

Forthcoming as Paasonen, Susanna, When Pornographers Take Offence. In Anne Graefer (ed.), *Media and the Politics of Offence*. Basingstoke: Palgrave.

### **Blocked access: When pornographers take offence**

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Pornographers are traditionally assumed to cause, rather than take to offence, yet porn video aggregator sites, production studios and individual professionals alike have recently engaged in protests against proposed work safety regulation, internet policy and legislative measures connected to sexual equality, especially so in the United States. In many instances, this has involved porn companies protecting their own financial interests whereas the economic rationale has remained less lucid in others. Focusing on moments of pornographers acting out in protest, this chapter examines the political economy of offence connected to contemporary pornography.

More specifically, this chapter explores how porn companies, and video aggregator sites in particular, make use of social media visibility to articulate their case, how their forms of protest function as PR, as well as how the shift of porn distribution to online platforms has changed the political stakes that all this involves. I first briefly contextualise the politics of offence connected to pornography before moving on to recent examples of two major video aggregator sites, xHamster and Pornhub, blocking user access as a form of protest, and inquire after the political and economic stakes that such seemingly paradoxical moves involve. This is followed by a discussion of xHamster's and Pornhub's sexual health and social responsibility campaigns as brand building activities in the framework of social media. Pornography occupies an uneasy position within this economy as content that is deemed inappropriate and undesirable in terms of targeted advertising around which the flows of

profit rotate. Further considering the political implications of the centralisation of porn distribution for independent and fringe operators, I then move to examine current UK internet filtering policy that makes it possible for MindGeek, Pornhub's parent company, to become a national gatekeeper of sexually explicit content – and, in doing so, to operate in porn production, distribution and regulation alike. The concluding section asks how articulations of offence are shifting in the course of porn becoming the business of data and how considerations thereof can help in thinking through the regularly paradoxical political economy of pornography.

### **Histories of offence**

It may seem odd for pornographers to express outrage over social justice or policy issues, especially if one subscribes to the repeated view of porn only involving the intent of turning people on and the motivations for making it as similarly clustered around the single ambition of making money. The tendency to separate the work of pornography from political interests and aims beyond the promotion of sexism and violence against women – a connection insisted on in anti-pornography initiatives – can be linked to the genre's assumed preoccupation with the singular intent of sexual stimulation that excludes, or at least side-tracks, social, political, or artistic interests, merits or goals. (See Strub 2010; also Wilkinson 2017.) There is certainly no reason to underestimate the centrality of financial profit as motivation for the production and distribution of pornography in either a historical or current perspective, yet it does not follow that other intents, aims or purposes would remain vacant or be pushed out by default.

As a media genre, pornography has throughout its modern history been defined as offensive in breaking against the codes of decency, moral norms and varying principles of appropriate and inappropriate sexual desires, acts and pleasures (Kendrick 1996). Its displays of body

parts, orifices and secretions have broken against the standards of good taste ever since the term pornography was coined in the 19th century – and already before, as in mass-produced 18th century prints and literature mocking the clergy, aristocracy and other powers to-be.

Many scholars have seen the later popular attraction of pornography as owing to its bawdy, unruly disregard towards bourgeois aesthetic norms (e.g. Kipnis 1996; Penley 2004).

According to Linda Williams' (2004, 4) well-known argument, the obscene is by definition that which is to be put off-scene: out of public sight, circulation, display and discussion.

Pornography's cultural position as that which is, on the one hand, abundantly available but which needs to be screened off, on the other, has afforded the genre with a specific lure of the forbidden fruit. In Annette Kuhn's (1985) phrasing, pornography's titillating attraction requires disapproval, acts of censorship and policing. Following this line of thinking, if pornography fails to be offensive to at least someone, its historically construed cultural position and function will somehow unravel. The gesture of pornographers taking offense and acting out for social causes remains particularly effective in contexts where pornography is equated with a social ill. In other words, its scent of forbidden fruit thrives in the gardens of Puritanism.

Pornography has literally been terrain of offence as the genre's legal position was long compromised in Europe and North America, and remains so in a global context. The production and distribution of pornography have been criminal offences and the position of a pornographer has been, for a large part of the genre's modern history, that of an offender. Following the decriminalisation of porn starting with Denmark in 1969, its gradual and by now manifest "onscenity" (Attwood 2009, xiv) has rendered it a topic of cultural debate and object of mass consumption. In the course of this, much of pornography's default offensiveness seems to be evaporating. Porn taste cultures are increasingly shared topics of engagement, adult performers have entered the mainstream media as sex experts and

crossover celebrities making diverse careers within the creative industry while the constant accumulation of user-generated, amateur, semi-amateur and professional-amateur content has challenged assumptions concerning who makes pornography, how and for whom (e.g. Paasonen et al. 2007).

The protests addressed in this chapter are part of a longer continuum of pornographers engaging in debates on the freedom of speech and advancing the rights and health of sex workers, with the notable difference that the most visible actors in the former matter have been producers, directors and publishers and, in the latter, porn performers themselves. The overall field of operation has nevertheless been drastically transformed during the past decade alone. With broadband connections, the video clip has become the predominant porn format distributed through video aggregator sites modelled after YouTube. Hosting porn video files in millions, these aggregator sites trade in sponsored content, premium membership fees and user data that is automatically collected, analysed for the purposes of targeted advertising or sold to third parties. MindGeek remains the most formidable of current actors, owning the leading porn tube site, Pornhub, as well as most other key platforms with the exception of xHamster and xVideos (Auerbach 2014). Porn circulates as data, the business of porn has grown inseparable from IT labour and key players in the field are tech companies. All this pushes extant definitions of the porn industry and the politics of offence connected to it.

The increasing centrality of porn distribution and ownership, combined with the vastly lucrative markets of data, has notable ramifications. The profits of porn have shifted from production, DVD and magazine retail to key video aggregator sites, giving select players have unprecedented control over audience access to adult content on a global scale. Pornhub and xHamster are both pornographers by proxy in the sense that they do not produce or direct the videos they host and stream. As corporate players, aggregator sites focus on distribution,

which, in the current technological context, means running servers and managing massive data traffic. In doing so, they have control over what content comes up in users' searches, what gets amped up in its visibility and what may respectively disappear in their constantly accumulating reservoirs of data. Aggregator sites hold different kind of power and agency than any singular porn publisher or distributor – individual or corporate – to date. Even if Pornhub does not make porn as such, MindGeek has bought up a range of high-profile studios suffering from the fall of the DVD economy and the easy accessibility of pirated content on tube sites that it owns. The ensuing system is both centralised in terms of ownership and dispersed in terms of profession and agency. A MindGeek-owned studio such as Brazzers employs producers who then employ performers and other staff to create the desired scenes. As this gig economy has grown standard, fees have dropped and porn careers have grown increasingly precarious (Berg 2016).

Pornhub in particular has been actively branding itself as a lifestyle and media company through media stunts that aim to reframe it as a socially responsible actor that is simultaneously more than naughty enough to titillate. The company's PR gestures addressed below, ranging from donating money to various charities and giving out scholarships to support women in the tech industry, may easily come across as haphazard attempts at whitewashing a public image that is bound to spotty and shady by default, given the poor reputation that the porn industry continues to enjoy in terms of gender and racial inequality, workplace safety and the overall lack of transparency in its flows of labour, finance, income and profit. These gestures, like the cultural visibility and popularity of aggregator sites internationally, run parallel and conflict with anti-pornography agendas that have notable visibility in the U.S., UK and Australia and which have contributed to the framing of pornography as a public health risk, or crisis, necessitating stricter online policy, filtering and regulation (see Attwood 2018, 1). The trajectories or policies of offence involved in the

current traffic of porn are, in sum, convoluted, and inseparable from both the online attention economy and the business of data that it builds on.

### **Blocking and the visibility of data**

In April 16, 2016, the Cyprus-based xHamster that has long supported Planned Parenthood by collecting voluntary donations on their site blocked access for users from the state of North Carolina in protest against the newly introduced Public Facilities Privacy & Security Act. More commonly known as the bathroom bill, the law limited trans people's access to toilets and changing rooms of their own preference and choosing. Instead of gaining access to pornographic content when visiting xHamster, North Carolinian users were faced with the following notification, which the company also shared on their Twitter account:

The Incredible Hypocrisy of North Carolina

The Land where Homophobia is Law

2016 North Carolina GAY categories views 319 907

2016 North Carolina SHEMALE categories views 491 295

2016 North Carolina searches contain GAY 50 612

2016 North Carolina searches contain SHEMALE 48 585

North Carolina! Stop Your Homophobic Insanity!

In their statement to the *Huffington Post*, the company further explained the ban: “Judging by the stats of what you North Carolinians watch, we feel this punishment is a severe one” (in Moye 2016). While the annual number of views and searches reported from the state is by no means extraordinarily high – and while the company's chosen category of “shemale” for transgender porn fails to be among the most politically correct denominators available – the

political point and object of the protest were clear enough: xHamster objected to the politics of gender and sexuality that the bathroom bill emerged from. More specifically, the company voiced its disapproval over the law and aimed to render visible the discrepancy between the conservative, heteronormative community standards that politicians deployed in justifying it and the not-strictly-straight porn preferences within the said community, as illustrated by their data traffic.

The tracking of user locations and actions, as facilitated by internet protocol (IP) numbers and cookies ever since the advent of the Web, is routine on virtually any site, be it commercial or not, even as user data has grown increasingly central as the fuel of social media that is collected, analysed and sold. xHamster, for example, collects cookies, IP addresses, geographic location and other session data “in order to increase Your (and other Users’) experience according to tracked interests, to analyze and target potential new markets, and for other marketing purposes” (xHamster 2018). The default tracking of users makes it easy to block content for visitors from specific regions, as well as to analyse and render public regional search and viewing patterns, trends and preferences. In their protest against the bathroom bill, xHamster relied on a combination of both.

The company’s comment on the protest rang somewhat grandiose: “We blacked out the access to our website because we wanted to draw the attention of millions of people to patterns of human rights violations, and we are glad that our voice has been heard across the globe” (in Tourjée 2016). This expression of offence gained international attention largely due to its unorthodox rationale: it makes sense for any commercial site to attract, rather than to intentionally ban, users. And since porn companies are not generally considered paragons of civic virtue, having one protest for social justice comes across as unusual.

Porn companies are rarely associated with struggles for social justice except when these are directly connected to initiatives threatening their flows of income. It was therefore less surprising for several major porn studios, including Vivid, Evil Angel, Treasure Island Media and Kink, to block Californian users' access to their sites in protest to Proposition 60 in October 2017. Titled "the condom bill", Proposition 60 drove mandatory use of condoms in all porn films for reasons of occupational safety. The proposition was deemed a liability for the overall profitability of the industry, as well as a health hazard of its own: the use of condoms in penetrative sex over several hours is likely to cause abrasions and their mandatory introduction was opposed by female performers in particular. The proposed initiative was no less problematic in requiring porn performers to render their personal information, including legal name, date of birth and home address, public. Had the bill passed, it would have given any resident of California the right to sue pornographers for scenes performed bareback with the possibility of receiving 25 per cent of the fines awarded. Since U.S. porn production remains largely based in the San Fernando Valley, studios wanted to pressure local voters to oppose the proposed legislation. For its part, Vivid, once the leading studio for glossy DVD porn, allowed users with Californian IP addresses only access to a black screen with the text, "Harassment is not a California value: NO ON 60" while a coalition of studios threatened to permanently block all access to Californians, should the law pass.

The technical tactics deployed in the two protests addressed above were nearly identical – blocking access to users from certain U.S. states in order to comment and have an impact on legislative measures – yet they differed clearly from one another in their motivations and purposes. Proposition 60 was directly aimed at transforming the working practices and, consequently, the revenues of the porn industry. Permanently barring access for Californians would have been a pre-emptive measure against potential lawsuits (Kokura 2016). As a form of protest, pre-vote blocking involved the self-interests of the industry while also helping to



attract attention to the proposition and its less discussed features. Although the proposed bill was justified with the aim of improving work safety within the industry, it involved risks towards the health, wellbeing and overall privacy of performers. For its part, the bathroom bill involved transgender rights and was in no direct way connected to the working practices, operating possibilities or business models of xHamster.

Although the act of blocking access from North Carolina would seem to have gone against xHamster's best interests, it benefited the company's brand building by projecting a liberal, socially engaged public image. With the exception of Twitter and Tumblr, most social media platforms exclude sexually explicit content that is consequently subject to flagging and banning. Facebook, for example, does not allow for users to directly share links to porn sites, or for adult companies to pay for targeted advertising or sponsored content. Amplified through online news articles and clickbait links reiterating its details, xHamster's bathroom bill protest allowed for broad, free positive publicity on platforms from which it is otherwise banned. News items such as *The Next Web's* "XHamster blows a load of justice on North Carolina over anti-LGTB bill" (Clark 2016) and *Broadly's* "Ejaculating Justice: The Porn Company Protesting Anti-Trans Law Speaks Out" (Tourjée 2016) aimed to attract clicks, views and shares with their catchy double entendres and intriguing subject matter. Within the attention economy of social media, these stories benefitted all parties involved: xHamster's brand got a lift, the news sites gained visitors and social media platforms such as Twitter and Facebook, through which the news links were shared, attracted traffic translating as corporate value.

In 2017, both xHamster and Pornhub, similarly to more mainstream tech and social media companies of Google, Facebook, Amazon, Netflix, Github, Imgur and Reddit, protested for the protection of net neutrality in the U.S. – a principle according to which service providers

are not allowed to block access to sites, to slow down traffic to them or to charge users more for accessing them. On December 12, major sites joined in the “Break the Internet” by adding information on net neutrality on their front pages in formats impossible for users to miss. Pornhub, for example, presented a largely black interface with the text, “SLOW PORN SUCKS: join Pornhub in the fight to save net neutrality”. The motivation was explicitly an economical one: as net neutrality was overturned, nothing stops U.S. internet service providers (ISPs) for dividing traffic into different speeds so that either porn companies or porn consumers need to pay for better quality service of the kind that streaming video necessitates. The ruling also alters the ways in which user data can be mined, analysed and sold. By cancelling the ban on ISPs selling or sharing user data, such as browsing history or app use with third parties, the ruling made it possible for ISPs to trade in users’ porn search and browsing habits. Even if people make use of Google’s anonymous browsing mode, Incognito, their motions remain visible to ISPs who, in this novel context, can use the information as they like. Combined, the ramifications of repealing net neutrality may eventually challenge the viability of tube business models based on free porn.

The protests addressed above concern the self-interests of tube sites vis-à-vis legal initiatives without being entirely reducible to them. Actions against Proposition 60 extended to ethical concerns of worker privacy and safety while net neutrality involves the broad principles of internet freedom. In instances such as the North Carolina user ban, protest expanded to the registers of moral complaint, even while remaining part and parcel of xHamster’s brand management and promotional social media pursuits. Circulating across social media, the coverage of Pornhub’s and xHamster’s protests helped to bolster the companies’ public image as liberal and socially engaged. While Pornhub has a considerably more extensive a track record in promotional stunts than xHamster, their brand-building pursuits share similarities.

## **Socially responsible pornographers?**

In 2017, Pornhub launched its sex education site, Sexual Wellness Center, providing information on reproductive health, STDs and relationships in the name of public good. The same year, xHamster protested against the State of Utah voting not to fund sex education by giving users from the state the option of visiting non-explicit sex ed videos on YouTube with the notification, “Utahns consume more porn per capita of any state, but have some of the lowest levels of sexual education”. Here, xHamster called out – and in fact to a degree shamed – the residents of Utah for their ample porn consumption and, in providing links to sexual education content on YouTube, directed traffic out from its own site.

For its part, Pornhub’s sexual education campaign was not targeted against any particular state or educational policy, nor was the company interested in directing users elsewhere in search for information. By incorporating sex education into its palette of free service, Pornhub seemed to be covering all possible angles of consumer interest. Pornography has generally been framed as dangerously poor source of sexual pedagogy in education, journalism and public debate (see Albury 2014). These two initiatives, even if made by porn sites themselves, seem to support the claim in pointing to educational resources external to their core content. At the same time, this move helped in branding both companies as socially responsible to the degree of filling the gaps in sexual education left by formal educational systems.

The Sexual Wellness Center, as personified in its female director, Dr Laurie, is an attempt to bolster Pornhub’s image of public responsibility. As such, the initiative is far from an isolated one. The company has a steadily growing history of publicity stunts, such as the 2014 crowdsourced campaign for an advert encapsulating the company’s brand, which gained broad clickbait coverage, and “Wankband”, a hypothetical wearable device generating energy

through the motions of masturbation, introduced in 2015. Pornhub has also engaged in charitable actions, from the “Save the Boobs” campaigns collecting money for breast cancer research according to the views in its “big tit” and “small tit” categories to the “Pornhub Gives America Wood” campaign (2014) that involved planting trees for every hundred videos watched in the “big dick” category, or the 2015 “Save the Balls” testicular cancer awareness campaign. Since 2015, Pornhub has given out scholarships to support under-privileged undergraduate students. (See Paasonen et al. forthcoming.)

Pornhub’s wittily titled campaigns efficiently orient the eyeballs of users on online news hubs, blogs, Twitter and Facebook. Presented under the title, “Pornhub Cares”, they afford virtually free publicity while helping to frame the company as committed to making the world a better place. This further involves mainstreaming of Pornhub as a lifestyle and entertainment brand, and even a household name of sorts. This branding exercise necessitates a redefinition of pornography’s default offensiveness on which the genre’s cultural status and central attraction have depended. Pornhub’s social responsibility campaigns contribute to the onscenity of pornography by increasing the brand’s visibility in a range of mainstream social media outlets. Similar cross-platform circulation or presence does not however extend to the video content that the site hosts and makes money in: a gap remains.

In its PR efforts, Pornhub takes cue from Playboy and Hustler, both brands of mainstream fame – or, depending on perspective, infamy – that extended their operations into casinos and retail outlets trading in t-shirts, coffee mugs and jewellery already some decades ago (Osgerby 2001; Gunelius 2009; McKee 2016). Pornhub followed suit by opening a Manhattan SoHo pop-up store on Black Friday, 2017. A *New York Times* report lamented the lack of raunch in Pornhub’s commodity display where most of the merchandise consisted of “branded goods like hats, underwear, hoodies and even socks”. Rather than either revitalising

the local sex shop tradition that had disappeared in the course of gentrification, or presenting any of Pornhub's streaming video content in a semi-public social context, the boutique presented pure promotion of the brand itself. (See Nir 2017.)

The intentional yet volatile decoupling of the Pornhub brand from the content it operates in finds support from the company's overall principle of operation. Like all video aggregator platforms, Pornhub does not produce its own porn, even if it may reward select content producers for their efforts, and even as it distributes the content that its parent company, MindGeek, produces and owns (Auerbach 2015). As Tarleton Gillespie (2010, 356), points out, the notion of platform functions as legislative strategy protecting the company from liability for the content it hosts and for the activities of its users. Writing on YouTube, Gillespie examines the diverse discursive functions of platform as:

computational, something to build upon and innovate from; political, a place from which to speak and be heard; figurative, in that the opportunity is an abstract promise as much as a practical one; and architectural, in that YouTube is designed as an open-armed, egalitarian facilitation of expression, not an elitist gatekeeper with normative and technical restrictions. This fits neatly with the long-standing rhetoric about the democratizing potential of the internet, and with the more recent enthusiasm for user-generated content (UGC), amateur expertise, popular creativity, peer-level social networking and robust online commentary. (Gillespie 2010, 352.)

Emulating YouTube's principles of operation in the context of pornography, Pornhub taps into these diverse layers, promises and possibilities of a platform. Even if commercially produced content dominates the most viewed content on YouTube and Pornhub alike, a

certain vernacular promise of openness remains key to both. The discursive dimension of platform as an egalitarian place to speak and be heard from resonates with protests against legal initiatives seeking to limit the rights of sexual minorities, to regulate the working practices of porn and to facilitate slower or more expensive access to sexually explicit content. In this framing, a platform is that which enables and promotes sexual diversity and democratic self-expression.

When video aggregator sites are understood as platforms, pornographers remain actors apart who nevertheless share their produce through the platform provided and, in doing so, contribute to its overall brand value. Despite running numerous porn video aggregator sites and owning a range of studios, MindGeek itself has consistently branded itself as a tech company, “A Leader in Web Design, IT, Web Development and SEO (search engine optimization)” detached from the content and labour of pornography. In a deeply paradoxical line of development, MindGeek both owns video aggregator sites that are, in Gillespie’s terms, “designed as an open-armed, egalitarian facilitation of expression, not an elitist gatekeeper with normative and technical restrictions”, and expands its operations into this very realm of gatekeeping and technical restriction. The latter move, discussed below, very much undermines any simultaneous protests against Internet regulation.

### **Pornographers as gatekeepers**

It remains crucial to note the obvious, namely that minoritarian, queer and feminist pornographies do not thrive in the tube economy that is premised on free downloads and centralised on few key aggregator sites. As Eleanor Wilkinson (2017, 982) points out, Web 2.0 operating principles of easy and inexpensive publishing allow for the hosting and dissemination of “post-capitalist, non-capitalist, anti-capitalist, or ‘only slightly capitalist’

pornographies” and “global pornography corporations exist alongside myriad local place-based DIY alternatives, including sole producers, couples, groups and cooperatives”. This does not however result in an even playing field in terms of the different actor’s visibility, agency or income. In fact the “Web 2.0” business models of MindGeek based on free content and the mining of user data present an explicit threat to independent pornographers wishing to financially support themselves through their work.

The denominator of mainstream pornography is slippery by definition, given the striking diversity of acts, aesthetics and scenarios that are already available on any aggregator site. Yet if one were to map out the current state of the mainstream, it would be most aptly represented by the content that Pornhub pumps up to its front page in the form of most viewed, most popular, most recommended, sponsored and hot content targeted to consumers according to their country of location and their past history of searches and views. Despite the staggering volume of available videos, the default content available on the front page tends to be representative of the logic of sameness in the performers’ body styles and aesthetics, as well as in the choreographies and scenarios that they act out. Less viewed and less highly rated content easily remains buried in the data archives and, when viewed, is unlikely to yield profits to the people making it.

In the U.K., the position of independent pornographers has been rendered even more difficult by governmental efforts to ban acts deemed obscene, such as facesitting, spanking, penetration with any object, physical restraints, watersports, humiliation menstruation, public sex and female ejaculation, in films produced in the country (Hooton 2014a). No similar constraints are being introduced to viewing such content produced elsewhere and the policy drastically curbs the operating possibilities of local dominatrixes and other kink porn practitioners whose position within the porn industry is a marginal one to start with. In

December 2014, sex workers and other campaigners gathered in London outside the Houses of Parliament to protest against the newly introduced regulation. Realised as an ironically British spectacle, the sit-in featured female pornographers seated on male partners' faces whilst dressed in tweed, riding boots and bondage gear. Some participants sipped tea and others sang Mouny Python's *Sit On My Face*. In addition to expressing outrage over the policy directly resulting in their losses of income, protesters highlighted the explicit double standard at play. The protesters took offence to the fact that the policy primarily targets acts foregrounding female sexual pleasure, such as female ejaculation, and female sexual dominance, such as facesitting, as dangerous, obscene and offensive. (Hooton 2014b.)

Introduced in the name of child protection, these legal efforts are merely one part in a larger British anti-pornography policy extends to filtering and compulsory blocking of adult content by ISPs. The Digital Economy Act 2017 aims at bringing online content under similar regulation as other media through compulsory age verifications. Since the task at hand is well beyond the scope of the British Board of Film Classification to which it has been allocated, the most viable solution at the time of writing was to purchase the age verification system from MindGeek – the very same company that has close to a monopoly position in global porn distribution. Unlike the U.S. Motion Picture Rating System, which was introduced in 1968 as the film industry's system of self-regulation to mark out displays of sex and violence, this governmental plan would outsource filtering to MindGeek that would block access to millions of domain names, Twitter included, unless these subscribe to their AgeID system and pay for the service according to their volume of traffic.

Should this plan actualize by April 2018 as intended, internet users will need to hand over their name and email to MindGeek via AgeID, which would then verify the user's identity through third party sources, such as social media accounts, ID card or credit card information.



AgeID will also “log which pornography websites are visited and store them”, effectively creating a register of porn use (Burgess and Clark 2018). The system would be compulsory for anyone wishing to access adult content from British IP address: the “gatekeeper will have the right, and duty, to demand you show proof of age, or else refuse you access. In addition, the body will be able to impose fines and enforcement notices on those who either neglect or circumvent the policy.” (Cooper 2017.)

MindGeek would be given the license to charge adult sites for using their compulsory verification system in ways that would further eat away at the profit margins of independent producers while unavoidably and considerably profiting the monopoly in question. Despite the scale and nature of the new law, protest has largely remained on the level of newspaper articles critical towards the privacy risks involved. Independent queer pornographer Pandora Blake has remained one of its most vocal critics: “The Government has written MindGeek a blank cheque. Once age verification is in effect, smaller sites like mine will effectively have to pay a ‘MindGeek tax’ to our biggest competitor, who has established market dominance by pirating our content” (Blake 2017; Cooper 2017). Should the dominant company within the porn industry become a national gatekeeper for sexually explicit content, it is within the realm of possibility for it to promote its own business over that of competitors, marginal independent entrepreneurs included.

As this example makes evident, narratives on the sexualisation or pornification of culture as the general increased social accessibility, availability and acceptability of sexually explicit content, as debated in journalism, scholarship and activism for the past decade, and more, are simplifying in not allowing for considerations of the nuances and frictions that the “onscenity” of sexually explicit content involves (see Smith 2010; also Attwood 2018, 61–81). This onscenity is met with governmental censorship in countries such as China, Saudi-

Arabia and the United Kingdom whereas repealing of net neutrality makes corporate blocking a viable possibility in the US. In all these instances, pornography – either in all its forms or in some niches deemed obscene – continues to retain an aura of offensiveness that its obscenity would otherwise seem to do away with. The rationale of the Digital Economy Law 2017 is firmly lodged in the offensiveness of pornography that renders content filtering and mass-scale blocking issues of public good – even if executed by the same parties that facilitate the flow of offensive content to begin with.

### **Diverse, scattered politics**

After net neutrality was repealed in December 2017, the xHamster blog elaborated on its possible effects:

Without net neutrality, the company that you get your internet from can outright block any site they want, including xHamster. Over the past year, we've seen incredible pushback from social conservatives across the world asking governments to censor or block adult sites, Public corporations are even more vulnerable to boycotts and governmental pressure. (...)

With large corporations controlling not only our devices, but also our internet, sex-related is becoming more and more difficult to access. For example, sex-related business – heck, even dating businesses – are largely excluded from the Apple's app store, Facebook and Google advertising. If pressure intensifies from the ISPs, you'll likely see adult content pushed off of Twitter, Reddit and Tumblr. (xHamster 2017.)

Citing the company's Vice President, Alex Hawkins, the blog continues: "In a time of corporate censorship and conservative crackdowns, we think that making sex videos is a revolutionary act, and we're glad to be able to lend our support to the fight for Net Neutrality". In the final line, xHamster makes a plea for keeping "the sexual revolution going". To argue that shooting a porn film is a revolutionary act, independent of its particular content, is certainly a hyperbolic, debatable claim that rings of Hugh Hefner's 1970s sexual freedom rhetoric. All in all, the statement reads as somewhat anachronistic for something written in late 2017, given the degree to this moment can be characterised by the mundane abundant availability and casual consumption of sexually explicit content, be it categorised as pornography or not. Around this time, xHamster was the 76th most visited site globally according to Alexa rankings, while Pornhub held the 35th place. As highly successful, indeed predominant actors within the tech industry, these companies are not all that easy to either ignore or to position as revolutionary agents.

At the same time, the effacement of sexually explicit content from social media remains a viable concern connected to corporate ownership and its centralisation. The combined corporate power of Google, Apple and Facebook in regulating access to applications and online content according to their community norms and terms of use is overpowering and none of these companies is known for being amicable towards pornography. As *Wired* reporter Cade Metz (2015) points out, "The big tech companies behind the big platforms control not only the gateway services (the iPhone app store, Google Search, the Facebook social network) but the gateway devices (the iPhone, Android phones, Google Chromecast, the Amazon Fire TV, the Oculus Rift virtual reality headset). And for the most part, they've shut porn out."

Should the repealing of net neutrality result in the U.S. lead to ISPs blocking porn sites, or to charge users more for access, sexually explicit content will be further effaced from view. The almost default shutting out of porn by key tech and social media companies is premised on its default offensiveness that mainstream commodity brands – such as Nike, McDonalds or Starbucks – are unlikely to want to associate with in their targeted advertising initiatives. Google bans sexually explicit content from its advertisement policy in all countries “as an effort to continually improve users’ experiences”. There is little that Pornhub’s brand building exercises can do to influence such default blocking. At the same time, compulsory age verification in the UK may make MindGeek, as the leading global porn company, and official gatekeeper of pornographic content that can make money both from distributing porn and from controlling access to it. In a deeply paradoxical solution to pornography both becoming increasingly present in culture and necessitating regulation and censorship in order to retain its forbidden allure, the one and the same company may soon be in a position to both massively distribute pornography and to curb access it. This paradox is in fact key to understanding the stakes involved in the contemporary political economy of porn.

In resisting limitations to their operations through acts of public protest, pornographers are self-evidently protecting their own trade. Yet, motivated by self-interest as such efforts may be, they cannot be separated from broader social, political and economic stakes. Pornography has been identified as “the canary in the coalmine of free speech” as the first freedom to die (e.g. Hooton 2014b). Here, historical parallels certainly remain ample, given the extent to which debates on the public access to pornography in the United States alone have been inseparable from those concerning freedom of expression. First Amendment rights and their connections with pornography have been a primary focus in much scholarship on the genre (see Strub 2010) even if this emphasis does not extend to, or define public debates and political investments internationally. The drama of pornographers fighting censorship has

been equally key in popular porn historiography, as in the 1996 film, *The People vs. Larry Flynt* detailing the multiple anti-censorship court cases of *Hustler* publisher, Larry Flynt (see Petersen 2007), and the 2005 documentary, *Inside Deep Throat*, focusing on the cultural resonances of the 1972 pornographic feature film, *Deep Throat*. In these, male pornographers engage in heroic and tragic battle against the powers to be who, in protecting their smut, protect the freedom of all.

The political economy involved in contemporary pornographers' expressions of offence is considerably more convoluted and embedded in struggles over data in ways that afford for no easy heroes. The actors expressing outrage against changes in policy are largely corporate brands with largely invisible figureheads and spokespeople whose fields of responsibility are detached from the fleshy labour of porn production itself. These corporate actors mine user data in ways impossible for individuals to affect or know while limiting the operating possibilities of independent porn entrepreneurs with their market domination and business models. To the degree that they fail to acknowledge hierarchies among pornographers, narratives of sexualisation, pornification and the onscenity of porn make it possible to overlook the diverse, and mutually conflicting interests and operating principles involved, from the corporate IT entity of MindGeek to kink practitioners running their own pay sites, and the different ways in which legal measures regulating appropriate and inappropriate, permissible and obscene sexual representation condition their spaces of agency.

Pornography has never been a singular object or industry but more of an umbrella term bringing together diverse actors with equally varying interests and aesthetics. It then follows that the political passions and projects connected to it have come in all kinds of shapes and forms, from gay porn promoting safe sex (Patton 1991) to that celebrating the breeding and seeding of HIV in queer kinship building (Morris and Paasonen 2014), from couples' porn

bringing spice to monogamous matrimony to videos advancing promiscuous lust, spirituality and veganism. The politics of contemporary pornography range from the macro-level of civil liberties to the politics of representation connected to gender, race and class, the micro-level of body politics connected to desires, orientations and shapes, data ownership, privacy and access. In addition to pornography being a perennial object of political debate in feminist and value-conservative activism, its political registers expand to sex worker rights activism, queer and feminist politics. As the discussion above indicates, the interests of different stakeholders – be these financial and other – are by no means mutually compatible.

This incompatibility is currently more striking than ever as tech companies have not only increased their presence within the porn industry but have largely come to own it. Tech companies provide the necessary infrastructure for streaming video while simultaneously transforming the principles of how porn is made and how this work is compensated.

Detaching their activities from content production, tech companies retain mainstream credibility as business partners that have relatively fluid agency to operate in web hosting and search engine optimisation outside the realm of pornography. If porn is understood as data, then the work connected to it no different from any other form of data labour. A company such as MindGeek produces, distributes and filters out pornography, limiting the spaces of agency available to other entrepreneurs in the process, possibly eating away at their possibilities of operation. As the IT labour connected to online porn has grown ever more specialised, it is increasingly difficult for independent pornographers to make their content known and seen. Even if they had the necessary financial resources in site design and hosting, which is not always likely, the traffic dominance of aggregator sites means that content hosted elsewhere lags behind in top search results.

Independent pornographers like Pandora Blake have novel possibilities for public outreach via social media platforms such as Twitter, yet their voices do not have the same reach than those of key corporate players whose campaigns gain easily gain viral lift through clickbait sites. Expressions of offence among pornographers come with vested interests and hierarchies of visibility just as their focus have expanded from workplace safety to pornography as data that is governed, owned, displayed, processed, leaked and sold. In this hierarchical and somewhat disjointed landscape, different agents taking offence have different resonances and the voices of individual performers and independent producers may fail to have much resonance at all.

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