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BRIEF EXCURSE INTO A WAR ON REPRESENTATIONS

Abstract. While the hypodermic needle model of media influence has been largely rejected by the scientific community, along with the subsequent characterizations of the media spectator as a passive one, always vulnerable and reacting uniformly to the stimuli injections coming from various channels, in the ongoing desperate “war on pornography” it still remains one of the most often used arguments, along with the constant need to protect the public from the perceived threat of demographic and moral extinction. This paper aims to briefly explore some of the theoretical approaches to the phenomenon, both academic and more mundane, in an attempt to shed some light on the idiosyncrasies of this modern iconoclastic movement.

Keywords. Pornography, anti-pornography movement, feminism, cultural critique.

All in all, nowadays, pornography, as a cultural product, is mainly based on images, static, in motion or even just mental images and, as such, in no way different than the media it employs, such as photography, motion pictures or written words. Even when judging contents, there are no proper rules to distinguish between a pornographic use of sexual representations and a legitimate one. There exists, nevertheless, an almost universal consensus that, whatever it may be and however it may be defined, pornography is socially undesirable, and must be properly regulated and, eventually, eliminated, due to either its harmful influences, its immorality, or the social consequences of human rights abuse its industrialization brings.

1. Juridical perspectives and definitions

From a legal standpoint, the language is extremely ambiguous. In the United States jurisprudence, there is always an appeal to an undefined “public morals”

framework, a form of common knowledge not needing proper juridical definitions. It is well known in this respect the quotation from Justice Potter Stewart's opinion for the 1964 US Supreme Court decision in *Jacobellis v. Ohio*, in which Louis Malle's film *Les amants* was tried for obscenity:

I shall not today attempt further to define the kinds of material I understand to be embraced within that shorthand description; and perhaps I could never succeed in intelligibly doing so. But I know it when I see it, and the motion picture involved in this case is not that. (Justice Potter Stewart, concurring opinion in *Jacobellis v. Ohio*, 378 U.S. 184 (1964), web)

It comes apparent that the Justice purposefully tries to avoid even entering a debate, thrusting the issue from the public sphere back into the shadowy one of private discretion. In the same decision, Justice Arthur Goldberg creates even more ambiguity by actually giving a definition of sorts:

I wish merely to add to my Brother Brennan's description that the love scene deemed objectionable is so fragmentary and fleeting that only a censor's alert would make an audience conscious that something "questionable" is being portrayed. Except for this rapid sequence, the film concerns itself with the history of an ill-matched and unhappy marriage – a familiar subject in old and new novels and in current television soap operas. (Justice Arthur Goldberg, concurring opinion in *Jacobellis v. Ohio*, 378 U.S. 184 (1964), web)

According to this, in spite of something "questionable" indeed happening, it does not, in itself, constitute obscenity, because, although the film in question shows explicit sex scenes and nudity, it also uses montage to fragment the visual stream, thus rendering it less relevant in the final product and reducing its impact on viewers.

In a later case, *Miller v. California*, in 1973, the same Supreme Court tries to establish a ground rule for determining the difference between pornography and protected free speech. *The Miller Test*, the norm ever since in cases regarding possible obscenity, states three main criteria for exclusion from constitutional protection:

The basic guidelines for the trier of fact must be: (a) whether "the average person, applying contemporary community standards" would find that the work, taken as a whole, appeals to the prurient interest, (b) whether the work depicts or describes, in a patently offensive way, sexual conduct specifically defined by the applicable state law, and (c) whether the work, taken as a whole, lacks serious literary, artistic, political, or scientific value. (*Miller v. California*, 413 U.S. 15 (1973), web)

The Miller Test fails to define both what an average person is and the methodology for determining the value as demanded by the third criterion, thus being, in fact, either unenforceable, due to its lack of rigor, or potentially dangerous due to the arbitrary assignation of decisional powers.

Romanian law, for example is no exception. It appears to be inspired

from its American counterpart and, in trying to be stricter, only manages to become vaguer. Judging from its title, *Law concerning the prevention and combating of pornography*, we can already determine that, in the lawmakers' view, the phenomenon becomes a sort of social disease of pandemic proportions, which must be fought and eliminated. The second article concerns itself with definitions. Attempting to be exhaustive, the text deems as obscene materials any "objects, engravings, photographs, holograms, drawings, writings, printed materials, logos, publications, films, video and audio recordings, commercials, computer programs, songs and any other form of expression which show explicitly or suggest a sexual activity" (my trans.). This would indeed offer a starting point for a real debate, were it not for the third article, stating that the law does not apply if the concerned material is a work of art or science, or it presents an artistic, scientific, research, educational or informational interest. This interest, like the values in the Miller Test, remains unexplained and left, we can assume, at the judge's discretion.

With the advent of the Internet and, later, of the World Wide Web, the distribution of pornographic materials has shifted from the more localized, traditional venues such as adult stores and cinemas towards the information superhighway. This shift is becoming increasingly stronger. In 2003, adult sites comprised about 1.5% of the total number of internet sites (Thornburgh & Lin 72), growing to 12% in 2007, according

to a study compiled by the Brigham Young University's Women's Services Department (National Pornography Statistics). Due to the Internet's dynamic nature, the total number of viewers can only be approximately estimated, the aforementioned study placing it around 72 million unique individuals per day.

The network's transnational character makes enforcement of national laws and regulations highly unlikely in the lack of a common legislative framework. Coupling this with the legislators' inability to actually define it, pornography finds itself in an obscure position, a legal in-between which allows it to thrive but subjects it to vigorous attacks and criticisms, as we are going to explore in the further pages.

2. Christian objections to pornography

While few religions, if any, have explicit scriptural precepts against pornography, religious organizations are nonetheless one of the most important belligerents in this seemingly unending conflict. The main Christian arguments, which also stand at the base of the abovementioned legal ones, connect pornography with adultery, citing both the Old and the New Testament. While the references are never direct, the most often quoted passages are Matthew 5:28, stating that "If a man looks on a woman to lust after her, he has committed adultery with her already in his heart" and Psalms 101:3, stating that "I will set no wicked thing before mine eyes". It is interesting to note that the psalm verse does not appear at all in the Orthodox translations of the Bible and

varies considerably between Catholic and Protestant translations, whereas Matthew 5:28 establishes an extremely gender-biased framework for determining sin.

In order to address these ambiguities, a group of American religious leaders adopted in 1986 a joint statement, unequivocally condemning pornography from common moral and social stand-points:

Pornography distorts the goodness and beauty of human love and sexuality and undermines those beliefs and values which are essential to the stability of any society. It threatens the innate dignity of every person and erodes the general moral fiber. As leaders of churches and synagogues in Florida, we recognize and accept our responsibility to speak clearly and forcefully in condemnation of this contemporary moral plague. (Statement by Florida's Religious Leaders against Pornography)

The most obvious fallacy in the above paragraph rests in considering pornography a contemporary moral plague. Even if we exclude obscene literature and sacred sexual imagery from the debate, researchers such as Lisa Sigel place the first mass distributed European "girlie magazines" as far back as 1436 (Sigel 2), which makes the phenomenon anything but contemporary. What the signatories affirm seems extremely out of proportion, especially the statement that it undermines social stability. If it were true, after more than two millennia of recorded explicit depictions of sexuality for entertainment purposes, we probably would have no society at all. Furthermore, we are left with

no explanation as to how exactly does it "threaten the innate dignity of every person". This is either an acceptance of the fact that every person has, in some way, direct contact with obscene materials, or an assumption that said materials possess some supernatural means of universal corruption. A further paragraph sheds some light on the topic:

One of the most disturbing aspects of pornography is its availability. It is openly displayed at newsstands, convenience stores and other places of business. Pornographic video tapes for use on home video cassette recorders are available for purchase or rent. Television, especially some cable networks, broadcasts obscene material into our homes. Dial-a-porn services provide access by telephone to pornographic messages. (Statement by Florida's Religious Leaders against Pornography)

At a closer inspection, we can plainly see that we reach a theological *aporia*, especially from a Christian point of view, since condemning the availability of the tempting agent stands in direct opposition to the doctrine of temptation. They further add: "We call upon our congregations and other citizens to join us in support of this effort by boycotting merchants and advertisers of pornography". Common sense dictates that in order to expunge a product from a market, one must reduce demand, not try to ban supply, and history has shown this to be true in a number of contexts, including the American alcohol prohibition or the more recent war on drugs. The church

leaders' common statement is, therefore, not only pragmatically inefficient, but also socially and economically irrelevant. They try to destroy harmless images, while at the same time completely ignoring the underlying mechanisms which make the images marketable.

3. *Feminist critique*

Feminist scholars and activists take two radically different stances concerning our topic of interest. On the one hand, authors such as Andrea Dworkin, Susan Griffin or Catharine MacKinnon view it as abuse, causing objectification and leading directly to violence against women. On the other hand, self-entitled "pro-sex feminists" such as Ellen Willis challenge the very foundation of the formers' assumption of a male aggressor who abuses a passive woman, and consider pornography as a medium for liberation and expression of one's own sexuality.

Amongst those in the first category, the most well-known, as well as the most vocal, is Andrea Dworkin who, in her 1979 book *Pornography: Men Possessing Women*, makes one of the first interesting, although fundamentally flawed, arguments for this war on images:

A system of dominance and submission, pornography has the weight and significance of any other historically real torture or punishment of a group of people because of a condition of birth; it has the weight and significance of any other historically real exile of human beings from human dignity, the purging of them from a shared community of care

and rights and respect. Pornography happens. It is not outside the world of material reality because it happens to women, and it is not outside the world of material reality because it makes men come. The man's ejaculation is real. The woman on whom his semen is spread, a typical use in pornography, is real. Men characterize pornography as something mental because their minds, their thoughts, their dreams, their fantasies, are more real to them than women's bodies or lives; in fact, men have used their social power to characterize a \$10-billion-a-year trade in women as fantasy. (4)

While the first part, equating pornography – due to its essentially consensual and lucrative nature – with torture in a literal sense is quite exaggerated, the argument is interesting because it raises the always fertile question of what exactly constitutes reality in our hyper-real world. Is the viewer merely watching an image, as he would watch a painting or an anatomical illustration, or does he, while using the image for arousal purposes actually create a sort of parallel reality of representation, in which the actors become real, at least as real as what Baudrillard would call third order simulacra? Dworkin certainly seems to suggest so, and, if true, this would be a first valid argument for the destruction of the image: it must be destroyed, because it perpetuates a cycle in which the woman is repeatedly raped and abused each time it is viewed.

The argument is flawed, however, because it is gender-biased in considering

pornography spectatorship an exclusively male activity. While 78% of viewers are indeed said to be men, the aforementioned study shows a remaining 28% female viewers (National Pornography Statistics). Apart from this bias, Dworkin's assumptions seem quite valid, surely a good starting point for a further discussion.

Another author, Susan Griffin, offers a different point of view in considering pornographic imagery as humanity's struggle to control, out of fear and ignorance, nature and the dark caverns of the human soul. Pornography, she argues "is an expression not of human erotic feeling and desire, and not of a love of the life of the body, but of a fear of bodily knowledge, and a desire to silence Eros" (1). She further explains:

As we explore the images from the pornographer's mind we will begin to decipher his iconography. We will see that the bodies of women in pornography, mastered, bound, silenced, beaten, and even murdered, are symbols for natural feeling and the power of nature, which the pornographic mind hates and fears. (2)

In Griffin's view, the "pornographic mind" or the "chauvinistic mind" is to blame for all the dark spots of human history; it permeates our mindset (3) and is responsible for our most atrocious deeds, but is also the cornerstone of our culture (91). Overall, the author implies that women are universal victims because of the children's innate struggle against perceived ties which bond them to their mothers. Subsequently, in creating an

image, the pornographer asserts his independence. What Griffin offers as an alternative to the soulless world created by pornography is "Eros", embracing the child's innocence and vulnerabilities and rejecting the western cultural models of competition and independence (75). This approach somewhat resembles Julia Kristeva's considering the modern human soul corrupted, and its "meanings suspended in images" (1997 15). By breaking the image we regain the meanings and, eventually, our souls.

Feminist thinking, when stripped of its radical gender tomfoolery, offers us the most courageous perspective on the abusive nature of human interactions, a perspective which, by giving us back our souls, also appears to give us a way out from the implacable althusserian ideological cycle.

4. What pornography is, or isn't, or may be

There is, of course, a vast amount of opinions engaged in this battle, ranging from pertinent-looking psychological and sociological studies which show either disastrous influences on demographics and societal values, such as the Zillman and Bryant (1987) or a direct correlation between pornography viewership and rape incidence, such as Straus and Baron (1984) to more lenient approaches such as Simon LaJeunesse's 2009 failed impact study, which made headlines after finding that all male students interviewed watched "questionable content" on a regular basis, without any real consequences.

It is not in the scope of this article to exhaust the field or to offer one more

weapon to the war. We must note, however, that in our opinion, the entire debate is completely irrelevant. Opponents of pornography fight images, lifeless and soulless objects. They fight a detached *representamen*, while behind the frontlines the object spawns countless *interpretants*. It is a hypocrite cultural civil war which, unlike the classic iconoclastic movements that have swept throughout our history, ravaging churches and galleries, pits the id against the super-ego, in a futile engagement that can never be won by either side.

Pornography exists because people need it. The anti-pornography movement exists because the same people need to prove themselves above such needs. In this respect, Griffin is right in her analysis of human culture. We do exist in a constant state of struggle against (our own) nature. Until this is resolved, we will continue to produce pornography, recognize it when we see it and properly dispose of it in a self-righteous gesture of liberation from the flesh, over and over again.

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