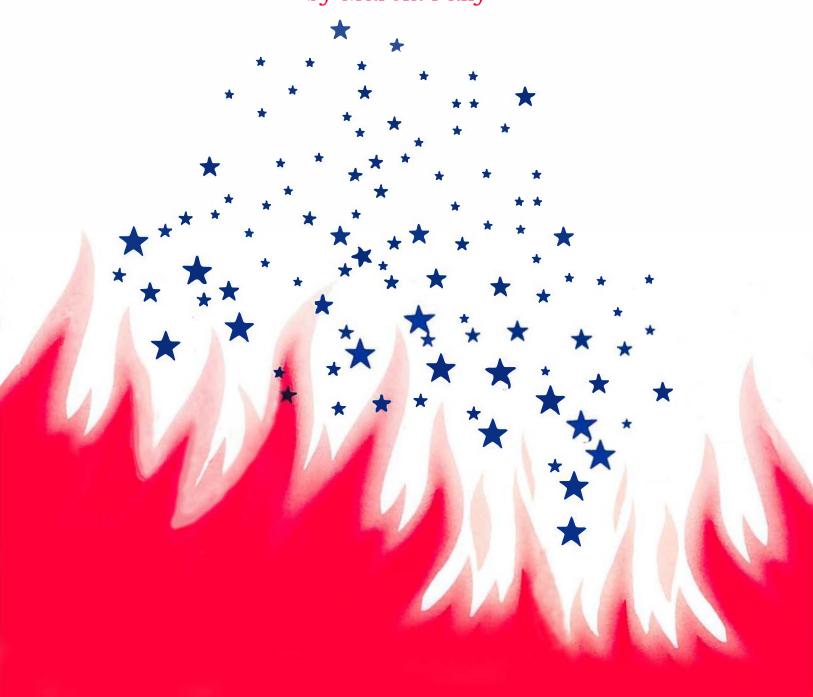
SENSE & CENSORSHIP THE VANITY OF BONFIRES

by Marcia Pally



For an expanded review of the social science research on sexually explicit material, violent material and aggression see,

Sense and Censorship: The Vanity of the Bonfires Resource Materials on Sexually Explicit Material, Violent Material and Censorship: Research and Public Policy Implications.

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Sense and Censorship: The Vanity of Bonfires

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The First Amendment was designed 'to invite dispute,' to induce 'a condition of unrest,' to 'create dissatisfaction with conditions as they are,' and even to stir 'people to anger.'

The First Amendment was not fashioned as a vehicle for dispensing tranquilizers to the people. Its prime function was to keep debate open to 'offensive' as well as to 'staid' people.... The materials before us may be garbage. But so is much of what is said in political campaigns, in the daily press, on TV or over the radio. By reason of the First Amendment ... speakers and publishers have not been threatened or subdued because their thoughts and ideas may be 'offensive' to some.

—Justice William O. Douglas, *Miller v. California*, June 6, 1973, 413 U.S. 15, p. 1453

In the above quote, Supreme Court Justice William Douglas takes it as an obvious good that "speakers and publishers have not been threatened or subdued." Yet from time to time, participants in public life, legislators and community groups believe there is benefit to subduing them and the material they bring before the nation. Society will profit, it is reasoned, from shaping for the good the ideas its people encounters.

A decade ago during the first Reagan Administration, such beneficial shaping found new support. Enthusiasts for the idea promised society would not lose anything of value. In fact, they assured the public that restricting "bad" images, especially sexually explicit material and rock and roll, would improve life. It would reduce drug abuse, teen pregnancy, and especially sexual violence: rape, incest and wife battery. They professed to target "the really gruesome, horrible stuff."

This book will take a cursory look at their promise since they have been trusted with the "really gruesome, horrible stuff."

WHAT IS CENSORED

Recent Censorship Cases

By 1989, book banning had increased to three times the levels of 1979, according to the Office for Intellectual Freedom of the American Library Association. The most-censored books now are *The Diary of Anne Frank, To Kill a Mockingbird, Of Mice and Men, 1984, Slaughterhouse-Five, Catcher in the*

Rye, The Adventures of Huckleberry Finn, all the works of Stephen King and Judy Blume, especially Blume's Are You There, God? It's Me, Margaret for mentioning menstruation. Also on the most-censored list is the children's book The Sisters Impossible for the words hell and fart, as well as Studs Terkel's Working, Desmond Morris' The Naked Ape and Alice Walker's The Color Purple. Dictionaries now on the most-censored list include Webster's Seventh, Random House, Doubleday and American Heritage, for their inclusion of definitions of "dirty" words.

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Among the films that have been removed from library and store shelves since 1980 are A Passage to India, Victor/Victoria, A Clockwork Orange, Zeffirelli's Romeo and Juliet and Splash!

Efforts to restrict material have come not only from the conservative right. The National Coalition on Television Violence (NCTV), a group with liberal credentials, has been active in ferreting out material it believes endangers the public. Not only does the NCTV censure such movies as The Texas Chainsaw Massacre Part 2 but also lists in its bulletins films such as Star Trek IV: The Voyage Home for "chasing, gun threat and one Vulcan nerve pinch." The NCTV lists the animated cartoon Lady and the Tramp, and the popular Christmas ballet The Nutcracker for its "battle between soldiers and mice." Additionally, the NCTV compiles lists of objectionable books, including the works of Stephen King, Robert Ludlum, Frederick Forsyth, Mario Puzo, James Clavell, Helen MacInnes, John le Carré and Leon Uris.

Late in 1990, the NCTV and two Christian media-monitoring groups, the American Family Association and Good News Communications, organized a conference for media-surveillance groups. Their goals include establishing a Christian Film and Television Commission and "reestablishing the presence of the church in Hollywood."

According to the American Library Association, the fastest-growing area of book censorship cases is the occult. The second fastest-growing sector of censorship is health and family-life issues, particularly materials focusing on AIDS education, sex education and drug abuse.

The censors who began with the "really gruesome, horrible stuff" appear to have extended their platform.

To bring the roster up to the present: In

1989, Terry Rakolta tried to remove the television program *Married* ... with Children from the air. In 1990, the rock group 2 Live Crew was indicted for obscenity, which carried not only a fine but a jail term, for an adults-only concert; admission was permitted only to those over 21. ("Art and the Oeuvre of 2 Live Crew," Jonathan Yardley, *The Washington Post*, October 10, 1990)

Nineteen ninety also saw the Federal Communications Commission seek to expand its ban on adult programming from the hours when children might see such programs—6 A.M. to 8 P.M.—to 24 hours a day. Under such a ruling, at no time could an adult hear or see a radio or television program that was more sophisticated or controversial than what is appropriate for children. ("Government Seeks to Extend Ban on Broadcast of Offensive Shows," *The New York Times*, July 13, 1990)

Also in 1990, the Cincinnati Contemporary Arts Center and its director were indicted on obscenity charges for exhibiting Robert Mapplethorpe's photography retrospective "The Perfect Moment," though in that city no public monies were used to fund the show and no children under 18 were permitted entrance.

Each visitor to the Cincinnati museum chose to attend the exhibit and paid for admission; each chose again to view the photographs of nudity and sexual material cordoned off in a special section that attracted the longest lines.

Early in 1991, the American Family Association (AFA) launched a letter-writing campaign and boycott against Blockbuster Video, the largest video rental-and-sales chain in the country, demanding that Blockbuster drop all NC-17 films. Although Blockbuster said that none of the protests came from its video-club members, the chain scotched NC-17 material. (Blockbuster told the press it dropped NC-17 videos independent of the AFA campaign, though only days before, it announced that it would evaluate NC-17 tapes on a title-by-title basis.) (Billboard magazine, January 1991)

Also in 1991, bills were introduced in several state legislatures that would make it a crime to sell sexually explicit lyrics to minors. This is the first time a government body has tried to define prerecorded lyrics as legally obscene, making it the

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responsibility of local store owners and salesclerks to know the content of all the songs on all the records, tapes and compact discs they sell, and to know in advance of selling them whether they might be harmful to minors according to state law. (Hollywood Reporter, March 15, 1991)

In the last several years, the National Endowment for the Arts (NEA) has suffered repeated attacks, including the requirement that artists receiving NEA grants sign a pledge that their art would not address a list of forbidden subjects. Prohibited subject matter included not only obvious horrors such as the sexual exploitation of children but also depictions of sex and homoeroticism—not specifically homosexual sex acts but anything that might be considered suggestively homoerotic.

Because of the many attacks on the NEA, the New York City Opera (an NEA recipient) considered dropping scenes from its production of Arnold Schoenberg's opera *Moses und Aron* from the 1990–1991 season because they call for the appearance of three Naked Virgins.

("Arts Agency Voids Pledge on Obscenity," The New York Times, February 2, 1991; "Nude Characters to Remain in City Opera Production," The New York Times, July 21, 1990)

In March 1991, the American Family Association lobbied in Congress against the NEA funding of Todd Haynes's film *Poison*, which had won first prize at the Sundance Film Festival the preceding January. This experimental film assails prejudice and the persecution of those who are different from the mainstream. It employs three allegorical stories about oppression—one about a homosexual man in prison based on the writings of the French writer Jean Genet. Calling this pornography, the American Family Association attacked the NEA for awarding Haynes a small grant. ("Support for Avant-Garde Film Defended," New York Newsday, March 30, 1991)

(For an extensive overview of censorship and the arts, see Edward De Grazia's Girls Lean Back Everywhere: The Law of Obscenity and the Assault on Genius, January 1992, New York, Random House.)

Also in March 1991, the American Family Association tried to persuade advertisers to pull their ads from the television program *Absolute Strangers*. Based on the story of Martin Klein whose pregnant

wife fell into a coma as a result of an auto accident, it follows Klein's efforts to abort the fetus, on doctors' advice, in order to save her life. He was taken to court by anti-abortion groups—the "absolute strangers" of the title—who sought to prevent the abortion. When Klein finally obtained court permission, his wife regained consciousness within hours. ("Group Targets Absolute Strangers," New York Newsday, March 18, 1991)

Ever busy, the American Family Association targeted the advertisers of yet another television program in the spring of 1991. Titled *Our Sons*, the program starred Julie Andrews and Ann-Margret as two mothers, one of whose sons is dying of AIDS. (*New York Newsday*, March 18, 1991)

Earlier, in 1989, Artists Space in New York lost its NEA funding because, according to the NEA, the catalog for a show on AIDS criticized the public policies of elected and public figures. It seemed to some at the time that such criticism was at the heart of the democratic process. ("Arts Endowment Withdraws Grant for AIDS Show," The New York Times, November 9, 1989) Artist Andres Serrano's work was also removed from exhibition in 1989 on charges of blasphemy. On a day somewhat before the Serrano incident, a work by Thomas Jefferson was banned on the same grounds. On that occasion, Jefferson wrote:

"Are we to have a censor whose imprimatur shall say what books may be sold, and what we may buy?... Whose foot is to be the measure to which ours are all to be cut or stretched? Is a priest to be our inquisitor or shall a layman simple as ourselves set up his reason as the rule.... It is an insult against our citizens to question whether they are rational beings or not, and [an insult] against religion to suppose it cannot stand the test of truth and reason."

THE COSTS OF CENSORSHIP

Thomas Jefferson thought censorship an insult; it is also a danger. When the state, church or private group restricts books, movies and music from the public, the nation loses the right and gradually the *ability* to make up its mind about the information and entertainment it sees and hears, about the ideas it encounters now and what will be available for future use.

Historian Henry Steele Commager wrote, "Censorship ... creates the kind of society that is

incapable of exercising real discretion.... It will create a generation incapable of appreciating the difference between independence of thought and subservience."

Censors always promise an improvement in life: Rid yourselves of pornography, of Das Kapital, Catcher in the Rye or The Sisters Impossible and life will be safer, happier, more secure. Yet no matter where the "promise" starts—no matter what material censors begin with—once a nation surrenders the right to choose its books, music and films, it has given away the right to mosey around in art, popular entertainment and "trash." Some may argue that pornography and rock and roll are worthless and can well be done without. Others may say the same of detective novels, horoscope charts or fashion magazines. The idea behind the freedom to read and view is that one makes that determination for oneself.

THE GREAT SOOTHING APPEAL OF CENSORSHIP

It's the Picture That Causes the Crime

The promise of a better life if only society banishes some book, magazine or movie is the great soothing appeal of censorship. Currently, the most popular version vows that banning sexually explicit material and rock will reduce drug abuse, teen pregnancy and sexual violence—get rid of pomography, get rid of rape. It seems pertinent to ask if it will. Alternately, the pomography/rock-causesharm idea is a quick fix that misleads the public into thinking that the solution to society's ills is merely a matter of banning offensive pictures.

In the last decade, those who would restrict such material have masked traditional religious arguments against sexual imagery with the patina of social-benefit reasoning. The pornography/rock-causes-harm argument makes the banning of books, movies and music seem reasonable to many who would dismiss threats of brimstone and hellfire. Dr. Larry Baron, one of the leading authorities on pornography and violence (Yale, University of New Hampshire), wrote in the journal Society in 1987:

"A particularly insidious aspect of the [Meese Commission's] Final Report is the commission's use of feminist rhetoric to attain its right-wing objective. Replacing the outmoded cant of sin and depravity with the trendier rhetoric of harm, the commission exploited feminist outrage about

sexual violence in order to bolster oppressive obscenity laws."

The pornography/rock-causes-harm argument is easy to understand, easy to sell. It claims that sexual imagery degrades and violates women; men look at it and emulate what they see. So the course of action seems short, direct, and has the lure of peace in our time.

It also has the cachet of feminist tradition. Over the last 20 years, women and some men examined images in all sectors of culture, from television commercials to the films shown in medical school. This investigation became a tool for identifying sexism and exposing its pervasiveness. It made sense to apply this technique to sexual material. Yet in the process, a confusion arose between examining images for their insights about society and calling those images sources or causes of social injustice. (See Ellen Willis, "Feminism, Moralism, and Pornography," in Beginning to See the Light, 1981, New York, Alfred A. Knopf; M. Pally, "Ban Sexism Not Pornography," The Nation, June 29, 1985)

The mass-market pornography and rock industries took off only after World War II. Prior to the 20th Century, few people save the wealthy elite saw any pornography whatsoever; certainly no one heard rock and roll. Yet violence and sexism flowered for thousands of years before anybody had commercialized images to mimic.

(For a historical overview of the censorship of sexually explicit material, see Walter Kendrick, *The Secret Museum: Pornography in Modern Culture*, 1987, New York, Viking Press.) Drugs have been used for centuries without rock lyrics as a guide—and in some cultures, such as Chinese and American Indian, commonly by large sectors of the population. Teenagers have somehow managed to become pregnant for thousands of years without the aid of pornography or rock. According to historians John D'Emilio and Estelle Freedman, up to one third of births in Colonial America occurred out of wedlock or within eight months of hurried marriages. (*Intimate Matters: A History of Sexuality in America*, 1988, New York, Harper & Row)

Most of history's rapists, child abusers and drug addicts read nothing at all; they were illiterate and technology had not yet provided them with magazines or movies. Societies today where no sexual material or Western music is permitted, such as Saudi Arabia, Iran and China (where sale and distribution of pornography is now a capital offense), do not boast social harmony and strong women's rights records. (*The New York Times*, December 29, 1990, and January 15, 1991)

In light of the historical success of sexual and drug abuses, it seems unlikely that pornography or rock is fundamental to their flourishing. It is improbable that banning rock or sexually explicit material will reduce those abuses or assist women and children. (See Varda Burstyn, editor, Women Against Censorship, 1985, Vancouver, Douglas & McIntyre Ltd.)

The media are besieged today with claims of increasing violence. This mayhem-escalation theory reasons that while sexual and drug abuses have run through history, they are more rampant now as result of sexually explicit material and rock. Yet D'Emilio and Freedman's data belie such claims about teen pregnancy, and rape rates may be not be increasing, in spite of the availability of sexual images.

The Bureau of Justice Statistics reports that between 1973 and 1987, the national rape rate of 0.6 per 1,000 remained steady and the rate of attempted rape decreased 46 percent from 1.3 to 0.7 per thousand. These data were gathered from household surveys rather than from police statistics, where rapes are famously underreported. They identify at least some of the rapes that never reach police files because women are afraid to report them (especially in cases of domestic rape) or suspect the police will treat lightly their complaints. Additionally, these data cover the decades when feminists brought rape to the attention of the nation and created the social climate and structures—hotlines, police department task forces, and the like—to encourage women to bring rape into the open. This has led to an overall increase in rape reporting. One would expect rape rates to increase, not remain steady or decrease as is reported

The recent increase in media attention to rape, including date rape and marital rape, may not reflect an increase in rape as much as an increase in sensitivity to it and decreasing tolerance for this sort of violence. The July 1991 issue of *Pediatrics* reports similar findings for child abuse. Over the last four decades, child abuse "appears to have remained steady at about 12 percent for females." As in the rape studies above, these data were gathered from

personal surveys rather than from police files, where until recently, child abuse, like rape, was significantly underreported. Recent increases in child-abuse reporting is attributed, in *Pediatrics*, to the legal requirement to report child abuse and to attitudinal changes toward women and children.

A 12 percent rate of female child abuse is a grave social problem, as is the incidence of rape and wife battery. A one percent incidence of such violence would demand remedy. Yet the bumpersticker cry "It's worse now than ever before" may not only be a misinterpretation of facts but an exploitation of them as a scare tactic, not so much to aid women and children as to provide justification for censorship measures that the public might otherwise not tolerate.

The last few decades, with the marketing of sexual material and rock, have ironically seen the greatest advances in sensitivity to violence against women and children. Before the pelvic-wriggler Elvis and mass publication of sexual images, there were no rape or incest hotlines and battered-women's shelters; date and marital rape were not yet gleams in a feminist's eye. Should one conclude, then, that the presence of pornography or rock has benefitted women and children? More likely, pornography, rock and the quality of women and children's lives are not causally related but are expressions of more basic forces in society, as are drug abuse and teen pregnancy. It is these issues that need addressing.

In a June 1991 article, New York Times rock critic Jon Pareles examined two videotapes that attribute social harms to MTV. Rising to the Challenge is sold by the Parents' Music Resource Center (PMRC), the group founded by Tipper Gore that persuaded record companies to put warning labels on their product. It was written by former PMRC executive director Jennifer Norwood and Robert DeMoss, youth-culture specialist for Focus on the Family, a Christian fundamentalist group. The second tape, called Dreamworlds, was made by Sut Jhally, professor of communications at the University of Massachusetts, and is being sold for classroom

Pareles discovered, upon investigating Rising to the Challenge, that the violent incidents allegedly inspired by rock videos occurred before most of the albums mentioned were released, "suggesting," noted Pareles, "that the music reflects

the culture instead of driving it." On examining *Dreamworlds*, Pareles found that the images of women were taken out of context without indicating what proportion they form of all music-video images or even what videos they come from. In actual MTV, viewed in full and in context, Pareles found about one in six clips with "ornamental" or "sexy" women and "two minutes per hour of female bimbofication, along with such various nonbimbos as moms, teachers, old women and children." Music video also includes female singers and bands.

Pareles concludes with this observation: "When a teenager sees some guy with waist-length two-tone hair, wearing leopard-print spandex and studded leather standing in a spotlight holding a guitar, he or she can probably figure out that it's a performance, a show, a fantasy—part of a privileged arena far away from daily life. Given the evidence, I wish I could say the same about their elders." (The New York Times, June 2, 1991)

VIOLENCE AGAINST WOMEN

Sources and Remedies

If pornography and rock do not cause violence, public attention needs turn to what does. Leading feminists and the U.S. Commission on Civil Rights suggest that violence against women begins with educational and economic discrimination, including a sex-segregated labor market and devaluation of traditional "women's work." Men learn to consider women burdens, stiflers and drags on their freedom. Women, in turn, do not have the economic independence and access to day care that would enable them to leave abusive settings. Feminists also suggest that violence begins with the infantilization of women so that men hold them in contempt and see them as easily dismissed or lampooned and ready targets for anger. (See U.S. Commission on Civil Rights, Women in Poverty, 1974; Women Still in Poverty, 1979; and Child Care and Equal Opportunity for Women, 1981)

Yet another factor in violence against women is the domestic arrangements that leave mom as the prime, often only, caretaker of small children. Even in progressive households, women continue to do most of the child care. To the infant and small child, mom is the font of affection, food and warmth. It's on mom that all one's infantile expectations for

care are foisted, and all one's earliest disappointments blamed. An infant gets wet, cold or hungry, and learns to expect succor from mom and only mom; when these needs are not immediately met, the infant gets angry at mom. (See Nancy Chodorow, The Reproduction of Mothering: Psychoanalysis and the Sociology of Gender, 1978, University of California Press; Dorothy Dinnerstein, The Maid and the Minotaur: Sexual Arrangements and Human Malaise, 1976, New York, Harper & Row)

Under mom-only (or mostly) child care, one learns to act out one's desire for mom's attention, and one's rage that she's not always there, on all the women in the rest of one's life.

Add to this "boy training" that makes aggression a daily project of masculinity—that says aggression is not only acceptable but impressive and manly. From such child rearing, most people feel ambivalent about women, and men feel free to say so with force.

This psychological swirl surfaces in pornography, just as it does in our private sexual fantasies, music, novels and plastic arts, in advertising and fashion. Because pornography is fantasy, a genre of extremes like science fiction and gothic horror, it shows up in rude and blunt ways. Yet pornography did not invent rage at women and banning pornography won't end it. Like rock and roll, it reflects rather than drives one's experience with the world. (See amici curiae brief of the Feminist Anti-Censorship Taskforce et al., by Nan Hunter and Sylvia Law, in American Booksellers et al. v. William Hudnut III et al., United States Court of Appeals for the Seventh Circuit, 1985; M. Pally, paper to Harvard-MIT Colloquium on Pornography, October 1985)

"Pornography is not the ultimate citadel of sexism," wrote Dr. William Simon, professor of sociology at the University of Houston and author of *The Post-Modernization of Sex*. "At best, it is a shadow cast by more important, more affluent and far more powerful institutions."

Consider which more effectively teaches boys to have contempt for women: pictures of nudity and sex or hearing their fathers say to their mothers "Aw, shut up." If society wishes to reduce violence against women or improve the quality of family life, it is chasing after shadows until it eliminates that "Aw, shut up."

In his essay in *Society* magazine (July/August 1987), Dr. Larry Baron wrote, "The [Meese]

commission would have us believe that sexual aggression can be controlled through the strict regulation of obscene materials, an illusion that shifts our attention away from the structural sources of rape ... such issues as sexism, racism, poverty and a host of other factors ignored in the [Meese Commission] Final Report."

Drs. Simon and Baron expose the irony of the last decade. The administrations that have been most active in restricting sexual material in the name of benefitting women and children have at the same time reduced funding for the Women, Infant and Children nutrition program, for pre- and postnatal care, day care and child health and education programs.

The fundamentalists who work tirelessly to ban books, music and TV in the name of protecting women would return them, according to religious doctrine, to the economic and social dependence women have struggled to overcome.

In view of violence's excellent record for centuries before the production of commercialized images, the restriction of sexual imagery or rock and roll seems to offer only negative results: Were this country to ban them tomorrow, it would still be plagued with sexual and drug abuses. It would have succeeded only in establishing dangerous precedents for stifling works such as *The Diary of Anne Frank*, *The Sisters Impossible* and the photographs of Robert Mapplethorpe.

Women should be especially keen to the value of constitutional protections against censorship. They allow the publication of ideas and images that some people, even most people, believe are dangerous-the "offensive" and angering material of Justice Douglas' quote. When feminists began their social critique 25 years ago, many Americans felt their platform was anarchic and possibly evil. Freedom to promote their ideas, including those about female sexuality, has been the linchpin of the modern women's movement. (See amici curi ae brief of the Feminist Anti-Censorship Taskforce et al., by Nan Hunter and Sylvia Law, in American Booksellers et al. v. William Hudnut III et al., United States Court of Appeals for the Seventh Circuit, 1985; for an expanded discussion of female sexuality, see Pleasure and Danger: Exploring Female Sexuality, Carole Vance, editor, 1984, Boston, Routledge & Kegan Paul; Powers of Desire: The Politics

of Sexuality, Ann Snitow, Christine Stansell and Sharon Thompson, editors, 1983, New York, Monthly Review Press; Heresies, 1981, vol. 3, no. 4, issue 12, Caught Looking, 1987, Ferninist Anti Censorship Task Force.)

Women are ill-advised to abandon free-speech rights for a supposed quick fix to sexism and violence. Should the freedom to express unpopular ideas be quashed, feminist works might well be among the first to go. One need only consider the recent Supreme Court decision in Rust v. Sullivan, upholding regulations that prohibit discussion of abortion in federally funded Title X family planning clinics. It has been another irony of the decade that women such as Catherine MacKinnon, Andrea Dworkin and Women Against Pornography believe censoring books, magazines and films will advance women's cause.

Society might do better to take the advice of Drs. Simon and Baron, and that of thousands of feminists and social science professionals, and address the fundamental sources of violence. The red herring of book, music and film banning flatters the public into thinking it is doing good while it is ignoring the substantive causes of social ills. Controlling the viewing and listening habits of the nation might not be the best use of this country's funds and resources.

Every hour protesters spend attacking Playboy, Married ... with Children or 2 Live Crew is an hour they might spend improving the economic options of minorities and women. They might develop police and community programs to aid abused women and children. To address the emotional fuel behind sexual abuses, one might create the social structures at home and in the workplace that would balance the skew of mom-only parenting. One might do better not banning Mapplethorpe or Madonna, but getting mom out of the house at least half the time, and dad back in. (See National Advisory Council on Economic Opportunity, Final Report: The American Promise: Equal Justice and Economic Opportunity, 1981; Bruno v. McGuire, 4 Family Law Reporter, 3095, 1978; A. Boylan and N. Taub, Adult Domestic Violence: Constitutional, Legislative and Equitable Issues, 1981; S. Schechter, Women and Male Violence: The Visions and Struggles of the Battered Women's Movement, 1982, South End Press)

Drs. Edward Donnerstein, Daniel Linz and Steven Penrod are leading researchers of the relationship between sexual and violent images and / 18 / 19

social harm. In their 1987 book The Question of Pornography: Research Findings and Policy Implications (New York, The Free Press), they wrote:

"Should harsher penalties be leveled against persons who traffic in pornography, particularly violent pornography? We do not believe so. Rather, it is our opinion that the most prudent course of action would be the development of educational programs that would teach viewers to become more critical consumers of the mass media.... Educational programs and stricter obscenity laws are not mutually exclusive, but the legal course of action is more restrictive of personal freedoms than an educational approach. And, as we have noted, the existing research probably does not justify this approach."

THE SOCIAL SCIENCE DATA

(For an expanded review of the social science research on sexually explicit material, violent material and aggression, see the Sense and Censorship: Resource Materials.)

Between 1968 and 1970, the President's Commission on Obscenity and Pornography studied the relationship between sexually explicit material and antisocial behavior. Over a two-year period with a budget of \$2,000,000 (in 1970 dollars; contrast with the \$500,000 in 1985 dollars allotted to Attorney General Edwin Meese's Commission), it conducted national surveys on pornography consumption and crime rates, as well as controlled laboratory studies. The 1970 commission concluded:

"Empirical research designed to clarify the question has found no reliable evidence to date that exposure to explicit sexual materials plays a significant role in the causation of delinquent or criminal sexual behavior among youths or adults." (1970 Commission Report, p. 139)

"Studies of juvenile delinquents indicate that their experience with erotica is generally similar to that of nondelinquents.... There is no basis in the available data, however, for supposing that there is any independent relationship between exposure to erotica and delinquency." (1970 Commission Report, p. 242)

"If a case is to be made against pornography in 1970, it will have to be made on grounds other than demonstrated effects of a damaging personal or social nature." (1970 Commission Report, p. 139)

In the years since 1970, two notions have

again become popular: that pornography has become more violent and widespread; as a result, it is responsible for antisocial behavior, specifically sexual perversions and violence against women and children. In 1985, Attorney General Edwin Meese formed another commission to study the social and psychological effects of sexually explicit material.

The publicity surrounding the Meese Commission led to the belief that the pornography-causes-harm hypothesis was confirmed, yet the Meese Commission's investigation of the science does not support this conclusion.

(See Resource Materials, sections 1B and 1E, Meese Commission) In the 20 years since the 1970 commission—and especially since the mid-Eighties when the pornography-causes-harm idea made pornography research legitimate grounds for tenurethe social sciences have produced a sizable literature of pornography studies. Certain methodological problems limit the findings, most importantly: generalizing from the laboratory to life; the "sexual bravura" skew implicit in the responses of college males (most commonly the subjects of research experiments) who are asked questions about sex; the "experimenter demand" effect, where subjects guess at the experimenter's hypothesis and then, even unconsciously, try to fulfill it; and the implausibility of all studies involving the delivery of electrical "shocks" as a measure of aggression. Subjects in laboratory experiments know that researchers cannot allow their participants to be hurt in college labs. (See Resource Materials, section 1G, Methodological issues in social science research; Surgeon General Koop's Report on Pornography, 1986, pp. 5-11; Becker and Levine, Dissenting Report to the Meese Commission) Nevertheless, the social science data might shed some light on the pornography-causesharm debate.

The idea that sexually explicit material has become more violent appears to be unfounded. (See Resource Materials, section 2A, The prevalence of violence in sexually explicit material) Reviewing the literature on violence in sexually explicit material, Drs. Edward Donnerstein (University of Wisconsin, University of California), Daniel Linz (University of California) and Steven Penrod (University of Wisconsin) wrote in a 1987 American Psychologist article, ("The Findings and Recommendations of the Attorney General's Commission on

Pornography: Do the Psychological 'Facts' Fit the Political Fury?", vol. 42, no. 10)

"We cannot legitimately conclude that the Attorney General's first assumption about pornography—that it has become increasingly more violent since the time of the 1970 Pornography Commission—is true.... The available data might suggest that there has actually been a decline in violent images within mainstream publications such as *Playboy* and that comparisons of X-rated materials with other depictions suggests there is in fact far more violence in the *non*pornographic fare." ("The Findings and Recommendations of the Attorney General's Commission on Pornography: Do the Psychological 'Facts' Fit the Political Fury?", vol. 42, no. 10)

Dr. Joseph Scott and Steven Cuvelier (Ohio State University) ran a content analysis of *Playboy* over a 30-year period and found an average of 1.89 violent pictorials per year, with violence *decreasing* through the Eighties. ("Sexual Violence in *Playboy* Magazine: A Longitudinal Content Analysis," *Journal of Sex Research*, 1987, vol. 23, no. 4; "Violence in *Playboy* Magazine: A Longitudinal Analysis," *Archives of Sexual Behavior*, 1987, vol. 16, no. 4)

They wrote, "Although the overall number and ratio of violent cartoons and pictorials in *Playboy* over the 30-year period examined was rare, a major question addressed was whether the amount of violence was increasing. Rather than a linear relation, a curvilinear relationship was observed with the amount of violence on the decrease.... Those who argue for greater censorship of magazines such as *Playboy* because of its depictions of violence need a new rationale to justify their position." (*Archives of Sexual Behavior*, 1987, vol. 16, no. 4)

In his study of XXX video cassettes, Dr. Ted Palys of Simon Fraser University found a *decrease* in violence in sexually explicit videos. ("Testing the Common Wisdom: The Social Content of Video Pornography," *Canadian Psychology*, 1986, vol. 27)

In a 1990 content analysis of current video tapes, Drs. Ni Yang and Daniel Linz (University of California) found that in XXX explicit pornography, sex accounted for 41 percent of all behavioral sequences, sexual violence for 4.73 percent and nonsexual violence for another 4.73 percent. In Rrated films, sexual behavior accounted for 4.59 percent of all sequences, sexual violence accounted for 3.27 percent and violence accounted for 3.59

percent. ("Movie Ratings and the Content of Adult Videos: The Sex-Violence Ratio," *Journal of Communication*, 1990, vol. 40, no. 2)

Laboratory Studies

The Meese Commission idea that sexually explicit material yields social harms also seems unwarranted. Almost no legitimate researcher now gives credence to the notion that nonviolent sexual material causes anything but sticky paper. They have uncovered no substantive link between sex crimes and sexual images, much less rock and roll. (See Resource Materials, sections 1B and 1E, Meese Commission)

Upon the release of the Meese Commission's Final Report, Dr. Park Dietz, a Meese Commission member and medical director of the Institute of Law, Psychiatry and Public Policy at the University of Virginia, said, "I believe that Playboy centerfolds are among the healthiest sexual images in America, and so are many of Mr. Guccione's centerfolds."

Henry Hudson, chairman of the Meese Commission, said, "A lot of critics think that our report focuses on publications like *Playboy* and *Penthouse* and that is totally untrue."

During the year of its investigations, the Meese Commission asked Dr. Edna Einsiedel (University of Calgary) to write an independent review of the social science literature. Her report also found no link between sexually explicit material and sex crimes.

The Meese Commission then asked then—Surgeon General C. E. Koop to gather additional social science data. Koop conducted a conference of researchers and practitioners in the medical and psychological fields. His report also found no link between sexual material and violence.

(See Resource Materials, sections 1C, Einsiedel Report, and 1D, Surgeon General's Report)

The Meese Commission nevertheless recommended the restriction of sexually explicit material in its *Final Report*. Two commissioners, Ellen Levine and Dr. Judith Becker, so disagreed with the recommendations that they issued a dissenting report. (See Resource Materials, section 1E, Meese Commission) Lambasting the commission for a "paucity of certain types of testimony, including dissenting

expert opinion," they concluded, "No self-respecting investigator would accept conclusions based on such a study." (Becker and Levine, Dissenting Report, pp. 4, 7)

Dr. Becker, director of the Sexual Behavior Clinic at New York State Psychiatric Institute, told The New York Times (May 17, 1986), "I've been working with sex offenders for ten years and have reviewed the scientific literature, and I don't think a causal link exists between pornography and sex crimes."

Dr. Edward Donnerstein called the commission's conclusions "bizarre." (The New York Times, May 17, 1986; see also his overview of the effects of sexually explicit material in The Question of Pornography: Research Findings and Policy Implications, with Daniel Linz and Steven Penrod, 1987, New York, The Free Press) He and other researchers, such as Drs. Neil Malamuth (University of California) and Daniel Linz, found no change, even in attitudes about women, when men were shown nonviolent sexual images that comprise the bulk of the pornography market.

In his November 1990 testimony before the Indecent Publications Tribunal of New Zealand, Donnerstein commented on the idea that sexually explicit materials might act as a trigger to sexual aggression. Donnerstein said he was "of the view that the vast majority of studies indicated that no such trigger mechanism or capacity existed."

In American Psychologist, Linz, Donnerstein and Penrod wrote, "To single out pornography for more stringent legal action is inappropriate—based on the empirical research.... If the commissioners were looking for ways to curb the most nefarious media threat to public safety, they missed it." ("The Findings and Recommendations of the Attorney General's Commission on Pornography: Do the Psychological 'Facts' Fit the Political Fury?" 1987, vol. 42, no. 10)

In 1985, the Institute of Criminal Science, University of Copenhagen, reported that in European countries where restrictions on sexually explicit materials have been lifted, incidence of violent sex crimes over the last 20 years has declined or remained constant. Neither the Canadian nor the British commissions on pornography found any link between sexual material and sex crimes. (See Resource Materials, sections 1F, Danish, Canadian and British investigations of pornography, and 4E, Cross-cultural studies of rape rates and the availability of sexually explicit material)

The British Inquiry into Obscenity and Film

Censorship wrote, "We unhesitatingly reject the suggestion that the available statistical information for England and Wales lends any support at all to the argument that pornography acts as a stimulus to the commission of sexual violence." (p. 80)

Having found no substantive evidence of negative effects from exposure to nonviolent sexual material, researchers investigated material that is "degrading"—that depicts women in subordinate positions or in unusual sex practices. (See Resource Materials, sections 2B and 2C, Effects of exposure to nonviolent and "degrading" sexual material) This research is rife with problems of definition. Is a woman inviting intercourse expressing subordination, love or domination? Is oral or anal sex "normal"? Researchers proceeded in their investigations with their ideas of nonnormative sexual images.

These studies found no link between "degrading" pornography and aggression against women. (D. Zillmann and J. Bryant, "Effects of Massive Exposure to Pornography," in *Pornography and Sexual Aggression*, 1984, New York, Academic Press) At hearings before the New Zealand Indecent Publications Tribunal in 1990, Donnerstein stated that any reasonable review of the research literature would not conclude that exposure to "degrading" pornography yields antisocial behavior.

Additionally, several researchers have found that viewing sexual material produced a *decrease* in aggression in male subjects.

(D. Zillmann and B. Sapolsky, Journal of Personality and Social Psychology, 1977, vol. 35; R. Baron, Journal of Personality and Social Psychology, 1974, vol. 30 (3); R. Baron, Human Aggression, 1977, New York, Plenum Press; R. Baron and P. Bell, Journal of Personality and Social Psychology, 1977, vol. 35; N. Malamuth "Erotica, Aggression and Perceived Appropriateness," paper presented at the 86th convention of the American Psychological Association, 1978; L. White, Journal of Personality and Social Psychology, 1979, vol. 37)

Neither the Surgeon General's report on pornography nor the Einsiedel review of the scientific literature showed any reliable link between "degrading" pornography and sex crimes or aggression.

The final category of sexual material investigated is violent pornography. (See Resource Materials, section 3A, Effects of exposure to sexually violent

material) These research results are the most inconsistent and confusing. Donnerstein, Linz et al. have found that exposure to violent imagery increases aggression in male subjects in laboratory settings (E. Donnerstein and D. Linz, "The Question of Pornography: It Is Not Sex but Violence That Is an Obscenity in Our Society," *Psychology Today*, December 1986). Drs. Neil Malamuth and Joseph Ceniti (University of California) found no effects from exposing subjects to violent pornography. (N. Malamuth and J. Ceniti, "Repeated Exposure to Violent and Nonviolent Pornography: Likelihood of Raping Ratings and Laboratory Aggression Against Women," *Aggressive Behavior*, 1986, vol. 12)

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Donnerstein and Linz attribute the aggressive effects in their experiments to the violent content of images, not the sexual content. When they and other researchers showed subjects sexual imagery with no violence, they saw no aggressive effects. When they showed subjects violent imagery with no sex, they saw the most aggressive results.

In their December 1986 *Psychology Today* article, Donnerstein and Linz wrote,

"The most callous attitudes about rape ... were found among those men who had seen only the violent coercion. Subjects who saw the X-rated version without violence scored lowest."

Dr. Suzanne Ageton is one of the few scientists to investigate attitudes about women and aggression in life situations. (Sexual Assault Among Adoles cents, 1983, Lexington, Massachusetts, Lexington Books) She found that involvement in a delinquent peer group appeared consistently as the most powerful factor in determining violence, accounting for 76 percent of sexual aggression. Three other factors, including attitudes about women and violence, accounted for 19 percent altogether.

After Surgeon General Koop's 1986 conference for the Meese Commission, Malamuth wrote a letter to American Psychologist to correct misstatements published there about material that "portrays sexual aggression as pleasurable for the victim." He wrote:

"We [the Surgeon General's conference] did not reach the consensus that 'this type of pornography is at the root of much of the rape that occurs today.'... We also agreed that 'acceptance of coercive sexuality appears to be related to sexual aggression,' but we did *not* conclude that 'if a man sees a steady stream of sexually violent material ... he begins to believe that coercion and violence are acceptable ... and may himself become the perpetrator.' "(emphasis added)

In 1990, Donnerstein and Linz wrote this warning about research on violent images and aggression toward women:

"The findings are accurate as long as we are referring to laboratory studies of aggression.... Whether this aggression, usually in the form of delivering [mock] electric shocks, is representative of real-world aggression, such as rape, is entirely a different matter." (1990 report to the government of New Zealand)

Explaining the research on violent material, Donnerstein told the District Court of Ontario (in Her Majesty the Queen against Fringe Product Inc., 1989):

"The measure is simply arousal, not sexual arousal. The Zillmann research strongly shows that once you get arousal up—the measures could be heart rate, galvanic skin response; blood pressure is the common one—if arousal is high and subjects are aggressing, it's going to facilitate aggressive behavior, independent of where the arousal comes from. And yes, there are studies where males bicycle ride and then are more aggressive when they are angered."

In sum, subjects in laboratory experiments will aggress if they are angered. If they are additionally "worked up" or aroused in any way, they will increase their aggression. These results will occur if men are exercised by aerobics and are not limited to their viewing sexual or violent imagery.

Another area of the psychological research investigates the formation of paraphilias, or unusual sexual practices, including pedophilia and sexual murder. (See Resource Materials, section 5, Sexual material and paraphilias) At the time of the Meese Commission, Commissioner Dr. Park Dietz said, "No sprinkling of images, however deviant, can render an otherwise normal man either paraphiliac or criminal."

Dr. John Money, director of the Psychohormonal Research Unit at Johns Hopkins University School of Medicine, is likely the world's expert on the subject. In his 1989 book *Vandalized*

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Lovemaps (with Dr. Margaret Lamacz; Prometheus Books), he writes that the derailed sexual impulses of rapists, child abusers, exhibitionists, and the like result from childhood traumas, usually within the child's family, including incest, physical abuse, neglect or emotional indifference.

His research found no evidence that sexually explicit material causes or maintains sexual crimes or aberrations. "The fantasies of paraphilia are not socially contagious," Money wrote in the American Journal of Psychotherapy (1984, vol. 38, no.2). "They are not preferences borrowed from movies, books or other people." People who seek out specialty pornography are attracted to it because the sorts of behavior depicted are already of interest to them.

Dr. Money also found that the majority of people with unusual or criminal sexualities were raised with strict antisexual, repressive attitudes, and he predicted in a *New York Times* article (January 23, 1990) that the "current repressive attitudes toward sex will breed an ever-widening epidemic of aberrant sexual behavior."

Correlation Studies on Sexually Explicit Material and Rape

Researchers have investigated the relationship between sales of sexually explicit material and rape rates. (See Resource Materials, section 4D, Correlation studies of rape rates and sales of sexually explicit material) According to the 1984 studies of Drs. Larry Baron and Murray Straus (Yale University, University of New Hampshire) and the 1988 studies by Dr. Joseph Scott and Loretta Schwalm (Ohio State University), communities with more pornography sales report more rapes. Yet Scott and Schwalm also found higher incidences of rape in areas with strong sales of any men's magazine, such as *Field & Stream*. ("Pornography and Rape: An Examination of Adult Theater Rates and Rape Rates by State," in *Controversial Issues in Crime and Justice*, 1988, Beverly Hills, California, Sage)

When Baron and Straus introduced into their data a "hypermasculinity" rating called the Violence Approval Index, the relationship between pornography circulation and rape disappeared. ("Sexual Stratification, Pornography, and Rape in the United States," in *Pornography and Sexual Aggression*, 1984, Orlando, Florida, Academic Press)

Baron explained at the Meese Commission hearings that "the relationship ... may be due to an

unspecified third variable. It is quite plausible that the findings could reflect state-to-state differences in a hypermasculated or macho culture pattern." (For an overview of the Baron and Straus studies, see L. Baron and M. Straus, Four Theories of Rape in American Society: A State-level Analysis, 1989, New Haven, Connecticut, Yale University Press.)

In later studies, the correlation between rape rates and pornography sales disappeared when the number of young men living in a given area was factored into the data.

There is "no evidence of a relationship between popular sex magazines and violence against women," wrote Dr. Cynthia Gentry (Wake Forest University) in her 1989 study reviewing the data on the relationship between pornography sales and rape. The only factor that predicted the rape rate in a given locale was the number of men between the ages of 18 and 34 residing there. ("Pornography and Rape: An Empirical Analysis," Deviant Behavior, 1991, vol. 12)

In 1988, Scott and Schwalm reported similar findings in their correlation studies on rape rates and sexually explicit material. ("Rape Rates and the Circulation Rates of Adult Magazines," *Journal of Sex Research*, 1988, vol. 24)

Perhaps most interesting is Baron's 1990 study that found a positive correlation between sales of sexually explicit material and high gender equality, suggesting that both flourish in politically tolerant areas. In the Baron study, the best predictor of gender inequality was the presence and number of fundamentalist groups. ("Pornography and Gender Equality: An Empirical Analysis," Journal of Sex Research, 1990, vol. 27)

POPULAR "TRUTHS"

The Media and Minors

Any investigation of the pornography/rock-causes-harm theory must consider its more popular arguments. Perhaps the most serious charge is that dangerous images fall into the hands of minors and so should be restricted from general distribution. (See Resource Materials, section 7C, Effects of the media on minors)

Although the Surgeon General's report found little evidence that children ages 10–17 view X- or XXX-rated material, parents cannot watch their children all of the time and children undoubtedly come across books, TV programming and music that their parents dislike. The great difficulty in trying to restrict such material is that adults hardly agree on

the materials suitable for minors of different ages. One parent's literature, popular entertainment or music is another parent's trash. Some parents would encourage their minor children to see Married ... with Children or The Last Tango in Paris while others would prohibit them from reading *The Diary of Anne* Frank. One only need think of the debate over sex and AIDS education classes or of the controversy that began in 1990 over the Impression reading series. What some teachers and parents consider a syllabus that sparks students' interest in reading others believe contravenes their religious beliefs. The series' section on Halloween, which includes ghost and goblin stories, has been attacked for teaching witchcraft. At least two suits against school districts using the series were filed, in Willard, Ohio, and Sacramento, California.

Should some parents be successful in eliminating the materials they believe are harmful to minors by removing them from libraries, stores or television, they would keep those materials from other adults and other people's children—a determination most Americans would rather make themselves.

Dr. Beverly Lynch, a former president of the American Library Association (ALA), suggests that guiding the reading and viewing of minors is the job of parents, not of local groups or government. It is ALA's position that most parents would prefer to supervise their children's reading and viewing—not only about sex but about religion, politics, money and most other aspects of life—rather than have those decisions made for them by state authorities or other parents, however well-meaning. In 1986, Dr. Lynch told the Meese Commission:

"The American Library Association opposes restricted access to material and services for minors, and holds that it is parents—and only parents—who may restrict their children—and only their children—from access to library materials. We not only defend the right of parents to supervise and guide the reading habits of their children, but we assert that it is their responsibility."

Children encounter people and ideas in life that contradict their parents' beliefs. In such circumstances, parents rely on the values they have imparted to their children to be a foundation for their children's developing views. Most parents allow their children to play out of doors even though they might run into busy streets. They have taught their children to keep away from traffic, and trust that their teaching will prevail. So, too, with books, music and movies. No idea, no matter how offensive, can maim as thoroughly and quickly as an oncoming car.

Testifying to the Ontario District Court in 1989, Dr. Edward Donnerstein reported that should the media have negative effects on viewers, particularly minors, those effects are mitigated by parents and community values.

"There are the parental values, their church values, what they learn about in school or what they learn from mom and dad. And, in fact, I think the most interesting thing about all the research is that it tends to indicate that ... if we as parents only sit down with those children and talk about violence on television, and talk about objectification in films, we actually mitigate the [negative] effects," he said.

Parents have the right and the tedious responsibility to judge art, entertainment and even trash for themselves and their families without the sanctimony of strangers. Like most hypocrisies, censorship provisions are empty flattery. They create the illusion of virtue when one is relying on the "virtue" of others.

The Taxpayers' Revolt

Similar to the parents' protest against offensive material is the "taxpayers' revolt," most evident in the NEA controversy and the 1991 Rust Supreme Court decision (upholding government regulations that prohibit discussion of abortion in federally funded Title X family planning clinics). Its advocates argue that although artists may produce what their muses inspire and the public may purchase the art or information of its choice, taxpayers should not be forced to pay, through government funding agencies, for art or information they do not like.

Yet not all taxpayers agree on what art or information is worth funding. Taxpayers such as Senator Jesse Helms would not support Robert Mapplethorpe's photographs, while thousands of taxpayers in Ohio, Pennsylvania, Massachusetts, California, Connecticut and New York not only favored paying for his work through the NEA but paid for it a second time in admission fees to his

exhibition. Some taxpayers believe information about abortion or career opportunities in the military is poisonous and should not be disseminated; others believe it is crucial to the quality of American life.

To support the art and information one admires, one might need tolerate support for art and information one dislikes but that others believe is worthy. Adlai Stevenson II wrote poetically, "The sound of tireless voices is the price we pay for the right to hear the music of our own opinions."

"They Learned It from Pornography"

Another popular argument against sexually explicit material and rock is that men get ideas from them and force women to do what the photos or lyrics depict. The danger to women here is not in the sex, the positions or the costumes, but in the force—economic, psychological and physical. Coercion is much older than rock or pomography, and women's intimidation begins not with the commercialized image but with confusion and powerlessness. Those who wish women well are wasting their time until they help women acquire the emotional means to know their sexual desires and the emotional and economic means to say "no" when they mean "no" and make it stick.

Another popular line is that taken by the rapists and wife batterers who tell their court-appointed social workers that they learned their ways from pornography. Ted Bundy, before his execution, graced us with such revelations. (See Resource Materials, section 8A, Ted Bundy: Pornography made me do it)

It's a clever ploy. Just look at who gets off the hook. First it was the Devil that made them do it, now it's Miss Jones. In their dissenting report to the Meese Commission, Dr. Judith Becker and Ellen Levine wrote, "Information from the sex-offender population must be interpreted with care because it may be self-serving." (Becker and Levine, Dissenting Report, p. 11)

Dr. Gene Abel, professor of psychiatry at Emory University School of Medicine, said at the time of the Bundy execution, "What we find is that sex offenders have rationalizations and justifications for their behavior. And Ted Bundy, like most of the sadists we've dealt with, had a lot of false beliefs or rationalizations to explain his behavior. What he said, in essence, was, 'It isn't my fault, these are pornographic things that I've seen.' And we just

don't see that relationship."

Bundy's lawyer, James Coleman, said of Bundy's final interview, "It was vintage Bundy. It was Bundy the actor. He didn't know what made him kill people. No one did."

Beneath the pornography-made-me-do-it argument is the traditional blame-the-woman line. Men used to get away with rape and assault with the "tight sweater" excuse. A skirt too short, a neckline too low made rape the woman's fault. According to antipornography logic, it is still the woman's fault—if not the woman in the sweater, then the woman in the magazine. If not the woman in the room, then the woman on the screen, calendar or wall. Attorneys Nan Hunter and Sylvia Law wrote in the Feminist Anti-Censorship Taskforce brief to the U.S. Court of Appeals, "Individuals who commit acts of violence must be held legally and morally accountable. The law should not displace responsibility onto imagery." (In American Booksellers Association et al. v. William Hudnut III et al.)

Also popular today is the claim that men rape because they learned from pornography that it's permissible or that women like it. There is something amiss with the idea that men rape to please women. To the rapist facing his terrified victim, it has always been clear that she didn't "want it." Men rape because it hurts and they do it to hurt women. If society wants to reduce rape, it must address the psychological, economic and social conditions that make men want to inflict such pain.

Community Values

Finally, one comes across the argument that nobody likes pornography and that communities have the right to rid themselves of the junk that nefarious and sleazy outsiders bring in. No one should be made to read, look at or buy what they don't want. Yet perhaps one should not determine what other people read or view by making sure it's not available in local libraries and stores. The retrospective of Robert Mapplethorpe photographs earned the Cincinnati Contemporary Arts Center a record number of visitors and new museum members. A jury of local residents judged it fit for public exhibition. One wonders who was the community whose standards these photographs offended.

Those who wish to restrict sexual material would have one believe that only unhealthy, troubled

characters use it, and certainly no women. From this they reason that women must be protected from it. Relying on traditional notions of female asexuality and "purity," this reasoning promotes sexism more thoroughly than much of the material women's protectors would ban. (See amici curiae brief of the Feminist Anti-Censorship Taskforce, in American Booksellers et al. v. William Hudnut III et al.)

The sales receipts of sexually explicit material tell a different story. (See Resource Materials, section 9B, Community values and sales of sexually explicit materials) Nineteen eighty-nine saw 395 million rentals of adult video tapes, most of which were watched by two or more people. Forty-seven percent of these rentals were made by women in couples or women alone. The figure in 1988 was 398 million. That's 800 million viewings in one year. Reagan's 1984 election was considered a landslide with 54 million votes. These figures do not include adult-video sales, cable TV viewings, mail-order sales, adult-theater attendance or adult-video viewings in private clubs. In a related area, phone sex in 1987 was a \$2.4 million business—up from \$1 million four years earlier. ("Charting the Adult Industry," Adult Video News Buyer's Guide, 1991; Sexuality Today, May 4, 1987)

If pornography is an \$8-billion-a-year industry, as those who wish to restrict it say it is, surely that cannot mean eight perverts are each spending one billion dollars a year. Whose "community values" does sexually explicit material contravene? In the last five years, when antipornography legislation has come before state governments or before the public in local referenda, it has been defeated in Michigan, Maine and Cambridge, Massachusetts.

SEX-INDUSTRY WORKERS

Those who have worked with survivors of sexual abuse have turned the country's attention to the mistreatment of models and actors performing in sexually explicit photographs, films and videos. It seems more than obvious to say that anyone who commits fraud or violence—in the production of sexual material or in any other industry—should be vigorously prosecuted under laws against intimidation, assault, false imprisonment, battery, and rape. Special programs are needed to aid police officers working with those abused in the production

of sexual material and to help them take seriously the charges of models and actors.

The most effective guarantee of safety for sex-industry workers would be provisions making those industries legitimate businesses. The more legitimate, the more accountable to law, from sanitation codes and work-for-hire contracts to criminal codes. Any activity is more dangerous on the black market. A woman cannot go to the police and complain about being cheated of her pay, let alone of being raped, if her job is illegal. She cannot bring her rapist to trial if the cops think she's "cheap" and laugh her out of the station house.

Many people reasonably feel that work in the sex industries is not the ideal job for either men or women. The remedy is economic. Until better jobs are available and accessible, do-gooders are being sanctimonious at the expense of the actors and models who need the work. Closing down the sex industries wipes out a source of income that's crucial to industry employees, no matter how dismaying those jobs seem to others. It closes down options. Education and job training expands them.

At their July 1991 convention, the National Organization for Women considered launching a national campaign against sexually explicit material. Performers from the sex industries attended the convention and lobbied against the campaign, arguing that restrictions on pornography aggravated rather than improved their lives. The sex workers prevailed and the antipornography proposal failed.

WHY DOES CENSORSHIP FEEL SO RIGHT?

A question still nags: Why does the antipornography/antirock argument feel so right? Why is it persuasive to so many men and women? One of its chief appeals is activism. Since sexual images and heavy rock are visible and somewhat illicit, one can easily organize against them. Witness the renown that Women Against Pornography, the American Family Association and the Parents' Music Resource Center have achieved in the last decade. The participants believe they're doing something to better life, and it is rewarding to feel effective.

Pornography and rock and roll are small issues compared with a vast system of knee-jerk sexism or the unsettling economic and social changes

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of the last quarter century. One feels one can get on top of them, beat 'em, win. After years of exhaustion fighting a sexist economy and politics, after years feeling at a loss in an inflationary, shrinking market or in the face of rapid changes in gender roles and parenting, the "decency" movements are a boon to many people who want to feel they control their lives. (M. Pally, "Ban Sexism Not Pornography, *The Nation*, June 29, 1985)

Psychologist Paula Webster suggests yet another idea. She writes that the antipornography argument feels right because it carries "the voice of mom." (Paper to Women and the Law Annual Conference, March 1985) Most people in Western societies grow up with the feeling that sex is dirty and that abandon is dangerous. Most women grow up with the assurance that men are dangerous. They heard it indirectly or they heard it point blank, but the message becomes a lens through which they see the world.

In later years, most adults develop the sexual aspects of life. Yet the old lessons remain embedded in the imagination and at the core of the emotions. So when one is told that pornography is dirty and makes men dangerous, it "clicks." When one hears in adult language and political terminology the things one absorbed when one was young, it sounds infallible. Already suspicious of sex, one calls it culprit. Suspicious of dark nights with loud music and hectic dancing, one calls it Walpurgisnacht and blames the witches for one's woes.

Consider the parents who claimed the rock group Judas Priest made their sons commit suicide. To prove their point and collect damages, they went to court, where other information about the boys came to light. Ray Belknap was 18; his parents separated before he was born. His mother married four times and her last husband regularly beat Ray. He also threatened Ray's mother with a gun in front of the boy, according to the police. Ray had quit high school after two years and was a heavy user of hallucinogens and cocaine. But the rock lyrics made him do it. James Vance, Ray's friend, was born when his mother was 17. She beat him when he was a child, and when he got older, he beat her in return. He also had a history of drugs and boasted of drinking two six-packs of beer a day. But the rock lyrics made him do it. (The New York Times, September 20, 1990)

Would that the cure to society's troubles

were a matter of eliminating pornography and rock and roll. Would that it were so single-issue or so easy. The words of Drs. Morris Lipton and Edward Greenwood, members of the 1970 commission on pornography, come to mind:

"We would have welcomed evidence relating exposure to erotica to delinquency, crime and antisocial behavior, for if such evidence existed, we might have a simple solution to some of our most urgent problems. However, [this] ... is not only to deny the facts, but also to delude the public by offering a spurious and simplistic answer to highly complex problems." (Psychiatric News, March 15, 1972)

Censorship has always been more problem than solution. It purges society of books, movies and music, leaving hate, racism, sexism, drug abuse, poverty and violence flourishing as they did before the printing press, phonograph and camera.

RESPONDING TO OFFENSIVE SPEECH

In the instance that one sees or hears ideas that are offensive or dangerous, the least productive tactic is to invoke censorship. Thomas Paine wrote, "He that would make his own liberty secure, must guard even his enemy from opposition; for if he violates this duty, he establishes a precedent that will reach to himself." The tough part about free speech is enduring it when the other guy is talking.

Rather than silence one's opponents, one would do better to use the offensive speech to get one's own voice heard, to add to the debate. "Bad" ideas are best used as an occasion to attract attention to "good" ones, with the understanding that one's adversaries will try just as energetically to get their points across. Student groups and university administrations who seek to rid their campuses of prejudice would do better to use this approach than to ban so-called "hate speech." Colleges and universities, with their continuing hubbub of rallies, meetings and debates, seem ideal places to learn how to use offensive views to spur discussion and promote better ideas.

This add-to-the-debate approach is more daunting outside the university, where individuals or small groups face wealthy, vertically integrated media conglomerates. It's the old problem of trying to speak when one doesn't own the presses. Yet 25

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years ago, what began as a small ragtag group of student loudmouths slowly convinced the public and media of the folly of the Vietnam war. At the start of the Sixties, most people and members of the press were in favor of the U.S. presence in Southeast Asia; by the end of the Sixties, most, including mainstream news commentators, were against it. The campaign against smoking, 20 years ago the effort of a small, curious group, has persuaded millions of Americans to quit. More recently, inexperienced groups of gay men protested against a dearth in AIDS funding and have grown into impressive lobbying forces with considerable budgets in half a dozen or so years.

Feminists and civil rights activists made nuisances of themselves till they were heard. No public figure says "nigger" today and few say "girl" not because the words were banned but because blacks and women convinced the country that racism and sexism were wrong. Women and minorities aired their ideas, both in the mainstream media and in the publications, galleries and theaters they established. Writers, theorists and artists rode the coattails of a political effort and, in turn, provided a spin for the politics to go another round. The supposedly quicker solution of silencing "bad" speech gives up the game. Having established the precedent of censorship, there is nothing to stop one's views from being silenced next.

The people who own the presses worked hard for that privilege. They did, or their fathers or grandfathers; someone put in a good deal of time and effort. Power never cedes. To promote new ideas, one has to do the work that persuades people to pay attention. One has to not only think, write or perform but also set up the structures, political and financial, to help unorthodox voices be heard. It is a double load, it takes its toll and it has taken up lifetimes. The advantage of having an uncensored marketplace of ideas is that one gets to make one's bid.

The principle behind freedom of expression is not that it automatically secures what one thinks is good or true, but that it is society's best chance at truth in the long run. The nation bats ideas back and forth in public, advancing and modifying its opinions. The alternative is to let someone appoint himself king and have his way. In 1947, Winston Churchill told parliament, "It has been said that democracy is the worst form of government, except all those other forms that have been tried."

Democracy takes time and it is a contact sport. One has to be there and there's no automatic pilot. "The right to differ on things which do not matter much is the mere shadow of freedom," wrote the Supreme Court. "The test of substance is the right to differ on things which touch the very heart of existing order."