

Cyberporn Panics: Policing Pre/Pubescent Peeping

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ABSTRACT

This paper examines the social values and attitudes underlying current debates surrounding Internet regulation, pornography and children. It undercuts existing arguments about the advantages or disadvantages of currently available regulatory devices and instead, questions the assumptions underlying the push for such mechanisms. The paper proposes that cyberporn panics are primarily grounded in adult anxieties relating to parents' inability to control both technology - particularly the Internet - and their technologically literate children. These panics are also predicated on the social construction of the child as 'innocent'. Actions by parents, moral custodians and governments to purportedly protect children by regulating the Internet are often, in effect, disguised attempts to maintain the socially constructed divisions between children, adolescents and adults. These divisions are fast becoming impossible to maintain and moreover, are questionable in twenty-first century societies of diversity and plurality whose mass media are already predominantly sexualised.

INTRODUCTION

Peep: 'to look through a narrow aperture as through the half-shut eyelids or through a crevice, chink, etc. into a larger space; to look furtively, slyly, or pryingly'.

Fears surrounding Internet pornography and children relate first to paedophilia and second, to children's ability to access sexual imagery and knowledge about sexuality. It is this second point that provides the focus of this discussion. As a number of authors have noted, pornography, or sexually explicit imagery or text is readily available in a number of formats on the Web and it is possible for children under the age of sixteen to access it relatively easily, even in some cases, where they haven't sought the material. This situation has caused a series of moral panics in Britain, the US and Australia along with calls to governments to establish and enforce prohibitive or regulatory measures. This paper argues that, whilst children have the right to be protected from paedophiles, as emerging citizens, they also have the right to some degree of freedom, privacy and education - including sexual education - and that the Internet can provide a legitimate source for such knowledge. Furthermore, children's use of the Internet to gain access to 'adult' knowledge has a number of precedents in older information and communication technologies and films, television, magazines and newspapers are now often dominated by sexually explicit material. In spite of this, it is the mass media that continue to inflame community concern about the dangers of cyberporn for children. Underlying this concern is the socially constructed notion of 'the child' and the post-seventeenth century development of the public policing of sexuality.

THE SOCIAL CONSTRUCTION OF THE CHILD

The 'child' is a social construction - one that is historically, culturally and socially variable. As sociologist David Buckingham argues, laws and policies that codify children help to produce child-like behaviour and the border between 'childhood' and 'adulthood' is defined by children's exclusion from adult practices. However, there are varied ages of legality relating to these practices as in the case of alcohol consumption, film viewing, driving and voting - and, furthermore, there are national variations within these areas. Moreover, many children

engage in these activities before they are legally entitled. Current adult definitions of childhood are designed both to protect and control children and are both repressive and productive (Buckingham, 2000, pp.7-12).

This attempt to exclude children applies most obviously to the domains of violence and sexuality, of the economy and politics. And the significance of the electronic media in this context, is, of course, that they provide one of the primary sources of knowledge about these things ... this leads to a situation in which the fundamental dilemmas are seen to be about access and control ... Renewed calls for control are emerging precisely because the possibility of control is steadily passing away (Buckingham, p.15).

In addition, fears about media influence on children tend first, to isolate a singular element such as pornography or violence from the broader social context and, second, are based on the assumption that all children - who are constructed as passive victims of media messages - will be affected in the same way (Kinder, 1999, p. 3).

FOUCAULT AND THE POLICING OF SEXUALITY

Public debates about pornography are never "just" about porn; they often involve the explicit or implicit desire to control the sexual activities of others (Albury, 2003, p.13)

Attitudes and discourses about sex and sexuality have altered considerably over the centuries. The historian Michel Foucault notes that, at the beginning of the seventeenth century, adult sexual behaviour was more open to children's gaze but that the latter part of the century marked the 'beginning of an age of repression emblematic of what we call the bourgeois societies' (1990, p.17). It was during the eighteenth century that sex became a 'police' matter - something subjected to official policies and scientific scrutiny. This meant that sex was transferred from the sphere of 'family matters' to the institutional sphere so that it could be studied and shaped in ways that were amenable to the interests of society (Danaher et al, 2000, p.139).

For example, once 'population' emerged as an important factor in a country's economic and political health, marriage and sexual practices also assumed public prominence.

Through the political economy of population there was formed a whole grid of observations regarding sex Between the state and the individual, sex became an issue, and a public issue no less; a whole web of discourses, special knowledges, analyses, and injunctions settled upon it.

The situation was similar in the case of children's sex (Foucault, 1990, pp.26-27).

In eighteenth-century secondary schools, the architecture, planning of recreation, lessons and so on, all related to the sexuality of children. Since the nineteenth century, society has become obsessed with sex and children's sexuality has become constructed as problematical. In contrast to the period of the Middle Ages, when it was recognised that children could be sexually aware and even active, in the nineteenth

century, children's sexuality was not acknowledged and yet was simultaneously (and thus illogically) forbidden. For example, the social institutions of medicine and education attempted to control children's masturbatory tendencies.

Everyone knew ... that children had no sex, which was why they were forbidden to talk about it, why one closed one's eyes and stopped one's ears whenever they came to show evidence to the contrary, and why a general and studied silence was imposed (Foucault, 1990, p. 4).

Although today, society is less punitive than in the nineteenth century, the Victorian ideal of children as sexually innocent remains - the ideal being that portrayed in the television program *Sesame Street* rather than by the sexually aware eight-year olds in *South Park* (Danaher et al, 2000, p.144).

The practice of sexual classification in which social institutions began to label the person, rather than the act as 'deviant', 'normal' or 'ethical' also continued into the twentieth century.

For much of the twentieth century, for instance, 'normal' people have been understood to be people who enter into heterosexual marriages, buy homes and raise children and household pets. Homosexuals and paedophiles have been marked as 'deviant', and punished, often brutally. Nuns and priests are seen as 'ethical' subjects because they choose to abstain from sex on religious grounds. Those who don't fit into the pattern, especially other celibates ... are regarded with suspicion because they are not obviously deviant, or obviously ethical, and they are certainly not obviously 'normal' (Danaher et al, 2000, p.140).

Consequently, calls for Internet regulation on the grounds of protecting children from harmful content, may, in fact, prevent so-called 'deviant' groups such as homosexual youth from obtaining legitimate information about their sexuality. Similarly, Pat Califia argues that the basis of the 1970s campaign against child pornography was a paternalistic model of child rearing and was mainly concerned to stop children accessing sex education and alternative models of sexuality. Catherine Lumby notes the link between 'offers of protection' and 'offers to control', noting the difference between protecting a child from a paedophile and 'protecting' a teenager from his/her own homosexual desires or from gaining information about oral sex or contraception (Lumby, 1997, p.45).

CYBERPORN PANICS

[Cyberporn is] tantamount to the injection of heroin into a child's school milk (UK Labour MP, Frank Cook, 1994).

As far back as 1972, Stanley Cohen claimed that the mass media play a significant role in the creation of moral panics. In fact, it is traditional media that continue to foreground and henceforth to capitalise on the saleability of cyberporn panic. In Australia, reports began to emerge in 1995 of children gaining access to pornography via the Internet. *New Women's Weekly* (February, 1995) stated: 'If a child has access to a computer linked to the Internet he or she has access to graphic pornography'. The so-called pervasiveness of cyberporn was announced in the now infamous *Time* July 1995 edition. Although the cover story has since been shown to be based on 'fundamentally flawed' research, at the time, it inflamed widespread moral panics in the US and UK (Lim, 2002, pp. 345-346). This issue coincided with the mobilisation of both pro-censorship and pro-Internet forces in the US and Australia.

Australian Legislation

A recent report by the Australian Institute reveals that more than half of 11-17 year olds had viewed pornography on the Internet (Cook, 2003, p.15). According to a Latrobe University study, 14-21 year old homosexuals use chatrooms and porn sites for information about sexuality (Jackson, 2001, p.3). In Australia, all ISPs are now required to provide links to blocking or filtering software for families and the

Broadcasting Services Act (1992) was amended. The aims of the *Broadcast Services Amendment (Online Services) Act 1999* are:

To provide a means for addressing complaints about certain Internet content; and to restrict access to certain Internet content that is likely to cause offence to a reasonable adult; and to protect children from exposure to Internet content that is unsuitable for children (qtd in Lim, 2002, p.374).

The aim of these amendments is to censor online materials in the same way as offline materials. However, this legislation was widely criticised, particularly for its restriction on free speech. Lim argues that there are strong grounds for regarding broadcasting and the Internet as 'antonymous'. He also criticises the fact that the Act imposes liability for content on the carrier, claiming that this is analogous to requiring Australia Post to police access to inappropriate content sent through the post. Lim points out that this would involve the inspection of all articles resulting in rising costs and the assumption of a role beyond the organization's core function (Lim, pp.374-380).

According to some critics, regulatory measures not only pose a threat to free speech but are also unrepresentative of community views. For example, O'Toole argues that such measures are likely to

reflect the norms of marital-heterosexual 'vanilla' monogamy'.... In late twentieth-century societies of diversity and plurality, the acceptability, or desirability, of organising freedom of expression around the protection of the young person's sensibilities seems difficult to defend. Once such sensibilities become entwined with a censor's decision-making process, then restrictions will most often win over liberty ...' (O'Toole, 1999, pp.253-256).

Calls for censorship measures to protect the child often pose a threat to adult liberty. O'Toole notes that, during the late twentieth century, there was a revival of the nineteenth-century construction of the 'Young Person': a creature who was forever in peril of being corrupted by texts or photographs. Just as the need to protect the vulnerable young person was used as a justification for censorship throughout nineteenth century society, so too, today, anxiety over the safety of children and of their coming into contact with 'adult' material 'can re-emerge as justification for sweeping censorship for all' (O'Toole, 1999, p.247).

Blocking software has been criticised as both ineffectual and as representing a threat to children's liberty. The results of a study performed by the Australian Broadcasting Authority and NetAlert (www.aba.gov.au 2002) on the effectiveness of 14 Internet filter products found that they may also block some content that is not offensive (p.3). This can prevent access to educational information such as that related to breast cancer, for example. In addition to their likely inefficacy, Buckingham regards the V-chip and blocking software as 'fundamental infringements of children's liberty' (Buckingham, 2000, p. 201). He, too, claims that arguments about children's vulnerability also tend to be used as a justification for denying them access to knowledge and power and that this, along with the proliferation of technologies, requires self-regulation not only by parents but also by children themselves.

Technofear and the Sexualization of the Media

The anxiety about children being exposed to adult sexuality is unavoidably bound up with broader anxieties about the potential that new media has to change people and traditional social power structures and values Concerns about children and the Internet point to broad cultural anxieties about the way the labile world of the Internet and the possibilities of virtual life are changing traditional social hierarchies, including the boundaries between adults, adolescents and children (Lumby, 1997, p.45).

The notion that there are age-related appropriate reading materials and concepts and that adults' monitoring of children's consumption of media is both appropriate and possible is predicated on print media.

However, new media makes the filtering of information difficult and the Internet 'represents the apotheosis of this undermining of the graduated and hierarchical world of print media' (Lumby, 1997, p.45). At the same time, children, aware that access to information is linked to access to power, deliberately seek out material regarded as 'too old' for them. As the writer has argued previously (Quigley & Blashki, 2003), this can be seen as a sign of empowerment and growing autonomy rather than as an indicator of social failure.

Children are often more adept users of technology than their parents and nowadays, they are exposed to more sexually explicit material via the mass media. Children's technological expertise, along with the fact that the Internet is difficult to regulate, has led to what has been termed 'technofear' (Evans & Butkus, 1997, p.67) and may be one of the underlying reasons for the push to control sexual content on the Internet. Information on the Internet is not governed by traditional boundary setting - rumours can exist alongside academic or political analyses and software can create automatic links between them. Consequently, teachers and parents must assume greater responsibility for the validation of information.

Rather than a panic about cyberporn per se, we are witness to a panic about the inability to rely on traditional panic mechanisms. The continuing fear of a media form which fails to comply with traditional standards of classification, received structures of knowledge formation, and long-standing relations of power and expertise, enables the peculiar moral panic engendered by cyberporn to continue to resonate' (Evans & Butkus, 1997, p.68).

The debate surrounding the protection of children from Internet pornography is one that is promulgated by the mass media at a time of increased sexualization of the media itself and when (youth) audiences are more sophisticated and sexually aware than in the past. The explicit and sustained media coverage of the affair between former US President Clinton and Monica Lewinsky is a recent case in point. In addition, a US survey conducted in 2002 showed that 68% of all TV shows and 89% of all movies had some sexual content (Cook, 2003, p.15). At the same time, mainstream corporations such as AT&T, Time-Warner, Sheraton and News Corp share in the global profits from sex films (O'Toole, 1999, p.374). Cook argues that it is politicians, journalists and advertisers - not just pornographers - who should shoulder the responsibility for the so-called 'internet pornography scandal' (Cook, 2003, p.15). Meanwhile, Flood advocates the adoption of a middle position - one 'which both accepts sexual pluralism and seeks to limit eroticised portrayals of violence and degradation' (Flood, 2003, p.15).

CONCLUSION

Access to information about sex and sexuality is a children's right and it is the responsibility of parents and educational institutions to provide such education. This should include advice and training on the appropriate use of electronic media along with open discussion concerning healthy sexual practices as well as those that may prove harmful to

others - those involving sexual violence, degradation and abuse. It is this education that should form the basis of children's 'protection' against cyberporn, rather than a reliance on technology or government regulation. Adults need to overcome their fear and embarrassment along with their assumptions of childhood innocence so that our children will no longer be forced to surreptitiously 'peep' into the wider world of adult sexuality through the apertures of their computer screens.

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