

Recategorizing Pornography Through Technocultural Change

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Introduction

Pornography has long been a subject of great controversy, much disagreement and conflict on intellectual and legal levels. There have been extensive debates on pornography regarding its potential to do psychological harm, its correlations with sexual violence, and its moral properties. Pornography has also been at the forefront of legal debates regarding obscenity, organized crime, pandering, first amendment rights in the United States and freedom of expression in Canada under the Canadian Charter of Rights and Freedoms. Aside from being a controversial topic and source of conflict it is also an increasingly popular form of adult entertainment – one that is becoming more widely accepted in North American society. Various forms of sexual content and elements of porn culture have begun to present themselves in more mainstream areas of popular culture such as television, film, music and fashion. Sexual content that a few decades ago was only viewed in special venues or heard of in the general public through famous obscenity cases is now widely available on the Internet, through cable subscriber programming and in specialty shops. The industry has boomed so much in recent years that porn stars have achieved a celebrity status outside of their industry and the adult film industry has begun to legitimize itself by mimicking the mainstream (Hollywood) motion picture industry. The adult film industry not only features its own celebrities, but holds award shows and publishes industry rags such as AVN (Adult Video News). This increase in the popularity of pornography begins with changes around the use of sexual content in media, which I believe allows pornography to become re-categorized or more simply perceived differently than it has been.

In this thesis I will be examining factors that contribute to changes in the categorization of pornographic content in North American society. I will be focusing mainly on contributing factors relating to evolutions in technoculture. For the purposes of this work, *technoculture* will refer to cultural changes and developments which are influenced and maintained by technological advancements. The reason I chose to view the characteristic and categorical changes of pornography through the technocultural lens is that changes in attitudes toward porn seem to be related to changes in availability, ease of access and public awareness – all of these over the years have been made possible by technological advancements in media production, distribution and communications technologies.

Many researchers claim to see a rise in “porn culture”. Throughout this thesis I will be examining works such as those of Sarracino and Scott (2009), who believe that sexual imagery and innuendo can be found all over the world of mainstream pop culture, ranging from advertisements for moisturizer creams to children’s toys. Likewise with the Internet, sex appears to be everywhere. Not only are sexually charged websites easily accessible for free or for subscriber fees and in varieties to suit all tastes, but sexuality even creeps, unsolicited, into most email inboxes in the form of spam (junk) mail. Paasonen (2009: 167) comments on how spam has become a “venue for everyday encounters with pornography”. She goes on to discuss how, unlike other researchers who consider spam to be an anomaly in the online world, that she believes that its abundance and daily exposure disqualifies it from exceptionality. Paasonen states:

Spam is less an anomaly than an everyday practice.
The same can be said of online pornography: abundant
already on Usenet, pornography has been part and
parcel of the web since it first launched. (2009: 167)

Many debates and controversies in pornography result from its lack of concrete definition. There are many different definitions that all drastically depart from the origin of the word. Various existing definitions are designed to serve the agendas of the particular groups using them, each of whom consequentially insist upon their respective definition as the concrete meaning of pornography. Finding a simplified definition of pornography is also a challenge since dictionary definitions differ from one another to a significant degree. For example, when searching for the word “pornography” in *dictionary.com*, the results that come up all differ from one another. One approach is to negatively define pornography as:

Obscene writings, drawings, photographs or the like,
esp. those having little or no artistic merit.
(<http://dictionary.reference.com/browse/pornography>)

In contrast another approach simply states that pornography is:

1. Writings, pictures, films etc. designed to stimulate sexual excitement.
 2. The production of such material.
- (<http://dictionary.reference.com/browse/pornography>)

Both of the above definitions only vaguely touch on the characteristics of pornography, but don't really state what it is. Although I agree that pornography is designed to stimulate a sexual response in its audience, the other falls short as it doesn't specify whether the depictions must be of sexual activity, nudity or otherwise explicit. This definition could extend to suggestive materials that are not necessarily sexually explicit. Relying on the establishment of what constitutes obscenity is problematic due to its potential to be defined subjectively. Justice Potter Stewart, a crusader for anti-pornography legislation, was unable to define the concept of obscenity, although he passionately opposed it. When challenged to define what constitutes

obscurity, Stewart simply replied “I know it when I see it” (PBS Frontline, Cambria Interview, 2002). The reference to “lack of artistic merit” also has the potential to be problematic since artistic merit relies strongly on perceptions of what can be defined as art as opposed to not – a concept that relies heavily on preference. Petley (2009) has made similar observations, pointing out that much of the British legislation regarding pornography relies on subjective concepts. Much of the definition of obscenity and extreme pornographic material relies on the standard of 'the reasonable person' but fails to define what reasonable is. What is within reason may become biased depending on who is deemed reasonable. For example, a person may be mentally competent and capable of weighing options, applying critical thought and making decisions, but also may have a specific interest in achieving a certain end. It is *reasonable* for a group to want to protect and achieve their own interest; however, those interests may be influenced by a separate set of values that may not be shared by those directly affected by certain decisions based on such standards.

To place further emphasis on the lack of concreteness in definitions, I have outlined several from scholarly publications. For example:

Pornography - media used or intended to increase sexual arousal (Carroll et al. 2010)

This definition doesn't specify the parameters of the media at issue. Thus, if media are used creatively enough this could encompass almost anything. And:

Pornography – the portrayal of explicit sexual activity in word, picture, film or video. (Langman, 2008)

This definition does not specify the intended purpose of pornography. Further:

Pornographic image – is of such a nature that it must reasonably be assumed to have been produced solely or principally for the purpose of sexual arousal. (2008 Criminal Justice and Immigration Act) (Petley 2009)

This definition, like the one provided by Carroll, fails to define what constitutes a pornographic image and uses the word *reasonably* which as stated above is a standard that may yield a biased rationale. All of the above mentioned issues with the existing definitions demonstrate the importance of establishing a good working definition of pornography.

Firstly, I would like to highlight the original meaning of the word. As highlighted in Sarracino and Scott's 2009 work, *The Porning of America*, the word pornography originates from the Greek and essentially means "depicting the acts of prostitutes." (xiv) This comes from a literal translation of the root words, "porne" and "graphien" (Sarracino and Scott 2009: xiv). This definition, however, is not substantial enough for use in an in-depth study. Over the years the definition has been built on and adjusted in various ways depending on the group that was attempting to define it, and on the agendas they sought to serve.

Anna Marie Smith wrote in her critique of the Campaign against Pornography and Censorship in Britain (1993) that the CPC utilized a specific definition of pornography borrowed from MacKinnon and Dworkin's Minneapolis Anti-pornography Ordinance. The CPC is a British organization lobbying to put anti-pornography legislation into place that would essentially eliminate any sexually explicit product that does not suit their cause. The CPC defines pornography as:

The graphic , sexually explicit subordination of women through pictures and/or words, that also includes one or more of the following: women portrayed as sexual objects, things or commodities enjoying pain or humiliation or rape, being tied up, cut up or mutilated, bruised or physically hurt, in postures of sexual servility or display, reduced to body parts, penetrated by objects or animals, or presented in scenarios of degradation, injury or torture, shown as inferior, bleeding, bruised or hurt in a context, which is sexual.

Pornography does not include erotica (defined as sexually explicit material premised on equality) and it does not include bona fide sex education materials, or medical or forensic literature.

In short, we define pornography as depicting a combination of the sexual objectification and subordination of women often including violation and violence. (Smith 1993)

Smith argues that this is not a sufficient definition and states in her article that “The CPC’s attempt to define pornography rests on complex strategies of argumentation, a traditional conception of representation and, most important, a highly contestable view of gender relations” (1993:72). Smith notes that obscenity legislation like that the CPC is campaigning for defines pornography in subjective terms in order to fit the CPC agenda (1993:78). Smith also states that a claim that pornography can be objectively defined (as the CPC claims) is a controversial one. As I stated above, I expect that subjective factors are common in definitions used by action groups both for and against pornography. Unfortunately this is not helpful to those hoping to become educated about the issues or to those looking to conduct research to gain real knowledge about the issues surrounding pornography and its neglected potential. Various researchers and theorists including Camille Paglia (1994) and Alan McKee (2009) express concerns about the lack of good research on pornography and the inability to fully understand what it really entails. McKee tells a story in his article of a paper that was rejected for publication due to a referee’s disagreement with McKee’s suggestion that “there was an ‘ideological’ dimension to the tradition of pornography research” (2009: 632).

Smith (1993) points out that the exception to the CPC’s rule – erotica – is not properly operationalized either, meaning that the CPC can justify associating any sexually explicit material with the extreme examples that the definition includes as pornography due to the lack of real understanding of the difference between erotica and pornography. Smith notes that the entire CPC policy essentially erases the idea that women can freely participate in the production of

pornographic material as pornography is seen as inherently sexist. Scholar and author Shannon Bell writes extensively on issues of sexuality, prostitution and pornography, and considers herself a “Feminist Pornographer” and states in the introduction of her book, *Whore Carnival* (1995: 7), that she “makes sexual images for and with women”. Scholars such as Bell are important to give consideration to when determining the capacity for women to freely participate in making porn. Bell addresses throughout her work, as do her interviewees in *Whore Carnival*, the issue of women’s pleasure, safety and empowerment.

Often the term “erotica” is tossed around in order to convey that some types of sexual content are acceptable as opposed to others. However, the term is often not given sufficient specificity and thus anything can be added or taken away from the category of pornography based on arbitrariness.

In Smith’s criticism of the CPC’s definition of pornography, she makes some very good points; however, I feel it is important to expand upon them. The CPC’s definition ignores entire sub-genres of pornography. For instance, it implies that gay porn is not defined as pornography and thus is not given the same consideration, nor is BDSM (Bondage, Domination, Sadism/Masochism) porn featuring male submissive characters. Further to this, the definition implies that men are impervious to sexual harm and degradation and that only pornographic depictions of women are wrong. It also ignores the idea that rational human beings can rightfully choose what they feel is in their best interests. So long as a human being is not harming another and is capable of making decisions with regards to their own health and personal safety it is reasonable to assume they should have the right to freely decide to participate in the production of pornography or not to for whatever justification.

In contrast, Sarracino and Scott note that over the years the characteristics of

pornography have changed and that pornography is not just one thing but “a whole spectrum” of things (2008: xiii). They acknowledge that often porn is discussed from positions that define it differently, causing each side to argue about separate topics; thus, they find it helpful to offer two definitions - one for “pornography” and one for its modern counterpart, “porn”. Sarracino and Scott explain their position that the word pornography has been hijacked by art historians and used to convey obscenity in sexual depictions found in various forms of art in spite of its simplistic Greek origin mentioned above. For Sarracino and Scott “porn” is described as “the grandchild of pornography” and is differentiated from pornography as the word porn refers more to forms of adult entertainment and varied cultural artefacts (2008: xiv). Although they share common themes porn is more modern, less stigmatized, and used to describe far more than just things limited to visual consumption such as movies or photos. To them, porn is also about sexually expressive forms of entertainment that have seeped into the mainstream and specific snippets of popular culture influenced by it. It takes the forms of music, video games, advertising and sometimes fashion, to name a few. It is not necessarily seen as an object of obscenity but as a budding form of popular culture. I find these differentiations helpful in constructing my own definition for the purpose of this thesis.

Throughout this thesis I want to give consideration to all of the above mentioned definitions and to keep in mind one more issue of key importance when discussing the apparent re-categorization of pornography – the issue of context. Part of the reason a viable working definition of pornography is so difficult to pin down is due to the changes in categorization it has undergone throughout history. As I discuss in detail in chapter one, pornography has been influenced greatly by technological changes which have affected the cost of production (increasing the amount available for distribution), venues for consumption and ease of

availability. All of these changes in the industry of pornography also bring changes to the culture of pornography. However, these changes also modify the definition of pornography, too. Nowadays, pornography is arbitrarily differentiated from *erotica* and *adult entertainment* based on whether the content is interpreted as offensive. Thus, things that were considered pornography to previous generations are no longer but also one man's erotica is another's porn in some cases. Nathan (2007) explains that in the case of the sexual materials found during the excavation of Pompeii, their depictions of sexuality were not considered pornographic simply because the society wasn't offended by it. She also claims that for something to be pornographic by modern definitions implies that it is offensive. This means that it is possible to depict explicit sexuality without the depiction being labelled as pornography.

In chapter two I will examine some of the legal issues brought to light by the pornography industry and will highlight some of the more prominent cases faced by producers regarding obscenity, distribution, freedom of speech or expression and lobbies for pornography legislation and discuss how these cases contributed to changes in porn as we know it today.

In chapter three I will look at the relationship between porn and the Internet. This chapter will look at amateurism, exhibitionism, interaction between consumers of pornography and producers, as well as a present a discussion on how these factors change and expand thinking about pornography.

Finally chapter four will discuss how pornography fits into the world of film and other forms of mainstream entertainment. This chapter takes a look at film, television and video game ratings and provides insight into how the ratings are determined and how these industries view sexual content and how they determine its place and levels of appropriateness.

Chapter One

Porn, History, Media

Historians and social theorists have identified many instances of sexual content in art and other cultural objects across many cultures throughout history. Some of the earliest identified examples include the frescoes (wall paintings) of sex scenes discovered during the excavation of the city of Pompeii – which was buried under volcanic ash after the eruption of Mount Vesuvius in 79AD (Kammeyer 2008). Another example is the use of sexual imagery in painting commissioned by churches. The sexual imagery was often juxtaposed with images of hellfire, used to communicate a connection between sex and sin (Nathan 2007).

Although the above instances serve as examples of sexual imagery in art they do not serve well as examples of pornography as it tends to be defined now. This is because of context. The art commissioned by the churches was not for the purpose of inciting sexual arousal, but to underline assertions that sex outside of marriage was sinful (Nathan 2007). The frescoes of Pompeii were displayed in rooms where company was thought to be entertained (Kammeyer 2008); however, according to Nathan, the frescoes were never viewed in Pompeii's culture as an object of obscenity. Nathan also states that for porn to be porn by most definitions there must be an emphasis on dirtiness or shame (2007: 16). Since sexual depictions and imagery did not carry public shame in Pompeii, the frescoes cannot be considered pornographic according to modern conceptions. This is important to note as the difference between pornography and other forms of sexual content relying on context is an idea that is very important to understanding re-categorization. Understanding contextual differences is also important when discussing the history of pornography.

The history of the modern conception of pornography begins around the 16th century in Europe. According to Beck (2006), pornography was originally intended to push political boundaries and the idea that pornographic literature intended to arouse sexual feelings came later. The initial intention was to shock and enflame the reader or viewer allowing the author of the materials to make bold and controversial statements about those depicted in the material. Pornographic pamphlets were circulated during the French revolution depicting politicians and church officials engaged in sex acts in order to discredit them to the masses, however, literary works also began to circulate during the Italian renaissance.

Pietro Aretino's work, *I modi*, is possibly the earliest literary work featuring vivid sexual depiction for the purpose of shock and political mockery. Beck states that one of Aretino's purposes in publishing *I modi* was "to mock the papal court as a repository of corruption" (2006: 4). Aretino and the other contributors to *I modi*, succeeded in this endeavour: it was banned and all prints and engravings (engraved illustrations on copper plates) were ordered to be destroyed, and after this it became an offence punishable by death to reprint or circulate new editions of *I modi* under papal law.

The next phase of the evolution of pornography identified by Beck is in Europe during the 17th century – the enlightenment. With the increase in literacy and changing attitudes toward religion, new ideas began to emerge about sex. This is the time when pornography began to emerge as a tool for inciting sexual arousal and pleasure as opposed to the previous generation which used pornography to incite political outrage. In France, Libertine philosophy used pornography to attack the Catholic Church for its sexually repressive attitudes and teachings (Beck 2006). In the 17th and 18th centuries, other sexual and moral taboos were broken through porn by the introduction of pornographic writing from the female point of view. Beck states that

the use of female narrators in works such as Cleland's *Memoirs of a Woman of Pleasure* depict women as intellectual equals to men with the potential for similar sexual drives, and acted as "a transgression of expected female roles" (2006: 2). Depictions of women as empowered, worldly and courageous like those in Cleland's book and others of the time would disrupt the status quo. The moral code was often determined through religion, sexual repression, and women's subordination as powerless, chaste and in roles in service to their home.

Pornography was not just a controversial mode of subversion because of the roles for women it depicted but also because it was thought to corrupt the minds of those less educated than the male elite. This refers to not only women but those of the middle and working classes. It was thought that pornography could corrupt the morals of the middle class leading them to challenge the power of the ruling classes. Beck also notes that the notion of pornography having the power to corrupt the mind is still a prevalent motive in censorship today (2006:4).

Foucault (1978: 18) discussed how, beginning in the 17th century, there was an entire "restrictive economy" regarding sexual speech. Foucault notes that simultaneously discourses about sex proliferated, not only illicit, but licit – coded, qualified, and controlled and focussed on the conjugal couple. Certain spaces and relationships became designated as appropriate. Similarly to Beck's findings, Foucault (1978: 95) notes that "where there is power, there is resistance." Foucault, however, expands on this by explaining his view that resistance in itself is a form of power; it is not external to power and there is no privileged place from which resistance arises in a network of power relations. This power that Foucault describes is a key feature in various types of sexual discourses and works locally in them and is in turn supported by them; but discourse, as Foucault observes, also undermines power as much as transmitting it. Whereas Kammeyer explains that the various types of sexual discourse in a way compete to

secure power over which what will ultimately define sex, and thus how it is embraced by society, Foucault prefers to think in terms of shifting force relations and their effects of domination.

Another important figure in the history of pornography was the Marquis de Sade. Donatien Alphonse François Sade led a controversial lifestyle and spent the better part of his adult life in prison where he did much of his writing. According to Bataille (1962), de Sade often abused the privileges of his social position in pursuit of his own pleasures and took advantage of the political unrest in France during the Revolution to establish his own philosophical “system”. The system pointed out the paradoxes of reason versus the perceived selfish nature of man’s pursuit of pleasure (Bataille, 1962). Bataille explains that for de Sade, reason stands in the way of the pursuit of pleasure, so the more criminal or abhorrent the act the more pleasurable the fruits must be.

Although de Sade’s works included pamphlets and plays (Gorer, 1962) his most famous and arguably most controversial works were his novels. De Sade’s novels, although fiction, made anti-political and anti-religious statements and after the French Revolution started to consist heavily of content which many found to be morally reprehensible pushing what Beck refers to as “more generalized social boundaries” (2007 p. 1). Sexual themes involving pain, degradation and unconventional sex, which are often the topic of concern when debating the morality of pornography nowadays were present in many of de Sade’s sexually themed novels.

Keeping with the theme of transgression of traditional female roles mentioned previously in this chapter, de Sade wrote graphic tales like that of *Justine* which featured a female protagonist with unusual sexual appetites who exploited the men she encountered in her travels for her own gains. *Justine* and many of de Sade’s other works featured violence and torture in a highly sexualized light which contributed to the wide use of the terms “sadism” and “sadistic”

being used to refer to pleasure being taken from the pain of others. Sadism is now often incorporated into modern day fetish porn. As Nathan (2007: 21) reminds us, de Sade's use of the novel, an increasingly popular form of entertainment, may seem alien today as not much consideration is given to the novel as a choice medium for pornography. In the 1800s pornographic prose was cheap to produce, widely available and caused an uproar when it started to show up in the United States.

During the First and Second World Wars dime novels featuring largely sexual content were a popular form of entertainment for soldiers as they were cheap and lightweight, making them ideal for shipping overseas (Johnson 1997). As time went on new technology contributed to the evolution of pornography the same way the printing press did for novels. For example, photography allowed for the distribution of postcards featuring nude women (Nathan 2007). With the advent of motion picture technology, some short films featured shots of nude people and sex scenes; by the early 1900s, "stag films" were being screened at gentleman's parties (Nathan 2007). Because they were illegal to produce or distribute, stag films were actually difficult to come by. Screenings were very exclusive and often held in what Sarrachino and Scott call "marginalized venues" (2008: 57). Such venues included brothels, backrooms, and travelling carnivals. This available variety of pornographic media fluctuated in acceptance and popularity over time. Nathan notes that during the Great Depression depictions of "frank sexuality" were forbidden in mainstream films, but foreign films got away with showing much more (2007: 23).

In the 20s and 30s porn became widely available to the masses when "Tijuana Bibles" entered the scene (Nathan 2007). Tijuana Bibles were typically eight-page hand drawn comic books, printed in black and white, depicting celebrities in sexual acts. They were cheap to produce and easy to distribute, meaning porn was now available to men of lower classes and not

just rich men like in previous eras (Kammeyer 2008). They were also popular, meaning porn was reaching a much larger audience than it had before. Within the next 30 years pornographic content was released in other forms of print media such as “pin-ups” (which were very popular during World War II), comic books featuring largely sexual content and “men’s magazines” (Sarracino and Scott 2008). In his book *War and Cinema*, Virilio (1989) commented on Bergala’s quote in *Cahiers du cinema* which stated that the pin-up “was enough to deepen the act of isolation” since the pin-up represented the stars of Hollywood. Virilio stated that this idea reminded him of the Prisoners of War featured in *la Grand Illusion*, whom would reminisce over articles of women’s clothing found amongst a pile of theatrical costumes. Virilio describes the men as being happy for the memories at first and then suddenly being overcome with feelings of sadness at the realization of the separation from the women they loved, and their even further distance from the women they could not have. Virilio goes on to discuss how “war subverts the proper experience of sex and death” (1989: 28). Virilio also states that “the star system” (referring to the celebrity status of Hollywood film stars during the war) “and the sex symbol were a result of the unforeseen perceptual logistics which developed intensively in every field during the first world war” (1989: 29). In light of Virilio’s observations about separation and the subversion of the experience of sex caused by war it is possible that the fantasy the pin-ups inspired is a strong contributor to the idea that unrealistic ideals are a key characteristic in defining pornography – a notion widely held in anti-porn camps.

Men’s magazines were popular during and after World War II and considered to be for the lower classes (Nathan 2007). The men’s magazine industry began to flourish on the tail end of the comic book era after comic books were attacked over issues of obscenity by anti-porn crusaders like Senator Estes Kefauver. Men’s magazines underwent somewhat of an evolution

over the years that established their popularity. Sarracino and Scott describe a change over from comic books to Men's Adventure Magazines or MAMs (2008: 70). MAMs featured sexually themed illustrations coupled with fantasy about torture and war. Martin Goodman – founder of *Stag* – produced his magazine for the purpose of an outlet for men who returned from the war and may have felt bored or emasculated by their work and home lives (2008: 71). Although men's magazines such as these were very popular it did not take them long to change from the MAM format.

Men's Magazines underwent further evolution over the years, with a major landmark being the founding of *Playboy* in 1953. Hugh M. Hefner, who studied psychology in college, claims to have had concerns regarding “sexual taboos and repression in America” and wanted to promote a “healthier attitude toward sex”; thus, he set out to do so through the creation of *Playboy* (Berman 2009). *Playboy* differed from the typical MAM in many ways, most importantly in its use of photographs of live models (which would later be coupled with biographical information) as opposed to drawings. The use of photographs presents a more realistic tone, which Hardy (2008) argues is essential for sexual arousal. The use of photographed nude models also made *Playboy* a target for obscenity charges, denial of mailing permits and of course made it the center of arguments regarding the degradation and harm of women. Hefner himself never considered himself a pornographer and claimed to have intended to present sexuality in a different light. According to Sarrachino and Scott, *Playboy* was designed to depict “pleasure and joy” and attempted to present the idea that “women actually enjoy sex” (2008: 57). Hefner also tried to set *Playboy* apart by attempting to sell it as a sophisticated lifestyle magazine by offering supplementary non-sexual content (to be discussed in greater detail later in this section) and by keeping strict selection criteria for the photographs published.

The women of *Playboy* are carefully selected based on criteria that are meant to portray ‘classiness’ (sophistication) and avoid raunchiness. In the original format pubic hair was carefully avoided through posing and airbrush techniques (Nathan 2007). In spite of Hefner’s efforts to present a ‘classier’ publication than others available at the time, *Playboy* was still challenged for being an obscene pornographic periodical more so than the MAMs. This was because of the use of photographed models, even though the sexual depictions in MAMs, although fictitious, were far more raw and graphic. The result of this was the limited distribution of the magazine and the tendency for it to be stocked under counters instead of on open racks (Sarracino and Scott 2008). Aside from the difficulties with stocking rules, distribution and denial of mailing permits, *Playboy* has also long been at the centre of debates about the promotion of an unrealistic standard for women’s looks. The debate stems from the idea that all porn does this, however *Playboy* has always preferred models with more of a “girl next door” look, and that the goal is to promote the idea that beauty is everywhere (Berman 2009). Former *Playboy* “Playmate” Jenny McCarthy said that had she appeared to be a “groomed” model when she approached *Playboy* in 1993, her application to pose for the magazine never would have been accepted (ibid.).

Further arguments regarding unrealistic standards for women’s attractiveness have also long come from the criticisms surrounding the use of the “Bunny” theme. Contrary to popular belief, “Bunnies” are not a reference to all women involved with *Playboy*. The models featured in the magazine are called “Playmates”. “Bunnies” on the other hand are the nickname for the wait staff that worked in the Playboy clubs established all over America. The Bunny costume donned by the women of the Playboy club is a signature of the company relating the club to the magazine through reference to the company logo. The bunny head logo was designed by Art

Paul and has been used in its original form since the release of *Playboy's* second issue (Famous Logos, Date Unknown). Originally Hefner had named the magazine, *Stag Party*; however, the name never made publication as he received protest from *Stag* over copyright issues since the names were too similar (Berman 2009). Hefner renamed the magazine and decided that the original stag mascot was no longer a good fit (ibid.). Paul decided that he liked the idea of using a rabbit due to the “humorous sexual connotation” (Designboom 2000). Paul then added the tuxedo and bowtie to the rabbit head to balance the “frisky and playful” tones with an air of “sophistication”. Over the years *Playboy's* bunny logo has become a widely recognized symbol of modern sexuality. Hefner recalls the awakening of his realization of the impact his publication was having when a letter arrived at his office with only a bunny logo cut from the magazine affixed to the envelope where the mailing address would normally be, and the post office knew where the sender intended for it to be delivered (Berman 2009). The sexual connotation of the bunny logo, paired with the skiminess of the Playboy Club waitress outfits, would provide fuel for the anti-Playboy camps for years.

The influence of the iconic Playboy bunny seems to have stretched beyond the corporation and its clientele. Although the Playboy clubs have all shut down as of the 1990s and as of 2011 there has only been one attempt to open a new one, other restaurants have followed a similar philosophy of opening an establishment that appeals to men's culture with an entertaining atmosphere. In 1983 the first “Hooters” (restaurant) was established by six friends in Clearwater, Florida. The men claim that the restaurant was established to provide a different atmosphere for those, like them, who were sick of attending “fern bars” (Funding Universe, date unknown). Hooters, like the Playboy clubs, features a distinctive uniform and very specific and often controversial hiring policy. The “Hooters Girl” is the branded waitress featured in the Hooters

restaurants. Her uniform is made up of orange shorts, a white logoed tank top, brown hip pouch, panty hose, white tube socks and sneakers. Although the Hooters Girl Uniform is dissimilar to that of the Playboy Bunny, it is difficult to ignore the things the Hooters girl and the Playboy Bunny have in common. Both the Playboy Clubs and Hooters utilize sex appeal to create a particular atmosphere and to attract a specific clientele. Both establishments promote certain ideals about what their female representatives should embody. As mentioned above Playboy preferred its models to have a girl-next-door sort of persona (for the models this needed to come out in their look). According to the Hooters website, applicants for waitressing positions must display a bubbly or cheerleader-like personality. These ideals are imposed because both establishments require that the wait staff provide entertainment of sorts for the clientele in attendance. Hooters has over the years avoided issues with the Equal Employment Opportunity Commission in the United States by having their wait staff officially recognized as entertainers, so they could keep their selective hiring policies and avoid hiring male staff or women of a less than ideal type in their eyes.

Many of the debates and protests surrounding Playboy have been about the women in the publication. Nevertheless, the women, although the main feature of the magazine, are not the only feature that *Playboy* offered or continues to offer today; much of its supplementary content is non-sexual. For instance, science fiction writer Ray Bradbury – author of *Fahrenheit 451* – got his start submitting sci-fi short stories to *Playboy* where they were published. Other features over the years have included humour, technology reviews, and interviews. Alex Haley, author of *Roots*, conducted the first interview to be featured in *Playboy* with jazz musician, Miles Davis. Haley later interviewed Martin Luther King and Malcolm X for the publication. Features such as these as well as the anti-segregation philosophy of the Playboy Clubs and television

programming that featured black female performers, sparked much controversy, and Hefner considered himself an activist for civil rights causes. Susan Brownmiller, who stands by her position that *Playboy* is a harmful publication, states her criticism that the abovementioned cultural features are “socially redeeming qualities...cleverly placed to raise credibility” (Berman 2009). Unfortunately it is impossible to determine if the promotion of *Playboy* as a sophisticated lifestyle magazine is a longstanding ploy by Hefner to slip pornography into popular culture or if he truly believes he was making a valuable social contribution. However, to support and promote Black arts and entertainment at the time would have been considered almost as taboo as pornography itself, therefore it is not likely that the non-sexual features were cynically intended to inject a social redeeming value into the publication.

It could be argued that *Playboy* is the founder of the common variety format still seen in men’s magazines today and that by emulating *Playboy* other magazines hope to experience similar successes. According to Watts (2008: 4), *Playboy* set out to promote a lifestyle that heavily focused on postwar consumerism. Watts states that after World War II, production in America began to shift from “basic goods and services” to “consumer products” and as a result men began to undergo an “identity crisis in modern society” as their roles as producers were beginning to change. *Playboy* seems to have successfully attributed style, leisure and materialism to the lifestyle of the socially mobile male within a consumerist paradigm. The fact that *Playboy* remains in circulation and that other magazines continue to emulate its format tells me that *Playboy’s* use of sexuality coupled with other features focused on the culture of the sophisticated and financially successful male perfuses popular culture in general. *Playboy* to this day is often first and foremost known for its sexual content, yet continues to expand into other product markets, including clothing and house wares. This could stand as a continuation of *Playboy’s*

apparent consumerist philosophy, or an emphasis on it being somewhat of a staple in popular culture and also a contributor to the changing attitudes toward pornography in general. However, as attitudes change toward pornography and technology changes and continues to offer new media for expression, the expectations placed on *Playboy* and pornography in general are changing. In recent years *Playboy* has seemed to decline in popularity. As porn becomes more and more risqué *Playboy's* brand has been downplayed as “softcore” and in some circles is no longer considered pornography at all. In recent years *Playboy* has experienced financial difficulties that relate to “unprecedented change in the way consumers access and use media content” (Feschuk 2008). This means that *Playboy's* traditional mode of publication is being threatened by the ever-rising popularity of Internet use for the purposes of porn consumption. *Playboy* claimed in 2008 to have experienced a loss of 12.3 million dollars in one quarter (Feschuk 2008). Even though *Playboy* could have been considered in its prime a staple in pornography, the rapid changes in technology and their influence on the porn industry and sexual content in general will ensure that it never regains the lofty status it enjoyed in the age of men’s magazines.

Advances in technology and the availability of hardware on a mass scale made it easier and cheaper to produce and distribute content. This was as true for motion pictures as it was for the hastily-printed Tijuana Bibles. By the 60s pornographic films had evolved from the stag films mentioned earlier and became available for public viewing. These films were often short scenes produced in loops and viewable on coin operated machines, but as the motion picture industry flourished the available technology influenced porn; soon full-length features were being produced and screened in theatres (Nathan 2007).

Porn theatres were often located in neglected areas of town where their patrons were not

likely to be subject to surveillance by peers and associates. They were not terribly sanitary due to the tendency of men to masturbate in the theatres during the screenings. Even though the conditions were not ideal the theatres were still successful, especially after the theatrical release of *Deep Throat* in 1972.

Deep Throat is considered a groundbreaker in the porn industry. The film was the first of its kind to achieve mainstream attention and acclaim. Both men and women flocked to the theatres to see it and even the cultural elite like Hollywood movie stars and Jacqueline Kennedy were spotted attending the screenings (Inside Deep Throat 2005). According to the documentary *Inside Deep Throat* (2005) directed by Fenton Bailey and Randy Barbato, the film was produced for \$25,000 and grossed earnings of over \$600 million at the box office – making it the most profitable film ever made and the production that kick-started the porn industry as we know it today (Inside Deep Throat 2005). The film was seen as different from other films of its kind. The film featured a comedic plot line, a soundtrack, production quality superior to the usual pornographic films of the time, and, according to various interviewees in *The New York Times* article, “Porno Chic: “Hard-core” Grows Fashionable – and Very Profitable”, it had “redeeming social values” (Blumenthal 1973: 30). Interviewee Arthur Knight, who was a film critic and professor of film at the University of Southern California, testified in obscenity cases against *Deep Throat*. He claimed that the redeeming value of the film was that it emphasized that women’s sexual pleasure was just as much a priority as men’s (Blumenthal 1973). To further emphasize its “redeeming social value” the film is also hailed by experts for its contribution to how we think about sexuality (Inside Deep Throat 2005). Sexpert Dr. Ruth Westheimer thought that the film would prove to be very good for changing the climate of how sexuality was addressed in the USA (Inside Deep Throat 2005). Camille Paglia considers the advent of *Deep*

Throat to be a “pivotal moment in the history of sexuality” due to it being the first time that women went to porn theatres (Inside Deep Throat 2005). But it also marked the first time that porn could be considered trendy. Soon other films would attempt to recreate *Deep Throat*’s success, including *The Devil and Miss Jones* and *Behind the Green Door* (Nathan 2007: Sarrachino and Scott, 2008)

In spite of the bump porn theatres got from *Deep Throat* their successes were short lived. In 1975 Sony released a videocassette recorder (VCR) machine called “Betamax”, more commonly known as “Beta”. Beta was developed for the purposes of recording televisions shows for later viewing. The following year the Japan Victor Company (JVC) released a second VCR format called the Video Home System or VHS in Europe and Asia and in America by 1977. Although these systems were intended for what Barss (2010) calls “time shifting” (the ability to record now and view later), recorded home video technology changed porn consumption forever.

As well as home viewing technology influencing porn, porn also influenced the success of home viewing technology – there is, however, disagreement over how this took place. It is widely believed that Sony restricted porn from being produced in Beta format whereas JVC did not (Brown, 2008). Given that the original Beta tapes were only able to record up to 60 minutes of video - one that VHS overcame by offering longer recording lengths (Matyszczyk 2009) - apparently aided in the decision for pornographers to adopt VHS as their preferred format for home video distribution. Barss (2010) states that this claim, although widely embraced, is untrue. Barss also emphasizes the important role pornography played in stabilizing the market for home viewing devices, noting that pornography made up a healthy portion of the early video cassette sales (ibid.).

Initially the Betamax was marketed strictly for the use of recording television for later

viewing, but eventually movies would be packaged and sold in both VHS and Beta formats. According to Barss the technology was new and unfamiliar to people who were content to view movies and television programming the way they always had: in cinemas or when television programming was scheduled. This meant that early video sales and rentals were low and the likelihood of the survival of VCR technologies as a market was questionable (2010).

Pornography producers – who classically looked for ways to adopt new technology to help them produce more porn and distribute it to a wider audience – recognized a danger to their cinemas. Raids and legal battles regarding obscenity were happening more and more frequently and their clientele desired safe and clean environments to privately view material. Barss (2010) claims that with this knowledge in mind porn producers decided to begin producing and distributing pornography in both tape formats. Thus, porn contributed to making both formats marketable and ensuring the survival of home video technology; according to Nathan (2007), the advent and adoption of home video technology by porn producers caused porn cinemas to dwindle and fade away all together. Porn consumers enjoyed the option of home viewing so much that it created a larger demand for home viewing equipment. VCRs of both formats were expensive as were the tapes, but the appeal of safe and private home viewing was enough to get porn consumers to buy machines and to keep buying tapes. According to Barss, in 1979 only 1% of homes had a VCR in either format – it was the demand for expensive pornographic videos that kept the sale of tapes high enough for the Beta and VHS products to continue to advance (2010). Betamax gradually disappeared from the market and fewer and fewer films were being sold or rented in the format. Barss says that this is due to JVCs “marketing and timing of upgrades” for the VHS product, gradually helping it to win the format war (2010: 88). Barss defends his claim that the format wars were not in fact decided by porn – as many claim – by pointing out that porn producers

have always have a tendency to put sexual images on any and all media available and thus would never discriminate between formats (2010: 88). In spite of the disagreement between the various accounts of the deciding factor in the format war it is important to remember that there may not have been a war to decide had both formats failed due to low sales during the early years of the home video era.

VHS and magazines remained the main staple of the porn industry for decades, but technology marches on. Enter the Internet. Not only did the Internet open up the porn industry to a world of opportunity for wider distribution and the ability to reach much larger audiences, but porn also affected Internet technology in return. The porn industry took the step from pushing the success of technologies like VHS to the development and refinement of a wide array of Internet software. Some examples include: online credit card billing, traffic optimization, live chat and video streaming, which are now commonly used in business conferencing and distance education programs that stream live lectures or seminars (Tynan 2008). With the advent of streaming video porn no longer needed to be purchased at stores or ordered and delivered. Online payment services allowed for ease of payment with secured software. The demand for porn on the Internet and the amount of sites available for viewing makes for a large variety of porn tailored to specific tastes. Traffic optimization was developed by pornographers to help filter and direct the flow of clientele in the right directions to get their sites seen (Tynan 2008). This includes linking between sites. Another innovation by the Internet porn industry which has helped to narrow searches and get sites seen by their target audiences is segmented content (Swartz 2004). Segmented content refers to a categorization and organization of adult content posted to the Internet – similar practices are commonly utilized by search engines. So, with all this in mind one notes how modern day conveniences utilized by virtually everyone may not have been

developed had it not been for the demand for porn and the industry's dedication to delivering a high quality product conveniently and discreetly.

The above examples show that the porn industry has not only grown and advanced over the last few decades, but that it has the capacity to affect other industries in a positive way. Not only has porn helped to advance technology on the Internet but it has now branched into other data markets. In 2002, VirginXtras head, Nick White and Playboy.com's Laura Sigman teamed up to bring adult content to people's mobile phones via the fledgling 3G networks (Aldridge 2002). At first it looked like the investment in 3G technology was going to cost a lot of money to get off the ground. 3G companies were happy to hear that the porn industry wanted to get in on 3G action because if 3G providers could sell sex over their networks this had the potential to generate enough sales to boost 3G into the realm of mainstream communications; thus, White and Sigman did everything in their power to boost the technology and get it working well enough to move their new product (ibid.). Now 3G is the communication standard for use of new smart phone technology with a new 'fourth' generation on the way. However, with every advance in technology there are drawbacks and with porn being widely available on 3G networks, child protection has become an important issue (Buhl 2005).

With the development of 3G came its most popular platform, the Apple iPhone. At first pornographers didn't want to sell their product on the iPhone specifically as they didn't feel it was as secure as it could be and that this could erupt into a storm of obscenity lawsuits and a terrible backlash for the industry when 3G was still in its infancy. To combat this and to better serve the potential clientele that Apple could provide, pornographers put research and development into motion to make child protection applications for the Apple iPhone (Buhl 2005). As of 2009 age restriction software has been available for use on iPhone apps purchased

through the App Store and pornographic content was made available for download on the iPhone. Jesse Jane, star of the multi-million dollar budget, award winning, adult film, *Pirates* and its sequel *Pirates 2, Stagnetti's Revenge*, boasted about how she loves the implementation of technology such as this in her industry (Nowak 2009). In spite of all the research and development implemented to bring security to 3G and the iPhone, early in the implementation of Apple's App Store a no nude policy was put into place and pornographic apps were pulled from the store (Chen, 2009). Porn can still easily be streamed through the browsing software on the iPhone but Apple will have no part in directly distributing it. Criticism has been directed at Apple for approving the *Playboy* app for sale in the app store (Frommer 2010). The *Playboy* app however features only the supplementary content that the magazine contains and doesn't include any nude pictures in compliance with Apple's no nude policy (Chen 2009).

So this brings us to the present. As anyone can see the evolution of porn has spanned centuries, different presentations and various forms of media and has had a significant social impact (in far more ways than are even mentioned here, but which will be expanded upon in later chapters). It appears to have had such an impact that despite moral and political protest from time to time, sexual content in popular culture and art has remained popular. It could be that sexual content in entertainment and art forms are culturally embedded. We have been witness to ancient representations such as the frescoes of Pompeii and there is the fact that no matter how much resistance there is to pornographic depiction, more and more of it is worked into the mainstream. Today we see more sexual content in commercial advertising than would be witnessed in most mainstream film productions in the last 50 years. We see ads for beer and other alcohol featuring scantily dressed women, movie trailers with strategic scenes with bare skin or just enough lead up to a sexual act to entice the viewer into attending a screening of the

film so they may see more and commercials for medications to treat erectile dysfunction which promote the importance of pleasurable and satisfying sex (for both parties) in a marriage or other romantic relationship.

In Canada, as it is written in the Criminal Code, pornography does not include written words. What this means is that the regulation of the sale of erotic literature falls within the realm of “obscenity” laws. Obscenity is determined by a test of public tolerance and legislation regarding the restriction of sale is administered by municipalities based on the provincially determined age of majority. This means that if erotic literature falls within the standard of community tolerance and doesn’t contain pictures it can be sold to minors unless booksellers impose their own policy to restrict sales.

Highly sexualized content is often featured in graphic novels and manga without sales restrictions and is handled by booksellers and libraries the same as any comic book. Even when a parental advisory label is affixed to a graphic novel or manga publication, it still depends on the seller’s internal policy to determine if the item will be sold to minors. Comic book publishers, Marvel and DC, have both made use of a self-imposed rating system to communicate age appropriateness to buyers and parents, however, as with books, I have not found any legislation limiting the sale of comics with a “Mature” rating to individuals under 18.

The content in mainstream films and television shows features far more sex than films considered pornographic in the past. To demonstrate this, I have decided to present a comparison between a 1959 film which was considered both pornographic and obscene (to the point where screenings were banned in certain states) and a Hollywood blockbuster from 2008. The first film I will be examining is *The Immoral Mr. Teas*, directed by Russ Meyer and screened in 1959. Meyer’s film is credited by Sarrachino and Scott as a “porn exemplar” due to what they refer to

as an exploration of sex and nudity in film (2008: 82). The film features no dialogue, only a constant musical soundtrack and a narrator telling of the actions of the upstanding moral American male ironically juxtaposed with images of Mr. Teas blatantly ogling and fantasizing about every beautiful woman he encounters (especially those in revealing apparel). Mr. Teas' behaviour in the film is presented as a gradually worsening pathology, eventually landing him in a psychiatrist's office. The level of nudity in the film gradually increases as the film goes on. Screening of the film was shut down at its premiere in San Diego, California on May 27th, 1959, part way into the reel (Sarrachino and Scott 2008). The film was simply considered too obscene for public viewing. What is interesting now is that when an inventory is taken of the sexual content in the film compared to what is seen in Hollywood films today, it is unlikely that many people would label this film as porn. To cite an example: the first bit of actual nudity in the film is not seen for approximately 26 minutes, and shows a nurse in a dentist's office nude from the back exposing her buttocks. Before this the only remotely sexual content is of the same nurse in a costume with a plunging neckline and a topless woman in a photo shoot at a beach that Mr. Teas spies on. The woman at the beach is never actually exposed to the camera except for a partial glimpse of her bare breast, what is colloquially referred to as "side boob". The explicitness of the content gradually escalates throughout the film, progressing to a woman who performs a striptease until she is only wearing panties and pasties on her nipples, and eventually scenes of three fully nude women frolicking at a beach. The film never depicts any sexual acts or male nudity and not once do any males make contact with the nude women. Mr. Teas' activities are restricted to fantasy and voyeurism.

Compare this with Michael Patrick King's 2008 film *Sex and the City*. The film was based on the TV series and features four successful, empowered and savvy women in their 40s

discussing their sex lives, fantasies and ambitions among other things. The film features candid discussions about sex and the grooming of pubic hair, several fully nude male-female sex scenes (not showing penetration) and two separate scenes featuring homosexual males kissing. *Sex and the City* is not categorized as a pornographic film. Despite the title, the main theme is not actually sex. The story is about the main character Carrie and her quest for love finally drawing to a close as she plans her wedding. As the story unfolds Carrie's fiancé backs out of the wedding. The sexual content actually pertains to various side stories in the film. *The Immoral Mr. Teas* is categorized as pornography because the theme is of a sexual nature – the story revolves actually around Mr. Teas' sexual arousal and subsequent actions. Also, in spite of the comedic light that the film is presented in I do believe the main purpose of the film was to sexually arouse its audience.

In spite of the theme of *Sex and the City*, the content is undeniably more graphic than that of *The Immoral Mr. Teas*. We don't, however, consider it pornographic for many reasons. Sexual content can exist in mainstream film without the film receiving an X rating. *Sex and the City's* film rating is R. R rated films can actually show as much sexual content as the writers, directors and producers desire so long as penetration and oral sex are only implied and not directly depicted. So, why is *The Immoral Mr. Teas* considered porn and *Sex and the City* not? The short answer is that *The Immoral Mr. Teas* is actually not considered porn – but it was. The immoral Mr. Teas was likely considered pornographic in the past because films like it were not wide spread. Nudity in films for the purpose of entertainment was simply taboo. Contrast this with now, when we are more accepting of occasional nudity on screen. Now, *The Immoral Mr. Teas*, along with most of Russ Meyer's work is considered to fall into the genre of "cult" or "exploitation". One user rating on the Internet Movie Database (IMDB) described it as, "an avant

garde beatnik art film". All this is due to what I call re-categorization. To put it simply, the things we used to consider pornographic are no longer defined as such. Not all films manage to become re-categorized. In Chapter four of this thesis I will discuss how many films are harshly judged as having inappropriate content under the Motion Picture Rating Association's rating system and unable to escape the stigma implied by the infamous NC-17 Rating.

As demonstrated through the above examples, pornography has changed in both its characteristics and in its level of social acceptance over time. Initially, I presumed that pornography would become more accepted over time. But upon examining the historical progression it appears that acceptance of pornography varies according largely to social context and political climates of the time, as well as in terms of the massification of once scarce products, and shifts in consumption patterns brought about by technological change. To recall the examples regarding Pompeii and the Churches above, sexual depictions were used to communicate custom or belief systems and thus were seen as having a cultural value when presented in certain contexts. Over time and in different cultures, sexual depictions presented for pleasure or entertainment became controversial and the writings of the Marquis de Sade and Leopold von Sacher-Masoch were deemed unacceptable in certain circles in the United States. When the printing press allowed for the cheap production and distribution of reading materials, the novel became a popular form of entertainment, and sexual content crept in. A hint of social acceptance of the pornographic literature is evident as dime novels were shipped overseas to men away at war. When they returned, sexual content in literature evolved into men's magazines and became identified with male culture. As Hugh Hefner upped the ante on realism in sexual fantasy through the use of photographs and controversy once again sparked. Apart from print media access to pornographic content increases as other technologies advance as well. As stated above,

film production technology has allowed pornographic content to progress from crude video loops to feature length film and has moved from seedy venues to the safety and privacy of home viewing. Production and viewing of pornographic material has now graduated from home video to the Internet where all varieties of porn are available and consumers are free to interact with other porn fans that enjoy similar types and may even participate in amateur productions of their own. All these factors are indicative that porn is progressively becoming more accessible with every technological advancement in media. The fact that there continues to be a demand for porn to be produced and sold by means of new media indicates that there is a rise in popularity and thus social acceptance. But it is important to note how this acceptance is arrived at and maintained. With the increase in accessibility it seems inevitable that everyone will eventually be exposed to pornography in some form. Sometimes exposure comes in the form of the discourses that are generated about it; porn is deciphered discursively. As Foucault wrote, “power’s hold on sex is maintained through language” (1978: 83). Counterpoints (resistances to power) generate further discourses and eventually people form an opinion and take a position (or more than one) on the issue. Where this factors into re-categorization is, I propose, that if enough people side with a counterpoint it may call for a re-examination of the issue, or a change in the relations of power and the influence of a given discourse (that has the capacity to link together a number of discourses for a time). Upon re-examination the majority may form the opinion that shifts the subject at issue from one category to another. Evidence of this move can be seen through comparison of materials produced in the past with those produced now with considerations made for how they were/are categorized. This was demonstrated above with the comparison of the films *Sex and the City* and *The Immoral Mr. Teas*.

The re-categorization of pornography is also helped by its increasing popularity over the

years. We can see that throughout various stages in the history of pornography as we know it, some forms have been celebrated. Forums, sharing and amateurism on the Internet have allowed for interaction between millions of people who have found each other through their common appreciation for porn. When considering these factors it is obvious that there is a demand for porn. So long as the behaviours of porn consumers continue to indicate that there is indeed a demand for porn, producers will continue to utilize any and all new media to make more of it and to make it more widely available. New technologies are almost always unregulated. This makes new technologies appealing to porn producers as there is a new way to circulate material to a wide audience with little interruption from outside influences. Attempts to regulate the Internet through the FCC (Federal Communications Commission) in the United States are relatively new and are at this point largely unsuccessful due to the fact that there is no legal way to interpret the FCC as having such an authority (Drummer, 2010). Acceptance of porn among a wide spectrum of the virtual communities viewing, creating and distributing it ultimately contributes to its re-categorization. To put this in Foucauldian terms, re-categorization reveals the non-static nature of force relations around sexual representations, and the proliferation of discourses about porn may now actually be seen as valuable because they help us to understand sex. The popularity of pornographic material determines demand; one must consider the prestige that may be generated. Since the advent of *Deep Throat* it has been possible for the players in the porn industry to gain celebrity status of sorts. This paired with the idea that porn is a lucrative business tends to lend a somewhat elevated status for the industry and its stars in general. In recent history porn stars have actually achieved the kind of popularity that has allowed them to “cross-over” and appear in many areas of mainstream entertainment. For example, news of the birth of former porn star Jenna Jameson’s twin boys was covered in various entertainment news

sources in 2009. Furthermore, many porn stars appear in cameo roles in non-pornographic films and many have bestselling books and hundreds of people turn out for signings and meet and greets.

Lastly, as porn becomes redefined it may appear to be less or not obscene. Or what used to be porn may not be considered porn at all anymore, but erotica or adult entertainment. Use of such language may be to avoid the stigma that comes with a word like pornography, classically interpreted as filth, smut, that the newest incarnation of the industry wishes to avoid for their products. Regardless, my conclusion is that the industry, the products and its place in society are indeed changing. In the next chapter I will begin examining some events that have contributed to re-categorization.

Chapter Two

Processing Pornography

Now that re-categorization of pornographic and sexual content has been briefly introduced in chapter one, it is time to look at some of the events that have helped it along. Over the course of my research I have found many writings that support the idea that the social acceptance of pornography in North American contexts is indeed increasing. However, one theorist's work specifically stands out. Kenneth C. Kammeyer identifies three societal trends that contribute to shifts in the acceptance of pornography and sexual content, listed below:

1. Economic development and personal affluence;
2. Political democratization and personal liberty;
3. Technological advances and personal accessibility.

(2008: 25)

The first refers mostly to a minor bridging of the economic divide between classes allowing for people other than the wealthy to be able to afford material with sexual depictions. This is coupled with the cheap production of pornographic materials that certain technological advances have made possible. This ties into Kammeyer's third trend, technological advances, the impacts of which were discussed in chapter one. The main focus in this chapter will be on the second societal trend, which Kammeyer (2008) believes has the most influence of the three on building what he calls a *hypersexual society*. The concept of hypersexuality is not meant by Kammeyer to be used as a reference to the perceived saturation of the media with sexual materials, but actually

refers to Baudrillard's concept, similar to his overarching concept of *hyperreality*, which refers to simulation becoming more and more pervasive to the point that one has difficulty distinguishing it from reality (Kammeyer 2008: 11). In a sense the simulated becomes more real than real. Hypersexuality refers to an extension of this concept with regards to sexual simulations or imagery (ibid). For Baudrillard, the *hyperreal* constitutes itself when the imagery asserted in a "simulation" becomes more associated with other reproductions than its originating objects, spaces and so on, eventually causing said simulation to become more readily associated and perceived as the only 'reality' (and not as a reference point back to which one could get). Similarly for Kammeyer, sex becomes simulated and integrated into new places like the world of fashion, music, marketing and so forth until these venues overexpose sexual characteristics and provide no access to non-simulated sex. These are important concepts to consider with regards to re-categorization because they demonstrate the idea that sexuality as it becomes a part of realms it didn't previously fit into, ultimately changes the associations with sex and its connection with real bodies.

Apart from Kammeyer's use of the concept of hyperreality, this and other Baudrillardian concepts are useful to consider when discussing pornography as well. Victoria Grace (2000: 155) discusses Baudrillard's commentary on pornography as hyperreal in *Seduction*. She explains that for Baudrillard "pornography is more about the obscenity of visual representation – the more real than real, simulated, hyperreal – than it is about anything else". On a superficial level many would agree with this statement. Many common arguments regarding the rights and wrongs of pornography center on the idea of the simulation providing an unrealistic standard of sex and of women in general but also that the display of the acts depicted in pornography are inherently obscene. However for Baudrillard, obscenity is not necessarily the same as obscenity in the

context that most people understand it. As opposed to the obscene referring to something offensive, Baudrillard's concept is understood as "ob-scene." Ob-scene is explained by Taylor (2008: 4) as the addition of the prefix "ob" meaning to be against something or to hinder it to "scene" referring to things we experience at a distance. He likens the concept of scene to theatre and states "the scene traditionally viewed upon a stage necessitates a gap between the viewer and actor ... but now that distance has imploded and there is no longer a scene or stage of action that we can view from a distance". Taylor quotes Baudrillard in saying that "Obscene is that which illuminates the gaze, the image and every representation" (2008: 3). I read this as meaning that in a sense the obscene is a concept of remarkable openness – a raw, and out in the open display right down to its inner workings, but not any more real for the detailed overexposure.

Grace goes on to explain that pornography adds something new to the way sex is perceived. She states that "pornography adds a dimension to the space of sex making sex more real than real, hyperreal..." (2000: 156). She quotes Baudrillard as saying; "Pornographic voyeurism is not a sexual voyeurism but a voyeurism of representation and its perdition, dizziness born of the loss of the scene and irruption of the obscene" (ibid.). She explains that this quote refers to a disappearance of the perspectival space causing the merging of sex with its simulations within pornography signifying the end of it as "scene" similar to the analogy of the theatrical stage given by Taylor.

As discussed above all of the concepts discussed through Baudrillard's work contribute to Kammeyer's concept of hypersexuality. Kammeyer believes that hypersexuality, at least in part, is born from political democratization and personal liberty. I believe that political democratization and personal liberty also have an impact on re-categorization. In order to demonstrate this it is useful to consider various legal battles over obscenity and right of free

expression, lobbies for tighter legislation regarding porn and how these all contributed to change.

Arguably, the most famous case that brought pornography into the spotlight was the case of *Falwell v. Flynt*. The odd thing about this case is that it brought mainstream fame to *Hustler Magazine* (the acceptance of which likely rubbed off on other pornography producing companies), and even spawned a Hollywood-produced biographical film (*The People Vs. Larry Flynt*, 1996), despite the case having little to do with porn itself. The case was more about Larry Flynt's freedom of speech and expression but carried over to porn because of its association with Flynt and the fact that the ad at the centre of the case appeared in a magazine that happened to be classified as pornographic. This particular case began in 1984 when Rev. Jerry Falwell responded to a parody ad featuring his name and likeness that was published in the November 1983 issue of *Hustler*. The ad was a parody of Campari's "first time" ad campaign which ran in the early 1980s. The ads that Campari published featured celebrities talking about their "first time". The intended purpose of the ads was to draw attention through use of sex and the use of a clever double entendre. When the short interview in the ad is read one discovers that the "first time" in question refers to their first time drinking Campari rather than their first sexual experience. *Hustler's* parody ad featured a fake interview with Rev. Jerry Falwell (who had previously been named *Hustler's Asshole of the Month* in February 1980) discussing his first time. The article (pictured below) told the tale of Jerry Falwell and his mother getting drunk on Campari together and Falwell subsequently losing his virginity to her in an incestuous romp in an outhouse.

Jerry Falwell talks about his first time.*



FALWELL: My first time was in an outhouse outside Lynchburg, Virginia.

INTERVIEWER: Wasn't it a little cramped?

FALWELL: Not after I kicked the goat out.

INTERVIEWER: I see. You must tell me all about it.

FALWELL: I never really expected to make it with Mom, but then after she showed all the other guys in town such a good time, I figured, "What the hell!"

Campari, like all liquor, was made to mix you up. It's a light, 48-proof, refreshing spirit, just mild enough to make you drink too much before you know you're schtoked. For your first time, mix it with orange juice. Or maybe some white wine. Then you won't remember anything the next morning. **Campari. The mixable that smarts.**

INTERVIEWER: But your mom? Isn't that a bit odd?

FALWELL: I don't think so. Looks don't mean that much to me in a woman.

INTERVIEWER: Go on.

FALWELL: Well, we were drunk off our God-fearing asses on Campari, ginger ale and soda—that's called a Fire and Brimstone—at the time. And Mom looked better than a Baptist whore with a

\$100 donation.

INTERVIEWER: Campari in the crapper with Mom... how interesting. Well, how was it?

FALWELL: The Campari was great, but Mom passed out before I could come.

INTERVIEWER: Did you ever try it again?

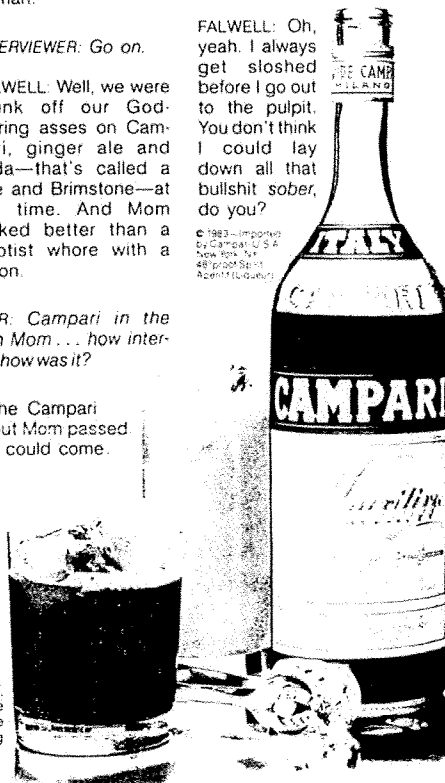
FALWELL: Sure...

lots of times. But not in the outhouse. Between Mom and the shit, the flies were too much to bear.

INTERVIEWER: We meant the Campari.

FALWELL: Oh, yeah. I always get sloshed before I go out to the pulpit. You don't think I could lay down all that bullshit sober, do you?

© 1983—Imported by Campari U.S.A. New York, NY. 48 Proof Spirit. Agent: U.S. Liquors.



CAMPARI You'll never forget your first time.

*AD PARODY—NOT TO BE TAKEN SERIOUSLY

<http://law2.umkc.edu/faculty/projects/ftrials/falwell/parodyad.html>

Falwell promptly took action to sue Larry Flynt and *Hustler Magazine* for libel (essentially, the intended defamation of a person through print or broadcast) and sought compensation for emotional damages (Smolla 1988). This case was decided in favour of Falwell

and soon appealed by Flynt. Decisions in Falwell's favour and subsequent appeals took the case all the way to the United States Supreme Court in 1988. The Supreme Court decided that, because no one could possibly believe the statements in the parody ad to be true, this was not a case of libel and was within Flynt's rights to print under the First Amendment of the US Constitution (ibid). Personally I don't understand how a case like this went so far since the original ad features a caveat, stating "ad parody – not to be taken seriously" (*Hustler* 1983). *Falwell v. Flynt* continues to be recognized today as one of the most pivotal First Amendment cases in history. For me, this case is of particular interest because it brought a different kind of attention to *Hustler* magazine and Larry Flynt. Over the course of my research I have met very few people who are unaware of Larry Flynt (and subsequently, *Hustler*) or his battles over free speech rights.

Cases like these are also important for free speech rights in other ways. According to Kammeyer, the First Amendment wasn't always said to encompass freedom of speech regarding sex or the use of or distribution of sexual materials (2008: 31). This explains how cases like *Falwell v. Flynt* and the subsequent appeals came to be. This case has at the very least called for a re-examination of what freedom of speech is.

Apart from the issue of free speech, the case of *Falwell v. Flynt* also changed porn. With Larry Flynt and *Hustler* in the public eye because of this case and other obscenity and organized crime related cases in Flynt and *Hustler's* past, people became familiar with porn on a new level. This new level required an intellectual examination of who Larry Flynt was and what he was doing. Such examinations generate public discourse and tend to lend some legitimacy to the porn industry, not simply by bringing it into legal discourse, but by challenging law as the arbiter of discourse about sex. What I mean by legitimacy is that pornography becomes perceived as

something that has a redeeming value to society. In a sense, it is seen – by some at least – as making a legitimate cultural contribution.

Most people have something to say on the topic of pornography, and cases like *Falwell v. Flynt* and countless others before and after it are just the things to expose issues regarding pornography to the general public. As battles are fought against (or in some cases, for) porn, issues are made public and discourses of resistance to existing norms are generated, more people gain awareness. In turn more discourse is generated, and porn becomes a more comfortable subject to discuss. This is not the first time this phenomenon has been observed in the social sciences. In Foucault's *History of Sexuality, v. 1* (1978), he explains his idea that repressive attitudes regarding sexuality helped in generating discourses on taboo subjects. Foucault remarks that "...the tightening up of rules of decorum likely did produce, as a countereffect, a valorization and intensification of indecent speech" (1978: 18). Foucault describes this phenomenon as a "discursive ferment" referring to somewhat of an agitation brought on by the use of specific discourses and imposition of certain sanctions on language by authority figures. This essentially means that even though the goal was to repress outward sexuality, and talk of sex, it produced the opposite effect. A similar effect can be seen as a reaction to court cases which are meant to impose restrictions upon or do away with pornography. The case that Senator Estes Kefauver brought against pornographer Irving Klaw in 1955 still continues to generate discourse to this day because of its association with Famous 50s pin-up and nostalgia pop idol, Bettie Page; a good example of Foucault's observations regarding the institutions of law generating additional non-intended speech on the matter.

The fact is that trying to repress something necessitates talking about it. Even though Foucault was examining the Victorian era, this remains evident today. Who talks the most about

pornography? People who are seeking to either “educate” the masses on the topic or those who wish to restrict it outright. This includes not only legal officials but also both pro-porn and anti-porn theorists and activists. Often activists will seek support in the community for their position either in reaction to an institutional intervention (such as a criminal charges or court cases) or to lobby for one; which often includes the circulation of literature. When any literature – be it fruitful research or simply propaganda – is circulated, it generates a discourse regardless of it being the desired one, and in the case of pornography, this is just another way that porn ends up on people’s minds. Once issues regarding pornography are out in the public, people tend to make their opinions public as well. This may take the form of public protests, news broadcasts or my personal favourite, celebrity interviews. Pornography not only gained legitimacy as an entertainment form but also a certain amount of prestige through celebrity endorsements like those of Jack Nicholson and Warren Beattie regarding *Deep Throat* (as discussed in chapter one). But not all significant discourses on pornography are related to the shining celebrity endorsements of *Deep Throat*. The “fields of power” that would have porn spoken of are diverse. Political discourses on pornography often come from the perception that porn is harmful, immoral or just in poor taste. Many events in fairly recent history have called for a thorough examination of pornography which has generated significant public discourse on pornography. Various political commissions have been established for the purpose of doing away with pornography. The first of which that I will present here is the Comstock Law passed in 1873 (Kammeyer 2008:46)

The Comstock Law basically restricted the transfer of sexual materials through United States post. Anthony Comstock, after whom the law was named, was from an early age devoutly religious and utterly convinced of the “rightness of his faith”. His views on societal evils were

often absolutist and his actions against the things he perceived as evil were often extreme (ibid). For example, when Comstock was 18 years old, he broke into a store in his home town and poured its entire liquor supply on the floor and left a threatening letter for the proprietor warning him to stop selling liquor in his shop. Comstock's decision to break the law in favour of his perceived religious duty was a reaction to hearing that the proprietor of the store was selling whiskey to women and minors (ibid). This was not the end of Comstock's extremism regarding his stance on social evils. In the 1870's Comstock became aware of pornography. It was not long before Comstock would decide that pornography was inherently harmful and needed to be done away with (ibid). Comstock would soon become an avid crusader against anything he deemed obscene or pornographic and devoted the rest of his life to actively eliminating any and all literature, pictures and so on depicting anything of sexual nature – without prejudice. No depictions of or reference to sexuality was safe from Comstock, regardless of tone, context, medical relevance, educational necessity or any other redeeming value.

As Comstock became more active toward the goal of eliminating sexual content he started to get more and more attention from various organizations. Supports he gained from the YMCA in 1873 as well as from the United States congress were a direct result of the discourses Comstock had generated on the perceived harms pornography would do young men and other whose life may be affected. The YMCA of New York even gave financial support to Comstock to aid in his crusade. The funding was apparently for the purpose of purchasing and physically destroying any and all pornography that Comstock could get access to. Later that year, Comstock's efforts bore fruit as Congress passed a law that restricted the transfer of any item of a sexual nature, be it pamphlets, pictures, books or other items. The law also prevented the transfer of any items intended for the use of contraception or any information on contraception or

abortion (Law Library – American Law and Legal Information 2011). The law was called *The Act for the Suppression of Trade in, and Circulation of, Obscene Literature and Articles of Immoral Use*, which became more widely known as *The Comstock Law* (ibid). Shortly after Congress passed the law, Comstock was given a position as a special agent of the postal service, which put him in charge of enforcing the law. Comstock held this position until his death in 1915. It is difficult to find estimates of how many people were arrested or indicted under the Comstock Law, but according to Kammeyer, Comstock boasted that he had seized and destroyed at least 160 tons of objectionable material and arrested enough persons “to fill a passenger train of 61 coaches” (2008: 46). A noteworthy arrest under the Comstock law was that of Margaret Sanger – a nurse, feminist and an activist for education on contraception, who used the mail system to circulate information on birth control (Law Library – American Law and Legal Information 2011).

As mentioned above Comstock held his position under the postmaster general until his death in 1915. Kammeyer notes that in the years following Comstock’s death popularity of the anti-porn crusade, which was his legacy, started to drop off as did supports and negative reactions to extremism brought by the legislation began to form (2008: 47). To the best of my knowledge, Comstock’s position in the postal service was never held by another since his death.

Between the 1920s and the 1960s many other famous battles were fought based on the debate of literary, artistic and sexual freedoms versus obscenity. Samuel Roth was one person who was constantly hunted, experiencing continuous legal trouble for attempting to distribute books that were listed on the banned book list in the United States. Roth attempted to dodge arrests and charges by moving, changing his name and changing the names of the businesses he operated (ibid). But in 1954 he was arrested, convicted of 26 counts of mailing obscene

materials, and sentenced to pay a fine. Roth appealed his case all the way to the supreme court in 1957 where, although his conviction stood, the Justice (Brennan) overseeing the case called for a restatement of what obscenity is (ibid). This was the beginning of looser restrictions on pornography which allowed the beginnings of the industry we are more familiar with today.

Although the restrictions on pornography and other sexual materials were becoming significantly more lax since the Roth case, there was still a divide on the acceptability of pornography. By 1970 the “Commission on Obscenity and Pornography” was released (Kammeyer, 2008). Originally commissioned by Lyndon Johnson in 1967 but completed during Nixon’s presidency, the Commission on Obscenity and Pornography was brought to be because the increase of pornography was being described as a “national concern” (ibid). The purpose of the commission was to prove that pornography causes sexual violence and crime, but upon completion the commission did not reveal this. It did however reveal that now research found any evidence to this conclusion. Nixon wrote off the report’s conclusions stating that they were “morally bankrupt” and claimed pornography is an abuse of freedom of speech (ibid: 50).

In 1985 President Ronald Reagan commissioned another report headed by United States Attorney General, Edwin Meese, for the purpose of overturning the findings of the 1970 commission (Kammeyer 2008). The participant researchers for the commission were not the most balanced. Although the 1985 commission researched pornography from many more angles than the 1970 commission did it still included input from anti-pornography organizations and religious officials (ibid). Meese himself was chosen to head the commission because President Reagan was aware of his stance against pornography. Even former pornographic film star, Linda Lovelace testified for the commission telling her story of abuse and her forced participation in *Deep Throat* by her former husband (ibid).

Unsurprisingly, when the report was released in 1986 it painted a very unfavourable picture of pornography, deeming violent or degrading pornography as harmful. This included depictions of masturbation and homosexuality. Interpretation of the report by more conservative members of the commission ultimately painted all flavours of pornography as harmful in spite of context or characteristic (ibid). What was surprising however was that at some point during the commissions investigations, Meese found himself in disagreement with the report's findings. He publically stated that he read *Playboy* in his youth and did not find himself affected adversely by his exposure to this type of pornography. He also defended *Playboy* and *Penthouse*, stating that these periodicals did not fall under the definition of obscenity that was being used by the commission. In spite of Meese's objections the report was still circulated and cited (ibid).

In contrast, other examinations of pornography are spearheaded by non-government groups. In the early 80s, well known feminist writers and activists Catherine McKinnon and Andrea Dworkin attempted to have an anti-pornography ordinance put into place (Kammeyer 2008). In 1983 McKinnon and Dworkin were invited to testify to the Minnesota Zoning Commission, as they were attempting to restrict the sale of pornography in certain areas of the state. When McKinnon and Dworkin testified, they recommended that the sale of pornography be banned outright. In 1983 an ordinance was passed in Minneapolis which allowed women to sue the producers of pornography, based on the definition that McKinnon and Dworkin passed on during their recommendation to ban the sale of porn (ibid). The ordinance was short lived as by December 30th 1983, Mayor Donald Fraser vetoed the ordinance based on difficulties in the definition (see introduction). As discussed in the introduction chapter of this thesis, the definition was very problematic since it lacks objectivity and as Smith stated, rests on complex strategies for argumentation (ibid). Soon after the veto, McKinnon and Dworkin lobbied and attempted to

have the ordinance reinstated but failed. Soon they moved on to Indianapolis, Indiana, where the ordinance was passed but shortly after was challenged in court. In 1985 the bill was repealed as the court found it to be unconstitutional. The decision was appealed but the original ruling stuck. The decision was appealed once more to the Supreme Court in 1986, where the previous ruling was once again reaffirmed without hearing further testimony (ibid).

In the end none of the above mentioned cases had the desired effect of the political agenda at hand and arguably lent to the further legitimization of pornographic materials and the industry, similar – once again – to the discursive ferment or countereffect generated through the emphasis on “institutional incitements to speak” described by Foucault. As I stated earlier, it is possible that the massive amount of attention these discourses generated for porn caused people to take a hard look at it and many discovered they simply didn’t agree with the statements being made or the agendas at hand. Many of the camps who are against pornography define and re-define pornography to fit their cause. Kammeyer states “tolerance for pornography began to fade among some feminists, however, as they increasingly defined pornography as exploitive of women; other feminists made a direct connection between pornography and violence against women” (2008: 52). Anti-porn organizations and activists like McKinnon and Dworkin appear to be attempting to re-categorize pornography themselves. They appear to be aware that thinking about pornography has changed and are putting forth the goal of changing the thinking about pornography to their way of thinking. This has, however, not been a successful endeavour. The fact remains that even though pornography is a hot button issue in the public, no fruitful quantitative studies have been done that adequately prove any harmful effects done by pornography. Many researchers like Paglia (2008) – who complains that research on pornography is inadequate – have taken issue with the lack of concrete answers on issues of

harm caused by pornography. Also, researchers looking to prove that pornography doesn't harm find it difficult to get approval to conduct their research. Hardy (2008) claims that censorship, issues of harm, and political controversy may prevent a proper critical analysis of the relevance of pornography. Hardy's concern is a valid one when considering the discourses generated by the above mentioned anti-pornography groups and initiatives, specifically those intended to steer the public to embrace the anti-porn agenda. Getting people on board with these agendas doesn't seem to be working. This may be in part due to the fact that when you talk to someone about any given topic they have to lend some sort of personal examination of the issue in order to form an opinion of it. This leads us back once again to the countereffect observed by Foucault. Foucault expands on this by discussing the Catholic practice of confession and explains that in order to deal with one's sins a "painstaking review" of the details of the sexual acts were seen as necessary to exonerate the sinner of their sins of the flesh (1978: 19). With the imposition of annual confessions under pastoral law in Catholic countries as well as "meticulous rules of self-examination" people were left with no choice but to examine in detail their sex lives and the community standard of sex and sexuality and to discuss it. This is similar to the phenomenon I have observed with the court system and with lobbies and protests. A thorough examination and detailed telling of the "facts" on pornography are necessary to impose a standard of thinking about it or acting upon it; however, upon these examinations a person may simply decide they don't agree. It is also likely that with the increased access to pornography through the Internet, people are able to anonymously experiment with porn use and form opinions from experience instead of analysis. Whatever the case may be, perhaps porn is one of those "imaginary points" that for Foucault one has to pass through in order to achieve self-understanding (1978: 155).

Accessibility of pornography is very likely to turn anti-porn discourse on its head for

many people. Now more than ever they can see and experience the effects of pornography for themselves and can experience a new kind of freedom to use and enjoy pornographic products. Web porn can be used privately and in the safety of one's home, and can be tailored to one's own specific wants or needs. Porn on the Internet is readily available to those with a service provider and for a premium if a higher standard of quality is desired. It can be streamed or downloaded and viewed as pictures, video or live performance via webcam. Any and every genre is available to fit any taste, virtually on demand. With all this access to an endless variety of pornography on the web at little to no cost, people are free to exercise their own personal liberty and use as much or as little porn as they like. And with the ability to exercise one's personal liberty being afforded in this way along with the continuous battles in political and legal arenas often being won in favour of porn (the inability to prove it harmful, the overturning of unconstitutional bans, etc.) Kammeyer's compelling observation about the factors in increasing acceptance is evident.

In conclusion, this chapter has covered some examples of how discourses on pornography have affected political democracy and personal liberty as per Kammeyer's examination of the increasing acceptance of porn. We have seen examples of how many anti-porn groups have attempted to force a re-categorization of pornography by changing the definitions under which various forms of sexual content fall. This has in turn produced countereffects. The anti-porn organizations attempt to redefine porn and to spread their message to the public, but this in turn gets people talking and thinking about porn and how bad or good it really is. The advent of the Internet has allowed us accessibility like never before, which solidifies the point that Kammeyer makes regarding the free exercise of personal liberties.

Chapter Three

What the Web Has Done for Porn

The Internet has had one of the most interesting effects on pornography of all the evolutions of porn culture that I have studied up to this point. Not only has the Internet provided widespread accessibility to pornography, but it has also provided an anonymous and open forum to allow people to explore a very different variety of porn never before available. The communication on the Internet is so open, it allows people to easily find others with similar appetites and to communicate a desire to see certain types of porn they may not have been able to see when porn was confined to film and print media. Technological advancements relating to computers have made pornography so inexpensive to make and easy to distribute that the possibilities of seeing different flavours and fetishes are seemingly endless. The Internet seems to cover many of the vast needs of the voyeur, but also the exhibitionist.

Exhibitionism is very important to pornography. Without exhibitionism, the idea that the performers are enjoying the act of sex is not convincing. Hardy (2008) states that realism in pornography is critical for sexual arousal and sees this as pornography's main function. Recently, more and more realistic porn has been identified. In "Porn Exemplars", Sarracino and Scott (2008) talk about someone who is not readily associated with pornography as most people know it – Paris Hilton. Paris Hilton, fashion model and hotel heiress, achieved a fame, of sorts, when a homemade sex video featuring her and a boyfriend in a hotel room was posted online. Sarrachino and Scott are quick to point out that Paris is not a porn star (2008). She has never produced any other hardcore video and did not initially intend this one for mass production or sale. Eventually, it was released on DVD. The video was unique. It was produced completely by

amateurs and this was part of the appeal. Sarrachino and Scott make the observation that in the video Paris doesn't appear to be experiencing anything but her own free sexual pleasure. It is authentic consensual sex for the sake of sexual pleasure and for Sarrachino and Scott it has lent legitimacy to porn.

The way amateurism lends legitimacy to porn is that it points to the fact that people are capable of freely producing porn simply for the desire of doing so. This problematizes extremist arguments that porn is inherently degrading and a form of rape or torture against women. In her contribution to *The Spam Book*, Paasonen (2009) talks about how amateur porn, female run webcam sites and other types of Internet porn, challenge the conventional definitions of pornography and compromise arguments that utilize those definitions. Some arguments that Paasonen notes that tend to rely on the use of the conventional definitions of pornography on the Internet are those surrounding child protection issues and issues regarding freedom of speech. She also observes that outside of those areas of concern commercial "heteropornography" on the Internet is not thoroughly studied as there is an assumption that heteropornography is known and that what is to be known about it is obvious based on conventional definitions. Where the definitional challenges come in is when one observes the full scope and variety of the different genres of porn, production and consumption of Alt. porn by various subcultures, and the amount of amateur porn observed by Paasonen through the cataloguing of her spam mail. Paasonen states that "commercial pornography is nevertheless virtually absent from public discourses on the information society, whereas in scholarly debates on online cultures it is regarded little more as an anomaly or social problem associated with addiction and lack of control" (2009: 168). Paasonen's observation goes a long way in proving my point that pornography is indeed being re-categorized. This is evident in the idea that commercial pornography is considered an anomaly

in the world of online porn and not the norm and also that amateurism has changed the face of porn online and challenged the very definition of porn.

Amateurism in porn has existed longer than the advent of the Internet, but has undergone characteristic changes. In the 1980s and 1990s commercial porn companies produced titles on film and marketed them as “amateur”. The film’s actors were classed as amateurs because the performers were unknowns and not technically professionals (Sarrachino and Scott 2008). Now most of the amateurs in porn are true amateurs, since they are producing porn by themselves with inexpensive and easy to use equipment. With a modest software suite and hardware system, anyone can very easily make their own porn and distribute it on the Internet to a wide audience.

“Realcore” is the word Sergio Messina coined to describe the “atomization of sanctified pornography industries or the cultivation of micro-niche groups in homemade pornmaking” (Jacobs 2009). For Messina “realcore”, apart from all the obvious contributions made to porn as discussed in much of this chapter already, also impacts the Internet by fulfilling what Jacobs calls “the two original missions of the Internet”: to help special interest groups connect and to encourage “DIY (do-it-yourself) media-making” (2009: 184). Indeed, not only do amateurs use the Internet and other new infotech to help them make their own pornography, but the Internet also helps them find and connect with others who have unique tastes that mainstream commercial porn might not be able to fulfill. DIY media-making has become an important way for people to express their views and to make their voices heard to others all over the world. This is evident when one considers the overwhelming success of sites like YouTube and social networking sites like Facebook, Twitter, Myspace and the like, where anyone with an Internet connection and some common computer peripherals can post their thoughts, opinions or update the masses on their latest bodily functions. Arianna Huffington, co-founder, president and

editor-in-chief of the news website *The Huffington Post*, syndicated columnist, as well as one of *Time Magazine's 100 most influential people* (2006 and 2011), recently commented on frequent Facebook use as a guest panellist on *Real Time with Bill Maher*. Huffington stated that “self-expression is the new entertainment” and that “some self-expression is trivial and some self-expression is great” (2010). Her comment is an astute one and can be applied to amateur porn. Self-expression can be as minimal as a comment on a Facebook page or as grand as making one’s own porn videos, but the satisfaction may be similar. The fact that people are using DIY media-making techniques to express themselves sexually speaks volumes about how meaningful amateur web porn is to the mass of users. With the ability to network via web porn people are able to relate to others who have similar interests to their own, no matter how unusual. This form of free sexual expression and the ability to connect socially with others shows that the desire to use pornography is not so abnormal and thus, not obscene as a rule. This, like Paasonen’s observation, challenges the traditional conventions about pornography and various positions taken based on said conventions. Given how many options amateur web porn has opened up for people, it seems likely that traditional commercial porn only serves the needs of one type of audience and that such porn doesn’t place demands on the viewer; yet, the demands of viewers are facilitated by performers who fulfill their requests by interacting with audiences and followers. Langman has observed that certain popular genres of web porn available carnivalize what she calls “grotesque degradation” and that these genres hold certain “truths” about sexuality and are “embedded in the culture of our time” (2004: 195).

Networking through amateur porn also goes a long way in amalgamating porn and cyberculture. This phenomenon has demonstrated that there is a significant demand for pornography when variety and access are introduced. When you add the interactive component,

it begins to create a sense of community and expands sexual horizons. Porn may be just as big a turn-on for the performer as it is for the viewer. If we recall the earlier commentary that amateur porn is produced out of a desire to do so, it is reasonable to assume that the exhibitionist is just as entertained or aroused to produce it as it is for the voyeur to consume it, making porn a two-way exchange.

Phillip Vannini (2004) considers another way of looking at the two-way relationship between viewer and performer. He describes the relationship between web porn performers and consumers of it as synoptic, which describes a similar phenomenon to panopticism famously studied by Foucault in his work *Discipline and Punish* (1975). Foucault describes panopticism as the potential for always being watched by an invisible watcher. The theory suggests that when the possibility of always being unknowingly watched is imposed on someone they will take on self-policing behaviours in order to not be caught in the act of doing something punishable. The Panopticon describes a prison conceived of by Jeremy Bentham that operates on the panoptic principle (ibid.). The Panopticon describes a circular shaped prison positioned beneath a central watchtower. It is designed this way so that the occupant(s) of the watchtower have an unobstructed view of the entire prison and its inhabitants. The inhabitants of the prison level(s) however are unable to see into the watchtower and thus do not know who is watching or when. According to Foucault, the prisoners internalize the idea that they are always being watched and the apprehension causes them to behave in ways they perceive the watchers would desire, thus increasing their docility. Vannini's concept of the pornographic synopticon operates on a similar principle. The connection to the media where the pornographic performance (for example, webcam shows) takes place that allows the viewer to watch is like the watchtower, and the venue for the performance is the circular prison level (Vannini 2004). The performer has no way of

knowing when the viewer is watching or how many there are, so they perform as if they are definitely there acting on the perceived desires of an invisible viewer. The major difference between the panopticon and the pornographic synopticon is that “the synopticon facilitates seduction through the infusion of space” (ibid: 83). As opposed to the panopticon which is an oppressive space designed to alter behaviour and produce docility, the synopticon is designed to invite viewers into sexual fantasy acted out through the performer and as Vannini comments, allows the viewer to participate as a “protagonist” in the fantasy (ibid). One thing that Vannini’s theory has in common with most other commentaries on Internet porn is that it is unique in the sense of the flexibility offered to the consumer. He describes the Internet as offering a certain flexibility not found in film porn. It is true that there is a greater variety of porn and that communication forums have allowed users to express what it is they are looking for in web porn and interested producers are able to run with these ideas and nearly instantly create porn that fulfills those desires. Internet porn also offers flexibility by being available to consumers 24/7. The flexibility and vast possibilities attributed to new infotech and the Internet has also pushed porn through another new stage of evolution – participation. With the advent of interactive technology, porn users have been able to communicate their desires and fantasies to live porn performers. Brandi Love, owner, operator and star of *brandilove.com* combines live chat in a chat room hosted by her web site with her live web cam shows which can be viewed by paying members on her site. The use of these technologies allows Brandi to not only hear from her fans about their favourite things about the show and things they would like to see, but also allows for responsiveness in the porn as she can address questions and give sex advice throughout the show. Many other websites also offer the combined sex chat and web show format as it has become very popular since it allows users to not only watch porn but to interact with the performers and

to participate in playing out of their sexual fantasies in an anonymous and safe way. The idea of interactive porn has taken off in other directions. Online video games such as *Second Life* offer social networking capabilities which allow for people to engage others around the world through the use of an avatar in a live simulated setting online. *Second Life* has been the subject of controversy as many users use it for the purposes of cybersex. Games like *Second Life* allow you to play out the life of whoever you wish to be. This is important to note because the game can allow people who may not want to participate in the production of live porn in real life, a chance to play out fantasies in a simulated setting. Unlike the chat room/web cam combination where a user can talk to a porn star, *Second Life* can allow you to become one.

Another direction that interactive porn has taken us is into the realm of teledildonics. Teledildonics is the use of computer peripherals for the purpose of delivering simulated sexual sensations. Barbara Creed (2003) explains that the potential for teledildonics has still not been reached as the technology is years away from being perfected. Creed describes a system involving motion capture and sensory receiving suits worn by the parties involved which react through signals sent via the Internet. She explains that teledildonics open up greater possibilities for people who actively participate in cybersex. For Creed, there is an emphasis placed on anonymity leading to greater sexual openness, a feature that cyber communities tend to promote. Although we have yet to experience really advanced teledildonics, products like the *Simulator*, consisting of a dildo that connects to the computer via USB port and a software package, is controlled by the person on the other end of the network. Such products can be beneficial for long-distance relationships but also for anonymous sex play over the Internet. With products like the *Simulator*, people can chat in chat rooms or through instant messaging and exchange passwords. The combination of the two technologies allows for endless possibilities in fantasy

play, effectively allowing participants to perform the way porn stars do. Technologies that allow for participation in porn or porn-like scenarios contribute to the growing social acceptability of pornography.

Porn has become so normalized in Internet culture and even entertainment in general that Sarrachino and Scott state that “not only has porn become the mainstream but the mainstream has become porned” (2008: 46). This means that when pornography becomes extended through amateurism it starts to creep into mainstream culture and the culture adjusts to support it. Sarrachino and Scott also claim that the recognition of porn existing outside of the mainstream may be at an end and thus porn is at an end (2008). They justify this by explaining that once something is everywhere the impact of what makes it different from the norm is lost (ibid.). I tend not to fully agree with this. Although I am sure that a large amount of pornographic content has lost a certain amount of its impact over time due to expansion of the industry, increased legitimization and popularization in the mainstream, porn as it is defined in the introduction to this thesis will never actually disappear. Also, with the variety that is now available via the Internet newer and more shocking genres will always surface and continue to offend people of certain sensibilities. First Amendment lawyer Paul Cambria commented in an appearance on *PBS Frontline* special entitled *American Porn* (2002) that as long as porn producers do not do something as bad as what is currently facing an obscenity trial then producers are pretty much safe to produce whatever they want. This is an indication that there are producers out there who will constantly up the ante on what constitutes obscenity and as long as someone is always putting something new at the top of the proverbial ladder then the previous ones will gradually step down and in the long run will no longer be considered obscene by the new standard. Let us revisit *The Immoral Mr. Teas* (1959), as discussed in chapter one. This was a film that was

widely criticized, showings of it were banned and the film's director Russ Meyer was continuously charged with obscenity related crimes for his work while the film in question doesn't feature any physical sexual contact. Compare this with many of the films that are run uncensored on television movie channels or television shows on cable subscriber networks where the only controls over access and viewership are brief disclaimers warning of nudity and sexual content and the discretion of the subscriber themselves (meaning children can gain easy access to such content that was banned decades ago if the parent allows it). This stands as evidence that pornography has not disappeared but its impact has indeed changed contributing to its re-categorization and by extension its acceptance in mainstream entertainment and pop culture, even if this has entails a certain degree of domestication, as Kammeyer believes.

The idea of porn's domestication is not acceptable to all groups, however, and some have taken to using porn's greatest tool to reach people with their message as well. As opposed to how many Internet sites reveal characteristics in pornography which lend to its legitimization (amateurism, interactive participation and so on), groups like *xxxchurch.com* attempt to delegitimize pornography by defining porn use as an addiction, pathology or simply against god. The *xxxchurch.com* website features streaming video of interventions and testimonials of participants in their programs, schedules of events where people can go for help and information pages outlining the "facts" on the dangers of porn use. The site which does not clearly outline a mandate claims "The #1 most destructive force in our culture...pornography" in bold capital letters on its header page and below it states;

XXXchurch is a non profit organization that exists to help people of all ages who are being assaulted by pornography. We prevail through awareness, prevention and recovery. (*xxxchurch.com*, 2011)

The page goes on to give vague and unreferenced factoids about the average age that youth first encounter porn, the percentage of divorce cases citing porn as a contributor and the amount of people who access porn websites from their work computers (xxxchurch.com, 2010). Missing from this page, which so boldly claims to be helping people “assaulted by pornography” and “prevailing through awareness”, is a documented case of an actual study backing up the claim that porn does indeed assault. The page also fails to provide any real awareness and only spreads unsupported information and propaganda. The group/site’s founder Craig Gross even states on an interview on Showcase’s hit series *Penn and Teller: Bullshit!* that he believes pornography is “as addictive as heroin” (Penn and Teller: Bullshit! 2008). This is an unfounded statement considering there is no evidence to support the charge that pornography can become addictive in the traditional medical sense, nor does it require medical intervention to cope with if someone happens to become a compulsive user.

In 2001 Juniper Media Metrix (a research firm which conducted a study of Internet usage) found that when considering all online porn usage in the world that year, 21 million users logged on to websites featuring adult content. Of those users the average usage was 85.5 minutes a month divided between over five sessions (Perdue 2004: 260). Of course, while this number doesn’t tell all, given that the average monthly usage comes in at under an hour and a half per month over five sessions, the likelihood of rampant pathological addictions seems very low, especially when one considers the standard definitions of “addiction” involving compulsion and habituation. Other issues arising from these statistics may be that they might be considered out of date. The reason that I am citing a 2001 study in 2010 is that xxxchurch.com was established in January of 2002 (xxxchurch.com, 2010). This means that it is likely that the website and organization were formed based on a reaction to pornographic climate from around the same

time that Juniper Media Metrix had prepared this research and released its findings.

To conclude, the Internet has provided many opportunities for the community of porn enthusiasts – both consumers and producers – to expand, network and evolve. Amateur porn varieties have opened up new interpretations of what it is that constitutes pornography and issued challenges to the conventions held by many people who argue that to participate in porn requires elements of force. Amateur porn has also opened us up to the aspect that to express one's self sexually can be considered a form of entertainment in itself. Taylor Marsh, a former employee of Danni's Hard Drive, remarks that the porn featured on their site had a unique tone as it featured models who were using the site to self-promote, and entails that the models are giving viewers "permission" to look at the site's content (2004). These challenges to the norms and the ways we have previously perceived and defined porn, push porn into a different category of entertainment and incubate a new type of culture, where people can come together, socialize and interact in a variety of ways not possible before the advent of the Internet or web porn.

Chapter 4

'I'll Know It When I See It': Sexuality and Film Ratings

During the period in which I have gathered research material for this thesis I have arrived at the position that porn has become less the subject of widespread moral crisis and more of a complex issue. Although some groups still protest against the porn industry and other forms of sexually charged media, the battles are far less frequent and more complicated. Apart from the changing tone of the legal battles involving pornography, we see more and more use of sexual content that was formerly considered pornographic. Now it is not uncommon to see nudity and sexual acts on cable subscriber channels. One such example is the 2006 *HBO* comedy series *Lucky Louie*. In episode three of the series, entitled *A Mugging Story*, the main character Louie's brother-in-law Jerry enters the scene wearing a towel wrapped around his chest, and stands next to Louie, who is seated and extends his gratitude for letting him use the shower. As they converse Jerry stretches his arms up toward his head to dry his hair and the towel he is wrapped in moves revealing his penis very close to Louie's face. Compare this with Russ Meyer's *The Immoral Mr. Teas* (1959), which featured no male nudity and was banned and brought into court on obscenity charges. Although the nudity in *Lucky Louie* is not presented in a sexual way and is portrayed humorously, it doesn't change the fact that nudity in television is received totally differently than it would have been previously.

In this Chapter I will attempt to uncover the reasons that sexual content previously considered pornographic is now acceptable on television and in the mainstream motion picture industry. My approach is to examine the evolution of rating systems in the television, film and

video game industries, in addition to considering the entry of pornography into the mainstream entertainment industry as a separate genre.

The earliest incarnation of motion picture standards was the Motion Picture Production Code, better known as “The Hays Code”. The Hays Code was put into effect in 1930 by the president of the Motion Pictures Producers and Distributors of America, Will Hays (Kammeyer 2008). In the 1920s when controversy struck the film industry due to scandal amongst celebrities and questionable film content, a call for censorship was made and the Motion Picture industry decided to impose its own code of conduct. It is reasonable to assume that there existed an interpreted risk in allowing sexual or other questionable content to become popular in entertainment. Kammeyer suggests that the adoption of this self-imposed code was inspired in part by the Catholic Church and various church affiliated groups who took action to censor film and ban certain titles within their own communities. The general overview of the guidelines which govern the code are as follows:

1. No picture shall be produced that will lower the moral standards of those who see it. Hence the sympathy of the audience should never be thrown to the side of crime, wrongdoing, evil or sin.
2. Correct standards of life, subject only to the requirements of drama and entertainment, shall be presented.
3. Law, natural or human, shall not be ridiculed, nor shall sympathy be created for its violation.
(<http://www.artsreformation.com>, 2006)

Here we see the same difficulties regarding specificity that we did with legislative definitions of *pornography* and *obscenity* and so forth. The concepts of *evil* and *sin* are quite subjective and the language suggests that the code is there to govern mainly concerns about the portrayal of crime.

However, the full version of the code does go into deeper detail about what the Motion Picture Producers and Distributors of America deem unacceptable for portrayal in film. The code contains headings for: Crimes against the Law, Sex, Vulgarity, Obscenity, Profanity, Costume, Dances, Religion, Locations, National Feelings, Titles, and Repellant Subjects (ibid.). Following the listing of these sections and the detailed breakdown of unacceptable portrayals for each is a section that states the underlying reasons for various parts of the code. One such reason is stated below:

I. Theatrical motion pictures, that is, pictures intended for the theatre as distinct from pictures intended for churches, schools, lecture halls, educational movements, social reform movements, etc., are primarily to be regarded as ENTERTAINMENT.

Mankind has always recognized the importance of entertainment and its value in rebuilding the bodies and souls of human beings.

But it has always recognized that entertainment can be a character either HELPFUL or HARMFUL to the human race, and in consequence has clearly distinguished between:

a. Entertainment which tends to improve the race, or at least to re-create and rebuild human beings exhausted with the realities of life; and

b. Entertainment which tends to degrade human beings, or to lower their standards of life and living.
(<http://www.artsreformation.com>, 2006)

Here, the difference between film for the purpose of entertainment is distinguished from film created for other purposes. It is all but stated that messages and lessons have no place in the Motion Picture industry, despite the fact that the delivery of some important messages through entertaining media is often desirable as it reaches large audiences and promotes a certain level of attention. In my youth I was often educated through various visual and audio aides, such as

animated and live action films portraying science experiments conducted by theatrical children's entertainers, music promoting the use of mnemonic devices to stimulate memorization, and games. Now media of "edutainment" is so widespread that it may be seen in most schools and children's stores, and entertainment media tends to hold a higher value in North American society if it can maintain a balance between entertainment and social or educational importance. I tend to consider this an indicator that aspects of entertainment besides sex also undergo recategorization and social values change over time. The code basically removes the possibility of portraying certain stories or characters that would elicit certain responses in those who watch motion pictures, even if it would have an underlying value that could be considered socially redeeming in the end. As one recalls from earlier in this thesis, socially redeeming value was previously considered a requirement for sexual content to be seen as acceptable as opposed to obscene. In the Hays Code, restrictions upon sexual content are placed thusly:

II. Sex

The sanctity of the institution of marriage and the home shall be upheld. Pictures shall not infer that low forms of sex relationship are the accepted or common thing.

1. Adultery, sometimes necessary plot material, must not be explicitly treated, or justified, or presented attractively.
2. Scenes of Passion
 - a. They should not be introduced when not essential to the plot.
 - b. Excessive and lustful kissing, lustful embraces, suggestive postures and gestures, are not to be shown.
 - c. In general passion should so be treated that these scenes do not stimulate the lower and baser element.
3. Seduction or Rape

- a. They should never be more than suggested, and only when essential for the plot, and even then never shown by explicit method.
 - b. They are never the proper subject for comedy.
4. Sex perversion or any inference to it is forbidden.
 5. White slavery shall not be treated.
 6. Miscegenation (sex relationships between the white and black races) is forbidden.
 7. Sex hygiene and venereal diseases are not subjects for motion pictures.
 8. Scenes of actual child birth, in fact or in silhouette, are never to be presented.
 9. Children's sex organs are never to be exposed.
(<http://www.artsreformation.com>, 2006)

Immediately the code places an emphasis that marriage is the only socially acceptable arena for sexual relationships, which makes Kammeyer's suspicion about the influence of the Catholic Church more evident. The first point (about adultery) also emphasizes this value. The second point on the list (referring to scenes of passion) severely limits the ability of a filmmaker to place emphasis on the impact love may have on the characters or the feelings of characters toward each other. Also, the use of subjective language such as "excessive" makes it difficult to determine the level of content allowed. The third point in this section is strange as it implies that seduction and rape are inherently related or even one and the same. Normally when one thinks of seduction, one thinks of the classic sexual conquest, consisting of getting someone's attention and convincing them to engage in sexual congress. Seduction does not necessarily imply force. Seduction is supposed to result in both parties being convinced of the benefits of the sexual interaction and consenting to it. Rape, on the other hand, requires some form of force. One does not need to be

seduced to be raped; these two situations would not typically convey the same message in film. I will even go one step further and state that these two situations not only should not occupy the same point on the list, but that rape should be given more consideration under the heading of crime than under that of sex. Although sex is used as a mode for violence in the case of rape, it is not characteristically the same as the consensual varieties of sex that occupy the rest of the list. Rape exists exclusively for the pleasure of the oppressor in the situation and against the will of the victim. The types of sex that are addressed by the rest of the list can and often do exist for the pleasure of all parties involved. My other concern with including sex crimes such as rape in a list headed sex is the intended reaction and message one seeks by depicting such acts. Normally the intended emotional response elicited when viewing depictions of rape and seduction are very different; therefore, I believe that if rape needed to be present on the sex list, it should exist as a separate point and be there to specify that depictions the use of sex as a violent measure is unacceptable, although I still believe it is better outlined as crime or violence (perhaps with a point under the sex heading directing the reader to the other section). As for the remark about neither of these ever being an appropriate subject for comedy, I think many would agree that rape presented in any sort of comedic light would be in poor taste. However it is difficult to picture entertainment today if seduction continued to be banned as a comedic subject since many sitcoms and comedic movies do utilize it. It is not a requirement of comedy films and sitcoms to utilize seduction for humor, but it is a popular theme. Imagine an episode of *How I Met Your Mother* without Barney Stinson hitting on everything in a skirt. Without seduction in its comedic form the Barney character would lack substance and form and the overall tone of the show would be disrupted. The same can be said of many characters in mainstream television. Some examples are Charlie from *Two and a Half Men*, Samantha from *Sex and the City*, Quagmire from *Family Guy*, Laurie (Eric

Forman's sister) from *That 70s Show*, Joey from *Friends*, Boomhauer from *King of the Hill* and Blanche from *The Golden Girls*. It is true that there are many sitcoms and movies that don't rely on seduction as a constant theme and thus, there is still a market for nonsexualised entertainment as well.

The fourth point is very vague. What constitutes a perversion would be another thing that could be construed as relying on subjective reasoning and the Hays Code doesn't provide any specificity regarding the issue. If what Kammeyer suggests about the Catholic influence on the Hays code is accepted, the concept of perversion may be considered cut and dry to Catholics. The Hays code, however, was used to regulate film content in general, meaning non-Catholic film producers would be expected to abide by rules set with definitions which may differ in their belief system and thus may find the concept restrictive. A film producer could easily tell a story portraying an individual overcoming perversion and could use a variety of methods to tell the story, ultimately sending a good message by the standards of the time. The fifth point is also vague and highlights the explicit racism in the film industry of the time, as does the sixth.

The seventh point is an interesting one. It seems to me that the use of taboos connected to the contraction of venereal diseases in film would be a good way to employ scare tactics in impressionable communities and to portray sex as evil, which although qualifying it as propaganda would have been in the interest of many conservative groups. It seems to me that sex hygiene films and films warning of the social issues surrounding teen pregnancy would be considered to have a redeeming value; since attitudes toward premarital sex were so different then, it seems likely that films restricted by both points seven and eight could have helped in the promotion of abstinence, but the Hays Code was designed to address visual and not intellectual content. What is interesting,

however, is that in 1945 the Hays code was challenged when a sex education film called *Mom and Dad* became a major success (Kammeyer 2008). The film was labeled an “exploitation film” at the time as there was a certain promise of sexual material to be presented; thus, even if the film was made with the best educational intentions, it could still attract those who wanted to see sex on film (ibid.). *Mom and Dad* and other sex hygiene films were produced by what was called an “outlaw studio”. Outlaw studios refer to those studios that produced films that fell outside of the principles of the Motion Picture Producers and Distributors of America including “stag films” (ibid.). *Mom and Dad* tells a tale of a teenager who becomes pregnant out of wedlock and soon after the man who sired her unborn child dies in a plane crash, leaving her alone to raise the child. The parents of the teen then help their daughter through this period of crisis. The film features footage of childbirth and messages warning parents not to fail their children by not discussing sex (ibid.). In order to preserve the perception of the film being for the purposes of sex education, rules were placed on attendance requiring minors to be accompanied by adults and for females and males not being admitted to shows together as well as a lecture on sexual health by “Elliot Forbes,” an “eminent sexual hygiene commentator”, during intermission (ibid: 145). The film was shown in multiple locations at once, so Elliot Forbes needed to be in many places at once. In fact, the alleged Elliot Forbes visited screenings of *Mom and Dad* in much the same way as Santa Claus visits the mall at Christmas time. Although the film was produced by an outlaw studio (and even with graphic footage) does prove that sexual discussion and certain themes can be used to make acceptable statements in non-pornographic films. This practice is more widely accepted today.

Finally we come to the last point, regarding the exposure of children’s sex organs on film. Even if the exposure is presented in a non-sexual context, the fact that children of certain ages may

not be developed enough cognitively to fully understand the impacts of various decisions implies that they should not be included in certain questionable depictions nor should adults impose on a child by making the decision to be shown naked for them. The idea of child nudity is a very controversial one, a concept which has also been challenged in film, albeit much more recently. At the age of 12, Brooke Shields starred in a 1978 film called *Pretty Baby* (Malle). The film features Shields playing a young girl who lives at a brothel with her working mother (played by Susan Sarandon), other prostitutes and their children. As Shields' character comes "of age" (around 13), she is coaxed into becoming a prostitute herself and her virginity is auctioned off to the highest bidder. She eventually falls in love with a photographer, played by Keith Carradine, who is at the brothel photographing the prostitutes as he has hired them as models for his art photography. Carradine's character is eventually seduced by Shields' character and the two begin a sexual relationship which eventually leads to marriage. The film, aside from controversial subject matter, features Shields completely naked. This is relevant to the plot and conceivably necessary, but very daring since the same point could have been conveyed by implied nudity. Even today sensitivities remain regarding minors in sexual situations. Dakota Fanning has twice been the topic of controversy because of roles she has played that critics may have felt were "too old" for her. At age 12, Fanning played a young rape victim in the film *Hounddog* (2007), and at age 16 she portrayed a 1970s rock'n'roll front woman Cherie Currie in *The Runaways* (2010). Even though she was not necessarily seen nude, the implications of the films and her characters were enough to make people uncomfortable with such a young girl playing the roles. This situation could easily be exacerbated by the fact that Fanning started her career with booming success and captured hearts at the age of six. It is certainly possible that people still associate Fanning at 16 with Fanning at six. The fact that Fanning didn't even have to be nude to kick up controversy when acting in roles portraying

sexual situations, shows just how sensitive an issue youth sexuality is in the public eye. Therefore it is reasonable to limit roles featuring nudity to actors over 18 years of age. Nevertheless, it is important to consider the context in which sexuality in youth is framed. The Hays Code presents no reasoning for why child nudity is not allowed. I don't condone child nudity in entertainment. The Hays Code however, could have been interpreted many ways. As I stated above, the Hays code unjustifiably likens seduction and rape, when one is the subject of love or sexuality and so on and the other is a criminal act of violence. If child nudity is an issue outlined in the Hays Code because of justifications regarding child porn or the idea that seeing nude children incites sexual abuse of children or that children are only presented in a sexual light when the emphasis is on perversion, then this too may be improperly lumped in with sex and should be in the crime section.

The points regarding sexual content in the Hays Code demonstrate that attitudes toward sex in the general public were very different during the 1930s and 40s, and it is understandable that over time various film producers would challenge the restrictions. The language, after all, is vague, subjective and overly restrictive considering the various socially redeeming contexts in which sexual content could conceivably be presented. According to Kammeyer (2008), the Code was designed this way in order to prevent the government from having a reason to impose restrictions on the Motion Picture industry, but the Code seems to be excessive. Luckily for the industry the Hays Code was continuously and increasingly challenged until it was no longer recognized. Challenges of the Hays Code were also significantly helped along in 1952 when the United States Supreme Court reversed an earlier decision excluding film from protection under the First Amendment (Kammeyer 2008). With filmmakers free speech rights protected, they were free to challenge the edicts of the Hays Code.

Although the Hays Code eventually dissolved, the Motion Picture industry still self-governs by a code of conduct. In 1968, the president of Motion Picture Association of America, Jack Valenti, founded the rating system that we know today (MPAA 2010). According to mpaa.org, Valenti conceived of the current rating system because he felt that the Hays Code was too restrictive of artistic freedom (ibid.). The current MPAA rating system requires that rated films display a label, featuring a rating code (like PG, R or NC-17), a brief description of some of the content (film contains use of strong language, nudity and violence) and a “rating definition” which suggests what level of parental concern should be taken when children are watching the film (“parents strongly cautioned”)(ibid). At first when I began investigating the idea that the acceptance of sex content in entertainment and pornography as a form of mainstream entertainment was increasing over time, I initially thought that the establishment of the motion picture rating system contributed to this phenomenon. I was under the impression that, as long as a rating is applied and a disclaimer is in place, filmmakers could freely incorporate sexual content into a film if they felt it necessary for plot or artistic statement. However, I have found evidence to the contrary.

The film industry still self-regulates when it comes to the code of conduct regarding depictions of sex, violence, profanity and drug use, to name a few. Although the MPAA’s “voluntary” rating system is more permissive regarding the use of sex in film than the Hays Code, there are still a fair number of restrictions on sexual content. When the goal of the filmmaker is to keep a film at a certain rating so the target audience can be reached, it must appeal to sensibilities of a particular group: the ratings department at the MPAA. The MPAA’s justification for these restrictions and how the ratings applied are questionable. First, I question just how voluntary the

rating system really is. Next, I question what qualifies an MPAA rater to determine the applied ratings.

In 2006 Kirby Dick made a documentary that investigated and exposed the MPAA's rating process entitled *This Film is Not Yet Rated*. The film consists of interviews with directors, actors, a former ratings board chairperson, and two former raters talking about their experiences with the MPAA process. The film also follows a private investigator as she attempts to identify members of the ratings board at the time (ibid.). Throughout the interviews many of the film directors alluded to the idea that the MPAA rating system was not quite so "voluntary", since directors could reject ratings if they did not agree with them, but this would leave them at a disadvantage when marketing their movies (ibid). Kevin Smith, director of films such as *Clerks* (1994), *Mallrats* (1995), *Chasing Amy* (1997), *Dogma* (1999), *Jay and Silent Bob Strike Back* (2001) and *Jersey Girl* (2004), claimed that it is difficult to secure advertising for unrated films. Others interviewed in the film mentioned that many theatres and distribution companies refuse to handle films with an NC-17 rating and that many stores will not carry NC-17 movies on DVD. So in order for a director to get the full benefit of distribution, advertising and sales opportunities, they must go along with the MPAA's standards (ibid). This implies that the MPAA rating system serves as more than just a guidance system for parents concerned about the content that their children are viewing, but also has a function of control over the film industry. There is, however, a marketing advantage to be utilized when selling film on DVD. Many producers are now marketing their DVD releases as "unrated" implying that the extended content not seen in theatres was explicit enough to warrant an NC-17 rating. This is not necessarily the case though. Although a film is considered "unrated" if the producer doesn't accept the rating given by the MPAA, "unrated" can also mean that that

version of the film was never actually submitted to the MPAA ratings department. This means that people (especially teenagers) may buy a copy of an “unrated” film expecting explicit content and may be in for surprise and disappointment.

This Film is Not Yet Rated (2006) also addresses my second question, what qualifies an MPAA rater to determine how a film should be rated and what rating to apply? According to the film, what qualifies a person to become an MPAA rater is precisely nothing. According to the film, the only rule the MPAA has for hiring film raters is that they be a parent of a child or children between the ages of 5 and 17 (Dick 2006). The MPAA keeps the names of their film raters confidential and holds the raters to a confidentiality agreement once they leave their position on the board (ibid). Dick hired a private investigator to uncover the identities of the raters and the process by which they determine ratings. The private investigator hired by Dick uncovered that out of nine MPAA raters, five had children outside of the required age range and one did not have children at all (ibid).

It is the film raters’ job to gather as a group and view movies, cataloguing indicators in the content and determining the rating that will be applied to a film. This rating not only serves as a guide to communicate to parents whether or not the film is appropriate for children of a certain age, but also as a label which distribution companies use to decide if they will promote and distribute the film (ibid). The film ratings consist of:

G (General Audiences. All Ages Admitted)

PG (Parental Guidance Suggested. Some Material May Not Be Suitable For Children)

PG-13 (Parents Strongly Cautioned. Some Material May Be Inappropriate For Children Under 13)

R (Restricted. Children Under 17 Require
Accompanying Parent or Adult Guardian)

NC-17 (No One 17 and Under Admitted)
(www.mpa.org, 2011)

The last rating on the list, NC-17, is the most severe in both stigma and consequence and has caused much controversy within the mainstream motion picture industry in recent years. The NC-17 rating was introduced in 1990 to replace the former “X” rating (Straky 2010). X-rated films were based on the same principles as NC-17 – that the content in the film was not suitable for viewing by children, even with adult accompaniment. The X-rating however was given to all films that fit this description including pornographic films (ibid). The pornography industry began to adopt the X rating for their own use as a marketing tactic (similar to the use of the “unrated” label discussed above), and soon after introduced the multiple-X ratings, often proclaiming that their films were "So adult one X isn't enough!" (Comstock 2010). The pornography industry’s repurposing of restrictions to tantalize and sell their daring product created turmoil in the film industry, both through the lack of differentiation between pornographic films and mainstream films with other inappropriate content for children, and through the degradation of the MPAA’s system caused by the porn industry’s adoption of the multiple-X-rating. Despite the NC-17 rating being developed to save certain mainstream films from the stigma associated with pornography, the NC-17 rating is still a black mark for films, and evidence that despite the rising acceptance of pornography and sexual content in general, there are still many issues being fought over in the film industry regarding sex.

Many films have received NC-17 ratings over explicit sexual content. Filmmakers have often challenged NC-17 ratings, deeming it inappropriate for their films when considering the context in which the content was presented. Many have also found that the NC-17 rating is not appropriate when drawing comparisons to other films featuring similar or more graphic content which only got the R rating (Dick 2006). Often films featuring graphic violence and disturbing, gory imagery will receive an R-rating, while a depiction of a woman receiving cunnilingus with no actual nudity (during a scene from *Blue Valentine*, 2010) receives an NC-17. According to an interview with *Blue Valentine*'s male lead, Ryan Gosling, the non nude, oral sex scene was the reason the MPAA rating board specifically cited as the reason for the NC-17 rating, despite other sex scenes in the film featuring actual nudity (Williams 2010). As stated above, NC-17 ratings make it very difficult to secure distribution and other industry supports and resources.

In spite of all this controversy over NC-17 ratings and the arbitrary standards imposed by the MPAA, it does illustrate some interesting evidence for the theory of re-categorization. Although my original thoughts about the use of disclaimers allowing permissiveness regarding the use of sexual depiction and the role of the MPAA rating system in re-categorization are incorrect, there is still further evidence to consider related to the MPAA ratings. The fight between filmmakers and the MPAA proves that there are filmmakers who want to incorporate sex into films without it being stigmatized as filthy or immoral in the same way as they were back in the days of the Hays Code. There are conceivably even more people who would support these filmmakers through their desire to see the films and purchase tickets and copies for home viewing, and certain interest groups find this threatening to their sense of morality. The limiting of the production of films portraying sexual situations would be considered unconstitutional in the United States as it

would violate the first amendment regarding freedom of speech and expression. This is why the 1915 court decision discussed above was overturned. I suspect it is also why the MPAA ratings system is said to be voluntary. The MPAA will not force you to accept a certain rating, but failure to do so may cause the industry to exercise its right to not support your film.

Like the film industry, television too has a content rating system used to regulate standards and communicate to parents what kind of content they may expect to see in shows with certain ratings. The FCC (Federal Communications Commission) in the United States developed a rating system for television broadcasting intended to provide parents with information needed to help them control what their children were viewing in home. The ratings consist of:

TV-Y (all children)

TV-7 (children over seven years of age)

TV-7-FV (for children over seven years of age but contains “fantasy violence”)

TV-G (general audience)

TV-PG (parental guidance suggested)

TV-14 (parents strongly cautioned)

and **TV-MA** (mature audiences)

(ehow.com, Date Unknown, www.tvguidelines.org, Date Unknown)

The FCC’s television ratings system is said to mirror the MPAA’s rating system. However, limited information is available on how the ratings are determined. The lack of transparency in the process may contribute to the suspicion that the assignment of ratings is determined arbitrarily or without

sufficient cause. In Canada a television ratings system was also put into place in 1997 (very similar to the American system) possibly because the cue to implement such a system was taken from the United States. The Canadian television content ratings are:

C (children)

C8 (Children over eight years of age)

G (General)

PG (Parental Guidance)

14+ (Over 14 years of age)

18+ (Adults)(Media Awareness Network, 2010)

However, film ratings in Canada are handled differently from the United States. For instance film ratings are determined provincially and by censorship committees, instead of utilizing the MPAA ratings (Ontario Film Review Board 2001). In Ontario the OFRB (Ontario Film Review Board) determines the rating, which is mandatory for films to be sold in the province. Ratings are determined by a government regulated board, instead of by a group selected by an industry association. The appeals process is different as well. While in order to appeal an MPAA rating the filmmaker must approach a panel of industry reps, the final arbiter in the appeals process in Ontario is required to have never seen the film in question previously – meaning they have no prior interest in the film and the determination of objectionable content is more objective (ibid).

In the 80s the coded system in Ontario consisted of four levels:

F(Family)

PG (Parental Guidance)

AA (Adult Accompaniment)

R (Restricted) (ibid)

This four-tier ratings system was found to be insufficient as the mandate of the OFRB changed. According to the OFRB's website, the board changed their mandate in the 80s to emphasize a concern over classification as opposed to censorship, and in the 90s incorporated classification of home video and adult (sex) films (ibid). In 2003 the OFRB changed their classification system to a five-tier system:

G (General)

PG (Parental Guidance)

14A (Under 14 must be accompanied by an adult)

18A (Under 18 must be accompanied by an adult)

R (Restricted to anyone 18 and over)

(www.ofrb.gov.on.ca, 2011)

Under the newest incarnation of the OFRB rating system a classification of "E" may be applied to films that are exempt from mandatory rating by the board. These films include: documentaries, nature, travel, music, arts and culture, sports and leisure, educational and instructional information films (ibid.). Adult Films, defined by the Film Classification Act of 2005 as "a film that has, as its main object, the depiction of explicit sexual activity", must be approved, classified and labelled before it can be sold in Ontario (ibid). According to the OFRB website all adult (sex) films are screened "in accordance with guidelines dealing with areas such as consent, physical abuse, coercion, humiliation, degradation, and so on" (ibid.). Essentially the OFRB's main concern is not that sex content and pornography are being sold, but that the porn

sold is produced legally and features no actual harm. Examples of films banned by OFRB include: the 2001 Film entitled *Fat Girl* was banned by OFRB due to the scene featuring full frontal nudity of underage girls and what was described as a “fairly brutal rape scene” according to a quote for an article on the *Screen Daily* (2001) website. The ban was overturned in 2003 (Kirkland, 2003). The concern over the use of child actors in nude and sex scenes is understandable as there may be concern over harm to the performer. Aspects of harm to the performers in adult cases seem to be of less concern to the various film and television ratings boards who only seem to deal with the final product of the film. Actress Linda Lovelace of *Deep Throat* fame wrote an autobiography entitled *Ordeal* where she tells of many terrible abuses including forced prostitution and performance, rape, severe beatings resulting in permanent injury and forced confinement, that she claimed to have suffered at the hands of her former husband Chuck Traynor (Steinem, 1983). Although, *Deep Throat* was banned in several provinces in the 70s it was likely banned over pornographic content and not over any potential endangerment to Lovelace. Also, I have been unable to find *Deep Throat* on any ban lists for Ontario on the internet. My criticism here is that if the harms of pornography are a concern of film boards that rate, perhaps the safety of the actors and the legal aspects of the production of films should be evaluated before a film is cleared to be distributed. I realize that this would likely require a completely different regulation board (or set of them) to be established, but if harm is the real concern, then the potential for actual harm and not depictions of it should be addressed. This is not to say that all pornographic movies are made under the circumstances that Lovelace alleges *Deep Throat* was, but when dealing with the sex industry, past practices weigh heavily on the present and in this light it is best to state that all performers have a right to safety and security.

Film and television are not the only forms of entertainment governed by rating systems. Video Game ratings, like those in the American film industry, are self-imposed regulations and guidelines for content and an indicator to consumers of what kind of content can be expected. According to Kammeyer (2008), some video games are now designed for the purpose of providing access to sexual content. If this is true it is reasonable to put warnings into place. Damon Brown (2008) observes that sexual content appeared in video games as early as the 70s and these were being produced and sold long before the content rating system was put into place in this industry. In his book he discusses how, when a new form of technology is introduced, pornographers find a way to sell sex through it, and this is evident when he discusses early video games like *Custer's Revenge*, a game that features sex and nudity in 8-bit graphics.

The incorporation of sexual content in video games does provide further evidence of re-categorization. It shows that through technological advancement (like Kammeyer pointed out) we find new places to include sexual content and the fact that people fight so hard against censorship coupled with the success of sales of entertainment items including sex content proves that there is a demand. As with the motion picture and television industries with the accepted introduction of certain amounts of sexual content comes the inevitable regulation. The ESRB (Entertainment Software Review Board) is the regulating body for the video game industry. As stated above the video game industry imposes its own rating system avoiding government intervention. Like film and television the purpose is to provide a disclaimer system warning concerned parents of the content before they purchase games for children. What is unique about the video game rating system is that according to Kammeyer (2008), the video game industry – recognizing sex as marketable – decided to sell sex in games and thus needed a code to make this

possible, unlike in the film industry where the original Hays Code prevented sex from being sold at all and other rating systems evolved from there. The video game rating system also differs as it is the only rating system designed under the consultation of experts in fields of child development and a range of other academic fields and are then subjected to research involving parents of the demographic that the ratings are intended for (ESRB 2011). The ESRB ratings are:

eC (Early Childhood – recommended for ages 3 and up)

E (Everyone – acceptable for anyone age 6 and up)

E10+ (Everyone 10+ - acceptable for anyone age 10 and up)

T (Teen – age 13 and up)

M (Mature – age 17 and up)

Ao (Adults only – should only be played by persons 18 or older)

RP (Rating Pending – has been submitted for rating but has not yet been assigned) (ibid)

The ratings are based on coded indicators and the frequency and detail that the indicators appear in the game. By utilizing experts the ESRB has the advantage of making informed and balanced decisions based on evidence regarding concerns in the industry as opposed to the MPAA where the decisions to designate films to a certain rating are entirely arbitrary and made by untrained individuals (ibid). Uninformed decision making such as this has rarely yielded favorable results. To be fair, the use of the average parent to determine a rating system is an unrealistic endeavor. The amount of hours it takes to play a game far exceeds the time required to watch a film. Also, video games require a different type of thought, reaction and even hand eye

co-ordination that a non-gamer would not be accustomed to. Parents who would be capable of putting in the game play required to rate a game would likely carry certain biases. What is difficult to understand is why the MPAA would favor the use of only the panelists selected on their current selection criteria and not introduce professionals like those utilized by the ESRB to work alongside them to determine and assign ratings. The one advantage I can see to this is purely social. Since the MPAA are not governed by any government body and claim their ratings system is based on voluntary participation, they don't have an ethics board to answer to and can afford to utilize biases to produce favorable results. Fortunately the ESRB's rating system is far more likely to provide a fair assessment of the content and give video game producers equal opportunity in the market. It also allows purchasers to make informed decisions about their purchases based on whether or not they choose to indulge in entertainment featuring sexual content.

In spite of the repressive tactics of the MPAA and other similar systems, there remains a prevalence and popularity of sexual content in media. This is evidenced by the amount of commentary (on the Internet) pointing out how unreasonable certain ratings are and demonstrates that people want to freely make the decision for themselves to be able to view sexual content. There often appears to be a tone of general insult that the MPAA thinks they have a right to censor or suppress sexual content that the public wants to see.

It is not uncommon to now have porn stars achieve celebrity status. Names like Jenna Jameson appear in celebrity gossip rags and websites. Names of porn actors like Ron Jeremy, John Holmes and Traci Lords have become so widely known. Many porn stars even make appearances in mainstream films. Horror remake *Piranha* (2010) featured cameo appearances by adult film stars, Riley Steele (*Pirates 2: Stagnetti's Revenge*, 2008), Ashlynn Brooke (*Ashlynn*

Goes to College, 2007) and Gianna Michaels (*The Office: a XXX Parody*, 2009) as well as reality TV shows, *The Surreal Life* and *The Surreal Life: Fame Games*, featured on MTV featured Ron Jeremy. Even Hugh Hefner has appeared on *The Simpsons* (1993) and many other mainstream television shows. There is also an abundant variety of late night reality shows available on cable subscriber networks that focus on porn stars and the porn industry, which have survived for a number of years. These shows and appearances by porn stars would not be in demand if not for the popularity of the porn industry, which in recent years has even started to mimic the mainstream film industry. Every January the Adult Entertainment Expo is held in Las Vegas and devotes an entire day of its three-day event to welcoming fans to stroll around and see the many booths and meet their favourite stars. Adult Video News holds a video award show annually complete with red carpet media coverage and Oscar-style presentations. All of these are ways that the porn industry seeks legitimization as a form of entertainment and assumes a place in popular culture. And this is not the only way. It is not enough for the porn industry to decide it wants to act like its mainstream industry counterparts, the fact remains that there are enough consumers of pornographic content out there to support this industry and the amount of money spent on porn and the number of fans, voluntary participants, production companies, host websites and so forth continue to grow.

Conclusion

The central idea in this thesis has been the impact of technology on the changes pornography has undergone throughout its history. Although I also explore legal issues and film ratings, technology still remains the unifying thread. Had it not been for the influence of new technologies that changed the form, accessibility and cost of pornography's production and consumption – not to mention the change of venue – the porn industry could not have grown to the point where its presence in entertainment (underground or mainstream) would merit discussion or concern.

One film demonstrates these points perfectly – George Gallo's 2009 film *Middle Men*. The film was inspired by true events and follows Jack Harris (played by actor Luke Wilson), a professional business consultant with a talent for rescuing near-failing businesses. He is approached by a lawyer who has heard of his talents and asks him to help two young people manage the business tied to their invention, which has gained such popularity that they can no longer manage it on their own. The two young men, Wayne (Giovanni Ribisi) and Buck (Gabriel Macht) have invented a computer program which allows secure credit card payments online and paired it with an Internet based subscription program for pornographic photos and videos. The program code written by Buck took 15 minutes to write and ultimately became the standard used in *all* online credit payment transactions. The 15 minutes of Buck's time would not only affect how the world did business online but would also change how the world viewed and utilized pornography. The program allowed consumers to discreetly bring porn into their homes, eliminating the need for Wayne and Buck's clientele to go out and risk being seen in adult bookstores in potentially dangerous areas of town (discussed in chapter one). The program

essentially gave consumers the ability to stay in a safe and private environment and to have porn delivered directly to their screens instantly, anywhere in the world. The film even addresses the idea of how large the potential audience for Internet porn could be. Wayne comments in the film when Buck wonders where their first customer is as his purchase was made during the late night or early morning hours that their customer “could be on the east coast or ... anywhere” (Gallo 2009).

Soon after writing the code and building the web site, Wayne and Buck decided that they wanted to be informed every time a new subscriber purchased one of their products and incorporated a bell into the program so they could be alerted when a new customer spent another \$9.99. Eventually they incorporated a variety of genres of pornography to suit the various tastes of their clientele and differentiated the subscription types with different sounds. Soon their apartment became a cacophony of bells, whistles, buzzers and chimes. The effect was likely used in the film for comic relief but did an excellent job of emphasizing the differing tastes of online users and the demand for different genres. The Internet is a unique venue for pornography as it is the only one where amateurs, professionals, voyeurs and participants can all reliably find what it is that suits their desires. The possibilities for volume and variety are endless (as discussed in chapter 3). The bells, whistles, buzzers and chimes ringing throughout the apartment in the film also show how profitable porn can be. Even though there is a lot of porn available online for free and many porn companies are declining, the story told in *Middle Men* does make the point that pornography as a form of popular entertainment is in high demand.

As the film progresses the demand generated for Wayne and Buck’s project calls for expansion. Their bad business sense leads them to a strip club run by mobsters in order to

propose taking pictures and video of their exotic dancers in order to produce new content in exchange for a cut of the company's profits. When the company starts to generate so much revenue that the partners can no longer keep track of it, trouble ensues. This is the point where Wayne and Buck's lawyer makes the recommendation to Jack Harris that he step in and counsel them on how to fix the business. The point made here is that there is a tie-in of legitimate business practice when it comes to managing the production and sale of pornography. This is one of the factors that allowed pornography to develop into an industry. This in no way marks the origin of the industry, but rather an expansion in both size and scope. Further expansion of the industry and increasing popularity allowed the industry to develop its own Hollywood-esque characteristics. The film features award shows and paparazzi as well as references to fandom of porn stars that have achieved celebrity status within their industry. This celebrity status was not unknown (in the film) to certain branches of the government dealing with issues of homeland security.

The film's main porn star character, Audrey Dawns, is called upon to help track the whereabouts of persons of interest to the United States government. This was possible because of the use of geo-location software. In the film the FBI caught wind through the Internet equivalent of "chatter", that several persons suspected of involvement in terrorist groups not only loved to follow Audrey online, but generated porn images of women with guns and other military themed props. Soon thereafter the FBI approached Audrey and asked her to set up a specific military themed website which would be monitored. The geo-location software, designed to determine the location of the people accessing the site, was used to pinpoint the location of criminals who had accessed the flagged site. The use of the porn site and the geo-location software further emphasize the link between pornography and high-tech. This also re-affirms the demand for porn

as entertainment. The FBI (in the film) were so aware of the wide spread popularity of porn and for the preference for the specific military themed niche that they could reliably capitalize on its use in their operation.

As demonstrated by the film and highlighted in the above points, pornography and technology have a longstanding relationship. The two not only complement each other but expansion of one industry influences the other; technological advancements influence growth and innovation in porn, which in turn creates new markets and uses for growing communications and media technologies. What *Middle Men* demonstrates is that there is not only an apparent marriage between technoculture and pornography, but also that the relationship between the two exposes porn and causes it to change and adapt through the new exposure. Pornography's use of new technology has made it more abundant and available than ever before, and this new availability and exposure has generated discourse on what sexuality means to the masses and has brought up questions of morality and legal issues – as discussed in chapter two. All of these discussions have called for an essential re-examination of ourselves in determining what position we take on the issues surrounding pornography and sexuality in general.

All of these factors – technology, exposure, discourse, re-examination – lead to pornography's changes. Porn ultimately becomes re-categorized as its delivery, reception and characteristics change over time. Within the terms of this thesis, the key point in discussing *Middle Men* is that the piece of software that allowed the Internet porn industry to blossom is not about content, not about sexuality at all, but about technomaterial foundations that help to normalize porn's place in cyberculture.

I would like to offer one final idea. Since it is apparent that through technological advancement and expansion, increased availability and exposure, sexual content will increasingly join the mainstream and pornography in many forms will become more normalized, we can expect that this phenomenon will continue and porn and porn culture will continue to change. I think it is appropriate to end here with a quote from Luke Wilson's character in *Middle Men*: "The more time you spend around this stuff, the more normal it becomes" (Gallo 2009).

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