

one's moral probity, or of misguided idealism, or even of a latent disposition to dangerous radicalism.<sup>56</sup> Yet the underlying tension between freedom and virtue necessarily requires an accommodation between conflicting goals and clashing values — precisely the circumstances likely to produce both support for and opposition to specific programs.

The need for such an accommodation may be obscured, but cannot be obviated, by emotional appeals for community appeals for community action, hand-wringing about the decay in moral standards, or righteous denunciation of the dealers in commercialized smut. The First Presidency's statement may well serve as a catalyst to development of useful and constructive programs of action, if accepted as an invitation to thoughtful and conscientious evaluation of the complex and delicate problems involved. The danger, of course, is that well-meaning but unsophisticated individuals not fully sensitive to the many dimensions of the issues may, without warrant, construe the necessary generality of the First Presidency's language as implying the absence of countervailing considerations that counsel restraint.

## CONTROLLING PORNOGRAPHY: THE SCIENTIFIC AND MORAL ISSUES

*Kenneth R. Hardy*

Contrast the following:

The saturation of our civilization with obscenity and pornography shackles and enslaves to lust and depravity. It is necessary to slip these surly bonds. This means it is necessary for each person in America to become a citizen for decency.

—Charles H. Keating, Jr., founder  
and co-chairman, Citizens for  
Decent Literature.<sup>1</sup>

Is there any scientifically acceptable evidence that individual misconduct or social evils result from the reading of obscenity, hard-core or merely erotic or realistic? There are what I have styled elsewhere cigarette testimonials, by J. Edgar Hoover and others, which attest to the dire consequences of reading pornography. But there are no empirical studies by psychiatrists, psychologists, criminologists, statisticians, sociologists or scientists generally, which would indicate such adverse effect on particular individuals or on society as a whole. Lacking such evidence, we cannot anticipate any calamitous results from a permissive attitude.

—Elmer Gertz, noted lawyer<sup>2</sup>

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<sup>56</sup> For examples of such simplistic and irresponsible criticism, as directed to the Supreme Court, see Gerber, "A Suggested Solution to the Riddle of Obscenity," 112 U. Pa. L. Rev. 834, 843 (1964) (charge by Congressman Clare Hoffman that the Supreme Court is part of a world-wide conspiracy to subvert personal moral standards); Semonche, "Definitional and Contextual Obscenity: The Supreme Court's New and Disturbing Accommodation," 13 U.C.L.A. L. Rev. 1173 (1966) (charge by Cardinal Spellman that the Supreme Court had accepted degeneracy and the beatnik mentality as the standard of American life).

<sup>1</sup> As quoted by Norman Mark in "The Anonymous Smut Hunters," *The Nation*, 1965, vol. 201, No. 1, p. 5.

<sup>2</sup> Quoted from his article, "An End to All Censorship," *The Nation*, 1965, vol. 201, No. 1, p. 9.

Wherein lies the truth? What are the effects of exposure to obscenity and pornography? In an area so emotion-laden on both sides, a dispassionate analysis is difficult, but an effort in that direction may help to separate fact from fancy.

#### PROBLEMS OF DEFINITION AND EVIDENCE

Those familiar with the history of the law respecting obscenity know how difficult it has been to arrive at a satisfactory legal definition of this term. Van Alstyne suggests many of the problems in his discussion.

The problem of scientific definition, at this stage of knowledge, seems best met by remaining close to "operational" definitions; that is, by letting the specific measures or stimuli used in a research study "stand for" the concept used. Assuming we can define our variables so they are researchable, our next job is to discover what relationship exists between them, and, further, what is the nature of that relationship: causal, coincidental, contributory, or what?

Suppose the police discover a supply of pornographic literature in the quarters of a man who is found to be guilty of a sex crime. Can we justifiably conclude that reading such literature caused this person to commit such a crime? The answer, of course, is "No." Perhaps the literature and the crime were both consequences of a common set of causes. It is also conceivable that reading the literature acted as a temporary "safety valve," mitigating somewhat the action of whatever forces ultimately drove this man to the criminal act. Or, it is possible that reading the literature acted as a contributing factor along with other determinants of the criminal act. Theoretically, many other kinds of relationships could be considered.

Before we adopt the following logic:

Many sex criminals are known to have read pornographic literature.  
Therefore, pornographic literature leads to sex criminality.

suppose we interpose another statement:

Many sex criminals are known to have read pornographic literature.  
Many persons *not* sex criminals are known to have read pornographic literature. Therefore . . . ?

Does the second set of facts prove the initial conclusion to be false? No, it does not. But it does force us to insist on better evidence before drawing a conclusion, and it may lead us to modify our conclusion.

In a non-technical discussion such as this, it is not possible to examine the details of various researches, to critically evaluate the merits of the methods used, the justification for the conclusions drawn, etc. But perhaps a few words might be said about some kinds of research upon which the ensuing discussion is based.

First of all, it must be said that direct evidence on the effects of exposure to "obscene" material is very meager and limited in scope. The situation is nicely summarized by psychologists Eberhard and Phyllis Kronhausen, in *Pornography and the Law*,<sup>3</sup> as they discuss the psychological effects of erotic literature:

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<sup>3</sup> Eberhard and Phyllis Kronhausen, *Pornography and the Law*. New York: Ballentine Books, 1959.

First we would point out that for academic psychologists to speak dogmatically about the psychological effects of reading "obscene" books would, in the present state of our knowledge, be as unbecoming as venturing guesses about the nature of the Oedipus complex in outer space. The truth of the matter is that there are no sufficient conclusive research data available to answer the question directly and with the same assurance as one could, for example, state that unhealthy family life is one of the contributing causes of juvenile delinquency. . . . it behooves us to walk cautiously, and speak softly, though not without personal conviction, about the possible emotional and behavioral consequences of "obscene" books. (pp. 261-262)

This unfortunate state of ignorance is not easily overcome, in view of public resistance to research in sexual behavior (to be commented on later). Sound conclusions must be based on a wealth of evidence, most of which we now lack.

We will have to make some generalizations from research in related areas such as aggressive behavior and moral conduct. Such extrapolations are hazardous and must be considered as very tentative. We will also draw some "reasonable" conclusions based on general facts about the frequency or amount of certain factors in society at large.

Leaving this brief discussion of definitions, rules of evidence, and state of knowledge (or better, ignorance), which helps us appreciate the complexities of valid conclusion-drawing, let us turn to some specific questions and see what answers the evidence suggests: 1. Does exposure to pornographic material lead a) to sexual arousal? b) to increased sexual expression in conduct? c) to sexual immorality? d) to sexual deviance, perversion, "depravity," criminality? 2. What factors are significant in producing the above consequences?

We shall attempt to answer Questions 1 and 2 concurrently. That is, we shall try to evaluate the role of pornography in relation to other factors important to the determination of each of the above-listed effects.

#### *EFFECTS OF PORNOGRAPHY UPON SEXUAL AROUSAL*

The answer to the question: "Does exposure to pornographic material lead to sexual arousal," to no one's surprise, is an unequivocal "Yes," at least with the stimuli and subjects studied. When shown pictures of attractive nude females, college age American males respond with sexual arousal, accompanied by more or less embarrassment and anxiety, depending on the social situation (e.g., cf. studies by Clark;<sup>4</sup> Mussen and Scodel<sup>5</sup>).

In a study by Levitt and Brady,<sup>6</sup> a variety of pictures were shown to a group of male graduate students who rated them on how sexually arousing they were. These pictures portrayed nude or partly clad males or females;

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<sup>4</sup> Russell A. Clark. The projective measurement of experimentally induced sexual motivation. *Journal of Experimental Psychology*, 1952, vol. 44, pp. 391-399.

<sup>5</sup> Paul H. Mussen and Alvin Scodel. The effects of sexual stimulation under varying conditions on TAT sexual responsiveness. *Journal of Consulting Psychology*, 1955, vol. 19, p. 90.

<sup>6</sup> Eugene Levitt and John Paul Brady. Sexual preferences in young adult males and some correlates. *Journal of Clinical Psychology*, 1965, vol. 21, pp. 347-354.

and heterosexual, homosexual, and autosexual activities of various kinds, pictures of the type often classed as "obscene."<sup>7</sup> The portrayal of heterosexual activities was most arousing, followed by the picture of the nude female. Other sexual activities involving females, and the picture of the partly clad female, were intermediate in arousal value. Homosexual and autosexual activities were only slightly arousing for this group of subjects, with the nude or partly clad male minimally arousing. The authors found no relationship between the sexual ratings of the pictures and the marital status of the subjects, religious preference, previous exposure to similar stimuli (most had been so exposed), and virtually no relationships with size of the community of upbringing or frequency of church attendance.

In a recent study by Jakobovits,<sup>8</sup> sets of specially written short stories having a sexual theme were constructed to conform to one of two types, erotic realism (ER) or obscene (O). The O stories were more dominantly sexual, were more exaggerated, less realistic, and were designed to serve as psychological aphrodisiacs. The ER stories contained more elements antithetical to sexual arousal or fulfillment and kept closer to the realities of life. Stories of one type or the other were grouped in sets of ten (with the sequence of the stories varying between individual booklets) and were then presented (one set per person) to adult males and females, who were to rate the degree to which they felt sexually aroused by the story, along with other evaluations of the total set of stories.

One striking result was that both men and women exhibited a cumulative (snowballing) effect in reading erotic materials of either type, such that the stories became more stimulating as the person progressed from story to story. While both men and women rated the ER stories as moderately arousing (2.9 and 2.7 respectively on a 7 point scale), the men found the O stories somewhat *less* arousing, while the women found the O stories much *more* arousing (2.5 and 4.1 respectively). This was so despite the fact that both sexes evaluated the O stories as quite dirty and unrefined, unreal, and exaggerated.<sup>9</sup>

It will be noted that in all of the studies cited, fairly "powerful" stimuli were used, and, generally, rather sophisticated persons as subjects. The degree of sexual arousal evoked in more naïve subjects by stimuli such as used in the above studies, or by less potent stimuli, is not known.

The answer to the question "What factors are significant in producing

<sup>7</sup> From the description given by the authors, many of these stimuli fall within the definition of "hard-core pornography" accepted by Justice Potter Stewart: "Such materials include photographs, both still and motion picture, with no pretense of artistic value, graphically depicting acts of sexual intercourse, including various acts of sodomy and sadism, and sometimes involving several participants in scenes of orgy-like character. . . ." 34 L.W. 4242 Footnote 3 (U. S. Law Week, March 22, 1966).

<sup>8</sup> Leon A. Jakobovits. Evaluational reactions to erotic literature. *Psychological Reports*, 1965, vol. 16, pp. 985-994.

<sup>9</sup> The Kinsey studies reported that men were erotically stimulated much more frequently by erotic literature than women (47% v. 14%). They did note, however, that a few women respond more broadly, immediately and intensely than any of the men. It seems probable that more men than women voluntarily read erotic literature; the greater arousal of the women in the Jakobovits study may be due to the selectiveness of his sample, or it may reflect the reaction of many women when actually exposed to such literature.

sexual arousal?" is considerably more complicated. It does seem clear that a wide variety of stimuli may have sexually arousing effects. For instance, the most common pastime of the American male is said to be "girl watching." A confirmed girl watcher may be aroused by pornography, but he may also be aroused by prosaic observation of women, and a wide variety of other stimuli. For the women's part, questionnaire replies from over 400 college and normal school women graduates nearly 40 years ago listed what things were most stimulating to them sexually. Of the 409 replies, 218 said "man"; 95 said "books"; 40 said "drama"; 29 said "dancing"; 18 said "pictures"; and 9 said "music."<sup>10</sup>

Rigorous experimental work which carefully validates reports such as these is hard to come by, but we probably have enough evidence to be confident that a wide range of stimuli may serve as sexual arousers, far beyond those which can reasonably be classified as pornographic. Since it is out of the question to eliminate most or all stimuli which might arouse sexuality, the question really becomes one of evaluating the relative importance of pornography as an aphrodisiac. Once again, the answer to this question is obscure. If an individual is only rarely exposed to pornographic stimuli, they may not play a vital role in his sexual life. On the other hand, if a person is frequently exposed to such stimuli, the person may also be rather pervasively sensitized in the sexual realm, such that he is aroused by many kinds of stimuli. Let us rephrase the question: "Does exposure to pornography increase the frequency, likelihood, or intensity of sexual arousal?" Once again no firm answer can be given, but I believe the fairest statement one could make at the present time is "probably so." One must express the caution, however, that there is a considerable gap between sexual arousal and the actual physical expression of sexual behavior. Just because a man finds a woman physically attractive (or vice versa) is no sign an overt sexual act will follow. (Of course, it is also clear that a sexual act will not occur in the *absence* of prior arousal.) As the following discussion suggests, the influence of a variety of factors must conjoin before overt sexuality occurs.

#### DETERMINANTS OF SEXUAL ACTIVITY

In response to the question as to whether exposure to pornography does lead to increased sexual *behavior*, the best answer seems to be "that depends." One needs to examine other factors which are significant in affecting sexual behavior. There are many things which may restrain a person from engaging in overt sexuality, even though he may have sexual urges, desires or wishes. One important determinant is the social sensitivity of the person, his general recognition of the social desirability, acceptance, or appropriateness of any given behavior. Another important determinant is the person's own moral evaluation of any given sexual conduct. Still a third determinant is the accessibility of sexual objects which are acceptable to the person. Also, the person's other needs and values which are operative in a given situation

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<sup>10</sup> Cited by Justice William O. Douglas in his comment upon the majority opinion in the *Roth* and *Alberts* cases. 354 U. S. 476 at 509.

will affect what he does. It should be remembered that erotic stimuli may arouse embarrassment, anxiety, disgust, amusement, and other reactions.

Keeping these factors in mind we may briefly review various outcomes of sexual arousal due to pornographic exposure. The discussion applies equally well to arousal due to other stimuli. Consider the impact of sexually frank scenes in a movie, for example, upon a couple who are otherwise highly motivated toward physical displays of affection, who have relatively weak moral restraints against sexual expression, and who are in a social situation where affectual intimacies are encouraged. Contrast with this the impact upon persons with lesser affectional motivation and stronger moral standards, who are in a social situation where intimacies are discouraged.

In persons whose impulses are well regulated by a mature sense of social and moral propriety, exposure to erotic stimuli *per se* is not likely to produce conduct which violates their standards (see discussion in next section). Those who do not possess effective restraints on impulses will naturally be more likely to exhibit behavior upon arousal.

Probably most of us have been exposed to pornographic stimuli in the course of our youth or adult life. Even though such material may have aroused us, it generally did not impel us to action. There are certainly those who read such literature regularly (for example, the professional censors) who (presumably) do not rush out and commit a sexual act. Such "common sense" facts as these cast strong doubt upon the hypothesis that the inevitable consequence of pornographic arousal is a life given over to lust and depravity.

For some individuals, pornographic stimuli may occur as precursors to overt sexuality. On future occasions, they will serve as cues or triggers to such behavior. If such a sequence becomes habitual, similar pornographic stimuli may become established instigators to a behavioral sequence culminating in overt sexual expression. They become, then, aspects of sexual foreplay.

For still others, pornographic stimuli may occur merely as titillators to a sexual arousal which comes and goes without behavioral expression. In some cases, such transitory arousal may lead to fantasies and plans regarding later expression. In other cases little elaboration may occur, with the arousal being a rather evanescent one. Erotic stimuli which arouse sexual feelings that do not culminate in overt expression will tend not to trigger sexual conduct, since they are not assimilated as parts of a psychological network surrounding the behavioral expression of sexuality.

A far more powerful arouser of sexuality than pornography is actual participation in such affectional activities as passionate kissing and petting. Besides the greater emotional intensity evoked, the presence of a willing partner makes far more likely the continuation of behavioral expression until sexual release occurs.<sup>11</sup>

In summary, the influence of erotic stimuli in the media of literature, drama, etc., in producing behavioral effects can only be understood in the context of many other factors, some of which are far more powerful in their effect on conduct.

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<sup>11</sup> For an extended treatment, the reader is referred to my paper, "An appetitional theory of sexual motivation." *Psychological Review*, 1964, vol. 71, pp. 1-18.

*DETERMINANTS OF SEXUAL MORALITY AND IMMORALITY*

Our discussion to this point leads naturally to the question which concerns the role of exposure to pornography in leading to sexual immorality. Does such exposure have a corrosive effect upon moral standards? Does it lead to impulses so unruly as to significantly increase the likelihood of behavior that violates one's moral convictions? I do not believe that a firm answer can be given to these questions. Some indirect effects may be expected, but I believe that the influence of pornography here is relatively minor and must be evaluated in the context of some more powerful influences.

Data from many sources suggest that people generally behave in ways consistent with their moral standards, despite some lapses or discrepancies. For instance, in the specific area of sexual behavior, a study by Christensen and Carpenter<sup>12</sup> focused on three groups of college students in Denmark, midwestern U.S. (Indiana) and intermountain U.S. (Utah). They found great differences in the proportion of students who had participated in pre-marital intercourse, and these were significantly related to the personal norms of the students. Smith<sup>13</sup> found similar results in his comparisons of sexual norms and behavior among Mormon and non-Mormon students in four large universities in the western U.S.

The importance of moral standards suggests the need to evaluate those influences (including pornography) which might affect the formation and change of the moral standards themselves. The results of dozens of studies done in a wide variety of settings suggest the overwhelming significance of the influence of the family and of age-mate associations in the formation of attitudes, values, and moral standards. For example, studies of political party affiliation and of voting behavior show the primacy of familial and peer associations in governing behavior in this area, with the mass media exerting an indirect influence at best.<sup>14</sup> Studies of character development also show the powerful impact of parental and peer-group influences.<sup>15</sup> Tebor's study<sup>16</sup> of college male virgins portrays the influence of parental standards and of religious ideas to maintain pre-marital virginity and of group pressures to engage in pre-marital intercourse or to refrain from it, depending on the group involved. Kirkendall, in his study of the use of prostitutes by teenage boys,<sup>17</sup> emphasizes that in virtually every case the visit to a house of prostitution occurred in a group setting wherein the boys dared and teased one another until they were all so committed that none could back out and still

<sup>12</sup> H. T. Christensen and G. R. Carpenter. Value-behavior discrepancies regarding pre-marital coitus in three Western cultures. *American Sociological Review*, 1962, 27, pp. 66-75.

<sup>13</sup> W. E. Smith. Morality on the campus. Unpublished paper, Brigham Young University, 1967.

<sup>14</sup> See, for example, B. Berelson, P. F. Lazarsfeld and W. N. McPhee, *Voting*. Chicago: University of Chicago Press, 1954; also A. Campbell, G. Gurin and W. E. Miller, *The Voter Decides*. Evanston, Ill.: Row, Peterson, 1954.

<sup>15</sup> For a good discussion of this, the reader is referred to pp. 44-96 in Leonard Berkowitz' *The Development of Motives and Values in the Child*. New York: Basic Books, 1964.

<sup>16</sup> I. B. Tebor. Male virgins: Conflicts and group support in American culture. *The Family Life Coordinator*, 1961, 9, 40-42.

<sup>17</sup> L. A. Kirkendall. Circumstances associated with teenage boys' use of prostitution. *Marriage and Family Living*, 1960, 22, 145-149.

save face. Studies on aggression, including the role of mass media as instigators of violence, suggest that the mass media play a limited and minor role in the causation of delinquency and crime.<sup>18</sup>

In summary, it would appear safe to say that most students of human behavior consider the primary social interactions of the person (within the family, with age-mate associates, and among others with whom one has intensive dealings) to be of overwhelming significance in the formation of moral standards. The emotional character of these relationships, with the standards of conduct subscribed to and manifested by the persons in those associations, are of critical significance in conscience formation. The influence of the mass media is relatively minor except where it is supportive of interaction patterns which characterize the person's daily existence or where the emotional life of the viewer is so barren that the portrayals of life in the media seem contrastingly exciting or gratifying. In short, patterns and norms of conduct presented via the mass media are relatively ineffectual in overcoming antithetical norms which have been clearly, satisfyingly, and consistently exemplified in the viewer's social relationships. However, in the absence of such normative definition the media may serve as an important frame of reference in defining that behavior which is socially or morally acceptable. The media may also provide the viewer with specific techniques in achieving those goals which are acceptable.

As suggested earlier in the paper, the above conclusions are to be used with caution. However, they are informed inferences based upon the most adequate data presently available, and cannot be dismissed by casually claiming them to be simply matters of opinion.

With these conditions in mind let us consider the specific effects of pornography. It is my judgment that "respectable" works are a far more powerful influence on norm definition than those ordinarily definable as obscene. Perhaps some examples will clarify what is meant. There have been dozens of articles written in the mass circulation press in the last few years discussing what has become known as "the new morality." Such articles have appeared in the daily newspapers, news magazines, women's magazines, general interest pictorial magazines, as well as in dignified journals of thought. The upshot of many such articles is to give credence to the notion that new sexual norms are appearing, if in fact they are not already dominant on the American scene. In many cases the author or editorial tenor implies assent to such norms. Such articles would certainly not be considered pornographic in any sense of the word, yet they may have a far more powerful effect upon community standards of acceptable social and moral conduct than do the so-called pornographic writings.

To take another example, the movie *Dr. Zhivago* portrays in warm, tender, and sympathetic terms an extramarital sexual liaison between Zhivago and Lara. Such a movie (with the possible exception of a couple of seduction and bedroom sequences) would probably not be considered obscene by most

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<sup>18</sup> For a critical review of these studies, see Leonard Berkowitz, *Aggression: A Social Psychological Analysis*, New York: McGraw-Hill, 1962, especially Chapter 9, entitled "Violence in the Mass Media." See also A. Bandura and R. H. Walters, *Adolescent Aggression*, New York: Ronald, 1959; and S. Glueck and Eleanor T. Glueck, *Predicting Delinquency and Crime*, Cambridge: Harvard University Press, 1959.



responsible persons and would certainly not be considered legally obscene. Here is an Academy Award-winning film seen by millions, beautifully and tastefully done in many respects, based on a book by a Nobel Laureate. I believe that its impact as a norm setter, in suggesting that at least in some cases extramarital affairs are proper and even desirable, is far greater than the effect of so-called hard-core or raw pornography.

In summary, one's standards of what is socially and morally acceptable are predominantly influenced by those social groups which serve as frames of reference for the person. The most important influences are one's immediate family, leaders and friends. To the extent that the mass media reflect the views of social groups or classes which are prestigious for the person, they may help to define normative standards. The more definitely pornographic works probably have very little influence in this regard.

The final question deals with the role of pornography in leading to sexual deviance, perversion, depravity, criminality. The specific effects alluded to here are homosexuality, sexual assaults, exhibitionism, voyeurism (peeping), prostitution, soliciting, incest, sodomy, and the like.

To my knowledge, the role of pornography has never been systematically studied in this connection, but it seems very improbable that it is a significant variable in comparison to other factors. Investigators and therapists are far more impressed by such factors as rejecting, domineering, or seductive parents; extremely disruptive or "cold" home situations; and additional experiences with others which lead to a relative inability to establish and maintain satisfactory, comfortable relationships with individuals of both sexes. Interpersonal relationships of powerful emotional significance, transacted over years of experience, seem far more likely than exposure to pornographic stimuli to determine the effects under discussion.<sup>19</sup>

It is true that some magazines, books, and entertainment cater to homosexuals; others cater to the hostile, sadistically inclined; still others to the lonely and dispirited who can only dream of sexual conquests and social adequacy. Such material may help to maintain social deviance, but it is unlikely that it plays any significant role in producing these life patterns.

#### CENSORSHIP OF PORNOGRAPHY: PRO AND CON

Our previous discussion suggests that pornography is a relatively minor or insignificant factor in (1) the genesis of various sexual deviations, (2) the development and change of standards of conduct in the sexual realm, and (3) the transgression of personally adopted moral norms. While pornographic stimuli may serve as significant source of sexual arousal, efforts to significantly reduce sexually provocative stimuli may well have to extend to impractical measures far beyond the censorship of stimuli ordinarily classifiable as obscene.

These considerations suggest that control of pornography may not be the cure-all for a variety of social ills. It may also be true that much of the emotional power behind the "clean movie" and "decent literature" campaigns

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<sup>19</sup> See, for example, James C. Coleman, *Abnormal Psychology and Modern Life* (3rd Ed.), Chicago: Scott, Foresman, 1964, pp. 379-415; George W. Kisker, *The Disorganized Personality*, New York: McGraw-Hill, 1964, pp. 232-248; A. P. Noyes and L. C. Kolb, *Modern Clinical Psychiatry* (6th Ed.), Philadelphia: Saunders, 1963, pp. 466-472.

comes from a desperate wish that removing “smutty” literature and movies will somehow (magically) solve a variety of vexing problems.

Even though obscenity may be more of a molehill than a mountain, still, isn't it better to get rid of an evil, if indeed it is an evil, even if that evil is not as mammoth as had been thought? If pornography is an unvarnished evil, what is there to commend it? If it doesn't do anyone any good, why tolerate it at all?

That there is a general recognition of a social evil associated with obscenity is reflected in the fact that there are anti-obscenity laws and ordinances in every state of the U. S., and in many foreign countries, and in the fact that the U. S. Supreme Court has declared obscenity not to be constitutionally protected.

So we come to the definitional problem again. If we consider as pornographic or obscene anything which is prurient (i.e., tends to incite lustful thoughts), then we are going to have to get rid of much art, drama, literature, music and even men and women themselves! Our definition must be more narrow and precise if we are not to eliminate much which is good in our effort to discard the bad. We have to weigh social values to see if the benefits outweigh the damages.

#### VALUES IN MATERIAL WITH SEXUAL CONTENT

Since anything but hard-core pornography contains a certain amount of non-sexual material, one must examine the values in that material, *unless* one can obtain the benefits of the non-sexual material without the inclusion of the sexual. This is exactly what those favoring censorship would like to see happen. They would like to “clip out” the objectionable parts and leave the remainder. If such editing materially damages the message or coherence of the residue, then, under this plan the work should be re-done. While such a procedure might appear sound in theory, in practice it has not worked, and probably will not work, for several reasons:

1. We cannot agree (fortunately, I believe) that every portrayal or discussion of sexual matters is objectionable (obscene).

2. There is very little agreement about what portrayals of sexuality are offensive and what ones are not. Put differently, there is relatively little moral consensus in the U. S. in this matter.

3. In many works, the interweaving of sexual and non-sexual content (assuming some hard-and-fast distinction between these can be made) is so intricate that they cannot be disentangled without destroying the social value.

The history of attempts to censor obscenity clearly demonstrates, I believe, the suppression of works which have demonstrable historical, literary, artistic, educational or other social value.<sup>20</sup> The abuses of censorship are so perilous that I believe the U. S. Supreme Court was wise in establishing relatively rigorous standards (discussed previously) for determining whether material is sufficiently obscene as to be unprotected by First Amendment guarantees.

*There may also be values served in the sexual content itself.* To examine this, let us look at the functions such content may fulfill: Why do people expose themselves to such stimuli? What do they “get out of it?” At least

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<sup>20</sup> It is outside the scope of this paper to discuss such values.

three kinds of functions (frequently intermixed) can be distinguished: educative, normative, and personal-emotional.

Especially for the young and uninformed, such exposure can satisfy curiosity about sexual anatomy, physiology and behavior. It is generally recognized that youth is intensely curious about sex; it is also true that youth will obtain information about it from whatever sources they can find. The question is not "Should there be sex education," but rather, "What kind and quality of sex education should there be?" If we find it regrettable that young people should seek out obscene materials to find out about sex, and in the process become not only misinformed, but also develop undesirable attitudes toward it, then better alternatives should be made available to them. Formal sex education, in America at least, is meager and uneven. The biological facts are more or less well presented, but the social and psychological aspects are hardly considered at all. Perhaps if we stopped pretending that youth are sexually incurious and ignorant, and met the educative need with acceptable materials, obscene presentations would at least lose their educative appeal.

Another educative function is instruction in sexual technique. The "marriage manuals" which have increasingly appeared in the last forty years have arisen in response to this need, and generally provide much more adequate knowledge than elsewhere obtainable. It is entirely possible that pulp literature is much less used than formerly, for this purpose at least, though I know of no evidence in this connection. If such education assists married couples to develop greater mutual fulfillment and compatibility, if it will help them to continue and increase romance in their marriage, if it will help them to be true to one another, if it will help them to better plan for and positively anticipate the children they wish to have — then it serves important social values.

At the same time, such a function may be deemed unsuitable or inappropriate for the unmarried. It may be (and again, it may *not* be — see earlier discussion) that exposure to such material could cause some increase in the likelihood that "those who shouldn't" will experiment with sexual expression.

A further educative function is that of providing conceptions about the relationship between the sexual and non-sexual aspects of living. Many literary, artistic, and scientific works attempt to provide "insight" into the role of various forms of sexual expression in the personality and life patterns of people. Serious works of this type have obvious and significant value.

A normative function exists in literature when some definition is made of what behavior is right or wrong, appropriate or inappropriate. More or less explicit influence is brought to bear upon the audience to accept or reject specific attitudes or behavior involving sex as good or bad, as acceptable or unacceptable. The works which disturb us in this area, naturally enough, are those which favor standards different from our own. While we are naturally disturbed by such views, it seems to me that any attempt to prevent such views from expression smacks of satanic totalitarianism, and is inconsistent with the doctrine of free agency. A wiser course of action would seem to be an effective presentation of alternative moral norms which are acceptable.

A third function of sexual content is personal-emotional. That is to say, it leads to an immediate and direct emotional experience via the impulses

aroused by the stimuli employed (e.g., a dance or a love scene). Such emotion may be esthetic, affectional, or erotic in character; or it may have other shades of affective quality. It would seem that such emotional arousal may be beneficial or detrimental, depending upon the persons involved and other circumstances. There are probably some real hazards in sexual arousal of this sort, particularly if it becomes a chronic pattern such that the person's thoughts are frequently dominated by sexual concerns. This may occur to the point where the person's ability to function adequately in other aspects of his life is significantly impaired, or where erosion of his moral standards occurs. Such a consequence represents a significant threat of erotic literature. An effective strategy to counter this threat rests partly in shunning such stimuli, but more importantly, in diagnosing the causes of the emotional lacunae in the person's life and in taking effective action to overcome these, so that the purely erotic appeal loses its signal attractiveness. In summary, it appears that on the one hand there are definite values and hazards in exposure to sexual stimuli, but that on the other hand there are also definite values and hazards in avoiding such exposure. Under such circumstances, the wisest policy would seem to be (rather than absolute restriction) one which minimizes the hazards, but which preserves the values.

#### THE ROLE OF STATE AND CHURCH

I believe that censorship of expression in the mass media is so fraught with danger that relatively stringent restrictions on censorship should be maintained, with vigilant attention given to judicial and administrative safeguards for the protection of freedom of expression.

But freedom brings with it accompanying responsibilities: Liberty and license are not the same. The freedom of one citizen cannot be granted at the expense of denying similar freedom to others.

Students of society know that the law reflects, in a formal, uneven, and very limited way, the norms and values of that society. Individual persons and private groups, in the final analysis, determine the climate of freedom and social responsibility which governs the affairs of the citizenry. In this connection, there is much which the Church and its members may do to exert an influence for good. I should like to suggest five courses of action which might promote sexual attitudes and morality consistent with L.D.S. standards.

The most influential course of action is to encourage, by example, truly loving relationships among people, relationships in which people exhibit genuine human concern for one another. The contrast between relationships wherein people truly care for each other and those which are liaisons of convenience or exploitation is sufficiently decisive as to be compellingly on the side of virtue. Our greatest threat, in my opinion, comes from the invasion of our society by those tendencies which promote superficial and dishonest relationships. For example, a pair of home teachers and a given family they visit may so interact with each other that there is an implicit agreement of non-caring. The home teachers in effect say, "Pardon us for intruding on your lives, but it is our duty and we promise not to bother you for more than a few minutes each month." The family in its turn says, "We know you don't really care about us and we aren't going to let you know what we are really

concerned about, joyous about, or deeply experiencing; however we recognize your need to fulfill your duty, so we will be courteous and permit you to visit us in our living room for a few minutes on a designated evening once each month." This same kind of tacit agreement may characterize the relationship between a Sunday School Teacher and the class members, between Priesthood Quorum members, etc. Agreements of this sort may even characterize a husband and wife who live in a "cold war" of mutual co-existence, though they may have gone through the formality of a temple marriage ceremony. To the extent that the Church is characterized by relationships of this type, to that extent will its members seek elsewhere to find the relationships for which they hunger. On the other hand, if the person experiences a wealth of relationships of real friendship, thoughtfulness, mutual sacrifice, and consideration, he will not be attracted to the vacuousness of simply sexual liaisons, nor to the exploitativeness of superficial interpersonal relationships generally. Put another way, a task of the Church is to stimulate a society in which the standard defined by the Savior is approached: "By this ye may know that ye are my disciples indeed, that ye love one another even as I have loved you."

As a part of this larger picture, the Church membership might encourage a more open discussion (appropriate to various levels of age and experience) of the positive aspects of sexuality within the context of loving interpersonal relationships. I feel that our emphasis has been too much upon the damning consequences of violations of the sexual dicta set forth by Deity, and not enough upon the positive values of sexual expression within the bounds which the Lord has set.

A third contribution which Church members might make is a more active encouragement of a climate of esthetic creativity. The promotion and patronage of artistic innovation, honesty, and sensitivity, including attempts to include the sexual experience as a valid aspect of humanity, are worthy of consideration.

A fourth contribution consists of vigorous support for the scientific study of interpersonal relationships. Specifically, there is a crying need for a concerted research program which would enlighten us on the determinants and consequences of various patterns of sexual behavior. It is tragic but true that very little progress has been made in this field, even in the last forty years. We very much need a climate of public support for research in human sexual conduct, which would include studies of the influence of erotic stimuli via the mass media of modern society. The resulting knowledge would be a useful guide in the establishment of social policy.

For example, many people today manage to enter marriage chaste and to remain faithful to their spouses, despite the fact they live in a sex-saturated society. How do they manage to do it, while others do not? Careful, controlled comparisons of various groups (including their exposure to prurient stimuli) may prove revealing in this connection.

We know practically nothing about the audience for the various forms of erotic stimuli. Modern survey research methods, employed in a supportive social climate, could substantially reduce such ignorance.

Also, by the social science method of content analysis, films, books, magazines, plays, etc., could be objectively described according to the amount

and type of sexual (or aggressive, or other) content.<sup>21</sup> Such descriptions would not only be of theoretical value, they would also be of practical value in at least two ways. First, an objective set of ratings, together with a non-evaluative, descriptive summary of a given film, book, magazine, play, etc., would provide a most useful guide to a parent or patron who would like advance notice as to its portrayal of sex, violence, or other material. Second, such descriptions of the content of the work itself as well as of its promotion and sale may help to differentiate more unambiguously the obscene from the non-obscene.

The foregoing represent just a few ways in which knowledge may be beneficial. Are those who profess alarm at the potential dangers of pornography willing to support objective research in the sexual realm?

### OPPOSING AN EXPLOITATIVE SOCIETY

A fifth contribution, a difficult and challenging one, is related to all the others. It is to bring the moral values of the gospel of Christ into active confrontation with those values of society which support, among other things, the misuse of sex. Let me explain.

To me the most reasonable answer to the question "Why is our culture so loaded with sexuality?" is that exploitation of sexuality is profitable; and profit (or money), in our business-dominated, materialistic society is a chief goal. Wealth is the hallmark of success, the provider of goods and services, the key to the "good life." It brings influence, status, deference, self-esteem, and gratification of many needs and desires. Is it any wonder that men will employ every device to obtain it?

A modern Horatio Alger story is that of Hugh Hefner, the editor and founder of *Playboy* magazine. Following employment as a copy reader for *Esquire*, Hefner launched, in the early 1950's, his own venture in the magazine field. Within a span of 15 years, his business is reported to have grown until today his gross income amounts to many millions of dollars annually. The phenomenal success of this venture, according to the monetary standards which we Americans apply to success, undoubtedly serves as a strong incentive for others to publish in this field. While such a direct use of sex for profit-making characterizes the purveyors of pornography, our use of it as a tool for exploitation of one another permeates virtually all aspects of our society. Thus, sex is used to promote the sale of a fantastic variety of products and services from automobiles to clothing and deodorant. One of the regrettable features of a business-dominated society is that any aspect of human life which will make money may be exploited for commercial purposes.

Many of us are repelled by the exploitation of one another so rampant in a profit-based society, and are particularly revulsed at the use of sex as an exploitative tool. We are deeply concerned about the alienation of people from one another, which seems to accompany such exploitative use.<sup>22</sup> One possible

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<sup>21</sup> For a beginning in this direction, see Herbert A. Otto, "The Pornographic Fringe-land on the American Newsstand," *Journal of Human Relations*, 1964, vol. 12, pp. 375-390.

<sup>22</sup> The psychoanalyst Rollo May recently expressed such a concern in "Antidotes for the new Puritanism," *Saturday Review*, March 26, 1966, pp. 19ff. See also the works of Erich Fromm.

development in such a society is that sex will not be part of an authentic and intimate relationship of mutual love and concern, of genuine caring, but that it becomes rather a vehicle for transient, even though mutual, satisfaction. The interpersonal relationships which characterize the James Bond movies are representative of such. In these films, which have been fantastically successful, the major characters are expert at exploiting one another via aggressive and sexual means. The relationships are full of guile, threat, and are consequently extremely guarded. One does not get involved with others except in a casual, episodic manner. Bond is heroic, not because of his virtue, but because he is so eminently successful in exploiting others.

As a psychologist I find it hard to refrain from taking such relationships as symptomatic of our contemporary way of life. I am deeply chagrined at the tawdry spectacle of social elements which "push" or portray sexual stimuli and activities for the purpose of making money. The prime criterion for production, publication, presentation, marketing, etc., is the profit criterion: Will it sell; will it achieve a mass audience? Is there not something wrong with a social system which sacrifices almost everything else before the god of money? Have the business values of American society so pervaded the Church that we have neither the inclination nor moral courage to speak out against the evils of a system which glorifies profit?

Men will struggle for that which they cherish and will battle those things they perceive to be their enemies. Some see pornography as an unvarnished evil to be eradicated at the cost of free expression. As I see it, the real obscenity is the prostitution of human relationships, as exemplified by our use of one another for transient gratification and for money-making. Human energy, talents, and passions are employed in the service of exploitation and alienation, goals which are antithetical to the development of positive involvement in relationships of loving concern. For me, the mission of the Church is to foster man's brotherhood, under the fatherhood of God, and to fight man's alienation from God and man. This mission must be performed in the presence of many conflicting influences. In a policy which emphasizes constructive alternatives rather than censorship, is found uncertainty, choice, virtue, error, and, possibly, godliness.

## TOWARD A POSITIVE CENSORSHIP

*Stephen L. Tanner*

The argument over censorship and pornography is necessarily a muddled one. The factors involved are matters of taste and principle which do not lend themselves to simple logical treatment. The matters of taste concern aesthetic taste, which is the most difficult to define, communicate, or reason about; and the matters of principle concern moral principles of the most knotty, perplexing sort. But for me, out of this muddle, two points emerge clearly. The first is that despite the difficulty of tracing and defining such effects, literature and drama do serve in a significant way to shape the attitudes, values, and actions of our society. The influence of literature may have been limited or perhaps negligible in times past, but in our literate, movie-and-television-watching culture, that influence is real and must be reckoned with. The second point is