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13 ABSTRACT (Maximum 200 words) This thesis shows how pornography is antithetical to current Army goals, values, and policies. It draws heavily upon Army documents, regulations, and policy statements, social science research, and ethical and theological perspectives. CH 1 deals with introductory material, definitions of pornography and obscenity, and the 1973 Supreme Court ruling on obscenity. CH 2 discusses the harmful effects caused by pornography, based primarily upon social science research. CH 3 explains why the Army should change its benign stance on pornography, based on the Army themes of the Marsh years, and Army policies on sexual harassment and drug use. CH 4 explores ethical issues, particularly Christian and Jewish ethics as they relate to pornography. CH 5 draws several conclusions from the previous discussion, primarily that the Army should discourage the use of pornography and eliminate the sale of pornography from its exchange facilities. Bibliographic listings are also included.

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ETHICAL CONSIDERATIONS AND POLICY IMPLICATIONS

David Eugene Bates

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CHAPTER 1

INTRODUCTION

The Purpose of This Paper

I have written this thesis because of my general concern about the cumulative effects of pornography upon American society, and my particular concern about its consequences for the United States Army. As a chaplain and a former armor officer, I have dealt in some way with the issue of pornography from both a command and a religious perspective. During my nineteen years of active and reserve duty, significant changes have taken place in the Army, and in the pornography which is rampant throughout the military. The Army, for example, has witnessed a vast influx of technology, increased enlistment and retention standards, greater emphasis on equal opportunity, the increasing recruitment of women, and the shift from a predominantly single to a mostly married force. Pornography has also changed dramatically during this time. Even in soft-core magazines, the steady escalation of graphic depictions has progressed from simple female nudity to adult/child sex, sado-masochism, rape scenes, bestiality, and degradation of women.¹ Depictions of sexual and nonsexual

¹Judith A. Reisman, "Executive Summary: IMAGES OF CHILDREN, CRIME, AND VIOLENCE IN PLAYBOY, PENTHOUSE, AND HUSTLER MAGAZINES," Office of Juvenile Justice and Delinquency Prevention, United States Department of Justice, Project No. 84-JN-AX-K007, November, 1987, The American University, Washington, D.C., 10.

child abuse have also increased, as well as portrayals of sexual and nonsexual violence.²

These and other changes in the military and in the pornographic industry compel a reconsideration of the Army's benign stance on pornography. Consequently, I will show in this paper that pornography is antithetical to the goals, values, and policies that currently operate in the Army community. I will also advocate that the Army officially discourage the use of all types of pornography, whether soft-core or hard-core, legally obscene or not. Because of pornography's harmful effects and anti-social values, I will recommend that the Army terminate the sale of pornographic materials on its posts and installations.

To support these propositions, I will use a variety of information drawn from diverse sources. I will depend heavily upon existing material from Army documents, regulations, and official literature. I will also incorporate additional information from Department of Defense documents and regulations, and United States laws and Supreme Court rulings. Furthermore, I will incorporate theological perspectives into my discussion. In one chapter, I will present Christian and Jewish teachings on sexuality and spirituality to underscore the anti-human and anti-God nature of pornographic material. Admittedly, Army values and policies are not necessarily grounded in religious precepts. They are, however, frequently moral or ethical in nature. Thus, Jewish and Christian

²Ibid, 9.

ethical concepts can helpfully inform Army ethics, values, and practices. Nevertheless, potent non-theological arguments against pornography also exist that are quite compatible with the diversity and pluralism of Army society.

Whenever possible, I have also included data obtained from field studies and clinical research conducted by sociologists, psychiatrists, and other professionals who study pornography. I have concentrated on those studies which were the more recent, systematic, or scientifically sound. As a result, I have avoided using anecdotal stories and eyewitness accounts. Although I believe that these accounts are powerful, provocative, and truly reflect the pernicious operations of the pornographic industry, they do not provide the "proof" which persuades policymakers. Nevertheless, many of the social science studies which I have used corroborate the anecdotal evidence.

In addressing the 1985 Army theme of Leadership, Secretary of the Army John O. Marsh, Jr., noted that, "Just as in the past, our Army today requires leaders who possess the highest ethical and professional standards and are committed to mission accomplishment and the well-being of subordinates."³ As a leader and as a soldier, I believe that pornography weakens ethical and professional standards, and is detrimental to the well-being of the Army's soldiers, civilians, and family members. As a chaplain I also believe

³John O. Marsh, Jr., "Leadership--Key to Army Themes," Soldiers 40, no. 4 (April 1985): 2.

that pornography violates the principles of Christian morality. Nevertheless, the threat of pornography does not lie solely in its subversion of religious standards. Pornographic materials are also dangerous to the Army because they undermine the orderliness of its society, contradict its goals and values, and thus impair its mission accomplishment.

What is Pornography?

Pornography has flourished in the United States during the last forty years. Tentatively breaking new ground with the first issue of Playboy magazine in 1953, the pornographic industry has since flooded the nation with sexually explicit materials. Four decades ago, pornography was hard to find in the United States; today it is hard to avoid. Whether in magazines, books, television shows, radio programs, movies, videos, music, or live performances, pornography has invaded the private and public lives of American citizens. The sale of sexually explicit materials in all of its forms has reached an estimated \$8 billion a year, and generates huge legal and illegal profits for its promoters. By claiming the constitutional protection of free speech, pornography poses as a legitimate form of sexual expression and "entertainment." Because it specializes in abuse, however, pornography flagrantly perverts both free speech and entertainment.

Any discussion of pornography, its effects upon the individual, and its implications for society, must eventually deal with the problem of definition. The original meaning of the word, "the writing of prostitutes," is not very helpful,

for it bears little relationship to its modern usage. Writings about or by prostitutes may, in fact, be pornographic, but the term applies to a wider spectrum of sexual description, explicitness, and practice. Depending on what, how, and how much it reveals or describes, pornography may be categorized as soft-core or hard-core, obscene or not obscene, legal or illegal. It may depict heterosexual activity, homosexual activity, child/adult sexual activity, bestiality, masturbation, sado-masochism, or other sexual perversion. Pornography may be presented visually through films, pictures, magazines, books, or live performances, or audibly through recordings, phone calls, or profanity. It may also be explained in terms of quality as a work of art or literature, the intention of its creator, or its political significance. In spite of this wide variety of application, a suitable definition of pornography is essential to understand the controversy that swirls around it.

Although pornography deals with sexual subjects, not all material that is sexually explicit or which causes sexual arousal can be defined as pornographic. Such an expansive definition would impoverish authentic art and literature, where the erotic impulse often underlies artistic creativity.⁴ An overly broad definition would also include educational material whose primary purpose was to inform and not to arouse. A wide range of ordinary, everyday things may also

⁴Herant Katchadourian, Fundamentals of Human Sexuality, Fifth Edition (Fort Worth: Holt, Rinehart and Winston, Inc., 1989), 518.

cause sexual stimulation, and to call them pornographic would make the meaning of the term unintelligible.

Much of this sexually oriented material can be classified as erotica, which generally represents healthy expressions of human sexuality. The distinction between erotica and pornography is often difficult to determine, and thus somewhat arbitrary.⁵ Erotica may or may not be sexually explicit, or even depict sexual activity. When erotica does present adult sexual relationships, however, they are based on voluntary participation, mutuality, equality, and a sharing of pleasure between the man and woman.⁶ Erotica, such as that seen in romantic movies or portrayed on many magazine covers, creates normal amatory desires or arouses common sexual feelings. It stimulates sexual sensations without being degrading, demeaning, or violent, characteristics which are common to pornography.

In contrast to erotica, psychologist Dr. Victor Cline notes that pornography is "made by men for male consumption, is extremely sexist, and gives a great deal of misinformation about human sexuality--especially about female sexual nature and response."⁷ Furthermore, most pornography is devoid of

⁵To avoid confusion, I will use the term "erotica" in this paper to designate less explicit forms of sexuality or sexually related material that are not pornographic. I will not use the terms pornography and erotica synonymously.

⁶Katchadourian, 522.

⁷Victor B. Cline, "Pornography Effects: Empirical Evidence." Department of Psychology, University of Utah, Salt Lake City, 2.

love, relationship, and responsibility, says nothing about the risks of sexually transmitted diseases, and generally dehumanizes both males and females. It also rejects traditional moral standards, and encourages sexually deviant behavior. Thus, pornographic material is considered unacceptable because of the way it treats sexual matters, and not simply because it contains sexual material.

Pornography can be defined descriptively as any written, visual or auditory material that is sexually explicit, and which is primarily intended to arouse sexual desire.⁸ Dr. Robert Stoller, a psychiatrist specializing in human sexuality, defined pornography as "activities usually sexual, but not necessarily overtly sexual, projected into written, pictorial or aural material, to induce genital excitement in an observer."⁹ Although these definitions do not automatically carry any moral connotation, they have the advantage of indicating that the pornographic element lies in the material itself or in its effects, and not in the judgment of the reader, viewer, or listener. Perhaps, by using a descriptive definition, more people would agree on what pornography is. Nonetheless, they would still need to decide whether or not a specific example of pornography was good or bad.

⁸Final Report of the Attorney General's Commission on Pornography, with Introduction by Michael J. McManus (Nashville, Tennessee: Rutledge Hill Press, 1986), 7.

⁹Linnea Smith, "Distribution of Sadistic Videos to Minors," a paper presented to the Juvenile Law Study Commission, 5 October 1990, 6.

Most people, however, attach an element of moral condemnation to pornography, and thus endow the word with evaluative meaning. As a result, pornography can be defined as material which deals with sex in such a way that it degrades the humanness of persons by objectifying the victim and exploiting the viewer.¹⁰ Pornography is also seen as sexually explicit material which appeals to and exploits a person's prurient (lustful, erotic, shameful, or morbid) interest, usually within the context of financial gain.¹¹ Furthermore, the British Longford Report of 1972 defined pornography as "that which exploits and dehumanises sex, so that human beings are treated as things and women in particular as sex objects."¹²

An evaluative definition of pornography, however, immediately raises the problem of who makes the moral judgments. As critics of evaluative definitions point out, one reasonable person may regard certain material as pornographic, while another equally reasonable person may regard the same material as not pornographic. The problem is exacerbated by the fact that all sexually explicit material is not pornographic. Instead, such material runs the gamut from

¹⁰John H. Court, Pornography: A Christian Critique, Outreach and Identity: Evangelical Theological Monographs, World Evangelical Fellowship Theological Commission, No. 5 (Downers Grove, Illinois: InterVarsity Press, 1980), 67.

¹¹Social Responsibility Committee of the Church of Scotland, Obscenity and Community Standards (Edinburgh: The Saint Andrew Press, 1979), 7. I will use the term "pornography" in this sense throughout this paper.

¹²Court, 10.

clearly acceptable at one end to utterly unacceptable at the other. Between these extremes lie the gray areas where judgment is more difficult and decisions are more controversial. Consequently, the precise dividing line between pornographic and non-pornographic material is, to some extent, a matter of individual and community judgment. Nevertheless, the difficulty in defining pornography precisely should not deter the concerned citizen from attacking the huge volume of material which is clearly lewd and offensive to the majority of people.

The variations in the explicitness of pornography are important for evaluative as well as legal reasons. For example, Americans make much of the distinctions between soft-core and hard-core pornography. Many people consider soft-core material to be acceptable, since it often portrays sexual activity in a less explicit or inoffensive manner. This type of material usually depicts female nudity or highly suggestive sexual interactions, and is typically found in Playboy, Penthouse, and other men's entertainment magazines. Hard-core pornography, on the other hand, displays genitalia in close focus, exhibits scenes of genital penetration or contact, and depicts deviant sexual behavior. Child pornography is also included in this category. Because it treats sexual material in such detailed and offensive explicitness, hard-core pornography is considered unacceptable.

Although these distinctions provide handy guides for determining the acceptability of sexually explicit material, they can generate more confusion than clarity. Soft-core publications, which are generally considered to be not obscene and therefore legal, often incorporate hard-core themes, such as child/adult sex, sado-masochism, and bestiality into their material, either in written or pictorial form. Hard-core material, which is usually obscene and thus illegal, may include portrayals of people enjoying consensual sexual activity. Although the degree of explicitness may vary, the boundaries between the two types of pornography can become easily blurred. Furthermore, recent research has found that both types of pornography generate actual and potential harms. Consequently, for the purposes of this paper, I will use the term "pornography" to include all types of pornographic material, except where the distinctions between soft-core and hard-core are important and must be delineated.

For legal purposes, the most important difference between the types and forms of pornography is whether or not the material is obscene. Unfortunately, the word "obscenity" shares some of the same problems in definition that plague the term "pornography." Reasonable people often disagree on the content and characteristics of obscene material. Additionally, the term connotes a moral judgment, and often requires other words of moral judgment to help define it. These new words may in turn need further explication. Finally, "obscenity" has been used to describe such a large

and disparate variety of shameful ideas, objects, processes, and conditions, that the force of its application has been diluted. Nevertheless, within the context of pornography, obscenity can be used to describe any action, gesture, or word which is offensive to accepted standards of decency, and by which people degrade themselves or others.¹³

Since all pornography is not obscene, criteria for determining obscenity must be established. Personal opinion is sufficient, of course, for private judgment, and is often influenced by religious considerations. The community, however, requires a consensus of opinion in order to adopt accepted norms. Although these criteria may not represent the views of every citizen, they should reflect the general standards of the community in which the citizen resides. These standards are necessary for very practical reasons. People need rules of behavior, for example, to govern their continued association for their mutual benefit. Laws provide the community with stability and cohesion, which allow citizens to pursue their individual goals. Norms also help to prevent citizens from being overly selfish, and encourage people to contribute to the common good. Thus, the need for community standards is genuine, whether the citizen appeals to secular practicality or to religious principle.¹⁴

Furthermore, a society is unlikely to cohere if its citizens perceive each other primarily as sources of

¹³Social Responsibility Committee of the Church of Scotland, 5.

¹⁴Ibid, 9-10.

individual pleasure.¹⁵ Without mutual trust and respect, citizens will lack the communal identification needed for cohesion. Their pursuit of pleasure will also exclude the love and affection required to form and maintain the emotional commitments which bind people together. Consequently, obscenity threatens the foundations upon which a society rests by degrading individual commitment and community values. Criteria for determining obscenity thus play an important role in preserving community life.

While rejecting a national standard of obscenity, the United States Supreme Court has established standard criteria to serve as guidelines for the states in determining obscene material. These criteria resulted from the 1973 Court decision on Miller v. California, a case in which Marvin Miller had been convicted of violating the California Penal Code by distributing sexually explicit material. When determining obscenity, the Court ruled that the material must satisfy each of three tests. These tests are: "whether 'the average person, applying contemporary community standards' would find that the work, taken as a whole, appeals to the prurient interest; whether the work depicts or describes in a patently offensive way, sexual conduct specifically defined by the applicable state law; and whether the work, taken as a

¹⁵Ernest van den Haag, "Democracy and Pornography," in Where Do You Draw the Line? An Exploration into Media Violence, Pornography, and Censorship, ed. Victor B. Cline (Provo, Utah: Brigham Young University Press, 1974), 261.

whole, lacks serious literary, artistic, political or scientific value."¹⁶

Within these constitutional guidelines, the Supreme Court declared that each state could determine its own definition and standards of obscenity.¹⁷ The Court also inferred that local communities within the state could also make their own determinations under the new standards.¹⁸ Thus, the same sexually explicit material could be declared legally obscene in one state or community but not in another. Each state was also given the power to restrict a minor's access to sexual materials that may not be otherwise considered obscene by adult standards. Furthermore, the Court reaffirmed a previous ruling from a 1957 obscenity case that declared that obscene material was not protected by the First Amendment. The Court also discarded the requirement established in 1966 that sexually explicit material must be "utterly without redeeming social value" in order to be declared obscene.

Although Miller v. California established new guidelines for enacting obscenity legislation, the criteria have been only partly successful in stemming the proliferation of pornography. Obscenity convictions have been most successful for cases dealing with hard-core pornography, while soft-core

¹⁶Paul J. McGeady, "Obscenity Law and the Supreme Court," in Where Do You Draw the Line?, ed. Cline, 94.

¹⁷For a commentary on Miller v. California, see Ibid, 97-103.

¹⁸Ibid, 98.

material has remained relatively unprosecuted. Although lax enforcement of existing laws is largely to blame for the continued spread of pornography,¹⁹ uncertainty (or, perhaps unwillingness?) still exists in strictly defining, interpreting, and applying the legal tests for obscenity. Without a clear understanding of what constitutes such elements as "community standards," "prurient interest," and "patently offensive manner," policymakers will continue to be hampered in their efforts to control pornography.

¹⁹"The Report of the Attorney General's Commission on Pornography," in Pornography: A Human Tragedy, ed. Tom Minnery (Wheaton, Illinois: Christianity Today, Inc., Tyndale House Publishers, Inc., 1986), 292.

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CHAPTER 2

WHAT IS WRONG WITH PORNOGRAPHY?

The Harmful Effects of Pornography

The harms which pornography causes to individuals and to society are the source of great debate in America. While some agreement has been reached on the detrimental effects of hard-core pornography, greater diversity of opinion exists on the consequences of less explicit materials. While soft-core publications like Playboy and Penthouse are not considered legally obscene, their influence upon attitudes and behavior are still harmful. Although moral objections to pornography abound, citizens do not need to be religious to understand the threat which pornography poses to society.

Pornographic material, for example, promotes values which undermine the family system.¹ As the foundation of a stable society, the family depends upon healthy relationships between husband and wife, and parents and children. Pornography subverts these marital and parental interactions. It encourages spouses to use each other as objects for sexual gratification, and glorifies infidelity. Whereas healthy familial relationships generate mutual love, trust, respect,

¹Stephen Monsma, "Should Christians Push Their Views on Others?," in Pornography: A Human Tragedy, ed. Tom Minnery (Wheaton, Illinois: Christianity Today, Inc., Tyndale House Publishers, Inc., 1986), 81.

and help, pornography thrives on exploitation and dehumanization. Furthermore, the family system offers a special protection for children, a place where they can mature without having their sexuality violated. Pornography, on the other hand, extols the pleasures of incest and trivializes child molestation. In explicit and implicit ways, pornography attacks the organization and purposes of the family in the name of a false sense of sexual liberation.

Pornography is also degrading and humiliating to women. In both written and visual material, pornography attacks the dignity of women by reducing them to sex objects who await the lustful pleasure of males. Pornography exploits and victimizes women by showing them nude, bound, gagged, penetrated by foreign objects, and submissively kneeling to perform fellatio. These depictions convey more than a simple assault upon female modesty. They also serve to reinforce notions of the subordinate role of women in sexual relationships, and of male dominance and power in interpersonal associations.²

The degrading nature of pornographic material provides the stimulus for feminist attacks upon the pornographic industry. Feminists consistently oppose the humiliating and abusive way in which pornography depicts women. They also reject portrayals of violence against women, as well as the notion that women enjoy being abused. The feminist movement

²James C. Dobson, "Enough is Enough," in Pornography: A Human Tragedy, ed. Minnery, 40.

is divided, however, on the issue of eliminating pornography altogether. Many feminists are not disturbed by sexual explicitness, and wish to preserve the freedoms they have gained in sexual expression. They are more concerned about depictions of inferior status or unequal power for women. Other feminists, however, oppose both the sexual explicitness and the coercive aspects of pornography. Some of them view pornography as a violation of women's civil rights.³

Furthermore, depictions of violence against women in pornographic literature can stimulate aggressive attitudes and even violent acts against women in real life. Drs. Neil Malamuth and Seymour Feshback, for example, conducted research in this area at the University of California at Los Angeles. Their study revealed that 51% of the male students who were exposed to violent pornography indicated a greater likelihood of committing rape if they knew they would not get caught.⁴ Other studies by Drs. Malamuth and Edward Donnerstein also explored the effects of viewing violent sexual material. Their research revealed that this exposure decreased the viewer's sensitivity to rape, fostered more aggressive rape fantasies, and reinforced the "rape myth," by which men

³For an examination of feminist views on pornography see Andrea Dworkin, Pornography: Men Possessing Women (London: The Women's Press Limited, 1981), and Laura Lederer, ed., Take Back the Night: Women on Pornography (New York: William Morrow and Company, Inc., 1980).

⁴Neil M. Malamuth, "Aggression Against Women: Cultural and Individual Causes," in Pornography and Sexual Aggression, ed. Neil M. Malamuth and Edward Donnerstein (Orlando, Florida: Academic Press, Inc., 1984), 22.

believe that women really enjoy and even desire to be taken by force.⁵ Dr. Malamuth has also suggested that "the portrayal of sexual aggression within such 'legitimate' magazines as Playboy or Penthouse may have a greater impact than comparable portrayals in hard-core pornography."⁶ He concluded that this danger may exist because observers are more willing to accept uncritically the information that is conveyed by soft-core material. The results of these and other studies led the Attorney General's Commission on Pornography to conclude in its 1986 report that some forms of sexually explicit material bear a causal relationship to sexual violence.⁷

The use of pornography is also progressive and addictive for at least some percentage of men. The psychologist, Dr. Victor Cline, suggests that addiction to pornography is a psychological dependency that is learned over time, and can result in a sexual deviation.⁸ According to Cline, as the dependency develops, the addict begins to use sexually explicit materials compulsively and repeatedly. As he becomes desensitized to the pornography's effects, he obtains rougher material in order to receive the same sexual stimulation as

⁵Ibid, 25.

⁶Ibid, 42.

⁷Final Report of the Attorney General's Commission on Pornography, with Introduction by Michael J. McManus (Nashville, Tennessee: Rutledge Hill Press, 1986), 34.

⁸Victor B. Cline, "The Effects of Pornography on Human Behavior," (Testimony before the Attorney General's Commission on Obscenity and Pornography, 11 September 1985), in Franklin Mark Osanka and Sara Lee Johann, Sourcebook on Pornography (Lexington, Massachusetts: Lexington Books, D.C. Heath and Co., 1989), 194.

before. Pornography that was initially shocking and offensive eventually becomes acceptable and commonplace. This psychological confusion causes the addict to legitimize immoral fantasies and acts. Finally, he may begin to act out the sexual activities described or seen in the pornography, as he attempts to translate his fantasy into reality.

Like drugs or alcohol, pornography can control and ruin the addict's life. Addiction to sexually explicit material may or may not lead to sexually related crimes, although it did figure prominently in the multiple sex murders committed by Ted Bundy and Gary Bishop.⁹ Addiction can also interfere with normal sexual relationships, as partners attempt to imitate the fantasies portrayed in stories, pictures, and films. Among spouses, the husband's passion for explicit materials can lead to sexual disinterest in his wife and subsequent marital conflict.¹⁰

When used by pedophiles and child molesters, pornography is harmful in a number of ways. Research conducted by Dr. Ann Burgess, a professor of nursing at the University of Pennsylvania, reveals that molesters use pornography to satisfy their sexual fantasies, and to arouse themselves to commit sexual crimes.¹¹ Furthermore, pedophiles often use

⁹See the "Focus on the Family" newsletter, edited by Dr. James C. Dobson, August 1989, pages 9 and 10.

¹⁰Dobson, "Enough is Enough," 40.

¹¹Ann Burgess, Testimony submitted to the Attorney General's Commission on Pornography, 20 June 1985, in David A. Scott, "Pornography and Violent Behavior," in Pornography: A Human Tragedy, ed. Minnery, 153.

pornography to exploit children sexually. By showing them nude pictures of adults or other children, abusers weaken their victims' defenses, entice them to imitate sexual acts, and teach them how to perform. Following the child's initial exposure to sexual activity, the pedophile may inflict additional physical or mental abuse.

Life-long harm also occurs when pedophiles exploit children as subjects for pornography. When making kiddie porn, for example, pedophiles induce or coerce children to model for photographs, or film them while engaging in sexual acts with adults, animals, or other children. Once the child has been filmed committing these acts, the pedophile can use the pictures to coerce the child to perform again, or to remain silent. Since pedophiles abuse an average of 366 boys and girls in a lifetime, their use of pornography to seduce innocent children represents a serious threat to society.¹²

Reports indicate that more than 85% of all commercially produced pornography in America is controlled by organized crime.¹³ Pornography is a very profitable business, and crime bosses make huge, tax-free profits from the sale and distribution of these materials. Furthermore, businesses that sell pornography often attract other forms of criminal activity, such as prostitution, drugs, and street crime.

Pornography contributes to public health problems in direct and indirect ways. Through its advocacy of promiscuous sexual activity, pornography indirectly

¹²Dobson, "Enough is Enough," 41.

¹³Ibid, 40

contributes to the spread of sexually transmitted diseases. Dr. Park Dietz, a child psychiatrist, considers pornography to be a serious medical and public health problem because it "teaches false, misleading, and often dangerous information about human sexuality."¹⁴ Intentionally or not, pornography serves as an informal source of sex education for juveniles. Thus, exposure to misinformation or to unhealthy forms of sex, such as sexual violence, may distort the sexual development of youth during the formative years of their sexual identity. Children can also become sexually confused or stimulated prematurely if exposed to even healthy forms of sexual expression at too young an age.¹⁵

In more direct ways, adult bookstores often become centers of disease and unsanitary sexual activity.¹⁶ These health problems are primarily associated with the video and film booths which provide the largest source of revenue for the bookstore. By depositing a coin in a slot, a patron can view about ninety seconds of a pornographic movie, or watch a live sex show. The booths may also contain holes in the adjoining walls to allow customers to engage in anonymous sexual encounters. As a result of these activities, the booths can become filthy from human body fluids, condoms, and

¹⁴Linnea Smith, "Distribution of Sadistic Videos to Minors," a paper presented to the Juvenile Law Study Commission, 5 October 1990, 7-8.

¹⁵Herant Katchadourian, Fundamentals of Human Sexuality, Fifth Edition (Fort Worth: Holt, Rinehart and Winston, Inc., 1989), 524.

¹⁶Dobson, "Enough is Enough," 42.

sexual paraphernalia. Under these conditions, the risk of contracting a sexually transmitted or other type of disease is great.¹⁷

Lastly, pornography poses an especially insidious harm when it falls into the hands of children and adolescents. Although society takes some inadequate precautions to protect minors from these hazardous materials, opportunities for viewing or possessing pornography abound. In America today, more stores sell pornographic videos than McDonald's restaurants sell hamburgers.¹⁸ Youth secretly read their parents' adult magazines, and openly share pornographic material with each other. Cable television brings sexually explicit movies and shows into the home. Dial-a-Porn telephone services enable persons of any age to listen to pre-recorded or live messages filled with sexually explicit conversation. Obscene lyrics in rock music pervade tapes, radio, television, and videos. As a result, minors have easy access to many forms of pornography, with or without parental awareness. As Dr. James Dobson has noted, "At an age when elementary children should be reading Tom Sawyer and viewing traditional entertainment in the spirit of Walt Disney, they are learning perverted facts which neither their minds nor bodies are equipped to handle."¹⁹

In a 1973 Supreme Court decision, Chief Justice Warren E. Burger declared that, "although most pornography may be bought by elders, the heavy users and most highly exposed people to

¹⁷Ibid.

¹⁸Ibid, 43.

¹⁹Ibid.

pornography are adolescents."²⁰ A number of studies confirm the increasing exposure of juveniles to pornography. Research conducted by Dr. J.V.P. Check in Canada indicated that "children between twelve and seventeen had the greatest interest in pornographic matter and were prime purchasers of it."²¹ Pornographers are clearly aware of this trend, and include materials in their products that can attract a juvenile audience.²² By catering to adolescents, pornographers cultivate a new generation of buyers for their product.

A survey involving 100 males and 100 females from each of three age groups (junior high, high school, and adult, aged 19-39) revealed additional statistics about the extent of juvenile use of pornography.²³ The results of the survey disclosed that 91% of the males and 82% of females had seen a magazine which depicted couples or groups in explicit sexual acts. The average age of first exposure to this pornography was 13.5 years. A larger percentage of high school students had seen X-rated films than responders in any other age group, including adults. 84% of the participants reported exposure

²⁰David R. Leigh, "The View from the Supreme Court," in Pornography: A Human Tragedy, ed. Minnery, 98.

²¹Dobson, "Enough is Enough," 43.

²²Judith A. Reisman, "Executive Summary: IMAGES OF CHILDREN, CRIME, AND VIOLENCE IN PLAYBOY, PENTHOUSE, AND HUSTLER MAGAZINES," Office of Juvenile Justice and Delinquency Prevention, United States Department of Justice, Project No. 84-JN-AX-K007, November, 1987, The American University, Washington, D.C., 9.

²³Dobson, "Enough is Enough," 43-44.

to such films. 46% of junior high school students had seen one or more X-rated movies, and the average age of their first exposure was 14 years, 8 months. As the survey shows, teenagers experience early exposure to pornography, and are consistent users of adult entertainment materials.

The Supporting Evidence of Harmful Effects

Although the controversy over the harmful effects of pornography has raged for decades, it received renewed impetus in 1970. In that year, the Presidential Commission on Obscenity and Pornography completed its three year investigation. In its report the Commission concluded that pornography was essentially harmless, and that laws "prohibiting the sale, exhibition, and distribution of sexual materials to consenting adults should be repealed."²⁴ The report even suggested that pornography had potential therapeutic value. Although the Commission's work was not made into law, it had a profound effect upon public attitudes. Since the Commission based its judgment in part on social science research, many citizens accepted its findings uncritically. Clothed in new-found respectability, a wave of pornography flooded the nation. As the volume of pornographic materials increased, they also became more sexually explicit, degrading, and violent. Since that time, another executive commission has condemned pornography as a menace to society. This Commission also based its conclusions in part on new

²⁴Katchadourian, 522.

research that disclosed the harmful effects of violent, and non-violent, pornographic materials.

Dr. Dolf Zillmann at Indiana University, his colleague, Dr. Jennings Bryant at the University of Houston, and their associate, James Weaver at the University of Kentucky, have conducted the most systematic research on non-violent forms of pornography.²⁵ In 1984, these social psychologists investigated the effects of a common variety of pornography.²⁶ This type contained no violence or degradation, and portrayed people enjoying sex, either by themselves, as couples, or in groups. Pornography of this sort is frequently found in commercially released X-rated films and videos, and in magazines such as Playboy, Penthouse, and Hustler. Although some of this material could have been legally obscene, it was nevertheless non-violent in nature.

After carefully screening sixty subjects and dividing them into three groups, Zillmann devised a method to control their exposure to pornography. During the course of six weeks, he showed one group 36 pornographic films, the second group 18 pornographic and 18 innocuous films, and the third group 36 innocuous films. Afterward, he showed all the participants three additional movies, and recorded their

²⁵David A. Scott, "How Pornography Changes Attitudes," in Pornography: A Human Tragedy, ed. Minnery, 117.

²⁶Dolf Zillmann, "Effects of Prolonged Consumption of Pornography," in Report of the Surgeon General's Workshop on Pornography and Public Health, eds. E.P. Mulvey and J.L. Haugaard (Washington, D.C.: United States Public Health Service and United States Department of Health and Human Services, 1986), 104-106.

reactions. In one of the movies, participants viewed relatively common pornographic scenes of oral and heterosexual intercourse. The second movie was more suggestive, similar to R-rated movies which show sensuous but not graphic intercourse. The third movie depicted rough, hard-core sexual scenes.

The research produced both expected and unexpected results. The group which experienced no exposure to pornography during the experiment became quite excited by the common coital scenes, though less aroused by the suggestive and rough movies. In contrast, the group that had received massive exposure to pornographic films was no longer aroused by the more common sexual scenes. Its members were, however, greatly aroused by the hard-core pornography. This unexpected result led Zillmann to conclude that people who become bored with ordinary forms of pornography develop an appetite for stronger, more violent, or more bizarre versions.²⁷ In other words, satiation with one type of pornographic material can lead to interest in rougher types of material, rather than disinterest in pornography altogether.

Zillmann's subjects sustained the changes in their attitudes and preferences for some time following the initial experiment. After two weeks, Zillmann showed the participants three additional movies with common, suggestive, and rough sexual scenes. The groups' reactions to these new movies were basically the same as before.²⁸ The change in attitudes was

²⁷Ibid, 106.

²⁸Ibid.

still intact three weeks after the initial experiment. At this time Zillmann asked his subjects how often they thought that people engaged in unusual or bizarre forms of sex, such as oral, anal, group, and sadomasochistic sex, and bestiality. He discovered that the group which had received the most exposure to the pornographic films thought that people practiced these sexual activities more frequently. This group was also much less concerned about the harmful effects of pornography on society than the groups which had seen no pornography during the experiment. The massively exposed group considered pornography to be less offensive than the other groups, and saw less need to restrict either its broadcasting or its access to minors.²⁹

Finally, Zillmann tested his subjects to determine how pornography influenced their opinions about rape victims. In this experiment the group reviewed a fictitious rape case in which a jury had convicted the rapist. Zillmann asked his group to determine an appropriate jail sentence for the convicted criminal. The group which had received massive exposure to pornography was clearly more lenient than the other two groups. Both the men and the women who had been massively exposed to standard pornography came to regard rape as a trivial offense. Zillmann concluded from this experiment that "Whatever the specific contents of standard pornography, there can be no doubts that effects are created, and consistently so. There can be no doubt that pornography, as a

²⁹Ibid, 107.

form of primarily male entertainment, promotes the victimization of women in particular."³⁰

While Zillmann conducted research on non-violent pornography, psychologist Edward Donnerstein studied the effects of violence in R-rated and X-rated films.³¹ For his experiment, Dr. Donnerstein chose R-rated movies which showed graphic violence intermixed with scenes of pleasurable sex. Some of the X-rated films which he used featured violent rape and assault against women. None of these movies, however, showed explicit acts of intercourse. To provide contrast, Donnerstein also used a third class of non-violent, X-rated films which contained explicit sexual acts. His objective was to determine if the violent, R-rated and X-rated films would make normal, healthy individuals more tolerant of sexual violence.³²

Donnerstein carefully selected his subjects from 156 male college students. After randomly dividing them into smaller groups, he showed each group one feature-length film each day for five days. He arranged the sequence of the movies so that one group might see the R-rated film on the first day of the experiment, and another group might see the same film on the last day.³³

³⁰Scott, "How Pornography Changes Attitudes," 125.

³¹Edward Donnerstein, Daniel Linz, and Steven Penrod, The Question of Pornography: Research Findings and Policy Implications (New York: The Free Press, a division of Macmillan, Inc., 1987), 123-129.

³²Donnerstein, Linz, and Penrod, 123.

³³Ibid, 125.

Depending upon the sequence in which each group viewed the movies, Donnerstein discovered that they saw different things in the films. The group which saw the R-rated movie on the first day, for example, recalled more scenes of violence than the group which saw the same film on the last day. The violence was also more gory and more graphic to the first day viewers than to the last day viewers. Other differences in perception were also evident. The day-five group, for example, found the R-rated film to be more humorous, less upsetting, less debasing, and more enjoyable than the day-one group. The last day group also thought that the R-rated films were far less degrading to women, and remembered fewer rape scenes, than the first-day group. Donnerstein's research showed that by the end of the week, the fifth day viewers had become desensitized to violence and to the degradation of women. Nevertheless, the films created as much sexual arousal in the subjects at the end of the experiment as they had at the beginning.³⁴

To conclude his research, Donnerstein tested his subjects to determine how the violent films influenced their opinions about rape victims. While acting as a jury, the participants viewed a reenactment of a rape trial, and evaluated what they saw by completing questionnaires. The survey asked them questions about how much the woman suffered, the extent of her injuries, how much pain she experienced, and whether she was greatly humiliated during the rape.

³⁴Ibid, 128.

Donnerstein compared these results with others which he obtained from a control group. This group also saw the rape trial reenactment, but did not participate in the previous movie-viewing experiment.³⁵

The perceptions of the two groups were markedly different. The experimental subjects rated the rape victim as much more worthless than did the control group. They also considered the victim's experience to be much less severe. Overall, the results of Donnerstein's experiment with violent films were similar to those of Zillmann's experiment with non-violent pornography. Donnerstein's experiment showed a definite pattern of desensitization to violence against women, and a trivialization of the crime of rape.³⁶ The results of these experiments are especially important when one considers that the participants were carefully screened, normal, young adults. Additional research conducted by Donnerstein's colleague, Daniel Linz, showed that violent pornographic films stimulated even greater hostile attitudes toward women among subjects with more aggressive tendencies.³⁷

In 1984, Dr. James Check, a Canadian researcher from York University, conducted further research into the harmful effects of non-violent pornography. Check's experiment was different from previous studies because he directly compared the effects of both violent and non-violent pornography in the same experiment. After dividing his 436 male subjects into experimental and control groups, he showed each group a series

³⁵Ibid, 126.

³⁶Ibid, 128.

³⁷Ibid, 129.

of films depicting three kinds of sexual material. The films included simple erotica, such as that used in sex education programs; nonviolent but dehumanizing material; and violent pornography.³⁸

Check's experiment uncovered some surprising results. His post-test evaluations revealed that the non-violent pornography increased the likelihood that subjects would commit rape and other forced sexual acts to the same extent which the violent pornography increased these tendencies.³⁹ Check thus concluded that nonviolent pornography had as many harmful implications as did the violent material. The nonviolent films had prompted the men to change their attitudes about sexuality and sexual practices, and strongly influenced their willingness to force specific forms of sexuality or even sexual access onto their intimate partners.

These results have serious implications for the non-violent pornographic industry.⁴⁰ In recent years this type of pornography has become more and more degrading in order to stimulate jaded customers. The potential for lasting, harmful effects on this audience is a matter of growing concern. The trend is also evident in the milder versions of non-violent pornography that are found in Playboy, Penthouse, and to a lesser extent, Hustler. These popular men's magazines are mass circulation periodicals, which depend upon widespread newsstand sales for their profits. In order

³⁸Scott, "How Pornography Changes Attitudes," 134.

³⁹Ibid.

⁴⁰Ibid, 135.

to remain acceptable, they must resist the tendency to print the roughest type of material. Nevertheless, because they need to maintain reader interest, what they show can still be troubling.

Child pornography, for example, is a major area of concern. In an exhaustive study, Dr. Judith Reisman, a researcher at American University, analyzed every issue ever published of Playboy, Penthouse, and Hustler magazines between 1953 and 1984. Her purpose was to determine the extent to which these publications presented sex involving children.⁴¹ She discovered that from its first issue published in December, 1953, Playboy has shown children in cartoons, or photographs of adults dressed to suggest children, engaged in sexual contact with adults. Furthermore, the frequency and intensity of these contacts has increased over the years. According to Reisman, these depictions sexualize children, blur adult/child boundaries, and give the dominant impression that sex between children and adults is glamorous. Thus, these distortions of sexuality enhance the perception that child/adult sex is harmless, appropriate, or even beneficial.

From the 683 issues reviewed, Reisman and her research team counted 6,004 images which linked children with sex. These images averaged 8.2 times in each issue of Playboy, 6.4 times in each issue of Penthouse, and 14.1 times in each issue of Hustler.⁴² Although these magazines may not have violated the letter of the child pornography laws by using these

⁴¹Reisman, 3.

⁴²Ibid.

images, they have, nonetheless, implied that sex with children is desirable and readily available.⁴³ Coupled with Check's research, Reisman's findings reveal an escalating potential for child sexual abuse, incest, and pedophilia among viewers of even nonviolent pornography.

Taken as a whole, the studies conducted by Zillmann, Donnerstein, Linz, Malamuth, and Check, provide valid "laboratory" evidence that both violent and non-violent forms of pornography change people's perceptions, attitudes, and values.⁴⁴ At first thought, these experiments may only appear to confirm the obvious conclusion that people are influenced by the types of materials to which they are exposed. Nevertheless, this research provided the first necessary link between pornography and sexual crime. Once the connection between pornography and attitudes had been made, further research could then be conducted to explore the relationship between attitudes and actions.

For many years the pornographic industry has claimed that pornography is not causally related to sexual crime. Although sexually explicit materials may change attitudes in some people, the industry asserts that no one has proven that people are actually harmed by its product. (In this regard, pornographers refer primarily to physical harm, such as that caused by sex-related crimes. Pornography also causes serious psychological and spiritual harm. Since these effects are

⁴³Ibid, 9.

⁴⁴Scott, "How Pornography Changes Attitudes," 141.

difficult to objectify and quantify, however, they figure less prominently in the public debate on pornography.) The industry's claims were bolstered by the findings of the President's Commission on Obscenity and Pornography. In its 1970 report, the Commission concluded that no evidence existed to show that "exposure to or use of explicit sexual materials play a significant role in the causation of social or individual harms such as crime, delinquency, sexual or non-sexual deviancy of severe emotional disturbances."⁴⁵

In some sense, conclusive scientific proof of these causal relationships may never be available. As Dr. Zillmann has noted, the usefulness of experimental methodology for the determination of the behavioral consequences of exposure to pornography is severely limited.⁴⁶ Every form of human sexual expression can not be studied in the laboratory, and the experiments that could provide definitive proof are necessarily limited by ethical considerations. "For instance, men cannot be placed at risk of developing sexually violent inclinations by extensive exposure to violent or nonviolent pornography, and women cannot be placed at risk of becoming

⁴⁵John H. Court, Pornography: A Christian Critique, Outreach and Identity: Evangelical Theological Monographs, World Evangelical Fellowship Theological Commission, No. 5 (Downers Grove, Illinois: InterVarsity Press, 1980), 31.

⁴⁶Dolf Zillmann, "Pornography Research and Public Policy," in Pornography: Research Advances and Policy Considerations, eds. Dolf Zillmann and Jennings Bryant (Hillsdale, New Jersey: Lawrence Erlbaum Associates, 1989), 397-398.

victims of such inclinations."⁴⁷ Ethical considerations also preclude any experimental work with children and precollege adolescents. Furthermore, "the apparent temporal separation between cause and effect creates problems (i.e., exposure may have a delayed impact, and numerous exposures may be required to bring it about)."⁴⁸ Therefore, a conclusive demonstration that pornography causes sexually-related crimes may not be forthcoming in the near future. Recent trends toward more graphic forms of pornography and dramatic increases in violent sexual crimes are, however, serious causes for alarm.

Many persons who are concerned about the rising incidence of sex crimes argue that pornography can fulfill a cathartic function. They claim that by providing a vicarious outlet for sexual or aggressive impulses, pornography can encourage the potential offender to release his tension in a nonharmful way through fantasy or masturbation. As a result pornography can help to render a criminal less socially dangerous. Recent research, however, challenges the viability of this argument.

In his study of sex offenders, Dr. Gene Abel of Emory University discovered that a person who engages in deviant behavior may begin to use pornography to stimulate his sexual fantasies.⁴⁹ As proponents of the catharsis theory had predicted, the offender often masturbates to the pornographic

⁴⁷Ibid, 397.

⁴⁸Ibid, 398.

⁴⁹David A. Scott, "Pornography and Violent Behavior," in Pornography: A Human Tragedy, ed. Minnery, 151

stimuli, thereby achieving a temporary subsidence of his criminal urge. Nevertheless, this autoerotic activity also reinforces the erotic value of the deviant fantasy, thus enabling the offender to sustain it over longer periods of time. By maintaining his arousal between crimes, the offender becomes more susceptible to committing further crimes. Abel also found that sex offenders who did not use pornography commit slightly more sex offenses in their criminal careers than did users. On the other hand, users of pornography maintained their criminal activity far longer than non-users, thereby increasing the likelihood of their anti-social behavior.⁵⁰

Other researchers in this area have proposed that this pattern of "masturbatory conditioning" often creates rather than sublimates sexually deviant behavior.⁵¹ Dr. Judith Reisman's study of soft-core magazines supports this view. She concludes that, "The body of research on sexual arousal suggests that acts of child sexual molestation by some vulnerable juveniles or adults are precipitated if one achieves orgasm via fantasies of sex with children."⁵²

Other sociological factors tend to discredit the validity of the catharsis theory. Although the amount and

⁵⁰Ibid, 152.

⁵¹Victor B. Cline, "Another View: Pornography Effects, the State of the Art," in Where Do You Draw the Line? An Exploration into Media Violence, Pornography, and Censorship, ed. Victor B. Cline (Provo, Utah: Brigham Young University Press, 1974), 210-211.

⁵²Reisman, 9.

kind of pornographic material has increased dramatically in recent years, a reduction in serious sexual offenses has not occurred. Rape, for example, has reached epidemic proportions in this country. Although this crisis can not be blamed entirely on pornography, sexually explicit materials can be a contributing rather than an ameliorating factor.⁵³

With regard to aggressive impulses, the catharsis theory predicted that people would act less violently by viewing violence in movies or on television. Research has shown, however, that instead of providing a vicarious outlet, TV violence stimulates aggressive tendencies in viewers.⁵⁴ Dr. Reisman concludes from her studies that, "the body of research on media and aggression documents depictions of violence as precipitating aggressive responses in certain vulnerable viewers."⁵⁵ In a similar manner, pornography exacerbates rather than relieves socially unacceptable sexual impulses.

Dr. Albert Bandura, a psychologist from Stanford University, suggests that people who are disposed to commit violent crimes justify their actions through a "disinhibition of aggression".⁵⁶ Through this learning process, the criminal gradually becomes desensitized to a violent act by seeing it repeatedly portrayed. Repetitious observation also lowers the person's inhibitions against committing similar behaviors.⁵⁷

⁵³Court, 49.

⁵⁴Ibid, 52.

⁵⁵Reisman, 9.

⁵⁶Scott, "Pornography and Violent Behavior," 147.

⁵⁷Court, 52.

The person may not fully recognize the change that occurs, as discomfort and self-reproach are displaced by a progressively increasing level of aggression. By watching victims suffer punitive treatment for which they are held partially responsible, the observer learns to objectify and to devalue them. Devaluation provides moral support for the aggressor to commit more brutal acts against the persons who have allowed themselves to become objects. Eventually, the criminal can perform horrible deeds which were initially repugnant without much distress. In this way sexual offenders learn to justify and perpetrate their crimes.⁵⁸

By 1985, research was available to suggest that a large number of rapists and child molesters used pornography to begin the process that initiated their crimes. In that year Dr. William Marshall at Queens University in Ontario, Canada, completed a six-year study of 89 child molesters, incest offenders, and rapists who were patients at his Kingston Sexual Offenders Clinic.⁵⁹ In his research Marshall compared the criminals' use of hard-core pornography with that of a control group of 24 men who were sexually normal. The ages, intelligence, and socio-economic classes of the control group closely matched those of the patients. During this investigation, Marshall made an unexpected discovery that suggested that nonviolent pornography was more harmful than previously realized.

⁵⁸Scott, "Pornography and Violent Behavior," 147.

⁵⁹Ibid, 148.

Of the 23 rapists interviewed, 19 of them admitted using hard-core pornography with varying frequency. Ten of these men, however, also used pornographic pictures of people enjoying sex with each other to fantasize about rape. Although these fantasies did not always result in crime, the men used the pictures of consenting sex acts to arouse themselves sufficiently to commit the rape. Marshall discovered that the rapists did not use pornographic pictures of rape scenes because the women depicted in them were obviously acting. The women shown in consensual sex acts in non-violent pornography, however, would not want to be raped, and, therefore, would resist. Their resistance to attack triggered the offender's rape fantasy, and for almost 40% of Marshall's subjects, led to actual rape.⁶⁰ Marshall's findings were significant because they directly contradicted the persistent claims of the pornographic industry that pictures of people enjoying consensual sex are harmless.

Marshall also found a similar trend in his study of child molesters.⁶¹ While nearly all of these offenders used pornography at least occasionally, 14 of the 33 heterosexual molesters used it to instigate sex crimes. Furthermore, as a group, all of the sex offenders in Marshall's study used hard-core pornography much more frequently than did the control group of normal males.

Finally, pornography is clearly a factor in a number of accidental suicides associated with autoeroticism.⁶² These

⁶⁰Ibid, 149.

⁶¹Ibid, 150.

⁶²Ibid, 154.

deaths result during acts of masturbation when people try to arouse themselves by cutting off the flow of oxygen to their brains. Death is frequently caused by hanging or by replicating bondage techniques while the victim views sexually explicit films, pictures, or magazines. Pornographic materials may even instruct the victim on how to perform this practice. These suicides, although unintentional, represent one more way in which pornography, even the nonviolent, consensual variety, causes physical harm to unsuspecting users.

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CHAPTER 3

WHY IS PORNOGRAPHY WRONG FOR THE UNITED STATES ARMY?

Introduction

Twenty years ago, the lifestyle of a soldier reflected the popular perception of the United States Army as a single man's domain. The presence of pornographic materials in barracks and work areas, for example, contributed to the macho image commonly associated with the military. Young recruits and older veterans sought to escape from the rigors of military life through the sexual fantasies engendered by erotic and sexually explicit materials. Although females had served in the Women's Army Corps since 1943, the Army remained a predominantly male institution.

Since the end of the military draft in 1973, however, the demographic composition of the United States Army has changed dramatically. Before the advent of the all volunteer force, single, male conscripts comprised the bulk of Army personnel. By 1990, 55% of all soldiers were married, 11% were women, and all were volunteers.¹ The Women's Army Corps had been retired in the 1970's, and women were fully

¹ The Research Division, Defense Equal Opportunity Management Institute, Patrick Air Force Base, Florida, "Semi-Annual Race/Ethnic/Gender Profile," United States Department of Defense Active Forces, Reserve Forces, and the United States Coast Guard (September, 1990): 26.

integrated into most of the Army's military occupational specialties. These changes in personnel and force structure precipitated a reevaluation of the Army's policy and practice toward women and families. I believe these changes also provide compelling reasons for the Army to reconsider its policy and practice toward pornography.

Pornography and Army Themes

From 1981 to 1989, Secretary of the Army John O. Marsh, Jr., instituted a program of yearly themes designed to provide identity and purpose for the soldiers and civilians serving in the Army.² Through this program, the Army emphasized issues that were important to soldiers as individuals, and to the military profession as a whole. In successive years the Army focused its attention on the Spirit of Victory, Physical Fitness, Excellence, the Family, Leadership, Values, the Constitution, Training, and the Non-Commissioned Officer. Of these nine themes, pornography impacts most directly upon the Family, Values, and the Constitution.

In 1984, the Army celebrated the Year of the Family for very practical as well as noble reasons. In the process of modernizing the Army, Secretary Marsh realized that family attitudes played a major role in the retention and morale of soldiers. He also understood that a strong link existed between family stability and soldier readiness.³ As a result,

² "The Marsh Years," Soldiers 44, no. 2 (February 1989): 28-32.

³ Ibid, 32.

Marsh ordered that the Army provide more direct attention and support to the well-being of military families.

Under Marsh's leadership, the Army formally recognized the importance of families to its institutional welfare. It also established a number of programs for families that contributed to soldier readiness and retention.⁴ These programs helped to create a stronger partnership between the Army and Army families, a greater sense of community among family members, and a greater sense of caring between families and units. As Army Chief of Staff General John A. Wickham, Jr., noted, "A healthy family environment is a force multiplier. Soldiers can better face the uncertainties and dangers of service life when they know that their families' well-being is important to their leaders."⁵ By fostering better lives for soldiers and their families, the Army sought to enhance its ultimate goal of total readiness.

In contrast to the Army's emphasis on strengthening families, pornography damages them in countless ways.⁶ Pornographic materials, for example, frequently denigrate the value of families by ridiculing marriage, encouraging promiscuity, and glamorizing homosexual encounters. By

⁴John O. Marsh, Jr., "Leadership--Key to Army Themes," Soldiers 40, no. 4 (April 1985): 2.

⁵SSgt. J.C. Mathews, "Army Themes: Providing Identity, Purpose," INSCOM Journal (August/September 1989): 7.

⁶John H. Court, Pornography: A Christian Critique, Outreach and Identity: Evangelical Theological Monographs, World Evangelical Fellowship Theological Commission, No. 5 (Downers Grove, Illinois: InterVarsity Press, 1986), 81.

discouraging commitment and mutual submission between spouses, pornography undermines healthy marital relationships. It also distorts sexuality, promotes the use of sex for selfish gratification, and subverts the parental role of protecting children.

In 1986, Drs. Dolf Zillmann and Jennings Bryant conducted research into the effects of pornography on family values.⁷ This study followed an earlier analysis of the content of common, non-violent forms of pornography. The researchers noted that the principal message of this type of material is that great sexual joy is available to parties "who have just met, who are in no way attached or committed to one another, and who will part shortly, never to meet again."⁸ These parties make contact solely for the purpose of sexual self-gratification. No enduring emotional relationships are expected or required. Furthermore, this type of material never indicates that sexual intercourse produces children, nor that raising children requires commitment and financial sacrifice on the part of the parents. Instead, this pornography promises unmitigated pleasure, seemingly without any restrictions on personal freedom. Such messages, of course, contradict traditional family values, where enduring

⁷Dolf Zillmann, "Effects of Prolonged Consumption of Pornography," in Report of the Surgeon General's Workshop on Pornography and Public Health, eds. E.P. Mulvey and J.L. Haugaard (Washington, D.C.: United States Public Health Service and United States Department of Health and Human Services, 1986), 112-116.

⁸Ibid 114.

relationships are central to sexuality and reproduction. Based on the values conveyed by pornography, Zillmann and Bryant studied the effects of this material on attitudes regarding committed love, marriage, and raising children.

One hundred sixty subjects, including equal numbers of men and women, undergraduates and adults, were divided into two groups. The researchers exposed the experimental group to one hour of pornographic films each week for six weeks, and the control group to the same number of innocuous films. The first group saw six hours of X-rated movies purchased in typical video stores. While sexually explicit, these films contained no violence, homosexuality, or bestiality. The control group viewed six hours of situation comedy taken from prime-time television programs. In the seventh week, the participants completed three questionnaires which asked them to rate their views on a variety of attitudes toward marriage and sexual practices.

The experiment revealed profound attitudinal differences between the two groups.⁹ For example, the group that had been exposed to pornography was almost half as likely (38.8%) to view marriage as an essential institution as was the control group (60%). The members of the exposed group were also twice as likely to accept sexual infidelity in their own marriages or committed relationships. Furthermore, they were nearly half as desirous as the control group to raise children, and both the women and the men were much less likely to want

⁹Ibid, 115-116.

daughters. Finally, the group exposed to pornography accepted male dominance over females twenty times more than the control group.

From these results, Zillmann and Bryant concluded that repeated exposure to common, non-violent pornography can alter perceptions of and dispositions toward sexuality and relationships formed on its basis.¹⁰ People who are exposed to pornography are clearly more likely to believe that the greatest sexual joy comes without enduring commitment; that partners expect each other to be unfaithful; that repressing sexual urges can lead to health risks; that promiscuity is natural; and that children are liabilities and handicaps.¹¹ The diminished desire to have female babies was especially surprising, and suggested that something in pornography makes females appear undesirable even to other women.¹² The researchers believed that this effect supports the allegations of feminists that most pornography debases women.

These findings are especially important because they resulted from exposure to common, non-violent pornography, which is often touted as harmless to individuals or society. Since enduring sexual relationships are essential for a well-functioning society, the results are necessarily alarming. Even the milder versions of pornography can undermine the stability of the family system. Thus, pornography directly contradicts the Army's interest in

¹⁰Ibid, 124.

¹¹Ibid, 123-125.

¹²Ibid, 116.

building strong families, and can adversely effect soldier readiness.

Although pornography promises unending sexual fulfillment, it often sabotages sexual happiness, especially within a marriage. Sex between spouses, for example, provides a special way of expressing and deepening interpersonal commitment. As such, it provides joy, intimacy, and deep fulfillment in a loving, lasting relationship. Pornography, on the other hand, denies the dignity of sexual experiences by treating them as superficial and undemanding. As a result, it undermines the idea that sex can be fun and rewarding in relationships that are strong and secure.¹³

Pornography damages stable relationships in other ways. For example, it fosters the use of power plays in human interactions by encouraging one person to control and use another for selfish ends. Since men usually enjoy the greatest power in these situations, women must submit to their wishes or manipulate others in order to survive.¹⁴ These power plays are especially harmful in the home and in the work place. Additionally, pornography glamorizes a promiscuous life-style, which thrives on sexual individualism and competition. These traits destroy marriages, however, by making intimate, long-term relationships impossible.¹⁵

¹³Court, 82.

¹⁴Jerry Kirk, "Christianity and Good Sex," in Pornography: A Human Tragedy, ed. Tom Minnery (Wheaton, Illinois: Christianity Today, Inc., Tyndale House Publishers, Inc., 1986), 66.

¹⁵Ibid.

Additional research by Drs. Zillmann and Bryant underscores this detrimental connection between pornography and sexual happiness. Following their experiment on pornography and family values, Zillmann and Bryant questioned the participants on their perceptions of personal happiness and sexual habits.¹⁶ The researchers wanted to determine if people might become disenchanted with their own sexual partners and practices after viewing the athletic, orgiastic, and seemingly delightful sexual activities in pornographic films. The responses of the experimental and control groups were evaluated by using questionnaires.

After compiling the results, Zillmann and Bryant concluded that exposure to pornography had demonstrably harmful effects on the sexual satisfaction of its viewers.¹⁷ The members of the exposed group, for example, indicated a decrease in their overall satisfaction with the physical appearance of their sexual partners. They also expressed a diminished satisfaction with their partner's affection, sexual behavior, and sexual curiosity. As a result, the respondents experienced an overall reduction in satisfaction with their present intimate relationship. Their exposure to pornography also increased the importance of sex without emotional involvement. Additionally, the researchers discovered that sexual dissatisfaction increased just as much in women as in

¹⁶Dolf Zillmann and Jennings Bryant, "Pornography's Impact on Sexual Satisfaction," in Journal of Applied Social Psychology, vol. 18, no. 5 (April 1988): 438-453.

¹⁷Ibid, 448-450.

men, and for the students as well as the non-students. Finally, Zillmann and Bryant determined that the impact of the films was limited to the subjects' sexual attitudes. The pornography did not influence their assessments of personal happiness beyond the realm of sexuality.¹⁸ Once again, the researchers had shown that non-violent pornography can adversely affect sexual attitudes and relationships.

Values, the Army theme for 1986, stressed the character of both leaders and soldiers. Throughout the year, Secretary Marsh emphasized the importance of the four values which comprise the Army Ethic, namely, loyalty to country and to the Army; loyalty to the unit; personal responsibility; and selfless service. These values, in turn, helped to shape the soldierly qualities of commitment, competence, candor, courage, and integrity, and to nurture their growth.¹⁹

In a joint statement with the Army Chief of Staff, General John A. Wickham, Jr., Secretary Marsh noted that "Values are the heart and soul of a great army," and asked each member of the total Army "to embrace these values and make them part of your personal and professional lives."²⁰ He added, significantly, that "The values to which we subscribe spring from, and even transcend, those of the society we serve. They become the framework for the lifelong professional and personal development of our soldiers,

¹⁸Ibid, 448.

¹⁹Mathews, 8.

²⁰John O. Marsh, Jr., and General John A. Wickham, Jr., "Values: The Heart and Soul of a Great Army," in Soldiers 41, no. 2 (February 1986): 2.

leaders, and civilians." These values reflect the responsible care which the Army must provide to its human as well as its material resources as a matter of public trust. The ethical elements of soldierly conduct also help soldiers and leaders "to resist the pressures to compromise integrity, to cheat, to shade the truth or to debase patriotism for material gain."²¹ Marsh added that the fundamental values of the military profession provide "purpose, direction, vitality and character." He understood that strengthening the values of soldiers, civilians, and families, would also strengthen the Army as an institution, thus making it better able to fulfill its mission.

In many ways pornography subverts the traditional values which predominate in the Army and in American society. By focusing on sexual organs and functions, for example, pornography dehumanizes and degrades. In some respects, it takes a subhuman approach to sex, such as when it glamorizes sexual acts with animals. By exploiting and humiliating women, pornography questions their personal value and professional role in society, at a time when the number and importance of female soldiers is increasing. By treating women as sex objects, pornographic literature encourages male soldiers to engage in promiscuous activities, in which their partners are used, possibly abused, and then discarded in favor of another.²² This objectification further undermines

²¹Ibid.

²²Court, 82.

the respect for others which is essential for professional relationships among subordinates, peers, and superiors.

Pornography poses a threat to Army values in other areas as well. Its symbiotic relationship with crime, for example, endangers the welfare of soldiers, and exposes them to criminal activity. Sexually explicit materials also contribute to infidelity, which encourages soldiers to engage in self-destructive activities, and weakens their personal integrity. Finally, pornography feeds on human brokenness and weakness, thus exacerbating the societal problems which threaten the good order and discipline of the military organization.²³

In honor of the 200th anniversary of its signing, the Army celebrated the year of the Constitution in 1987. Since this document forms the basis of the American way of life, the Constitution has a special meaning for all soldiers. Indeed, the first act of becoming a soldier is to take an oath to "support and defend" its provisions. As a living heritage for all Americans, the Constitution shapes as well as represents the nation's value system, of which each soldier is a part. Thus, the systemic values of American society are also a part of the value system of the American soldier.²⁴

The constitutional issues involved with pornography are the most complex and, hence, the most difficult to resolve.

²³Ibid, 88.

²⁴John O. Marsh, Jr., in an interview with SFC Dennis Steele, "This We'll Defend," Soldiers 42, no. 1 (January 1987): 10.

Since the Bill of Rights guarantees all Americans certain fundamental freedoms, lawmakers and judges are wary of placing undue restrictions on either pornographers or private citizens. Respect for civil liberties has always been a hallmark of the American political system, and a cherished ideal in our pluralistic society. Many Americans, especially pornographers, emphasize the individual's right to determine his or her own behavior, as long as it does not harm others. Concerns for community welfare, however, must also be considered when determining policies that affect all citizens. Unfortunately, the boundary between individual freedoms and community needs is not always distinct, especially in matters related to forms of sexual expression.

The constitutional debate about pornography focuses on the guarantees of freedom of expression provided by the First Amendment. In clear language, the amendment states that "Congress shall make no law. . .abridging the freedom of speech, or of the press. . . ." In no case does the Constitution guarantee absolute freedom, however, nor recognize freedom without responsibility. Limits to these rights also exist, and are important in creating the judicious balance between the benefits and harms of constitutionally guaranteed freedoms. Almost everyone acknowledges the need for some constraints on the freedom of speech, even when they disagree on where to draw the line. Typical examples are the prohibitions against libel, incitement to criminal activity, and endangering the safety of

others. As a form of entertainment, I believe that sexually explicit materials represent an irresponsible abuse of the freedom of expression. More importantly in matters related to pornography, the Supreme Court has always maintained that obscene material lies beyond the protection of the First Amendment.

Although soldiers do not lose all of their constitutional rights when they join the military, the Army does enforce some restrictions on freedom of expression. Soldiers are not permitted to distribute material which defames ethnic groups or incites racial tensions, for example. Such material violates the Army's policies governing equal opportunity. It also threatens to disrupt the racial harmony which is essential for mission accomplishment. Although this type of material may be available in the civilian community, it is not sold in Army post exchanges or other facilities.

By extension, a similar argument can be made against the sale and use of sexually explicit materials in the Army. In a very real sense, pornography is hate literature against women. These materials defame and degrade women soldiers, and undermine their legitimacy as equal members of the military establishment. Pornography treats women as second class citizens, and promotes attitudes which can lead to sexual harassment or abuse. By exploiting female racial stereotypes, such as those which portray black women as insatiable sexual

animals or Orientals as love slaves, pornography is racist as well as sexist in nature.²⁵ Consequently, the Army should impose greater restrictions on the freedom of this type of sexual expression on its posts and installations.

Pornography, Sexual Harassment, and Drugs

Over the past twenty years, increasing numbers of women have entered occupations formerly dominated by men, including the military. As a result, the Army has been forced to address difficult issues related to gender integration. The influx of women into the enlisted and officer ranks has led in some cases to problems with sexual discrimination, sexual harassment, and sexually related crimes. These problems undermine the integrity of relationships between male and female soldiers. Consequently, they adversely affect soldier morale, weaken unit cohesion, and threaten mission accomplishment.

To remedy these problems, the Army has committed itself to a policy "that demands respect for the human dignity of both military and civilian personnel."²⁶ As Secretary Marsh has noted, "all our personnel must feel that the Army is committed to the preservation of their dignity, their upward

²⁵For a discussion of racism and racial stereotyping in pornography see Laura Lederer, ed., Take Back the Night: Women on Pornography (New York: William Morrow and Company, Inc., 1980).

²⁶"Sexual Harassment: What it is and what to do," in Commanders Call (February-March 1981): 3.

mobility, and their fair and impartial treatment."²⁷ By creating an environment which recognizes the equal value and shared worth of all persons, Army policies protect female soldiers, family members, and civilian employees from unwanted sexual intrusions.

Although women have served in the Army in some capacity since the Revolutionary War, they have not always been protected from sexual discrimination and harassment. In recent years, the Army has enforced a policy of equal treatment for all soldiers and civilians through its Equal Opportunity program, as delineated in United States Army Regulation 600-20, "Army Command Policy and Procedures," Chapter 6. This program is designed to foster relationships of mutual trust and respect among all persons employed by the Army.

A Department of Defense (DoD) policy letter, dated 20 July 1988, defines sexual harassment as a "form of sex discrimination that involves unwelcomed sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature."²⁸ This discrimination is particularly harmful when used as a term or condition of a person's job, pay, or career, as when making employment or promotion decisions. Sexual harassment can also lower morale

²⁷John O. Marsh, Jr., "Army Policy on Equal Opportunity and Sexual Harassment," 14 July 1988, in Department of Defense Directive Number 1350.2, 23 December 1988.

²⁸United States Department of Defense Definition of Sexual Harassment, as updated in a memorandum from the Secretary of Defense, Washington, D.C., 20 July 1988.

by interfering with an individual's performance or by creating an intimidating, hostile, or offensive environment. The DoD letter further declares that "any military member or civilian employee who makes deliberate or repeated unwelcomed verbal comments, gestures, or physical contact of a sexual nature is also engaging in sexual harassment." Following DoD policy, the Army has instituted measures to create a workplace and a workforce that is free from these practices.

Sexual harassment is a reflection of the subordinate status that women commonly face in American society. While promoting sexual freedom for both sexes, pornographic material exploits the sexual subordination of women and other aspects of sexism. Popular men's magazines, for example, refer to centerfold models as "playmates" and "pets". These terms foster the image of women as toys or playthings which are available to fulfill the sexual fantasies of their male partners. Corresponding attitudes in the military can lead to derogatory behavior toward women soldiers, which lowers their morale and work performance. Furthermore, pornographic literature is often filled with profanity and vulgar expressions. Many of these are hostile or derogatory terms which refer to specific sexual acts or to the female gender. Depending on the context, use of such indecent language can constitute sexual harassment. Improper physical contact, indecent actions and gestures, and coerced sexual favors are

other prominent themes in pornography which the Army condemns as sexually inappropriate behavior.²⁹

In its severest forms, sexual harassment can lead to sexually-related crimes, which are punishable offenses under the Uniform Code of Military Justice (UCMJ). The link between viewing pornographic material and criminal sexual behavior in the military context is, however, difficult to verify. The Army's police forces, for example, do not systematically maintain necessary statistics on pornography as it relates to crime.³⁰ Neither the Military Police nor the Criminal Investigation Command (CIC) at Fort Bragg, North Carolina, for example, regularly report information regarding pornography unless it is physically present at the scene of a crime. Although the Fort Bragg CIC investigated about 27 sexually related crimes involving children or minors in 1989 and 1990, no information related to the impact of pornography was annotated on police reports. During this same time, approximately 12 cases of child maltreatment or neglect, 23 rapes of adults, and 39 other sexually-related crimes involving adults also occurred. Investigators rarely indicated the presence or role of pornography as a contributing factor in these crimes. Appropriate statistical data is needed to establish the link between pornography and

²⁹"Sexual Harassment: What it is and what to do," in Commanders Call (February-March 1981): 2-6.

³⁰I obtained the information discussed in this paragraph during a visit to the United States Army Criminal Investigation Command office at Fort Bragg, North Carolina, on 8 May 1991.

sexually related crime on Army installations. Without this data, the evidence will continue to depend upon extrapolations from civilian research.

The anti-social nature of pornographic material is, however, well established. In addition to its degradation of women, pornography often contains implicit or explicit messages about the propriety of sexual violence and sexual deviation. Rape, homosexuality, and bestiality are often glamorized, treated in a light-hearted manner, or presented as acceptable alternative behaviors. Each of these activities contravenes Army standards, however, and is punishable under the UCMJ.

Furthermore, pornography exploits children in many harmful ways. By sexualizing adult/child relationships, it destroys childhood innocence, fosters incest and child abuse, and undermines the security and stability of the home. Both adult and juvenile sex offenders use these materials to exploit other children, or to involve them in child pornography or prostitution. Although pornography trumpets these activities as acceptable behavior, United States Army Regulation 608-18, "the Army Family Advocacy Program," considers them to be forms of sexual maltreatment of children. They are thus punishable offenses.

Pornography is anti-social in other ways. It promotes, for example, a "sexualization of all relationships," so that it becomes difficult for adults to meet, hitchhikers to ride, or women to be out alone without the situation being construed

as an opportunity for physical sex.³¹ As a result, these attitudes contribute to a climate of fear and suspicion between male and female soldiers, and between soldiers and female civilian employees and family members. Such attitudes tear at the social bonds of trust and respect which hold a community together. Pornography destroys these bonds, and replaces them with relationships of manipulation and exploitation.³²

Army standards of discipline not only proscribe sexual misconduct, but also prohibit the use of illegal substances. Once again, pornography contravenes Army policy by making drug use seem glamorous. While acknowledging the dangers of addiction, pornographic materials often describe drug use as fun and risk-free. They also reinforce drug taking behavior by setting it within an erotic context. In "Pornography: A Report," published in 1989, the American Family Association documented the promotion of illegal drugs by Playboy magazine.³³ According to this report, Playboy has consistently advocated the decriminalization of illegal drugs since the late 1960's. The magazine's commitment to this effort has included editorial reviews, legislative support,

³¹Court, 82.

³²Stephen Monsma, "Should Christians Push Their Views on Others?", in Pornography: A Human Tragedy, ed. Tom Minnery, 80.

³³American Family Association, "A Chronology of Playboy's Promotion of Illegal Drugs," in Pornography: A Report, An In-Depth Look at the Effects of Pornography (Tupelo, Mississippi: American Family Association, 1989), 31.

and financial contributions. Publications which demonstrate and advocate such behaviors clearly jeopardize the welfare of the Army and its personnel.

The presence of pornography on Army bases and installations has far reaching implications for the morale, health, and welfare of Army personnel. On the whole, pornography promotes attitudes and behaviors which are antithetical to Army goals, values, and policies. By undermining family stability, denigrating personal and professional values, and abusing the constitutional freedom of expression, pornography thwarts efforts to strengthen the Army institution. By degrading and objectifying women, sexually explicit material impairs their full acceptance and equal opportunity in the Army. As a result, sexual harassment and abuse continue to erode the morale of female soldiers and to threaten the welfare of children. Finally, pornography advocates illegal activities such as drug use, which disrupt the good order and discipline of the Army environment.

While the rest of the country debates the moral and constitutional issues involved with pornography, the Army has the opportunity to take unprecedented action to combat its influence. As a governmental institution which enjoys the special trust of the American people, the Army frequently maintains standards of conduct which are higher than those of the civilian community. The Army, for example, has consistently been in the vanguard of efforts to improve race relations, civil rights, and equal opportunity. Secretary

Marsh underscored these achievements in his policy letter on Equal Opportunity and Sexual Harassment, dated 14 July 1988. He noted that, "Because effective human relations and equal opportunity are moral and operational imperatives for the Army, we have often served as the bellwether for the Nation."³⁴ By prohibiting the sale and discouraging the use of pornographic materials, the Army can better achieve its human relations goals, and strengthen its own values and standards.

³⁴John O. Marsh, Jr., "Army Policy on Equal Opportunity and Sexual Harassment," 14 July 1988, in Department of Defense Directive Number 1350.2, 23 December 1988.

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CHAPTER 4

PORNOGRAPHY AND ETHICAL ISSUES

A Christian Ethical View of Pornography

The persons and organizations which are most deeply committed to the Judeo-Christian tradition have probably shown the greatest concern about pornography. Studies of anti-pornography organizations have shown that the religious factor is highly related to attitudes about sexually explicit materials. On the whole, persons who oppose pornography are more religiously affiliated, and more supportive of the traditional notion of the family than other citizens.¹

Throughout the post-World War II era, Christian churches, lay organizations, and other religious groups have attacked the insidious spread of pornography in the United States. Through resolutions, protests, boycotts, and letter-writing campaigns, these groups have condemned the publication, distribution, sale, and use of pornography. These organizations understand that pornography is a perversion of human sexuality, and a moral disease that damages American

¹Victor B. Cline, "The Pornography Commission: A Case Study of Scientists and Social Policy Decision Making," in Where Do You Draw the Line? An Exploration into Media Violence, Pornography, and Censorship, ed. Victor B. Cline (Provo, Utah: Brigham Young University Press, 1974), 253.

society in many ways. Pornography, for example, promotes a promiscuous lifestyle that can lead to the spread of sexually transmitted diseases, out-of-wedlock pregnancies, abortions, and divorces. It is often controlled by crime syndicates, and associated with criminal activity, such as prostitution, drug abuse, and rape. Furthermore, pornography undermines community welfare by rejecting traditional concepts of marriage, promoting sexually deviant practices, and exploiting women and children.

The Christian sexual ethic has always emphasized the importance of fidelity and sexual responsibility. Pornography directly attacks this ethical position by advocating a loosening of sexual standards, and an abandonment of reason to libidinal impulses. It also seeks to destroy the family, and to break the bonds of loyalty, love, self-discipline, and restraint which hold it together.² Pornography denies human dignity by treating people as objects, and stimulates lust in the absence of love. It also distorts the true nature of sexual relationships by presenting false messages about sexuality, focusing on genitalia, and fostering unrealistic fantasies. Furthermore, pornography renounces the spiritual dimension of sex by publicizing personal, intimate acts, and exploiting them commercially. Whether in explicit or subtle ways, pornography suggests that "hate and hostility, rather than tenderness and loving commitment, are the avenues to

²Ibid.

freedom and fulfillment."³ In contrast, the Christian ethical view ascribes a sacredness and a sanctity to sex which pornography can not achieve, and to which it does not aspire.⁴

The Biblical concept of human sexuality provides the ethical basis for the Christian opposition to pornography. The Bible clearly teaches that sex is a part of God's good creation. Thus, it is a gift which He has given to men and women to enrich their lives. Sex is most fulfilling, however, when used responsibly, and for the purposes which God intended. Following the teaching of Scripture, the proper place for sexual activity involving genital contact is within the covenant of marriage. In particular, sexual intercourse provides the primary means for fulfilling the purposes for which marriage was ordained. Coitus establishes the spiritual and physical union between the spouses, provides for their mutual expression of love and intimacy, allows for the procreation of children, and furthers the mutual pleasure of husband and wife. Scripture, therefore, confirms the holiness of marriage, and upholds the marital relationship as the standard by which other sexual interactions are measured.⁵

³John H. Court, Pornography: A Christian Critique, Outreach and Identity: Evangelical Theological Monographs, World Evangelical Fellowship Theological Commission, No. 5 (Downers Grove, Illinois: InterVarsity Press, 1980), 68.

⁴Ibid.

⁵For a provocative discussion of the purposes of sex and marriage, see Philip Turner, The Zabriskie Lectures for 1990, The General Theological Seminary.

Pornography is immoral because its intentions and purposes are contrary to this Biblical view of sexuality. By stimulating lust, for example, sexually explicit material encourages people to find unhealthy outlets for their pent-up desires, often through masturbation or indiscriminate sex with several partners. In this way, pornography teaches disrespect for the sanctity of marriage and the one-flesh concept of sexual union. By encouraging sex within casual relationships, pornography represents sexual activity as a form of recreation, and as a means for achieving superficial self-gratification. Mutual love and intimacy are thus thwarted, and the welfare of others becomes inconsequential. Finally, by denigrating committed relationships, pornography discourages procreation. Persons involved in casual sexual activity usually fear reproduction, and often seek abortions to terminate unwanted pregnancies.

Pornography also challenges the Biblical concept of human dignity and worth. Because God created humanity in His own image, each person has intrinsic value, regardless of personal beauty, age, wealth, or sexual virility. Because Jesus Christ died for humanity's salvation, all people possess dignity, and deserve to be treated with respect and Christian love. The undisguised message of pornography is that people can treat each other as objects or things, especially for purposes of carnal pleasure. Thus, pornography degrades, demeans, and dehumanizes persons of both sexes, but especially women. Furthermore, sexually explicit material overemphasizes

the physical aspects of the body, and elevates them in importance above the spiritual. Without spiritual awareness, however, people lose respect for themselves and others. Pornography thrives off the disrespect that follows this loss of spiritual values.⁶

Furthermore, the use of pornography is sinful, because it stimulates sexual fantasy and lust. As the sociologist, Dr. Ernest van den Haag, has noted, "Pornography has one aim only: to arouse the reader's (viewer's) lust so that, by sharing the fantasy manufactured for him, he may attain the vicarious sexual experience it is intended to produce (which may be, but need not be, harmless)."⁷ Since the appeal of pornography is based on lust, the heightening of sexual desire through pornographic enticement contradicts Jesus' teaching that lust is a sin of the mind and will. In the Sermon on the Mount (Matthew 5: 27-30), Jesus equated the lustful look at a woman with adultery. In order to avoid this transgression, a person must use the will to control sexual desire. Because it subverts the will, and breaks down control over lust, the use of pornography is sinful, even without regard to other consequences. Once the will is broken, however, sexual fascination often leads to sexual misconduct. Nevertheless, God's redemptive action in Jesus Christ makes responsible sexual behavior possible.

⁶Tom Minnery, "Pornography: The Human Tragedy," in Christianity Today (7 March 1986): 18.

⁷Ernest van den Haag, "Democracy and Pornography," in Where Do You Draw the Line?, ed. Cline, 265.

Pornography, then, is much more than lewd stories or dirty pictures or obscene conversation. Instead, it represents a lifestyle which denies that people are created in the image of God, and which promotes the irresponsible abuse of human sexuality. These abuses include premarital and extramarital sexual intercourse, incest, bestiality, homosexuality, and lust. Although these themes are prominent in pornography, Scripture condemns them all (see Deuteronomy 22; Exodus 20; Leviticus 18; Exodus 22; Leviticus 20 and I Corinthians 6; and Matthew 5). Furthermore, pornography purports that marriage is irrelevant, fidelity is inconsequential, and promiscuity is preferable to chastity. Thus, pornography rejects the high moral standards and holy purposes for sex which are taught in the Scriptures.

By accepting the authority of the Bible for making ethical decisions, Christians accept higher standards for sexual activity than the rest of society. Nevertheless, these ethical differences do not mean that the general society must accept the degrading values fostered by pornography. While recognizing the validity of spiritual harm, for example, many people with non-religious views oppose pornography for the physical and psychological damage which it inflicts.

Christian moral standards are also greater than those which can be demanded by law. Understandably, the use of legislation to eliminate pornography has legitimate limits. Concern for civil liberties, for example, establishes boundaries beyond which the law should not be invoked, and

areas into which it should not intrude. As a result, Christians rarely advocate such extreme measures as censorship or amending the Bill of Rights to fight pornography. Furthermore, laws can not change the human weaknesses which pornography exploits, nor strictly enforce morality when autonomy, individualism, and situational ethics dominate secular society. Nevertheless, legislation can be used to restrain anti-social and criminal behavior, and to reinforce existing standards of morality. As Martin Luther King, Jr., has noted, "the law cannot change the heart, but it can restrain the heartless."⁸

A Jewish Ethical View of Pornography

The Christian concern with moral purity in thought, speech, and action is derived from the Jewish code of sexual morality. This code combines legal precepts from the Mosaic law with ethical ideals from rabbinical midrashim. Its purpose is to foster moral rectitude and saintliness by facilitating the purity of one's mind. The rabbis taught that purity of mind is important, not only as an end in itself, but also as a means to attain proper conduct. Thus, an impure mind causes a person to commit all manner of evil. Since the eyes see and the heart lusts, the rabbis taught that these are the agents which are most responsible for promoting sin. Consequently, many of the rules of the moral code are intended to help a person control the passions, avoid temptations, and

⁸Court, 79.

restrain the eye from the sight of sexual stimulants.⁹ By following these rules, the individual can keep the mind free from indecent thoughts, which necessarily detract from the perfection of the soul.

Rabbinical interpretations of Scripture passages in Deuteronomy and Isaiah reinforce the prohibition of impure words and thoughts. Deuteronomy 23: 9-14, for example, is often cited in this regard. A literal understanding of the passage provides guidance for maintaining personal cleanliness and camp sanitation during a military campaign. The rabbis, however, also interpret the Torah's admonition for cleanliness to apply to the mind and mouth.

Verse 9 (10), for example, enjoins the soldier or other member of the expedition that, "Thou shalt keep thee from every evil thing."¹⁰ The Talmud paraphrases this verse to mean, "Thou shalt avoid lascivious thought by day so that thou shalt not be defiled at night."¹¹ Thus, "every evil thing" refers to both physical and moral pollution. In this verse the Hebrew Scripture uses the word, "ervah", an unseemly thing, which often refers to unchastity. Sexual misconduct, therefore, is explicitly understood within this context. Furthermore, the Sages in the Sifre of Deuteronomy understood

⁹Louis M. Epstein, Sex Laws and Customs in Judaism (New York: Bloch Publishing, Co., 1948), 148.

¹⁰Rabbi Dr. J. H. Hertz, ed., The Pentateuch and Haftorahs, Deuteronomy (London: Oxford University Press, 1936), 283.

¹¹L. Epstein, 149.

this verse to include every evil "davar" (thing, but literally meaning "word"), or all evil talk.¹² By extension, the prohibition against all evil things and speech includes profanity, pornography, and other indecentness or lewdness.

Maintaining the purity of the camp had important spiritual as well as practical and moral results. Verse 14 (15) reminds the soldiers that "the Lord thy God walketh in the midst of thy camp."¹³ Moral and physical purity were thus necessary to keep the camp holy, and to prevent God from finding any unseemly thing in the soldiers, especially with regard to sexual matters. For this reason, the rabbis taught that a person must avoid the sight of copulation in people, animals, or birds.¹⁴ Uncleanliness and ungodliness could have dire consequences, for they caused God to withdraw his Divine Presence from the camp, thus removing His protection and providence.

The rabbis gave an additional interpretation of this passage in the Babylonian Talmud. In Kethuboth 5a, Rabbi Bar-Kappara expounded the meaning of verse 13 (14) by asking, "What is the meaning of what is written, 'And thou shalt have a peg among thy implements?'" In this verse, the Rabbi interpreted "implements" to mean "ear,"¹⁵ for the word for

¹²Rabbi D. Charles B. Chavel, trans., Ramban: Commentary on the Torah, Deuteronomy (New York: Shilo Publishing House, Inc., 1976), 285-286.

¹³Hertz, 285.

¹⁴L. Epstein, 149.

¹⁵Rabbi Dr. Isidore Epstein, trans. and ed., "Seder Nashim," vol. 2, in The Babylonian Talmud (London: The Soncino Press, 1936), 17.

implements or tools, 'azen, is a derivative of the parent noun 'ozen or ear.¹⁶ He further advised that "if a man hears an unworthy thing, he shall plug his finger into his ears."¹⁷ Likewise, Rabbi Eleazar taught that the fingers of man resemble pegs so they can serve this purpose.¹⁸ Rabbi Ishmael also taught that although the whole ear is hard, the ear-lap is soft, so that a man can bend it into the ear opening, and thus not hear an unworthy thing.¹⁹ Furthermore, the rabbis taught that a man should not let his ears hear idle things, for "From hearing unworthy or idle things he may proceed to speak unworthy or idle things and then to do unworthy or idle things".²⁰ As these interpretations of Scripture suggest, people should protect themselves from exposure to impure thoughts or unworthy deeds.

Likewise, unclean speech is similar to and derived from filthy thought. Isaiah 9: 17 (16) warns that obscene and profane speech is a grievous sin, and that afflictions arise when "every one is profane and an evil-doer, and every mouth speaketh folly." Few people are free, however, from the vice of "nibul peh", or filthy speech, and each generation must be warned of its consequences. The rabbis taught that "As punishment for obscenity, troubles multiply, cruel decrees are proclaimed afresh, the youth of Israel die, and the fatherless

¹⁶R. Laird Harris, ed., Gleason L. Archer, Jr., Bruce K. Waltke, assoc. eds., Theological Wordbook of the Old Testament, vol. 1 (Chicago: Moody Press, 1980), 28.

¹⁷I. Epstein, trans. and ed., 17.

¹⁸Ibid.

¹⁹Ibid, 18.

²⁰Ibid.

and widows cry out and are not answered."²¹ Rabbi Nachman declared that "All gibing (the reference is apparently to obscenity) is forbidden save gibing at idolatry, which is permitted."²² Thus, in their homiletical commentary, the rabbis stressed the importance of proper speech, as well as purity of thought and deed.

²¹Rabbi Dr. Isidore Epstein, trans. and ed., "Seder Nashim," vol. 1, The Babylonian Talmud (London: The Soncino Press, 1938), 153.

²²Rabbi Dr. Isidore Epstein, trans. and ed., "Seder Mo'Ed," vol. 4, The Babylonian Talmud (London: The Soncino Press, 1938), 154.

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CHAPTER 5

CONCLUSIONS

The issues involved with pornography are very complex, and present significant challenges to the United States Army. Unfortunately, observers and policymakers usually perceive the controversy as a debate between the moralistic objections of religious conservatives and the constitutional concerns of civil libertarians. These arguments are indeed important, but other significant factors must also be considered. As this paper has shown, the use of pornography is not simply a spiritual or moral question, but is also a social issue which has serious implications for all Americans. For the Army in particular, pornography undermines the family system which is essential to soldier welfare and institutional stability. Pornography also degrades women, and thus stimulates sexual harassment and contributes to sexually related crimes. Furthermore, pornography embraces and even encourages other criminal activity, such as incest, prostitution, and drug use. Thus, for very practical as well as ethical reasons, pornography is detrimental to Army goals, subverts Army values, and contravenes Army policies.

In its March, 1986, issue, the National Federation for Decency Journal rightly claimed that, through their

independently operated exchange services, the United States Armed Forces are one of the nation's major retailers of pornographic magazines.¹ Adult entertainment periodicals, such as Playboy, Penthouse, Playboy, and Playgirl, comprise the bulk of this literature. The uniformed services make hundreds of thousands of dollars in profits each year from the sale of these materials at military exchanges and on board ships. The profit motive is certainly one of the primary reasons why these magazines continue to be sold. As a memorandum from the General Counsel of the Department of Defense, dated 18 September 1986 indicates, Playboy and similar magazines sold in the military exchanges "draw a wide readership and are thus fiscally attractive products to carry. In 1985, for example, Playboy was second in exchange magazine sales nationally."²

In light of the increasing public awareness of the harmful effects of pornography, the Army, in accordance with Department of Defense directives, has established strict policies and guidelines with regard to this "adult-oriented" literature. Although many individuals consider this material offensive, it is nonetheless legal, and meets the current interpretations of the obscenity tests established in Miller v. California. The Army also notes that this material conforms to the guidelines set forth in the 1986 final report

¹National Federation for Decency Journal (March 1986): 1.

²General Counsel of the Department of Defense, "'Adult-Oriented' Magazines in Military Exchanges," Washington, D.C., memorandum dated 18 September 1986.

of the Attorney General's Commission on Pornography.

Furthermore, the Army and Air Force Exchange Service (AAFES) has developed effective procedures to display adult-oriented literature in a manner which limits indiscriminate exposure, and restricts access to minors.

By following these policies, AAFES ensures that its magazine sales conform to federal obscenity guidelines with regard to adult-oriented literature. The exchange service also takes similar measures for prerecorded videos, prerecorded music, and computer software. AAFES provides these merchandise items based on consideration of sales volume, shelf-space availability, and customer demand. Because none of these items has been declared legally obscene, they enjoy the constitutional protection which allows them to be sold in AAFES facilities.

In spite of these procedures, serious objections to the sale of sexually explicit materials through the exchange service remain. Although extensive governmental investigations into the soft-core pornographic industry have not been conducted, the anecdotal evidence against its harmful effects is voluminous. (The Attorney General's Commission on Pornography specifically focused its attention on hard-core pornography, and did not address the obscenity or social issues related to soft-core pornography. In a 1986 speech in Denver, Colorado, Twiss Butler of the National Organization for Women declared: "With the backing of the Media Coalition, Hugh Hefner and Bob Guccione invoked the First Amendment in a

successful lawsuit to suppress any reference to their magazines as pornography in the final report of the Attorney General's Commission on Pornography.")³ Also, no national definition or standard for obscenity exists which one can universally apply to judge the content of magazines or other sexually explicit materials. Within the criteria established by the Supreme Court, standards for obscenity are based on "community standards", and these may well vary from post to post, as well as from state to state.

Furthermore, by eliminating the sale of pornography from its exchanges, the Army would officially censure but not censor this material, in the truest meaning of those terms. The Army does not have the authority to censor pornography based on its sexually explicit content, in the sense of prohibiting its publication or denying its possession by Army personnel. Pornography continues to be available in the civilian community, from which soldiers have always obtained materials which the military has otherwise prohibited. The Army does, however, have the authority to censure this material, to condemn or to strongly disapprove of its use. In fact, the Army already exercises this power to ensure that any material which "constitutes a clear danger to military

³Twiss Butler, "No Victims Allowed: Pornography and the Politics of Commercial Speech," as a spokesperson for the National Organization for Women, Inc., in a speech presented at the Twelfth Annual North American Victim Assistance Conference, Denver, Colorado, 11 September 1986, 11.

loyalty, discipline, or morale"⁴ is not made available on its posts and installations. Considering the threat which pornography poses to discipline and morale, the Army's decision to terminate the sale of sexually explicit materials and to censure their use would be justified on policy rather than constitutional grounds.

In light of the evidence against pornography, the Army should reevaluate its role as a purveyor of sexually explicit materials through its exchange service. Although all pornography is not legally obscene, obscenity is not the only criteria by which it should be judged. Since the harmful effects of pornography damage society and individuals alike, the Army has ample social, public health, ethical, and even religious reasons to dissociate itself from the pornography business. Pornography is clearly antithetical to much of what the Army represents and tries to accomplish. Consequently, the Army should terminate the sale of pornography from its exchange facilities, and discourage the use of sexually explicit materials by its personnel.

By taking these dramatic measures, the Army will send an unmistakable message concerning its fundamental standards and values. As an institution that enjoys the public trust, the Army represents a powerful and respected source of authority in American society. As a military organization, the Army wields extensive influence over the attitudes, behaviors, and

⁴United States Army Regulation 600-20, "Army Command Policy and Procedures," chapter 5, paragraph 9, 18.

lives of the soldiers, family members, and civilians who live and work on its installations. By failing to confront the seminal issues related to pornography, the Army gives its tacit approval to this material, and to the anti-social, anti-female, and anti-family values which it promotes. By taking forceful action to combat these destructive influences, however, the Army can enhance the personal integrity of its soldiers, the quality of life of its family members, and the professionalism of its total force.

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