipsis in the original). She goes on, "Socially, femaleness means femininity, which means attractiveness to men, which means sexual attractiveness, which means sexual availability on male terms" (530–531). That feminine qualities constitute sexual availability means that a feminine being is a sexually available being. To be sexually available is to be available for sexual use, which is to say, sexually usable, which is to say, sex object. In short, a feminine being is a sex object. MacKinnon says, "Woman through male eyes is sex object" (538). A woman is thus just a sex object. This is how the process of sexual objectification, which, on MacKinnon's account, is that through which men organize sexuality to the end of getting dominance, works.

#### **IV. Does MacKinnon's Theory of Sexuality Succeed?**

At first glance, MacKinnon's theory of sexuality appears to succeed. In fact, it does not. It does not succeed because if a woman is a sex object, then men do not sexually desire dominance. To be a sex object is to be an object that has sex as its function, which is to be an object that exists to be used for sex. As MacKinnon says, "Sex is what women are for" (1989, 181). If a woman exists to

be used for sex, then having sex with a woman is using her for that for which she exists to be used. To use a thing for that for which it exists to be used is to treat it in a way that respects its nature, which is to treat it rightfully. Sex is thus the rightful treatment of a woman. As such, it is precisely the opposite to what, on MacKinnon's view, sex is. On MacKinnon's view, a sex act is just an act in which men violate women. Rightful treatment is the opposite to violation. The rightful treatment of an object is the treatment of an object that respects its nature. The violation of an object is the treatment of an object that disrespects its nature. As such, it is the wrongful treatment of an object. It is not that MacKinnon does not see this; she does. She says:

From a feminist perspective, what exactly does *Playboy* do? It takes a woman and makes her sexuality into something any man who wants to can buy and hold in his hand for three dollars and fifty cents . . . . She becomes something to be used by him, specifically, an object for his sexual use. Think of it this way. A cup is part of the object world, valued according to its looks and for how it can be used. If someone breaks it, maybe that is considered an abuse, or maybe it is briefly mourned and then replaced. But using it does not violate anything, because that is what it is for. *Playboy* as a standard means that to use a woman sexually does not violate her nature; it is what she is *for*. (1987, 138)

Having sex with women is like using a cup to drink. Here, MacKinnon contradicts her view of sex as just an act in which men violate women. To put it another way, if a woman is a sex object, then women ontologically can only be willing to have sex; they cannot be unwilling. For a woman to express unwillingness would be for her to act in discordance with her nature. This means that if women did express unwillingness to have sex, that is, if they did resist, their resistance would not be able to be seen as resistance. If women ontologically cannot be unwilling to have sex, then men cannot have sex with women against their will, which means that sex cannot be men's violation of women. As I have explained, if sex is not an act in which men violate women, then it is not an act in which men get dominance. As a sex act is just an act in which men satiate their sexual desire, if it is not an act in which men get dominance, then dominance is not what satiates men's sexual desire, in which case it is not what men sexually desire. In short, if a woman is a sex object, then men do not sexually desire dominance.

If men do not sexually desire dominance, then they do not organize sexuality to the end of getting dominance. That is, as sexuality is the process by which one gets the object of one's sexual desire, and as men's need to get the object of their sexual desire is what compels them to organize sexuality, just as the capitalist's need to profit is what compels him to organize work, then men, if they do not sexually desire dominance, do not organize sexuality to the end of

getting dominance. If they did organize sexuality to the end of getting dominance, then they would be organizing it in such a way that they do not get the object of their sexual desire. This is nonsensical. Moreover, they would be making sexuality no longer the process by which they get the object of their sexual desire, and so no longer the process of sexuality, in which case it is not sexuality that organizes the social world as sex hierarchy. Of course, if men do not sexually desire dominance, they might unintentionally organize sexuality so that they get dominance, but they do not organize it with the aim of, which is to say, to the end of, getting dominance. And if this is so, then sex hierarchy is not of the nature that feminism sees it to be.<sup>10</sup> It is an unintended social arrangement, persisting accidentally, rather than by design. That men do not organize sexuality to the end of getting dominance means that they do not necessarily make sexuality that which organizes the social world as sex hierarchy, which means that sexuality is not that which necessarily organizes the social world hierarchically. MacKinnon's theory of sexuality does not succeed. Feminism is thus not yet a theory of the kind that marxism is, sex inequality not yet an issue of its own.

I must at this point acknowledge two objections, the first of which pertains to the specific argument for why MacKinnon's theory does not succeed, and the second and more serious of which pertains to my treatment of MacKinnon's account more generally. The first is that, while women are on one level sex objects, they are on another, deeper level, the level of truth, autonomous beings, such that, on that level, the sexual use of a woman can be the violation of her. But on MacKinnon's view, men's image of a woman wholly constructs who a woman is, such that a woman is nothing other than that image. This means that there is no level on which a woman is not a sex object.

The second is that I have been rather unfair to MacKinnon, for I have engaged in a comparison of her account with Marx's, but I have accepted without question that his succeeds, while I have subjected hers to critique. Serious criticisms have been made of Marx's account, specifically his labour theory of value, the theory that the value of a commodity is determined by the amount of labour-time necessary for its production.<sup>11</sup> For example, G. A. Cohen (1979) argues that the labour theory of value is untenable. This is because, he says, two versions of the labour theory of value, "strict" and "popular," (strict

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<sup>10</sup> MacKinnon says that "male dominance is perhaps the most pervasive and tenacious system of power in history" (1989, 116).

<sup>11</sup> However, equally, in response to these criticisms, defences have been made of Marx's labour theory of value. See, for example, Shaikh 1998; Mohun 1994; Lee 1993. The grounds of these defences vary. The one that I find particularly compelling is that criticisms of the labour theory of value often rest on a fundamental misunderstanding of the true meaning of the labour theory of value. See, for example, Steele 1992; Nadvi 1985.

being the theory that value is determined by socially necessary labour time, and popular being the theory that value is embodied labour) which each appear true only in light of the other, in fact contradict one another. Ian Hunt (1986), however, has challenged Cohen's critique. He argues that the strict and popular versions of the labour theory of value are perfectly compatible (140–141), and, in addition, that Cohen has failed to understand what Marx meant in arguing that value determines exchange-value (141–142). He thus refutes Cohen's critique.<sup>12</sup>

Steve Keen, too, argues that Marx's labour theory of value does not succeed (Keen 1993). This is because Marx fails to show that the means of production are not a source of value. Keen explains that Marx, in his attempt to show that they are not a source of value, contradicts his claim that use-value and exchange-value are unrelated to one another (112). Keen then argues that if we accept this claim, and apply it to the means of production, then we must conclude, as Marx in fact elsewhere does, that they are a source of value (115). But Keen recognizes that Marx, in his explanation of how the capitalist makes a profit through the use of labour-power, succeeds in showing that labour is a source of value (112). So it seems to me that the failure of his labour theory of value does not damage his account of how the capitalist makes a profit, hence, his account of how work organizes the social world as class hierarchy.

Another strand of criticism deals with Marx's account of how the capitalist exploits the worker. Richard Arneson (1981), for example, suggests that Marx does not adequately explain how the capitalist, in making a profit, exploits (in the sense of the term that denotes a wrong) the worker. Arneson insists that "the appropriation of an economic surplus by nonproducers must be a forcible taking if it is to count as technical exploitation. Without force or coercion there is no exploitation" (225). He implies that Marx does not explain how that appropriation is a forcible taking. But if this criticism succeeds, it results in a quite different problem for Marx than my criticism does for MacKinnon.<sup>13</sup> It does not alter the fact that with his extraction of surplus value the capitalist makes work a process that organizes people into two classes, and arranges those classes hierarchically, but it does mean that that hierarchy is not unjust. But MacKinnon's claim that a woman is a sex object alters the equivalent aspect of her account, for it means that men, not sexually desiring dominance, do not necessarily make sexuality that which organizes the social world as sex hierarchy. The problem for Marx is that class hierarchy is not unjust, the problem for MacKinnon that sex hierarchy does not exist. While both are problems, the problem for MacKinnon is more basic and more damaging than that for Marx. All in all, it seems to me that firstly, many criticisms of Marx's account have been

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<sup>12</sup> See, for another somewhat similar critique, Smith 1994, 118–122.

<sup>13</sup> At any rate, I am not convinced by this criticism. For examples of arguments that in Marx's account the capitalist exploits the worker, and that exploitation is an injustice, see Holmstrom 1997; Geras 1985; Elster 1983.

met with persuasive defences of it, so cannot be said to have altogether succeeded, and secondly, even if we do accept that they succeed, the problems in Marx's account to which they point do not undermine it on a fundamental level. In contrast, the problem that I have found in MacKinnon's account does.

However, this is a somewhat defensive reply to the objection that I have been unfair to MacKinnon. I would now like to step back a little and respond to this objection in a more genuine way. My aim in subjecting MacKinnon's account to critique is not at all to portray it as a lesser account than Marx's. It is really quite the opposite. It is as much to show that MacKinnon's account is systematic and comprehensive as it is to show that it is contradictory. It is partly because it is rigorous and far-reaching that its contradictoriness is of consequence and worth illuminating. Moreover, as the criticisms I have discussed demonstrate, Marx's account has been subjected to sympathetic yet serious critique. Such critique, exposing problems and drawing others' attention to them, paves the way for their resolution, enabling a theory to grow. But MacKinnon's account has not been similarly subjected to this kind of critique, and so has not been able to grow in the way that Marx's has. Because I consider MacKinnon's account important, I have tried here to provide it with this kind of critique, not to reveal its failings but to illuminate aspects requiring attention in order that it may be improved. This is why I have not been so concerned with subjecting Marx's account to critique.

Following from this, I do not take the contradiction in MacKinnon's account as a reason to reject her theory of sexuality. As I see it, MacKinnon's theory of sexuality fits with and makes sense of an awful lot about our social world, and is only undone by her claim that a woman is a sex object, as this implies that men do not sexually desire dominance. But MacKinnon's claim that men sexually desire dominance is a convincing one; it is, for instance, consistent with the fact that men sexually desire women who are "hard to get," and not those who are "easy" (Walster 1973, 113). A woman who is hard to get is one who resists men's sexual advances. If she resists, then for a man to have sex with her is for him to violate her, which is for him to get dominance over her. A woman who is easy is one who readily succumbs, which is to say, willingly accepts a man's sexual advances. If she willingly accepts his sexual advances, then for a man to have sex with her is not for him to violate her, thus, not for him to get dominance over her. So, men desire to have sex with women, where sex is an act in which they get dominance over women, which means that dominance is the object of male sexual desire. I am therefore reluctant to simply accept without further consideration the claim that a woman is a sex object, however intuitively it appears correct. In fact, on such consideration, I think we have reason to doubt it. This is the reason: for a woman to be considered sexually promiscuous is for her to be considered a whore. To be sexually promiscuous is to readily have sex, which is to be available for sex, which is to be available for sexual use, which is to be sexually usable, which is to be a sex

object. Socially, the worst thing that a woman can be is a whore: “Young Girls are taught to hate a *Whore*, before they know what the Word means” (Mandeville 2006, 65). The worst thing that a woman can be is what it is most not in accordance with the nature of a woman to be. For a woman to be most not in accordance with the nature of a woman is for her to be most not what a woman *is*. In short, for a woman to be considered a sex object is for her to be considered most not a woman. This suggests that men’s image of a woman is not one of a sex object; in that case, if, as MacKinnon argues, that image makes who a woman is, a woman is not a sex object.

If MacKinnon’s theory of sexuality makes sense of a lot about our social world, and if we have reason to doubt that men’s image of a woman is one of a sex object, then we feminist theorists ought to pursue the line of inquiry that this doubt opens up, namely, the question of what men’s image of a woman is. Perhaps we will discover that this image is consistent with her claim that men sexually desire dominance. Pursuing this question is a task unto itself, and as such beyond the scope of this paper, the aim of which has been not to resolve problems but to identify them and so orient feminist effort. However, in the spirit of orienting feminist effort, I would like to suggest a starting point for inquiry into this question. This starting point is to be found in MacKinnon’s own work, for she also refers, almost in passing, to a woman as a sexually violable being.<sup>14</sup> MacKinnon seems to regard the two conditions—that of being a sex object and that of being sexually violable—as synonymous. But they are not. A sex object exists to be sexually used. It exists to be had sex with, where sex is simply the use of it as it is intended to be used. A sexually violable being does not exist to be sexually used; it exists to be sexually violated. It exists to be had sex with, where sex is the violation of it, which is quite the opposite of the use for which it is intended, is the misuse, the abuse, of it. But not only are these conditions not synonymous, the second logically aligns with MacKinnon’s claim that men sexually desire dominance. If a woman is just a sexually violable being, a being that exists to be violated by sex, then sex is ontologically the violation of a woman. As such, it is necessarily an act in which men get dominance, in which case men do sexually desire dominance. Given this, I think it is worth considering whether the attributes of a feminine being constitute not sex objecthood but sexual violability.

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<sup>14</sup> She says, “Feminine means violable” (MacKinnon 1987, 118).

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KATE PHELAN teaches in the School of Global, Urban and Social Studies at RMIT University. This paper forms part of her recently completed PhD thesis, in which she attempted to explain how men's oppression of women is knowable as such. Her research interests lie primarily in the fields of feminist philosophy, marxist theory, and pragmatism.