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20 July 86

Dear Sara,

Here is the edited version of "Some Comments on Pornography and the Fraser Committee." This version of the manuscript is not formatted - some of the formatting commands (the book is being electronically typeset) already appear in angular brackets. Margaret Jackson said that you have already made some changes to the manuscript you sent us. PLEASE TRANSFER THESE TO THE NEW DRAFT ENCLOSED HEREIN. <sup>in red pen if possible</sup> It will be too confusing if we try to make changes from your original draft to our edited draft. Please check our editing - we have played around with sentence structure and the like, but have been careful not (we hope) to change your meaning. Since the book is being electronically typeset, changes to this new version of the manuscript will be final. Please send bibliographic material as soon as possible, and return the manuscript by July 25 (we have to get the M.S. to the printer on August 1st and no later). I have enclosed the original copy of the M.S. with our editing noted on it.

With thanks for your attention  
all the best

John Lowman.

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CHILDHOOD'S END:

SOME COMMENTS ON PORNOGRAPHY AND THE FRASER COMMISSION

The porn measurers...are something the backbenchers can flog around their constituencies...These delighted back-benchers took some heat on the Government's

decision several months ago on equality rights...

The Tories don't believe the distinctions the women's groups are making will cut much political ice.

[Jeffrey Simpson, Globe and Mail, June 18, 1986]

We are totally persuaded that any legal regime of dealing with pornography and prostitution must be founded upon the rights of women and men to legal, social and economic equality.

[Pornography and Prostitution in Canada, Report of the Special Committee on Pornography and Prostitution,

Vol. 1 Paul Fraser, Chairperson, 1985]

This critique centres on the Fraser Commission's proposals concerning pornography. It does this from a committed stance: that of an artist and an anti-censorship feminist. It asks readers to examine their relationship to sexual and other

existing images, their sexuality as a youth, as an adult and what they imagine, need to know or might want to have represented about sex.

Recent events have brought the theoretical concerns in this paper thudding homewards. The aspects of the Fraser Commission that most alarmed anti-censorship activists, artists, street prostitutes and those that defend their rights have been enshrined in Bill C-49, B.C.'s Bill 30 (The Motion Picture Act) and the proposed Bill C-114 (proposed Criminal Code amendments).

The positive features of the Fraser Report: the acknowledgement of feminist concerns about sexist content in images, a call to action on abuse and exploitation within the sex industries, proposals for a network of social services, educational initiatives, deregulation of all but street prostitution, ~~are~~ <sup>tax</sup> jettisoned by legislators. Heightened persecution of street prostitutes is implemented. The production of erotica, media and sex education do not emerge as priorities, while censorship intensifies. What went wrong?

The Fraser Commission provides a valuable empirical data base about the attitudes of the feminist anti-porn movement, local women's groups, churches, communities, municipalities, businesses and enforcement agencies about pornography and

prostitution. (see Appendix page 710-1) It provides an overview of pornography available in Canada and some data on the users. Its acknowledgement of feminist content critiques of the mass media is an important step forward in a report of this stature.

What is frustrating about the Commission's Report is its ability to recognize the clumsiness of law as a tool for changing deeply rooted sexist attitudes, at the same moment as it concentrates on exclusively legal solutions for pornography. [Fraser Commission, page 263] It restricts because, "It is a significant social fact that many people are offended by some kinds of material...These feelings of offense and disgust, in our estimation, justify restraints on the display of pornography." [ibid. pg. 264]. Yet, the same report discards the concept of "community standards" as unachievable and rejects the idea that material being sexually stimulating per se is a problem. It recognizes the variance and subjectivity of response to sexual images and the possibility that "the prevalent fascination with pornography is a reflection of our unease with ourselves as human beings". [ibid pg. 96].

Unfortunately, by accepting a strategy delineated by the mainstream feminist community--censorship--the Fraser Commission fails to significantly alter the practice of Canadian society in the area of sexual representation. Mechanisms for prior state

classification, restriction and censorship of images are bolstered; civil cause or human rights legislation modelled on the Indianapolis and Minneapolis initiatives is added. It tinkers with definitions of the pornographic that reside within the traditional framework of sexual explicitness, dancing between an analysis of all pornography as a continuum of sexist images and therefore suspect and the emphasis on acting only on images of violence and leaving sexual imagery untouched, articulated by many submissions.

This proposal fails to understand the role of the Canadian state in developing heterosexist and sexist norms for sexual practices and structures in Canada, nor the tendency of the legal system to reinforce these practices. Nor is pornography placed within a general analysis of women's oppression, simply a continuum of sexist images. The Commission fails to recognize the nature of pornography as a system of representation within a complex network of representations. The Report notes an absence of sex education materials and erotica. It endorses the production of these materials but does not discuss the means by which this will be financed and disseminated, nor how these materials will be differentiated from pornography by the legal system. (pg. 57-81)

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The report argues: "Our approach is characterized by acceptance of the egalitarian argument that impairment of a fun-

damental social value can be properly regarded as a harm meriting legislative control...While it is not proven that representations and depictions of sexual violence pose the same threat to the welfare of women as the conduct itself, we are of the view that they lower the status of women and thus contravene their right to equality." A definition of harm based on the sexist content of some pornography is established. The motive for regulation, however, is not only equality rights, but a moral imperative to protect society's standards:

Because of the seriousness of the impacts of this sort of pornography on the fundamental values of Canadians, we are prepared to recommend that the Criminal Code has an important role to play in defining what material may be available within our society.

[pgs. 99 - 101]

This conclusion obscures the structural factors that make violent and sexist pornography attractive to men in the first instance.

The evidence becomes the problem and the problem...

We must ask, in the past, After all, has the Canadian state regulated sexuality in pro-feminist terms? Will censorship legislation improve women's position or undermine it? The ideology of the Canadian state and its practices are not one and the same. The state has long contained the rights of not only women but of working people, Natives and minorities. It is only under duress that minimal

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rights have been secured. The state has defended the interests of a patriarchal and competitive society. Historically, laws have regulated access to birth control and abortion. The state is concerned with age of consent laws as part of the project of reinforcing the traditional family unit. Deviance from celibacy by young women has meant punishment within a series of state institutions (prisons and mental hospitals). Homosexuality has been prohibited and regulated despite the longterm existence of these desires in significant numbers of Canadians. The state has played an equally active role in reinforcing sex-role stereotyping, a process that delineates sexual as well as other elements of identity.

Feminist anxiety about censorship stems not from an acceptance of existing imagery, or a belief that misogynist images are harmless, but a sense that sexist images are a refraction of far deeper structures and attitudes. [see Women Against Censorship, Burstyn et al, 1985]. The elimination of the image is not the solution to misogyny and violence but a process that will make some images move underground to meet continuing demand. To truly change women's status state control must be weakened, not strengthened. [The old maxim, "not the church, not the state, women must control our fate"].

This is not to argue that women should not fight for legislation, but that we need laws that empower us, such as equal

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pay and opportunity laws, not those which strengthen state regulation. Censorship legislation empowers the MOST conservative elements within the state apparatus, the police and courts, to make decisions about the circulation of ideas and fantasies about sex.

Unfortunately, the Fraser commission introduction dismisses in one sentence the concerns of "Marxist feminists" who argue the need to transform the existing economic and social order to make a dent in sexist images. Various groups concerned about censorship are lumped together. For the record, these include artists, gay and lesbian organizations, feminists of varied stripes, media producers, small distributors, some porn distributors and civil libertarians. Their arguments are reduced to a pitch for free speech or one of pure self-interest. In fact, the concerns are not uniform. For artists, gays and feminists, fears stem from a DIRECT experience with Canadian censorship's misguided past practice. *fnote.* *Struct.*

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Censorship may effect the forms in which sexism is packaged, but ideological change will not be the primary force for restructuring society. It is more likely to curtail critical artwork and non-commercial sexual imagery that attempts to redefine sexist practices. Many women do not want to be defined as victims of sexuality or of images but as active initiators of

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desire and creativity. The exploration of sexual identity includes the freedom to explore existing and potential imagery.

The specific recommendation of the Commission of a three-tiered system reinforces traditional concepts of sexual pleasure as private, beyond public discourse and representation. The report states:

→ that The notion of a line between private and public takes its meaning from the fact that it is sexual conduct is at issue. Pornography is said to cross the line because it makes available for voyeuristic pleasure some sexual act of a private kind. The act is private to its participants but cast into the public because of the medium in which it is portrayed. [Fraser Commission]. ?pg

4 By its nature, representation ~~to~~ brings to consciousness issues, acts, cultural norms through the convex lens of the producer and/or industry. These issues are experienced often in isolation by individuals. Other "private" activities: eating, sleeping, quarrelling, housekeeping, thinking and so on, are represented by images. Yet what is suggested here is that we keep the lid on sexuality, that we keep it unspeakable. BLINDERS?

The Commission indicates that definitions of pornography

have historically included a strong element of subjectivity.

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Yet, censorship as a redress to pornography inevitably require highly subjective decisions to be made, either by courts and police or by government appointed or hired civil servants. These people must apply abstract and totalizing concepts of sexually explicit, degrading, artistic, educational.

As legislators have consistently done, the Fraser Commission attempts to generate an acceptable abstraction or definition. "Pornography" replaces obsceinty. But cultural critics contest an easy distinction between pornography and erotica, or an objective schedule of what is oppressive, exploitative and objectifying about an image. Every set of criteria that have been evolved to set standards or definitions of that which is pornographic or obscene break down when put to the test.

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The Fraser Commission's three-tiered structure provides a framework based on degrees of violence. [page 271]. On the third tier are images of explicit sex. Depictions of anal, genital and oral intercourse are included in the definition of pornography. [pgs. 276-8] Showing the touching of breasts and genitals is described as "lewd" and "therefore restricted. This reiterates notions of sexual contact of the most mundane sort as "dirty", "unmentionable" and certainly unrepresentable within the public sphere.

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But certainly one of the reasons why pornography is so popular is because sex itself is taboo and mystified. This restriction of sexual representation simply continues a long tradition, one which has centred on a vision of the female body as innately "evil" or "obscene". It continues a separation between the "private" (feminine) world of the bedroom and the home and the "public" male world. This separation has been resisted by feminists when dealing with the traditional split of public/private on other issues (like who changes the diapers). It is the female body which is <sup>portrayed in porn</sup> unseeable, <sup>becomes confused</sup> a concept which ALSO lowers that status of women. Status and acceptability again reside for women, on being the virgin and not the whore. Gay and lesbian images also face restriction. This is a double jeopardy, for gay erotica (porn) creates a small space of acknowledgement in a hetero-dominant world.

Sex is an area of experience that is fraught with emotional pain, crisis, intimacy and identity, anger, confusion, power, as well as pleasure. It is an arena of inequality and of potential communication and empowerment. Sex is as constructed, as socially produced, as any other area of human experience. It is precisely this unspeakable quality of sex within the culture, especially sex as perceived and experienced by women, that mystifies sexuality, separating sexual object from her subjectivity.

Continued prohibition is based on the idea that there is something wrong with achieving pleasure through looking at images. Yet, we experience delight constantly with non-sexual images, and we experience sexual memories and fantasies and the accompanying pleasure for the most part without images. But our society has organized pleasure around leisure, privacy and consumption to increase productivity and profits. [ In whose interests does the privatization of sex work? ]

In the present nightmare scenario of Bill C-114, the fine line drawn by Fraser for restricting display and youth access to simply explicit images becomes prohibition. Lumped together are intercourse (oral, anal, genital), masturbation, bestiality, necrophelia, incest and "other sexual activities". "Degradation", an ambiguous term used by feminists to mean male power over the female body is transformed by Bill C-114 to include lactation and menstruation. [Bill C-114, Amendments to Criminal Code of Canada]. Concern over representing actual acts of violence and degradation and sexual abuse are replaced by images in which people "appear" to be young, or "act like an animal".

The Commission proposes that "human beings enjoy and benefit from open and caring sexual relationships, characterized

by mutuality and respect", but gives few ideas on how to travel the route through our current sexualities to arrive there. Erotica is desirable and represents, "the portrayal of sexual expression between two people who desire each other and have entered the relationship with mutual agreement", a definition taken from Margaret Lawrence. [I must note that the use of Lawrence's definition is ironic because her books have faced many censorship attempts at local school board levels across Canada.]

Even if we accept this narrow definition of the erotic, how do we divide it from pornography in which the script is one of mutual agreement? If it's sexually explicit, it will sink with the rest.

There is great divergence on what is valued as erotic material, amongst women as well as men. Some women take the view that there the entire visual arena of sexual representation is so male dominated that there is not space for women to experience visual pleasure. Others set very strict guidelines for acceptable images (natural references, loving, equal exchange etc.) Others feel that criteria of equality, loving exchange are as restrictive to the exploration of their full sexual potential as are the standard misogynist images. What one needs and wants in a fantasy is not always what one wants in relationship! Women's sexuality has been so suppressed, unspoken and unexplored that

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placing a new standard of morality onto it, especially one which equates explicitness with pornography, is destructive.

Sexist sexual images are no more harmful than advertising and television cop shows. These <sup>latter</sup> images reach far more people than the 11% of Canadians who buy pornography. The mass media promotes an unreachable and controlling norm, for women and men. Images abound of mother as ever-willing servant, images of soap as a substitute for love and respect; images of casseroles as the epitimomy of female pleasure; images of secretaries who are ever available and filing their nails, not their boss' correspondence.

The second tier's description concerns, "images of violence". The Commission's OWN findings indicate no direct relationship between images and imitative behavior on the part of adults or children. [page 99, 571]. No direct harm from pornography is provable. [pgs. 99, 571] This conforms to Thelma McCormick's thorough report commissioned by the City of Toronto. ["Making Sense of the Research on Pornography", Profesor Thelma McCormick for Metro Toronto Task Force on Violence Against Women, 1983]. The Commission defines violent pornography as only 1.3% of images and 4.1% of texts in Canada. Yet a framework of censorship is built around a minority genre.

Images that celebrate male violence against women reinforce the mysogyny in our society. As some researchers suggest,

men who are stimulated to act by these images are most like predisposed to violence. For most men, there are levels of social mediation between an image and an act. Masculine fantasies about power over women are tied to the suppression of "femininity" (as we know it) in men, the enforced childhood rejection of the nurturant mother in a society where women are denigrated. That men repeat the type of material they buy (girl next door, blond bombshell, etc.) suggests that images don't desensitize and create a desire for most violence, but rather reinforce the viewer's established, sexist taste.

*Wood* { Images of sexual violence must be analysed in context: again the issue of subjectivity enters the picture. Take Not A Love Story, a film that entered the debate on porn on the visual terrain early, by showing the pornography that it critiques. One can wonder about the efficacy of reproducing these images as an educational tool. But there is no question that the film has played an important role in consciousness-raising. Whose role is it to critique its visual strategy: educators, feminists, viewers--or the prohibitory measures of state censorship, as was the case in Ontario, where the film was kept from public view?

When we move into the realm of consensual s and m materials, particularly of the gay and lesbian communities, the subculture resides on the ritualized eroticization of power and

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consent. Display and drama count for more than pain. The subjectivity involved in judging an act to be violent or non-violent becomes questionable. Yet the Commission makes no exceptions.

The production of violent imagery where real abuse takes place is illegal under assault legislation. That porn is produced underground, that sex trade workers in Canada are constantly harrassed by the very people (police) supposed to act on violence against women, that they are looked down upon for being sexual women, that the industry is heavily male dominated, that women remain for the most part unorganized and certainly outside of protective labour legislation, means that they are very vulnerable to real violence and abuse, more so than workers in many other trades. Supporting sex trade workers in organizing and decriminalizing prostitution and performance in pornography would assist women who work in these jobs more than hoping that they disappear from sight. Women need the financial means and support services to escape from violence. If women are being abused in producing media materials then the law must act against the abuser, even if her is an employer.

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The exploitation of children in the production of pornography is abhorrent. Child sexual abuse is abuse: whether at home, school or on a movie set. One of the few positive features of the proposed Bill C are provisions allowing children to tes-



tify in court, on video if unable to speak in court, and the removal of the accused from the courtroom to protect the child from intimidation. [Criminal Code Amendments] Child labour laws should also be used to prohibit the employment of children in pornography.

Prohibiting the image is not a solution. Important work, such as Loyalties, which deals with the rape of a fourteen year old girl by an older male employer and the eventual bonding of the women with and around her; My American Cousin, an autobiographical work about growing up in B.C.'s Okanagan, or the famous work, Two Women, about the impact of war on a mother and daughter, is vulnerable. The danger exists that educational materials that depict childhood sexuality will be suppressed. Even material that could be used to alert children to the dangers of abuse could be swept up or left untouched by fearful publishers. These works will suffer in order to prohibit a genre that represents a tiny proportion of available material in Canada, material primarily available underground.

Child abuse is not created by pornographic images. Even if some abusers now use child pornography to coerce children into having sex with them, the problem of sexual abuse existed long before child pornography was commercially available. It resides in the unequal power between men and women and children. It is a

direct correlation<sup>e</sup> of the idealization of youth in a death-obsessed culture. Sexual abuse speaks eloquently to the lack of rights that children have to assert their experience. It is testimony to the power of concepts of family and privacy to silence the victims within.

The Commission recommends the inclusion of pornography in hate literature and civil remedy<sup>u</sup> legal solutions. While these strategies appear to be more attractive than prior state censorship the same problem of definition exists. As well, subjective or ideologically motivated reasons will prompt suits against certain images. Fundamentalist groups with money and resources may well persist in organizing against gay and feminist images more successfully than feminists will be able to defeat commercial pornography.

The Minneapolis and Indianapolis by-laws, drafted by Andrea Dworkin and Catherine MacKinnon use criteria such as "body parts exhibited", "penetrated by objects", "postures of sexual submission". These are very ambiguous, if one believes that there is nothing inherently wrong with finding visual images erotic or that penetration could be pleasurable to some women, whether in masturbation or with a partner.

Postures of sexual submission are also subjective, and read through the viewer's concept of submission. Does yielding

to your lover or looking vulnerable make one submissive? And what if a woman or women, feels pleasure at an image of a man lying naked and submissive at "her" feet, should there be legal sanctions against such as fantasy? Here I am describing a reversal of the traditional. Who will be offended by that image, who will lay charges, who will judge the image of submission ?

There are many levels of mediation between reality, the image and its reading. Every image, no matter how realist in its style, encompasses an idea of reality, diluted and fantasized. Commercial fantasies involve some abstract idea of values and feelings or need that the consumer would want translated into image form. Images are produced involving actors, sets, camerapeople and technology. It is then read by the audience.

The understanding of the image derives from the use of generalized but culturally and historically specific codes, the viewer's subjective experience relative to the image, their knowledge of the medium and other factors. There is a big gap between the creation of an image and its interpretation. And there is a bigger gulf between that reading and any action on the part of the viewer. We respond to images in part with emotion (pleasure, disgust, etc.) but also with our intellects.

Women share this process. Given the variety of mediations at play, it is unlikely that there will be an Everywoman who reacts to images in a uniform and consistent way. A problem

with the porn discourse is that it assumes that all men are interested in the same fantasy, one about sexual domination. If one actually looks at the range of commercial porn available there are a wide range of fantasies, some benign. Some even feature dominatrixes. The fragmentation of body parts, the hallmark of North American porn, can be read as the commercialization of all human relations, the female body as commodity, broken into its functional parts (usually orifices), a desire to humiliate women, or to simply not deal with women as people. Equally, one can see fragmentation as linked to sexuality, the tendency to fixate on parts of the body associated with pleasure, the infantile elements in human sexuality.

*repetitive \** [ It is dangerous to assume one reading of the erotic for women, based on an implicit agreement about a shared sexual experience or vision. At a recent symposium on sexual representation in Ottawa, a row erupted as to the meaning of a painting of two women, one naked on a bed, her genitals exposed, the other standing by the bed, towelling her hair, looking down at the woman on the bed with an intense gaze. (ibid. 1984) reference

Some were certain that the exposed vulva meant the image was meant for a male gaze. Others saw it as a passionate and relaxed moment of vulnerability between two lovers or friends. Others yet thought that the audience was insisting on

sexualizing the image because female genitals were exposed. Did the gender of the painter matter in deciding intention? Nor could we agree on a female/male reading, nor feminist/non-feminist. The discussion was not resolved, but it was valuable. It told us alot about the people viewing the image and not that much about the painter's original intentions or the "meaning" of the work in an objective sense. [See Terry Eagleton re: reading of cultural meaning]

Another example. At The Heat is On: Women On Art On Sex a videotape called Possibly in Michigan was screened. [November 29, 30, December 1, 1986, Vancouver] In this tape, two women are persued by a man with violent intentions. He wears a series of animal masks. The narrative tells us that these women are previous victims of male violence. All information and dialogue is communicated in an operatic singsong in the tape. The women are in a department store. They try on make-up and perfumes. The atmosphere is light, but the sense of danger cloying, as the masked man follows them up the escalator.

The women go home. One leaves her friend outside her door, unsuspecting, as the man skulks about her yard. We know he is there. He is outside, and then suddenly inside her house. The action in the tape becomes non-linear. Images cut between the man assaulting her, the woman appearing dead, surrounded by flowers;

her resistance, more death images. Suddenly, the friend enters the room and shoots the man. The video implies that the women cut up the assailant, cook up a soup and feast naked on his remains toasting each other. The tape ends as the women bring several suggestive green garbagebags outside which are picked up by a garbage truck. The evidence is gone. We/they are safe.

One could catalogue the ways that this tape contravenes the proposed Bill C-114 and the existing Bill 30, B.C.'s new law. A person is implied as an animal; there is violence, degradation, implied sexual violence, cannibalism...Yet this tape is a powerful, humorous, feminist critique of violent porn and horror movies, all genres that function at women's expense.

Given the level of assault and abuse that women are in contact with in their lives media in which women are able to take control of the situation, including in a dreamlike fantasy is valuable. At the very least, the tape asserts that men can no longer get away with assaulting women. Some women quite find this tape empowering, yet others are outraged by the violence by women committed in the work. Some men do not get the joke. Should the work be censored or screened and discussed? How would a Canadian judge assess the artistic merit of the work?

*Report* If we acknowledge the tremendous repression of women's

*Condense*  
sexuality within this society and the generalized violence that pervades everyday life and the sense of lack of control we experience, then we must acknowledge that women as well as men will internalize violence. When women begin to explore fantasies, including sexual fantasies, loss of control and perhaps violence, at least for some women, will be a factor. If existing fantasies (commercial and artistic) for the most part reinforce and express male desire then new imagery can and must be made for women to explore and hopefully transform our desire.

Censorship intervenes directly into this process. It enshrines the existing power imbalance within imagery--one in which women are passive and objectified, within the law. We enter a society where the visual depiction of sexuality and all the associated problems of sexism get frozen at the point of existing sexist images (with here a snip, there a snip) and the monologue proceeds. For creation and exploration of female sexual imagery requires that there be active social support for women artists and educators in the form of resources and that the age old stigma against the public depiction of women as sexual beings is torn away. Censorship makes it socially risky for women to engage in this discussion as viewers as well as to produce images.

As an artist and image-consumer I suspect the implica-

tion that women, because of some essential quality, do not find pleasure in visual images. <sup>(A)</sup> While most images, including sexual ones, are made with masculine taste in mind, some women do find echoes of their own desire within. Others find these lacking in what they desire, others may not respond to images but to context and other erotic stimuli, preferring non-photographic media which better create ambience. Other women may fear sexual explicitness or feel degraded by it--no surprise given <sup>(B)</sup> who sex-negative our society is towards women's pleasure. That some women do enjoy explicit imagery is suggested by the growing number of porn production houses (Lipstick, Tigress, Blush) who now cater to developing video pornography for female viewers. [Amber Hollibaugh, December, 1986].

✓ Supporters of the Commission will argue that exemptions exist for artistic or educational work. This is not the case. A defense does exist for seized material, its maker and distributor, if one can prove an intent to educate or that the content and context of the image is artistic. In federal legislation the work and by implication, the artist, is guilty until proven innocent. Court processes are lengthy and require money, a scarce commodity in the art world. The artist must convince a judge or jury that material is "artistic" and of merit to the community. This process relies not on the audience for the work, those interested in the work enough to see it at a gallery or in



book form, but on a highly selected body, with no interest per se in art, the courts.

Artists have suffered under existing Canadian censorship legislation. [See Cyndra MacDowall's overview of the abuse of legislation in ISSUES OF CENSORSHIP, A Space]. The context that makes art particularly vulnerable to legal action, is also its strong point. Unlike magazines and home videos, art, for the most part, exists within the public arena, where it can be seen and reacted to. It is therefore more easily offensive to someone, perhaps a policeman, than is private imagery. [Pages Bookstore

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The public nature of art has evoked a complex network of criticism: it is written about, discussed by its viewers. Galleries and screenings emphasize spectator response; the discourse about art weaves it into history in a formal way. Without idealizing existing systems of criticism and making art precious, these process DO provide a potential model for critiquing less vulnerable public (t.v. and mainstream cinema) and mass-produced, privately consumed imagery (porn). We need the discussion of images, not their disappearance.

Artists are gravely fearful of this <sup>strategic objective process</sup> disappearance, the evolution on a culture of constraints, where imagination, already bound by economics and social prejudice, is placed within legal

boundaries. This means the inability to speak of huge areas of our lives; the relegation of the artist to decorator and mystifier instead of social critic and conscience. Censorship of one type of imagery (sexual) to-day sets the framework for the suppression of other "explicit", perhaps politically critical images tomorrow (ffnote Lisa Steele at CAA). Feminist artists have played a very important role in all forms, including literature and film, in opening up the discussion of what it is to be and feel and imagine in the feminine. It is the ability to continue this discourse in the arena of sexuality that is threatened.

Censorship hits art like a tidal wave. A network of people, from artist to curator to projectionist to gallery director, brings art to walls, performance spaces, monitors and screens. Boards of galleries are legally responsible for work that might be seized. Legal action against an art work, artist and gallery makes other institutions wary about what they will show. Some institutions and artists self-censor and retreat and others rise to do battle. The legal and social climate causes major institutions like the Vancouver Art Gallery to become panicky and cancel innovative work like Paul Wong's Confused, Sexual Views. The artist lost the ensuing court case to reinstate the work. Art and criticism become defined around the axis of what can be represented, legally or institutionally, and what cannot. [See "Censorship in Canada Case History: Ontario" by

Jennifer Dille and Dot Tuer, Vanguard, Summer 1986, for an overview of the impact of censorship on art-making in Ontario.

This is not a new process. In the United States during the 1940s and 1950s homoerotic representations were illicit. Thomas Waugh suggests that a set of symbols and assigned subcultural meanings evolved within the gay media--primarily muscle and then more general ~~men's~~ magazines--to speak to gay male desire. [Paper given at Ottawa Symposium on Sexuality and Representation, Gallery 101, 1984] Explicit homosexual imagery was usurped by phallic symbols (weaponry for example), symbols that appropriated traditional tools of domination and prescribed masculinity and subverted them. Gay male desire and the desire for images to represent it did not go away, despite prohibition and persecution. Rather, the symbols became precious and fetishized. Magazines constantly pushed the boundaries the law, fighting to establish the legality of the homoerotic image, or were pushed by prosecution to defend particular representations.

A similar process will occur with images of sex, with laws like Bill C-114 in place. Sectors of the porn industry will tread water displaying women as objects (not activity per se), others will imply sexual activity and yet others will push the boundaries. Coding already occurs: it has historically been legally acceptable to import images of women sucking on guns,

*already stated* { while images of women sucking on penises are illegal. Given the deeply rooted misogyny in this culture and the violence that surrounds us, sexually violent fantasies will not disappear quickly. They will take on more symbolic (arty?) forms.

Others in the industry will push the boundaries of the law both in what is produced, displayed and available. After all, one of the attractions of porn is its extra-legal, prohibited, "dirty" quality. The legal prosecution of porn enhances its value. The idea of the porn industry and its male consumers becoming the victims/heros in a fight for civil liberties is unattractive indeed.

People will certainly not cease their interest in sexual imagery and representations. Perhaps romantic natural forms are less offensive to some than photos of passionate sex, but to others these embody the idealization and alienation of this culture from human desire. Yet again, the stigma of moral censure will be attached to the sexual image.

While federal legislation can be a threat to existing images, it is provincial classification and censorship bodies that dramatically effect the open circulation of independent film and video. Although B.C.'s Attorney-General Brian Smith, argues that classification simply presents information to the consumer

and the Fraser Report suggests that provincial bodies limit their work to description, this is not the reality of classification in Canada. Classification becomes a form of censorship when administered by a state body with the power to cut and in the framework of restricting access to material by certain audiences. Classification uses criteria that reinforce existing sex-negative attitudes. Description of the tape only in terms of sexual content ("explicit sexual scenes") can make it a hotter item than it originally would be if a clear description of content were available.

The Ontario Censor Board is notorious for its decisions to ban important experimental films and harass galleries and community viewing spaces. A curator at A Space Gallery recently commented on the absurdity of walking down the Yonge Street porn strip in Toronto, bombarded by beckoning, explicit imagery, and entering the gallery. There she was met by four Toronto police who were attending a screening of abstract, experimental computer graphics works. They were there not to learn about the latest in art technologies but to survey the gallery.

Classification is costly. Non-profit distributors and individual artists can not afford the screening fees of \$1.00 per one or two minutes. When we talk of libraries and collections of Canadian video centres, we are talking thousands of dollars. Com-

mercy distributors who can afford to pay for classification and censorship will have the monopoly on video imagery, making it even more difficult to disseminate work that criticizes the images that surround us. The responsibility should lie with the public to demand description and with the distributor to provide it.

The Fraser Commission rejected exemptions for "museums, art galleries and the like.." because "attempts to draft such a position floundered on the issue of how to ensure that the exemption would be only available to legitimate establishments of this type." [Fraser, page 275] In order to prohibit a minority of images, the public space closes on others.

Many artists reject special exemptions for galleries, but for different reasons. Video artists, for example, have fought long and hard to NOT confine art to the gallery space and to a small, elite educated audience. To separate art from community screenings and showing contexts, from storefronts and commercial contexts, institutionalizes in law a false separation. It assumes that an educated "art" (read middle class) audience will not be touched by sexist imagery while a mass audience is manipulated by images. Given proposed and existing criteria, the line between art and pornography becomes slim. Issues of modern sexuality and the representation of sexuality have been a concern in video art.

The Fraser Commission proposes classification by provincial boards and the regulation of display and access as tools to restrict the availability of sexual imagery to youth. On one hand, the Commission recognizes that "the child is a sexual being", yet it fails to offer alternative ways for young people to grow into adult sexual status.

The Commission continues to accept eighteen as the dividing line between childhood and adulthood as regards access to sexual images and to sex aides. [pgs. 638-9] This contradicts the sexual realities of many, many young people. How absurd that a sixteen year old woman can have sexual intercourse, get pregnant, but not buy a vibrator! It reinforces a view of youth sexuality as appropriately defined and controlled by adults. The restriction of access to sexual images on protective grounds is thus posed as an effective way to control or shape the behavior of young people at the same time that no effective alternatives for education are posed. Action is argued on the basis of protecting society's values, but the actual status of Canadian youth is not probed, nor is their consciousness. They are never asked if they want to see or perhaps produce sexual imagery.

My generation were and the present generation of youth are, sexually active well before the age of eighteen. The first sexual experience that I can remember that involved other people,

could be described as group sex and occurred at the age of five. At eleven I was creating representations, both visual and written of graphic sexual experience. (Or something that resembled my rather sketchy knowledge thereof). I was a curious, sexually active teenager by fourteen. As a child I thirsted for any existing information that I could find about sex. I spent hours pouring over National Geographics, my parents' collection of Victorian novels, which I clandestinely removed from the bookshelves and returned equally surreptitiously. I wondered at the hairless <sup>lack of body</sup> women, as I regularly flipped through Playboy Magazine at the the local United Cigar Store. Later, I sweated over every True Romance I could get my hands on.

*\* pathic. sexual socializations*

So that's my true confession and I am making it for a reason. Nobody made me look at or read these things. I don't think I'm unusual. My "research" into sex and sexual identity far exceeded my practice at that early age. Rather than harming me in some indelible way, it gave me an albeit distorted, somewhat cynical but <sup>romantic</sup> informed stance about sexuality as a teenager.

Young people are still fascinated by sex. How can they not be, in a society that places sex at the core of individual identity. Pornography substitutes for sex education for many teenagers, a fact which the report acknowledges. If porn is made even more illicit its authority will be magnified a hundredfold.



Youth need media education which enables a critical dismantling of porn within the school system and community.

Sex education is essential, and it should be and must be available through the school system. But this educational process cannot be limited to the prevention of sexual abuse nor to dry biological fact.

Part of the allure of pornography is its fantasy aspect, what could be termed its entertainment value. Material that provides non-sexist alternatives has to be well packaged if it is going to reach young people (let alone adults). Restricting sex education to the school system is inadequate. Teachers have power over their students, kids are often uncomfortable talking about sex, a taboo subject at home and in the world. This is especially true in an environment with strong hierarchical lines of authority where they fear judgement. Availability of sexual information, images and discussion must exist in the community as well as in the school. For this reason restricting public access for young people is double jeopardy.

What parents fail to realize is that even without information, youth will experiment with sex. While the exploitation of children for the pleasure of adults is abhorrent, the repression of young people's sexuality in their own right and with each other is equally problematic. Adults need to learn to

understand and respect the rights of children, including their sexual rights.

The more information and options that exist for young women and men to enable them to unravel who they are as sexual beings, the better opportunity for future generations to change the structures of sexual oppression which make the unequal images within pornography so attractive.

Anti-censorship groups like Vancouver's Coalition for the Right to View, have developed alternatives to the suppression of images by the state. This solution requires social resources to flow into education and services, rather than police surveillance of galleries and distributors and the courts:

1) On the most fundamental level, women and youth require economic independence, to eliminate the urgency of work in prostitution and pornography. Poverty leads to a complete lack of options, an inability to leave men who batter, pimp or produce porn. All policies which enhance the status of women socially and economically effect the desirability of misogynist pornography and the power of the women who work within the sex trade.

2) Central to this process is the organization of workers

within the sex trades, to provide vehicles to express their needs directly and to press for decent wages and conditions.

3) We need a law that decriminalizes pornography and other sexual representations. This would free workers within the porn industry from prosecution. We need to strengthen laws to intervene against sexual abuse of children and violence against women. Education of law enforcement agencies in these areas must be intensified.

4) The network of social services to support victims must be reinforced. Education about abuse, self-defense training for children and women, child abuse teams, shelters for battered women are part of this infrastructure.

5) Age of consent laws must be lowered to realistically address youth sexuality. They must be made uniform, regardless of sexual orientation as Fraser suggests. Young people must not be punished for being sexually active, whether with youth or adults. Sex abuse by adults must remain criminalized.

6) All sanctions against sexual choice must end. Sex education should include positive recognition of gay and lesbian lifestyles.

7) Comprehensive sex education programmes should be developed for use in schools and communities.

8) Child labour laws should be applied against those who employ children in the porn industry. Since most child pornography is produced outside of Canada, we could fight for a boycott of countries that do not prohibit child labour and sexual abuse.

9) Safe birth control and abortion must be available. Birth control education should be enhanced, not cutback.

10) The Fraser Commission notes that sexism permeates all media. Alternate sex-positive and pro-woman images must be produced for mass media circulation and display in communities and galleries. Social resources must be devoted to producing educational and entertainment materials for adults and youth. Affirmative action policies should be implemented by funding agencies to insure that women producers are well represented in developing alternate imagery.

11) Men must encourage other men to take responsibility for their sexism, both attitudinal and behavioral. Given that pornography primarily targets the male consumer, men must make its misrepresentation of women and men a central concern.

12) Community action should continue against porn distributors who carry extremely violent heterosexual porn. The argument against censorship presented in this paper is not an argument for free speech at all costs, but an argument against asking the state to shape what we can or cannot see. It is reasonable to organize against hate literature whether the content is mysogny, racism or anti-semitism. The aim of organization must be educational and not sex-negative. [The original base of this programme comes from Women Against Censorship, Varda Burstyn et al, 1985].

These ideas may seem ambitious but they offer a more coherent response to the problem of pornography than does the manipulation of a few existing laws. The Fraser Commission, despite its extensive research argues for retaining the status quo. Unfortunately, what will emerge from rigorous state censorship is likely to be a different set of images than either procensorship feminists or the commissioners imagine, ones that may outdistance the obscenity of current standards.