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The Pornographic Digital Divide: Libraries and Forbidden Knowledge
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Abstract

Introduction: This paper does not present solutions to the use of pornography in public spaces such as the library nor does it reflect the opinions of the institution that pays my salary. Instead, it presents a dilemma and problematizes the use of and access to pornography and other taboo information materials by library users.

Background: Pornography is the graphic representation of sexual acts. While hard copy formats certainly still exist, pornography is increasingly digital, moving from print to film to videocassette to the internet and DVD. Each of these digital formats requires the use of special equipment (VCR, computer with internet access, DVD player) that has its own associated purchase or rental costs. Information users without their own machines must either do without the information available only in these formats or seek out publicly available technology, such as that provided in the library.

Dilemma: Librarians are the defenders of free speech and free access to information. We audibly hiss at the mention of CIPA, internet filters, and banned and challenged books. We follow a populist model of providing our user communities with the titles they want—even if we personally find romance novels trashy and the Captain Underpants series repugnant. So why do we treat porn as a special case?

One of the most common statements librarians make about pornography begins: “I don’t care what people do at home, but in a public place...” Does this mean that people without homes or private places do not have the right to access sexually explicit materials? Is sexual self-expression reserved for the upper/middle class who can afford privacy? If not, who provides the access, if not the library? If so, is there a line of what constitutes acceptable? Where is it drawn? Does the reason someone is looking at the information matter (e.g. Is looking at a penis for medical information somehow a “better” use of the information than looking at it for sexual satisfaction?), and are we supposed to police the ways in which information is used/perceived, such as whether people get sexual satisfaction from a particular piece of information/image?

If librarianship claims to be about providing people with the information they need without passing judgment, no matter what it happens to be for, can our anti-porn stance coexist with our ardent disapproval of censorship?

Introduction: I'd like to begin this presentation with a disclaimer: This paper does not in any way present practical solutions to the use of pornography in public spaces such as the library nor does it reflect the opinions of the institution that pays my salary. Instead, it presents a dilemma and problematizes the use of and access to pornography and other taboo information materials by library users.

This piece was inspired by a real incident that happened one Friday evening right before the library closed. While I was doing the “we’re closing soon” rounds of the stragglers in our public computing area, I approached one of our regular patrons—an older gentleman, a member of the public—who was using the scanner. He didn’t turn around when I said my standard, “just to remind you, we’re closing in fifteen minutes” but instead attempted to cover the screen with his arm. Unfortunately for him, it was a rather large screen and I got an eyeful of what appeared to be pictures of a nude male from the waist down, probably the patron himself. I have to admit that my initial shock had more to do with my own ageism and the fact that up until now, my interactions with this guy had been to help him find a bus schedule and print color pictures of his grandkids that had been emailed to him by his son. And, I have to admit, the images weren’t very interesting and were more than a little sad as far as pornography goes. I actually wondered if he was a widower who’d found himself an internet sweetheart, or at least someone he thought was an internet sweetheart.

My library, which, I should point out, is an academic health sciences library attached to a large state university, recently installed video cameras so that we could watch flashers and other potential perpetrators upstairs without leaving the front desk, but it doesn’t have an official policy on pornography or inappropriate computer use (as game

playing and entertainment are permitted as a means of relaxation for overwhelmed housestaff), so I didn't know what to do. We also have on display plastic models that include sexual anatomy, birthing simulators available for check-out, and very few children who ever enter our building. My inclination was to do nothing, let him pack up his rather sad selection of explicit photos, and let that be the end of it—or, as my officemate suggested later, spout off the call number for microbiology (That's QW in NLM classification, QR in LC, and 576 in Dewey.)—but I also didn't want one of my other coworkers to see the same thing and ask why I did nothing when I saw it. So I sent the operations manager after him, and she tactfully told him that there'd been a complaint and he needed to leave. She wrote up an incident report, and we figured that would be the end of it. Every time the guy came back to the library, every staff member who recognized him as “porn guy” would “casually” walk up behind him and check out the contents of his screen. Then, another Friday evening, a student approached the front desk and told me that she just wanted me to be aware that some guy was looking at pornography. I think my reaction was “Oh hell,” as I'd seen porn guy enter the building earlier. I gave the manager the option of my talking to him or going after him herself, and she figured that her age and position might lend her more credibility. She told him not to come back for a year, which actually isn't policy and, thus, can't really be enforced. Porn guy now typically comes in only on Sundays, which he apparently realizes is a time that she doesn't normally work. He has yet to be caught a third time.

Background: Here I'd like to backtrack and take a minute to define pornography, just so that we're all on the same page. First, I'm going to point out that I'm not interested in

arguing whether porn is good or bad, though I do personally find most pornography a normal, reasonably healthy expression of sexual fantasy. Common social opinion goes back and forth, as illustrated by the findings of the 1970 report from the Presidential Commission on Pornography, which found no evidence linking sexually explicit materials and delinquent or criminal behavior, and the 1986 report of the Attorney General's Commission on Pornography (also known as the Meese Report), which basically found the opposite. During the Reagan era, many feminists chose pornography as their cause, and two of the more famous activists, Catherine MacKinnon and Andrea Dworkin, proposed a model law that would make pornography, which they defined as "graphic sexually explicit materials that subordinate women through pictures or words," a civil rights violation.¹ On the other hand, many other feminists of both sexes consider that pornography has a legitimate place in postmodern life. Scott MacDonald, for example, suggests that pornography gives men the opportunity to examine other male genitals and learn how to sexually maneuver them.²

These days the focus is less on the exploitation of women and more on "child pornography" which conjures up images of naked six-year-olds but is broad enough to include horny teenagers taking pictures of each other. Pornography, in and of itself, is not illegal, though material that is "harmful to minors," "child pornography," which is clearly defined in the US Code, and the ever-fluid "obscenity," as defined by "applying contemporary community standards," are.³ Etomologically, Merriam-Webster tells us that the term comes from *pornographos*, which means, literally, "writing about prostitutes".⁴ I define pornography simply as *the graphic representation of sexual acts*.

Moving along...The nature of pornography has changed considerably over the last fifty years or so, partly due to the sexual revolution and changing ideas about acceptable sexuality, and partly due to technology. While hard copy formats certainly still exist, pornography is increasingly digital, moving from print to film to videocassette to the internet and DVD. Each of these digital formats requires the use of special equipment (VCR, computer with internet access, DVD player) that has its own associated purchase or rental costs. For those who own these machines, it means that pornography can be used and appreciated in the privacy of one's own home instead of in a sleazy run-down movie theater.

Information users without their own machines must either do without the material available only in these formats or seek out publicly available technology, such as that provided in the library.

And therein lies the dilemma: Librarians are the defenders of free speech and free access to information. We will audibly hiss at the mention of CIPA, internet filters, and banned and challenged books. We follow a populist model of providing our user communities with the titles they want—even if we personally find romance novels trashy and the Captain Underpants series repugnant. So why do we treat porn as a special case? In the print medium, it's easy to argue against the selection of porn—libraries have limited budgets and thus must buy materials of use or appeal to the widest audience. With the world wide web, the issue is, in this instance, no longer what the library purchases but instead what the individual patrons choose to view while inside the building. With freely

available information, the concern ceases to be “What *can* we give patrons?” and becomes “What *won't* we allow in our space?”

As the majority of librarians are female and most library porn surfers are male, several members of the NexGenLib listserv have suggested that, in their experience, many patrons deliberately surf porn sites within full view of the reference desk as an attention-getting measure. Taking that one step further, it could be argued that the presence of pornography in the library creates a hostile work environment in the sexual harassment sense. In fact, twelve employees at the Minneapolis Public Library claimed just that and were awarded a \$435,000 settlement.⁵ Then there's also the physical acts that often accompany the viewing of pornography—namely, masturbation—which translate to public lewdness, which is both illegal and, if you want to stretch it, could be deemed a public health hazard or maybe even a very crude form of biological terrorism.

And, again, there's the issue of children. Between v-chips, outrage at Janet Jackson's bared breast during the Super Bowl, abstinence-only sexual education, sexual offender registries, and media hype about so-called child porn, the underlying theme is that American children must be shielded from all sex. Over the past 10 years or so, a slew of laws have been passed with both “children” and “protection” in the title, among them CIPA.

CIPA, the Children's Internet Protection Act, was upheld by the Supreme Court in June 2003. It affects librarians by requiring all institutions that receive federal e-rate discounts or LSTA funds for the provision of internet access to install filters on all computers—including staff terminals—but that any adult user can request that the filter be disabled “for bona fide research or other lawful purposes.” In other words, our adult

patrons can still look at whatever they want online, they just have to alert us of their potential sexual deviancy before doing so.

Pornography, in and of itself, is not illegal, and “bona fide research” is hardly quantifiable. Nor is it applicable to all other popular library materials—most items in the average public library’s general fiction section being a prime example.

In justifying the collection of print materials, the ALA Bill of Rights states, first, “Books and other library resources should be provided for the interest, information, and enlightenment of all people in the community the library serves,” and, then, “Materials should not be proscribed or removed because of partisan or doctrinal disapproval.”⁶ In other words, if we follow the ALA Bill of Rights, which is a practice guideline and not a legal document—though there is always that first amendment right of freedom of speech to fall back on—libraries should make available—rather than censor—materials that interest their patrons, even if that interest happens to be in pornography.

As a text in and of itself, mainstream pornography—which typically depicts consenting adults engaging in sexual activity—is relatively harmless. It’s the baggage and taboo around porn that cause problems for librarians. I personally don’t really care what my patrons look at on their screens. However, I don’t want other patrons to feel uncomfortable. As even most liberals consider sex a private act removed from the public sphere, the obvious presence of pornography in the library is guaranteed to generate complaints, which is probably why one of the most common librarian responses to pornography begins: “I don’t care what people do at home, but in a public place...”

So... Does this mean that people without homes or private places do not have the right to access sexually explicit materials? Is sexual expression and the enjoyment of

such a privilege reserved for the upper/middle class who can afford privacy? If not, who provides the access, if not the library? If so, is there a line of what constitutes acceptable? Where is it drawn? How do we draw it? Does the reason someone is looking at the information matter (e.g. Is looking at a penis for medical information somehow a “better” use of the information than looking at it for sexual satisfaction?), and are we supposed to police the ways in which information is used/perceived, such as whether people get sexual satisfaction from a particular piece of information/image?

If librarianship claims to be about providing people with the information they need without passing judgment, no matter what it happens to be for, can an anti-porn stance coexist with our ardent disapproval of censorship? What other information access should be limited to only those who can do so in private?

In conclusion Libraries by their very nature cater to diverse groups of individuals with varied information wants and needs. The Supreme Court understood that when they upheld CIPA with the stipulation that patrons could request that filters be turned off.⁷ (As an aside for anyone struggling with this, I’d like to point out that the content settings built into Internet Explorer and Netscape qualify as filters and are easy to turn off.) I’m not advocating that we fill our libraries with smut, peddle porn to children, get ourselves into situations where we need to hire full-time jizz moppers, or, to be blunt, that we welcome the perverts (and I have friends who are sex workers and run adult web sites so I use the term affectionately) at the expense of the rest of our patrons, but explicitly sexual—or otherwise taboo—but I’m not comfortable with the idea that any materials are

inaccessible to people just because they're poor and can't afford their own internet access.

¹Catherine MacKinnon, *Only Words*, (Cambridge, Mass.: Harvard University Press, 1993), 22. The proposed law defined pornography as "the graphic sexually explicit subordination of women through pictures and/or words that also includes one or more of the following: (a) women are presented dehumanized as sexual objects, things, or commodities; or (b) women are presented as sexual objects who enjoy humiliation and pain; or (c) women are presented as sexual objects experiencing sexual pleasure in rape, incest, or other sexual assault; or (d) women are presented as sexual objects tied up or cut up or mutilated or bruised or physically hurt; or (e) women are presented in postures or positions of sexual submission, servility, or display; or (f) women's body parts—including but no limited to vaginas, breasts, or buttocks—are exhibited such that women are reduced to those parts; or (g) women are presented being penetrated by objects or animals; or (h) women are presented in scenarios of degradation, humiliation, injury, torture, shown as filthy or inferior, bleeding, bruised, or hurt in a context that makes these conditions sexual." MacKinnon adds that pornography extends to the use of "men, children, or transsexuals in place of women." (122-123)

²Scott MacDonald, "Confessions of a Feminist Porn Watcher," In Michael S. Kimmel, ed., *Men Confront Pornography*. (New York: Crown Publishers, Inc., 1990), 34-42.

³Mary Minnow, "'I Know it When I See It' Constitutional, Federal and State Legal Definitions of Child Pornography, Obscenity and 'Harmful to Minors' of Interest to California Libraries," LLRX.com, 1 Oct. 2002, <<http://www.llrx.com/features/obscenitylaws.htm>> (29 March 2004).

⁴*Merriam-Webster Online Dictionary*, "Pornography," <<http://www.m-w.com>> (29 March 2004)

⁵Norman Oder, "Minneapolis PL settles porn suit: 12 staffers to share \$435K settlement; library issues 'regrets'," *Library Journal*, 128, no. 15, (2003): 17.

⁶American Library Association, "Library Bill of Rights," 23 January 1996, <<http://www.ala.org/ala/oif/statementspols/statementsif/librarybillrights.htm>> (30 March 2004)

⁷American Library Association, "The Children's Internet Protection Act," 1 March 2004, <<http://www.ala.org/ala/washoff/WOissues/civilliberties/washcipa/cipa.htm>> (30 March 2004)