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Fair Representations of Children

by

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Introduction

In this thesis I shall be exploring the idea of why it is that what seems so innocent and simple - the portrayal of children - has become a complex subject fraught with misunderstanding. In art, much of this controversy is directed towards photographic imagery - photos, films, video. These newer art forms have shorter histories, less prestige and intimacy, and less cultural protection than more traditional forms such as painting or sculpture. However, the new media also reach a public much wider spectatorship than that attained by 'high' art. Where artists employ these media they find themselves on the dividing line between 'culture' and 'mass culture'. They also find themselves at the mercy of the law, the media and public opinion.

The nub of the problem in representing children is sex. The very term 'child pornography' is so emotive that it deflects any serious examination of the issues that it raises. For instance, what constitutes child pornography, and who is damaged by it? Legislators and the media are reluctant to criticise any outcry over child pornography for fear of being seen as advocating it. The result has been that an everincreasing number of artists, gallery owners and parent photographers are being arrested, censored and harassed for producing, exhibiting or possessing what some consider to be child pornography.

In this thesis, I would like to concentrate on the situation in the United States as it pertains to representations of children. There, the image of the nude child and the idea of sexuality in children have elicited strong responses over the last two decades. Child pornography laws which were passed by Congress and most state legislatures have had a severe effect, by constricting the freedoms of artists, gallery directors and amateur photographers. But what is pornography? Judge Potter Stewart of the U.S. Supreme Court gave the celebrated response, "I don't know how to define it, but I know it when I see it." (Huer, 1987, p. 183). It seems as though no society has studied the problem of pornography more thoroughly than the U.S., but also that no society is more troubled by the issue.

Depending on the jurisdiction, 'legitimate' art, films, photographs and sex education books may be banned because the poses or settings are considered erotic,



to appeal to the sexual interest of some person, or purely because a minor has been shown nude. The issue is not purely legal. Within the feminist movement, for instance, there have been strong arguments for and against censorship of such imagery. There is a fear of patriarchy and power, of the gaze which positions the viewed woman or child as less powerful, inferior, open to manipulation and abuse.

Yet the question still arises: how should a child be represented? Is there a possibility of a fair representation? It seems that society constructs a version of childhood in which sex and sexuality occupy very ambiguous and fraught positions. On the one hand childhood is considered by many to be presexual and innocent. On the other, the media, in particular advertising, can be seen to be full of images which eroticise girl children in particular through poses, make-up, fashion on so on. In such a context, the work of photographers such as Sally Mann is particularly interesting. It portrays some of the complexity of what it is to be a child, to be a being of constant changes and, for some, troubling sexuality.



Chapter 1 Child Pornography - History and Myth

Child pornography came to be perceived as a serious and pervasive problem in American society during the mid-1970s, shortly after items of child pornography appeared on the shelves of adult book stores in major cities in the U.S. (New York, Chicago, Los Angeles). Almost immediately, self-appointed moral crusaders and some feminists began storming the country to decry the shameful exploitation of children by child pornographers and adults who engage or desire to engage in sexual activity with children. Many articles and editorials were written demanding a halt to child pornography. Within a couple of years, distributors and retailers of adult pornography had removed child pornography from their stock and shelves. By the time the first Federal child pornography law took effect in February 1978, the production and commercial distribution of child pornography in the U.S. had been virtually eliminated. In fact, as the attorney Stanley (1989) writes, currently the only child pornography circulating in the U.S. is produced by the U.S. Post Office and U.S. Customs Agency. These agencies fabricate organisations with names like "Candy's Love Club" and "Crusaders for Sexual Freedom" and mail newsletters to "potential consumers" of child pornography, such as people who import conventional pornography (Stanley, 1989, p. 323). The postal and customs agencies engage in sting operations in which they market videos, photo sets, and magazines to potential customers of child pornography, and arrest them for possession when they receive the goods in the mail: two or three hundred of these arrests are made each year (Stanley, 1989, p. 323).

Despite what some see as a near-absence of child pornography, the childpornography issue was still exploited by moral crusaders including some politicians and much of the media. "What may have begun as a legitimate concern for the wellbeing of children quickly turned into a 'moral panic' which swept the nation. The term 'moral panic' refers to a type of response "in which a minor social problem expresses a deeper related one". (Eliasoph, cited in Stanley, 1989, p. 295). Currently, child pornography slide-shows and "teach-ins" continue to be given by



law-enforcement personnel, religious groups, women against pornography, and other groups professing the danger that child pornography poses to children and society. Countless new articles and exposés are still being disseminated at an astonishing rate (Stanley, 1989, p. 296), warning parents and children about kidnappings or sexual advances from strangers.

In the same vein, school programmes aimed at teaching children about "good" touch, "bad" touch, have been developed and implemented (Bowen, 1984, pp. 91-92). Perhaps as a result of such programmes, the atmosphere is often such that professionals and volunteers who work with children, particularly teachers of young children, are terrified of touching or being alone with a child lest they be accused of abuse.

By the mid-1980s, moral-purity campaigners had gained a new credibility as the backlash against permissiveness gathered momentum and the advent of AIDS introduced new cautions. AIDS made it possible to speak of sex to young people, but as a danger not as a pleasure. Sex education in schools has been at the centre of recurring disputes. A popular view was that too much knowledge deprives children of their innocence, and indeed of childhood itself.

Child pornography and the law

What follows is a brief description of laws relating to child pornography in the U.S. The main sources are Stanley (1989) and Marks (1990).

The Protection of Children Against Exploitation Act of 1977 made it a crime commercially to produce or distribute child pornography. Child pornography was defined under the Act as any obscene visual depiction of a person under the age of sixteen showing that person either engaged in any sexual activity, in a state of sexual arousal, or posed in such a way that the genitals or anal area were lewdly exhibited. In essence, the 1977 law made it a Federal crime to produce or distribute such images through the mails or through other interstate activity. The crime was punishable by up to ten years imprisonment and a \$10,000 fine for the first offence.

The definition of obscenity used to be defined according to the "three-pronged test" set up by the Supreme Court in *Miller vs. California*, 1973:



- A. Whether the average person applying contemporary standards would find that the work taken as a whole appeals to the prurient interest...
- B. Whether the work depicts or describes, in a patently offensive way, sexual conduct specifically to find by the applicable State law...

C. Whether the work, taken as a whole, lacks serious literary, artistic, political or scientific value...

(Judicial essay, cited in Marks, 1990, p. 12)

The Supreme Court judged in this case that those failing to pass the above test were not protected by the First Amendment (namely, that "Congress shall make no law...abridging the freedom of speech or the Press").

State child pornography laws vary widely. According to Stanley,

...they generally encompass a broader range of materials than does the federal law. The laws of certain states, such as Ohio, Massachusetts, Kansas and Indiana, proscribe the depiction of nudity of minors *per se*: their definitions include any depiction of the buttocks and developed or undeveloped female breasts as well as of the genitals. The Massachusetts law, which provides an exception only for bone fide scientific and educational institutions, was overturned by the Supreme Judicial Court of Massachusetts and arguments were heard in January, 1989, by the United States Supreme Court. At least eleven states criminalize lascivious or erotic depictions of minor female breasts. (Stanley, 1989, pp. 304-305, his italics)

The above gives an indication of the sorts of materials covered by interpretations of the laws in different states. Some states include matters such as intention and degree of sexual stimulation of the viewer in their determination of whether or not such material makes its possessor liable to prosecution.

Marks states that,

In 1988 Congress passed the Child Protection and Obscenity Enforcement Act, which added exhaustive record-keeping requirements to existing legislation. Any publisher of a "sexually explicit" image made since 1978 must have documents verifying the depicted individuals' identity that prove they were over 18 when the picture was made. (Marks, 1990, p. 13)



Photographic imagery of various sorts were the main target of the child pornography laws. Owning or exhibiting an art photograph or a naturist magazine is grounds for arrest in many states. Sex education books that show naked children have been pulled from distribution. One example, according to Marks (1990, p. 13) is a book by psychologist Helga Fleischhauer-Hardt and photographer Will McBride published in Europe in 1974, titled *Show Me!*. Its U.S. publisher managed to defend it successfully against obscenity charges in several states. But after the 1984 Federal legislation *- The Child Protection Act, 1984*, which most importantly removed the Miller three-pronged test (see above) and thus the requirement that the material be "obscene" to be illegal - it was withdrawn from the market.

Since the passing of the *Child Sexual Abuse and Pornography Act of 1986* and *Sexual Exploitation of Children of the United States Code* and fundamentally the formation of *The Meese Commission on Pornography*¹ a growing number of artists and parent photographers have been increasingly at risk of arrest, censorship and harassment. They now need to know when photographing a child with no clothes on if they are crossing the fine line between Art and Pornography.

Artists and the law

According to Ginsberg and Richey,

Charges leveled on photographers typically include "production of child pornography," "sexual exploitation of children," "corrupting a minor," and, for anything more than three prints of the same image, "intent to distribute child pornography." (Ginsberg and Richey, 1990, p. 42)

Alice Sims, Jock Sturges and Robert Mapplethorpe are just some of those in the firing line.

Alice Sims is a modestly successful artist who has shown her work in a gallery in Washington, D. C. The controversy began when Sims created the *Water*-

¹National Obscenity Enforcement Units were created by former Attorney General Edwin Meese in 1986 to train local and state law officers with advanced technology to make "obscenity" crackdowns (SWAT-team-like raids on suspected offenders).



babies series where she superimposed nude photos of her daughter Ariel (aged one) and a young friend upon photos of waterlillies to create idyllic scenes (see Plate 1). In July 1988, a worker in a photographic developing laboratory saw the nude images and believed a child pornographer was at work. Police subsequently put the Sims' home under surveillance, and then confronted the Sims family. After a lengthy search of the premises, they removed cameras, film, pictures, videos, and address books as well as the two Sims children.

Child pornography cases are often linked to custodial cases when a parent is under investigation; Sims' images were the only concrete evidence that state and federal authorities found to investigate her as an unfit mother. Apparently that is all it takes. (Hess, 1988, p. 31)

The children were taken into protective custody. They were examined at a hospital for possible physical abuse (without parental knowledge) and then placed in a temporary foster home. The next day the judge, at an emergency custody hearing, ruled that the children be returned to their parents. After several weeks of investigation, the state decided there was not evidence of criminal intent or child abuse and dropped the case (see Hess, 1988; Kaltenheuser, 1988, p. 42).

Aspects of this case were echoed on April 25, 1990 (see Dubin, 1992, pp. 138-139). A photography laboratory processing internegatives for Jock Sturges (a photographer based in San Francisco, best known for large-format depictions of naturist scenes which include families and adolescents - see Plate 2) alerted police to a possible case of child pornography or abuse. Sturges' home was subject to a three-hour-long search by the police and F.B.I. They confiscated a large amount of material, including thousands of negatives and prints, business records, correspondence, and equipment. Joe Semien, Sturges' laboratory technician, was arrested on two felony and ten misdemeanour charges and was jailed overnight.

The F.B.I. is entitled to hold Sturges' possessions for five years before pressing charges, and is striving to prove a pornography connection. They have subpoenaed galleries in Boston and Philadelphia which handled his work, and contacted many of the families in the U.S. and France whom Sturges had used as subjects. The case continues.



A further example of clashes between art and law involved Robert Mapplethorpe. On April 7, 1990, The Contemporary Arts Center (C.A.C.) of Cincinnati and its Director, Dennis Barry, were each charged with two misdemeanour counts: pandering obscenity and the use of minors in nudity-oriented materials (see Dubin, 1992, p. 210). The indictment cited seven works by Mapplethorpe from his exhibition, The Perfect Moment (a show which had previously been censored by the Corcoran Gallery of Art in Washington, D.C.); the works were five sado-masochistic photographs and two portraits of nude or partially nude children. The pictures of the children were taken with permission of their mothers (who, during the trial, said that they were not only present at the shoots, but they were delighted with the outcome). One depicted a little girl wearing a dress sitting on a bench with no underwear (Honey, 1976). The other, Portrait of Jessie McBride (1976; see Plate 3), shows a boy leaning against a chair, naked, with an impish expression. The boy (aged nineteen by the time of the trial) shared his parents opinions, stating in an interview that "It's (the picture) angelic. It's art." (quoted in Dubin, 1992, p. 230). Jessie also allowed himself to be rephotographed nude as an adult in the same pose; this was printed in The Village Voice. The prosecution included Judith Reisman, who dismissed the claims that the photographs were are because she felt they failed to express human emotion. She also assessed them as being dangerous public displays that legitimised child abuse (see Harrison, 1990, p. 175). The verdict of the case was the acquittal of Barry and the C.A.C. on all charges. Barry had faced up to one year in jail and a fine of \$2,000 and the C.A.C. could have been fined \$10,000.

One extremely important result of the above case was the intense debate brought forward both by the media and in Congress surrounding the funding by the National Endowment for the Arts of projects perceived by some individuals or organisations to be inappropriate for support. The debate has had a profound effect. Today, as

Jesse Helms and the American Family Association pore over lists of N.E.A. grant recipients, seeking evidence of obscenity, pornography has emerged as a major battleground in the war for the control of culture. (Heartney, 1991, p. 16)



Chapter 2

Fair Representations

According to Duggan (1989), "Some observers regard the flurry of repressive reactions towards sexual images in the late 1980s as a moral panic or sex panic." (Duggan, 1989, p. 67). The notion of moral panic was elaborated by Cohen to describe

those moments when societies create folk devils onto which they project a variety of fears. The media plays an important role in fanning such hysteria and these episodes typically divert attention away from complicated, societal wide problems. Panics explode with great force: the public is roused to action and roundly condemns and punishes certain people and behaviors. But gradually there is a return to a sense of normality and complaisance. (Cohen, 1972, p. 72)

The concept of moral panic has obvious applications to the epidemic of art controversies of the late 1980s. But to call it a sex panic only describes a fraction of what was occurring. A variety of topics became battlegrounds; sex joined the subjects of race, religion and patriotism, for instance, as disputed areas. Battle had already been in progress for some time over images of sexuality and the definition and value of pornography and obscenity before artists and their work were drawn into the arena.

One major group responsible for a large contribution on the subject of pornography is the Feminist movement. The usefulness of 'pornography' as an object of feminist anger and evangelical mobilisation is that it offers a clear visual target: here, it appears, is "the most graphic representation of female exploitation, floating like detritus out of a huge industry of sexual fetishisation and commodification, and providing a searchlight into the heart of male power over women." (Weeks, 1985, p. 231)



Feminism

During the 1970s and 1980s different factions of women took issue with one another because of their rejection of pornography or their support for an anticensorship stance.

Pro-censorship

On one side were women who endorsed the feminist decree "pornography is the theory; rape is the practice". These women believed that pornography demeans women, sanctions violence against them, and activates real incidents of sexual assault. Groups such as Women Against Violence in Pornography (WAP) endorsed this view, as did theorists Andrea Dworkin and Catherine MacKinnon. Beginning in 1983 these two women commanded attempts to enact local ordinances which would treat pornography as a form of sexual discrimination, and would restrict its production and distribution as a violation of women's civil rights. They led various campaigns in Indianapolis, Minneapolis, and Suffolk county, New York, but even when they were able to get laws passed they could not stand up to constitutional challenges. Nevertheless, these women continued to insist that pornography creates a dangerous environment for women to live in.

One viewpoint held by many of the extreme anti-pornography feminists is that heterosexual sex will always be a matter of violation of the woman by the man. "They prefer to consider sexuality as an autonomous entity, removed from the context of history, politics, and social reality." (Heartney, 1991, p. 17).

Anti-censorship

Facing off the pro-censorship women were other feminists who believed their sisters were misguided. Many were supporters of the Feminist Anti-Censorship Taskforce (F.A.C.T.). They felt that anti-pornography feminists were attributing too much importance to the role of pornography in creating or sustaining women's oppression. Simply put, eliminating pornography would not significantly alter the relative position of women in society, which stems from a complex array of religious, political and economic factors. Secondly, "sex positive" feminists feared that the views of their anti-pornography rivals recapitulated age old social myths



which have been invoked by self-appointed guardians of the "fair sex" in order to suppress women's sexual expression. These include the assumptions that sex is degrading, and that women are victims in sexual encounters, not full, active players. Finally, these women supported the development of images where mutual desire is depicted. They preferred more and different images, not suppression: "It is time to organize for our pleasures as well as our protection" one writer declared in a propornography manifesto (Webster, 1986, pp. 30-35).

One source of worry for the anti-censorship lobby has been the apparent similarity of approach between the pro-censorship feminists and anti-abortion activists. Echols expressed this worry when she wrote,

More generally, the anti-pornography crusade functions as the feminist equivalent of the anti-abortion movement - reinforcing and validating women's sense of themselves as the culture's victims and its moral guardians. (Echols, quoted in Hearney, 1991, p. 18)

Also aligned with the anti-censorship view is Susan Sontag. In her essay *The Pornographic Imagination* (1979) she asserts the idea of three pornographies: "an item in social history", "a psychological phenomenon" and "a minor but interesting modality or convention within the arts" (Sontag, 1979, p. 83). In her earlier book, *On Photography* (1977), one of her main grounds for defending pornography was that modern pornographic art makes frequent references to earlier sources of the same genre. *The Story of O* - for example - stands within a literary tradition; its principal association are with other books not with 'real life'. "The post modern name for this is 'intertextuality' - the relation of texts among themselves rather than to an extratextual reality".

However, Kendrick (1986, p. 97) argues that, if intertextuality is then taken as the identifying characteristic of 'art', then the assertion that 'pornography' is art is futile, as pornography is defined by working on minds and bodies, not on other texts.



Elitism, pluralism

The notion of intertextuality instantly raises issues of elite versus mass culture. Those established in the art world generally view art from a distinct perspective. The art establishment - galleries, museums, critics, patrons and so on has the power to define what are to be the valued and the less valued art forms. As Truitt states, such elitism identifies

...the continuing narrowly focused recognition of 'Fine Art' with the reinforcement of the domination of one class over others. Some have accused our schools, art museums, and other educational institutions of keeping people in their allotted socioeconomic 'places'. (Truitt, 1977, p. 117)

Elitism is everywhere evident when 'pornographic' images are the issue. What is not 'politically correct' if it appears on a newsstand in the street is 'culture' if it is hidden by the walls of an art museum. Witness, for example, the positive reception of Mapplethorpe's images by the cognoscenti, many of whom would almost certainly disparage mass-culture products as base pornography. However, it is when the 'masses' come to view what is held within the confines of museums that outrage and legal proceedings seem most likely to ensue - witness the Cincinnati response to Mapplethorpe's work (see Chapter 1).

As another example, take this response from one letter-writer to the photography of Sally Mann (whose work is discussed in detail in Chapter 4):

Working class parents who took nude photos of their children hanging from trees would have the social services around in no time. For middle-class Sally Mann, in the grounds of her own farm, it's called art. When is your paper going to wake up? You are perpetuating one rule for the rich and one for the poor. (Stoddart, 1992)

Is the answer to this dilemma to be found in the idea of cultural pluralism. That is the assumption that there are groups of people with various ways of living and different value systems who may respond differently to the various art forms. Not all artistic forms can be equally valued by everyone. "Taste should be the


individuals prerogative, as long as from an educational viewpoint - choices are made on the basis of knowledge rather than a result of ignorance." (Truitt, 1987, p. 43).

Elitism, however, is not purely artistic. Work that may be normally held by the law to be obscene can be defended under the premise of professionalism:

The use of imagery of minors in a state of nudity is permitted if for bona fide artistic, medical, scientific, educational, religious, governmental, judicial or other proper purpose or by a physician, psychologist, sociologist, scientist, teacher, person pursuing bona fide studies or research, librarian, clergyman, prosecutor, judge or other person having a *proper* interest. (Osborne vs Ohio, 1990, quoted in Marks, 1990; emphasis is mine).

The idea that these people (predominantly male authority figures) are entitled to gaze at these images while the general public is not is very worrying. It is excluding many people whose experience is not recognised by the law. They include feminists, gay people and people who believe child nudity to be a natural part of life. There is a two-tier standard for judging what is obscene. It seems that a work is obscene only when in the hands of 'ordinary' people.

Gaze

Using psychoanalysis and semiology, some feminist theorists believe they have "demonstrated that the dominant cinematic apparatus is constructed by men for a male spectator" (Mulvey, 1975). The idea of 'voyeurism' is central. As Mulvey describes it, "Voyeurism linked to disparagement, has a sadistic side, and is involved with pleasure through control or domination." (Mulvey, 1975). In this respect one can see very clearly the political connection between the patriarchal society we live in, involving male dominance, and control of the sexuality of women and children.

I would not, however, attribute all the repression of sexuality to the male. The question of children and sexuality is still one of the most sensitive taboos. The very structure of our society ensures that adults have complete control over children in many ways, most importantly through their social authority and through the economic dependence by which all children are bound. "Sex itself is presented as a crime to children." (Millett, 1984, p. 51). To insist that children are sexual beings,



as much of psychoanalysis does, means that we must treat them as individuals and listen to their demands rather than simply regard them as passive property that needs always to be protected. It could be argued, for example, that intergenerational sex could maybe lead to a better understanding of human relationships. I will be exploring this issue in more depth in Chapter 3.

Children and the gaze

Parents also engage in voyeurism. Their gaze (through video and family snaps) is a combination of both power and pleasure: "The power which comes from knowledge of the subject, the pleasure of the beauty and seductiveness of childhood" (Holland, 1992, p. 16).

What if the imaged person is not a passive object of power? Photographer Patti Ambrogi explains why images are threatening when they empower children with qualities that seem adult (see Cohen and Johnson, 1990). To suggest that children are intelligent, sophisticated and complex is to divest the power and influence of the adults around them. To suggest that a child has sexuality is to suggest that the observer has transgressed it or that a potential viewer will be incited to malign it. Ambrogi emphasizes how difficult it is to reclaim a child's intellectual capacity and sensuality from adult constructions of children's identity. It is precisely these constructions that obscenify pornography.

The presence of a real child - with its potential for blurring boundaries and confusing meanings - upsets the adult search for stability. Maybe this is the reason that Sally Mann's images have had such a powerful response. The pictures that seem to have caused the greatest stir are the ones in which the confusion becomes explicit (female children wearing make-up and posing like adults). I feel that it is these qualities we find so nervously attractive. Children, and especially girl children, must learn to present themselves *as* an image. They must learn a special sort of exhibition-ism and reproduce in themselves the charming qualities adults long to see. Yet this is extremely delicate ground. When children invite the adult gaze, when their beauty is no longer self-absorbed; when they deliberately put themselves on display, the result is a loss of innocence and childishness itself.

As Holland (1992, p. 134) points out, one interesting boundary frequently crossed is that between girl/child and adult/woman. The relations between these are



explored frequently in public imagery. For example, the depiction of a woman in school uniform has become a well-know male fantasy (see Plate 4). It could be said that the domination/subordination between the male and female is paralleled and reinforced by the domination/subordination relationship between the child and adult.

The public image of a young girl is very complicated. A slight tilt of her head, even in the most straightforward pose, may add a sense of coyness (see Plate 5). Whatever the age, the image has been sexualized. In all visual strategies, the connection between the feminine and sex is evident. As a child, sexuality is forbidden to her. It is this innocence that makes her the ideal object of men's desires.

The sexuality of a child seems to be the perfect contradiction: it is the forbidden attraction of innocence itself. The disruptiveness inherent in the ambiguity girl/woman/child is very much tied up with the blurred boundary between adult knowledge and supposed childlike innocence. One fundamental question to be asked is, who is creating these images and playing these games? These eroticised pictures of children are distributed through advertising and the media while scandals over child abuse and child pornography increase.

There was an outcry in England a few years ago (see Moore, 1991, p. 82) when 'junior' make-up was introduced. Although the various types of eye-shadow and lipstick were billed as educational toys, designed to improve 'hand and eye' coordination, many people felt that the idea of encouraging three-year-old girls to apply make-up was morally unacceptable. Indeed we are all familiar with the images in advertising in which young girls dress up or make-up (see, for example, Plate 6). As Holland says of one such image,

The little girl tottering on her high heels in front of the mirror is herself making sense and learning to make use of the role she is expected to play. An exploration of childhood sexuality and its rapid transformations will inevitably venture near the edge of what is acceptable. Pictures that even pose the question touch their viewers, female as well as male, in unexpected ways. The sense of transgression they bring is undoubtedly pleasurable in itself. Those who are shocked by such pictures may even seek them out for the satisfaction of condemning them. (Holland, 1992, p. 141)



Chapter 3 Society and Sex

Most ideologies (religious, psychoanalytic, feminist, socialist) appraise sex acts according to a hierarchical system. Married, heterosexual, monogamous groups are rated high and transvestites, fetishists, sadomasochists and prostitutes come at the very bottom. Extreme stigma is attached to those sexual behaviours which are considered low status. Many of these stigmas have descended through years of Western religious conditioning and prejudice within medicine. Fetishism, masochism, transsexuality, voyeurism are all often considered mental disorders and books are still being written about their treatment. As Rubin says,

All these hierarchies of sexual value (religious, psychiatric) function in much the same ways as do ideological systems of racism, ethnocentrism and religious chauvinism. They rationalize the well being of the sexually privileged and the adversity of the sexual rabble. (Rubin, 1984, p. 70)

In other words, it seems as though many of society's views of what is appropriate sexually is historically based and biased. Could our view of childhood, in particular of childhood innocence, be equally poorly informed? Could it, like the gaze, be a product of the patriarchal need to control?

Children and power

Images of children are disseminated at a great rate all over the world. The adults' continued endeavour to understand these images of children is part of their attempt to gain control over childhood and its meaning. Childhood has always challenged the stability and hard-earned civilization of the adult world. In the image of a child is an inherent contradiction - the hope of a richer world and also a threat to the world we have. Holland claims that,



In posing questions about rationality and order the image searches the margins of humanity itself. Children are said to be like animals, close to madness or the supernatural. By drawing attention to the boundary between the natural and the human, the presence of a child throws the very status of civilisation into question. With such fears in mind, every sort of restraint against children becomes legitimate. (Holland, 1992, p. 18)

Paul Goodman (cited by Holland, 1992, p. 19), whose *Growing Up Absurd* was first published in 1956, argued the case for 'childlike' values to permeate and improve society. Then children would retain their "right to wildness" and relations between children and adults would evolve that were not based on coercion and domination.

But the adult notion of childhood immediately becomes problematic when faced with prohibited, nonchildlike areas, such as sex. The issue of 'childhood sexuality' is an almost impossible topic. Adults persuade themselves that children are pre-sexual beings. Sexuality is supposed to come later with the explosion of hormones. Little children live in a world of fluffy animals which, like them, are miraculously free of genitalia. We invent a world of inane cuteness and talk about innocence and then pretend that this is the way the world actually is. Culturally, we protect this notion of innocence more effectively than we protect actual children, many of whom are abused in all kinds of ways.

In our construction of childhood we seem to be involved in a tremendous denial. We deny what Freud recognized to be so deeply unsettling: that children are sexual beings. Even to suggest this sets the paedophile alarm ringing, because we have no way of talking about children and sexuality except in terms of the horrors of abuse. The idea of children depends for its meaning on the opposite - adulthood. Yet in reality these two states are not so clearly separated. Sometimes, as in intergenerational sex, they collide.

Intergenerational sex

Could intergenerational sex conceivably lead to a better understanding of human relationships? It is difficult to confront the issue rationally because of the myths and fears that shroud the topic. From the point of view of moral absolutism



intergenerational sex poses no problem of interpretation. It is wrong because it breaches the innocence necessary for mature development. The English philosopher, Roger Scruton, suggested that we are disgusted by it "because we subscribe, in our hearts, to the value of innocence" (quoted in Weeks, 1985, p. 224). Prolonged innocence is the prerequisite to total surrender in adult love.

Liberals and radicals on the other hand have found it more difficult to confront the subject. It does not easily fit into the rhetoric of rights -whose rights, and how are they to be expressed: the child's, the adult's? Nor can it be dealt with clearly by the idea of consent. Kinsey (cited in Weeks, 1985, p. 224) argued that in a sense this was a nonissue: there was no reason, except our exaggerated fear of sexuality, why a child should be disturbed at seeing the genitalia of others, or at being played with, and it was more likely to be adult reactions that upset the child than the sexual activity itself.

There are two powerful arguments against sex between adults and children. The first, put forward by many feminists, is that young people, especially young girls, need protection from adult men in an exploitative and patriarchal society, whatever the utopian possibilities that might exist were society different. Secondly, there is the different and intricate problem of subjective meaning. The adult is fully aware of the sexual connotations of his actions because he (and it is usually he) lives in a world of heavily sexualized symbols and language. The young person does not.

Millett (cited in Weeks, 1985, p. 230) has stressed the difficulties of intergenerational sex in those situations when the adult/child relationship is irreducibly exploitative. She points to the problems of a paedophile movement which is arguing for the rights of adults. What would such freedom be about? she asks. "Is it about the liberation of children or just having sex with them?" (Millett, cited in Weeks, 1985, p. 230). However, when the fundamental concern of progressive sexual politics is sexual self-determination it can often be difficult to ignore the child's developing sexual awareness. In such a context, adults' interpretations, meanings and needs must be discouraged, not only because of their particular sexual bias but more generally because they come from an unfamiliar and adult world.

Looked at positively, intergenerational sex could provide young people with an understanding of sexual knowledge. There is no magic age to mark the moment of appropriateness, as each young person will have an individual time scale as well



as their own rhythms and needs. It must be stressed to the young person, and the belief reinforced, that sex is not in itself dirty or evil. It is not sex itself that is dangerous but the social relations that surround and support it.

What of consent? There are certain categories of people who are considered incapable of giving or refusing to give consent, chief amongst them some children, above all girls of less than a prescribed age. The nub of the problem is perhaps power - adults have it, children do not. If adults and children approached each other as equals, the question of consent might be radically transformed. The debate around intergenerational sex would change. In other words, perhaps the focus in this debate should shift away from sex itself to the forms of power that enmesh it. Power restricts the free play of consent.



Chapter 4 Photographing the Family

Dorothea Lange's famous photograph, *Migrant Mother* (1936; see Plate 7), could be said to set the stage for all future debates around representation of the family. On the one hand, it is "a reworking of the ancient symbol of mother and child and stands to this day as the most iconic of modern madonnas" (Williams, 1994, p. 13). In other words, it is photography in aid of a form of idealism. Sontag says of the work of Lange and her colleagues, that they

would take dozens of frontal pictures of one of their sharecropper subjects until satisfied that they had gotten just the right look on film the precise expression on the subject's fact that supported their own notions about poverty, light, dignity, texture, exploitation, and geometry...photographers are always imposing standards on their subjects. (Sontag, 1977, p. 6)

Lange's photographs must be seen within the context of a wider tendency in photography in the first half of the century. It could be said to represent 'dignity in adversity', a recurrent theme in output of Doisneau, Monck, Tudor-Hart, Cartier-Bresson and so on in Europe, or of Hine, Ulmann, Shahn, Bourke-White and others in the U.S. (see Jeffrey, 1981, pp. 156-203). This type of photojournalism reaches its highest point, perhaps, in *The Family of Man* (1951), "a new internationalism", "a massive display of humanistic photojournalism" which "attempted, with much panache, to paper over the cracks of a deeply damaged society" (Williams, 1994, p. 13). This type of photography encouraged the viewer not to look or think too deeply, to see the world ultimately as benign. It was not usual to see depictions of families, especially in the Western World, which were troubling.

Around 1965, a new generation of mostly American photographers began to question these cosy assumptions. Chief amongst these photographers was Diane Arbus. Her subjects were social 'freaks', the odd, and oddness among the normal (see Plate 8). As Jeffrey (1981, p. 218), says Arbus "wilfully inverts our cherished"



stereotypes". The family was one of Arbus' themes. "I think all families are creepy in a way", she wrote (Arbus, 1968, quoted in Williams, 1994, p. 14). Perhaps in part due to the boom and bust witnessed in the U.S. and Europe in the 1980s, society's awareness has increasingly been turned to its darker side, encouraging artists to look for the trouble within rather than on the outside. Thus the notion of family has been explored, but with a recurrent sense of worry. The issues around child abuse, single parenthood and domestic violence were open to debate and representation. Ironically, it is those works which are almost hyper-normal, overideal which seem most effective in deconstructing our sense of family. Key photographers of this genre might include Sultan (see Plate 9), Sternfeld (see Plate 10), Barney (see Plate 11), and Mann.

Sally Mann

Sally Mann is currently perhaps the most interesting and one of the most controversial photographers of children. She began photographing her children when her eldest daughter came home from school with an insect bite over her eye. She titled the picture *Damaged child* (1984; Plate 12). This action set in motion her investigation of the issue of why mothers photograph their children. Mann's family chronicle, based in the countryside of her farm in Virginia, has been described as "a fantastic and problematic narrative of children growing up, their freedom and boldness constantly shadowed by the dangers of the world around them." (Williams, 1992).

Sally Mann's photographs of her children take the sugar coating off images of childhood, showing children as complex individuals by turns sullen, pensive, blissful, imperious. Often they appear hurt: they are pictured bruised or covered in grass clippings; *Popsicle Drips* (1985; Plate 13) shows her son's naked torso streaked with what looks like blood. Mann evokes violence in photographs of her kids' everyday life in order to confront the viewer with children's vulnerability.

For Sally Mann and her husband Larry, the decision to publish her photographs was difficult:



We gave it a lot of thought and almost didn't publish the book. If there was any chance that it might be hazardous to the children, I didn't want to take it. I wrote a letter to break the contract, then I told the kids. It destroyed them. They said we want our book published they are our pictures as much as yours. (Mann, 1994)

One viewer of Mann's work wrote; "She is explicitly and quite dangerously presenting children as having sexual feelings and this can help to make them the object of many abusers' desires." (Malcolm, 1994). As a result of such views, perhaps, she has had two photographs confiscated and since her exhibition at the Virginia Museum of Fine Arts, individuals have been writing to the Attorney General in protest at her work. One reviewer wrote, "Beauty does not validate exploitation. Motherhood should not give license to activities that are morally wrong. Nor should art". (Malcolm, 1994).

Mann's photograph, *Virginia at four* (1989; Plate), which was on the front cover of *Aperture* magazine, was followed by an article in the *Wall Street Journal* claiming that artists like her should not get public funding. Mann chose not to sue the *Wall Street Journal* because of the potential trauma to the child of a court system process in the U.S. called 'discovery'.

They could have taken Virginia into a room and so humiliated her, and made her feel as though what she had done was so bad and so low and so loathsome, I wouldn't have had any control over the kinds of questions they asked. It would have been far too great a price to pay for any satisfaction. (Mann, 1994)

For Mann, though, the act of picture taking was a defense against her fears. "I was a terrified mother, so afraid that something would happen to my children. I felt as though these pictures were inoculating me. They were strange maybe a perverse way of working through those anxieties." (Williams, 1992). She agrees that her photographs explore dangerous territories:

The risk is that you abuse the access you have. The children look to me to make judgements for them. They have to trust my judgement that it is ok to hang a picture in a museum in which they are nude or hurt or somehow cast in an undesirable light. It puts huge



responsibilities on me to weigh the art against my duties as a parent. (Mann, 1994)

Easter dress: a commentary on one of Mann's photographs

A large-format black-and-white photograph titled *Easter Dress* (1986; see Plate 15) is not the most obviously striking in all of Mann's work. It depicts all her children, with her daughter Jesse in the centre, in what is perhaps a back yard. This, as Mann (1994) described it, is one of the most ordinary scenes she has portrayed. This is why I feel it is so interesting. The image resembles a snapshot. It has not been cropped with the idea of focusing down on one particular figure. Nonetheless, there is a jarring atmosphere about the photograph.

Snapshots, which are seemingly open and casual, operate within their own fixed methodology. This type of photography is supposed to portray and mirror family life, often as it 'ought' to be. The snapshot has its own language of imagery when portraying children. In Easter dress, Mann is calmly exposing not only the adult notion of childhood (with the pose and dress of Jesse), but she may be encouraging the viewer to question the validity of the snapshot methodology. What appears natural may be staged: how are we to know? As a painful example of the fiction of snapshots, there is the family album of Hilda Thompson and her daughters (see Plate 16). These images depict little girls in a garden - happy; with a pet rabbit; cutting grass with shears; doing things that little girls do - yet beyond the view of the camera they were being violently abused by their father, whom they eventually murdered in 1988. There is no such thing as truth in photography; it is always a fiction of some sort. We create whatever 'truths' we wish to extract from the images.

Problems with Mann?

Chapter 3 raised various questions surrounding the 'fair' representation of childhood. Mann's work feeds into this debate, but it is by no means a resolution of it. There are a number of areas in which her photographs give pause for thought.

Looking at Mann's work, one of the beauties in her photographs is how it is almost encapsulated. In their timeless quality there is also a feeling that even though she shows her children damaged or exploring their sexuality, there is no feeling of the outside world intruding. This effect is due partly to the environment, the rural



idyll, but there is little feeling for many of the things associated with childhood: a relationship with the rest of the world, school friends, T.V., all those things which intrude upon a child's life. The only contemporary cultural reference is an image of one of her children dressed as Madonna. Apart from this, the pictures are not tied to any particular decade.

The timelessness may be intentional. For Mann, as for many other women photographers, picturing the family is as much an attempt to make contact with the past as to explore the present. Her recollections of her own childhood are hazy. "I just don't remember it. It is possible I am creating a childhood for myself with these photographs. Creating my own memories." (Mann, 1994). Given the timelessness of her photographs, however, it becomes evident that Mann gives us idealised representations of childhood. "The result is a seamless evocation of an alluring time that never was." (Heartney, 1993, p. 92). The photographs are not exclusively of the childhood of her children, and thus the fairness of her representations is open to question.

Of more concern than fairness, perhaps, must be the question of consent and exploitation. These pictures go out into the world where they are objects of public gaze. This is a public that might well include paedophiles and abusers. "All photographers would admit that, having published their work, they no longer have any control over who sees it and their motives for looking." (Williams, 1994). Chapter 3 briefly outlined the arguments of pro- and anti-censorship groups. I argued there that the problem is cast in a new light when it is realized that adults seek to construct a particular - desexualized - version of childhood. If sexuality is a necessary and natural part of development, then arguably at least such aspects of childhood deserve representation: censorship may amount to a harmful distortion.

The consent issue is equally problematic. A child looks to its parents for confidence and support. Parents have a much better idea of what will happen with photographs than do their children. It is clear, for example, that a fellow artist might have far greater qualms than a child about being photographed by a given artist. It does seem that there is a difference between consent and informed consent. For Mann, there is a process of dialogue that is necessary. It is very important to her that her children 'knew' how she was going to use the photographs (their connotations), though she admits that it is very difficult for an adult to gauge how a child will react



to images of them being seen in public. Her son, for example, was more embarrassed by being shown asleep with socks on his hands while than by being shown naked (Mann, 1994).

Of her work, Mann says, "Because I have explored my ideas exhaustively it is nice to know that there are people taking it over and exploring it from different vantage points." She has examined an area which is explored only with the greatest of difficulty, given the legal and political problems. In this sense, her work is antisystem or anarchic, despite its maturity.



Conclusion

The creation, sale and production of child pornography in the U.S. was quickly stopped by the *Protection of Children from Exploitation Act* of 1977. Misinformation, deception and intentional distortion obscure this fact. Propaganda is practically all that remains of child pornography.

The feelings of powerlessness, confusion and fear which such propaganda creates among the public are stoked by the media, religious leaders and law-enforcement officials. The threat of prosecution and the suspicion and paranoia the 'child porn' myth has brought to the most innocent of ideas has had a serious effect upon the scope of expressive conduct. Photographic depictions of nude children have begun to disappear from legitimate photography books and magazines, due to real legal pressure and to social stigmatisation. The few nudist magazines that are still published in the U.S. generally leave out full-frontal child nudes. Artists in the U.S. who still photograph children in the nude are seriously at risk of arrest. The atmosphere created around the 'child porn' panic has made the expansion of police powers easier, as well as restricting *First Amendment* freedoms. The moral panic over child pornography could then be viewed as part of a larger trend in American society towards greater government and police intrusion into private lives. According to Heartney,

In the United States, test of political correctness and charges of ideological betrayal are becoming commonplace on both the left and the right. There seems to be a loss of faith in the viability of the public realm as a place to thrash out differences of opinion, and the concurrent desire to impose upon a contentious society values derived from some supposedly higher moral ground. (Heartney, 1991, p. 19)

Why is pornography the focus of the Right's attack on culture? Heartney suggests that pornography reminds us of the disruptive and untidy nature of human personality. Morality, Sade taught, is often a disguise for matters of politics and economics (see Heartney, 1991, p. 19). The imposition of a conservative agenda (the



reversal of women's rights, the infringement of free speech, and elimination of marginal groups) is the main goal for Jesse Helms, not the godlessness of obscenity.

Thus on the one hand the past decades have witnessed a growing awareness of an assumed threat. On the other hand, the media, advertising in particular, have continued to construct a version of childhood which is profoundly ambivalent and ambiguous with regard to child sexuality. For example, a revulsion against the abuse of young girls has at times been extended to a revulsion at pictures said to encourage abuse. "The use of children to imitate adult sexual behaviour sounds disgusting and would almost certainly be illegal" was the reply given by the Advertising Standards Authority to Women's Media Action in 1987 when they launched a campaign against the use of children are still widespread in the public domain. Since the spate of American movies, like *Lolita* and *Pretty Baby*, there has been a push for the explicit sexualisation of girl children to an ever younger age (see Plate 17). Model agencies likewise seek younger and younger girls for adult poses. Milla Jovovich (aged twelve) has become one of the most successful new American fashion models. We have been trained by the imagery itself to read all pictures of girls in an erotic way.

It is against such a background that the attempts by photographic artists to depict children must be gauged. What is a 'fair' representation of childhood? The works of Sally Mann, for example, arouse impassioned debate both for and against her images. If sexuality is a part of childhood, should such imagery be applauded, or should the fear of the adult gaze and adult abuse require that they be censored? Surely a central problem here is power: power is what adults have and children do not. If the generations were equal, questions of representation, consent and sex would pose themselves in an entirely different context.

Instead, the category of childhood, constructed by adults to express innocence, simplicity and vulnerability, has become an integral part of an economy based on consumerism. Children sell. We have a schizophrenic attitude towards children, the paradox being that while the ever-perfect image is being pushed in the consumer world, we are also becoming used to images of homeless children sleeping rough in cities, or of children as victims of sexual abuse. There is never a commotion when children are depicted naked if they happen to be half-starved and from the Third World (see Plate 18). In fact, as Paul Harrison wrote, "The Western public has



become familiar with an imagery of extremity at the expense of context, and the wrenching of emotion at the expense of understanding." (cited in Holland, 1992, p. 151). Whatever the depiction of children, whether they are dressed up like adults, starving or naked, one fact remains apparent: children have no say.

According to Holland (1992, p. 21), if children were listened to, we "might see the evolution of an imagery of childhood which reaches beyond an adult attempt to dominate and define." A child is so much more than sex. In the same way a tree is so much more than water. Yet you would fail if you tried to describe a tree and forgot to mention water. "The sexual instinct gathers in childhood in a highly complex way, out of all its components, and exists as something that enriches and complicates the whole life of the healthy child." (Winnicott, 1964, p. 160).



Plate 1: Waterbabies, Alice Sims, 1987





Plate 2: C. Paris, Jock Sturges, 1984




Plate 3: Jessie McBride, Robert Mapplethorpe, 1976





Plate 4: Advertisement for Clarks shoes





Plate 5: Advertisements showing tilt of head



You wouldn't do it to your baby. We wouldn't do it to our babyfood.

is no less than 100 chertucais. It seems ourrageous to do such a thing deleate baby skin. (And of course we We re-touched the photograph.) But what about her deleate tube

quite within the law to add some datives to baby foods think about it, that's ever

s nes are particularly vid Harts of artificial sold reason, weld like to Crow & Ga

for thair roads of the startystoot, as On nais: On vogant, No artificial colouring, Since when did a baby complian that getable classerole and Prista looked abit, pale and party side? Or our Strassberry Forl looked a trifle

value of artificial colouring is purely And you all know what we think

that. **No artificial flavouring.** When we first mixed up our Lamb r, we decided a wasn't as tasty as it

e last thing we thought of adding

raficial flavouring, We simply added a few carrots. That way we unproved both the taste mitional value. And thats the way we all our babyfoods. No artificial preservatives.

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rtificial preservatore of doing it le prefer to employ some 400 people g, stentising or pasteurising, double-servating en vacuum sealing, en put a 'safety button' on ba



No added salt

No need to gu

e warz you to kno

be checked for additives, a ould like a leaflet that goes all, write to Consumer Affa late, Trowbridge, Wiltshire A14 SYX

NO ADDED SUGAR GLUTEN FREE NO ARTHRICAL COLOURING NO ADDED PRESERVATIVES NO ARTHRICAL FLAVOURING NO ADDED SALT ADDED VITAMIN C

Clearly, we shy away from the use

Con



Plate 6: Advertisements for Playskool Toys and for Cow and Gate Babyfood





Plate 7: Migrant Mother, Dorothea Lange, 1936





Plate 8: A family on their lawn one Sunday in Westchester, New York, Diane Arbus, 1968





Plate 9: My mother posing for me, Larry Sultan, 1984





Plate 10: Canyon Country, California, Joel Sternfeld, 1983





Plate 11: Sunday New York Times, Tina Barney, 1982





Plate 12: Damaged child, Sally Mann, 1984





Plate 13: Popsicle Drips, Sally Mann, 1985





Plate 14: Virginia at four, Sally Mann, 1989





Plate 15: Easter dress, Sally Mann, 1986











Plate 16: Photographs from Thompson album, 1958





int to warn you laddie, tow you're perfectly swell, heart belongs to daddy. 19 daddy, he treats it so well. 19 *bath Belong To Daddy: Lyne by Cole Porter*



So, daddy please remember this, That tomorrow starts a life of bliss, Let me show them what they're gonna miss. Kiss the boys goodbye. :Kis The Boye Great that, thrus by Frank Toesser



13 Damas David Fundation by Landar VII + The box address + 1 hr all St

Plate 17: Advertisement for Graff





While you're eating between meals, he's dying between meals.

We thought that we should never again be forced to show you a picture like this. But the plight of thousands of starving children demands that we must. All over the world, children are dying for want of food. For food, we need money. For money, Save the Children is looking to you. You can save a child from death as surely as if you ware out there with the Save the Children teams

were out there with the Save the Children teams. One pound will feed one of our children for a week. Give what you can. Your money can never buy anything more precious than a child's life.



Plate 18: Images of the Third World



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