BOOK REVIEW

*217 FEMINISM, SEXUALITY, AND SELF: A PRELIMINARY INQUIRY INTO THE POLITICS OF AUTHENTICITY

FEMINISM UNMODIFIED BY CATHARINE A. MACKINNON [FNd1] HARVARD UNIVERSITY PRESS, CAMBRIDGE, MASSACHUSETTS, 1987. PP. 1, 315. $25.00

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Feminism aspires [FN1] to assist us come closer to discovering and experiencing our authentic selves. [FN2] One aspect of that journey toward authenticity *218 is the discovery and experience of our authentic sexuality.

There is no one definition of "authentic self." The conception of authentic self that is most compatible with feminism is as a state of being and as an aspirational ideal. [FN3] The aspirational aspect makes the concept dynamic, *219 while the state of being aspect fixes it in a particular time. As our ideal aspirations for ourselves change through reflection, the self that we are changes to move toward our aspirations. In addition, the authentic self is a social self since we exist through our connectedness with others.

"Authentic sexuality" refers to the loving connectedness that we would choose to share with others as well as ourselves if we could fully glimpse our authentic selves. I use the word "sexuality" in its broadest sense to refer to the full range of intimate connectedness that we might experience, including, but not limited to, sexual love or "eros." [FN4] In the words of James Nelson, it includes sexual expressions which are "self-liberating, other-enriching, honest, faithful, socially responsible, life-serving and joyous." [FN5]

The search for authenticity can be a dynamic, feminist-spiritual journey. We can try to create a space of inner peace where we can catch a glimpse of ourselves removed from patriarchy [FN6] and the other limiting influences of *220 modern society. In this state of inner peace, we can attempt to discover our selves behind and beyond our selves--what I call our "authentic" selves.

Our journey toward authenticity, however, requires more than discovering our inner selves. We also need to work to create a world in which we can freely experience our authentic selves. Society has strongly influenced our gender, as well as our larger personhood. We need to struggle against limiting forces in our lives to move toward authenticity, which, in terms of our feminist work, means struggling against the forces of patriarchy. Our glimpses of our authentic selves can provide us with the strength and direction necessary to struggle against the brokenness [FN7] and subordination in our lives. Without a sense of our authentic selves, we would have no basis for selecting priorities in our feminist struggles.

Catharine MacKinnon [FN8] and others [FN9] find the concept of authenticity unhelpful and deny that we even have an authentic self. I find that I can only respond to the argument that there is no authentic self in the negative. I believe that we have an authentic self because assuming that we do not have an authentic self makes no sense to me. For example, through our feminist work, we try to peel away social influences that limit our authenticity or freedom. If we are successful in our attempts to peel away those influences, what would be left? It only makes sense for me to assume that what would be left
would be our authentic selves. Moreover, that authentic self must embody both a state of being as well as an ideal self. Otherwise, there is little point in trying to peel away those influences. Similarly, I consider the source of our feminist visions. They must come from some intuitive sense of each of our human possibilities. We need some measuring rod through which we can construct a critique and be confident that we can more fully develop our human potential or, again, our feminist struggles would make no sense. Therefore, I believe that our perception of and faith in our authentic selves is fundamental to our continued passion to discover and experience our freedom or authentic selves. [FN10]

Although the search for authenticity requires us to struggle against limiting social influences, authenticity and social influence are not intrinsically incompatible. We each can make choices about which aspects of our authentic selves to nurture and develop. Those choices may be influenced by the skills and abilities that society has encouraged us to develop as well as by our aspirations for our authentic selves. [FN12] For example, I am able to discover certain aspects of my authenticity that might otherwise remain hidden through my ability to read and write. In addition, my choices of what to read and consider are influenced by glimpses of my highest aspirations for my authentic self. Society can positively influence me while I strive to attain my aspirations for my authentic self.

We must expend considerable energy trying to discover and experience our authentic sexuality because forces such as patriarchy have limited our sexuality. Feminist theory, and Catharine MacKinnon’s work [FN13] in particular, have been crucial in explaining why it is so difficult for women to discover and experience their authentic sexuality. MacKinnon has shown how patriarchy hinders women’s ability to discover and express their sexuality. Hence, under my terminology, her work shows that women are far from experiencing their authentic sexuality. Many women have concluded that patriarchy has distorted and rendered inauthentic their sexuality and have therefore undertaken this journey to discover and experience their authentic sexuality. [FN14]

Women’s struggles to discover their authentic sexuality have two major components. The first component encompasses trying to determine their sexual preference. [FN16] One of Catharine MacKinnon’s early works, Sexual Harassment of Working Women, [FN17] provides a compelling analysis of how women are coerced at the workplace to interact heterosexually. She further argues that this sexual coercion contributes to women’s overall subordinate status in society: [T]he sexual harassment of women can occur largely because women occupy inferior job positions and job roles; at the same time, sexual harassment works to keep women in such positions. Sexual harassment, then, uses and helps create women’s structurally inferior status. [FN18]

Similarly, her later work on pornography shows how women are coerced into displaying themselves sexually for men’s sexual pleasure. [FN19] She argues that portraying women pornographically is an act of sex discrimination because such portrayals keep women subordinate in society:

Pornography, in the feminist view, is a form of forced sex, a practice of sexual politics, an institution of gender inequality. In this perspective, pornography is not harmless fantasy or a corrupt and confused misrepresentation of an otherwise natural and healthy sexuality. Along with the rape and prostitution in which it participates, pornography institutionalizes the sexuality of male supremacy, which fuses the eroticization of dominance and submission with the social construction of male and female. Gender is sexual. Pornography constitutes the meaning of that sexuality. Men treat women as who they see women as being. Pornography constructs who that is. Men’s power over women means that the way men see women defines who woman can be. Pornography is that way. [FN20]

MacKinnon argues, therefore, that women’s expression of their sexuality has been limited by many forms of sexual objectification, such as sexual harassment, pornography, rape, and prostitution. In her most recent work, Feminism Unmodified: Discourses on Life and Law, [FN21] a collection of speeches, she offers the striking observation that women can rarely, if
ever, freely choose heterosexual sexual expression. Indeed, she says that such an apparent choice can be evidence of a woman's collaboration with her own oppression:

Because the inequality of the sexes is socially defined as the enjoyment of sexuality itself, gender inequality appears consensual. This helps explain the peculiar durability of male supremacy as a system of hegemony as well as its imperviousness to change once it exist. It also helps explain some of the otherwise more bewildering modes of female collaboration. The belief that whatever is sexually arousing is, ipso facto, empowering for women is revealed as a strategy in male rule. It may be worth considering that heterosexuality, the predominant social arrangement that fuses this sexuality of abuse and objectification with gender in intercourse, with attendant trauma, torture, and dehumanization, organizes women's pleasure so as to give us a stake in our own subordination. It may even be that to be "anti-sex," to be against this sex that is sex, is to refuse to affirm loyalty to this political system of inequality whose dynamic is male control and use and access to women--which would account for the stigma of the epithet. [FN22]

Thus, according to MacKinnon, society structures women's perceived desires within heterosexuality so that they find pleasure in their own subordination.

The second component of women's journey to discover their authentic sexuality is the struggle against a narrow and normative conception of "good" sex within a particular form of sexuality. MacKinnon argues that women have not been able to define what sexual expression they desire within heterosexuality; instead, women have been limited to experiencing sexual relations on men's terms. [FN23] MacKinnon's inquiry into the pervasive subordination of women through the institutions of rape, battery, sexual harassment, and pornography has led her to ask the striking question of whether women's sexuality even exists. According to MacKinnon, [i]f women are socially defined such that female sexuality cannot be lived or spoken or felt or even somatically sensed apart from its enforced definition, so that it is its own lack, then there is no such thing as a woman as such, there are only walking embodiments of men's projected needs. For feminism, asking whether there is, socially, a female sexuality is the same as asking whether women exist. [FN24]

Thus, MacKinnon's work has been crucial for me in exposing the difficulty of a woman's journey toward the discovery and expression of her authentic sexuality. [FN25] She has helped show how society coercively limits that expression to heterosexuality and that, within heterosexuality, women suffer much oppression and subordination. [FN26] She has linked women's sexual abuse to [226] women's overall subordinate status in society. Hence, she has devoted much of her political-legal work to eliminating women's subordination from sexual harassment and pornography. This feminist perspective--that the crucial issues for legal-political work are sexual issues--is generally described as radical feminism and is deeply indebted to MacKinnon. [FN27] MacKinnon vividly portrays the theoretical foundation and practical application of radical feminist theory in Feminism Unmodified by sharing her lucid and dynamic speeches with the reader.

MacKinnon's work raises, but does not resolve, several fundamental dilemmas within radical feminist theory: how important women's authentic sexuality should be to their authentic selves, how women can know when they have discovered their authentic sexuality, and how women can construct their sexuality politically while retaining their authenticity. In this essay, I will evaluate MacKinnon's consideration of these dilemmas and sketch a preliminary resolution of them. For now, I would like to define these dilemmas with more specificity.

The first dilemma. MacKinnon asserts that patriarchy has distorted the importance of sexuality within women's lives by equating women's sexuality with women's entire self. Thus, MacKinnon makes the radical claim that "asking whether there is, socially, a female sexuality is the same as asking whether women exist." [FN28] She concludes that feminists' primary energies should be devoted to eliminating sexual subordination or male dominance. [FN29] MacKinnon's analysis,
however, does not provide guidance as to whether women's known and experienced authentic sexuality should be a critical component of their authentic selves. This is an important question because the answer might guide us in deciding how to confront patriarchy's distortion of women's sexuality. Patriarchy has placed so much emphasis on women's sexuality that feminists have had to take a defensive posture in their struggle over sexual issues. But where do feminists want to put their positive, life-building energies? Should they direct them toward trying to discover and experience their authentic sexuality? Are other aspects of their selves more important? We need to know more about the connection between women's authentic sexuality and women's authentic selves to answer these questions. MacKinnon fails to explore this connection. [FN30]

The second dilemma. MacKinnon asserts that women have not been able to experience their sexuality freely. [FN31] Yet MacKinnon's work necessitates that women "glimpse" [FN32] their authentic selves in order to be able to offer a critique of sexuality under patriarchy. How does MacKinnon attain that glimpse? How can other women attain that glimpse? How can women determine whether they are moving toward authenticity or, in MacKinnon's words, "collaborating" with their oppression? [FN33]

The third dilemma. MacKinnon describes the political construction of women's sexuality and how that construction relates to women's overall subordination in society. [FN34] Relying on MacKinnon's work, other radical feminists have suggested that women should construct their sexuality for themselves and deliberately move away from intimate relationships with men. [FN35] But what if a woman "glimpses" that her authentic sexuality would permit her to interact intimately with men? Can she politically construct her sexuality and move toward authentic sexual expression? Is feminist political work in conflict with a move toward authenticity, or can they be reconciled?

My recognition of these dilemmas leads me to my present inquiry, which is to understand how women should try to discover and experience their authentic sexuality as part of their authentic selves. MacKinnon may find my present inquiry "hopelessly liberal" because it presupposes that women can and should search for their authenticity. She says, for example: Historical audiences want to hear about the design of life after male supremacy. Or, after all this negative, what do I have to say positive. This requests a construction of a future in which the present does not exist, under existing conditions. It dreams that the mind was free and could, like Milton, make a heaven of hell or a hell of heaven. The procedure is: imagine the future you want, construct actions or legal rules or social practices as if we were already there, and that will get us from here to there. This magical approach to social change, which is methodologically liberal, lives entirely in the head, a head that is more determined by present reality than it is taking seriously, yet it is not sufficiently grounded in that reality to do anything about it. Maybe one reason liberalism accomplishes so little is that it is designed to serve those who want to think or say or imagine they are doing good more than they want to do it. Not to mention that to consider "no more rape" as only a negative, no more than an absence, shows a real failure of imagination. Why does "out now" contain a sufficiently positive vision of the future for Vietnam and Nicaragua but not for women? Is it perhaps because Vietnam and Nicaragua exist, can be imagined without incursions, while women are unimaginable without the violation and validation of the male touch? [FN36]

My response to MacKinnon is quite simple. I am no more satisfied with an "out now" mentality with respect to Vietnam or Nicaragua than I am with a "no more rape" mentality regarding women. In all of these cases, I want to know how we can best help to achieve the freest and most authentic lives. I want to be able to describe that freedom or authenticity and determine how best to achieve it. I need to move forward as well as criticize what I leave behind.

Although I am confident about the importance of resolving the dilemmas that I shall raise, I am concerned about how to explore these dilemmas in this essay. Specifically, I am concerned about whether to use an experiential discourse. As I will discuss in Part II, feminist methodology embraces the use of an experiential discourse. [FN37] I have therefore chosen this...
method and concluded that an experiential discourse for this essay should include some first-person narrative. Nevertheless, I don't know the reader; I have no basis for trusting the reader with my life story. In addition, I am not entirely convinced that feminist methodology should require an experiential discourse.

I have tentatively concluded that such a discourse is useful in this essay for two reasons. First, it will reveal my own biases so that readers can judge for themselves the "validity" or usefulness of my claims. Second, an experiential discourse can be personal and can therefore get in touch with the woman-centered or distinctively gendered aspects of my analysis. Nevertheless, I recognize that not all feminist writing may need or benefit from an experiential discourse; that an experiential discourse does not always require writing in the first person; that there may be other, more effective, methods to achieve a woman-centered subjectivity. Thus, one purpose of this essay is to assess the significance of my use of a first-person experiential discourse. Does it make this essay more effective or does it limit its scope too much by its focus on my own experience? Are my biases and limitations as a white, middle-class individual too much a part of this essay by the use of such stories? In response to these problems, I have tried to strike an appropriate balance between my own story and broader theoretical questions. I have also struggled with the proper way to use a first person perspective. As Pat Williams suggested to me at the 1987 Feminism and Legal Theory Conference, the use of the first person can become authoritative rather than simply subjective. I have used the first person to explain to the reader how my experiences have influenced my perspective; I do not mean to suggest that my perspective is the only appropriate or reasonable perspective on a particular issue. Only the reader can judge whether I have succeeded in these very difficult tasks.

I begin, then, by explaining to the reader how I come to my present inquiry, because I have personal biases about the answers to the questions that I raise. I have been involved in intimate sexual relationships with both men and women but have never experienced a relationship that seemed fully authentic to me. I have, therefore, often wondered what I would discover if I could get in touch with my authentic sexuality. Would I discover that I am equally capable of feeling love for women and men? Even if I concluded that I authentically had sexual feelings for men and women, what are authentic expressions of my sexuality under patriarchy? Should I seek relationships with men or women, or should I refrain from seeking relationships with anyone? What role should my authentic sexuality play in defining my authentic self? On a personal level, then, I struggle with MacKinnon's implicit accusation that I am one of those women who defends sexual experiences with men because, in her words, "sex feels good, this critique is bad; because I want sex to feel right, this critique is wrong; because I (want to) believe sex could feel true, this critique is false." I struggle to glimpse my authentic self as I write this essay in order to avoid constructing a critique that stems only from inauthentic "feelings" of love toward men.

Hence, I would like to use this essay as an opportunity to share with the reader my thoughts on sexuality and personhood as an outgrowth of and a reaction to MacKinnon's latest writing on sexuality and personhood in Feminism Unmodified. First, I will consider why women might want to search for their authentic sexuality. Second, I will consider the methodological issues involved in knowing whether women have discovered their authentic sexuality. I will consider whether feminist methodology is well suited to facilitating the discovery of women's authentic sexuality and whether radical feminists, such as Catharine MacKinnon, have used feminist methodology in probing questions about women's sexuality. Third, I will explore the tension between women's political construction of their sexuality and movement toward authenticity. Finally, I will offer preliminary thoughts about how law, through substantive due process doctrine, could facilitate rather than inhibit women's journey to discover and experience their authentic sexuality and authentic self.

I. THE SEARCH FOR AUTHENTIC SEXUALITY: FEMININE OR FEMINIST?

MacKinnon's work demonstrates that women have grave difficulties in discovering or expressing their authentic sexuality under patriarchy. But the fact that women are not presently experiencing their authentic sexuality does not mean that women should necessarily place a priority on trying to discover their authentic sexuality. An emphasis on sexuality within a wo-
man's life may be feminine but not feminist. [FN42] Patriarchy has made sexuality a crucial component of women's lives by making it central to women's oppression and subordination. Because women have never had the freedom to experience their authentic sexuality, it is impossible to know whether expressions of sexuality would be central to a woman's free and authentic life. In a transformed society, the importance of sexuality in a woman's life might dissipate or disappear. In existing society, the energy that women expend on developing sexual connectedness, love, compassion, etc., may be evidence of their brokenness and subordination rather than their authenticity. [FN43]

This possibility was suggested to me during the 1987 Feminism and Legal Theory Conference. [FN44] The topic, "Women and Intimacy," addressed the importance of and problems with intimacy in women's lives. As speaker after speaker cataloged the ways in which society helps distort women's expression of their sexuality and how women struggle against those influences, [FN45] it became clear that women's subordination has helped shape *232 their craving for intimacy. The epitome of the destructiveness of this craving is probably the battered women's syndrome under which women are not able to escape from an intimate relationship despite its physical destructiveness in their lives. [FN46]

MacKinnon highlights some of the problems with women's desire to be affirmed in their sexual expression in Feminism Unmodified. In one of the most compelling parts of her book, she reflects on why women have trouble accepting her widespread critique of sexuality:

Audiences want to affirm that the sexuality for which we need what we do not have--a society of sex equality--already exists and merely needs to be unearthed. They desperately want at least an account of its current possibility.

To put it mildly, people take sex personally. A woman has to feel bad about sex every minute, apparently, or a critique of sexuality as a realm of sex inequality is reductive or demeaning or incorrect. [FN47]

Even if sexuality should be a significant component of a woman's authentic self, it may not be realistic for a woman to try to discover and experience her sexual self in our present society. At the 1987 Feminist Legal Theory Conference, the participants disagreed about the political utility of women devoting significant energies to discovering and experiencing their authentic sexuality. For example, Sarah Salter suggested that women should take their sexual brokenness as a given and then speak about the brokenness. [FN48] Several other participants added to that comment by suggesting that women are and should be demanding compensation from society for channeling women into "feminine" work through efforts such as comparable worth. [FN49] *233 Finally, several participants disputed my claim that there even is such a thing as an authentic self to unmask by arguing that a woman's sexuality is entirely socially constructed. [FN50]

MacKinnon never endorses the concept of authenticity. But she does suggest that women can glimpse their freedom in sexual relations although she also calls it a "rare and valuable and contradictory event." [FN51] Why is it a valuable event? Because sexuality is an important component of a woman's authentic self? Because a woman's glimpse of her authentic sexuality can be politically transformative? MacKinnon does not tell us, because she does not deem these questions important. [FN52]

An understanding of the role of sexuality in bringing us closer to our authentic selves could provide us with a better understanding of where to set our personal and political priorities. Yet, there is not much literature that explores that connection. Instead, there is a literature within feminism and progressive theology which discusses the positive role of love and compassion in our lives. Because sexual love is a type of love, [FN53] it seems appropriate to begin this inquiry by considering the general role of love and compassion in our lives before considering the special role of sexual love.

Feminists who have presented probing discussions of the role of love and compassion in women's lives include Audre Lorde and Adrienne Rich. Lorde discusses the concept of the "erotic." [FN54] She recognizes that patriarchy has often distorted the erotic by turning it into pornography [FN55] but also insists that women's expression of their erotic selves can be a powerful
She defines the erotic as an intrinsically dynamic force within women's lives: The very word erotic comes from the Greek word eros, the personification of love in all its aspects—born of Chaos, and personifying creative power and harmony. When I speak of the erotic, then, I speak of it as an assertion of the lifeforce of women; of that creative energy empowered, the knowledge and use of which we are now reclaiming in our language, our history, our dancing, our loving, our work, our lives. [FN56]

She therefore wants to acclaim the importance of women discovering and experiencing the erotic within their lives. She says: [W]hen we begin to live from within outward, in touch with the power of the erotic within ourselves, and allowing that power to inform and illuminate our actions upon the world around us, then we begin to be responsible to ourselves in the deepest sense. For as we begin to recognize our deepest feelings, we begin to give up, of necessity, being satisfied with suffering and self-negation, and with the numbness which so often seems like their only alternative in our society. Our acts against oppression become integral with self, motivated and empowered from within. [FN57]

Although Lorde recognizes that the erotic can be synonymous with women's suffering and self-negation, she also believes that it can be transformed into a positive source of women's struggle against oppression. Thus, in contrast to MacKinnon, Lorde argues that women should try to develop positive erotic expressions within their lives as well as struggle against the subordinating images of women within pornography. [FN58] Whereas MacKinnon offers a negative critique of pornographic images, Lorde offers both a negative critique and an analysis of the positive aspects of women's discovery and expression of their erotic selves.

Adrienne Rich has explored the role of love and compassion within women's lives in a variety of contexts. Like Lorde, she recognizes both the destructive and life-building implications of women's love. For example, in her introduction to the tenth anniversary edition of Of Woman Born, [FN59] she describes the balance that she tried to strike between exploring the negative and positive aspects of motherhood: I never wished this book to lend itself to the sentimentalization of women or of women's nurturant or spiritual capacity .... But what I wrote in 1976 I believed: Theories of female power and female ascendancy must reckon fully with the ambiguities of our being, and with the continuum of our consciousness, the potentialities for both creative and destructive energy in each of us. [FN60]

Despite the difficulties of creating an institution of motherhood that is free rather than oppressive, Rich claims that such a struggle is worthwhile because it can bring women closer to “personhood.” She defines the claim to personhood as: the claim to share justly in the products of our labor, not to be used merely as an instrument, a role, a womb, a pair of hands or a back or a set of fingers; to participate fully in the decisions of our workplace, our community; to speak for ourselves, in our own right. [FN61]

Thus, Rich connects authentic expressions of love and compassion through motherhood to movement to full personhood or authenticity.

Many theologians offer a similar description of the role of love in our lives. For example, Etty Hillesum, a Jewish writer who was influenced by Christianity, used her love as a source of strength to persevere during the Holocaust. She wrote: I see no alternative, each of us must turn inwards and destroy in himself all that he thinks he ought to destroy in others. And remember that every atom of hate we add to this world makes it still more inhospitable.

... If one wants to exert a moral influence on others one must start with one's own morals. [FN62]

For Hillesum, who was struggling with the daily realities of life in a concentration camp, a focus on the power of her in-
ner love gave her increased strength to fight her daily oppression. Hillesum used that love to fight the racism of anti-Semitism as well as to discover herself as a woman. Her work suggests that women can transform their love into a source of power for fighting not only patriarchy, but many arenas of oppression.

Similarly, Dorothy Day, who played a significant role in developing the Catholic Worker's Movement, used her love as the foundation of her work to create a more humane world. In a conversation with Robert Coles, she explained how we should question our love and sexuality and try to use our authentic love to move to a higher moral plane:

God put us here to go through this kind of mental gymnastics, and He certainly put us here to enjoy our sexual lives. He put us here to ask, to try to find out the best way possible to live with our neighbors. Of course, you can go through a life not asking, and that's the tragedy: so many lives lived in moral blindness. [FN63]

Finally, Simone Weil used her fundamental belief in equality through love and compassion to work to improve the conditions of workers in France during the 1940s. She wrote:

Not only does the love of God have attention for its substance; the love of our neighbor, which we know to be the same love, is made of this same substance. Those who are unhappy have no need for anything in this world but people capable of giving them their attention. The capacity to give one's attention to a sufferer is a very rare and difficult thing; it is almost a miracle; it is a miracle. Nearly all those who think they have this capacity do not possess it. Warmth of heart, impulsiveness, pity are not enough. [FN64]

Andreas Teuber considers this conception of the movement toward freedom through love as equality through compassion. [FN65] Teuber draws this conception from Simone Weil's work and explains its significance:

Compassion sees the rights of others from the "inside," as it were, and takes the interests others have in their rights to heart.... [It conveys] certain attitudes without which we would lose sight of the values expressed by these rights .... [C]ompassion urges us to respect not just a person's rights, abstractly conceived, but this particular person who (among other things) has these rights. To regard this particular person who (among other things) has these rights, it is necessary *237 to look "behind" his rights to the interests of his they are designed to secure and protect. [FN66]

Each of these theological writers considers love and compassion to be a part of a person's most complete and morally uplifting life on this earth. Rather than ask what Christianity has to say about sexuality, they ask how sexuality can lead one to a more spiritual or compassionate life. [FN67]

Their conception of the role of love is political. Hillesum was able to use her love to retain control over her own feelings and inner strength. Rather than allow the Nazis to define her as less than human, to deny the value and significance of her life, she persisted in living a life that gave her meaning and satisfaction. In Hillesum's words:

Does that mean I am never sad, that I never rebel, always acquiesce, and love life no matter what the circumstances? Far from it. I believe that I know and share the many sorrows and sad circumstances that a human being can experience, but I do not cling to them, I do not prolong such moments of agony. They pass through me, like life itself, as a broad, eternal stream, they become part of that stream, and life continues. And as a result all my strength is preserved, does not become tagged on to futile sorrow or rebelliousness. [FN68]

In addition, the strength from her love enabled her to act as a source of inspiration for others who were struggling with feelings of despair and to help transform the world into a freer society. Similarly, Dorothy Day's and Simone Weil's love and compassion were the foundation of their struggles on behalf of working people. [FN69]

*238 Although Lorde and the theological writers come from different philosophical traditions, they all assert that authentic expressions of love can help create a better world. They do not emphasize the physical intimacy that can be associated with
love. Instead, they emphasize the discovery of a spiritual love that is not based on dependency or weakness. They believe that this kind of love can be politically transformative and is essential to our ability to create a freer society.

The more specific issue for this inquiry is the relationship between that general love and sexual love. James Nelson has described that connection:

Our sexuality ... is not one restricted or compartmentalized segment of our lives. It is at the center of our response to life. It is the way in which we are in the world as embodied selves, female or male, with certain affectional orientations, with qualities socially defined as "masculine" and "feminine". It is a basic way in which we express both our incompleteness and our relatedness. It is God's ingenious way of calling us into communion with others through our need to reach out and touch and embrace—emotionally, intellectually, physically. Sexuality thus is never accidental or peripheral to our possibility of human becoming. It is basic and intrinsic to that possibility. It is both the physiological and psychological grounding of our capacity to love. And if we meet God most truly as the "beyond in our midst," as the One whose continuing incarnation is expressed through creaturely relationships, then our sexuality is a sacramental means for the love of God. [FN70]

Thus Nelson sees sexual love as a deeply spiritual aspect of our ability to build loving connectedness in this world. His description of sexual love takes it out of the sphere of procreation and places it in the sphere of our highest moral ideals.

Dick Westley has made a similar observation:

If human sex were primarily procreational, then we would expect that humans would become sexually aroused only at times of fertility, much as happens among the animals. But as we have seen, the human person is fully and totally spirit, albeit an impoverished one. So to limit human sexuality to its biological function is to overlook the fact that in humans the most significant sex power is spiritual—the human mind. We can become sexually aroused at will. That can be troublesome, of course. But the fact is that if, as we have seen, the primary work of body is knowing and loving, then sexual arousal must be viewed in relation to these primary ends of an enspirited body. [FN71]

This conception of the politics of love seems consistent with the radical feminist conception of sexual politics. Feminists such as MacKinnon often argue that society has overemphasized the importance of the physically intimate and procreative aspects of sexuality. [FN72] They suggest that sexuality might look quite different if it were defined from the perspective of women's needs. By thinking of love broadly, removed from the arena of physical intimacy and procreation, we might be able to begin to consider the positive life-building potential of love within our lives removed from the subordinating sexuality that women have often experienced under patriarchy. This spiritual conception of love would be able to guide women in determining how to relate to themselves as well as others. This conception of the role of love and sexuality in women's lives could make the radical feminist maxim that the "personal is political" [FN73] a more meaningful statement because it would expose the full range and importance of the love and compassion that women create in their lives. [FN74]

This theological conception of love, however, is not without its problems. Theologians may not offer a sufficiently critical understanding of how society has limited women's ability to experience their love freely; they may underestimate the political barriers to women's authenticity. Thus, it seems crucial to have a strong feminist perspective intertwined with a theological conception of love to ensure that sufficient attention is given to combatting the structural, political barriers to women's freedom. Of course, there are feminist theologians. [FN75] Their work is of crucial importance if a feminist-theological dialogue is to take place.

My initial inquiry into the politics of women's sexuality has led to an inquiry into the politics of women's love and compassion. If women could experience love and compassion in their lives, then maybe they could eventually experience the authentic physical intimacy sometimes associated with that love. That sexual love, when authentically experienced, may even be the
most powerful source of love and spirituality possible in a woman's life.

I have tentatively concluded that women's journey to discover and experience their authentic sexuality is an important journey but one that must be pursued carefully. Women need to be especially attentive to the possibility that they may be too willing to acclaim a particular sexual expression as authentic out of their broken need for intimacy or to overemphasize the importance of the sexual self as part of their fuller self. In addition, as I discuss in Part III, women need to be conscious of the possibility that intimacy with men may lead to subordination or create tactical problems by interfering with the ability to develop women-only space for political work. On the other hand, the positive use of women's love and compassion may be more politically transformative than we have previously recognized.

II. DISCOVERING AUTHENTICITY THROUGH FEMINIST METHODOLOGY

A. Consciousness Raising and Experiential Discourse: Feminine or Feminist?

Affirming the importance of women discovering their authentic sexuality highlights the importance of methodological issues-how can women know when they have discovered their authentic sexuality given the difficulties underlying that discovery? How should women listen to other women's voices, as well as their own, in discovering their authentic sexuality?

For MacKinnon, consciousness raising is the methodology of feminism, the mechanism by which feminists have chosen to explore questions such as the discovery of their authentic sexuality:

Feminism does not appropriate an existing method--such as scientific method--and apply it to a different sphere of society to reveal its preexisting political aspect. Consciousness raising not only comes to know different things as politics; it necessarily comes to know them in a different way. Women's experience of politics, of life as sex object, gives rise to its own method of appropriating that reality: feminist method. As its own kind of social analysis, within yet outside the male paradigm just as women's lives are, it has a distinctive theory of the relation between method and truth, the individual and her social surroundings, the presence and place of the natural and spiritual in culture and society, and social being and causality itself.

....

Through consciousness raising, women grasp the collective reality of women's condition from within the perspective of that experience, not from outside it.

Within feminist writing, the methodology of consciousness raising has meant the use of an experiential discourse. For example, in explaining the power of feminist criticism, Elaine Showalter has said:

Feminist criticism reveals in its own history and form many of the patterns of influence and rebellion that mark the female literary tradition as a whole. Here too women writers searched for a language of their own, a style, a voice, and a structure with which they could enter a discipline previously dominated by men. The raw intensity of feeling and the insistence on the relationship of literature to personal experience that accompanied these early phases often expressed itself in an autobiographical or even confessional criticism shocking to those trained in the impersonal conventions of most academic critical writing. Sometimes angry and denunciatory, sometimes lyrical and emotional, feminist criticism flaunted its politics and its feelings.

Given this description of consciousness raising or experiential writing, is it really a feminist discourse or is it simply feminine? This question is related to a general methodological question within feminist theory: how can women value and embrace the feminine (which society has devalued) while trying to move beyond sex roles in their lives? Thus, feminist methodology might be "feminine" rather than "feminist" to the extent that it only reflects that women have been taught to be subjective, personal, and emotional. Rather than being a tool to women's liberation, and thereby feminist, it may be a mechanism for keeping women from true knowledge or good theory by limiting them to "feminine" modes of discourse. Since
feminism is a tool to help women move beyond limiting categories of maleness and femaleness in their lives, it is troubling to see feminists embrace a certain methodology without asking how it can help women in their journey toward freedom.

Suzanna Sherry's work has raised this issue. She calls a contextual, experiential discourse "feminine" rather than "feminist" and affirms its categorization as feminine because that is a nonpolitical designation. By calling such a discourse "feminine" rather than "feminist," she is able to use it while removing herself from a feminist political agenda. Sherry's description of an experiential discourse reveals the potentially apolitical or possibly antifeminist uses of such a discourse. Calling experiential discourse intrinsically valuable because it is feminine can be antifeminist by reflecting an unjustified focus and stereotyping of gender. Valuing gender, simply because it is difference, is not feminist. Only when women can use and construct those gender differences in a way that brings them closer to their authenticity as women and persons can those gender differences be acclaimed as feminist. Sherry's work is therefore missing the crucial step of explaining why we might want to use an experiential discourse--how such a discourse might move us closer to our authentic selves.

In thinking about the value of feminist methodology, I shall consider several issues. First, I shall discuss the value of feminist theory as a way to communicate with other women and to help other women see their authenticity. Second, I shall examine how feminist methodology may be an important mechanism for challenging patriarchal norms or stereotypes about women's existence and how it may help women to discover a reality that has otherwise been hidden from traditional inquiries. Finally, I shall consider how feminist methodology might be improved so that it can act as a more effective tool for women to discover their authentic selves.

As a communication device, feminist methodology is an imperfect way to reach some women. My questioning of this aspect of feminist methodology has been greatly influenced by a recent book, Women's Ways of Knowing, in which the authors trace the different ways in which women acquire knowledge. They argue that women acquire knowledge in various stages of development, the most advanced and sophisticated being constructed knowledge. Although the authors correctly suggest that women have many different ways of acquiring knowledge, I have trouble with their suggestion that women have to go through stages of development in a linear fashion, rather than picking and choosing among each of these methods at various points in their lives. For example, women might be skeptical of feminist methodology during the stage of reasoned, procedural knowledge, yet be receptive to feminist methodology during the subjective stages. Given that women may use different modes of acquiring knowledge at various points in their lives, feminists may not want to invest all of their efforts in reaching women through only one mode of discourse. By relying exclusively on an experiential discourse, feminists may be stereotyping women as purely "subjective" seekers of knowledge, rather than recognizing the diverse ways that different women acquire knowledge and the different ways that an individual woman may acquire knowledge throughout her lifetime.

Although an experiential discourse may not be the perfect device for reaching all women throughout their lifetimes, it does offer some distinctive benefits. Its experiential and subjective mode of discourse can provide women with a means to value their lives and identity, to insist upon looking intently at women's lives. It can be respectful and affirming of women's experiences while they live in a society that denigrates such experiences. Moreover, it can challenge feminists to reflect on the diversity of women's lives rather than to generalize from a small cross-section of women. Feminist methodology can, therefore, facilitate women's ability to survive in a society that devalues them and tries to make them invisible. Through feminist methodology, women can become fuller persons while they attempt to describe the fullness of their divergent lives. Indeed, they may find that such a methodology is especially valuable at certain stages of their personal journey. Feminists should affirm use of this methodology when it is most valuable in women's life journey and not refrain from using other methodologies at other times along the way.
*245 Even if we conclude that feminist methodology is the most appropriate tool to resolve difficult questions, we still need to be wary of how we use this tool. Women are attempting to use consciousness raising to overcome the influences in society that would lead them to inauthentic expressions of their selves. An assumption within consciousness raising is that women are capable of being influenced in their self expression. Consciousness raising itself may influence women and possibly lead women away from, rather than toward, the discovery and expression of their authentic selves. This is a problem of both partiality and malleability. We can only engage in consciousness raising with a limited number of people; thus, we can never fully be exposed to all the possibilities for ourselves. Who we are exposed to influences how we see ourselves. [FN88]

Thus, the fact that we have engaged in consciousness raising should not leave us immune to questions about the authenticity of our choices. [FN89]

*246 Can consciousness raising be improved so as to overcome this problem of partiality and malleability? I can only answer this question by considering my own life experience. With regard to these problems, I have recently tried to combine consciousness raising with contemplation or meditation. Thomas Merton provides an excellent description of the state of contemplation:

Poetry, music and art have something in common with the contemplative experience. But contemplation is beyond aesthetic intuition, beyond art, beyond poetry.... Contemplation is always beyond our own knowledge, beyond our own light, beyond systems, beyond explanations, beyond discourse, beyond dialogue, beyond our own self. To enter into the realm of contemplation one must in a certain sense die: but this death is in fact the entrance into a higher life. it is a death for the sake of life, which leaves behind all that we can know or treasure as life, as thought, as experience, as joy, as being.

Hence contemplation is a sudden gift of awareness, an awakening to the Real within all that is real. A vivid awareness of infinite Being at the roots of our own limited being. [FN90]

Consciousness raising can expose us to questions from others; contemplation or meditation can provide us with the space to resolve these questions removed from others' expectations for us. Merton has described the non-judgmental aspects of meditation (or "Zen consciousness") that are important to our search for authenticity:

Zen consciousness does not distinguish and categorize what it sees in terms of social and cultural standards. It does not try to fit things into artificially preconceived structures. It does not judge beauty and ugliness according to canons or taste—even though it may have its own taste. If it seems to judge and distinguish, it does so only enough to point beyond judgment to the pure void. It does not settle down in its judgment as final. It does not erect its judgment into a structure to be defended against all comers. [FN91]

By quoting this passage, I do not mean to suggest that we should aspire to a completely nonjudgmental or non-normative consciousness raising. It is *247 important that others use their feminist norms and values to question us as we proceed along our life journey. In fact, we may often need sharp questioning from others in order to see ourselves more clearly and move forward. The problem lies in the process of questioning. Is it done in a way that allows us the opportunity for private reflection? Because we may not have control over how others make their judgments known to us, the existence of contemplative space in our lives may provide us with the necessary cushion against overly judgmental consciousness raising.

It may be true that "good" consciousness raising is less judgmental than the consciousness raising that I have experienced in my life. It may also be true that most people are less malleable than I am, so that the need for separate, contemplative space is less necessary for them. For now, my own experience suggests that feminists should explore more fully how feminist methodology might benefit from contemplation or meditation. It seems important that we find some way to retain a strong sense of self as we engage in consciousness raising so that we move toward rather than away from authenticity.
One problem with meditation may be that it can be a vehicle for rationalization rather than authenticization. Sometimes, I find myself reinforcing through meditation what I want to believe about myself, rather than deeply probing parts of myself that may be broken. Thus, meditation may suffer from some of the same kinds of problems as consciousness raising. It may be that we should share our insights from meditation with others in order to obtain feedback as to whether we are engaging in rationalization rather than insight. Interaction between meditation and consciousness raising may bring us closer to insights about our authenticity. [FN92]

248 B. Does MacKinnon Sufficiently Use Feminist Methodology in Her Writing?

MacKinnon embraces feminist methodology and understands the importance of hearing women's voices as she creates feminist theory. She criticizes male objectivity and asserts the need for a subjective voice, what she calls "the social specificity, the particularity, the social situatedness of thought." [FN93]

Nevertheless, I am not entirely satisfied with MacKinnon's use of feminist methodology. At times, she fails to use an experiential discourse when it would be appropriate for the situation. At other times, when she does use an experiential discourse, she selectively validates women's descriptions of their experiences without justifying that selective validation.

The absence of an experiential discourse weakens her very general statements about sexuality. At one point she says "[e]ither heterosexuality is the structure of the oppression of women or it is not." [FN94] Such a general statement does not purport to reflect on the variety of meanings that heterosexuality has in women's lives. For some women, intimate relationships with certain men may be an authentic and affirming expression of their sexuality. For other women, possibly the vast majority, such relationships may be one aspect--but not the "structure"--of their oppression. A more contextual discussion of sexual relationships may illuminate those different experiences and give us a better understanding of how certain relationships can oppress women as well as how women can overcome that oppression. This would be more useful than making global statements about what forms of sexual expression are liberating or oppressive for all women.

When MacKinnon does use an experiential discourse, she selectively validates women's voices. She affirms women's descriptions of their lack of freedom but does not affirm women's alleged glimpses of freedom. [FN95] She also does not provide us with tools to determine which voices can be described as authentic. In short, MacKinnon's assertion that "feminism has not changed the status of women," [FN96] reflects her general denial of the possibility of movement toward authenticity or freedom within any particular woman's life.

249 MacKinnon's skepticism about movement toward freedom or authenticity emerged in a public conversation with Mary Dunlap. [FN97] Dunlap asserted that she, and many other women, have experienced nonsubordination in their lives. She asked that all the women in the audience who had experienced nonsubordination stand. [FN98] Apparently a substantial, though not overwhelming, number of women in the audience then stood. [FN99]

MacKinnon rejected the authenticity of these women's claims of nonsubordination and accused Dunlap of misunderstanding her. MacKinnon claimed that Dunlap's assertion of nonsubordination:

turns a critique of a structural condition into a statement of individual inevitability, an indictment of oppression into a reason for passivity and despair. An empirical indictment of what is becomes opposed by a rallying cry of what does not have to be--surely a misplaced opposition. And any woman's victory over sexism becomes a source of proud disidentification from the rest of her sex and proud denial of the rest of her life. If subordination had to be, it would surely be a waste of time to fight for women's rights. But under existing conditions, asking women to single themselves out as exceptions to the condition of women amounts to saying, "all women who are exempt from the condition of women, all women who are not women, stand with me." I was encouraged that only about a quarter of an audience of predominantly female law students fell for it. And I
understood with new clarity what conservative women have been trying to tell us about feminists. [FN100]

It is possible that Dunlap misunderstood MacKinnon, but it is also obvious that MacKinnon misunderstood Dunlap. Dunlap was not asserting that women have achieved equality and should give up the feminist struggle. She was not asking the women who stood up to stop fighting for nonsubordination throughout their lives. Dunlap was simply insisting that many women have had a glimpse of nonsubordination in their lives which they should not be afraid to acknowledge. She apparently finds MacKinnon's unwillingness to acknowledge progress or movement toward authenticity as inconsistent with her and other women's life experiences.

I have no trouble with the idea that it is difficult for women to describe the world accurately, given the socialized lenses through which they see the world. But why should we affirm women's descriptions of subordination but not women's descriptions of progress? MacKinnon says that "feminism is built on believing women's accounts of sexual use and abuse by men." She validates women's cries of pain or humiliation within traditional sexuality but not women's cries of freedom or authenticity.

One possible reason MacKinnon discounts descriptions of freedom but not subordination is that descriptions of subordination are inconsistent with patriarchy, because patriarchy induces women to believe that they are not subordinated. In other words, a woman who describes subordination must have struggled to overcome the limiting ways in which patriarchy distorts her vision. Although that explanation may clarify why it is easier for women to describe subordination authentically than to describe freedom authentically, it does not provide a justification for completely discounting claims of freedom. If women can overcome patriarchy sufficiently to see their subordination, then women should be able to overcome patriarchy sufficiently to see their freedom.

The discussion between Dunlap and MacKinnon clarifies this point. Dunlap is a committed feminist. If she were to describe women's subordination in this world, MacKinnon would probably affirm that description of subordination. I cannot see any reason to discount Dunlap's description of freedom since she is so clearly committed to overcoming patriarchy in her own life.

My final difficulty with MacKinnon's distinction between assertions of freedom and assertions of subordination is that she seems to posit a global false consciousness for women. Richard Delgado has suggested that we should hesitate in asserting a false consciousness in others, because such assertions can be patronizing and are often false.

Robin West ties this selective validation of women's voices to methodological issues. She criticizes radical feminists, such as MacKinnon, who completely discount women's descriptions of pleasure under sexually submissive arrangements even when those statements of pleasure emerge from consciousness raising: to radical feminists, that women on occasion take pleasure in their own submissiveness, is simply a manifestation of their disempowered state, not a meaningful counter-example to the posited egalitarian ideal. As with radical legalists generally, the stated definitional ideal must trump the experiential counter-report.

For feminists, this radical legalist methodology should raise serious warning signals. First, we should remember that the ideal and the description of "essential human nature" on which it rests is itself drawn from a male, if "left" intellectual tradition, and is therefore not an ideal we should readily assume will be true of women. The ideal, in other words, against which we are judging our own and each others' consciousness to be "false" may be an ideal which is true of men, but not women. But second, and perhaps more fundamentally, it is feminism's most crucial insight that our experience must be primary--and not be trumped by posited ideals or definitions. As feminists, we should be wary of our attraction to a masculinist ideal, and we should be even more concerned when that ideal is then employed to run roughshod over [experiential] insights, painstakingly.
unearthed from our consciousness. [FN104]

West asserts that the reason MacKinnon discounts women's descriptions of pleasure, even those obtained through consciousness raising, is that MacKinnon has an underlying but unjustified assumption about women's happiness: women cannot be truly happy under conditions of submission. [FN105] Instead of assuming that subordination produces submission, which in turn produces women's unhappiness, West challenges radical feminists to explore more fully women's direct assertions of pain and pleasure. [FN106]

*252 West claims that women should try to avoid the evil of pain and move toward the ideal of pleasure. [FN107] She questions MacKinnon's assertion that the eroticization of controlled submission is closely tied to women's overall subordination, because she asserts that MacKinnon has not connected those observations to pleasure and pain, and more specifically, has not used consciousness raising to make that connection. [FN108]

I do not understand why West asserts that pleasure and pain are the appropriate standards to use in thinking about women's well-being. Although I partially agree with West's criticism, I see the problem somewhat differently. From a feminist perspective, the appropriate inquiry should be how we, as women, can achieve our full womanhood and full personhood. What do women want? Please may be one component of achieving a full life of womanhood and personhood, but I do not believe that attaining that single component is sufficient to bring about such a life. Feminist theorists need to explore more fully what constitutes women's well-being.

*253 MacKinnon has addressed this issue by asking how women would define their injuries through rape, pornography, and sexual harassment. She has examined that part of women's pain. I assume that West applauds that part of MacKinnon's scholarship and would agree that MacKinnon has been asking the correct questions. The crux of West's criticism is a consistency argument-- MacKinnon has been less comfortable asking what sexual expressiveness contributes to women's well-being. Instead, she has simply asserted that women cannot flourish through sexual submissiveness. [FN109] Thus, MacKinnon has used her antisubordination perspective to consider women's pain, but not to glimpse women's freedom or authenticity.

Similarly, West's work may not properly reflect women's well-being. West has simply asserted that women should want pleasure and not pain. [FN110] I do not understand how she knows this, and in fact, I find places in her work where she seems to acknowledge that pain may be related to or bring about pleasure. They are not necessarily polar opposites. [FN111] By agreeing that women can desire and enjoy controlled submission, West seems to be acknowledging that women can desire and enjoy controlled pain. West's focus on the element of "control" may in fact act as a bridge between MacKinnon's and West's scholarship. West is suggesting that if submission can occur within conditions of equality--that is, through control--then women can authentically enjoy their submission. It is MacKinnon's scholarship that helps us know that control is an essential ingredient of authentic expressions of sexuality. Although MacKinnon finds the idea of submission incompatible with equality, her work does tell us why control is an important precondition of sexual equality. [FN112] The difference between West and MacKinnon's perspectives may therefore be empirical, because MacKinnon doubts that controlled submission could occur under conditions of equality while West does not.

In order to evaluate both MacKinnon's and West's assertions, we need a framework within which we may learn about women's experiences. West turns to consciousness raising for that data, but I am not entirely satisfied with that discussion because she has not been sufficiently critical of consciousness raising. She seems to assume that so long as an expression of pleasure or pain is acknowledged through consciousness raising, it is authentic,*254 untainted by patriarchy or other forms of coercion. [FN113] I am not as sure as West about the ability of consciousness raising to help us see our authentic feelings of pleasure and pain. If we accept the radical feminist critique that sexuality is the root of women's oppression, [FN114] then we
should be hesitant about the ability of consciousness raising to unearth this aspect of women's oppression. In addition, consciousness raising takes many forms. Its outcome often depends upon the particular group of people involved or the techniques they choose. [FN115] Moreover, few of us are actively engaged in formal consciousness raising at this stage of our feminism. Perhaps we have a study group; most likely we have a small group of friends with whom we engage in intimate conversations. We may not be fully subjecting our assertions of authenticity to feminist methodology. And, as I have discussed earlier, [FN116] even if they are fully subjected to feminist methodology, they may not reflect our authenticity because of the imperfections of feminist methodology.

For example, West provides us with examples of women who perceive that they have received pleasure from submission but she does not tell us exactly what form of consciousness raising was used to uncover those feelings. It is therefore hard for the reader to evaluate the authenticity of the observations. We need to place our use of the phrase "consciousness raising" in context to show how it helps uncover authenticity. I am searching for a middle ground between West and MacKinnon that is skeptical, although not dismissive, of women's assertions of both pleasure and pain or subordination and nonsubordination [FN117] even when those claims are made through consciousness raising.

III. THE TENSION BETWEEN AUTHENTIC EXPRESSION AND POLITICAL CONSTRUCTION OF SEXUALITY

Even if women could discover their authentic sexuality, they would still have to try to experience that sexuality in order to move toward their authentic self. Several participants at the 1987 Feminism and Legal Theory Conference suggested that women should choose not to seek intimate sexual experiences with men because heterosexual relationships cannot be experienced freely under patriarchy. [FN118]

MacKinnon does not explicitly state that women should avoid all intimate relationships with men, but she does suggest that it would be very difficult for a woman to experience such relationships freely. For example, she states: "Those who think that one chooses heterosexuality under conditions that make it compulsory should either explain why it is not compulsory or explain why the word choice can be meaningful here." [FN119] Moreover, she argues that women's participation in intimate relationships with men can reflect collaboration with their own oppression. [FN120]

If MacKinnon and other radical feminists are correct that women are unlikely to experience intimate relationships with men authentically under patriarchy, they raise a troubling problem about expressions of authenticity. Is a woman who glimpses that her authentic sexuality can include relationships with men destined to be unable to experience that aspect of herself? [FN121] *256 And, if women are going to interact intimately with men, anyway, how can those interactions best move them toward discovering and experiencing their authentic sexuality? Formulated in this way, I do not question the authenticity of some women not experiencing intimate relationships with men when they perceive that such relationships would not be consistent with their authentic sexuality. I shall first consider how MacKinnon resolves these questions, and will then attempt my own answer.

MacKinnon selectively affirms women's descriptions of their sexual experiences, implying that it is impossible for women to move closer to the discovery and expression of their authentic self through most intimate relationships with men. [FN122] I am not as skeptical as MacKinnon of the possibility of movement toward freedom or authenticity within a woman's intimate relationship with a man. Although society tries to define sexual expressiveness narrowly, women may be able to work to overcome those forces in their internal lives. In order to consider how women can experience authentic sexual relationships with men, I would first like to consider how the sex of a woman's partner is important to society on an external level. I will then turn to how significant that factor is, or should be, within women's internal lives. [FN123]
By the external level, I refer to the power of compulsory heterosexuality. Because of the external pull of compulsory heterosexuality, an exclusive expression of lesbianism may help a woman escape the oppressive aspects of heterosexual marriage within our society. In addition, an exclusive expression of lesbianism can be an act of political resistance, a statement to society what women do not need men for personal or sexual fulfillment.

For a woman who glimpses that her authentic sexuality would not include intimate relationships with a man, the obvious choice of sexual expression would be lesbianism. For a woman who perceives that sexual relationships with a man would be consistent with her authentic sexuality, a difficult struggle may lie ahead. As a precondition to such a relationship being satisfying, the feminist must maintain her women-centered political perspective and life work. It would be difficult for her to share some aspects of that life work with a man because much of it necessarily occurs in women-only space. It is probably harder to remain intimately connected with someone who cannot share a major part of your life experience. Only an extraordinary man could maintain the necessary connectedness with a feminist's community while not being able to participate in her women-only space.

This brings me to the basic question of what are the preconditions of intimacy. If nonsubordination is a precondition for intimacy and true nonsubordination must exist on both an internal and external level, the task for women is to create an environment of nonsubordination. Is there any way that external subordination can not impinge on a male-female relationship? For example, I feel the pull of compulsory heterosexuality and know that even if I choose to pursue intimacy with a man despite rather than because of compulsory heterosexuality, that choice will nevertheless reinforce that institution in the minds of others. It might undo my prior work in insisting on a woman's right to be accepted and affirmed in her choice of an intimate female partner.

Thus, a tension exists between external forces of patriarchy and individual expressions of authentic self. To consider how women might resolve this tension, I find a racial analogy useful. My life as a woman who "glimpses" that her authentic sexuality could include intimate relationships with men is like my life as a white person. As a white person, I have a responsibility to confront directly the racism that I see in my daily life. Because I cannot experience life as anyone other than a white person, I must live up to the responsibilities of my privilege rather than try to escape that privilege by denying the significance of my whiteness. Similarly, as a woman involved intimately with a man, I would have a responsibility to confront directly the homophobia and heterosexism that I see in my daily life. Rather than try to experience an inauthentic sexual expression, limit expression of my authentic self, or deny the political significance of my sexual expression, I would need to live up to the responsibilities of my position of privilege. My life work to overcome sexual oppression would have to change to reflect my context and experience whether I were intimately involved with a man or a woman. We always have the same responsibility to overcome sexual oppression. Rather than run from relationships with men to avoid collaboration with their oppression, women need to work to overcome the conditions that make that oppression possible. The way in which the external component of subordination affects a relationship may depend on how conscious women are of those forces.

These issues raise the question of choice--a question that MacKinnon raises in her discussion of collaboration. Although a feminist can discover her authentic desire to pursue a relationship with a particular man, she must be able to sustain the expression of her desire within externally constraining environment. A relationship with a man could become an inauthentic expression of a woman's sexuality because of her inability to fit that expression freely into her external environment. For a politically conscious feminist, the external forces of compulsory heterosexuality may make certain expressions of her authentic sexuality difficult, if not impossible, because those external forces would make a choice of heterosexuality feel subordinating.

Nevertheless, we need to reexamine the question of whether feminists are operating entirely within a regime of compulsory
heterosexuality. Since many feminists have created strong support networks with other feminists, they have been able to overcome partially the pull of compulsory heterosexuality. Although I agree with MacKinnon that compulsory heterosexuality does exist, I do not assume that it is the only or the necessarily determinative force in women's lives as feminists.

Feminists may be placing too much significance on sex or gender within their lives because society places such emphasis on sex or gender. Feminists may be overlooking that their authentic selves can and should be nurtured in an intimate relationship. Ideally, we should aspire to seek intimate relationships with people on the basis of their authentic selves rather than their biological sex. A woman's exclusive choice of women as intimate partners is a sex-specific choice that seems to contradict a movement toward the discovery and expression of authentic self. It could place too much emphasis on one factor--the biological sex of one's partner--rather than the broader question of what should be most important in a relationship. An exclusive expression of lesbianism (or heterosexuality) would seem to suggest that the sex of one's partner is so significant that it must circumscribe the possibilities within a relationship. Feminism needs to assist us in moving away from sex-specific choices and toward our authentic selves. I do not see how existing radical feminist theory helps us move in that direction.

Feminism must assert visions of womanhood and personhood, as well as justify women's search for authentic sexual expression. In my own life, women-centered space has been invaluable to my search for my authentic self. But I have also found that I can sometimes search for my authentic womanhood, as well as the valuable, nongendered aspects of myself that I would call my personhood, in space in which men are welcome. By interacting intimately with men who are searching for their authenticity and who can affirm our own journey toward authenticity, women may be able to come closer to their authenticity. Nevertheless, throughout women's journeys toward their authentic sexuality, they need to question the value of that journey in their lives--question whether their underlying desire to find their authentic sexuality is feminist or simply a symptom of their brokenness as women.

My optimism, therefore, prevents me from concluding that the only authentic expressions of female sexuality under patriarchy are celibacy or exclusively lesbian relationships. The lesson for me is that intimacy is not easy; women need to be on guard for internal and external conditions that inhibit the development of fully satisfying intimacy. Women need to question whether their search for intimacy is itself an aspect of their brokenness. Women need to place each individual relationship in context to see how to react to and prevent external influences that might limit their journey toward authentic sexual expression. These external forces may affect any intimate relationship that women seek--be they with a man or a woman. Women's openness to a range of sexual experiences may necessitate a political diligence that is tiring and sometimes frustrating, but it may also help move them toward the expression of their authentic selves--a goal worth struggling to attain.

*261 IV. DIRECTIONS FOR THE FUTURE
Thus far, feminists have mostly sought to use equal protection or statutory sex discrimination doctrine to try to create sex-based equality. Catharine MacKinnon's work has reflected this emphasis in her attempt to describe both sexual harassment and pornography as aspects of sex discrimination. [FN133]

Equal protection doctrine has serious limitations, however, because it is embedded in the idea of comparative treatment--women should get X if men have also been getting X. Certainly it is valuable to make those kinds of claims, and the victories that we have obtained in the statutory and constitutional areas have been extremely important in improving the status of women. But equal protection doctrine does not inquire into the basic rights of humanity--rights to which all individuals should be entitled, regardless of whether they have already been achieved by some. Substantive due process doctrine does attempt to make that inquiry. [FN134] If women could show that the journey toward sexual authenticity is part of the journey toward authentic self, then they could claim that substantive due process must protect their right to make authentic sexual
choices, such as the sex of one's partner or the form of one's sexual expressiveness.

In making this suggestion, I do not mean to hold up substantive due process doctrine as an opiate for feminism. In earlier works, I have sharply criticized substantive due process doctrine as embedded in a doctrine of privilege, rather than entitlement, so that victories in that area seem to be limited to middle class people who can afford to purchase its privileges. [FN135] Abortion is the most obvious example where, at present, women have the right to purchase an abortion, but not the right to have the state pay for an abortion. [FN136] In addition, the Supreme Court has restricted the rights of minors to have an abortion. [FN137]

My legal observation is simply that substantive due process doctrine could be strengthened. Substantive due process doctrine is not presently based on an aspiration for authentic self that reflects the experiences of women and the obstacles to women's attainment of authenticity. It has never really *262 grappled with issues of sexuality to see what connections there are to the aspiration for self. The major cases in this area contain virtually no facts, so that there is little opportunity for the courts to reflect on what those cases mean in women's lives. In other words, the courts' opinions do not reflect the feminist methodology of using an experiential discourse.

For example, in Roe v. Wade [FN138] the Court fails to mention that the plaintiff had allegedly become pregnant as the result of a gang rape. [FN139] In Bowers v. Hardwick, [FN140] there is no discussion of the fact that the plaintiff, Michael Hardwick, was arrested for a sodomy violation after the police officer had allegedly harassed him because of his sexual preference. The Court therefore ignores the constitutional implications of the intolerance toward Hardwick's lifestyle and sexual preference that gave rise to his argument for the right to engage in certain sexual practices. [FN141]

In addition, there is no discussion of sexuality, although these decisions have had widespread ramifications for men's and women's sexual expression. [FN142] Cases about contraception, [FN143] abortion, [FN144] sodomy, [FN145] interracial *263 marriage, [FN146] and same-sex marriages [FN147] are ultimately about the importance of sexual relationships in people's lives, yet the courts have never addressed that topic when confronting those issues. Perhaps if feminism starts to explore the connection between sexuality and authentic self more fully, we could share that connection with the courts and thereby strengthen substantive due process doctrine.

There are interesting parallels between traditional Christianity's and law's inability to respond affirmatively to issues of sexuality. James Nelson has described the traditionally Christian way of dealing with issues of sexuality and suggests a more progressive approach:

Before the past two decades, the vast preponderance of Christian writers on sexuality assumed that the question before them was simply: What does Christianity (the Bible, the tradition, ecclesiastical authority, etc.) say about sexuality? Now we are also asking: What does our experience of human sexuality say about our perceptions of faith--our experience of God, our interpretations of Scripture and tradition, our ways of living out the Gospel? [FN148]

Similarly, rather than inhibit or limit our sexual expression, jurists should be asking how authentic expression of sexuality can help move us closer to freedom in each of our lives as well as in the life of our community. So far, law has dictated sexual norms without investigating the human potentiality contained within authentic sexual expression.

In reading and re-reading feminist theory while writing this essay, I have been surprised to see how little feminist theory has to say about the search for the discovery and expression of our authentic selves--a search that I thought was axiomatic to feminism. I have found that theological writing often offered me more insight to this fundamental question than feminist theory. In future works, I hope to be able to create a dialogue between progressive theologians and radical feminists. It is a dialogue that may be crucial to our forward movement in our journey toward the discovery and expression of our authentic selves.
There is also little discussion in feminist theory about the relationship between our journey to discover and experience our authentic sexuality and the journey to discover and experience our authentic selves. Radical feminist theory often seems to link sexuality and the authentic self as if our entire self is our sexual self. [FN149] I worry that the sex-consciousness of society--against which we must struggle--has caused us to be too sex-conscious in affirmatively defining our selves and our priorities within the feminist movement. When we, as feminists, have better defined our vision for our authentic selves, I think that we will be more effective in deciding what the contours of the feminist struggle should be. This is a good time for us to develop our own affirmative picture of the authentic self rather than continuing to develop only a negative critique of society's imposition of sex-consciousness upon us. I hope that feminists can begin to tell us how to embed sexuality within the authentic self, rather than to see the discovery and experience of authentic sexuality as an end in itself.

Etty Hillesum's work has been inspirational to me in showing how feminist-theological connections need to be made in order to improve our ability to move toward our authentic self. In the words of Etty Hillesum during the Holocaust:

Perhaps the true, the essential emancipation of women still has to come. We are not yet full human beings; we are the "weaker sex." We are still tied down and enmeshed in centuries-old traditions. We still have to be born as human beings, that is the great task that lies before us. [FN150]

So what has this essay accomplished? It is, at best, the beginning to a larger project, because it has helped me formulate some basic questions raised by radical feminism. What is the relationship between authentic expressions of sexuality and authentic self? what is authentic sexuality? Can we even begin to understand authentic sexuality until we better understand love and compassion generally? How can we best conduct the journey toward authenticity? These are all fundamental questions that theologians have been asking for thousands of years. [FN151] It seems appropriate, therefore, for feminists to begin to explore that literature more fully so that we can sift out some of the answers to these questions. I am deeply indebted to the work of Catharine MacKinnon in helping me see some of the fundamental questions raised by feminism. But now I find that I must turn elsewhere for their resolution.

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This essay is a preliminary inquiry into the topic of sexuality, self, and authenticity. Many of these ideas will be explored further in my essay, Consciousness and Love: Towards a Feminist-Theological Spiritual Dialogue (draft presented at the University of Toronto Legal Theory Workshop on February 10, 1988). Because this inquiry is preliminary, I encourage the reader to provide me with feedback at this stage of my project.

[FN1] I recognize that not all feminists agree that feminism needs to speak aspirationally. Catharine MacKinnon, for example, challenges the need to speak aspirationally, suggesting that it leads to the misleading perception that change can come through our imagination alone. See infra text accompanying note 36. I argue that we must connect critique and vision. We cannot offer a critique or choose steps to remedy problems in society unless we have a vision of what would be a better society.

[FN2] Feminism primarily focuses on women achieving authenticity although it recognizes that both women and men are far from exploring their authentic selves. Men's inauthenticity provides them with the tools of domination and power; women's
inauthenticity provides them with the disabilities of subordination and weakness. Thus feminism--as contrasted with some forms of "humanism"--centers its attention on the condition of women, because it finds the problem of subordination to be especially troubling. Catharine MacKinnon has strongly influenced the emphasis on subordination within feminist theory. See, e.g., C. MACKINNON, FEMINISM UNMODIFIED: DISCOURSES ON LIFE AND LAW 21-77 (1987).

I recognize that not all feminists would agree that authenticity is the appropriate feminist aspiration. Some feminists might prefer to think of the aspiration as empowerment rather than authenticity. See, e.g., POWERS OF DESIRE: THE POLITICS OF SEXUALITY (A. Snitow, C. Stansell & S. Thompson eds. 1983) (collection of essays on power and sexuality). Power can give us the ability to shape ourselves; however, power can also be misused in a way that preserves gender roles and male domination. Some men have power in our society, yet I would not argue that those men have necessarily reached their full human potential. Similarly, some women have been able to attain some power in our society, yet they can sometimes use that power to perpetuate gender roles or male domination. As MacKinnon has observed:

I think that men are the way they are because they have power, more than that they have power because they are the way they are. If this is so, women who succeed to male forms of power will largely be that way too.

C. MACKINNON, supra, at 220.

By focusing on the goal of empowerment, feminism tends to focus on external, structural changes rather than internal changes in consciousness. This would be true of MacKinnon's work. Although she rejects the aspiration of women working for male forms of power and endorses consciousness raising, her work suggests that women should primarily seek feminist forms of power in the external world. I suggest that the proper feminist aspiration is movement toward authenticity. By describing the aspiration in those terms, we can see the need to do both internal and external work to confront all of the barriers to authentic expressions of ourselves. In this essay, I will assume that authenticity rather than empowerment is the appropriate feminist aspiration. I will defend that claim more fully in my essay, Consciousness and Love: Towards a Feminist-Theological-Spiritual Dialogue (draft presented at the University of Toronto Legal Theory Workshop on February 10, 1988) [hereinafter Consciousness and Love].

[FN3] I have not been able to find much discussion of the search for authenticity within American feminist writing. The most useful work has been C. KELLER, FROM A BROKEN WEB: SEPARATION, SEXISM AND SELF (1986) (exploring the need for women to develop connectedness with others while not losing their sense of self); A. RICH, Integrity, in A WILD PATIENCE HAS TAKEN ME THIS FAR: POEMS, 1978-1981, at 8 (1981) (poem about journey toward authenticity). Because theology concerns itself with issues of self and human nature, the concept of authenticity is extensively discussed in that literature. In addition to Catharine Keller's book, I have found theological literature that has been influenced by Catholic and Eastern spirituality especially useful on this topic. See, e.g., T. MERTON, NEW SEEDS OF CONTEMPLATION (1962) [hereinafter T. MERTON, NEW SEEDS] (discussing the role of contemplation in one's intellectual and spiritual life); T. MERTON, RAIDS ON THE UNSPEAKABLE (1966) [hereinafter T. MERTON, RAIDS] (presenting insights into how to face the modern barriers to humanization); J. NELSON, EMBODIMENT: AN APPROACH TO SEXUALITY AND CHRISTIAN THEOLOGY (1978) (discussion of the positive significance of human sexuality in Christian theology). I plan to explore the theological literature more fully in Consciousness and Love, supra note 2. I am confident that feminist theory would benefit from a dialogue with theological writings on the search for authenticity.

At the 1987 Feminism and Legal Theory Conference I learned that there is no accepted definition of authenticity nor agreement on the political appropriateness of seeking to discover an authentic self. Feminism and Legal Theory: Women and Intimacy, sponsored by the Institute for Legal Studies. University of Wisconsin--Madison, July 27--August 1, 1987 (Conference Chair, Martha Fineman) [hereinafter Feminism and Legal Theory Conference]. I therefore have decided to use the text of this essay to define what authenticity means for me. In Part I, I will defend the idea that the search for an authentic sexuality can be a political struggle. See infra notes 42-76 and accompanying text.

My description of the authentic self has been influenced by conversations with Michael Perry, although I take responsibility
for how I formulate it here.

[FN4] There are generally considered to be four types or qualities of love--libido, philia, agape, and eros. For a general discussion of these types of love, see P. TILICH, LOVE, POWER AND JUSTICE 5 (1954). By providing a definition of sexuality that includes sexual love, I do not mean to overemphasize physical intimacy. Nevertheless, it is important for me to use a definition of sexuality that includes physical intimacy because feminist literature has extensively discussed the inauthenticity that women experience through physical intimacy. For an excellent survey of conceptions of love throughout history, see 1-3 I. SINGER, THE NATURE OF LOVE (1984-1987).


[FN6] Adrienne Rich has defined patriarchy as "any kind of group organization in which males hold dominant power and determine which part females shall and shall not play, and in which capabilities assigned to women are relegated generally to the mystical and aesthetic and excluded from the practical and political realms." A. RICH, ON LIES, SECRETS, AND SILENCE 78 (1979).

Catharine MacKinnon prefers to use the phrases "male dominance" or "male supremacy" to describe this inequality of power. See generally C. MACKINNON, supra note 2 (discussing her theory of sexual politics and law).

In this essay, I refer to the role of patriarchy in limiting women's lives. I do not believe that patriarchy is the only force that acts coercively in women's lives nor do I know how to determine which coercive forces in women's lives are attributable to patriarchy. For example, is the coercion that I feel from my parents in my sexual expression due to patriarchy, in part, in whole, not at all? I simply mean to assert that patriarchy is one dominating influence in women's lives, an influence that feminism has devoted itself to trying to understand better.

[FN7] I use the word "brokenness" to refer to those aspects of ourselves which are not in touch with our authentic selves—that are farthest from our highest aspiration for ourselves. I make the assumption that our authentic self is a "good" self—a peaceful, loving, compassionate self—but that our brokenness keeps us out of touch with that good self within us. If our authentic self were not a good self then there would be no reason to try to uncover it. I use the word "brokenness" in conjunction with the word "subordination" because I want to emphasize that the brokenness of women's sexuality is not limited to its subordinating aspects. If women move closer to their authentic sexuality by overcoming male dominance, then they will discover that their sexuality is still quite broken. Patriarchy impairs women's sexuality, but it is not the only force in society which impairs women's as well as men's sexuality.

[FN8] MacKinnon never takes a position on the concept of authenticity explicitly in her scholarship. However, when I asked her about the concept when she presented a paper at the Legal Theory Workshop at Tulane Law School on November 13, 1987, she responded that she found the concept unhelpful.


[FN10] I often use the words "freedom" and "authenticity" interchangeably in this essay. These words may, in fact, not be interchangeable. "Freedom" describes a political category—an external condition that seems necessary in order for the journey toward authenticity to take place. Freedom may be a precondition to authenticity, but it is probably not a sufficient condition. Another way to respond to the argument against authenticity in the sexual context is to consider biological arguments. In regard to our sexual selves, it is hard to deny that we have authentic selves. At a minimum, we each have a biological, bodily
self which is an aspect of our authenticity. I do not care to rely on biological arguments to prove that we have authentic selves, because, as feminists have shown, our physical selves have been strongly influenced by society. See, e.g., WOMEN LOOKING AT BIOLOGY LOOKING AT WOMEN (R. Hubbard, M. Henifen & B. Fried, eds. 1979) (showing how biological arguments have contributed to the myth of women as the weaker sex).

Readers who do not accept my argument that there is an authentic self may still find my inquiries concerning authenticity valuable. We need a mechanism for determining which social influences limit freedom and which further freedom, requiring some underlying definition of freedom. My essay should contribute to an understanding of the problems along the journey toward freedom even if the reader rejects my claim that authenticity exists and is a valuable concept.

[FN11] I have avoided using the phrase "social construction" to describe the relationship between our authentic selves and society. The phrase "social construction" seems to be a term of art that is used by people who believe that we have no authentic selves within us. See, e.g., J. WEEKS, supra note 9, at 8, 11, 80-81, 165, 200, 239 (criticizing "sexual essentialism"). Although I agree that social forces have inhibited our ability to glimpse and experience our authentic selves, I do not believe that that recognition requires me to abandon the possibility that we do have authentic selves. The issue of how far we are from discovering and experiencing our authentic selves is a separate question from whether authentic selves exist. In addition, it is possible to believe that our selves can be both authentic and social; authenticity and sociality are not inherently contradictory. For a justification of the position that we have authentic selves, see supra text accompanying notes 8-10.

[FN12] When I refer to our "aspirations for our authentic selves," I am referring to something inside us rather than outside us. I envision our aspirations for our authentic selves to be what we would experience if we were able to peel away all of our brokenness. It is an abstract entity since we are not likely to peel away our brokenness in our lifetimes. Yet, by glimpsing that authenticity exists within us, we may obtain faith and guidance to persist in our journey to peel away brokenness. Finally, I should emphasize that we each have a unique authentic self. The fact that we may share some aspirations for our authentic selves does not mean that that self or those aspirations are identical.


[FN14] One of the earliest works in the "second wave" of feminism to identify the importance and difficulty of women discovering their authentic sexuality was: Radicalesbians, The Woman Identified Woman in RADICAL FEMINISM 240 (1973). The authors conclude their essay with the following statement about the importance of women finding their authentic selves:

It is the primacy of women relating to women, of women creating a new consciousness of and with each other, which is at the heart of women's liberation, and the basis for the cultural revolution. Together we must find, reinforce, and validate our authentic selves. As we do this, we confirm in each other that struggling, incipient sense of pride and strength, the divisive barriers begin to melt, we feel this growing solidarity with our sisters. We see ourselves as prime, we find our centers inside of ourselves. At the same time, we find receding the sense of alienation, of being cut off, of being behind a locked window, of being unable to get out what we know is inside. We feel a real-ness, feel at last we are coinciding with ourselves. With that real self, with that consciousness, we begin a revolution to end the imposition of all coercive identifications, and to achieve...
maximum autonomy in human expression.  
Id. at 245.

[FN15] I recognize that some men are also engaged in this struggle. In referring to women's struggles throughout this essay, I do not mean to discount the importance of men's struggles to discover and experience their authentic sexuality. To the extent that women seek to share intimate sexual experiences with men, it seems crucial for women's authentic sexual expression that men, too, move toward authentic sexual expression. Nevertheless, because I believe that patriarchy acts on men and women differently, my observations about women's struggles may not be generally applicable to men. If, for example, women have greater difficulty than men in expressing their authentic sexuality once they have discovered it, and men have greater difficulty than women in glimpsing their inner selves to discover their authentic sexuality, then their journeys toward authenticity would be quite different.

[FN16] I prefer the phrase "sexual preference" rather than "sexual orientation" because it emphasizes that we can make choices with respect to the expression of our sexuality. The phrase "sexual orientation" implies that sexual expression is entirely biologically predetermined. Adrienne Rich's essay, Compulsory Heterosexuality and Lesbian Existence, has provided an insightful and probing examination of how compulsory heterosexuality makes it difficult for women to choose a sexual preference. Rich argues even feminists have not understood the power of compulsory heterosexuality in limiting women's choice of the sex of their sexual partner:
If women are the earliest sources of emotional caring and physical nurture for both female and male children, it would seem logical, from a feminist perspective at least, to pose the following questions: whether the search for love and tenderness in both sexes does not originally lead toward women; why in fact women would ever redirect that search; why species survival, the means of impregnation, and emotional/erotic relationships should ever have become so rigidly identified with each other; and why such violent strictures should be found necessary to enforce women's total emotional, erotic loyalty and subservience to men. I doubt that enough feminist scholars and theorists have taken the pains to acknowledge the societal forces which wrench women's emotional and erotic energies away from themselves and other women and from woman-identified values. These forces, as I shall try to show, range from literal physical enslavement to the disguising and distorting of possible options.


[FN19] C. MACKINNON, supra note 2, at 125-213. MacKinnon's analysis also extends to the issues of rape, abortion, and battery. See id. at 81-102.

[FN20] Id. at 148.


[FN22] Id. at 7-8.

Id.

That is the meaning of her work to me. MacKinnon, herself, never endorses the importance of the journey toward authentic self or authentic sexuality. She would probably find both paradigms to be abstract liberal paradigms which do not further her political analysis. See infra text accompanying note 36 (criticizing abstract liberalism).

See supra notes 15-24 and accompanying text. MacKinnon's arguments are not limited to a critique of heterosexuality. She also critiques lesbian sexual expression. For example, she asks whether "removing or revising gender constraints upon sexual expression change or even challenge its norms [.]" MacKinnon, An Agenda for Theory, supra note 13, at 534 (footnote omitted). In a note, she adds that "[l]esbian sex, simply as sex between women, does not by definition transcend the eroticization of dominance and submission and their social equation with masculinity and femininity." Id. at 534 n.42.

MacKinnon labels radical feminism the only feminism. The title of her book Feminism Unmodified reflects this perspective. MacKinnon explains her decision to call radical feminism the only feminism:

I do not think it can be said that liberal feminism is feminist. What it is, is liberalism applied to women. If the sexes are equally different but not equally socially powerful, "differences" in the liberal sense are irrelevant to the politics of our situation, which is one of inequality. Radical feminism, as I understand it, is against gender hierarchy. Since such a critique does address the situation of women as I understand it, I term it simply feminism.

C. MACKINNON, supra note 2, at 137.

Although I agree with MacKinnon that feminism should view sexual issues as primary to its theory, I cannot agree that that is the only true feminism and therefore needs no adjective. I have learned a great deal from Marxist, socialist, and liberal feminists and cannot be confident that their feminism is less authentic or true than mine. I find it useful for us to have a variety of feminist perspectives; I hope we can each continue to learn from each other. I will continue to use the phrase "radical feminism" to describe my feminism out of concern for accuracy as well as out of respect for my sisters who have endorsed somewhat different feminist perspectives. For a description of the various feminist perspectives, see A. JAGGAR, FEMINIST POLITICS AND HUMAN NATURE (1983). Jaggar's survey is incomplete, however, because she consciously omits existential and religious feminists. See id. at 10. I explore the significance of her oversight in Consciousness and Love, supra note 2.

MacKinnon, An Agenda for Theory, supra note 13, at 534. For fuller quotation, see supra text accompanying note 24.

See e.g., C. MACKINNON, supra note 2, at 2 (discussing women's need to know about sexual subordination in order to overcome it).

The only discussion of this issue that I have been able to find in MacKinnon's writing is the following statement: "Deeper than the personhood question or the violence question is the question of the mechanism of social causation by which pornography constructs women and sex, defines what 'woman' means and what sexuality is, in terms of each other," Id. at 161. I do not know what MacKinnon means by that statement; specifically, I do not know what she means by the adjective "deeper." Does she think that the personhood question is unimportant? Or simply that we should be more interested in exploring causal connections between pornography and sexuality and womanhood? I do not know what MacKinnon thinks the "personhood question" is because she never defines it.

Id. at 218.

MacKinnon does once describe the possibility of women "glimpsing" freedom. See id.
[FN34] See, e.g., MacKinnon, An Agenda for Theory, supra note 13, at 535-37 (discussing that the substantive principle governing the politics of women's personal lives is powerlessness to men which is expressed as sexuality).

[FN35] See, e.g., Transcript of Ruth Colker's presentation to 1987 Feminist Legal Theory Conference (July 30, 1987) (includes statements by other Conference participants) [hereinafter Conference Transcript] (copy on file at Boston University Law Review). MacKinnon, herself, never makes the claim that women should move away from intimate relationships with men. She is critical of both heterosexual and lesbian sexual relationships, consistently inquiring whether those relationships reflect dominance and submission. See supra note 26.


[FN37] See infra text accompanying notes 77-80.

[FN38] Others have shared my concerns about experiential discourse being too individualistic: While we recognise the value of consciousness raising for the empowerment of individual women, and the significance of this in raising feminist theory, we cannot accept that it is, or should be, the entire or only methodology....

... [W]e see consciousness raising as primarily a method of empowering individual women. If we are right that patriarchy is constituted in more than the sum of individual lives, then the response to it must be more than the sum of articulated individual experience.


[FN40] C. MACKINNON, supra note 2, at 217.

[FN41] Feminism Unmodified does not discuss only issues of sexuality and personhood. However, in this essay, I focus on this very important aspect of MacKinnon's work.

[FN42] MacKinnon distinguishes between the feminine--that which women have been allowed to be--and the feminist--that which is politically transformative--in the following passage:

Women have done good things, and it is a good thing to affirm them. I think quilts are art. I think women have a history. I think we create culture. I also know that we have not only been excluded from making what has been considered art; our artifacts have been excluded from setting the standards by which art is art. Women have a history all right, but it is a history both of what was and what was not allowed to be. So I am critical of affirming what we have been, which necessarily is what we have been permitted, as if it is women's, ours, possessive. As if equality, in spite of everything, already ineluctably exists.

C. MACKINNON, supra note 2, at 39.

[FN43] See supra text accompanying note 22.

[FN44] See Feminism and Legal Theory Conference, supra note 39.

[FN45] See id. The papers presented included: Katherine Bartlett, Rights and Responsibilities in Women's Claims for Exclusive Parenthood (exploring difficulties with rights arguments in custody disputes); Kristin Bumiller, Violence and Intimacy: The Social Construction of Rape (exploring testimony of women during rape trial); Claudia Card, Intimacy and Responsibility: What Lesbians Do (defining lesbian relationships in nonprocreative terms); Ruth Colker, Feminism, Sexuality, and Per-
sonhood: A Preliminary Inquiry Toward Authenticity (earlier version of this essay); Barbara Cox, Choosing One's Family: Can the Legal System Address the Breadth of Women's Choices of Intimate Relationships? (exploring the definition of family); Judith Grbich, The Body in Legal Theory (exploring law's treatment of harms to the body); Adrian Howe, Gender-Specific Injury and Social Justice (exploring the gender bias within criminal law); Sara Ann Ketchum, New Reproductive Technologies and the Definition of Parenthood: A Feminist Perspective (exploring how new reproductive technologies challenge the way we define and assign parenthood); Robin West, Masculine Jurisprudence (discussing various conceptions of the phrase "human being"); Patricia Williams, On Being the Object of Property (discussing the problems of invisibility, ardor, and candor). In addition, one other paper, Kathleen Lahey, Reasonable Women and the Law (discussing the masculine language used to describe legal problems), was included in the materials but was not presented.


[FN48] Sarah Salter said:
I guess I have some problem with a notion that would have one move beyond brokenness in a patriarchal society and it seems to me that that's the direction that your transformation in your mind is going. It seems that the brokenness is a given and that the power would come from acknowledging it and speaking about that acknowledgment.
Conference Transcript, supra note 35, at 40.

[FN49] For example, Robin West stated:
It can clearly be feminist to affirm feminine value traits particularly to demand compensation for those traits, skills, and activities. Similarly, one way I would state your thesis is that it can be feminist, should be part of feminism to affirm authenticity and for that matter to affirm what others are calling narcissism (your self stuff). It can be feminist to affirm nurturance and all of that if it empowers one. It can be feminist to affirm these more self-directed goals as well if it empowers women.
Id. at 42-43
I agree that women should seek compensation for their brokenness. However, those efforts should go, hand in hand, with women trying to overcome their brokenness. Thus feminists should try to provide women with the skills to be able to choose professions that are not traditionally feminine while they try to attain fuller compensation for women's "feminine" work.

[FN50] See Conference Transcript, supra note 35 (comments of Adrian Howe and Judith Grbich).


[FN52] Her statement about the possibility of women glimpsing their freedom is only one sentence in an entire book. MacKinnon does not discuss this possibility in any of her other works. Thus, this is clearly not a crucial issue to MacKinnon.


[FN54] She says:
We have been taught to suspect this resource [the erotic], vilified, abused, and devalued within western society. On the one hand, the superficially erotic has been encouraged as a sign of female inferiority; on the other hand, women have been made to suffer and to feel both contemptible and suspect by virtue of its existence.
For further discussion of the idea that the discovery and experience of women's authentic sexuality can be politically transformative, see Powers of Desire: The Politics of Sexuality (A. Snitow, C. Stansell & S. Thompson eds. 1983). The editors of this anthology argue in their introduction that lesbian-feminists "unsexed" sex to stress the similarities between the lesbian and the straight feminist. Id. at 33. In response to this movement and the MacKinnon-Dworkin antipornography movement, they argue that some lesbians began to stress the importance of sexual variety and pleasure, including sadomasochism. Id. at 35-39. They affirm that these women's searches to experience pleasure through sex "allows us to lift our eyes for an instant to the horizon to see what might be coming in our direction." Id. at 43. I have chosen not to rely on their work in constructing my political analysis of sexuality because I am not convinced that pleasure and desire are appropriate indications of whether women are moving toward authenticity and freedom. See infra notes 109-112 and accompanying text. Their work assumes the answer to the questions that I am asking--they assume that women's emphasis on sexuality within their lives can be politically transformative and that women's assertions of pleasure and desire are authentic. For a further critique of their work, see Against Sadomasochism: A Radical Feminist Analysis (R. Linden, D. Pagano, D. Russell & S. Star eds. 1982) (arguing that lesbian sadomasochism is intrinsically antifeminist); Kittay, Pornography & the Erotics of Domination, in Beyond Domination: New Perspectives on Women and Philosophy (C. Gould ed. 1983) (arguing that sadomasochism is an illegitimate expression of sexuality).

Rich, Of Woman Born: Motherhood as Experience and Institution (1986).

Another way to think about the relationship between love and politics is to think about the relationship between the contemplative and active life. Thomas Merton explains this relationship. He begins with the premise that we are far from experiencing our authentic selves:

Because we live in a womb of collective illusion, our freedom remains abortive. Our capacities for joy, peace, and truth are never liberated. They can never be used. We are prisoners of a process, a dialectic of false promises and real deceptions ending in futility.

T. MERTON, RAIDS, supra note 3, at 16-17.

He then insists that we should seek our birth or emancipation and explains the role of the active life as well as the contemplative life in how this emancipation might take place:

This emancipation can take two forms: first that of the active life, which liberates itself from enslavement to necessity by considering and serving the needs of others, without thought of personal interest or return. And second, the contemplative life, which must not be construed as an escape from time and matter, from social responsibility and from the life of sense, but rather, as an advance into solitude and the desert, a confrontation with poverty and the void, a renunciation of the empirical self, in the presence of death, and nothingness, in order to overcome the ignorance and error that spring from the fear of "being nothing." The man who dares to be alone can come to see that the "emptiness" and "usefulness" which the collective mind fears and condemns are necessary conditions for the encounter with truth.

It is in the desert of loneliness and emptiness that the fear of death and the need for self-affirmation are seen to be illusory. When this is faced, then anguish is not necessarily overcome, but it can be accepted and understood. Thus, in the heart of anguish are found the gifts of peace and understanding: not simply in personal illumination and liberation, but by commitment and empathy, for the contemplative must assume the universal anguish and the inescapable condition of mortal man. The solitary, far from enclosing himself in himself, becomes every man. He dwells in the solitude, the poverty, the indigence of every man.

Id. at 17-18.

Only experts in Zen can probably tell us about the true powers of contemplation. But I am willing to assume, at this time, that expressions of our authentic love can play the same kind of role in our life as true contemplation--moving us toward peace and understanding.

[FN70] J. NELSON, supra note 3, at 104-05.


[FN72] See, e.g., Claudia Card, supra note 45 (arguing that sexual activity should not be defined by its link to procreation).

[FN73] Feminists often state that the personal is political but rarely define it. MacKinnon offers an explanation of what that statement means:

The substantive principle governing the authentic politics of women's personal lives is pervasive powerlessness to men, expressed and reconstituted daily as sexuality. To say that the personal is political means that gender as a division of power is discoverable and verifiable through women's intimate experience of sexual objectification, which is definitive of and synonymous with women's lives as gender female. Thus, to feminism, the personal is epistemologically the political, and its epistemology is its politics.

MacKinnon, An Agenda for Theory, supra note 13, at 535 (footnote omitted).
Janice Raymond has studied this potential within the context of female friendships. In her introduction to her book she explains the importance of the love experienced in such friendships:

This book is a tribute to the original woman--the woman who searches for and claims her relational origins with her vital Self and with other vital women. She is not the creation of men since she does not proceed from their conceit. She is not "the other" of de Beauvoir's Second Sex who is man-made. She is not the relative being who has been sired to think of herself always in intercourse with men. And she does not deny her friendship and attraction for other women. She is her Self. She is an original woman, who belongs to her Self, who is neither copied, reproduced, nor translated from man's image of her. She is, in the now obsolete meaning of original, a rare woman.

It is one of the primary premises of this book that friendship begins with the affinity a woman has with her vital Self. A woman's Self is her original and most enduring friend.

J. RAYMOND, A PASSION FOR FRIENDS: TOWARD A PHILOSOPHY OF FEMALE AFFECTION 5 (1986). Thus, Raymond connects the search for authenticity (i.e., expressions of one's self) with the search for authentic passion.

See, e.g., C. KELLER, supra note 3; WOMEN'S CONSCIOUSNESS, WOMEN'S CONSCIENCE: A READER IN FEMINIST ETHICS (B. Andolsen, C. Gudorf & M. Pellauer eds. 1985); THE POLITICS OF WOMEN'S SPIRITUALITY: ESSAYS ON THE RISE OF SPIRITUAL POWER WITHIN THE FEMINIST MOVEMENT (C. Spretnak ed. 1982). I review this literature in my essay, Consciousness and Love, supra note 2.

See infra notes 122-32 and accompanying text.

See, e.g., MacKinnon, An Agenda for Theory, supra note 13, at 519 (stating that "conscience raising is the ... methodological practice ... of the women's movement").

Id. at 535-36 (emphasis in original, footnote omitted).

See supra notes 76-77 and accompanying text.


Similarly, some feminist legal theorists, such as Lucinda Finley, have called for the use of a contextual and experiential discourse within feminist legal writing. Finley describes what she means by feminist methodology:

By this term I mean paying close attention to context, such as the social construction of gender roles, and to the impact of practices on real lives, especially women's lives; challenging objectivity and the possibility of writing without a predetermined perspective or set of desired outcomes; rebelling against abstraction and professions of neutrality, because sensitivity to context and women's experience teaches that what is claimed to be neutral is not....

The questions that are asked within a feminist methodology may make all of us leery of hidden biases, lurking beneath supposedly neutral, abstract universals, such as process or liberty. We will understand that without contextuality, abstractions are incomplete stories....

Attention to context does not mean simply telling stories about individuals, or performing a "microphenomen" analysis that focuses primarily on small, local events or interactions. Feminist methodology can be quite global in the problems it tackles, such as the pervasiveness of male domination and its sexual, political, and economic roots and implications. A contextual analysis starts not with abstract principles, but with a sensitivity to the ways in which lives are constrained, shaped, or empowered by practices .... But this eeriness of generalities and abstractions does not imply perpetual relativism.... It is ... to say
that close attention to context and experience is a more reliable guide than abstract theory to determine how government policies will affect or have affected people.


[FN81] If feminist methodology is "feminine" rather than "feminist," then I would expect MacKinnon to have difficulty with feminist methodology. See supra note 42. Nevertheless, MacKinnon never addresses the issue of whether she is at all troubled by feminist methodology and, in fact, affirms its use. It should be obvious, however, that MacKinnon's observation that we should be careful to distinguish the feminine from the feminist has influenced my analysis of feminist methodology.

[FN82] See Sherry, supra note 80, at 583-84.


[FN84] They conclude that women have seven ways of acquiring knowledge: silence, received knowledge through listening to the voices of others, subjective knowledge through the inner voice, subjective knowledge through the quest for self, procedural knowledge through the voice of reason, procedural knowledge through separate and connected knowing, and constructed knowledge through integrating the voices. *Id.* at 23-152.

[FN85] *Id.* at 131-52.

[FN86] For a description of the role that consciousness raising had for some women as they sought to discover their sexual identity during the 1960s and 1970s, see Snitow, Stansell & Thompson, *Introduction to POWERS OF DESIRE* 26-33 (1983).

[FN87] In this essay, I have chosen a first-person experiential discourse because I thought that such a discourse would most effectively probe the highly personal topic of sexuality. See supra notes 37-39 and accompanying text. As I discuss in Section B, MacKinnon's writing would speak more directly to me, at this point in my life, if it had a more experiential tone. See infra text accompanying notes 93-117. Seven years ago, MacKinnon's writing style was able to speak to me more directly without an experiential tone. MacKinnon's decision about what style of writing to use should depend on whom she wants to be able to reach directly as a reader. As a teacher who uses MacKinnon's work in the classroom, I would prefer that MacKinnon use an experiential discourse that could reach more students.

The reader might wonder why I am so confident that an experiential discourse could reach more students. I have drawn this conclusion because my students were able to absorb Susan Estrich's work on rape without any difficulty yet labored through MacKinnon's work. Compare S. ESTRICH, *REAL RAPE* (1987) with MacKinnon, *An Agenda for Theory*, supra note 13. Because the substance of their work is quite similar, I have concluded that it is the style of writing rather than the content that has led to this difference. Given that I am such an enthusiastic teacher of MacKinnon's work, it has always surprised me that MacKinnon's work is not received more readily by my students. My students have repeatedly explained to me that they find MacKinnon's style of writing too difficult.

[FN88] An example from my own life may clarify this point. I have engaged in consciousness raising at times in my life when I decided to be open to sexual relationships with women, as well as at other times when I decided to be open to sexual relationships with men. In both cases, I chose people with whom to engage in consciousness raising who would be affirming of those decisions. Thus when I decided to be open to sexual relationships with men, I had to struggle with the question,
MacKinnon’s words, whether I was making that decision “because sex feels good, this critique is bad; because I want sex to feel right, this critique is wrong.” C. MACKINNON, supra note 2, at 217. Does MacKinnon’s observation make decisions that have been reached through consciousness raising to be open to sexual relationships with men less authentic than other decisions?

[FN89] Bottomley and her colleagues have made this observation:
We have some doubt that [consciousness raising] can be utilised to articulate the entire individual experience. Some women have argued that the group itself can be oppressive, in the sense that one orthodoxy, the orthodoxy of patriarchy, may well be replaced by another. This in its turn goes on to impose limits upon the revelation and authentication of experience. This suggests to us the problem we have already recognised in the process of transforming authorised normalities. The orthodoxy that emerges within the group may well be as much reflexive as reflective; that is to say, it may emerge equally in the guise of committed individualism as in the form of a considered "feminist morality."
Bottomley, Gibson & Meteyard, supra note 38, at 56 (footnote omitted).

[FN90] T. MERTON, NEW SEEDS, supra note 3, at 2-3. Where Merton refers to "death," I would prefer to refer to birth. Like many feminists, I see myself as a woman in the process of trying to be born. See A. RICH, supra note 59 (describing the feminist metaphors associated with childbirth).


[FN92] On a superficial level, it might appear that meditation and consciousness raising contradict each other, because people often say that they are trying to experience a state of "nothingness" through meditation. See generally S. MUKTANANDA, MEDITATE 17-18 (1980) (stating that meditation is the process in which we wipe away any superimpositions having to do with the body and the mind and pass to a state of "pure consciousness"); T. MERTON, RAIDS, supra note 3, at 17-18 (1966) (describing contemplation as "an advance into solitude ... or confrontation with ... the void"). Feminists, by contrast, try to use consciousness raising to see their authentic selves. Nevertheless, I believe that consciousness raising and contemplation can be combined and that the combination of the two might get us closer to our inner selves than either method could alone. By the phrase "nothingness," I believe that people are referring to a search for authenticity; they use the phrase "nothingness" to emphasize how far and probing this search must be--an assertion that is fully compatible with feminist theory. For example, Thomas Merton describes contemplation as a way to know by "unknowing:" he argues that contemplation arrives at reality "by an intuitive awakening in which our free and personal reality becomes fully alive to its own existential depths." T. MERTON, NEW SEEDS, supra note 3, at 2, 9. Thus, both contemplation and consciousness raising are seeking to understand reality. I hope to learn more about the relationship between consciousness raising and meditation by reading the writings of feminist theologians who are interested in Eastern spirituality. I explore this relationship somewhat more fully in Consciousness and Love, supra note 2.

[FN93] C. MACKINNON, supra note 2, at 54.

[FN94] Id. at 60.

[FN95] See, e.g., at 218 (stating that "[s]ex feeling good may mean that ... one has glimpsed freedom, a rare and valuable and contradictory event. Under existing conditions, what else would freedom be?").

[FN96] Id. at 2. Although she recognizes that some progress has occurred in the areas of sexual harassment, domestic battery, and marital rape, she cites losses in the areas of abortion, pregnancy, child custody, rape, and equal pay to support her general observation about the status of women. Id. at 1.
[FN97] See C. MACKINNON, supra note 2, at 305 n.6.

[FN98] Dunlap said:
I am speaking out of turn. I am also standing, which I am told by some is a male thing to do. But I am still a woman-standing. I am not subordinate to any man! I find myself very often contesting efforts at my subordination--both standing and lying down and sitting and in various other positions--but I am not subordinate to any man! And I have been told by Kitty MacKinnon that women have never not been subordinate to men. So I stand here an exception and invite all other women here to be an exception and stand. Everyone who believes it is true that we have never not been subordinate to men, remain seated. Everyone who believes that you do not have to be subordinate to men, stand if you can.

Id.

[FN99] Id. at 306 n.6.

[FN100] Id.

[FN101] Id. at 5.

[FN102] See supra note 6 and accompanying text.

If false consciousness exists and is so powerful, why are only minorities and workers afflicted by it, and not white radicals? Is there not something patronizing in diagnosing an intellectual disease that exclusively afflicts persons of color? Is not "false consciousness" an expression, like "incompetent" or "insane," that gives others the authority to treat the victim as if he lacks humanity, autonomy, or will? Is not false consciousness an excuse for white radicals to assert and retain power they would otherwise have to explain and justify?

Id. at 312.

In the feminist setting, MacKinnon implies that women are wrong when they describe their freedom, although she does not imply that it is a manifestation of a "false consciousness." C. MACKINNON, supra note 2, at 6-8. Although MacKinnon's assertions that women are wrong in describing their freedom are not completely analogous to assertions by white radicals that minorities have false consciousness, there are important similarities. MacKinnon's assertions may give her power and authority over women who are not equally situated in the academic community. I am troubled by one woman asserting for all women that they are wrong in their perceptions of the world. If that were true, there would be no explanation for MacKinnon being able to see the world authentically. In order for feminism to be probing and meaningful, we have to assume that women are capable of probing beyond patriarchy's limitations on their vision.


[FN105] Id. at 118.

[FN106] West says:
In one area of our lives, however,—namely our erotic lives—there has emerged a conflict between the radical feminist legal theorists' conception of an equalitarian ideal and women's subjective desire. The radical feminist's commitment to equality, and identification of the expropriation of our sexuality as the consequence of our relative disempowerment entails the norm-
ative conclusion that sexual inequality itself is what is politically undesirable. Thus, male dominance and female submission in sexuality is the evil: they express as well as are women's substantive inequality. But women report—with increasing frequency and as often as not in consciousness raising sessions—that equality in sexuality is not what we find pleasurable or desirable. Rather, the experience of dominance and submission that go with the controlled, but fantastic, "expropriation" of our sexuality is precisely what is sexually desirable, exciting and pleasurable—i.e., fantasy for many; in reality for some. This creates a conflict between theory and method as well as between stated ideal and felt pleasure: what should we do when the consciousness that is raised in consciousness-raising finds pleasure in what is definitionally regarded as substantively undesirable—sexual submission, domination and erotic inequality?

... Radical feminist legal theorists—distinctively, in feminist literature—respond to the conflict between political ideal and subjective, erotic pleasure by adamantly refusing to address it, and it is that refusal more than the dilemma itself which is threatening the survival of radical feminist legal theory.... Catharine MacKinnon ... regards the undeniable reality of the pleasure many women find in the eroticization of controlled submission as simply an example—perhaps an example par excellence—of the false consciousness of the oppressed. The desires reflected in fantasies of erotic domination are false definitionally—they are false because the object of desire is submission, and submission is precisely what is definitionally undesirable.

... The MacKinnon position ... resolves by definitional fiat what should be resolved by experiential, particularized, contextualized investigation—and that is what these fantasies of eroticized submission mean, what their value is in our lives, and what they can tell us about the desirability as well as the nature of sexual equality and power.

[FN107] Id. at 116-18 (footnotes omitted).

[FN108] Id. at 142.

[FN109] In my own work, I have tried to place the question "what do women want?" directly into the anti-subordination model. See Colker, The Anti-Subordination Principle: Applications, 3 WIS. WOMEN'S L. J. 59 (1987). Rather than assume that I can tell what are the right answers, a priori, I have tried to outline the issues that we, as women, would want to discuss in determining what is in our interest. By contrast, MacKinnon always seems to know what women want when she analyzes an issue. I do not understand the source of her confidence.

[FN110] West, supra note 104, at 85-86.

[FN111] See, e.g., id. at 85 (discussing the pain of childbirth).

[FN112] C. MACKINNON, supra note 2, at 97-98.


[FN114] See supra note 27 and accompanying text.


[FN116] See supra text accompanying notes 83-89.

[FN117] One problem that I have in trying to compare West and MacKinnon is that they are not using the same language. MacKinnon is concerned with distinguishing subordination from nonsubordination, not with distinguishing pleasure from
pain. She would agree with West that women can find pleasure, for example, within sadomasochism. In fact, she has said that, given patriarchy, it is surprising that all women do not claim that sadomasochism is pleasurable. C. MACKINNON, supra note 2, at 161. The fact that women claim to experience pleasure, however, does not lead MacKinnon to conclude that sadomasochism is nonsubordinating. Thus, MacKinnon does not discount the possibility of women genuinely believing that they experience pleasure. Pleasure and nonsubordination are simply different concepts. MacKinnon is therefore selective in her willingness to affirm the authenticity of women's voices, but her selectiveness reflects whether they were claims of non-subordination rather than whether they were claims of pleasure.

[FN118] For example, Claudia Card said:
I agree that what turns you on is individuals--rather than this gender or that gender. I think one of the things it (exclusive lesbianism) means to me is a selective focus of attention. It doesn't mean that you don't have the capacity to be turned on by things that you're not focusing your attention on, but you make it [more] likely that it's going to happen through a selective focus of attention.
Conference Transcript, supra note 35, at 13.


[FN120] She states that:
It may be worth considering that heterosexuality, the predominant social arrangement that fuses this sexuality of abuse and objectification with gender in intercourse without attendant trauma, torture, and dehumanization organizes women's pleasure so as to give us a stake in our own subordination. It may even be that to be "anti-sex," to be against this sex, is to refuse to affirm loyalty to this political system of inequality whose dynamic is male control and use and access to women--which would account for the significance of the epithet.
Id. at 7-8.

[FN121] Before I begin to answer this question, I need to acknowledge how difficult it is for me to write this section of the essay. I do not want to sound like an apologist for heterosexuality. Although I try to sketch how I believe that some women might be able to experience relationships with men authentically, I do not mean to suggest that my comments are applicable to all women. This section of the essay is also written in a very tentative tone because I remain ambivalent about whether women can authentically experience intimate relationships with men under patriarchy.

[FN122] See, e.g., supra notes 22-24 and accompanying text (discussing MacKinnon's descriptions of women's inability to define the sexuality they desire within heterosexuality). Bottomley and her colleagues state that MacKinnon takes the perspective that "... the line between definitions of seduction, and definitions of rape in our culture is so fine [that] ... penile penetration is the basis of men's dominance." Bottomley, Gibson & Meteyard, supra note 38, at 53. They criticize this approach: The argument has some force but unless we can explain why it is that power is required or sought in this arena it begins to look dangerously like a form of biological determinism. Another danger with such an approach is that it tends to locate power within individual heterosexual relationships without taking sufficient account of the total entity which may contain, unsurprisingly, its own contradictions. A patriarchal society, like a capitalist society, reveals itself as a dense social network of half truths and illusions.
Id. I am not sure that they are fair to MacKinnon in their summary of her work. That description is more fairly attributed to Andrea Dworkin. See A. DWORKIN, INTERCOURSE (1987) (linking sexual intercourse to women's oppression). Nevertheless, their suggestion that we need to think about the "total entity" of patriarchy is similar to my suggestion that we need to think of the total entity of personhood. We should not assume that one component of personhood-- sex--is determinative of our full lives.
By offering a distinction between the internal and external, I do not mean to suggest that those are two independent aspects of our lives. As I will argue they are deeply interrelated. Thus, I offer a somewhat artificial distinction to show the significance of the parts of the distinction as well as the significance of their interaction. I am confident that MacKinnon would not find this distinction useful because she denies the possibility that women can move toward freedom in any part of their lives so long as male dominance or patriarchy exists. See supra notes 97-100 and accompanying text (discussion of MacKinnon's conversation with Mary Dunlap). She would probably say that my distinction is apolitical and denies the reality of male dominance. Quite the opposite is intended by my distinction. I recognize the reality of male dominance, but do not think that that dominance is inescapable throughout all parts of our lives. If it were inescapable, then I do not understand how we could ever create feminist theory. See supra notes 8-10 and accompanying text (defending the concept of authenticity). I am trying to explore the implications of the assumption that we can find space in our lives to discover and experience our authentic selves outside of the context of male dominance.

The words "compulsory heterosexuality" are taken from Adrienne Rich's work. See Rich, supra note 16, at 62 (discussing the need for feminism to more fully appreciate the politics implicit in lesbian experience).

See id.

This observation may be no different than the observation that it is difficult for people of different religions or races or cultural backgrounds to be connected intimately because of the bridges that they have to cross in such relationships. I would expect that we all would agree that such difficulties should not deter people from pursuing such relationships. By acknowledging that bridges will be necessary, we should not be insisting that those bridges cannot be built.

This observation raises for me the question of the role of men within feminism and the role of women-only space within our feminist struggle. To the extent that men can play a large role in the feminist struggle, it would seem to be easier for women to connect with men intimately. I think that women-only space is the most necessary when society is the most subordinating. Women then need that space to regain their strength. It therefore may be the most possible for women to connect with men intimately when women live in less subordinating times and therefore have less of a need to immerse themselves in woman-only space.

I use the word "privilege" to refer to the privileges of heterosexuality. For example, as a white woman, I can walk down the street holding a white man's hand and not be afraid of people's hostile reactions. If I married a man, we could take advantage of our employers' family-based health insurance. In this way, heterosexuality seems more privileged to me than lesbianism. However, I also recognize that heterosexuality can expose women to certain kinds of oppression that are largely absent from lesbian relationships, such as rape or battery. In recognizing the existence of heterosexual privilege, I do not mean to suggest that heterosexuality is an entirely privileged status for women.

The analogy, however, becomes more difficult when I realize that my sexual preference, unlike my race, can change. In addition, my sexual preference, unlike my race, can remain invisible. But deliberately changing my sexual preference and keeping it invisible would seem to move me away from my discovered authenticity. If I take my glimpses of my sexuality as fixed, like my race, then it takes on the same significance in my life. The question then becomes how to express what I know about myself authentically rather than how to change a basic part of myself. I am open to the possibility that I have not given sufficient attention to the idea that one might want to work to change one's sexual preference quite consciously, away from perceived authenticity, in order to survive in the world. If that were true, then maybe a class analogy would be better than a racial analogy since class can change throughout our lifetime although our early class experiences may always be part of our authentic selves. I have received a lot of feedback, mostly critical, from people about my racial analogy.
I have modified it in light of these criticisms, but I recognize that it still is inadequate to the task of explaining sexuality since race and sexuality have some important fundamental differences, such as malleability and visibility.


[FN131] I do not know enough about the existence of an innate sexual orientation within us to know whether we are all capable of forming sexual relationships with individuals regardless of their biological sex. But I am confident that we can develop intimate relationships with individuals irrespective of their sex. See R. NAHAS & M. TURLEY, THE NEW COUPLE: WOMEN AND GAY MEN (1979) (discussing a wide range of relationships between women and gay men).

[FN132] Of course, I acknowledge that a sex-specific choice may be appropriate as an affirmative action measure—to overcome compulsory heterosexuality. But I am not sure that that is what it means to choose an exclusively lesbian lifestyle if one glimpses that relationships with men are consistent with one's authentic sexuality. Life, itself, would then be expressed authentically as a means to achieving authenticity. It would seem difficult to move from the short-term means to the long-term goal. The means would seem to inhibit the movement toward authenticity, rather than facilitate it.


[FN136] Compare Roe v. Wade, 410 U.S. 113 (1973) (holding that a woman's right to privacy encompasses her decision to terminate her pregnancy) with Harris v. McRae, 448 U.S. 297 (1980) (holding that the Social Security Act does not require a state to pay for medically necessary abortions that are not federally funded).


[FN139] Similarly, in the companion case, Doe v. Bolton, 410 U.S. 179 (1973), the Court only glibly mentions that the plaintiff was suffering from physical, emotional, and economic problems. Id. at 185.


[FN141] I do not mean to suggest that this absence of facts occurred because of the Court's hostility to considering the facts. Both Roe and Hardwick came to the Court in a summary fashion before trial. Thus, the Court did not have available a full trial transcript with facts. We therefore may want to reconsider bringing cases like these to the courts' attention on such a sparse record. Another problem that I see in our litigation strategy for these cases is an assumption that we cannot build a factual record in "privacy" cases. For example, I have heard interviews with Michael Hardwick in which he suggested that it would have been inappropriate for him to bring the factual background of the case to the courts' or public's attention because he was arguing for the right to privacy. I think that those arguments misconceive the right to privacy. We use the word "privacy" as a short-
hand expression for the liberty interest contained in substantive due process doctrine. It is not an argument for the right to "stay in the closet" or make abortion decisions entirely by ourselves. It is an argument for the right to realize ourselves fully as persons which would include stepping out of the closet and being able to discuss abortion decisions openly in the public arena.

[FN142] See S. Law, Homosexuality and the Social Meaning of Gender 69 (June 22, 1987) (unpublished essay) (available from Ruth Colker) (concluding that "over the years, Supreme Court discussions of contraception and abortion have seldom recognized the core human importance of sexual expression and relationships").


[FN144] See, e.g., Roe v. Wade, 410 U.S. 113 (1973) (extending the right to privacy to a woman's decision whether to terminate her pregnancy).


[FN148] Nelson, supra note 5, at 188.

[FN149] See C. MACKINNON, supra note 2, at 53-54.


[FN151] Aloysius Peiris presents an excellent analysis of how a Christian-Buddhist dialogue can begin to explore these issues. He says Buddhism can assist the journey toward authenticity because it is fundamentally concerned with "liberative knowledge," and that Christianity can assist the journey towards experiencing authentic love because it is fundamentally concerned with agape or redemptive love. See Peiris, Christianity and Buddhism in Core-to-Core Dialogue, 37 CROSS CURRENTS 47 (1987). I argue that feminism also needs to be added to this dialogue to gain a full understanding of the barriers to the discovery and experience of authentic love.

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