

Pornography

An Investigation of Jewish Sexual Perspectives

by Rabbi Ariel Root Wolpe

www.arielwolpe.com

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Methodology

This teshuvah presents an examination of issues around pornography use through both traditional Jewish text and contemporary studies. While taking into account the thousands of years of halakhic development that have led to modern stances on porn and masturbation, this teshuvah explores how modern psychological and social studies might present a different picture on how to adhere to Jewish values of health, relationships, and connection with God. We are compelled to combine wisdom from past teachers with up-to-date research to make informed halakhic decisions that respond to the needs of modern-day Jewry. This teshuvah hopes to provide guidance for the coming generations on how to develop a spiritual and health-conscious relationship to their sexuality, specifically around the use of pornography.

She'elah: May the Modern Jew Consume Porn & Erotica?

As long as pornography has been available, society has been uneasy with its use, and that uneasiness pervades America today even as pornography consumption continues to rise. A 2013 study reported that 12% of Americans admit to consuming online porn and that the numbers are growing yearly (Pew Research Center). Another comprehensive study from 2016 confirmed this trend: 20% to 23% of people aged 13 and older report viewing porn daily or weekly, and 31% to 51% report viewing it once a month or less. This adds up to at least half of the general population. Young adults (18-24) ranked highest at 57% reporting seeking out porn daily, weekly or monthly. While around half of adults 25 and older say viewing porn is wrong (54%), among teens and young adults ages 13-24, only a third say viewing porn is wrong (32%). This may indicate a growing acceptance alongside an increasing prevalence of porn, although it could also be explained by a tendency to develop more conservative views and behavior regarding pornography as one ages. The mitigating factors are gender—men are twice as likely as women to consume porn—and religion. Practicing Christians are

less likely to report seeking out porn and more likely to express feelings of guilt from consuming it (Porn in the Digital Age: New Research Reveals 10 Trends).

While there are no statistics available about porn use in the Jewish community specifically, it is likely that American Jewry's use of pornography reflects the demographics listed above, with male and non-religious individuals consuming porn with more frequency than their female and religious counterparts. This teshuvah assumes that there is a considerable number of Jews using porn regularly, that this number is increasing with the generations, and that a portion of those Jews believe it is perfectly acceptable while some experience some measure of guilt. Even within Orthodox Jewish communities—which halakhically forbid porn consumption—porn use exists, evidenced by video porn specifically geared towards Orthodox consumers (Vice). Considering its widespread use in America, and its apparent presence in the Jewish community, it is important to consider the halakhic reasoning behind prohibiting porn and evaluate its moral status through a Jewish lens.

Teshuvah

This teshuvah examines eight halakhic categories involved in the use of pornography: masturbation, *hirhur arayot* (sexual fantasy), Jewish erotic texts, divine sexuality, modesty, relationships, business ethics, and the objectification of women. The majority of Jewish sources cited address cisgender, straight male readers and ignore female sexuality and homosexuality. For example, concerning the verse “You shall keep yourself from every evil thing” (Deuteronomy 23:10), *Avodah Zara* 20b teaches that one should not “gaze intently at a beautiful woman, even if she is unmarried, or married, or ugly. Neither should you stare at a woman’s garments or at animals when they are mating” (Isaacs 88). While this and other passages clearly address a heterosexual male audience and aim to control male sexuality specifically, other texts explore Jewish values that can be applied across genders. Many of the traditional sources cited, as well as the contemporary research, focus on heteronormative relationships and address monogamous, cis-gender heterosexual partnerships. However, when we examine the guiding principals and values that motivate these halakhic discussions, we are able to expand their relevancy to a wider range of sexual

relationships and identities. The conclusion of this teshuvah offers guidelines for any Jewish person concerned with Jewish perspectives on pornography and sexuality regardless of their sexual orientation or gender.

I. Masturbation

An obvious question when considering the use of porn according to Jewish tradition is the question of masturbation, since the two are often used in tandem. Concerning a man, a gender with which the rabbis are primarily concerned, the Shulhan Arukh states,

אסור לאדם שאינו נשוי לשלוח ידו במבושיו כדי שלא יבא לידי הרהור ואפילו מתחת טבורו
לא יכניס ידו שמא יבא לידי הירהור ואם השתין מים לא יאחוז באמה וישתין ואם היה נשוי
מותר ובין נשוי ובין שאינו נשוי לא יושיט ידו לאמה כלל בשעה שהוא
צריך לנקביו (ועיין בא"ח סימן ג')

It is forbidden for a man who is not married to touch his private parts so that he doesn't come to have a sexual thought. And he may not even touch anywhere under his belly button lest he have a sexual thought. And when he urinates he should not hold his member and urinate. But if he is married this is permitted. And whether married or unmarried he shouldn't put his hand on his member at all when he must relieve himself (Even HaEzer 23:4-5). (sefaria.org)

The Shulhan Arukh is clear that men are forbidden to masturbate and to do any action that may lead to masturbation. The prohibition concerning masturbation stems from **לבטלה זרע השחתת** in Genesis 38, an unnecessary destruction of seed, taken from the biblical punishment of Onan who God struck down after he wasted his seed. According to levirate marriage custom, and under the direction of his father, Onan was obligated to have sex with Tamar in order to provide a son for his brother's line. Onan's crime, therefore, is unclear—was it that he refused to comply with his father's instruction, that he defied levirate marriage, or that he wasted his seed?

Many contemporary scholars hold that Onan's crime is circumventing the levirate system or dismissing his father. This perspective is supported by the fact that men are

permitted, in fact required, to “waste” seed in specific circumstances. A couple must still engage in sexual relations while the wife is pregnant, after menopause, and in situations when she is unable to conceive (Contraception CJLS).² This is because men are obligated to pleasure their wives, and women to receive pleasure, beyond the purpose of childbearing.³ The obligation to give (males) and to receive (females) pleasure is a remarkable arrangement, especially when one considers that sexual satisfaction for men is not a halakhic obligation for either sex.⁴ In fact, one concern regarding masturbation was the belief that frequent masturbation would weaken the man’s capacity in satisfying his wife (Alpert 185). Perhaps it is not the act of masturbating in itself that is problematic, but the effects of that act on oneself and those around him.

² Another possible interpretation is that Onan’s crime was spilling the seed on the ground, which would differ from ejaculating during intercourse and would reflect the reality of masturbation.

³ The concept that sex is for women’s pleasure is backed by a number of sources, including:

a) Onkelos’s commentary on Deuteronomy 24:5, a verse which states that a man is required to give happiness to his bride during their first year of marriage. Onkelos explains, “‘to give happiness’ - sex not for purpose of procreation but rather for pleasure.”

b) This excerpt from Ketubot 48a is commonly understood to refer to sexual pleasure: “Rav Yosef taught there must be close bodily contact during sex, unlike the custom of the Persians who preform their marital duties in clothes. This supports the ruling of Rav Huna. As Rav Huna said: A husband who says, “I will not perform [my marital duties] unless I wear my clothes and she wears hers, must [divorce her] and give her the ketubah [settlement].” (sefaria.org).

c) Rambam is quite explicit on engaging in sex for the woman’s pleasure: “When you and your wife are engaged in sexual union do not behave lightheartedly and regard this act as vain, idle, improper. Therefore, first introduce her into the mood with gentle words that excite her emotion, appease her mind and delight her with joy. Thus you unite your mind and intention with hers. Say to her words which in part arouse in her passion, closeness, love, will, and erotic desire, and in part evoke in her reverence for God, piety and modesty...Never impose yourself upon her nor force her. For any sexual union without an abundance of passion, love and will, is without the Divine Presence. Do not quarrel with her nor act violently whenever coitus is involved. The Talmud says, “A lion ravishes and then eats and has no shame. So acts the brute: He hits and then cohabits and has no shame.” Rather, court and attract her to you first with gracious and seductive, as well as refined and gentle words, so that both your intentions be for the sake of God...Do not hurry in arousing passion. Prolong till she is ready and in a passionate mood. Approach her lovingly and passionately, so that she reaches her orgasm first. (Iggeret Hakodesh, 13th Century) (sefaria.org).

⁴ Men, however, do have a right to sex in marriage, and if a woman refuses to have sex with her husband, he may, according to Mishnah Ketubot 5, reduce the amount of money he would have to pay her in a divorce settlement.

The Talmudic rabbis, however, do not take a permissive view. Rav says, “Anyone who willingly causes himself to have an erection will be banned by the community” (Babylonian Talmud Nidah 13b). Rabbi Ami fears that masturbation is the work of the yetzer hara, and that self-arousal will lead to idol worship (Alpert 183-184). In Mishnah Nidah 2:1, Onan’s crime is used as proof text to support an antipathy toward male self-arousal: **תְּקַצֵּץ, וּבְאֵנָשִׁים. מְשַׁבַּחַת, בְּנָשִׁים לְבַד־ק הַמְרֵבָה הַיָּד כָּל.** “Every hand that frequently checks: in women, it is praiseworthy. But in men you should cut it off.” Why is it praiseworthy in women? Because women must check themselves for the start of their menses to observe niddah. The gemara claims that women may check because they will not experience sensation through self-examinations (Niddah 13a); however, other rabbinic passages, such as Babylonian Talmud Avodah Zara 44a and Babylonian Talmud Yebamot 76a, are aware that women masturbate and can experience pleasure from their own touch (Alpert 182-183).⁵

In Babylonian Talmud Nedarim 51a, the rabbis suggest that the word **תּוֹעֵבָה**, toevah, generally translated as an abomination regarding male homosexual sex, in fact means **בָּה אַתָּה תוֹעֵבָה**, toeh ata ba, “you will go astray because of it.” This implies that the temptation to be involved in homosexual or solitary sexual experiences are not necessarily bad in themselves, but they are understood as leading a person in a destructive direction and away from a well-lived life (Alpert 185-186). Rav’s fear of masturbation leading to idol worship, and the concern that masturbation will diminish one’s ability to please his wife, are concerned with the undesirable results of masturbating—they do not focus on the action itself. This leads us to inquire whether such fears of masturbation are a relevant concern for us today.

⁵ Avodah Zara 44a:

יום. בכל לו נבעלת והיתה לה עשתה זכרות כמין יוסף רב כדתני ליצנותא מפליא דהוה יהודה רב אמר מפלצתה מאי
What is the meaning of “miflatztah”? Rav Yehuda says: It means an object that intensifies [mafli] licentiousness [leitzanuta]; as Rabbi Yosef teaches: Maacah fashioned upon the idol the likeness of a male organ, and she would engage in sexual activity with it daily. (sefaria.org)

What if one's use of porn does not lead to destruction, but instead provides a method of relief or self-care? The internet is teeming with articles and studies that promote masturbation as providing a slew of health benefits, such as stress relief, prevention of depression, relieving cramps and strengthening muscles, prevention of prostate and cervical cancer, boosting of self-esteem, and aiding in sleep (Planned Parenthood; Fenton; Nichols). For someone who is sexually active, masturbation can hedge feelings of loneliness and provide an outlet for sexual energy that may otherwise be directed towards unhealthy sexual activity with a partner. Masturbation can also help someone learn what arouses them, leading to healthier sexual relationships with others. Studies have shown that achieving orgasm has been shown to have long-term health advantages (Alpert 187-188).

The Jewish tradition places great value on health—*pikuah nefesh* overrides almost every restriction and commandment. Although Maimonides did not approve of masturbation, he is known as a fierce proponent of health-promoting behavior, stating one should “maintain physical health and vigor so that the soul may be upright and in condition to know God” (Mishneh Torah Hilkhot Deot 4:14). The rabbis agree that one must take care of bodily health and are also concerned with the quality of sexual relationship between committed partners. If masturbation can help one understand one's own sexual desires and how to achieve orgasm effectively, it will help one's sexual relationships with one's partner. The commandment to “love your neighbor as yourself” (Lev 19:18) is often understood as commanding us to love ourselves in order to share that love with others. Our bodies are, after all, part of ourselves.⁶ Masturbation

⁶ The tendency to view ourselves as separate from our bodies, while not as extreme in the Judaism as in Christianity, is alive in modern Jewry. In Howard Eilberg-Schwartz's book “People of the Body,” he argues that the Jewish description as “People of the Book” expresses a larger modern strategy that attempts to disembodify Jews and Judaism in hopes of spiritualizing them. In the modern period, the majority of Jews came to regard various parts of Judaism, particularly those having to do with the body and sexuality, as primitive and embarrassing (Eilberg-Schwartz 3). This was in part because of the enlightenment's concepts of rationality, which differentiated between primitive and enlightened religions, viewed Judaism as primitive and the Jewish body as lesser—long noses indicated that Jews could smell better, like animals, and there were European imaginings that Jewish men menstruated, like lesser female beings. Conflicting traditional views around the body have also clashed within Jewish culture. The fact that humans are in the image of God bumps up against the concept that God has no body, and therefore doesn't interact physically with others. Another incongruence is the fact that

is one way we may apply this verse, and the Jewish values explored above, to our sexuality.

procreation is mandated from God, but semen is polluting, even during intercourse (Eilberg-Schwartz 17). These contradictions result in varied Jewish perspectives on the body and sexuality that differ in their conclusions, but are equally based on central traditional beliefs.

II. Hirhur Arayot: Fantasy or Reality?

A main halakhic concern with porn use falls into the category of hirhur arayot. There are several biblical imperatives that govern the sanctity of thought under the category of hirhur arayot, which refers to thoughts or fantasies of sexual content: “Do not come close to uncover their nakedness”—lo tikrevu (Lev. 18:6); “Do not follow after your hearts and after your eyes”—lo tasuru (Num. 15:39); “Sanctified you shall be”—kedoshim tihiyu (Lev 11:44-45, 20:7, 2:6; Num 15:40); “And guard yourself from all evil things”—ve-nishmarta (Deut 23:10) are all considered prohibitions against forbidden thoughts. Rabbi Pinhas ben Ya’ir says about ve’nishmarta, “Do not think [illicit thoughts] in the day and come to nocturnal emission of seed” (Spero 147). This wording implies that the issue is that fantasies will lead to a transgression, not that the fantasies are transgressions in themselves. In regard to porn, since watching porn may lead to illicit activities such as masturbating or having sexual relationships with others out of wedlock, this line of reasoning would forbid it.

Maimonides agrees that sexual fantasy is forbidden because it might bring about hirhur assur, forbidden thought. In reference to the one who looks at a sexual act and thinks there is nothing wrong, Maimonides replies:

“Did I engage in sexual intercourse with her or come close to her (sexually)?”
But he does not know that seeing [sexual acts] with one’s eyes is a great sin, for it leads [one to commit] the actual sexual acts that are prohibited, as the Torah says, “Do not follow your heart and eyes in your lustful urge” (Numbers 15:39) (M.T. Laws of Repentance [Teshuvah] 4:4).

Moshe Halevi Spero, in his thorough treatment of perspectives on forbidden sexual thought and discussion, states that “the rabbis prohibited any activity that might lead to hirhur assur, such as staring at animals copulating or at women washing clothes” (Spero 150). A number of Talmudic sources reinforce the need to protect the realm of thought. “All who stimulate themselves to evil thought do not enter the Divine presence.” (Babylonian Talmud Niddah 13b on Gen 38:10) “The beginning of sin is the murmuring of the heart [hirhur ha-lev]” (Tanna D’bei Rabbi Eliezer Zuta 6). “The

thought of sin is worse than the actual sin" (Babylonian Talmud Yoma 29a). The Talmud forbids sexual relations with one's wife while thinking at the same time of another woman (Babylonian Talmud Nedarim 20b; Babylonian Talmud Pesachim 112a) (Spero 147-148).

The rabbis are clear that we cannot count on having adequate self-control to engage in activities that suggest a forbidden action but their discussions focus primarily on men. This still leaves open the question about whether this restriction should equally apply to women. This question brings to mind the case of Rabbi Yohanan, who, as Babylonian Talmud Bava Metzia 84a relates, would go to the gates of the mikvah with the intention that the Jewish women would look at him, and thereby influence their own children such that they would have physical beauty. This was based on the assumption that what a woman thought about during intercourse would affect the child she conceives (The William Davidson Talmud translation). If this is the case, then Rabbi Yohanan is giving women erotic fantasy material for their sexual encounters with their husband, a clear example of hirhur arayot.

There is a strain in the rabbinic tradition that makes a sharp distinction between one's liability for thoughts and for actions. Babylonian Talmud Kiddushin 40a states that God does not punish those with evil intentions if they did not commit the action:

לא בלבי ראיתי אם און (יח, סו תהלים) שנאמר למעשה מצרפה הוא ברוך הקדוש אין רעה מחשבה
מחשבה מחשבותם פרי רעה הזה העם אל מביא הנני (יט, ו ירמיהו) מקים אני מה ואלא ה' ישמע
למעשה מצרפה ה" הקב אין פרי בה שאין מחשבה למעשה מצרפה ה" הקב פרי שעושה

The Holy One, Blessed be He, does not link an evil thought to an action, as it is stated: "If I had regarded iniquity in my heart, the Lord would not hear" (Psalms 66:18). But how do I realize the meaning of the verse: "Behold I will bring upon these people evil, even the fruit of their thoughts" (Jeremiah 6:19)? In the case of an evil thought that produces fruit, [i.e., that leads to an action], the Holy One, Blessed be He, links it to the action. If it is a thought that does not produce fruit, the Holy One, Blessed be He, does not link it to the action. (sefaria.org).

According to Spero, the context and the motivation are crucial in deciding the sinfulness of erotic thoughts. In an attempt to permit discussion of fantasies during psychoanalysis, Spero argues erotic thinking is not sinful in itself—but if the motivation is selfish, or the context is outside the bounds of marriage, then it takes on different value. He argues that, in regard to sexual fantasies, one needs to become a giber, a master, over one's impulses. The Talmud contends that mastery is not to be gained by repression, but by routing impulses along acceptable lines (Spero 151).

This discussion leaves us with three important questions. First, does *hirhur arayot* apply to women? It would seem that this principle applies differently, if at all, to women's fantasies, and it is unclear if any of the prohibitions were originally intended for women's observance. A second issue raised is whether consuming porn leads one to act upon those fantasies. Unfortunately, as we will explore later on, there are inadequate studies to show whether porn leads to enactment of its content. And thirdly, are there fantasies presented in certain types of porn which are not in violation of Jewish values?

In the next section, we will take a look at erotic fantasies accepted into the main canon of Jewish texts. We begin with *Shir Hashirim*, an erotic poetic story of two lovers in a garden.

III. Shir Hashirim and Divine Sexuality

Shir HaShirim can be seen as a romantic progression from Adam and Eve. While Adam and Eve toil in the earth and work hard to procreate, *Shir Hashirim* presents a playful dance in which the relationship with one another and with earth is "as fluid, playful, loving and pleasurable as their relationship with each other" (Waskow 316). For biblical culture, sexuality within its proper boundaries was not a problem, although the boundaries themselves were repeatedly contested. Rabbinic materials presume that

Adam and Eve had sex in the Garden of Eden⁷ and view this union as natural and non-sexualized. According to certain streams of 18th century Hasidism, during intercourse one aims to experience sex as it had been practiced in the garden, when the genitals experienced no greater desire than did the hands or the eyes (Biale 108). Shir Hashirim, on the other hand, celebrates the sexuality of its characters and their sexual tension. The verses explore the tension between desire and fulfillment, anticipating discussions of later talmudic and medieval Jewish writings (Biale 31).

Shir Hashirim is not alone in the bookshelf of Jewish erotic works. Ibn Ezra contributed erotic poems alongside a host of other Jewish authors spanning the centuries. Interestingly, a number of them from the Golden Age describe homosexual love affairs, which clearly functioned outside the structures of marriage and would not have been for the purpose of procreation (Waskow 299-300). In reference to the debate on *hirhur arayot*, the popular song currently sung on Shabbat "Mah Yedidut," describes the coming of Shabbat in romantic terms and states *מותרים הרהורים*, "fantasies are permitted."

Shir Hashirim is a literary celebration of a secular erotic desire.⁸ Only in later rabbinic and mystical sources is this poem reinterpreted to be between Israel and God, suggesting a sexual relationship with the Divine (Biale 32). Early Kabbalists explored the notion of divine sexuality with physical intimacy with partners and sought to "restore the integrated relationship of body and soul that have prevailed in biblical and rabbinic culture" (Biale 101). *Iggeret ha-Kodesh*, a treatise on marital relations from the

⁷ "And the woman said unto the serpent..." (Gen 3:2). Now where was Adam during this conversation? Abba Halfon b. Qorah said: "He had engaged in sex and then fell asleep" (Genesis Rabbah 19:3)

"And they were both named ('arumim)...now the serpent was the most subtle (arum)... (Gen 2:24-3:1). [Why is the snake interpolated here and why are the Hebrew words naked and subtle the subject of a word play?] They indicate for what sinful purpose the snake was anxious to do this thing. He had seen them busy in the way of mankind [engaging in sex] and developed a passion for her." (Genesis Rabbah 18:5)

⁸ Later rabbinic interpretations infuse a theological dimension in the poem, stating that it is really about the love of God and Israel. Biale comments, "Human love may be the model for the love of God, but love of God might come to compete with human love. ... monotheism is the theological version of monogamy." (Biale 32)

thirteenth century, argues that sexuality can be holy when engaged in properly and in the presence of God. David of Makob, a follower of the Gaon of Vilna, reported a radical sexual practice in 18th century Jewry which illustrates the fusion of divine and earthly sexuality:

“The Hasidim commit the sin of involuntary ejaculation at all times during their prayer, for they deliberately give themselves erections during prayer according to the commandment of Rabbi Israel Baal Shem [the founder of Hasidism], who said to them that just as one who engages in intercourse with an important organ cannot give birth, so one should be potent at the time of prayer and, in prayer, it is necessary to unite [sexually] with the Shekhinah. It is therefore necessary to move back and forth as in the act of intercourse” (Biale 121).

While a follower of the Gaon of Vilna may be exaggerating such practices, it is clear that Hasidism affirmed sexuality, directing it to the divine realm. God became the object of erotic desire, and relationships with women were replaced with an eroticized community of male companions around a charismatic leader (Biale 122). Baruch of Kosov (d. 1795), a contemporary of early Hasidism, typifies this ambivalence in his discussion of how the spiritually elevated soul experiences sexual pleasure: “God favored me with a gift of grace, granting me understanding of the true meaning of sanctification during sexual intercourse: the sanctification derives precisely from feeling physical pleasure. This secret is wondrous, deep and awesome” (Biale 125). A radical figure associated with the Hasidic movement, Leib Melamed, actually advocated the use of sexual temptation: “One should imagine during prayer that a woman stands in front of him and then he will rise to a great height...one is even permitted to have an ejaculation as a result of the great arousal of prayer (Biale 126).

These views received widespread pushback from critics of Hasidut and were countered by restrictive attitudes. Ezekiel Landau, a great legal authority from Prague, said that any man who is alone with a woman forbidden to him has transgressed, even if no thought of transgression crossed his mind. 18th century Jewry was caught between ascetic practices of the Mitnagdim and self-temptation of the Hasidim, both sides were preoccupied with the power of sexuality (Biale 127). Similarly, Americans receive the

instruction of abstinence (whether accompanied by the threat of sin, pregnancy or STDs) alongside explicit sexuality on every form of mainstream media, including pornographic material.

How does the category of the erotic relate to that of pornography? It depends on how you define the terms. Merriam Webster Dictionary distinguishes between the intention of the material, defining pornography as “the depiction of erotic behavior (as in pictures or writing) intended to cause sexual excitement” whereas erotica is any artistic or literary work with erotic themes (Merriam-Webster). One common opinion is that erotica is both sexually arousing and intellectually stimulating, whereas pornography is only meant to sexually arouse, while others claim the viewer can subjectively determine what is erotic versus pornographic based on their response (Sexual Health Site). A common feminist differentiation is that while “Erotica” presents sexually explicit material premised on equality, depicting women as genuinely equal and consenting participants in sexual encounters, “Pornography” depicts women being coerced, abused, dominated or degraded in such a way as to endorse their subordination (West 4.1).⁹ In same-sex material, this distinction could be made when any actor, no matter the gender, is compelled to engage in any action which compromises their autonomy and respect.

⁹ “In 1983, two of the most prominent anti-pornography feminists in the United States, Catharine MacKinnon and Andrea Dworkin, drafted an anti-pornography ordinance at the behest of the Minneapolis Council...The ordinance defined “pornography” as a civil rights violation, as a systematic practice of sexual discrimination that violates women's right to equality: We define pornography as the graphic sexually explicit subordination of women through pictures and words that also includes (i) women are presented dehumanized as sexual objects, things, or commodities; or (ii) women are presented as sexual objects who enjoy humiliation or pain; or (iii) women are presented as sexual objects experiencing sexual pleasure in rape, incest or other sexual assault; or (iv) women are presented as sexual objects tied up, cut up or mutilated or bruised or physically hurt; or (v) women are presented in postures or positions of sexual submission, servility, or display; or (vi) women's body parts — including but not limited to vaginas, breasts, or buttocks — are exhibited such that women are reduced to those parts; or (vii) women are presented being penetrated by objects or animals; or (viii) women are presented in scenarios of degradation, humiliation, injury, torture, shown as filthy or inferior, bleeding, bruised, or hurt in a context that makes these conditions sexual. (MacKinnon 1987:176.)” (West 4.1)

IV. Exposing Ourselves: The Issue of Modesty

Judaism places a high value on צניעות, modesty, a value which appears in various Talmudic and halakhic texts. While modesty typically applies to public spaces and porn is viewed in private, our tradition tells us it is immodest to look at another person naked or in a sexually compromised position for either participant. The purpose of living modestly relates to how we regard one another. Consider this excerpt from a CJLS teshuvah:

Our veneration of modesty includes an appreciation of the intimate and the sexual. Sexuality holds potential holiness. Intimate relations - when conducted with sanctity - are privileged, permitted, and honored. Iggeret HaKodesh, a 13th-century treatise about spiritual consciousness at the time of sexual relations, considers sexual activity a gateway to the Divine and a way of drawing Divine blessing into the world. Similarly, for the Zohar, sexual intimacy is a way of reaching God. The holiness inherent in sexuality means that sexual expression requires practices and rules that invite connection and holiness, rather than dissipation and hurt. Rules on modesty are part of this broader practice. Although it is essential to maintain a realm for erotic self-expression, intimacy can be greater in a private committed connection. We believe tzniut facilitates connection with the sacred aspect of sexuality (Konigsburg 5).

However, many modern thinkers rebel against the strictures of tzniut as an oppressive system that controls bodies, in particular women's, in today's society. In "The Use of the Erotic: The Erotic as Power," womanist and civil rights activist Audre Lorde writes,

"The erotic has often been misnamed by men and used against women. It has been made into the confused, the trivial, the psychotic, the plasticized sensation. For this reason, we have turned away from the exploration and consideration of the erotic as a source of power and information, confusing it with the pornographic. But pornography is a direct denial of the power of the erotic, for it represents the suppression of true feeling. Pornography emphasizes sensation without feeling" (Lorde 54).

When does an expression of feeling, or the use of a body, turn into something pornographic? What expression of intimacy or exploration of sexuality cross over the boundary of tzniut? Many would argue that it is up to the viewer. The now colloquial expression in reference to porn, "I know it when I see it," refers to this exact phenomenon.¹⁰ Danya Ruttenberg argues that issues of modesty require intention. Just as the fulfillment of hearing the shofar blown requires the intention of the hearer and the performer to be toward the mitzvah, so too, the intention of the creator and viewer indicate whether something is modest or not (Ruttenberg 208). The rabbis also place great importance on one's intention in sexual encounters—it is one's thoughts and focus that turn a sexual encounter into a mitzvah or into a transgression.¹¹

We value modesty because we believe that each soul is created b'tzelem Elohim, in the image of God, and we aim to encounter the holiness within one another. Judith Plaskow, in *The Coming of Lilith: Essays on Feminism, Judaism, and Sexual Ethics*, presents a modern understanding of b'tzelem Elohim through a sexual lens:

"We believe that we honor the image of God by honoring the body. Through our bodies we can connect with each other, the world, and the sacred...We affirm that each human being must be taught that the awakening of sexual feeling and the desire for sexual activity are natural and good, and that an understanding of how to express sexuality must also be taught...We affirm human sexuality in all its fluidity, complexity, and diversity...We affirm the

¹⁰ United States Supreme Court Justice Potter Stewart coined the phrase in 1964 in explaining why the material at issue in the case *Jacobellis v. Ohio* was not obscene: "I shall not today attempt further to define the kinds of material I understand to be embraced within that shorthand description ["hard-core pornography"], and perhaps I could never succeed in intelligibly doing so. But I know it when I see it, and the motion picture involved in this case is not that." (Lattman).

¹¹ "And even when he is with her, it should not be in his mind about satisfying his own desires, but rather about fulfilling his obligation to satisfy her sexual needs, and about fulfilling the commandment of his Creator to procreate and raise children who study Torah and live according to its commandments amongst the Jewish people....and if his intention is to guard himself from temptation to sin, because he senses within himself such temptation, it would have been better had he ignored his sexual instinct and conquered it..." (Shulchan Aruch, Orach Chaim 240, Laws of Modesty)

goodness of sexual pleasure independent of the goal for procreation (Plaskow, 176).

This presents fusion of honoring individuality and ownership over one's sexuality and also honoring the holiness within. But can there be holiness in porn? Can one invite connection and holiness into an encounter with the actors of an adult film? Can one maintain the holiness in one's marriage while consuming porn on the side, or with one's partner? To answer these questions, we must first examine how the consumption of pornography impacts the hearts, minds, and bodies of consumers today.

V. The Impact of Porn Use on People and Relationships

The impact of porn is uncertain, in part because many studies do not differentiate between the effects of pornographic usage and consumers who are addicted to porn. Studies have shown that daily use of porn for men has negative effects on mental health and is often correlated with severe depression (Skinner). Daily use is likely correlated with a high percentage of porn addiction, which, like any other addiction, rewires neural circuits in the brain and can cause a host of emotional and physical symptoms with negative impacts on one's mental health and lifestyle.¹² Porn addiction has been shown to be particularly harmful to male youth, whose brains are "at [the] peak of dopamine production and neuroplasticity, making [them] highly vulnerable to addiction and sexual conditioning" (Start Here: Evolution Has Not Prepared Your Brain for Today's Porn). This leads to de-sensitization of sexual stimulation and can result in sexual dysfunction for men.

¹² Porn addiction has been associated with the following symptoms: Distress about escalation to more extreme porn; Difficulty maintaining an erection while putting on a condom; Delayed ejaculation; Loss of libido; Copulatory impotence (can get it up for porn, but not partners); Frequent masturbation, little satisfaction; Uncharacteristic, worsening social anxiety or lack of confidence; Growing erectile dysfunction, even with extreme porn; Morphing porn tastes that don't match sexual orientation (also triggering HOCD); Inability to concentrate, extreme restlessness; Depression, anxiety, and brain fog (Start Here: Evolution Has Not Prepared Your Brain for Today's Porn)

Regarding the effects of porn on a relationship, there are a number of studies which report negative consequences, which may also be biased by those struggling with porn addictions, since they do not differentiate those exhibiting addictive behavior from other consumers. A survey of female college students found that those who perceived their boyfriends' porn use to be problematic experienced lower self-esteem, poorer relationship quality and lower sexual satisfaction (Stewart). When one partner uses porn at a high frequency — typically the men in heterosexual couples — there is a tendency by the other partner to withdraw emotionally from the relationship (Bridges). A 2013 study found that consumers of porn were more likely to engage in sexual relations outside of the relationship (Gwinn). In another study from the same year, a survey of heterosexual couples who were married or living together found that men's use of porn was associated with lower sexual quality for both men and their partners. The recent spread of high-speed porn access, which supplies users with constant novelty and shock, offers an unnaturally powerful aphrodisiac that lessens the body's response to real potential partners' sexual contact (Start Here: Evolution Has Not Prepared Your Brain for Today's Porn). Just as the Rabbis feared, these studies show fantasy consumption leading to extra-marital acts and inhibiting a man's ability to seek pleasure with his committed partner.¹³

Other studies suggest that it is not porn that is the problem in relationships, but hiding porn and addictive use. A 2013 study on porn and relationships showed that couples who engage in watching porn together and have a mutual agreement on what's considered to be acceptable pornography are more likely to have thriving relationships, possibly because of their level of honesty and communication. "When both partners are equally open sexually and emotionally, pornography can be an 'exciting wonderful foreplay'," researcher Walfish said. "Often, watching can stimulate ideas, themes, and scenarios that can elicit spontaneity and adventure for the couple" (Resch). David Schnarch, author of *Resurrecting Sex: Solving Sexual Problems and Revolutionizing Your Relationship*, who runs a couples therapy practice with his wife, states:

Porn can actually help foster emotional and sexual intimacy...a significant portion of our work in helping couples develop a deeper sexual connection is through erotic images. Erotica, as well as couples' own masturbatory fantasies, can be useful tools for helping them develop as adults (Schnarch 273).

Schnarch holds that fantasy is part of a healthy sex life, and porn stimulates fantasy and can inspire experimentation within the relationship (Schnarch). Although pornography is never explicitly condoned by the rabbis, Rabbi Yohanan bar Napaha rules that "anything a husband craves to do with his wife sexually, he may do" (Shapiro 62). If a married couple wants to watch porn together to enhance their sex life, or to revive a non-existent romance, perhaps Rabbi Yohanan bar Napaha would support that. If one is using porn in an open way with their spouse in order to spice up their sex life, this may in fact help prevent adulterous behavior by investing in the health of the marriage. It is also possible that one partner might use porn in private in order to become stimulated to engage in sexual relations with his or her spouse, or because one spouse does not want to be intimate and encourages the other to seek this sexual outlet. The studies cited above should make us pause and weigh the risk of porn use, however, we must not forget the potential usefulness it carries in sustaining relationships and providing relief for sexual energy and desires, which could instead be channeled towards more destructive behavior.

Female use of porn, in contrast to male consumption, is solely associated with improved sexual quality for women and seems to have no negative effect on their relationships (Poulsen). It might be the case that men and women must consider their use of porn differently due to the likelihood of developing an addiction or how porn use plays into relationship dynamics. Proponents of porn claim that erotica can enhance sex lives, provide a safe recreational outlet and perhaps even reduce the incidence of sexual assault (after pornography was legalized in Denmark in 1969, for instance, researchers reported a corresponding decline in sexual aggression). This seems to be the prevalent social opinion: In a 2002 survey conducted by the Kinsey Institute for Research in Sex, Gender and Reproduction, 86 percent of respondents said porn can educate people, and 72 percent said it provides a harmless outlet for

fantasies. Among those who reported using pornography, 80 percent said they felt "fine" about it (Weir).

While porn addiction is garnering more and more attention as symptoms emerge, little research has been done on the effects of moderate porn usage. Any habit that has evolved into an addiction and dependency is unhealthy for the user and those around him or her, and cannot be condoned. If it is not the use of porn but rather pornography addiction that is harmful to oneself and others, how can we protect our community from developing an unhealthy use of an addictive substance? If we permit the use of pornography, perhaps we must emphasize education around identifying and responding to the development of addictive habits.

VI. The Porn Industry: Business Ethics and Objectification of Women

Pornography raises a number of ethical concerns beyond the health of its consumers. The porn industry has a reputation for mistreating people in the process of its productions, primarily the actors who are hired in adult films, and many argue that the objectification of women in pornography negatively impacts women at large. Anti-pornography feminists express concern with the coercion and exploitation of women actors in the production of pornography, and harm done to other women from the consumption of pornography. "Some have suggested that pornography can be viewed as a sort of false advertising about women and sexuality, or as being akin to libelous speech: speech that defames women as a group, causing corresponding harm to their reputation, credibility, opportunities and income expectations." Pornography has also been accused of causing women's speech to be ignored by reinforcing the view that women who say 'no' are not actually refusing a sexual advance (West 4.1).

From a feminist point of view, pornography subordinates women by "sexualizing their inequality." Pornography both expresses the view that women exist primarily as objects for men's sexual gratification and conditions consumers to regard women's subordination as a sexy, natural and legitimate feature of normal heterosexual relations (West 4.1). Rabbi Sarra Lev, Ph.D., argues that the Sotah ritual is a case of subordination of women with pornographic intent. Whether or not this ritual actually

took place, Sarra Lev claims the text itself is voyeuristic and pornographic, meant to tantalize its readers with public rape (Lev 8). “The reader of the text ‘views’ the crowd viewing the priest viewing the woman, the ultimate voiceless object” (Lev 7). Like one who watches or reads pornography, the reader of the Sotah ritual does not actually know anything about the true sexuality of the woman, imposes his own idea about her sexuality upon the body that he imagines. Rabbi Yehudah’s opinion that a woman whose breasts are beautiful does not undergo the ripping of the garments demonstrates rabbinic awareness of the obvious potential for sexual arousal in this ritual (Lev 10).

The subordination of women does not begin with the rabbis: it goes back our origin story, in the Garden of Eden. God punishes Eve—and all women who follow her—with sexual submission: וַיִּמְשַׁלְבָהּ וְהָיָה תְּשׁוּבָתָךְ וְאֶל־אִישְׁךָ, “and your urge shall be for your husband, and he shall rule over you” (Genesis 3:16). Many modern readers understand this text not as prescriptive but descriptive, a sacred attempt to understand the nature of reality as our ancestors saw it. They witnessed a gender inequality normative for their society and the societies of their time, non-intuitive yet pervasive, and this demanded a mythical explanation. The submission of women to men is present in every single culture on earth, “within every type of social and economic arrangement, in societies of every degree of complexity” (Ortner 67). Why, our ancestors wondered, did God create this disparity of power?

Similarly, the subordination and inequality in the pornography industry is a reflection of society at large, and “plays a central role in institutionalizing a subhuman, victimized, second-class status for women” (Ciclitira 284). However, women’s porn and erotica has been emerging as a clear alternative to men’s pornography, providing opportunities for identity-bending, and opportunities for women and for minorities to make contact, and to produce and distribute their own representations (Ciclitira 284).¹⁴

¹⁴ “Recent innovations in technology, many of which are due to the vast and profitable commercial porn industry, have facilitated both the production of and access to pornography by women of different races, ethnicities and sexualities. This has not only enabled women to have easy access to porn from the privacy of their homes, but it has also enabled them (as well as men) to produce and distribute their own

Some feminists argue that pornography is an important form of sexual expression that does not harm women, and may even benefit them by liberating women and women's sexuality from the oppressive shackles of tradition and sexual conservatism.

Pornography may be an important tool for exploring and expressing new or minority forms of female sexuality, challenging traditional views about femininity and female sexuality and in empowering women, both homosexual and heterosexual, to shape their own identities as sexual beings (West 4.2). Even pornography which features aggression towards women is not deemed negative by everyone. In *Love and Hate in the Analytic Setting*, psychoanalyst and psychiatrist Glen Gabbard states, "even in the most loving relationships, a measure of hostility is an integral part of sexual arousal....aggressive forces are instrumental in the bonding of love relationship." Dominance and submission can be used to achieve an experience of loving connection in a relationship characterized by respect and mutuality. In Shir Hashirim, the desire is mutual, but they are also pursuing one another, dominant in turn. The female lover is more vulnerable, subject to the bruises of the city watch while the male lover is enchanted, held powerless by her beauty (Shir Hashirim 5:7). Domination can be desirable on both sides, as long as the power dynamic is mutually consensual.

Every human is created b'tzelem Elohim, in the image of God, and should treat every other person as a holy being. Pornography which degrades women or encourages violence against women violates this value. In addition to evaluating the content of pornography, one must inquire into the business practices of the media outlet of choice. Every worker, no matter their industry, is protected under Jewish labor laws. While there are many examples of unethical business and social practice in the porn industry, there are more and more websites that promote "ethical" and "feminist porn" for which these objections do not apply (Kaloi). The business practices of these "ethical" sources of porn create safe working environments for actors who receive fair

non-professional porn relatively cheaply (McNair, 2002). By breaking down the distinction between producer and consumer, interactive sex entertainment has enabled individuals to write their own sexual identities, and to accommodate diverse desires and cultural meanings (Kibby and Costello, 2001). Increased Internet access is evidenced by the rapidly increasing number of sites for amateur porn productions, and websites such as cliterati.co.uk being run by women for women." (Ciclitira 284)

compensation for their work, control over their bodies and freedom of self-expression through their chosen media. Anyone who wants to consume pornography should investigate the business practices behind the specific product they are consuming, and only consider porn involving consenting adults who are treated and compensated fairly.

Conclusion: Permitted or Forbidden?

This teshuvah has presented a great variety of Jewish perspectives on sex and fantasy, a diverse set of practices within the pornography industry, and a range of impacts that pornography has on consumers. Despite these often polarized opinions, sexual desire and works of fantasy are part of the Jewish tradition and part of American culture, and pornography statistics indicate this is becoming more prevalent. People who are looking for outlets for their sexuality use whatever resources are at their fingertips. The research presented above leave us with loose ends about how porn affects us and what its positive and negative effects might be. Contradictions in Jewish sources concerning sexuality and sexual fantasy create gray areas regarding the ethics of pornographic consumption for men and women. This teshuvah, therefore, attempts to offer healthy, constructive guidance for the use of pornography which adheres to the Jewish values explored above.

An individual considering the use of porn should consider the questions listed in the following four categories:

1. Ethical

Does the porn I am consuming harm or disrespect its actors? Are women or minorities subordinated in a way that I believe is harmful for society? Are the actors in this media compensated fairly for their work and do they have authority over the work they choose?

2. Personal Health

Am I negatively impacting myself by consuming porn? Am I addicted to porn (i.e., using porn more frequently than I would like and at the expense of my quality of life)? Is porn negatively affecting my perception of my body or any other body? Am I at an age where I am at high risk for damaging the development of my brain?

3. Relationship Health

Am I negatively impacting relationships in my life by consuming porn? Am I causing jealousy, insecurity, lack of connection and communication or considering cheating or leaving my partner? Am I using porn to avoid addressing sexual issues with my partner?

4. B'tzelem Elohim

Am I dismissing or ignoring the holiness in my own sexuality, as well as the holiness of the people I am watching? How do I feel about myself after I watch porn? How am I interacting with others after I watch porn? Where is God when I watch porn?

These questions should be answered with integrity and honesty. If the answer to any of these questions is yes, or unsure, then it would be forbidden to continue using porn until clarity and healthier habits are established through study, spiritual counseling or psychotherapy. Some people may be unable to have healthy relationships with pornography, just as some people cannot maintain healthy boundaries with alcohol. Implicit in the above questions is the challenge: What are you gaining from consuming pornography and does it enhance your life? Each person's sexual needs and development are unique. Our tradition invites us to ask ourselves difficult questions and thoroughly examine our behaviors to identify the path forward. Through internal investigation, we develop a spiritual awareness of ourselves, and honor the holiness within.

Towards a Future of Erotic Health in the Jewish Community

The motivations for using porn vary, although at the beginning, consumers are often in search of education, pleasure, excitement, and escape. Porn effectively responds to these needs at least in the short term; however, as we've seen, it presents various pitfalls and risks. In the conclusion of her study on pornography in relationships, psychologist Ana Bridges states:

Given that the first exposure to pornography is often accidental and unwanted, typically occurring around the age of 12 (Sabina et al., 2008), well before the median age of first intercourse at 17 years (Bozon, 2003), pornography is increasingly an unavoidable source of sexual education. The immense growth in the pornography industry over the past decade (Johnson, 2010) has come about at the same time the public sex education system in the United States has grown more calcified and antiquated (e.g., Stanger-Hall & Hall, 2011). These two trends have left young people without a clear, common, and non-commercialized understanding of sexual health (Bridges).

As Bridges points out, our youth are primarily learning about sexual relations from porn. Considering the wealth of learning the Jewish tradition offers on a holy sexuality, this is an unacceptable situation. Porn is a severely distorted vision of sex, and boys learn to expect girls to act like the actors they've seen in porn. As a result, girls feel pressured to act like the women in porn, creating unsatisfying and often degrading sexual encounters among our youth.

One of the highest Jewish values is education, and our sexuality is a critical yet neglected area of Jewish education. Jewish curricula frequently lack instruction on how to honor our individual sexual desires and needs, and how to maintain sexual health within relationships. Traditional Judaism recognizes the need for an intimate understanding of our sexuality, as this Talmudic story from Brakhot illustrates:

רב כהנא על גגא תותיה פורייה דרב שמעיה דשח ושחק ועשה צרכיו אמר ליה דמי פומיה דאבא כדלא שריף תבשילא א"ל כהנא הכא את פוק דלאו אורח ארעא אמר לו תורה היא וללמוד אני צריך

Rav Kahana entered and lay beneath Rav's bed. He heard Rav chatting and laughing [with his wife], and seeing to his needs [i.e., having relations with her]. Rav Kahana said to Rav: The mouth of Abba [i.e. Rav] is like one whom has never eaten a cooked dish [i.e., his behavior was lustful]. Rav said to him: Kahana, you are here? Leave, as this is an undesirable mode of behavior. Rav Kahana said to him: It is Torah, and I must learn. (Babylonian Talmud Brakhot 62a) (sefaria.org)

The conversation between Rav Kahana and Rav concludes on Rav Kahana's rebuttal, recognizing that sexuality is not something that we just know—we must learn it. No one would say that you can hide in your teacher's or parent's room and watch them having sex, and yet the need and perhaps the right to learn about sexual intimacy is recognized. No, it is more than recognized: it is labeled as Torah.

The Reform movement has made steps towards addressing this need and created a curriculum of sex education entitled "Sacred Choices." The curriculum frames its educational approach thus:

As Jewish professionals, we have to accept the responsibility to support the youth in our communities as they grow and develop into strong, ethically minded, Jewishly identified adults. Our responsibility in this regard extends to prompting real and meaningful conversations and offering education about sexuality and sexual ethics for both the youth and adults in the congregation. To ignore these issues in our congregations is to ignore a central aspect of each individual's humanity (Grushcow 443).

The essential questions of this curriculum, which anticipate some of this teshuvah's questions on pornography consumption, are as follows:

1. What does it mean to view my life—my body, soul and sexuality—as well as those of others as gifts from God? How does it affect my own thoughts and actions? How does it affect my thoughts and actions towards others?

2. How does the way I treat my body and soul matter to myself, to God, and together, particularly to other people in my Jewish community?
3. What guidance does Jewish tradition provide in this area? Which elements resonate with me?
4. What are the consequences of my choices? How does Judaism help me to cope with these consequences? How does God? What do I do if I have made or do make a choice that does not treat my life and that of others as a sacred gift? Are all choices with regard to sexuality sacred?
5. How is the guidance that Judaism provides in consonance with the messages I receive from pop culture and society? How is the guidance that Judaism provides at odds with these messages? How can I evaluate the range of messages I receive?
6. How do I hear and stay true to my inner voice? (Grushcow 443)

I challenge us to continue the initiative of the Reform movement and take on Bridges' and Rav Kahana's challenge to develop a Jewish guide for sexual intimacy for the American Jew. Pornography is filling the gap that our communities have left open. We must teach a sexuality of Torah that validates the erotic and guides it towards holiness, one that inspires each generation to turn away from the screen and to invite God into their sexual explorations and encounters. My hope is that the exploration of Jewish sexuality in this teshuvah can serve as a base for future works in educating our communities in an integrated sexual ethic.

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