

THE EXPLOITATION OF THE SEXUALITY OF CHILDREN

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**“Society cannot claim to abhor the sexual abuse
and exploitation of children and yet allow the portrayal of
children as sexualised objects in the popular press and in advertising.”**

Michele Elliot, *Images of Children in the Media* (1992)

Introduction

The article, *Disturbingly sexual*,¹ raises important questions about the exploitation of the sexuality of children in commercial advertising and marketing. The article is a response to a billboard advertising “Huggies”-



“Sexy girls are standard billboard fare, but there is something different about the girl blown up huge on the billboard on Cape Town’s Roeland street with her provocative little pout, the coy backwards glance over her shoulder, the hand posed provocatively on her hip. It’s a pose from 100 million fashion magazines. You’ve seen it all before. Or not. Because the girl in question is a baby.....A friend has dubbed her Slutty Waitress Baby. It suits her perfectly - as does her sassy tagline: ‘Work It, Baby!’ You know, like the kind of thing you call out to models. Naomi Campbell urging on her wannabes: ‘That’s it, work the look! Work your

¹ <http://www.news24.com/News24v2/Components/Generic/Ne...>

body!' Strip joint clientele calling out to the girls on stage: 'Come on, baby, work it. Work that sweet little ass, give it to me, baby, oh yeah.' Slutty Waitress Baby looks a bit huffy - as if her teddy bear customers have been giving her a tough time. She looks like she has attitude - the kind of girl who doesn't take any shit. She looks like she's wearing lipstick. She looks sassy. Precocious. Disturbingly sexual.

"I know I'm not imagining this. It's not just me. Everyone I've spoken to finds the ad unsettling. One friend says, 'I feel sick every time I see it.' The others in the Huggies Denim series of a painter girl or a cowboy are genuinely innocent and very sweet. It's the combination in Waitress Baby that reads so horribly wrong: that pose + that pout + that dodgy tagline.

"Maybe I find Slutty Waitress Baby disturbing because I'm a new parent. Because living in South Africa means that among the paranoid fears about terrible things that might happen to my child – she might fall on her head, she might get meningitis, she might run into the road - is the brutal, unfathomable reality that she might get raped. South Africa has horrifying statistics on child rape. On baby rape. I couldn't bear to look up the figures. But barely three weeks ago, on April 3, a **16 month old toddler was raped** and beaten when her mother left her in the care of a "friend" while she went to do her washing. It was so horrific, the police needed trauma counseling afterwards.

"Do I think this ad is going to inspire someone to go out and rape a baby? No. But I think it contributes to a bigger picture, of normalising this skewed cultural idea of little girls as sexy. It's a tacit endorsement. I also don't think it was intentional or malicious on the part of the nappy manufacturer or their advertising agency - just short-sighted, naïve and grossly insensitive to the reality of sexual violence.

"I guess the ad is cute. It's a cute parody of adult sexuality. Slutty Waitress Baby looks backwards over her shoulder at the city, her head wrapped in a fuchsia bow, bare-naked from the waist up above her cute high-fashion denim diaper. Is that confidence in her eyes? Or a come-hither? Can you tell the difference?"

Exploiting children

The sexualisation and exploitation of children in the media and in advertising is growing at the same rate as their sexual abuse, brutalisation and exploitation.² What is equally disturbing is the apparent acceptance of this sexualisation and exploitation of teens, preteens and toddlers as mainstream. Scanty dressing, suggestive taglines and titillating eroticism involving children are now becoming common themes even in advertising targeting adults. The "Huggies" billboard is an example. Toddlers do not buy "Huggies" – moms and dads do! This "Huggies" image might be acceptable on the packaging of "Huggies", which would, generally, be seen by moms and dads, but certainly highly questionable when enlarged on a huge

² The 2006 Annual Report of the Internet Watch Foundation (IWF) reported a quadrupling of child abuse images on the Internet since 2004. More disturbingly, the IWF reported not only an increase in the number of child abuse images but that the images depict abuse that is becoming more sadistic and of younger and younger children, including toddlers of a few months. "It makes horrific reading but it remains a fact that the children in the images we deal with are suffering some of the cruelest forms of sexual abuse and these children, increasingly, appear to be younger. There is a continuing trend in the severity of the abuse in images on the websites our analysts examine, with a significant proportion of websites depicting records of abuse at levels 4 and 5; the most brutal and extreme sexual abuse, as categorised according to the UK Sentencing Guidelines Council, outlined in the chart above. 47% of all the websites we assessed depicted potentially illegal child sexual abuse images in these most severe categories which displays a continuing preference amongst offenders for the cruelest images." See, also, report by WROC-TV, Friday, 10 April 2009: "Rochester man, 49-year-year-old David Domm, pleaded guilty to receiving more than 90 000 images of child pornography over the Internet...."

billboard for all to see, and even more when accompanied by a very suggestive tagline. But the rule as far as companies and brands are concerned is that sex sells – even if that means sexualising toddlers.

“Using sexuality for effect in advertising affects the self-image of children and young people at important stages of development and even guides their behavioural models in terms of their interactions with the other sex. Young people are in the process of forming their self-image and sexuality, and perceptions created by advertising can, for their part, influence this developmental process



“Clothing that is marketed towards children is also of a high concern. Padded bra's (or even bra's in general) and g-strings have no place in the wardrobe of a child, nor does clothing which makes children appear 'tarty'. Children should be dressed age appropriately and to dress them in a manner that conveys a degree of sexual attractiveness is doing nothing more than increasing the risk of being targeted by a child sex offender.

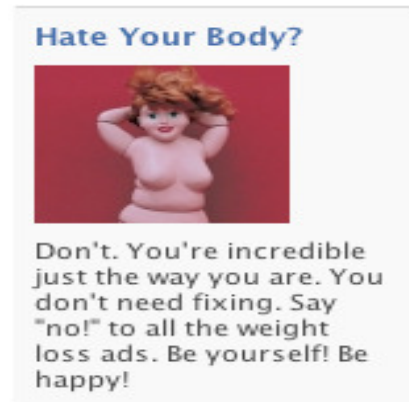
“Images of sexualised children are becoming increasingly common in advertising and marketing material. Children who appear aged 12 years and under, particularly girls, are dressed, posed and made up in the same way as sexy adult models. ‘Corporate paedophilia’ is a metaphor used to describe advertising and marketing that sexualises children in these ways. The metaphor encapsulates the idea that such advertising and marketing is an abuse both of children and of public morality.”³

³ *Corporate Paedophilia: Sexualisation of children in Australia*, Emma Rush and Andrea La Nauze, The Australia Institute (2006). And see also the American Psychological Association report on the sexualisation of girls, updated 17 March 2008 and *Sexual Exploitation of Children in Advertising*, Linnea Smith, *Marie Claire*, January 1997

“Sexual exploitation” and “sexualisation” of children

“It concerns me that there is this polarization of opinion, which on the one hand scapegoats paedophiles as the origins of society’s evils, while at the same time, closer to home, there has been the sexualization of children in the media, fashion and the cosmetics industry – it is important to understand the links between these two seemingly unrelated phenomena..... which I think are closely related.”

Jon Silverman and David Wilson, *Innocence Betrayed: Paedophilia, the Media and Society* (2002)



The *sexual exploitation* of children is the sexual abuse of children to produce images of child abuse (child pornography). The *sexualisation* of children, on the other hand, is the *sexual objectification of children*. The *sexualisation of children* sends out a message to children that their value comes only from their sexual appeal and a message to adults that children are sexual objects. Children pick up the message that “sexy” equals “cool” and encourages them to behave in ways that are beyond their chronological and developmental age.

According to the *Code of Advertising Standards* of the Canadian Advertising Foundation, advertising is defined as *any paid message communicated by the media with the intent to influence the choice, opinion or behaviour of those addressed by the commercial messages*. ***“IT FOLLOWS THEN THAT THE SEXUAL EXPLOITATION OF CHILDREN IN ADVERTISING WILFULLY AND IRRESPONSIBLY ENDANGERS MINORS BY INFLUENCING CONSUMERS TO CHOOSE, THINK AND ACT AS IF THE CHILDREN INDEED ARE THE SEXUAL OBJECTS THE ADVERTISER DEPICTS THEM AS BEING.”*** [Emphasis in original]⁴

⁴ Linnea Smith, *op.cit.* And see the statement of Roger Moore, UNICEF’s Special Representative for the Film Arts at the Stockholm World Congress Against Commercial Sexual Exploitation of Children: “.....increasingly we seem to see images of young children whose sexuality is used to sell products in the adult market, to titillate and to tease. Even non-children models, in fact, are increasingly chosen for their child-like bodies. **THE LINE BETWEEN CHILDREN AND ADULTS, BETWEEN SEXUALLY READY AND WAY-TOO-YOUNG IS BEING BLURRED.** Moreover, these images are offered to us silently, with no sense of judgment that they might be inappropriate, harmful, confusing to our children and to the adults who see them. **THE CREATORS OF THESE IMAGES, OF COURSE, WILL ARGUE THAT THIS IS ‘ART’.** And goodness knows we all want to protect art, creativity and the freedoms that they require. **BUT LET’S START THINKING, TOO, ABOUT ‘ART’ WITH RESPONSIBILITY.** Surely we can’t accept that dignity, childhoods, maybe even lives of thousands of children might be sacrificed for the sake of art without responsibility?” [Emphasis in original]

The sexualisation of children and child sexual abuse

The Committee on Child Abuse and Neglect of the North Carolina Pediatric Society,⁵ calls for the elimination of advertising that-

- “uses pre-pubertal girls made up to mimic adults in sexualized poses
- invokes adult sexual themes by dressing or making up a child
- unduly emphasizes the clothed or unclothed genitals and buttocks of children or adults made to look like children
- confuses the true age of a child-like model depicted in a sexualized pose or situation
- sexualizes the nudity of a child or child-like model, whether the nudity is real or implied
- equips adult models with childhood props and facial expressions that create a sense of helplessness and vulnerability in a sexual context
- sexualizes a child by association with an adult who is nude or sexualized.”



⁵let kids be kids, P O Box 27617, RALEIGH, NC 27611

Michele Elliot⁶ argues that the *sexualisation of children* is 'soft kiddie porn' and contributes to the problem of child sexual abuse because it is-

- *condoning the use of children in inappropriate sexual contexts*
- *desensitizing the public and setting new standards for what is acceptable*
- *strengthening the arguments of paedophiles that children are asking for and seeking sex*
- *exploiting and dehumanizing children without their informed consent*
- *glamourising children as sexual objects*
- *saying to children that adults agree with the idea of them being sexualised, and*
- *suggesting to other children that this is a desirable way to be portrayed.*⁷



⁶ *Images of Children in the Media: 'Soft Kiddie Porn'*, in *Pornography: Women, Violence & Civil Liberties*, Catherine Itzn (1992)

⁷ Question asked by a female learner who wants to remain anonymous: "So what is wrong with 'sexting' my semi-nude pictures to my boyfriend?"

The sexualisation of children and child pornography

There seems to be a lack of a clear appreciation of the boundary between the *sexualisation* of children and the *sexual exploitation* of children – between the *exploitation of the innocence of childhood* and *child pornography*.

What about the “Huggies” billboard? Public reactions to the billboard, as reported in the article at <http://www.news24.com/News24v2/Components/Generic/Ne>, strongly suggest that this image has crossed the fine line between the exploitation of childhood innocence and child pornography. “A friend has dubbed her *Slutty Waitress Baby*. It suits her perfectly – as does her sassy tagline: ‘Work it, Baby!’ You know, like the kind of thing you call out to models.....stripjoint clientele calling out to girls on stage: ‘Come on, baby, work it.....’ *Slutty Waitress Baby* looks a bit huffy – as if her teddy bear customers have been giving her a tough time. She looks like she has attitude – the kind of girl who doesn’t take any shit. She looks like she’s wearing lipstick. She looks sassy. Precocious. Disturbingly sexual.....Everyone I’ve spoken to finds the ad unsettling. One friend says, ‘I feel sick every time I see it’...”

“*Slutty Waitress Baby*”; “*sassy tagline*”; “*looks sassy*”; “*precocious*”; “*provocative*”; “*disturbingly sexual*”; “*unsettling*” and “*sick*” – are not examples of expressions that should be used to describe an image of a child – unless, of course, that image is not one of innocence but of child pornography. Did the “Huggies” billboard cross the line between innocence and child pornography, as is suggested by some of the public reactions to it?

Child pornography in South African is not as straight forward and simple as referring simply to images of children being sexually abused. There are several aspects that need to be understood within the context of the intention of Parliament.

The definition of child pornography must be read with the definitions of “child”, “film”, “publication”, “computer software”, “Internet address”, “visual presentation”, and “sexual conduct” and within the context of the child pornography offences.

A “child” is any person, whether real or a product of one’s imagination, who is actually under the age of 18 years or who is, even if over the age of 18 years, depicted or described or represented or made to appear or look like a person under the age of 18 years.

The definitions of “film”, “publication”, “computer software”, “Internet address” and “visual presentation” cover all formats of expressions, as well all the different mediums through which expressions may be created, produced, stored, possessed or distributed.

“Child pornography”, in terms of the *Films and Publications Act* and the *Sexual Offences Act*, is any image, regardless of the manner of its creation⁸, or any description, of an act or conduct of a sexual nature which involves or includes a person who is under the age of 18 years, or even if over the age of 18 years, is depicted, described, represented, made to appear or look like a person under the age of 18 years, whether or not the person is real or a figment of one’s imagination, or an image or description of the body or parts of the body of a person under the age of 18 years which amounts to sexual exploitation or is capable of being used for sexual exploitation and regardless of whether or not the image or description

⁸ The ordinary meaning of the word “create” is “to make or cause to exist or to bring about”. Given the way information is transmitted via the Internet, which is in batches of zeroes and ones, the act of downloading and/or printing out of computer data child abuse images from the Internet amounts to the offence of “creation” since the act of downloading and/or printing from the Internet creates an image from zeroes and ones. To download or print images is to create new material. The reproduction of child abuse images is precisely the mischief aimed at by the legislation when the amendments were passed. A person downloading child abuse images must therefore be charged with both counts 27(1)(i) and 27(1)(ii). [See, for instance, *R v Jonathan Bowden* (1999)] See, also, *R v Jayson* (CA, [2002] EWCA Crim 683, where the U K Court of Appeal ruled that “the act of voluntarily downloading” an image from a webpage onto a computer “is an act of making a photograph”. If it is an image of child pornography, it is an act of making or producing or importing child pornography, in my opinion

arouses erotic or aesthetic feelings⁹. Images or descriptions which are neither sexual in nature nor capable of being used for the purpose of sexual exploitation would not amount to child pornography.

Does the image in the “Huggies” billboard fall within the definition of “child pornography”? There is no doubt that it is an image of person under the age of 18 years. Is the child in the image involved in an act or conduct of a sexual nature? There is no suggestion of any act or conduct of a sexual nature. Is it an image showing the body of a child? The image focuses, in fact, on the naked upper body of the child. Is the image capable of being used for the purpose of sexual exploitation?

Some members of the public found this billboard image – *as opposed to the same image appearing on packages of “Huggies”* – “slutty”, “sassy”, “unsettling”, “sickening”, “provocative” and “disturbingly sexual”. There have been no complaints or any kind of reactions to this image on the package of “Huggies”. But the same image on a billboard changes the context of the image – the child’s naked torso is now exaggerated and it is now, in the eyes of some members of the public, “slutty”, “sassy”, “unsettling” “sickening,” “provocative” and “disturbingly sexual”. If some find the image “slutty”, “unsettling”, “sickening, “provocative” and even “disturbingly sexual”, then it is obvious that the image, in the context of the billboard, is capable of being used for the purpose of sexual exploitation. The image in question is, in the context of billboards, an abuse of the child’s sexuality. The fact that some have found the image “slutty” and “disturbingly sexual” must mean that others may find it not only titillating but also sexually arousing and, therefore, sexually gratifying.

That part of the definition of “child pornography” dealing with the exposure of the body, or parts of the body, of a child provides for the situation where a picture taken with innocent intentions, such as the proverbial “baby in the bathtub” picture taken for a family album, becomes, in a different context, an illegal image. The billboard has exaggerated not only the naked torso of the child but also the facial expression which, together with the tagline “*Work it, Baby!*,” brings this image within the definition of child pornography. This billboard is an abuse and the sexual exploitation of a child. It is, in fact, a publication which promotes child pornography or the sexual exploitation of children.

Comments

The Committee on Child Abuse and Neglect of the North Carolina Pediatric Society takes a very uncompromising stand on the protection of children from sexual exploitation in advertising and warns that “.....unless more people demand more responsibility in advertising, children are still at risk.....children have a right to a positive and safe childhood.” It encourages the public not only to write or call companies to discourage them from the abuse of a child’s sexuality in advertising but also “*Support only companies using healthy, non-sexual advertising. Use your consumer power!*”

⁹ Correcting the flawed definition of “child pornography” in the *de Reuck* case