From Phyllis Schlafly Dec. 16, 1983

NEW APPROACH TO PORNOGRAPHY

The definition of words makes a tremendous difference in how things are perceived, understood, and litigated. A rose by any other name may indeed smell as sweet, but giving pornography another name may produce very different legal consequences.

Since a score of landmark Supreme Court decisions in the mid-1960s, pornography has been effectively defined as a "right" of free speech and press under the First Amendment. Highly-paid porn lawyers have wrapped porn peddlers [redacted] in the sacred mantle of the Constitution, and local law enforcement officials have been unable to convince the courts that the pornographers should be stripped of that clothing.

Pornography really should be defined as the degradation of women. Nearly all porn involves the use of women in subordinate, degrading poses for the sexual, exploitative, and even sadistic and violent pleasures of men. Sex-role [redacted] stereotyping is essential to the production and profiteering of pornography.

An attempt is being made in the Minneapolis City Council to redefine pornography and thereby make it possible to eliminate, or at least limit, this [redacted] cancer in our communities. Charlee Hoyt, with the support of six other councilmen, has introduced an ordinance specifying that pornography is discriminatory against women.

The proposal defines pornography as "the sexually explicit subordination of women, graphically depicted, whether in pictures or words," and classifies it as "a form of discrimination on the basis of sex."

The proposed ordinance is not based on obscenity, zoning, or public nuisance laws. It is based on civil rights legislation. Its proposes to eliminate the sale of pornographic books and materials, and the showing of pornographic films, by allowing private female citizens to sue on the legal theory that pornography violates their civil rights.

The proposal would not require the city attorney or police to do anything; it wouldn't cost the city anything in enforcement. It would simply open wide the courtroom doors so that private parties can bring lawsuits based on it.

To be pornographic under this proposal, an item must meet at least one of the following criteria: "Women are presented as sexual objects, things or commodities, who enjoy pain or humiliation, who experience sexual pleasure in being raped, who are tied up or cut up or mutilated or bruised or physically hurt; women are presented in postures of sexual submission; women's body parts are exhibited such that women are reduced to those parts or such that the subordinate sexual status of women is reinforced; women are presented as whores by nature; women are penetrated by objects or animals; or women are presented in scenarios of degradation, injury, abasement, torture, shown as filthy or inferior, bleeding, or hurt in a context that makes these conditions sexual."

Presumably there would be no trouble finding women to bring lawsuits under the ordinance. Women are increasingly outraged at the accelerating offensiveness of pornography, combined with its easy availability in supermarkets and other places patronized by those who would never go to an "adult" bookstore or theater.

For example, a recent issue of Hustler (on the stands in many drugstores) features a cover that shows a woman going head first into a meat grinder. Hustler publisher Larry Flint recently announced that he plans to use hard-core sex scenes in television ads, too.

On the other hand, the American Civil Liberties Union can be expected to bring its considerable litigating resources to defend the free speech of pornographers to degrade women as much as they choose.

It can be argued that the Minneapolis proposal thrusts a major social issue into the laps of the courts, and that pornography is really a problem for the legislative branch plus ordinary law enforcement to solve. But, after all, the predatory prevalence of pornography is a problem created by wrong Supreme Court decisions, so why shouldn't women use all the legal tactics of the civil rights apparatus to force the courts to remedy their mistakes?