

# LEGALFOXES LAW TIMES

## SHOULD PORNOGRAPHY BE BANNED?

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### ABSTRACT:

Pornography is the depiction of a sexual topic for the explanation for sexual excitement. Pornography may well be exhibited in an assortment of media, together with book, magazines, images, recordings etc. There are unit views and perception concerning pornography. The aim of this paper is to investigate the pros and cons of pornography by taking into consideration the assorted views on it, so progressing to a conclusion, whether or not it ought to be prohibited or not. The problem concerning porn could be a crucial issue because the danger for minors obtaining its addiction are a few things serious that cannot be unnoticed.

### INTRODUCTION:

Pornography is outlined as a fabric, like writing or pictures, designed to arouse physical attraction. Pornography has been in nearness for an extensive timeframe and found fame over each culture.<sup>2</sup> With the employment of specific materials, there has been a non-pecuniary value or social stigma related to it. However, over time the stigma or shame related to viewing creation has been slashed because the social mores of the society are unsnarled. Pornography is a “hot button” issue for many feminists, some feel that all pornographic material which depicts women degrades the status of women. Other who restrict this view, base their perspectives on moral or religious grounds and consider the utilization of pornographic material as a risk to the family and society.

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<sup>2</sup> Pornography available at [http://www.enotes.com/research\\_starters/pornography#research\\_starter\\_research\\_starter](http://www.enotes.com/research_starters/pornography#research_starter_research_starter).

Fulfillment of sexual fantasy can give someone an overwhelming feeling of great happiness or joyful excitement. Though it might leave them frustrated or bothered on the off chance that it isn't satisfied, satisfying it can make them quickly cheerful, and it is where pornography does its job.

Consciously or subliminally, something that is evident is the inclination to procreate as human creatures. Rape, incest and paedophilia are a portion of the questionable dreams which are frequently the subject of explicit material and can a few times lead to the hazardous movement of a person, who is sincerely unstable. On the other hand, a lot of people, individually or as a group, who haven't become serial killer regularly enjoy pornography and live a comfortable family life.

The aim/purpose for this paper is to break down the upsides and downsides of sex entertainment and thereafter coming to a resolution, regardless of whether it ought to be prohibited or not. It is of much importance to take into thought both the constructive and the contrary impacts that pornography has on its users and the different views that people have on pornography in order to realize the overall negative impact it contributes.

## RELIGIOUS VIEWS ON PORNOGRAPHY

Religious groups and individuals condemn and find pornography to be an insult to the social order of society and a violation of religious principles. Religious people typically use less pornography, show strong disapproval of alternative sexual practices, and are more likely to limit their sexual fantasies. Hardcore/extremist religious people personally see pornography as a more significant social problem compared with racism or criminal abuse. Those with stronger personal beliefs are more likely to back up the concept of bans and limits on porn consumption.

Religious opinions on pornography endorse laws banning the publishing of pornographic content and also prohibiting people of various religions from accessing pornography. Nevertheless, different religious groups have different views on pornographic issues, certain religious groups claim that freedom of speech is preferred over censorship. Religious believers stressed the

danger posed by pornography to children's moral growth, traditional family values and the social fabric of society.<sup>3</sup>

### FEMINIST VIEWPOINTS ON PORNOGRAPHY

The other group includes feminists who condemn pornography for women's sexual objectification and, in particular, hard-core pornography, which they find to be horrific sexual abuse against women. Most feminists say pornography encourages rape, too. As one author put it in a well-known expression, 'pornography is the theory, and rape is the reality'.<sup>4</sup>

The role of feminist pornography is divided into three groups. Firstly,,women are abused and commodified by pornography.<sup>5</sup> Secondly, the liberal stance, which blends respect for women's freedom of expression with the right of all to receive words and images or to create them.They did not necessarily see pornography as dangerous. They believed that there was no credible evidence to support sexual harassment in pornography.<sup>6</sup>Thirdly,those who argue that porn helps women are feminists who have been branded 'pro-sex,' who are actually defending pornography.

### CRITIQUE OF ANTI-PORN FEMINISM

Relevant charges brought against pornography are-

- 1.it contributes directly to abuse against women.
2. This degrades females.
3. It is violence against women, in which:
  - a. Women are physically manipulated,

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<sup>3</sup>Charles E. Cottle et al., Conflicting ideologies and the politics of pornography, *Gender and Society* 3 JSTOR 12-14, 18 (1989)

<sup>4</sup>ROBIN MORGAN, *Theory and Practice: Pornography and rape*, 139 (1980)

<sup>5</sup> CHARLES E. COTTLE, *supra* note 3, at 14

<sup>6</sup> CHARLES E. COTTLE, *supra* note 3, at 18

- b. Women engaged in the development of pornography are unable to give actual or informed consent because they are physically threatened by patriarchy.<sup>7</sup>

### **A PRO-SEX DEFENSE OF PORNOGRAPHY**

A feminist pro-sex argues that: women profit from pornography, both socially and politically. Personally, it supports them in many ways.

1. It provides women with personal knowledge
  - Pornography offers a taste of the world's sexual opportunities.<sup>8</sup> Even basic sexual knowledge, such as masturbation, seems to come to women less naturally than men.
  - Pornography also helps women to explore sexual alternatives safely and satisfy their sexual appetite.
  - Pornography offers a source of knowledge distinct from textbooks or discussion. This provides the emotional knowledge attached to it by witnessing it directly. It gives us a sense of the way something would feel like doing.
2. It removes the political and cultural assumptions, allowing every woman to view sex in her own way. Pornography advises people to take it on and enjoy it. It gives reassurance and does away with shame.
3. This can be a positive treatment. Pornography provides an erotic outlet for those people who do not have a romantic partner.<sup>9</sup> Often masturbation, or vicarious sex, are the only alternatives to celibacy. Pornography is often used by couples to enhance the relationship. Sex therapist also often recommends that pornography can be used as a way to open up sex contact.

Pornography helps women in many ways socially, including the following:

1. historically, both pornography and feminism have gone hand in hand. Each sprung up and flourished; both were targeted by the same political powers, typically by conservatives during

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<sup>7</sup>WENDY MCELROY, XXX: A WOMAN'S RIGHTTOPORNOGRAPHY 69 (1995)

<sup>8</sup>WENDY MCLEROY, XXX: supra note 7, at 89

<sup>9</sup>CHARLES E. COTTLE, supra note 3, at 13

times of personal liberty.<sup>10</sup> While the cause-effect relationship between the rise of feminism and that of pornography can not be drawn, they both seek the same social requirements that are sexual freedoms.

2. Pornography is a free speech term extended to the sexual sphere. Pornography should have the same legal protection as political non-conformity, in particular, for those women whose identity has been regulated by censorship for a long time, this protection is very much required.
3. People who have violent tendencies against women, and watching such people with pornography may have a relieving impact on them. If this is true, then banning or restricting pornography can eliminate a protective barrier that protects women from violence.
4. Female sex workers who are traditionally branded would be protected if pornography were legalised. If pornography is made illegal and removed, women sex workers will be further affected.

The first point of view about which pro-sex feminists refer is that the freedom of preference should be given by statute. The body of a woman, the right of a woman' applies to any operation in which a woman wants to participate. Law enforcement comes when an action is committed against a woman or when a woman initiates the action. The second view, which is debated by both liberals and anti-porn feminists, is that legislation should uphold morality and behave properly. This will come into play if there is a split in public morality, or if a violation happens in the interests of the class of women.

## PORNOGRAPHIC CONSEQUENCES

Many women and people who criticize and condemn pornography claim that it causes abuse against women such as rape and are against this. This assumption gives rise to a concern that the real and truthful response to this concern is that we could not know to what degree pornography affects women and causes such abuse.<sup>11</sup> Many researchers claim that pornography promotes

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<sup>10</sup>WENDY MCLEROY, *supra* note 7, at 90

<sup>11</sup> Social Problems: Continuity and Change, University OF MINNESOTA LIBRARIES ( 2016) <https://open.umn.edu/opentextbooks/textbooks/social-problems-continuity-and-change>.

violence against women, although many others interpret it in a different light and see pornography as an option for mitigating sexual violence against women.<sup>12</sup>Such two contradictory views illustrate ambiguity at the conclusion of the various pornography studies. There are also reports that suggest that pornography is causing rape while other reports do not. Men, for example, can be aggressive to women if they are subjected to violent pornography.<sup>13</sup>

There are also other sexual psychological effects.

### **1. PORNOGRAPHY EFFECTS/TEENAGERS**

In providing access to hardcore pornography and other pornographic products, the Internet has played a major role; adolescents are severely affected and are one of the victims. Specific studies have shown that pornography has a harmful effect on teenagers.

Two authors, Benedek and Brown, found out in 1999 that pornography had a number of negative effects in young people.<sup>14</sup> Those include imitating improper behaviour; intervening in normal dysfunctional sexual development; side effects of an emotional nature, such as—culpability, hallucinations, frustration, guilt and anxiety residuals; thrilling untimely intercourse; and creating upsetting and harmful sexual attitudes. They thought pornography can produce a strong "rush" of biochemistry in an individual and locks the person's brain image, and when the picture is finished it will awake the person's pure mind or thinking. And no matter what you want to feel again, the person who felt this biochemical rush.

### **2. EXPOSURE TO PORNOGRAPHY IS LIKELY TO MAKE CHILDREN VICTIMS OF SEXUAL VIOLENCE**

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<sup>12</sup> M.Diamond, Pornography,public acceptance and sex related crime: A review,32(5) INT.J.OFL.& P.304314(2009).

<sup>13</sup> R.Weitzer, Review essay: Pornography's effects: The need for solid evidence, 17(5) VIOL. AGAIN. WOM.666–675(2011) .

<sup>14</sup> E. Benedek & C.Brown, No excuses:Televised pornography harms children,7(4) HARV.REV.OF PSY.236-240(1999)

Researchers also have shown that much of the time children mimic what they have seen, read, or heard. Numerous studies have indicated that exposure to pornographic or pornographic materials may cause children to act sexually towards younger and more vulnerable children. Experts have concluded that any such sexual behaviour in children also indicates two potential ways-sexually deviant children might have been molested or sexually exposed by pornography.

Pornography and sex are typically addictive in nature. We hear that people start with one type of porn, like magazines, and end up looking at some extreme types of porn like bestiality or rape porn. This makes us think that there is a resistance impact in pornography that might cause people to try harder types of pornography in order to achieve the same point. Since this tolerance effect may cause people to watch incredibly harsh porns, it may also be possible to encourage people to act on those desires.

Pornography features unrealistic, graphic portrayals of sex acts that even most adults do not indulge in. And showing children such pornographic or pornographic materials could mislead their ideas about relationships, gender, age.

Those who like porn, and watch porn, appear to also be those who enjoy sex. The theory of porn causing erectile dysfunction is limited and is based on gender skewed and fear biased perception of the brain regarding porn, sex, and masturbation.<sup>15</sup> Frequently watching porn has an effect on man's sexual activity, but the effect is primarily due to masturbation, not to porn.

Evidence indicates that greater social exposure to pornography is associated with a decrease in sex-related crimes.<sup>16</sup> Consistent work has also shown that consumers of pornography have no concerns or issues due to its use. Some study has yet shown that pornography is the cause of the issue.

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<sup>15</sup> David J. Ley, CommonSenseabouttheEffectsofPornography PSYCHOLOGYTODAY (NOV. 11, 2018, 3:54 P.M.), <https://www.psychologytoday.com/us/blog/women-who-stray/201402/common-sense-about-the-effects-pornography>.

<sup>16</sup> C.J. Ferguson & R.D. Hartley, The pleasure is momentary...the expense damnable: the influence of pornography on rape and sexual assault, 14(5) AGGRESSION & VIOLENT BEHAVIOUR 323-329 (2009)

## CONCLUSION

A lot of people find pornography repugnant, but there are a lot of people who don't and are tolerant of it. Because many people find porn to be unethical and to be one of the factors behind violence against women. So, that it is appropriate for a democracy to enforce a ban on pornography on the basis of the plurality of views on it. And this gives rise to important issues, such as freedom of expression and censorship, if attempts are made to stop it. For a free society, civil liberties advocates argue, we will proceed very carefully. When we ban other kinds of pornography, they ask, where are we going to stop?<sup>17</sup>

Pornography continues to discuss women by delineating them as articles that exist for male sexual pleasure and by presenting them as an actual object of male sexual savagery. Such photos would cause discomfort to any general public that respects gender equality. Despite the fact that we have methods to give our general public pornography, this is negative. For individuals who claim that pornography improves sexual articulation, the reality of the matter is that pornography desensitizes the watcher to the point that only aberrant sexual conduct is seen as fulfilling. There are several options that do not include pornography, for example, marriage mentoring, for a couple who are having difficulties being impractically needed with each other. The problem of pornography as a form of creative articulation persists in the sense that most pornography is produced for the benefit of, not masterful articulation. The risk for minors to become addicted is a significant problem that can not be overlooked. However, until and unless a substantial and efficient system of censorship is defined with regard to the nature of pornography and its dissemination, the production and distribution of pornography must be stopped

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<sup>17</sup>N.STROSSEN, *Defending pornography: Freespeech, sex, and the fight for women's rights*, New York University Press (2000).