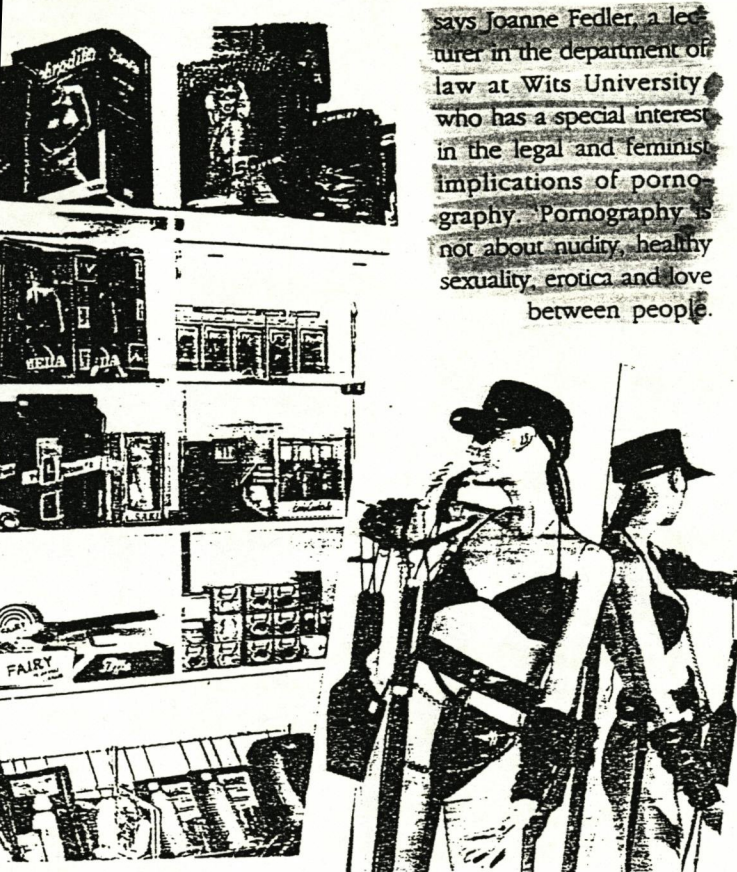


ography



says Joanne Fedler, a lecturer in the department of law at Wits University who has a special interest in the legal and feminist implications of pornography. Pornography is not about nudity, healthy sexuality, erotica and love between people.

...considered quite natural... But she felt that the... was portrayed in the... was not healthy for young...

...a difficult task when trying to... the kind of sexually... images their children are... Seen a Madonna video late... to forget that sex is used to... of things, from fashion and... house paint and motor cars... people who find *Hustler*... don't bat an eye at the scantily... vocatively posed 'back-page... nily newspapers.

...defining pornography is cru... debate about it. Dictionaries... origins of the word back to... Greece where it literally meant... of, or about, prostitutes'. But in... em lexicon there is soft porn... re, erotica and s/m (sado... m). Some images are classified... and some as acts of criminal se... nce. And some seem to be...

...So erotic art and literature are good... and pornography is bad. But can you... always tell the difference? The issue is... swathed in subjectivity. Erotic images... have been around for centuries, as have... attempts to ban them. But never have... these images had the reach and perva... siveness that they do today, thanks to...

mass media and, more recently, the computer-driven information highway. Anthony Burgess, author of *A Clockwork Orange* and himself no stranger to censorship, makes this eloquent distinction: The purpose of art is to enfire [sic] the imagination. The purpose of pornography is to keep the attention anchored to the flesh. Art may summon angels; pornography has no wings.

Far from the lofty idealism of art, most of the erotic images that surround us are pure commercial entertainment, and magazines are still the most accessible form. Snatching a peek at a 'girlie' magazine in the sanctity of the locker room is as much a part of most boys' adolescence as pimple cream — though the desire for erotic images is something most men don't grow out of. Rather than being peopled by perverts, the erotic magazine market consists mainly of 'middle-class, married men — and women. In an informal survey by South African *Playboy*, many readers said that their girlfriends bought the magazine for them and four out of five readers said they passed the magazine on to their girlfriends or wives.

That so many heterosexual women enjoy looking at 'men's' magazines seems surprising. Tracy Edmunds, a Johannesburg-based freelance journalist and occasional contributor to *Playboy*, suggests that this homo-eroticism is a form of self-love. 'When a woman looks at an erotic photograph, she sees herself as she would like to be when intimate with a man. She hopes there is someone who sees her with such desire, even if her pubic hair is not so stylised.'

COMPLEX AS IT is to determine how pornography makes us feel, it's harder still to determine what pornography may make people do. There has been furious debate about the possible link between pornography and sexual violence — which is almost always directed at women, and in some sick instances, at children. Both case studies and laboratory tests have failed to establish a causal connection, though many people who commit sex crimes



8/7/95

Pornography:

South Africa's new shades of blue

How do you feel about the plethora of pornographic images in our newly democratic, vastly more permissive society? Embarrassed? Angry? Excited? Indifferent? As debate rages on the issue of whether pornography exploits or empowers women, only one thing seems certain: censorship is not an option. So what are we left with? JACQUI L'ANGE examines the issue



Mary's husband began bringing home erotic magazines. 'He wanted me to look at them with him,' says Mary. 'But the fact that they turned him on made me feel really... insecure. I felt so inadequate compared to those women — would he still like my breasts, even though they weren't as big? That sort of thing. But I tried to understand.' In an effort to participate, Mary bought

an erotic magazine aimed at women — and was completely taken aback by her husband's reaction. 'He went berserk, saying that he obviously wasn't enough for me if I wanted to look at pictures of other men.'

Her husband's response may be unfair and irrational, but it's not unusual. Sex is powerful, complex, emotional and confusing. And suddenly, it's everywhere: once-restricted material is now available in corner cafés, bookstores, and video shops. There are erotic literary works, films and art, the ubiquitous 'girlie' magazine, sex shops and mail-order sex aids, and bulletin boards where swinging singles of both genders and all sexual persuasions can swap photographs and phone numbers. (One such set-up, the Adult Entertainment Club, claims to reach half a million 'broad-minded' South Africans.)

Moralists fear that people previously denied access to erotica will overdose and, like diabetics let loose in a choco-

late factory, become ill as a result. But while protection from information and images you find offensive is certainly your right, in our newly democratic, vastly more permissive society, censorship is no longer a viable mechanism for controlling what you see.

A new set of laws (see 'The law on pornography' on page 10) aims to protect people from full-frontal sex in their shopping trolleys. Pornography, like paedophilia, is outlawed: if you see it, you can stop it. But what do you do when confronted with something that's legally 'acceptable' — but not to you?

Take Karen's* reaction when a pile of magazines given to her by a friend turned out to contain one of the 'erotic' variety. 'I wouldn't consider myself a prude,' she says, 'but I wrapped it in three plastic bags when I threw it away, to make sure my children wouldn't see it.' Karen's fear was not that her children would be exposed to nudity —

FAIR LADY, 14 JUNE, 1995



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GRAPHY DEGRADES WOMEN

our children + marriages

BAN PORN

PORNOGRAPHY IS ANTI-FAMILY

PORNOGRAPHY ABUSES CHILDREN

OUR GOD IS A HOLY GOD

PORNOGRAPHY IS ANTI-FAMILY

PORNOGRAPHY ABUSES CHILDREN

PORNOGRAPHY IS ANTI-FAMILY

Computer porn hits below belt

Worldwide network freely accessed

Porn may get green light

ABSOLUTELY TO JUVENILES

Handle This Magazine With Rubber Gloves

are avid consumers of pornography. The most famous example is psychopath Ted Bundy, who claimed that pornography contributed to his behaviour. Others argue that access to pornography should decrease sexual violence because it offers people an outlet for their desires that doesn't involve real people. One study, for example, showed that the incidence of rape increased more slowly than incidents of non-sexual assault in countries like the USA, Denmark, West Germany and Sweden, where pornography was freely available.

But British research scientist Dr Mike Baxter contends that pornography changes men in subtle ways. 'It makes them sexually callous. It increases their belief that all women are nymphomaniacs. It increases the incidence of sexual harassment at work; it makes certain men believe that all women in short skirts are available, as they are in girlie magazines.'

This is just one of the reasons women in some countries, recognising that it is up to us to put out the kind of images we want to see, are beginning to create affirmative, liberating erotica for men and women; erotica centred around women's fantasies, rather than images of women as seen through the eyes of men. The same could happen

here if South African women are able to admit to being interested in erotica and sex – even if our conditioning tells us we should only be interested in relationships.

South Africa may have had a particularly censorious past, but we're certainly not the world's most prudish nation. In March 1993 a parent in the United States successfully campaigned to have copies of the children's cartoon puzzle book *Where's Wally?* taken off the shelves of the school library because it contained a

'It makes certain men believe that all women in short skirts are available, as they are in girlie magazines'

tiny cartoon drawing of a topless sunbather. In 1992 the Indonesian government banned hula hoops, fearing that they would overstimulate passions. And it was only in 1987 that the Ayatollah Khomeini declared a fatwa allowing soccer players to show their legs.

Still, we cannot escape the legacies of our past. One of those is a culture of violence, and violence against women

in particular. We have one of the highest incidences of rape in the world. At a Lawyers for Human Rights conference, Mmatshilo Motsei of Adapt (Agisanang Domestic Abuse Prevention and Training) at the Alexandra Health and University Clinic, said that an estimated one in six to one in four women in SA is abused by her partner. She said the high levels of violence against women can be linked directly to the unequal power relations that exist between men and women in our society, and the perception that women are commodities that can be bought or sold.

While it is clear that pornography didn't cause these problems, there are fears that it could make them worse. As Joanne Fedler warns, 'Pornography in this culture is not going to make it easier for you or me to walk out at night alone. It will make it much more difficult. I think people need to be quite clear about that. If you have pornography that promotes hatred against women, our culture will suck it up.'

Whether pornography harms or discriminates against women has proved impossible to establish in a court of law, which is why most countries with a bill of rights like ours also allow free trade in pornography. (Canada is one exception.) There is widespread belief that if a

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Pornography

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woman consents to participate in the making of pornography, it is legitimate. Fedler disputes this. 'A woman may not have been strapped to a chair to have some pictures taken, but if she desperately needs money, where does the consent come in?' she asks. 'Economically, she's disempowered, she has no education, she has no idea how to make a living. When did she consent to her situation?'

The pornography issue has particularly interesting constitutional implications because it brings two fundamental human rights – freedom of speech and the right to equality – into conflict

issue ever reaches the constitutional courts will depend on what happens in the lower courts. Parents and concerned citizens will need to be vigilant. For although the new draft Film and Publication Bill has met with widespread approval, enforcement of the proposed laws will be difficult.

It will be even more difficult when it comes to computer pornography (see 'The thin line', page 166). The contents of a floppy disk are hard to monitor but easy to copy and trade. In other countries there is rising concern that children are learning about sex from hard-core computer porn rather than

There is concern that children are learning about sex from hard-core computer porn, not sex education at home or school

with one another. If pornography as a form of speech is shown to violate women's fundamental right to equality, then the limitations clause can be invoked to restrict it – which would amount to censorship.

Legal precedents set in other countries give us some idea of how our courts are likely to approach the issue of pornography. Fedler points out that a nation's history will determine what emphasis it places on different rights: the United States tends to put freedom of speech ahead of all other rights, while in Germany, still smarting from the memory of Nazi atrocities, dignity of the person is paramount. Given our history of oppression, South Africa's emphasis will probably be on the right to equality.

Whether the pornography

sex education at home or in school.

Parents are not powerless in the face of pornography. You can campaign to keep your neighbourhood free of influences you find distasteful, like the Constantia, Cape Town, mother who made headlines not so long ago when she successfully stopped her local stationers from selling greeting cards and T-shirts with 'overtly pornographic and anti-Christian prints'. Shoprite and Checkers won't stock erotic magazines in their supermarkets, others keep them behind a counter where curious youngsters won't be able to browse.

And under the forthcoming legislation, all sales will be required to keep the magazines which must be placed in plastic wrappers. (Please turn to page 164)

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And if that shelf isn't high enough, you will be entitled to make them raise it.

As with so many key issues, the education and empowerment of women is crucial. Alerting women to the potential dangers of porn, and learning to make the distinction between pandering to prudishness and infringing on human rights, will enable us to make informed choices and to

guide our children safely in an information age where access to anything is possible.

We're finally free from those who would censor our sexuality. It would be tragic if that same freedom forced people to tolerate what they find offensive. Somewhere between the two extremes there is compromise.

* Names have been changed

The law

Before our new constitution came into being, censorship was informed by patriarchal Calvinistic morality and 'undesirable' material was vaguely defined as that which incited lust, was 'sexually titillating' or 'vulgar or in poor taste'. Both the Directorate of Publications and the Publications Appeal Board were beyond the control of ordinary courts.

Today the pornography debate has less to do with morality than with basic human rights and freedoms. In terms of the Interim Constitution, any infringement of basic rights becomes a matter for the courts. Even before new legislation was drafted, the sex trade in all its guises – magazines, film and video, telephone chat lines, swingers notice boards and cybersex – had begun to mushroom.

On March 3, the Film and Publication Bill was published for comment in the Government Gazette. In that same month the publishers of *Hustler* brought out eight new titles – including *Asian Babes* and *Black and Blue* (the ambiguous title apparently refers to a combination of African skin colour and sexual content, though the word association is enough to make your skin crawl).

The draft bill will prohibit the possession or distribution of XX material, which includes child pornography, certain mixtures of sex and violence, bestiality and extreme violence. Works proved to have bona fide artistic, literary, dramatic or scientific value will, however, be exempted from restriction if the bill becomes law. Publications or films that promote religious hatred will be prohibited from distribution.

Films or publications marked X18 contain scenes, pictures or descriptions of simulated or real sex. These may only be distributed in certain licensed venues or by licensed distributors by post. An R18 rating is a warning that people under 18 (or a younger specified age) should be protected from material in a publication or film. R18 publications must be clearly marked as such and distributed in plastic wrappers.

Under the proposed legislation, a fine of up to R10 000 or two years' imprisonment, or both, can be imposed on offenders who possess, advertise or distribute an XX film or publication, unless for the bona fide artistic purposes mentioned above. In cases where material other than XX rated has been illegally displayed or distributed, the maximum fine is R2 000 and six months' imprisonment. Distributors (cinemas, magazine outlets and so on) can lose their operating licences for up to a year. Advertisements that fall under the Advertising Standards Authority are not subject to the Act. Neither are broadcasters licensed by the Independent Broadcasting Authority.

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She experienced that familiar quiver of anticipation. It felt so long since the last time and once again she had to resist the... (cont. on page 95)

