Sexting Scandals: Who’s to Blame?

Anti-text messaging campaigns unfairly target girls
BY AMY ADELE HASINOFF

A public service announcement on YouTube begins with a girl receiving a text message from “Steve” that reads: “Need to see u now, send me a hot pic” (http://myadcouncil.org/thinkbeforeyoutext). Like a choose-your-own-adventure novel, the video pauses and asks the viewer, “Do you send it?” and provides the option to pick “yes” or “no.” If you select “no,” the video says, “Congratulations, you made the right choice.”

What happens if you choose “yes” instead and decide to send a “hot pic” to Steve? Once he receives it, the video asks: “Should he show his friends?” Whether you pick “yes” or “no,” you’re told, “Sorry. You no longer have a choice.” After that, the video asks: “Should he pass it on?” But again your answer doesn’t matter, and he sends it to his friends either way. All your classmates quickly receive the photo on their phones, and it eventually finds its way to your younger brother, your mom and a middle-aged man smirking menacingly at the image. The video ends with this message: “Think before you post.”

This 2010 public service announcement was developed in response to concerns about sexting that first emerged in late 2008. Since then, adults have been panicking that sexting will lead to harassment, humiliation and even sexual assault. But most of these fears are exaggerated. And when anything bad does happen to a girl who sexts, people typically blame her rather than the person who harassed, assaulted or humiliated her.

Many adults are still struggling to make sense of young people who routinely use text messages and the internet to communicate with their friends. If you combine that with their longstanding anxieties about teenage girls’ sexuality, you get a lot of panic. Adults often worry about the dangers of online predators and about teens who text through dinner, but these adults often do not understand that Facebook and cell phones are simply many teens’ preferred tools for socializing.

These technologies are also the newest venue for both sexual expression and sexual harassment. While cell phones and Facebook make it easier than ever to embarrass and humiliate someone, sexual harassment existed long before these technologies were invented. Because the technology is so new and foreign to adults, they sometimes think it’s the cause, forgetting that what’s going on is not really new at all:

1. Some teenagers have sex—now some are using cell phones to express their sexuality, sometimes as part of a sexual relationship.
2. Some people violate their sexual partners’ privacy (even though you’re not supposed to “kiss and tell”)—now digital images make it even easier to betray someone’s trust.
3. Some teen girls are harassed and bullied if their classmates think they are “too sexual”—now a photo (rather than just a rumor) that a malicious ex distributes can fuel this abuse.

While there is no data on Canadian teens yet, four separate US surveys have found that between four and 19 percent of teenagers have sent a naked or revealing image to someone with their cell phone or over the internet. (These surveys, and the many news reports about them, define sexting to include any sexually suggestive texting or image-sharing.) Like sexual activity in general, many teens may not be sexting at all, but others are, and this minority is significant enough to generate a lot of attention.

The videos and photos teenagers produce of themselves can be legally classified as child pornography if the teens are under 18 years
old and the images are explicit. Even if you have sex that is legal and consensual, if you’re under 18 and create a digital image of those sex acts, even for your own use, this image is technically child pornography. In Manitoba, a new law about reporting child pornography means that you could be charged if someone sends you an explicit sext and you don’t inform the police about it.

How is it possible that a law intended to protect minors from sexual exploitation can be used against them? Child pornography laws in the United States and Canada make no exception for people under 18 years old who create sexually explicit images of themselves. They can still be prosecuted for producing, possessing and distributing child pornography. Though to date no Canadian teenagers under 18 years old have been charged with creating child pornography for making images of themselves, US prosecutors have pursued this legal option for sexting is about teenage girls who take photos of themselves. Few people seem concerned about teenage boys involved in sexting (unless they become sex offenders) because boys are not usually required to maintain the same racialized and classed ideal of sexual chastity imposed on teenage girls. In many of the stories that make the news, a girl sends a photo to someone who then distributes it without her permission. She is devastated, harassed by her peers and often punished by her parents and school officials. Sometimes criminal prosecutors even charge her with producing child pornography.

For example, at a school outside Seattle, WA, two female cheerleaders were suspended from the squad after male football players distributed their sexts. A school official explained his logic: “It was certainly unbecoming of somebody in the athletic program.” But the boys in this case were not disciplined at all. Apparently sexual harassment is not “unbecoming” of perpetrators.

Jessie Logan and Hope Witsell each committed suicide in the wake of relentless harassment and shaming after private photos of them were distributed without their permission. We need to connect these tragic cases to the disproportionately high rates of suicide among gay and transgender youth. These suicides are the deadly result of the enforcement of sexual and gender norms through public shaming and sexual harassment. We need to demand that parents and educators no longer tolerate sexual bullying, whether it is aimed at queer youth or at girls who are seen as “too sexual.”

In these tragic suicides, and in the PSA, we need to recognize that the boy is sexually harassing the girl by forwarding the image without her permission. The girl’s classmates who then call her sexist names are guilty of the same thing. Yet the video insists that the girl bears the responsibility for all this sexual harassment and that she should have followed the ad’s advice to “think before you post.”

It is particularly troubling that our response to this new form of sexual harassment is to blame the girl for originally sending the image to a trusted partner. But why are we blaming her if she’s not the one who distributed the image?

In a number of high profile cases in the past few years.

Sexually suggestive images of teenage girls are produced and circulated legally by adults all the time, from countless depictions of young women under the age of 18 in fashion magazines to teenage actors (or young adults portraying teenage characters) in sexual situations on TV every night. So why don’t adults want teenage girls to produce their own sexually suggestive images?

While art, film and TV images of teenage girls in sexual situations are usually defended — or at least debated — as a matter of freedom of expression, teenage girls in real life apparently don’t have this right. Adults seem to tolerate popular culture representations of young female sexuality, but once girls produce their own representations of their sexuality, it becomes a nationwide crisis.

Though surveys report that male and female teenagers sext at similar rates, much of the news coverage and school disciplinary actions focused on girls, further emphasizing and reinforcing these social norms.

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Feminists have made significant progress advocating that nothing a woman does can be an excuse for sexual violence. So how is it possible that we are blaming girls who sext for being sexually harassed?
If a public service announcement depicted a young woman being called on the street while wearing a short skirt to promote the message “think before you choose what to wear,” feminists would likely be infuriated. But when the young woman in question reveals herself in a digital image, rather than in the street, why do we believe that she is solely responsible for her harassment?

Many adults worry that “online predators” — middle-aged white men with moustaches and 80s eyeglasses — are the ultimate and potentially deadly risk of sexting. Yet the concern about predators finding photos of teens online and then stalking them is exaggerated and overblown. Just as before digital media were invented, almost all sexual assaults against adolescent girls are still committed by male family members, friends and acquaintances.

So should you worry about a sext ruining your chances of getting into college? If you get caught and charged with a child pornography felony, you’re in trouble. And the law tends to come down harder on queer youth, working class youth and youth of colour who lack the support systems and access to legal resources that their more privileged counterparts enjoy.

If you don’t end up in court, what other risks are there? First of all, most private sext images remain private. In two recent surveys, two to 14 percent of teens reported that their sexts had been passed on to someone they didn’t intend to see them. So you can’t expect that your sext will definitely remain private, but these numbers tell us that we should work on changing how people think about sexuality and privacy.

Let’s say someone does distribute your sext without your permission. You might have to endure harassment from your peers in the form of bullying and sexual shaming. School officials and your parents should be on your side here, but they might punish you as well. What about your chances of getting into college or getting a job now?

There are a few reasons why I think adults’ fears about this are exaggerated. First, though it’s likely some sexts and racy Facebook photos have found their way to public websites and collections of online child pornography, these images would probably not be accessible though the mainstream, Google-indexed internet. According to some researchers, child pornography is available online, but only through internet backchannels. More importantly, any college admissions official who actually finds a candidate in an image that qualifies as child pornography is committing a felony by viewing it.

Second, when sext images circulate among a person’s peer group without their consent, one of the people who receives the sext on their cell phone or through email needs to upload the image to a public website in order for a college or employer to find it. The full name of the person depicted in it (and possibly other identifying details) would also have to remain attached to the image (at least for now, while technologies like facial recognition are still largely ineffective). In short, it’s possible — but not inevitable or even very likely — that a sext or an embarrassing photo from a friends-only Facebook page will follow you forever online. If you’re in the job market, you might want to check the public Facebook and Google results for a search of your name and see if there’s anything inappropriate. If there is, contact those sites and see if you can get them to take the content down. What we really need to navigate sexuality and privacy in the digital age is a clear and efficient set of laws that will make website operators fear legal action and respond quickly to requests to remove unauthorized content.

My main objection to the “think before you post” campaign is that it doesn’t offer any advice to men or boys. Boys are never held accountable for sexually harassing girls and failing to respect girls’ privacy. In the video, Steve’s actions seem pre-determined, telling us that male sexual harassment is inevitable. Whatever the viewer chooses, Steve still shows the photo to his friends and passes the photo around school. But Steve does have a choice. If we want to end sexual violence against women, we need to work on building new gender and sexual norms so that people like Steve will change their attitudes about female sexuality.

People with access to digital media increasingly document their social lives, so it’s vital to work on promoting an online code of ethics. We should never forward or post embarrassing images of another person, and we should take images down quickly when we’re asked to. And as the current generation of high schoolers and college grads looking for jobs eventually become employers and admissions officers, hopefully unflattering cyber-histories will seem like less of a big deal. But the biggest change we still need to make is to stop using insults and misapplied laws to condemn teenage girls who have sex.

When the panic about sexting inevitably fades away and is replaced by the next teen sex scare, what legacy will remain? Laws are still being written and schools are still working out their cell-phone policies. If we intervene now, maybe we can re-think our impulse to blame victims of sexual harassment while ignoring malicious perpetrators. Instead of “think before you post,” how about “think before you forward?”