

Civil Liberties and Research on the Effects of Pornography

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Introduction

Americans are concerned about the problem of pornography (The term "pornography" is used herein to refer to sexually explicit media without any pejorative meaning necessarily intended. Terms such as "violent pornography" and "sexually violent media" are used to refer to media that combine sexual and violent content. We also sometimes use the term "sexually violent media" to refer to materials that fuse sex and violence but do not necessarily have a high degree of sexual explicitness.), particularly violent pornography. A total of 73% of Americans say they would ban magazines that show sexual violence, 68% would bar theaters from showing movies that depict sexual violence, and 63% would bar the sale or rental of video cassettes that feature sexual violence (Burton, 1989). For the last seven years, policy advocates from the conservative right and the traditional left and many feminists have engaged in a fierce debate about the appropriate legal solution to the problem of pornography, in both violent and nonviolent forms. Research and expert testimony from social psychologists in one form or another has been used by virtually all parties involved in the debate.

In this chapter we assess what we feel psychologists can legitimately contribute to this dispute by focusing their research on media effects. We have an obligation to share our findings but also, concomitantly, to vigorously assert our opinions about the inconsistencies in the results and the methodological shortcomings of the relevant studies. This obligation may become more or less pressing, depending on our perception of the policy goals of a particular group. On the surface, the debate about the relevance of social science data for policy decision making in this area seems to be between two relatively distinct positions: Do we speak out despite the problems with the database we have? Or, do we refrain from speaking out until the database is sufficient? But these positions have one assumption in common, that policy making proceeds in a deductive way. Evidence accumulates and then, faced with overwhelming proof for a given effect, we (society) make a decision to take action that is congruent with the data.

To frame the debate in these ideal terms ignores some facts about policy decisions in the area of pornography (and perhaps in any domain where social science research is applied to social policy). Legal judgments and policy decisions concerning pornography are philosophical, moral, or political in nature. They often reflect the power and values of one group versus another in our society (i.e., the rights of women who might be harmed because of certain forms of pornography versus the costs incurred by society as a whole when certain forms of speech are banned), or they are moral principles, about what is right or wrong behavior, advanced by one group or another.

In this chapter, we discuss the development of social policies about pornography in the United States and the interface of these policies with social science research. We argue that fundamentally the decisions in this area have been moral/ political ones, augmented by social science evidence only when it suited the policy makers. We note that in some situations social science evidence on the effects of pornography has been ignored altogether, explicitly labeled irrelevant, or used selectively to confirm certain moral/political beliefs.

This puts us, as potential policy advisers, in a curious position. Given the fact that, for political or moral reasons, a given policy alternative will be pressed regardless of our input, we have no choice but to contribute what we know in the hope of steering the debate toward the consideration of carefully collected scientific evidence. But, because the research has such a high potential for misuse, we must do so in a cautious way, pointing out whenever possible the methodological shortcomings of the research we cite.

In order to come to a conclusion about when and to whom social science data should be disseminated, we consider two guiding ethics. These principles have helped us frame our

decisions about when it is necessary to emphasize the shortcomings and inconsistencies of the research rather than the consistencies among the findings. They involve searching for alternatives to censorship and being cautious whenever the policy making body is predisposed toward the deprivation of traditional First Amendment rights. We suggest a rank ordering of situations, from least to most "safe", for researchers to provide expert advice in light of these principles.

Finally, we suggest some broad guidelines for future research in this area. Our suggestions are intended for social scientists who wish to devise research projects that are both theoretically relevant and policy oriented.

Research on Sex and Violence in the Mass Media and Public Policy

In recent years there have been several domains where social policy and social science evidence on the effects of pornography and sexual violence in the media have converged. We will consider three of these: the 1970 Pornography Commission, the 1984 Minneapolis/Indianapolis anti-pornography civil rights ordinance, and the 1986 Attorney General's Commission on Pornography. Although the laws and recommendations that have emerged from each of these domains appear to have been sometimes informed and guided by psychological research, they have at least as often proceeded in a given direction despite the research evidence.

1970 Pornography Commission

In 1970 the Presidential Commission on Pornography and Obscenity sponsored many basic science empirical studies on the effects of exposure to sexually explicit materials. In fact, as others have noted (Einsiedel, 1989), one of the primary contributions of the commission was that it put human sexual behavior on the agenda for continuing scientific inquiry. The studies undertaken by the commission suggested few antisocial effects from exposure to sexually explicit material (see Howard, Reifier, & Liptzin, 1971). They concluded that persons exposed to most forms of the pornography widely available then did not show significant changes in their attitudes toward women and showed no increases in tendencies toward sexual violence. These scientific findings could have been used reasonably to substantiate a policy of no legal intervention.

Instead, obscenity law flourished. By 1973, the United States Supreme Court, under the leadership of Chief Justice Warren Burger, had fashioned a more restrictive obscenity standard than any that existed in the 1960s. In a landmark case, *Miller v. California* (1973), Chief Justice Burger argued that each community had the right to establish its own obscenity standard. According to many legal theorists, this case made obscenity law stricter because it permitted local courts to find persons guilty for distributing materials that could not plausibly be found obscene in other, more sophisticated, jurisdictions (Feinberg, 1979).

Obscenity law may have flourished despite the commission's null findings in part because the premise of obscenity law was not actually challenged by the research findings. The law assumes that the danger from exposure to certain materials lies in the sexual explicitness and appeal to prurient interest of the material itself. Obscenity law rests on the idea that the harm caused by exposure to obscene materials is done to the viewer, rather than to any other party who might be injured because of the viewer's more calloused attitudes or predisposition to antisocial behavior. Obscene materials offend community standards of decency and therefore fall outside the range of speech protected by the First Amendment. This premise is not challenged by the 1970 commission's finding that exposure to pornography has no effect on antisocial attitudes and behavior toward women (Howard et al., 1971).

It is interesting to note that there is some indication that the court wished to have it both ways, that is, to justify obscenity standards both in terms of the harm done to the viewer and harm done to other parties. Chief Justice Burger bolstered the Miller decision by citing the Minority Report of the 1970 commission. This report argued that there was evidence of at least an arguable correlation between the consumption of pornography and antisocial behavior toward women.

1984 Minneapolis/Indianapolis Civil Rights Ordinance

The attempt by some feminists to fashion a civil law to regulate pornography was a direct response to the ineffectiveness of obscenity law in the 1980s. The amount of pornography in American society in the decade after the 1970 commission had mushroomed. Feminist theorists Catherine MacKinnon (1985) and Andrea Dworkin shifted the debate from the idea of harm done to the viewer of pornography to the idea of harm accruing to women by the existence of pornography in our society. Scientific studies (for reviews, see Donnerstein, Linz, & Penrod, 1987; Malamuth & Donnerstein, 1984) on the effects of exposure to sexually violent media were cited by these theoreticians to support their claims in cases such as *American Booksellers Association v. Hudnut* (1984, 1985).

These studies indicated that, in the laboratory, exposure to certain forms of violent pornography resulted in changed perceptions of rape, attitudes, and aggression against women. In the typical study focusing on short-term or relatively immediate effects on aggressive behavior, male subjects were first exposed to depictions showing the female victim enjoying or reacting in a positive fashion to sexual aggression or similar mistreatment. Then subjects were given the opportunity to administer electric shocks or other forms of punishment to a female victim. The results of these studies have generally indicated that in comparison with control subjects, male subjects exposed to sexual violence of this sort showed increases in aggression. However, the only study of this type that examined more long-term effects of such exposure (by having repeated exposure to sexually violent materials and measuring aggression a considerable time after the exposure phase had been completed) did not find increased aggression (Malamuth & Ceniti, 1986).

Other research focusing on perceptions and attitudes shows (a) changes in the perception of the rape victim (e.g., seeing her as less injured and more responsible for her assault); (b) effects on perceptions of a rapist as less responsible for his actions and as deserving less punishment; and (c) greater acceptance of violence against women and of certain rape myths (see Donnerstein et al., 1987; Malamuth, 1984, 1989). Research on exposure to sexually explicit materials that were not overtly violent but were arguably degrading to women yielded less consistent effects (Linz, 1989), but some data suggested that long-term exposure to these materials might also result in more lenient attitudes toward rapists (Zillmann, 1986).

Dworkin and MacKinnon persuaded the Minneapolis City Council to adopt a civil rights ordinance permitting women to recover damages from the alleged harms resulting from pornography, which was defined as the sexually explicit subordination of women through pictures or words that also presents women as dehumanized sexual objects who enjoy pain, humiliation, or rape (MacKinnon, 1985). Accordingly, pornography was seen as constituting a violation of women's civil rights. Under certain circumstances, women were permitted to sue the producers of such material for damages. Such an ordinance was ultimately passed in Indianapolis with the help of political conservatives. The ordinance was successfully challenged by the American Booksellers Association and the American Civil Liberties Union (*American Booksellers v. Hudnut*, 1984).

Although the feminist argument about harm appears to dovetail nicely with some of the scientific findings regarding sexually violent media, nearly all observers of the events in Indianapolis agree that there was little evidence that conservative supporters of the ordinance had abandoned assumptions upon which traditional obscenity law rests in favor of a harm-to-women approach. In other words, the danger of pornographic materials lay in their sexual explicitness, appeal to

prurient interests, and tendency to morally corrupt consumers. Conservatives were convinced that the proliferation of pornographic materials was proof that existing obscenity law was an ineffective means of restricting access to pornographic materials and saw this new approach as potentially viable. For many of the ordinance's supporters, the results of scientific experiments were essentially irrelevant to their support for the legislation. They endorsed the legislation primarily because it promised a practical solution to what they considered an old problem.

1986 Attorney General's Commission on Pornography

Rather than adopt the feminist legal approach, political conservatives (who appeared to form the majority of the 1986 Attorney General's Commission on Pornography), in keeping with their social philosophies, recommended more vigorous enforcement of traditional obscenity law. To its credit, the 1986 commission maintained that the most harmful material was that which was sexually violent. They concluded that there was a causal relationship between exposure to sexually violent pornography and negative changes in certain attitudes, perceptions, and aggression toward women. With respect to aggressive behavior, this is an accurate statement as long as we are referring to results of laboratory studies examining the short-term effects of sexually violent images (also see Linz, Donnerstein, & Penrod, 1987).

As we noted earlier, there is currently no research to show long-term effects on aggressive behavior (Malamuth & Ceniti, 1986). The main body of the 1986 commission's report (Attorney General's Commission on Pornography, 1986) did not include any reference to or discussion of this study, although it is cited in a different section of the report, the "Social and behavior science research analysis" section (p. 985), prepared separately by a social scientist.

The commission's conclusions regarding the effects of violent sexual media on attitudes are more consistent with our own literature reviews (e.g., Malamuth, 1989) than with their generalizations regarding violent behavior. As noted below, there are aspects of their generalizations about attitudes that we feel may be premature. There are at least two important considerations that the commission did not emphasize sufficiently in its application of social science research to their conclusions about pornography and aggression against women. First, the question is whether the changes in attitudes and behavior after exposure to sexually violent material are a function of both the violence in the depiction and the pornographic nature of the material per se (i.e., the fact that the material contains sexually explicit images) or are due primarily to messages about the violence against women regardless of sexual explicitness. Second, a methodological qualification (not discussed here) involves the familiar critiques of laboratory investigations of aggressive behavior (see Fredrich-Cofer & Huston, 1986; Freedman, 1984, 1986).

Many of the scientific studies cited by the commission as evidence for the effects of pornography strongly suggest that in order to find harmful effects, sexual explicitness need not attain a level anything like that which would be judged obscene or pornographic by virtually any standard (e.g., Malamuth & Check, 1981). Studies in which subjects have been exposed to materials that are sexually explicit and violent toward women, sexually explicit but purged of violence, and violent but not sexually explicit have indicated that materials with a message of violence against women presented in sexually nonexplicit contexts are capable of producing some of the same antisocial effects as violent pornography (e.g., Donnerstein, Linz, & Penrod, 1987). We are not denying that the combination of sex and violence may have some unique and troublesome effects, but this issue needs to be more systematically investigated prior to any conclusive generalizations. As well, research on the effects of "slasher" films that portray extreme forms of violence against women in mildly erotic contexts has also revealed antisocial effects (Linz, Donnerstein, & Penrod, 1984, 1988).

In fact, the commission itself noted that the preponderance of the evidence suggests that the effects of violent pornography "do not vary with the extent of sexual explicitness so long as the violence is presented in an undeniably sexual context" (Attorney General's Commission on

Pornography, 1986, p. 328). According to the commission, "the so-called slasher films", which depict a great deal of violence connected with an undeniably sexual theme but less sexual explicitness than pornographic materials, are likely to produce the consequences discussed here to a greater extent than most materials available in 'adults only' pornographic outlets" (p. 329). The most reasonable conclusion that one can reach from the commission's own statements is that depictions of violence against women, whether in a sexually explicit context or not, should be the primary focus of concern. In addition to violent pornography, the commission issued statements regarding what it termed nonviolent but degrading pornography, nonviolent and nondegrading pornography, and nudity. The commission stated that substantial exposure to degrading pornography will (a) lead individuals to view rape as less serious, (b) encourage individuals to view rape victims as more responsible for their own plight, and (c) increase the likelihood that men will say that they would "force" women into sexual practices. The social science research conducted to date is not, by any means, conclusive on the effects of exposure to materials that are nonviolent but may be degrading to women. Although some research has found that exposure to this type of material changes an individual's perceptions of rape (e.g., Zillmann & Bryant, 1982), other studies, with both male and female viewers (e.g., Intons-Peterson, Roskos-Ewoldsen, Thomas, Shirley, & Blut, 1989; Kafka, 1985; Linz, Donnerstein, & Penrod, 1988; Padgett, Brislin-Slutz, & Neal, 1989), have not shown such effects. The commission selectively attended to the results of research that obtained effects while largely disregarding those studies producing null effects.

Lacking solid scientific proof, the commission argued, on the basis of their "own insights and experience with these types of pornography," that substantial exposure to materials of this type "bears some causal relationship to the level of sexual violence, sexual coercion, or unwanted sexual aggression in the population so exposed" (Attorney General's Commission on Pornography, 1986, pp. 333- 334). Ironically, the commission noted that, as with the sexually violent materials, these effects may not be dependent on any sexual explicitness contained in the depictions. Despite the conclusion that the harm associated with pornography had little to do with sexual explicitness, the commission's legal recommendations were primarily directed at strengthening existing obscenity law, the focus of which is explicit sexuality, appeal to prurient interest, and the moral corruption of the individual viewer. Obscenity law does not specifically address the harm accruing to women as a result of others viewing sexually violent media, which is the primary focus of the scientific research. The primary legal recommendations made by the commission for strengthening traditional obscenity laws belied its own assertions about what the data revealed. The research shows and the commission's own opinion is that the sexual explicitness of the portrayal is of only secondary concern. Obscenity laws are traditionally directed to the prosecution of purveyors of sexually explicit materials. To strengthen these laws makes little sense in light of the data.

In summary, there have been some occasions where policy and psychological research appear to have meshed in a logical way. The Minneapolis antipornography ordinance developed by feminists Andrea Dworkin and Catherine MacKinnon was consistent to some degree with the social scientific evidence. In other words, the fusion of sexually explicit material and violence, rather than being objectionable because it was offensive or tended to corrupt the morals of those who viewed it, might produce its greatest harm to third parties, namely women. However, the ordinance encompassed a range of materials (i.e., degrading pornography in general rather than sexually violent media) that was not specifically tied to the type most clearly implicated by the research as having potential negative effects. Furthermore, the ordinance eventually passed by the Indianapolis City/County Council was passed through the sponsorship and endorsement of politically conservative council members whose primary interest was in controlling the spread of objectionable sexually explicit material.

Other legal policies appear to have been formulated and implemented regardless of what social science research demonstrated. The most significant obscenity decision, *Miller v. California* (1973), was largely in conflict with the findings of the 1970 Presidential Commission on Pornography and Obscenity, whose studies suggested that exposure to sexually explicit materials

available at the time did not produce antisocial effects (see Howard et al., 1971). The recommendations of the 1986 Attorney General's Commission on Pornography to strengthen traditional obscenity law 16 years later flies in the face of its admission that it is the message of violence against women, regardless of sexual explicitness, that is at issue.

Distinguishing Between a Political/Moral Question and an Empirically Answerable Question

Why has social science evidence been applied to policy decision making in such a seemingly haphazard way? We submit that it is because policy makers have sought first to advance a political or moral position and then have tried to support these positions with the necessary scientific evidence. When the evidence has been consistent they have emphasized it; when it has proven contrary to their case they have usually chosen to ignore it or to denigrate its value. Quite often research has been ignored altogether. This has been especially true for the U.S. courts. What the social scientist contemplating the value of research on the effects of pornography must bear in mind is that no matter how compelling or inconclusive the data might be, the courts view the issue as a legal and moral one and only tangentially as an empirical one. The Southern District Court made this point quite clearly when it considered the legality of the Indianapolis antipornography ordinance once the measure was passed by the city council and challenged by the American Booksellers Association and the American Civil Liberties Union. In its discussion of the social psychological findings entered as evidence in the Indianapolis hearings, the court asserted:

[The] defendants argue that there is more than enough "empirical" evidence in the case at bar to support the City-County Council's conclusion that "pornography" harms women...it is not the Court's function to question the City-County Council's legislative finding. The Court's solitary duty is to ensure that the ordinance accomplishes its purpose without violating constitutional standards or impinging upon constitutionally protected rights. (*American Booksellers Association v. Hudnut*, 1984, p. 46)

The same distinction was made in the decision regarding the constitutionality of the antipornography ordinance by the Seventh Circuit Court of Appeals. In this decision, the court did not challenge the premise of the legislation (based in part on the results of social psychological experiments), that pornographic depiction's of violence toward and subordination of women tend to perpetuate such subordination. In fact, the Seventh Circuit Court noted, "This subordination (may in turn lead) to lower pay at work, insult and injury at home or even battery and rape on the streets" (*American Booksellers Association v. Hudnut*, 1985, p. 9). In this regard the court compared pornography to other forms of speech that promote hatred and bigotry, such as manifestos by the Ku Klux Klan or even violent TV programs.

The court maintained that even though harmful effects are likely to arise from materials like these, they are nonetheless protected by the First Amendment. According to the Seventh Circuit Court:

Racial bigotry, anti-Semitism, violence on television, reporters' biases--these and many more influence the culture and shape our socialization. None is directly answerable by more speech, unless that speech too finds its place in the popular culture. Yet all is protected speech, however insidious. Any other answer leaves the government in control of all of the institutions of culture, the great censor and director of which thoughts are good for us. (*American Booksellers Association v. Hudnut*, 1985, p. 9)

What such courts have made clear is that they believe the harms resulting from pornography and/or sexual violence, even when empirically demonstrated, are not as devastating to society as harms that might be incurred if the government were to regulate such material in any manner other than through existing obscenity laws. According to the courts, the danger of accepting sex discrimination as a more compelling state interest than First Amendment protections is that it may

open the door for any legislative body to regulate speech concerning nearly any group. Even if scientific research produced empirical evidence that unequivocally demonstrated that exposure to particular forms of pornography resulted in a recognizable harm and assessed the degree of harm resulting from restrictions to free speech, the U.S. courts may still decide that additional regulation beyond the traditional restraints contained in the criminal obscenity statutes are not desirable or permissible. The empirical evidence, while useful for clarifying the issue, cannot resolve the essential moral and political questions involved in balancing which harms are less acceptable.

This distinction between the empirical and the political is not unique to social science research and public policy. Biological scientists involved in inquiries into topics about which there is considerable philosophical debate have often found themselves in similar situations, despite the greater certainty usually accorded the findings of workers in these disciplines. For example, in recent history, attempts have been made to transform the question of the propriety of abortion from a moral question into an empirical one. Nineteenth century physicians claimed that new scientific evidence demonstrated that the fetus was the moral equivalent of a child; in reality, the scientific facts themselves did not and could not demonstrate that such a claim was true. Rather, the truth of this claim depended on the subjective definition of terms such as moral equivalence, life, and human. While the new evidence did indicate that pregnancy was a continuous process and therefore dispelled the notion that a 40- or 80-day-old fetus could be considered unformed, this new knowledge did not help resolve the moral question of how the rights of the fetus were to be compared with the rights of the mother.

The abortion debate was not, and still is not, about the scientific facts, but rather about how to interpret, weigh, and assess them (Luker, 1985). For example, the dispute about whether the zygote constitutes a human being depends on one's conception of what it means to be a human being, of the proper role of women in society, and whether adherence to a moral rule about the political rights of the unborn is valued more highly than the political right of individual choice. While medical science can clarify the issue and define the parameters of the debate, the scientific facts themselves cannot demonstrate the "rightness" of either the prolife or the prochoice position.

What constitutes harm to a particular society, and how the legal system redresses this harm, is always debatable. In the United States, the courts have traditionally demanded that media depictions of violence be shown to cause tangible and immediate harm to a specific individual rather than to a class of individuals. The U.S. courts have upheld a narrow definition of harm as well as the position that criminal law should limit itself to the proscription of certain types of behavior that impinge on the rights of others. An alternative approach, advocated by certain policy makers in Canada, allows that criminal law should be a reflection of a society's broader values.

Rather than limiting itself to the protection of what are termed First Amendment freedoms in the United States, such as freedom of speech, thought, religion, and expression, Canada's Fraser Commission, a policy advisory group given the mandate to explore how existing obscenity and prostitution laws fit into Canada's newly acquired constitution, suggested a different approach (Pornography and Prostitution in Canada, 1985). They suggested that rights to freedom of speech and expression can be protected only insofar as they do not conflict with other rights such as equal protection under the law and equal benefit of the law.

By this way of thinking, feminists' attempts to frame the issue of harm emerging from pornography as a question of civil liberties, and their assertion that women suffer discrimination as a result of men viewing pornography, would have at least equal standing with the rights of freedom of speech and press. It is ironic, but consistent with our previous assertion that policy decision making is largely independent of social scientific findings, that the Fraser Commission came to accept much of the feminist position regarding the effects of pornography and the

function of the law while disavowing the validity of the social science evidence on this subject. (See McKay & Doiff, 1984).

The idea that certain forms of speech actually undermine others' rights to equality has not been addressed by the U.S. courts. Thus far, the U.S. courts have supported the right to formal equality for women, but have not recognized, at least in the context of the pornography debate, the substantive inequality that exists between men and women in society. The validity of one group's harm relative to another may be aided by social science research--we can try to evaluate whether the harms exist--but, as we have noted, we cannot empirically demonstrate which group's harm should be heeded, and at what expense to another group's rights. Deciding how to apply the law to address these harms once they are demonstrated cannot be aided by scientific studies. The role of the social scientist is to assess and comment on whether evidence is consistent with assertions of harms and their magnitudes.

Policy Interventions and the Psychologist's Responsibility

As psychologists who study the effects of pornography, we are in a position to provide information to policy makers at many levels. This might include dissemination of information to: (a) other social scientists, (b) trained clinicians, (c) educators for sex education programs, (d) the mass media, (e) attorneys for use in individual legal cases, (f) governmental commissions and legislative bodies, and (g) political or religious groups. We feel that information dissemination to each of these types of groups implies a unique set of responsibilities. In particular, it is important to discuss the limitations of the research with those groups involved in policy making, especially those using the law. We have, therefore, deliberately listed the groups in the above order, roughly corresponding to a rank ordering in terms of policy-making orientation. Two guiding principles can be articulated as the foundation for this rank ordering: First, a search for alternatives to censorship; and second, a consideration of the fact that when we attempt to predict certain types of low-base-rate behaviors, such as violent behavior, we encounter methodological problems that could lead to restricting the rights of many while accurately identifying only a few persons who may be incited to violence.

Alternatives to Censorship

Although we must always be wary of problems of distortion and sensationalizing of the research, the safest targets for the dissemination of social scientific research findings may be other scientists, since they have been trained to evaluate research of this type. The next level might include clinicians, educators, the media, and attorneys, as these groups are least likely to be in a position to attempt to limit access of individuals to certain forms of speech. Information disseminated to governmental commissions, legislative bodies, and political or religious groups, in contrast, may be particularly likely to be used to support legislation aimed at increased regulation. Thus, we should be particularly vigilant to note potential flaws, inconsistencies, and limits to generalizability. It may be particularly challenging to accomplish this, since these groups may be seeking expert advice that would simplify the information. They may, therefore, directly or subtly pressure scientists to provide bottom line statements to justify particular policy options.

We have an obligation to explore alternatives to restricting the flow of information for two reasons. First, it is congruent with the tenets of academia. In our positions as scientists, we should be looking for ways to inform and encourage more communication, rather than discouraging it. Science is premised on the belief that the free exchange of ideas is the basis of truth and progress. Second, predicting who could be adversely affected by media exposure in a manner that might justify legal restrictions raises problems.

Deprivation of Civil Liberties and Scientific Prediction

Policies advocating restrictions in media content may be based on rationales other than direct incitement effects on violent behavior, although this may be the most likely basis for justifying such restrictions. Even social scientists who argue that exposure to some types of pornography directly causes aggression (e.g., Russell, 1988) will probably acknowledge that only a small percentage of the population is likely to be directly incited to violence in the "clear and present danger" sense (*Schenck v. United States*, 1919). If this type of effect were the basis for restricting media, the problem of restricting the First Amendment rights of a large number of media consumers because of the potential effects on only a small proportion arises. Conceivably, we could try to identify those individuals most "at risk" to incitement and apply a particular social policy only to them. Setting aside for the moment obvious and legitimate concerns of the "1984 Orwellian" nature of such an approach, from a scientific perspective this raises the familiar low-base-rate problem (Meehl & Rosen, 1955), which occurs in trying to predict a behavior that occurs infrequently. Even if our predictions were highly accurate, we would always have a substantial number of false positives where we restrict the rights of a large number of individuals who would not actually have been incited to violence.

Guidelines for Future Policy- Relevant Research

We have suggested that, as social scientists, our legitimate role in the pornography and sexual violence debate may be to provide policy makers with information about the findings of research pertaining to the questions of harms and their magnitudes. Once this empirical question has been addressed, it is left to policy makers to decide the moral question, whose harms count most. Despite the fact that our role is somewhat circumscribed, it is nonetheless critical. The central question now becomes: How do we produce research that we find theoretically meaningful and academically interesting, but that policy makers find useful? We suggest several ways in which researchers can triangulate methods, theory, and practical questions in such a way as to allow us to explore theoretically relevant questions while providing information useful in helping to resolve policy dilemmas.

Identify Critical Policy Assumptions

Critical policy assumptions often hinge on testable assumptions about human nature. The primary assumption of obscenity law is that lewdness in sexual explicitness is harmful. The assumption of feminists advocating civil ordinances is that sexual explicitness is not critical, but that the portrayal of women as the objects of violence, humiliation, and degradation produces harm. It has been possible to design research pertaining to these assumptions by investigating the effects of exposing subjects to materials that were sexually explicit and violent toward women, sexually explicit but purged of violence, and violent but not sexually explicit (Donnerstein et al., 1987). Of course, we recognize that the manner by which harm was defined and measured in this research focused on a particular type of potential harm, aggressive behavior. It did not specifically examine other harms that might be argued by proponents of obscenity laws, such as greater acceptance of lewd behavior. We believe, however, that it is feasible to devise experiments to test critical assumptions underlying legal policies. Most pressing at this point would be further tests of the assumptions made by policy makers regarding the harms of degrading materials that are not overtly violent.

Understanding Theoretical Mechanisms

Experiments designed to test basic psychological processes, far from being irrelevant to policy, often suggest directions for policy interventions. For example, we have found that repeated exposure to slasher films results in a tendency for viewers to exhibit less sensitivity to female victims of violence in other contexts. We have hypothesized that this effect is due to subjects involuntarily becoming emotionally and physiologically desensitized to violence against women

from watching the films and that this desensitization then carries over to other situations (Linz, Donnerstein, & Adams, 1989; Linz, Donnerstein, & Penrod, 1988). But our data are not entirely consistent with this explanation. A better explanation may involve the notion of a cognitive priming effect whereby certain ideas about the appropriateness of aggression against women are temporarily activated, and these ideas are carried over to other situations. Another explanation might hold that the viewer undergoes more enduring belief and attitude changes, rather than the temporary activation of certain thoughts.

Each of these basic psychological processes suggests a different type of social intervention. If repeated exposure to slasher films results in physiological desensitization that viewers then use as a guide for their attitudes toward women in the films as well as in other contexts, one policy implication that follows is that viewers should be informed of the desensitization process, which may be inevitable given repeated exposure and may not be noticeable to the viewer. Once informed that they can become desensitized, viewers may choose not to expose themselves to this type of film. If exposure to sexually violent films results in enduring attitude change, then the appropriate policy response might be the provision of countermessages designed to change the beliefs about women engendered by the films. If effects are only temporary and do not have cumulative long-term impact, no intervention may be needed.

Maximize External Validity

The point may be rather obvious, but it is worthwhile to stress that our research ideally should generalize across settings, persons, and times to be useful to policy makers. It is our obligation to point out when the data are not generalizable in any one of these domains. The less obvious point is that by taking external validity concerns seriously we are often led in interesting directions. Generalizing across people, for example, might mean that we need to examine the impact of exposure with persons of both sexes and of varying ages and backgrounds. We know little about women's reactions and little about adults other than college students. We also know little about the effects of sexually violent material on adolescents, a group that may be especially vulnerable to mass media effects. Theoretical mechanisms are needed to account for the different effects of exposure to violence in each of these groups. Wilson and Cantor (1987), for example, suggest that desensitization to fearful stimuli may occur rapidly when older children are asked to imagine detailed, changing scenes involving a fear object. Younger children, on the other hand, appear to experience no desensitization when asked to imagine a fear object, but do experience desensitization when actually in the presence of the object. Wilson (1990) has proposed an information processing perspective that provides a unified approach to desensitization that can account for the findings regarding children of both age groups. By expanding our research objectives in order to demonstrate that our effects are robust across age groups, times, or places, we may discover anomalies, or indeed consistencies, that compel us to develop and test new theories.

Multiplicity of Causation and Methods

Most dependent variables of interest to policy makers in the area of pornography and sexual violence are multiply determined. As current research illustrates (see Huesmann & Malamuth, 1986), it is becoming increasingly apparent that exposure to violent mass media may increase the probability of aggressive behavior. However, aggressive behavior after a violent media depiction will most often be mediated and moderated (Baron & Kenny, 1986) by several intervening variables. These might include a prior history of personal aggressiveness, approval or disapproval of media violence by fellow observers, availability of a victim after seeing violence, and similarity between available targets and victims portrayed in the media event. Also included are subject anger at the time of the exposure to media violence, the degree to which the viewer believes the media depictions to be realistic, and demographic characteristics such as age and sex. Each of these variables plays a role in whether actual violence will ensue after exposure to

media violence and is important for determining which types of individuals are most susceptible to media effects. Similar factors are likely to affect the impact of sexually violent media and of various types of pornography. If we accept that exposure to sexually violent media can significantly affect some men's attitudes (e.g., Malamuth & Check, 1981) and that such attitudes may in turn affect aggressive behavior (Malamuth, 1989), it is important to note that the effects of such attitudes are likely to be substantially moderated by other factors (e.g., Malamuth, 1986, 1989).

Our studies are also strengthened by a multitude of methodological approaches. To the extent that we see a consistent pattern of results across varied methods, we as scientists are convinced of the robustness of our findings. In our opinion, five types of information must coalesce before social scientists studying the effects of pornography and sexually violent media can be truly confident that there are socially harmful effects on aggressive behavior. These are:

1. Laboratory studies indicating that such exposure "could" be a significant cause of aggression (Berkowitz & Donnerstein, 1982).
2. "Causal" modeling studies that examine the role of such media in the context of other factors (Malamuth, Sokoloskie, & Koss, 1991).
3. Longitudinal studies that are more suited for identifying cause and effect relationships than cross-sectional designs (Mulvey & Haugaard, 1986).
4. Field studies that incorporate content analyses of the media with assessment of naturally occurring behaviors (e.g., Iyengar & Kinder, 1987).
5. Intervention studies that verify the theoretical mechanisms proposed by producing prosocial changes (e.g., Huesmann, Eron, Klein, Brice, & Fischer, 1983).

This may sound like an unrealistic prospect, but it might be argued that such convergence of findings across methods already exists in the area of children and televised (nonsexual) violence (Huesmann & Eron, 1986), although there continues to be disagreement regarding critical aspects of those data (e.g., Freedman, 1994, 1986).

CONCLUSIONS

As researchers we should not endorse a particular legal policy position pertaining to the control of pornography. If pressed to take a position we should admit that the data in this area do not, at this time, justify taking a particular policy position, unless it involves an educational type of intervention that would more adequately inform consumers about the findings of research and the potential of negative effects of certain materials. This is not to imply, however, that our influence on policy decision making in this area would be likely to change substantially once the data are improved further. Even if the data were highly consistent there are certain extra-scientific factors in the debate about the effects of pornography that make it unlikely that the policy decision will be calibrated with great precision to the data we collect. The best we can hope for, at least in this policy domain, is that by designing methodologically sound studies that examine the potential harms produced by exposure to certain forms of mass media, we provide data relevant to the assumptions and claims of those advocating various policies.

REFERENCES

American Booksellers Association v. Hudnut, 598 F. Supp. 1316 (S.D. Ind. 1994).

American Booksellers Association v. Hudnut. 771 F.2d 323 (7th Cir. 1985).

Attorney General's Commission on Pornography. (1986). Final Report, Department of Justice. Washington, DC: U.S. Government Printing Office.

- Baron, R., & Kenny, D. A. (1986). The moderator-mediator variable distinction in social psychological research: Conceptual, strategic, and statistical considerations. *Journal of Personality and Social Psychology*, 51, 1173-1182.
- Berkowitz, L., & Donnerstein, E. (1982). External validity is more than skin deep. *American Psychologist*, 37, 245-257.
- Burton, D. (1989). Public opinion and pornography policy. In S. Gubar & J. Hoff-Wilson (Eds.). *For adult users only: The dilemma of violent pornography* (pp. 133-146). Bloomington: Indiana University Press.
- Donnerstein, E., Linz, D., & Penrod, S. (1987). *The question of pornography: Research findings and policy implications*. New York: Free Press.
- Einsiedel, E. F. (1989). Social science and public policy: Looking at the 1986 Commission on Pornography. In S. Gubar & J. Hoff-Wilson (Eds.), *For adult users only: The dilemma of violent pornography* (pp. 87-107). Bloomington: Indiana University Press.
- Feinberg, J. (1979). Pornography and criminal law. In D. Copp & S. Wendell (Eds.), *Pornography and censorship* (pp. 105-137). New York: Prometheus.
- Fredrich-Cofer, L., & Huston, A. C. (1986). Television violence and aggression: The debate continues. *Psychological Bulletin*, 100, 364-371.
- Freedman, J. L. (1984). Effect of television violence on aggressiveness. *Psychological Bulletin*, 96, 227-246.
- Freedman, J. L. (1986). Television violence and aggression: A rejoinder. *Psychological Bulletin*, 100, 372-378.
- Howard, J. L., Reifler, C. B., & Liptzin, M. B. (1971). Effects of exposure to pornography. In *Technical report of the Commission on Obscenity and Pornography* (Volume 8, pp. 97-132). Washington, DC: U.S. Government Printing Office.
- Huesmann, L. R., Eron, L. D., Klein, R., Brice, P., & Fischer, P. (1983). Mitigating the imitation of aggressive behaviors by changing children's attitudes about media violence. *Journal of Personality and Social Psychology*, 44, 899-910.
- Huesmann, L. R., & Eton, L. D. (Eds.). (1986). *Television and the aggressive child: A cross-national comparison*. Hillsdale, NJ: Erlbaum.
- Huesmann, L. R., and Malamuth, N. M. (1986). Media violence and antisocial behavior: An overview. *Journal of Social Issues*, 42(3), 1-6.
- Intons-Peterson, M. I., Roskos-Ewoldsen, B., Thomas, L., Shirley, M., & Blut, D. (1989). Will educational materials reduce negative effects of exposure to sexual violence? *Journal of Social and Clinical Psychology*, 8, 256-275.
- Iyengar, S., & Kinder, D. R. (1987). *News that matters: Agenda setting and priming in a television age*. Chicago: University of Chicago Press.
- Krafka, C. L. (1985). *Sexually explicit, sexually violent, and violent media: Effects of multiple naturalistic exposures and debriefing on female viewers*. Unpublished doctoral dissertation, University of Wisconsin-Madison.

- Linz, D. (1989). Exposure to sexually explicit materials and attitudes towards rape: A comparison of study results. *The Journal of Sex Research*, 26, 50-84.
- Linz, D., Donnerstein, E., & Adams, S. (1989). Physiological desensitization and judgments about female victims of violence. *Human Communication Research*, 15, 509-522.
- Linz, D., Donnerstein, E., & Penrod, S. (1984). The effects of long-term exposure to filmed violence against women. *Journal of Communication*, 34, 130-147.
- Linz, D., Donnerstein, E., & Penrod, S. (1987). The findings and recommendations of the Attorney General's Commission on Pornography: Do the psychological facts fit the political fury? *American Psychologist*, 42, 946-953.
- Linz, D., Donnerstein, E., & Penrod, S. (1988). Long-term exposure to violent and sexually degrading depictions of women. *Journal of Personality and Social Psychology*, 55, 758-768.
- Luker, K. (1985). *Abortion and the politics of motherhood*. Berkeley: University of California Press.
- MacKinnon, C. (1985). Pornography, civil rights, and speech: Commentary. *Harvard Civil Rights-Civil Liberties Law Review*, 20, 1-70.
- Malamuth, N. M. (1984). Aggression against women: Cultural and individual causes. In N. Malamuth and E. Donnerstein (Eds.), *Pornography and sexual aggression* (pp. 19-52). Orlando, FL: Academic Press.
- Malamuth, N. M. (1986). Predictors of naturalistic sexual aggression. *Journal of Personality and Social Psychology*, 50, 953-962.
- Malamuth, N. M. (1989). Sexually violent media, thought patterns and antisocial behavior. In G. Comstock (Ed.), *Public communication and behavior* (Vol. 2). Orlando, FL: Academic Press.
- Malamuth, N. M., & Ceniti, J. (1986). Repeated exposure to violent and nonviolent pornography: Likelihood of raping ratings and laboratory aggression against women. *Aggressive Behavior*, 12, 129-137.
- Malamuth, N. M., & Check, J. (1981). The effects of mass media exposure on acceptance of violence against women: A field experiment. *Journal of Research in Personality*, 15, 436-446.
- Malamuth, N. M., & Donnerstein, E. (Eds.). (1984). *Pornography and sexual aggression*. Orlando, FL: Academic Press.
- Malamuth, N. M., Sokoloskie, R., & Koss, M. (1991). *Assessing the role of pornography using structural equations modeling*. Manuscript in preparation.
- McKay, H. B., & Dolff, D. J. (1984). The impact of pornography: An analysis of research and summary of findings. In *Working papers on pornography and prostitution: Report 13*. Canada: Department of Justice.
- Meehl, P., & Rosen. A. (1955). Antecedent probability and the efficacy of psychometric sign, patterns, or cutting scores. *Psychological Bulletin*, 52, 194-216.
- Miller v. California*. 413 U.S. 15 (1973).

Mulvey, E. P., & Haugaard, J. L. (Eds.). (1986, August 4). *Report of the Surgeon General's Workshop on Pornography and Public Health* (U.S. Department of Health and Human Services, Office of the Surgeon General). Washington DC: U.S. Government Printing Office.

Padgett, V. R., Brislin-Slutz, J. A., & Neal, J. A. (1989). Pornography, erotica, and negative attitudes towards women: The effects of repeated exposure. *Journal of Sex Research, 26*, 479-491.

Pornography and Prostitution in Canada. (1985). Report of the special committee on pornography and prostitution (Vol 1). Ottawa, Canada: Canadian Government Publishing Centre.

Russell, D. E. H. (1988). Pornography and rape: A causal model. *Political Psychology, 9*, 41-73.

Schenck v. United States, 249 U.S. 47 (1919).

Wilson, B.J. (1987). Reducing children's emotional reactions to mass media through rehearsed explanation and exposure to a replica of a fear object. *Human Communication Research, 14*, 3-26.

Wilson, B.J. (1990). *Desensitization techniques for treating children's fears: A developmental review*. Unpublished manuscript, University of California, Santa Barbara.

Wilson, B. J., & Cantor, J. (1987). Reducing fear reactions to mass media: Effects of visual exposure and verbal explanation. In M. McLaughlin (Ed.), *Communication yearbook 10* (pp. 553-573). Newbury Park, CA: Sage.

Zillmann, D. (1986, June). Effects of prolonged consumption of pornography. In E. P. Mulvey & J. L. Haugaard (Eds.), *Report of the Surgeon General's Workshop on Pornography and Public Health* (U.S. Department of Health and Human Services, Office of the Surgeon General). Washington, DC: U.S. Government Printing Office.

Zillmann, D., & Bryant, J. (1982). Pornography, sexual callousness, and the trivialization of rape. *Journal of Communication, 32*, 10-21.