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Inured to Obscenity but Sensitive to Pornography: Aren't Our Definitions Blurred?

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Abstract: *With the increasing penetration of technological devices and access to Internet in the society, the exposure to obscene and pornographic material is increasing. There are various offline media like Television, Newspapers and Hoardings too that keep on serving with content eligible enough to be termed obscene and pornographic. The show business and commercial advertisements through the said media are indirectly doing damage equal to that done by pornographic websites directly. The current paper laments the thinning of line among content termed as romantic, erotic and prurient. There is a direct positive correlation between exposure to obscene and pornographic material and the vulnerability of young minds to get addicted to cheap pleasure. The paper presents analysis of latest on-goings in the field followed by factors leading to blurred definitions. It also presents discussion on current trend, possible future inclinations and recommends actions to be taken.*

Keywords: *Advertisement, Newspaper, Nudity, Obscenity, Pornography, Sex*

I. Introduction

The advent of advanced and cheap technological devices along-with easy to use applications and softwares deployed on such devices has brought the world to the finger tips of even teenagers of schools. With such an easy access to Internet, the access has also reached to various websites providing obscene or pornographic material. Such pornographic material may be in textual, audio, video or image format. According to Turvey [22], sexual fantasies are reflected in personal choices with respect to pornography, which is widespread and has become mainstream. Pornography is not associated causally with violent or criminal behavior but does become a problem when its use as a fantasy aid turns into an addiction. Deviant sexual behaviour includes exhibitionism, fetishism, sexual coercion, open relationships, infidelity, and autoerotic asphyxia. According to Delevi and Weisskirch [3], "Sexting" refers to sending and receiving sexually suggestive images, videos, or texts on cell phones. According to Agmo [1], hyperactive sexual desire is an ambiguous concept. Its meaning is most variable and always arbitrarily determined. Dominant social prejudice appears to be the main determinant. Hyperactive sexual desire, sexual addiction, or compulsive sexual behavior all refer to some state of heightened sexual activity. India is a conservative country where general and open discussion about Sex or its likes including Pornography and Obscenity is still a taboo. The traditions, customs and the exceptionally conformist and conventional orthodox schools of thinking still dominate many families in Indian society. The Indian central government formulated and implemented the famous 13 chapter and 94 sections containing Indian Information Technology Act 2000. The Amendments of IT Act 2008 was later on introduced and implemented to cover various newer aspects not covered directly in the IT Act 2000. The Section 66E in Chapter XI called Offences deals with punishment for violation of privacy.

According to Legal Dictionary [12], Obscenity is defined as the character or quality of being obscene; an act, utterance, or item tending to corrupt the public morals by its indecency or lewdness. According to Wikipedia [14], Pornography (often abbreviated as "porn" or "porno" in informal usage) is the explicit portrayal of sexual subject matter for the purpose of sexual arousal. Pornography may be presented in a variety of media, including books, magazines, postcards, photographs, sculpture, drawing, painting, animation, sound recording, film, video, and video games. According to Care.org [13], Pornography is the explicit representation of sexual activity in print or on film to stimulate erotic rather than aesthetic or emotional feelings. It stimulates the pleasure centre of the brain. 'Soft core' and 'Hard core' pornography have no legal or dictionary definitions. They are two ends of a continuing line, which starts at bare breasts and genitals and ranges towards violence, bestiality and child pornography. In recent times what used to be thought of as 'hard core' is appearing in 'soft core' top shelf magazines and is readily available on the Internet. The boundaries are blurred.

II. Literature Review

There are several instances of similar and related works in scientific and research community, though they differ more or less in context from the notion floated in the current paper. There are also evidences of spatially distributed research regarding influence and discussion of sexual exposure and usage of sexually explicit text.

The researchers from different parts of the world have expressed their concerns over the matter in context through their research works. These kinds of research works have focused on different dimensions. Jonsson et al. [6] have conducted a survey on voluntary sexual exposure online among Swedish youths. They have also tried to analyze this exposure from viewpoints of social background, Internet behavior and psychosocial health. Out of those taking part in the survey, 20.9% (19.2% boys and 22.3% girls) reported experiences of voluntary sexual exposure online. Manaf et al. [10] have also identified reading and watching porn as a serious factor leading to pre-marital sex. They have claimed that the prevalence of pre-marital sex among mostly 18 year old subjects of their study was 4.6%. A total of 6.2% of the female trainees as compared to 2.6% of their male counterpart had had pre-marital sex. Analysis using multiple logistic regression revealed only six significant predictor variables which were religion, race, lover, reading or watching porn, masturbation and bullying.

Samimi and Alderson [20] conducted a study to examine the relationship between sexual attitudes and the practice of sexting. Klettke et al. [7] have proved that people who have sexted are more likely to engage in sexual risk behaviors. Saini and Desai had worked towards identification of slang words [19] and Hindi words [16] in Pornographic UBE. They had also worked towards identification of non-lexicon non-slang unigrams [17] and non-lexicon slang unigrams [18] in body-enhancement medicinal UBE. Ma and Shek [9] examined longitudinal changes in pornography consumption and related psychosocial correlates among adolescents. They found that the internet was the most common medium for consuming pornography materials. Boys consumed more pornographic materials than did girls. According to Limmer and Horvath [8], though our society is drenched in pornography, we know little about its true impact on young people. Schussler [21] conducted a study with purpose of following philosophical, psychoanalytical and literary research of the obscene and to demonstrate the fact that the transition from eroticism to pornography was achieved with the transition from the instinctual stage to the cultural stage, through transgression of the sexual taboo.

Mitchell et al. [11] explored the decline in online sexual solicitations between 2000 and 2010 by examining the characteristics of solicitations to better inform prevention efforts. The results of a study of Delevi and Weisskirch [3] suggest that men and those in romantic relationships are more likely to sext, particularly through text messaging. Dir et al. [4] have found that Sexting, alcohol use, and sex-related alcohol expectancies were involved in hookups. They advocated that Sexting mediated the relationship between problematic alcohol use and hookups. Igbo et al. [5] indicated that there is a joint significant influence of ICT, school, sex and age on cybercrime, aggressive behavior, truancy and sex crimes among youths. Benotsch et al. [2] studied the cell phone usage among young adults and focused on the public health implications of Sexting by examining associations between Sexting, substance use, and sexual risk behavior in youth. Turvey [22] in his work on criminal profiling writes that people routinely lie about or conceal their sexual habits and histories. In the absence of consistent parenting, children and adolescents are being educated about sex and sexuality by their peers and by the Internet. The result is a level of exposure to explicit sexual material and pornography that has not been experienced by past generations. This, in turn, may be partially responsible for an overall shift and even loosening away of sexual norms from traditionally professed values of sexual restraint and discretion. Rosewarne [15] in a similar work explores the reality that outdoor advertisements on public display are visually very similar to sexually harassing pin-ups. Because of the visual similarities between outdoor advertising and, for example, pin-ups which are prohibited in sites such as workplaces, the article suggests that both media should be critiqued in the exact same manner. Agmo [1] has studied the hyperactive sexual desire and the Paraphilias and suggests that they represent aspects of human sexual behavior that are morally questionable in contemporary society.

III. Factors that blur definitions of ‘Obscene’ and ‘Pornography’

The factors that blur the definitions of ‘Obscene’ and ‘Pornography’ can be categorized into two classes, viz. Offline factors and Online factors. This paper defines all those factors as ‘Online’ which are attributed to availability or access through Internet as channel or source of medium. The definition of ‘Online’ has been kept to be broad enough to include usage of Cellular phones, Desktops and Laptops. The category of ‘Offline’ factors, similarly, is constituted of Television (TV), Newspapers and Hoardings.

A. Offline factors blurring definitions of ‘Obscene’ and ‘Pornography’

It was just listed that Television (TV), Newspapers and Hoardings comprise the broad classes of categories wherein offline factors blurring definitions of ‘Obscene’ and ‘Pornography’ could be listed. From the social perspective, the most notable thing is that the access to these factors is very easily available, irrespective of age of the person trying to access. Many of the advertisements played on televisions are romantic and many a times erotic too. The advertisements, specifically of undergarments of both male and female genders are often prurient. This is truer for male gender advertisements wherein the audience is directly exposed to semi-nudity. Additionally, advertisements of contraceptives, napkins, chocolates, organ enhancement supplements are a few other examples. The way of presentation of cosmetic and similar products including soaps, shampoos, shaving creams and deodorants is also a matter of similar concern with equal gravity. An advertisement played on Television is for a few seconds if not minutes. But the said sort of advertisements not just on TV alone, but are

played through LEDs at public places and displayed statically too. The static display of such advertisements takes place in Newspapers and Hoardings at public places including Railway Stations, sidelines of railway tracks, Bus Depots and market squares. The display of such advertisements at these places is not in a manner that a person would like to come across or exposed frequently. Further, the exposure of children of all ages is directly possible to such a content which otherwise would be treated as controversial.

The posters of movies, the often un-censored material on various television channels, late night shows as well as the dance steps are all instances of incidents which otherwise on internet would be called pornographic. The recorded or live shows of models and their contests when played on TV is not treated as pornographic but when viewed online, becomes pornographic video. A kissing scene or a love making scene on Television is normal but when downloaded through internet, it becomes pornographic video. Hence the definitions are blurred. Most of the ideas of bullying or ragging are floated by movies, Television shows and advertisements. The discussion of offline factors which blur the definitions of 'Obscene' and 'Pornography' would be incomplete without exemplifying a few posters of Massage parlors. Such posters are displayed publicly and often portray erotically. Similar promotional posters of Spas, Night clubs and Alcohol and Dance Bars are also matter of equal concern.

B. Online factors blurring definitions of 'Obscene' and 'Pornography'

The advertisements as listed in section 3.1 when played on a computer through internet comprise the online factors blurring definitions of 'Obscene' and 'Pornography'. The definitions, as on date, have been devised in such a way that when the same material is presented on some pornographic website, then it becomes source of controversy but when it is available directly as an advertisement on home page or so of any website, then it is not pornographic. Hence the definitions seem to be blurred.

In the online world, there is a very thin line of demarcation for definition regarding what is pornographic and what is not. A chat room providing platform for adult discussion is not pornographic. An 'Adult Room' even with such a dedicated title does not call for pornography. Various dating sites and many matrimonial sites too when prompting for online opportunities 'to go mad', 'to get laid', 'to get horny', 'to get screwed', etc. are not pornographic. A shirtless picture of a model on any social networking site is not pornographic but is treated so when available with such many pictures. The Unsolicited Bulk Email (UBE) advertising about genital enhancement medicines like Viagra, Cialis and the likes is often treated as pornographic due to the images it contains though intent of sender is just to promote the medicinal product. An online shop providing sex toys is not treated as pornographic, similarly. If all of these have been accepted by the society world-wide as non-pornographic material, though obscene, then aren't our definitions of 'good' and 'bad' blurred?

Rosewarne [15] had worked in area of outdoor advertising and termed sexist outdoor advertising as Pin-ups in public space. It is further argued that the specific elements that make sexual harassment inappropriate in the workplace – i.e., the captive environment that is created whereby exposure to sexual images is unavoidable – is a situation replicated in public space with a person utilizing space being held captive in a similar manner. The sexual harassment legislation in many countries covers sites including workplaces and educational institutions, but it does not include such sexual harassment occurring in public space. From matrimonial sites to dating sites to chatting sites to hookup sites to profile pages of male and female models, the material available ranges from simple romantic textual data to erotic textual data to prurient textual data. The said material also ranges from romantic, erotic and prurient pictures to videos, obviously with increasing magnitude of inclination towards pornography. But there is no clear differentiating line beyond which everything is pornographic and less than which is it either obscene or simply normal material. The display of material cannot be classified the either way based merely on the purpose of its display. According to Turvey [22], sexual arousal is a multi-determined function of individual biology, chemistry, and psychology. Variation in arousal occurs because everyone's brain chemistry is different. So, keeping in view his theory, this paper puts forth that it is the mental state of a person who perceives the same material as either normal or obscene or as pornographic. But evaluation or assessment of a given person's state of mind is a factor of many things including age, psychology, gender, social and religious beliefs, moral values, social status, qualification, etc. We do not have any system in place which poses someone with a picture, text or video after evaluating the person's said mental and physical states. Such a system, if in place, would definitely prevent display of pornographic material!

IV. Current Trend and Predictions about Future Inclinations

Someone may argue that mere presentation of sexually explicit material is not sufficient to list it as pornographic. This is agreed and according to Care.org [13] website of UK, it is possible for sexually explicit material not to be pornographic. For instance, medical textbooks and sex manuals are designed for education. But they further state that Pornography differs because its only purpose is titillation and fantasy. It produces short-lived thrills. The advertisements just listed above in online as well as offline category clearly attempt to arouse the sexual feelings and so are pornographic. In reality, the very fact of sexual arousal is used as a tool for advertising the products like undergarments, listed in detail in section III.

Nudity is visible partially in many Television shows, semi-visible in form of advertisements of male undergarments, for instance, and completely visible in form of pornographic websites. Compared with recent past, we are slowly moving from partial, to semi-, to complete nudity acceptance. The society, hopefully, will never accept complete nudity. But it is remarkable to state here that the society was even not ready to accept even semi-nudity in the recent past and the partial nudity in the older past. Further, there are well accepted many nude clubs and beaches which have come up in recent times. This means to say that the current trend is moving slowly but consistently from complete restraint to complete nudity. This paper intends to lament this trend. The psychology of human being has been naturally designed and oriented over times in such a way that anything may not be acceptable if struck immediately. But, if the same thing is served slowly, continuously and consistently, acceptance starts to develop. This is also true for acceptance of obscenity and pornography. In fact, this is supposed to work at a faster pace as it deals directly with the emotions and feelings of people living in otherwise stressful society. We live in a society wherein openness and extroverts are treated as the heroes. It is not so that the moments of the time line being portrayed here are about to come. It has, actually, already come and we are living in such times where perhaps usage of pornography is at the highest possible prevalent level, further increasing day by day with more penetration of technology in the remotest parts of society. We have already been held up by times even before we could have reacted.

There are two views, which this paper proposes and visualizes respectively, for the future. Firstly, corrective and preventive steps are started from now itself. This means to say that the steps are taken to slowly retardate the trend of obscenity and pornography. A time will come when the graph which is moving in positive direction, will have a slower pace of growth then stop and then start moving towards negative side. If prevalence and proliferation of obscenity and pornography in the society is viewed as social entropy, then this is similar to introducing negative entropy in the system. Coming to the second approach, simply if nothing is done, there will be a further exponential increase in the popularity and pervasiveness of obscenity and pornography. There have been voices of people, including the current paper, against this. But if timely actions are not taken, then the future is going to be dominated by the primacy of 'pornography'. Here, 'obscenity' word is not used because by the said time in future, obscenity would have become a thing of past and there will be dedicated Television channels serving pornography like we have dedicated websites today.

V. Recommendations

There are numerous approaches to tackle the menace. Measures such as sex education and awareness programmes are needed among youth to curb this phenomenon from becoming a social as well as a public health concern [10]. More research is needed with regard to risk assessment and possible protective steps that could be taken to prevent young generation from harmful effects of sexting. There is importance of developing adolescents' competencies and establishing an atmosphere that reduces the use of pornographic materials among adolescents [9]. The study of Igbo et al. [5] recommends that guidance counselors and clinical psychologists at both post primary and tertiary institutions should use appropriate skills and techniques to assist in curbing the identified behavior among youth. According to Ma and Shek [9], there is need to design early prevention programs on pornography consumption for young people. But the same thing is fundamentally true and worth implementation in many, if not all, other parts of the world too. According to Agmo [1], the causes for unusually intense sexual activity are essentially unknown. But this paper advocates that there are stages which take a person from non-sexual to sexual to intense sexual feelings. If the said three stages are put on a scale of one to three, it is not possible for a person to simply jump to stage three from stage one. Hence, the need is prevent the movement from stage one to stage two itself. Jonsson et al. [6] conducted an online survey and reported experiences of voluntary sexual exposure online.

The principal recommendation that this paper makes, hence, is to act pro-actively. This paper advocates to not being silent witness to shifting of line from acceptable to non-acceptable domains of obscenity and pornography. Not only that we need to be pro-active in preventing shifting of line but also in preventing the blurring of line itself. If appropriate legal and social steps are not implemented right now then the line which has blurred now will be completely erased altogether. It is not so that the suggested actions could not be implemented at all. According to Mitchell et al. [11], trends suggest experiences, behavior and education are moving in the direction of greater online safety and improved experiences for youth. The current paper is optimistic in suggesting more preventive measures in a direction towards further encouragement of such a trend.

VI. Conclusion

Current paper is an endeavor to bring awareness, consciousness and cautiousness, amongst the masses of society, regarding the blurring definitions of 'Obscenity' and 'Pornography'. This paper aimed at providing a more informed and refined comprehension of offline and online presentations, plays and displays of material of nature romantic, erotic and prurient. The discussion presented in this paper could be useful for further research, evaluation and law formulations. This paper is a serious attempt to prevent metamorphosis of the individual from reality to pleasure through unknowing vague definitions of 'what is right' and 'what is wrong' or what level of

obscenity is normal and what is above or below normal or pornographic. This is also an effort to prevent the exhibition of obscenity in name of so called advertising and show business.

The society definitely needs to draw a clear line of differentiation between ‘right and wrong’, ‘good and bad’, ‘acceptable and un-acceptable’, ‘allowed and un-allowed’, ‘normal, obscene and pornographic’, ‘romantic, erotic and prurient’ and ‘legal and illegal’. Our society is full of people who would not restraint themselves to go to any extent that would, though un-ethically but, benefit them commercially. The excitement of emotions and a feeling of short sensuous sexual pleasure is being encashed. The ease of access of such material in public places as well as public media and Internet is the burning cause of concern. There is no direct or indirect intention of this paper to harm, defame, oppose, neglect or undermine any product, individual, group or a body of people. Similarly, the paper does not even intend to promote or support any specific kind of advertising style or media. This academic research paper is a sheer outcome of concern to control the outbreak of obscene material. The key technique suggested in the paper is to identify the blurring delineations of the terms involved. The paper is not an attempt to encourage obscenity, nor does it support pornography in any form but it is an attempt to trigger a discussion leading to fruitful outcomes that can aid in curbing the menace.

There is a vicious circle of grunge and grime which starts somewhere in the society, percolates to various channels of media, multimedia and Internet and then suddenly becomes rampant enough to proliferate as if it is a usual and common practice. We get habitual to it. We are living in a world of epidemic of Obscenity and it is high time to take the curbing action before it is too late.

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