



Corrigendum

Corrigendum to “Pornography, public acceptance and sex related crime: A review” [International Journal of Law and Psychiatry 32 (2009) 304–314]

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It has come to the International Journal of Law and Psychiatry's attention that a specific section of the article devoted to research in the article “Pornography, public acceptance and sex related crime: A review”, constituting 85 lines of content are identical with language from a chapter in Porn 101: Eroticism, pornography, and the first amendment, one of that article's sources, namely “Effects of pornography on sexual offending” by Tovar, Elias and Chang. Although the source was generally cited, the direct quotes were not provided with the specific source and the page numbers from which the material was drawn. I, Professor Milton Diamond the author of this IJLP article, indicate that this was an accident of the editing process. During my reconstitution of the final article of 10 sections, an early draft of Section 3 (Research) instead of the final draft, was inadvertently incorporated in the final ms. sent to the editor. The final portion that was originally intended for publication (see below) was transmitted to the editor as soon as the error was noted. The IJLP and I regret this error and apologize to the authors Tovar, Elias and Chang and the journal readership.

The error to the printed article is hereby noted. I specifically apologize to Drs. Tovar, Elias and Chang and the editors and journal for any problems or difficulties incurred.

Correct Section 3 to replace early draft section.

3. Research

As indicated by Tovar, Elias, and Chang (1999), one of the first research concerns deals with the Bauserman (1996) question of whether or not exposure to pornography plays a role in the development or execution of offending behavior. As they indicate (p. 261) the literature provides much clearer data with respect to the commission of the offense as opposed to the development of a pattern of behavior. From his own studies Bauserman concluded: “Rape rates are not consistently associated with pornography circulation. And the relationships found are ambiguous. Findings are [not] consistent with ... the view that sexually explicit materials in general contribute directly to sex crimes (page 405).”

Research on pornography has generally been of various types (Tovar, Elias, & Chang, 1999). Probably most common are studies that involve exposing experimental conditions of varying media to

students or other subjects and measuring some variable such as changes in attitude or predicted hypothetical behaviors. Another type of research involves interviewing sex offenders and asking them of their experiences with sexually explicit material. A third type involves interviewing victims of sex abuse in trying to evaluate if pornography was involved in the assault (Tovar et al., 1999). Surprisingly few studies have linked the availability of porn in any society with actual associated antisocial behaviors or sex crimes in particular. None have found a causal relationship and very few have even found one of positive correlation. Against pornography the work of Donnerstein and Malamuth is frequently presented. Citing Malamuth et al.'s work, Donnerstein and Linz (1986) and Donnerstein, Linz, and Penrod (1987) state that a non-rapist population will show increased sexual arousal after having been exposed to “media-presented images of rape,” especially when the female victim demonstrates signs of pleasure and arousal. This exposure, they further claim, may also lead to a lessened sensitivity toward rape, acceptance of rape myths, and increased self-reported likelihood of raping and self-generated rape fantasies. These were their findings from paper and pencil attitude studies with students, not actual behavior research. These classroom studies, both on methodological as well as theoretical grounds have been strongly criticized e.g., Brannigan and Goldenberg (1987) and Howitt and Cumberbatch (1990).

Overall review of the research available at that time, prepared for the Meese Commission found no causal link between sexual material and antisocial conduct. Indeed, as emphasized by Fagan (1985) in his highly critical review of the findings “a deeply divided Commission concluded that pornography 1) was harmless, even of potential therapeutic and “cathartic” value; 2) had no negative effects on adults or children; 3) was not a social problem; and 4) its production and distribution should be free from any regulation or control (page 3).” A relatively positive review by Pally (1994) of the 1986 Surgeon General's report found similarly.

What sorts of actual behavior research data had the Commission and Surgeon General been reviewing? Findings from national studies were available from federal surveys and reports such as those of Kupperstein and Wilson (1970) drawing from U.S. Federal Bureau of Investigation Uniform Crime Reports. There were as well many other localized and more narrowly focused studies. Considering the interval from 1960 to 1969, Kupperstein and Wilson found, with some exceptions that, while pornography became increasingly available, there was an overall decrease in sexual offenses. When considering

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cases of rape in particular, cases were down to fewer than 2% of the arrests. In comparison to the sex related charges, cases of other major non-sex related crimes e.g., homicide, increased by 4% for the same interval. This overall period, it should be noted, was an era of increased availability of pornography even for materials previously considered obscene (Rembar, 1968). As noted in the following section comparable findings have been found in Scandinavia, Asia and Europe (see below).

The period from the 1960s to the 1980s did continue to show an increase in reported cases of rape but these seemed in keeping with comparable increases in aggravated assault and other non-sexual crimes. Indeed, these non-sexual felonies were reported as increasing at a faster pace than sex related ones. A Washington Post article by Fahrenthold (2006) reported that the number of rapes per capita in the United States had dropped by more than 85% since the 1970s and this occurred while other violent offenses increased. Again these findings were not only found in the United States but were seen in other countries as well (see below).

Kimmel and Linders (1996) investigated if censorship of pornography would be related to (decrease) sexual violence and rape rates in various U.S. cities of five states (Florida, Indiana, Kentucky, Ohio, and Texas) during the years 1980–1989. They concluded that a decrease in the consumption of pornography was not correlated with a decrease in rape rates. They further stated that while efforts to control pornography by various groups would probably continue, they were convinced “it would be motivated, less by a concern for the welfare of women than by a moralistic fear of erotic expression (page 17).” Amato (2006) also investigated how Internet access, and the accompanying pornography it carries, correlated with rape in different states. He found that the states with the least access to the Internet (Arkansas, Kentucky, Minnesota, and West Virginia) showed an increase in rape of 53% for the years 1980 to 2000 while those for the states with the greatest access (Alaska, Colorado, New Jersey, and Washington) showed a decrease of 27%.

These types of findings must be considered along with studies examining arrest data from Maine, North Carolina, Pennsylvania, and Washington during periods when their state pornography laws were inoperative (Winick & Evans, 1996). Winick and Evans studied the effects of nonenforcement of state pornography laws and rates of sex crime arrests. They found that for the states investigated arrest rates for sex crimes were well below national average. They summarized their findings by noting that such results were consistent with those found in other countries as well as the U.S.

As an interpretation of their findings Winick and Evans consider the possibility that there may exist different types of relationships between the use of pornographic materials and any stimulus for sexual offenses among different types of persons. They thus postulated that it was the characteristics of the individuals involved that mattered more than the availability of pornography. There seems to be increasing evidence for this. Studies of sex offenders by Gebhard, Gagnon, Pomeroy and Christenson (1965), found no significant differences in exposure to pornography in their histories when compared with that of non-sex offenders and controls. Later research by Walker (1970) found similarly when he compared the histories of 60 convicted rapists with a matched group of non-sex offenders. In fact Walker found that exposure to the portrayal of heterosexual intercourse was first seen by rapists when they were on average 18 years old but by control males 3 years younger. Nutter and Kearns (1993), in similar research, found that child molesters were significantly older than controls when exposed to sexually explicit materials. Allen, Alessio and Emmers-Sommer (1999) found likewise that there was “no difference in the frequency of consuming sexually explicit materials ($r = -.05$) between criminal sexual offenders and noncriminal controls (page 139).”

Indeed several investigators have explicitly remarked that it might be more fruitful to examine the characteristics of the sex-offender than the characteristics of pornography e.g., Boyle (2000) and

Brannigan (1997). Green (1992) has reported that sex offenders requesting treatment commonly disclose that pornography helps them contain their abnormal sexuality within imagination as a fantasy instead of their aggressively acting out in real life (page 123).

A last matter is relevant here. Donnerstein and Linz (1986) and Donnerstein, Linz and Penrod (1987) have extensively studied different relationships between violent and nonviolent pornography and violence against women. They basically suggest that aggressive images rather than sexual images may be the primary instigation toward sexual offense. Work by Boeringer (1994) seems to support this. He studied the differential attitudinal effects of hard-core and soft-core porn. He concluded that the most significant attitudinal response was related to force rather than sex. Gillen and Muncer (1995) have done related work. They found that male’s cases of date rape appear motivated more by a need for dominance rather than for sex and Boeringer (1994) has reported high correlations of aggressive attitudes of force rather than sex-rape attitudes in his study of pornography. Ferguson and Hartley (2009), in reviewing the relation of aggression to sexual assault conclude it is time to discard the hypothesis that pornography contributes to increased sexual assault behavior and “may actually provide a catharsis to alleviate sexual aggression (page 328).”

The police sometimes suggest that a high percentage of sex offenders are found to have used pornography. This is meaningless, since most men have at some time used pornography. As reported by psychiatrist Robert Stoller, “Men’s interest in pornography appears to be statistically normal and sado-masochism may be the most popular ingredient in pornography (Stoller, 1986), page 86.” Findings by Goldstein and Kant (1973) can also be relevant here. These investigators found that rapists were more likely than non-rapists in the prison population to having been punished for looking at pornography while a youngster. Such was by no means common among the rest of the prison population. In fact, as reported above, the non-rapists had seen more pornography, and seen it at an earlier age. These investigators also found that what does correlate highly with sex offense is a strict, repressive religious upbringing (Goldstein & Kant, 1973). Green too reported that both rapists and child molesters use less pornography than a control group of “normal” males (Green, 1980). This is certainly a thought-stimulating finding.

Apologies for any inconvenience caused to the readers of this article.

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