

## The Erotic Spectacle:

### Sexting, Technological Innovation & the Reconfiguration of the Pornographic Imagination

by David Rosen

*Some certified masterpieces (from Chaucer to Lawrence) contain passages that do properly excite readers sexually.*  
Susan Sontag<sup>1</sup>

#### 21<sup>st</sup> century pornography

In March 2015, four teenage students between 15 and 17 years of ages and who attended Ridgewood High School in Norridge, IL, were arrested for posting to Twitter videos of themselves engaging in consensual sex acts. According to local law enforcement, they were to be charged with disseminating harmful material to minors.<sup>2</sup> These teens are but two of a growing number of young people, and an increasingly number of adults throughout the U.S., engaged in "sexting," the exchange of sexually-explicit messages via a wireless device. They are the tip of a mass social phenomenon remaking the pornographic imagination.\*

Sexting is the first original form of pornography to emerge in the 21<sup>st</sup> century. It involves mostly young people taking, sending and receiving explicit nude, semi-nude and provocative still images, video clips and/or text-messages of themselves and others. These images are being sent via a smartphone or another mobile communication device. Estimates vary as to the number of teens engaging in sexting, but findings from a number of studies suggest that anywhere between 10 to 20 percent of American young people are likely sexting.<sup>3</sup>

The outing of a number of male politicians, most nobably Congressmen Anthony Weiner (D-NY) and Chris Lee (R-NY), suggests how sexting is going mainstream.<sup>4</sup> A 2014 Pew Research study reported that "sexting ... is practiced by couples and singles alike" and the practice nearly doubled since 2012. The most active adults engaged in sexting were between 25 and 34 years of age. "Married and partnered adults are just as likely as those not in a relationship to say they have sent sexts," it noted.<sup>5</sup> Sexting is spreading to an older age cohort, being integrated into popular culture.

Nevertheless, teen sexting messages, *sexts*, are often misidentified as child pornography, a form of sexual exploitation.<sup>6</sup> Teen sexting subverts the dominant porn conventions in three critical ways. First, it involves teen makers and viewers, not adults (i.e., sex predators); second, it involves erotic display and not explicit sex acts (e.g., fellatio, cunnilingus, intercourse); and third, it is a non-commercial form of enticements (i.e., not a commercial product). Teen sexting remains predominately a form of flirting, something essentially by and for young people and freely exchanged, a gift.



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\* Image = Photobucket.com.

Sexting culminates nearly two centuries of the evolution of the mechanical representation of erotica. Sexting, however, has a pre-history, with roots reaching to the earliest forms of the live pose or performance art by the sexually provocative female stage artist.<sup>7</sup> The modern expression of the female erotic spectacle emerged as the "posture girl" (or, far less frequently, the posture boy), a unique phenomenon of 18<sup>th</sup> century London sex shows. For millenia, non-mechanical forms of creative expression, whether written, sung, painted or drawn, invoked illicit female sexuality. The adoption of mechanical forms of representation over the last two centuries, first analog and now digital media, only intensifies the power of the erotic female spectacle to entice the male gaze.

Sexting, like earlier forms of mechanically reproduced pornography, expresses an original aesthetic at once erotic, subversive and threatening. It democratizes pornography, reconfiguring what Susan Sontag identified nearly a half-century ago as the "pornographic imagination." While speaking mostly of literature, Sontag distinguished pornography from conventional literature in that porn seeks to sexual arouse the reader.\* "Some certified masterpieces (from Chaucer to Lawrence)," she observed, "contain passages that do properly excite readers sexually." In addition, she identified a series of secondary attributes of pornography which, while applying to literature, also resonate in contemporary media, including sexting. Porn relies on a shallow if artificial narrative structure, often

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\* Sontag's article originally appeared in the *Partisan Review* in 1967, three years after Supreme Court Justice Potter Stewart famously declared, in *Jacobellis v. Ohio* (1964), "I know it when I see it," to distinguish "hard" from "soft" core pornography, obscenity from art.

employing "ready-made conventions of character, setting, and action." It also employs dramatic archetypes, most nobably "male lewdness" and "female virtue." Finally, porn relies on "a small crude vocabulary of feeling," thus avoiding emotional complexity to heighten voyeuristic titillation. Sontag argued that porn shares some of these conventions with other literary forms, including science fiction and religious tracks (i.e., "religious obsessions").<sup>8</sup>

Film historian Linda Williams clarifies Sontag's argument, observing, "... pornography is not one thing, but sexual fantasy, genre, culture, and erotic visibility all operating together."<sup>9</sup> This has never been more the case than today. Following a century of analog printed texts and electronic waves that defined the modern media experience, postmodern visual culture is completing the transition to a series of digital formats, of 1s and 0s. The digital palette fosters an historically new era of media communications and an unprecedented expansion of self-expression culminating in sexts.

Sexting's pornographic aesthetic is shaped by two factors: (i) the live pose assumed by the (mostly) female performer and (ii) the technologies involved in the production, distribution and display of the performer's representation. Over the last two centuries, both factors have witnessed fundamental changes that, together, shape the postmodern pornographic imagination. Sexts illustrate how artistic -- and commercial mass-marketed -- erotic images have been integrated into personal notions of sexuality, fashioning the new normal.

Today's teen girl assumes as normal many of the hard-fought gains of 20<sup>th</sup> century feminists and the all-pervasive consumer revolution. Like her older sister, mother or grandmother, today's teen is an active female, one with her own needs and desires -- and, in time,

a paycheck and the vote. She is also a highly sexualized person. She is, along with teen boys, ceaselessly assaulted by sexual messages, erotic stimulations, that define her as an erotic creature. She is also seizing the new means of self-expression, of self-representation and communication, including smartphones and the Internet, to assert her self-identity, including her sexuality, as a form of personal empowerment.

Unfortunately, sexting's challenge to conventional pornography only goes so far. Contemporary pornography, whether commercially produced or amateur user-generated content (UGC) or do-it-yourself (DIY) video, remains very much in keeping with traditional, patriarchal and heterosexual aesthetic values. The object of display continues to be the exposed female while the subject of desire remains the lustful male gaze.

#### The female spectacle

*Sexts* share much with original 19<sup>th</sup> century pornographic still and 20<sup>th</sup> century moving-image media. They are personally composed, if stylized, representations; the subject's pose in a sexually provocative form of self-expression. In the 21<sup>st</sup> century, teen girls often display themselves in sexy underwear, a push-up bra, bathingsuit or, provocatively, in various stages of undress. Some reveal their breasts, butt, genitals or appear to masturbate. Sexting embodies the strengths and limitations of 21<sup>st</sup> century adolescent and young-adult erotic sensibilities.

The live pose and/or performance by a sexually provocative female has a long history in the West. The modern expression of the female erotic spectacle emerged as the "posture girl," a unique feature of 18<sup>th</sup> century London sex shows.<sup>10</sup> The 1749 publication, *The History of the Human Heart*, offers insight into such

performers. "They immediately stripped stark naked, and mounted themselves on the middle of the Table. ... The Throne of Love was thickly covered with Jet-black hair, at least a Quarter of a Yard long, which she carefully spread apart, to display the entrance into the Magic Grotto." In 1766, London's *Midnight Spy* added another dimension to the posture girl's profile. "A beautiful woman lies stretched on the floor and offers to the view just those parts of her body that, were she not without all shame, she would most zealously seek to conceal," it reports. Going further, it notes: "As she is given to drink, she arrives usually half drunk, and after two or three glasses of Madeira exposes herself to men in this unseemly manner." Her moral threat scandalized: "Look, she is on all four now, like an animal. She is ridiculed, and men gloat over such prostitution of incomparable beauty."<sup>11</sup>

Such display came slowly to U.S. public performances. In 1827, a scandal greeted Mme. Francisque Huntin, a celebrated European dancer and the first solo ballerina to perform in New York. She debuted at the prestigious Park Theatre on Park Row and her costume overshadowed her performance, generated moral outrage. By the late-1840s, female performers began to act out "living statuary" shows in all-male saloons and theatres. These performers often took well-known poses, postures suggesting a character from a classical tale or sculpture like "The Greek Slave" or "Venus Rising from the Sea." In the '50s, Lola Montez, originally from Ireland, became America's first iconic sex star by drawing inspiration from the legendary posture girl.

In the post-Civil War era, female performers regularly appeared in "union suits," neck-to-toe tights that showed off their nature-endowed finery. In its hey-day, burlesque was

like no other popular form of live commercial female erotic display. The first American performance of this new theatrical art occurred on the evening of September 28, 1868, when British star, Lydia Thompson, and her troupe, the British Blonds, took the stage of the George Wood's Museum Theatre, on Broadway and 31<sup>st</sup> Street. Burlesque's new woman combined what theatre historian Robert Allen, author of *Horrible Prettiness*, calls "sexual allure and inversive feminine insubordination." "Either half alone could be controlled and made to please without seriously undermining the position of the male spectator," he argues. "Fused together in a single performer, however, this combination was much more threatening."<sup>12</sup> Burlesque drew inspiration from -- and found a loyal, enthusiastic audience among -- working-class men. In represented a different aesthetic or performance sensibility than the more middle- and upper-class vaudeville or legitimate theatre.

The 1893 Chicago Exposition introduced a new era of female sexual display. Little Egypt, an Algerian, born Ashea Waba, and who lived in New York as "Mrs. Harper," was a most provocative performer, a national sensation. She starred in the first porn films of movie-industry pioneers Thomas Edison and W.K.L Dickson. In 1917, Mae (sometimes spelled May) Dix promendaded before an enthusiastic, nearly all-male audience at the Minsky's National Winter Garden theatre in New York, on Second Avenue near Houston Street, and "accidently" stripped off her show-girl's costume, launching the modern era of the strip tease. As Allen observes, the striptease was "burlesque's last-ditch and ultimately unsuccessful strategy to stay alive."<sup>13</sup>

Today's posture girl struttts her stuff at "gentlemen's" or strip clubs that are no longer limited to Las Vegas. TUSCL,

a website of strip clubs, lists nearly 3,000 operating throughout the country; another estimate puts the number of clubs at 4,000. They reportedly to serve some 1.2 million (mostly male) customers a day and generate an estimated \$3.1 billion to \$7.5 billion in revenues annually. In addition, some 30 club-chain operators control over 300 adult clubs across the country and one chain, Rick's Cabaret, is publicly traded on NASDAQ (symbol: RICK).<sup>14</sup> And young girls, having unconsciously absorbed the lessons of history and the sexual marketplace, pose in provative *sexts*.

#### Pornography & mechanical reproduction

Each modern communications medium engenders a distinct form of pornography. The major analog media of the 19<sup>th</sup> and 20<sup>th</sup> centuries included black & white and, later, color printed works (books, newspapers, magazines) as well as the photograph, telephone, phonograph, radio, film, broadcast and cable television, homevideo and videogames. Together, they fashioned the modern pornographic imagination. Analog technologies are being supeceded by a new generation of digital media consisting of still, moving and interactive programming or "content." Such progamming, from what's shown on a giant digital TV screen at a 3D movie theatre to the tiniest smartphone or game device, can be shared by a global, interactive network of "friends." Together, these media express a distinct aesthetic, a vocabulary of the 21<sup>st</sup> century pornographic imagination.

Paintings, drawings, lithographs, sculptures, cards and printed books long offered erotic representations. Walter Benjamin noted that engraving and lithography were the first mechanical means of image capture and display. However, they were

techniques applied to natural substances like leather, wood and stone. Benjamin recognized that the photography engendered the aesthetic sensibility of the modern age, extending image reproduction from the natural to "man-made" or manufactured substances, specifically chemical-based processes.<sup>15</sup> Photography introduced a new way to capture and display an (initially stationary) image as well as a new way of seeing, and thus a new category of art ... and artist, the photographer. It fashioned the modern aesthetic sensibility that shaped visual imagination for the next two centuries.

It is speculated that "the first person to take a photograph was Joseph-Nicephore Niepce, in 1824." In 1832, Louis Daguerre announced his innovative process to the French Academy of Science and, in 1837 (after forming a partnership with Niepce), introduced an improved process using a copper plate coated with silver iodide.<sup>16</sup> This launched the age of analog media. Joseph Slade believes that the first pornographic photograph was introduced in 1846, "depicting a rather solemn man inserting his penis into the vagina of an equally solemn middle-aged woman."<sup>17</sup>

Since its introduction, photography has been subject to repeated waves of industrialization. Innovative formats were introduced; camera production was rationalized; costs rapidly declined; and a new visual sensibility was fashioned. In the early-1850s, new techniques sped up the photographic production process from several minutes to 20 seconds. The cost of a commercially-produced daguerreotype photograph rapidly dropped to 12.5¢ from 50¢ and the market for photographic images significantly expanded. As Williams found, "... [the] mid- to late-

nineteenth century was a period in which a new porno-erotics of corporealized observation began."<sup>18</sup>

George Eastman introduced the relatively inexpensive Kodak camera in the 1888, taking advantage of the then-breakthrough technology, nitro-cellulose roll film. Eastman significantly lowered the cost of the medium and fostered a new school of artists and amateurs with greater control over image production. The Kodak system democratized media communications and expanded the production of pornography. Williams reported, "it seems quite likely that a wider range of classes of both sexes had an opportunity to observe such [pornographic] images."<sup>19</sup>

Projected film emerged in the late-19<sup>th</sup> century and the first storefront movie theatres opened at the turn of the new century. One of the earliest picture shows at a Chicago penny arcade was *How Girls Undress*; it was displayed on a "mutascope" system and attracted many young boys.<sup>20</sup> The "vitascope" was a late-19<sup>th</sup> century advanced technology, one of the earliest moving-image projection systems. William Heise's classic vitascope film, *The Kiss*, which runs 16 to 51 seconds (depending on version), depicts a close-up of John Rice and May Irwin passionately kissing.<sup>21</sup> It was first shown, projected onto a large screen, at the Koster & Bial's Music Hall in New York in 1896 and the performance excited many.

The display of a larger-than-life sexual intimacy must have been shocking, even thrilling. Early movies must have felt like a cascade of images reinforcing the complexity, confusion and rawness of modern urban life. Movie theatres at that time were one of the few acceptable social spaces in which white men and women, often unchaperoned strangers, could share an intimate proximity and an exciting

visual experience; African-Americans were barred from early New York movie houses. Other than the saloon, the dance hall or church-sanctioned gathering, young men and women (excluding prostitutes) had few public venues in which to socialize let alone flirt, touch or kiss. "The very darkness of the room," warned the social reformer Jane Addams in 1909, "is an added attraction to many young people, for whom the space is filled with the glamour of love making."<sup>22</sup> A newspaper critic of the day exclaimed: "Magnified to gargantuan proportions, it is absolutely disgusting. ... Such things call for police intervention."<sup>23</sup>

In 1923, Kodak targeted a new market for its moving-image equipment, the amateur filmmaker, and introduced comparatively lower-cost 16mm film equipment. Early porn film producers adopted the new technology and used it to circumvent Comstock laws prohibiting "obscene" materials from the U.S. mail.\* Amateur and semi-commercial pornographers screened stag films in noncommercial, semiprivate venues operating throughout the country, including as part of evening "smokers" or, as Williams calls them, "primitive genital shows."<sup>24</sup> Often smuggled into small towns by travelling salesmen, stags were shown at a variety of private venues where groups of men gathered, including Elk's clubs, college fraternities, bachelor parties and military events.

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\* Anthony Comstock (1844-1915) is the father of modern censorship - of employing the power of the state to restrict the adult acquisition and consumption of allegedly "obscene" or "pornographic" materials, be they erotica, birth-control information or or medical contraceptive devices. His major accomplishment was passage of the 1873 federal censorship laws barring obscene materials from the U.S. mail; many features were in force until the 1960s.

In the 1950s, stags became "beaver" movies, often depicting women in various forms of erotic presentation. The basic beaver showed a woman stripping to display full frontal nudity; the "split beaver" displayed a woman spreading her legs and/or her vulva; and the "action beaver" depicted softcore lesbian scenes. Stags and beavers reinforced the formal structure of how the (subservient) female was expected to serve the (dominant) male.<sup>25</sup>

The peepshow booth was another unique technology to view pornographic imagery. Adapted from Edison's earliest peeps, post-WW-II peeps were mounted in wooden booths and outfitted with 16mm and 8mm film -- and, later, analog videotape -- image-projection systems. After the viewer placed a coin in the money slot, a "loop" -- a projected pornographic movie sequence -- was shown. Peep booths were often located in a darkened commercial venue that permitted, in addition to the viewing of porn shorts, engaging in other sexual activities, including masturbation and fellatio. They were popular in the '60s and '70s, most notably in New York's Times Square. There's much controversy as to who "invented" the peep-booth. Some claim it was Reuben Sturman, a Cleveland porn entrepreneur; others insist that it was Martin Hodus, of New York, whose initial loops consisted of two-minute movies featuring topless women.<sup>26</sup>

The opening of the feature-length porn film, *Deep Throat*, in June 1972 at the New World Theater in Times Square, transformed moving-image erotica. According to one scrupulous critic, the movie displayed "fifteen nonsimulated sexual acts, including seven of fellatio, four of cunnilingus ... and others requiring more imagination."<sup>27</sup> *Deep Throat* was a porn flick with "a plot ..., and a coherent one to boot, with the actions

of characters more or less plausibly motivated."<sup>28</sup> It marked the zenith of filmed pornography.

Homevideo further extended popular acceptance of pornography. Ampex introduced the first industrial videotape recorder in 1956 as part of a technical effort to make television production more efficient and economical; the consumer videotape recorder emerged two decades later. The first explicit sexual video seems to have been released in 1977 and, very rapidly, "X" and "XXX" rated videos came to dominate this fledging new medium of moving-image porn. So popular were adult videos that in '85, when approximately 28 percent of U.S. households had a VCR, three-fifths of the nation's 20,000 retail outlets were selling and/or renting porn titles. "Video freed porn from its bondage to adult bookstores and the raincoat crowd," John Heidenry observed.<sup>29</sup> With homevideo, porn moved from the sleazy to the suburbs. As its popularity expanded, porn production and distribution were restructured and a new erotic aesthetic took form.

#### Amateur pornography

"Amateur" artists, be they painters or writers, sculptors or musicians, have long created UGC or DIY media. During the post-WW-II era, the amateur arts expanded to include photography, filmmaking and homevideo. Technology – along with a more sexualized consumer -- transformed the pornographic imagination. In 1948, Edward Land revolutionized photography with the introduction of the Polaroid self-developing instant camera. It brought mechanical reproduction to UGC, empowering amateur photography. It enabled users to take a photograph and have it automatically duplicated in about a minute. Polaroid named one of its first low-cost cameras, "The Swinger," in keeping with the new

sexuality pioneered by Hugh Hefner's *Playboy* magazine (launched in 1953) and the '60s sexual revolution. In 1972, amateur photography underwent a second revolution with the introduction of the self-focusing camera.<sup>30</sup>

Forgotten by many, the Xerox photoduplication process introduced in the 1960s helped rationalize the mass reproduction of erotic images, if only in black-and-white. Xerox copies of pictures from x-rated photos, magazines, books and calendars proliferated. Often overlooked, the office photocopier contributed a unique form of user-generated imagery as innumerable employees captured their most private representations, often on company time. Whether they exposed their butts, breasts or penises, if not couples coupling, employees duplicated their most private parts for posterity.

What Polaroid did for the still image, Panasonic's VHS homevideo did for the moving image. Until the introduction of homevideo, unless one was exceptionally competent technically, the ordinary amateur could not reproduce 16mm or 8mm film -- or a photograph for that matter. He (or she) needed a commercial vendor to process moving or still images. As often happened, unfortunately, if a customer's image alarmed the vendor, the police were called and the image-taker arrested.

Broadcast television utilize the public airways and is, therefore, a censored medium; cable offered extended access to porn to many more than those who visited a XXX-retail outlet and movie theatres. One night in November 1979, the posture girl became the performance artist. Tara Alexander, a lanky, long-haired amateur porn star, performed in the Spermathon and had sex with 86 men. The event was backed by two of the

city's leading *sex-preneurs*, Al Goldstein, publisher of *Screw*, and Larry Levenson, proprietor of Plato's Retreat, the city's hottest hetero sex club. It was videotaped and shown on the city's new X-rated cable show, *Midnight Blue*.<sup>31</sup>

Complementing such semi-commercial efforts, UGC fostered a new type of erotic fantasy that did not rely on the foreign otherness represented by the commercial professional star. UGC conceived video as a mirror, depicting the maker as both the subject and object of fantasy representation. What it lacked in professional quality, UGC porn made up in viewer identification, a sense that one was watching the real thing, oneself. It found a welcoming audience and, by the late-'80s, DIY video porn accounted for 30 percent of new video releases.<sup>32</sup>

The new technologies of the the '80s and '90s further extended the boundaries of the pornographic imagination. The opening of telephone voice services (i.e., #900 numbers) to commercial porn added an often-unappreciated dimension to pornography – live and prerecorded audio. In 1988, the Information Industry Bulletin estimated annual revenues for the dial-a-porn industry at \$54 million.<sup>33</sup> The adoption of digital technologies in the '90s transformed porn production and distribution. The digital camera and the computer-based editing and graphics programs (e.g., Apple's Final Cut) remade video production; the compact disc, the Internet and wireless communications revolutionized distribution. A new media culture was born and, with it, a new generation of pornography.

The early adoption of a nongraphic Internet led to the establishment of numerous online discussion groups, including Usenet, and innumerable "alternative" groups, the most

notorious was alt.sex with alt.sex.pictures, alt.sex.movies, alt.sex.voyeurism and alt.sex.masturbation. In the late-'80s, the graphic artist Mike Saenz introduced "Virtual Valerie," an interactive erotic computer game on a floppy disk and then a CD-ROM; it allowed the (male) user to repeatedly insert a dildo into Valerie's vagina. In 1995, Danni Ashe, a former stripper and nude model, started "Danni's Hard Drive," one of the earliest online porn sites; CNN reported it had revenues of \$6.5 million in 2000.<sup>34</sup> Online and stored commercial porn as well as amateur sites like YouPorn and PornoTube expanded the porn market. Sites like SuicideGirls and eroticBPM helped turn soft-core porn into a feature of goth and punk aesthetics, further integrating porn into popular culture.

More than a century after the introduction of the beaver shot, full genital exposure and intercourse -- penis and vagina or penis and anus - - became the iconic pornographic representations of postmodern sexuality. They distinguish the aesthetics of much of early-21<sup>st</sup> century commercial female and male hetero- and homo-erotic porn. The beaver shot became the "cum" or "money" shot, male ejaculation onto a woman's body, face or into her mouth. The beaver and the cum shots speak to the continuing aesthetic tyranny of male erotic fantasies. The apparent popularity of "gonzo" porn pushes further hardcore or anti-feminist representations.<sup>35</sup> Surprising, few teen sexting messages currently seem to involve gonzo porn, whether beaver or cum shots.

### 21<sup>st</sup> centurt pornography

Teen sexuality has been a moral battleground since the nation's founding. During George W. Bush's two administrations (2001-2009),



Christian conservatives exercised considerable influence, promoting sexual abstinence, a policy that saw adolescent sexuality as a threat to childhood "innocence."<sup>36</sup> These moralists sought to end government programs providing sex-health information, HIV-AIDS safe-sex prevention programs and birth-control assistance. However, despite these efforts, they did little to address the commercial culture that kept pushing the boundaries of teen sexuality. The policies of Bush's second administration intensified the teen sexuality crisis.

The two Obama administrations accepted the sexualized teen as a social and marketplace reality. The Guttmacher Institute found that as of February 2012, 13 percent of 15 year-old girls had had intercourse and 70 percent of 19 year-olds of both sexes had had intercourse. Surprising to many, as Lydia Shrier of the Harvard Medical School found, sexually active young people 15 to 21 years old report more positive feelings on the days they had sex than on the days they didn't. Nevertheless, close to 1 million young women under the age of 21 become pregnant each year and one seventh (13%) of all annual births are by teenagers.<sup>37</sup>

Sexting has become an original form of self-expression for the early-21<sup>st</sup> century youth generation. Katrin Tildenberg argues that it is but one form of online sexual self-expression. Such expression "includes work on searching for sexual partners, use of internet as a method of solicitation and advertisement of sex-work; cybersex; issues of addiction, gender variances; discourses of consumerism, therapy, the expression of self-identity and creation of communities within sexuality; sexualized fan-fiction and fan-art; use of internet for queer or sexually subcultural identity-construction, sexting, fidelity, etc."<sup>38</sup>

Sexuality saturates online life.

Sexting represents a technological advance over earlier forms of UGC like print and analog film and video. It involves the instantaneous -- electronic, digital -- capture of very personal, if not illicit, forms of self-expression and transmission to another device user. Reflection is minimized; impulse dominates. The transmission can be either a one-to-one or a one-to-many exchange. With the former, the transmission is facilitated through a wireless network; a teen takes a photo and sends it to a recipient with a device capable of receiving the transmission (e.g., a 3G or 4G smartphone). With the latter, the transmission is mediated through a wired or wireless network and facilitated through the Internet. A surprise to many young people, a private sexting titillation can go viral almost instantaneously. The person's (girl's) image of sexual flirtation can quickly become available to not only the intended recipient, but also to a community of "friends" that can range from the person next door to someone the person does not know located across the globe.

Sexting, like all forms of mechanically reproduced, distributed and displayed erotic imagery, suffers from its technological limitations. Most screens on smartphones have a small display or aspect ratio; e.g., the iPhone 4.5" x 2.3" and, in comparison, the iPad measures 9.5" x 7.3". This places significant limitations on the viewing experience. At the 2008 Academy Awards ceremony, Jon Stewart famously mocked watching David Lean's epic, 70-mm film, *Lawrence of Arabia*, on a tiny iPhone. According to Pew Research, as of April 2015, two-thirds (64%) of American adults had a smartphone, up from one-third (35%) in 2011. Lean's film is now available from Apple's iTunes. Mobile devices are uniquely suited to reinforce the

twin tendencies of postmodern visual culture: ever-faster editing cuts and ever-tighter close-up shots.<sup>39</sup> Sexual representation adapts to the limitations of the image display medium, whether a 19<sup>th</sup> century photographic, a 20<sup>th</sup> century movie theatre or TV set, or a 21<sup>st</sup> century smartphone screen. And so the pornographic imagation is configured.

Porn is a big business in America with estimated revenues of \$10-plus billion. In 2012, CNBC estimates that it "generate roughly \$14 billion in revenue per year," including print, TV/cable, in-room, DVD and online programming and services.<sup>40</sup> Kassia Wosick, a New Mexico State University sociologist, estimates the globally porn market at \$97 billion, with the U.S. accounting for between \$10 and \$12 billion of it.<sup>41</sup> According to one estimate, there are nearly 25 million porn sites worldwide making up 12 percent of all websites. Sebastian Anthony, writing for *ExtremeTech*, reports that Xvideos is the biggest porn site on the web, receiving 4.4 billion page views (pvs) and 350 million unique visits per month. He claims porn accounts for 30 percent of all web traffic. Anthony estimates the average length of time spent on Xvideo at 15 minutes. From an aesthetic perspective, sadly, he notes that most people receive their digital video feeds using low-resolution streaming.<sup>42</sup>

Teens and young adults around the U.S. are being arrested in growing numbers for engaging in sexting. In 2011, researchers at the University of New Hampshire's Crimes Against Children Research Center surveyed some 2,700 U.S. law enforcement agencies. In a series of reports in *Pediatrics*, the authors found that between 2008 and 2009 law-enforcement officials handled an estimated 3,477 cases of "youth-produced sexual images." According

to law-enforcement officials, these images "constituted child pornography under relevant statutes ...." They also found that a majority of these cases (66%) involved an "aggravating" circumstance beyond the conventional definition of sexting, including a minor engaged in abusive behavior (31%) or an inappropriate adult was involved (36%).<sup>43</sup> As of yearend 2011, according to the National Conference of State Legislatures, at least 21 states and Guam introduced bills or resolutions aimed at suppressing sexting; bills were enacted in five states, Florida, North Dakota, Nevada, Rhode Island and Texas as well as Guam.<sup>44</sup>

In the U.S, child pornography is a crime. The Supreme Court argues that there is a Constitutional difference between art, "soft core," which titillates, and obscenity, "hard core," which excites. This difference between art and obscenity was ineloquently drawn by Justice Potter Stewart's legendary 1964 obfuscation, "I know it when I see it." Nevertheless, it is a difference with significant consequence. First Amendment protections do not apply to obscene or pornographic works. The Reagan-era "war on crime" first promoted child sex abuse as a prominent issue. In 1982, the Supreme Court ruled, in *New York v. Ferber*, that child pornography was an exception to First Amendment free-speech protection. It insisted, "a child has been physically or psychologically harmed in the production of the work." In this way, porn is similar to a handful of other forms of expression, including libel, profanity and sedition, and not protected by the First Amendment.<sup>45</sup>

But is sexting child pornography? Is today's teenager a "child"? And is the exchange of sexts between consenting, age-appropriate teens the distribution of "child pornography"? Sex saturates, defines, teen existence.

It is driven by two -- and sometimes overwhelming -- forces. One is nature, the coming-of-age puberty hormones that transform a youth into an adult, a child-conceiving person. The other is the omnipresent marketplace of fashion, media and peer pressure, forces that reduce many human relations into commercial exchanges, interactions between sexualized commodities.

Surprisingly, in the wake of the sexting scandals that led to the resignation of two Congressmen, the U.S. Congress has not passed anti-sexting legislation. However, a dozen or so states have passed anti-sexting laws. The apparent increase of sexting among adults may push further First Amendment freedom of sexual

expression. Only a decade or so ago, pornographers were sleazy dirty-old-men; today, they are the kid next door.

The future of sexting among teens will likely be determined by three factors: (i) will it continue to principally depict heterosexual females? or will it equally depict both males and females, straights and gays?; (ii) will it continue to principally depict "nonexploitative" sex activities? or will it become increasingly specialized, fetishized?; and (iii) will it continue to be a form of noncommercial sharing or will it become just another sex business? Answers to these questions will shape America's 21<sup>st</sup> century pornographic imagination.

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## Notes

<sup>1</sup> Susan Sontag, "The Pornographic Imagination," in *Styles of Radical Will* (New York: Anchor Books, 1969).

<sup>2</sup> "Four Teens Caught in Sexting Scandal in Norridge," CBS, March 17, 2015.

<sup>3</sup> J. H. Humbach, "Sexting' and the First Amendment," *Hastings Constitutional Law Quarterly*, 37 (2010), pp. 433-85.

<sup>4</sup> Disclosures about the UK spy program, "Optic Nerve," which scooped-up an untold number of sexually-explicit images of Americans, suggest that sexting is widespread among adults. See Spencer Ackerman and James Ball, Optic Nerve: millions of Yahoo webcam images intercepted by GCHQ," *The Guardian*, February 28, 2014.

<sup>5</sup> "Couples, the Internet and social media," Pew Research, February 11, 2014.

<sup>6</sup> Janis Wolak, David Finkelhor and Kimberly J. Mitchell, "How Often Are Teens Arrested for Sexting? Data from a National Sample of Police Cases," *Pediatrics* 129 (2012), no. 4: 2; Dena Sacco, Rebecca Argudin, James Maguire and Kelly Tallong, "Sexting: Youth Practices and Legal Implications," Berkman Center for Internet & Society, Research Publication No. 2010-8, June 22, 2010, pp. 21-24; and Reed Lee, "United States v. Michael Williams," Free Speech Coalition Analysis. Hanna Rosin noted, "A recent study of seven public high schools in East Texas, for example, found that 28 percent of sophomores and juniors had sent a naked picture of themselves by text or e-mail, and 31 percent had asked someone to send one." *The Atlantic*, November 2014.

<sup>7</sup> Jonathan Coopersmith, "Pornography, Technology and Progress," *ICON* 4 (1998), pp. 94-125.

<sup>8</sup> Susan Sontag, "The Pornographic Imagination," pp. 34-73.

<sup>9</sup> Linda Williams, *Hard Core: Power, Pleasure, and the "Frenzy of the Visible"* (Berkeley, CA: University of California Press, 1989), p. 270; see also Robert Stoller, *Porn: Myths for the 20<sup>th</sup> Century* (New Haven, CT: Yale University Press, 1991), pp. 24-25; Lynn Hunt, "Introduction," p. 10.

<sup>10</sup> Randolph Trumbach, *Sex and the Gender Revolution, Vol. 1: Heterosexuality and The Third Gender of Enlightenment London* (Chicago: University of Chicago Press, 1998), 197, 136 and 157-59.

- <sup>11</sup> Iwan Block, *Sexual Life in England: Past and Present* (Herfordshire, England: Oracle Publishing, Ltd., 1996), 327; see also Trumbach, *op. cit.*, 107, 157-59
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- <sup>13</sup> Allen, *Ibid.*, p. 248; Stanley Walker, *The Night Club Era* (Baltimore, MD: Johns Hopkins University Press, 1999 [originally published in 1933]), 205-07.
- <sup>14</sup> "Strip Clubs United States," The Ultimate Strip Club List; "Strip Club Statistics," Statistic Brain.
- <sup>15</sup> Walter Benjamin, "The Work of Art in the Age of Mechanical Reproduction," in *Illuminations*, ed., Hannah Arendt (New York: Schocken Books, 1969), pp. 218-19.
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- <sup>17</sup> J. W. Slade, "Eroticism and Technology Regression: The Stag Film," *History and Technology* 22 (2006), vol. no, 1, p. 28.
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- <sup>24</sup> Williams, *Ibid.*, 26; Slade, *op. cit.*, pp. 13-14.
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- <sup>29</sup> U.S. Attorney General, *Final Report of the Attorney General's Commission on Pornography* (Nashville, TN: Rutledge Hill Press, 1986), pp. 352-53; Heidenry, *What Wild Ecstasy: The Rise and Fall of the Sexual Revolution* (New York: Simon & Schuster, 1997), p. 231.
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