

Child Pornography Is Showing Participation a Person Under the Age of 18 in Sexual Intercourse

Siniša Franjić¹

¹ Independent Researcher, Croatia

Correspondence: Siniša Franjić, Independent Researcher, Croatia.

doi:10.56397/SLJ.2023.03.05

Abstract

Child pornography means any video or image showing a person under the age of 18 engaging in sexual intercourse, showing the genital or anal area of a person under the age of 18 for sexual reasons, or any document supporting sexual intercourse with minors. Child pornography is among the most widespread forms of crime on the Internet. Child pornography is spread by pedophiles to create a personal collection, exchange material with other pedophiles, or create new material and child prostitution. Child pornography is illegal in most world jurisdictions. Convictions for possession of child pornography also usually include prison sentences, but these sentences often translate into suspended sentences for perpetrators.

Keywords: child pornography, Pedophilia, Internet, crime, law

1. Introduction

Child pornography, also called “child sex offense imagery” and “child exploitation material,” is a serious public health problem for 2 reasons (Rothman, E. F., 2021). First, each instance of child pornography that involves a minor younger than the age of sexual consent may be a depiction of a sexual or violent crime that occurred. Additionally, the production of the image could be a separate crime. Children are also psychologically, physically, or sexually abused in order to produce the pornography. Some argue that new damage is completed to a child whenever the photographs of their abuse are viewed, because it causes fresh humiliation and pain to know that people are deriving pleasure from their exploitation. In other words, the harms to reputation, privacy, and mental health will be lifelong. Second, child pornography may

encourage some people to perpetrate child sex offense. Not everyone who views child pornography is pedophilic, and not everyone who perpetrates child sexual abuse is pedophilic. And research suggests that it's rare that healthy adults with no pedophilic interest become pedophilic only because of viewing child pornography—research on the etiology of pedophilia suggests it's influenced by genetics, stressful life events, specific learning processes, and other factors. Except for the little subset of individuals who have antisocial tendencies or pedophilic interests, viewing child pornography is also an aggravator that influences the likelihood that they're going to commit what's called a “hands-on” or “direct contact” sexual crime against a child. There are not any two ways about it: child sexual abuse imagery causes harm and may be a serious public health

problem.

2. Characteristics

Child pornography may be approached in two distinct ways (Sheldon, K. & Howitt, D., 2007). The first is to treat it because the end point of a process of production that imbues the fabric with various implicit and explicit characteristics. These characteristics make sure that the material meets the wants of consumers of child pornography. As an example, it's argued that buyers tend to dislike child pornography that portrays child sex as distressing or painful for the child victim. Imagery that means that the child is truly enjoying his or her victimisation could also be their preference. Thus child pornography commonly portrays the victim as 'smiling'. In other words, a key production value in child pornography involves indications that the children are willing and also taking pleasure within the sexual activity that's, in fact, their abuse. This type of imagery may facilitate the generation of sexual fantasy during which children are, in imagination, sexually compliant and, perhaps, complicit. Some users of child pornography may reject child sex imagery within which children appear obviously distressed or unhappy. Cognitively, users of child pornography deny the harm caused by the sexual abuse of children and unhappy, distressed victims would challenge this belief.

The second viewpoint doesn't focus on the content of the child pornography production but considers the process of viewing child pornography. There's a way within which the term 'viewing' fails to adequately describe the activities of users. Although some users of kid pornography talk of 'viewing' it, this suggests a passivity that's belied by fuller consideration of what users do with the material, which matches beyond mere viewing. Users actively engage with the material since they're known to frequently collect, catalogue and index the child pornography that they accrue. Psychologically, they sexually fantasise to the material and masturbate to climax. An instance of this active involvement is that they'll fantasise that the child is performing the depicted sexual acts upon them and not the individuals they see within the pornographic image.

Child pornography also reveals images of minors engaged in sexual acts (Rufo, R. A., 2012). In child pornography, the offender's face is never shown. The difference between child

pornography and pornography is that the former reveals sexually explicit photographs or video that depicts someone under the age of 18 involved in sexually graphic conduct like sexual activity, masturbation, or sexual cruelty. Anyone who collects, distributes, sells, or possesses child pornography is often seen as deviant and abnormal, not only during this country, but internationally as well. Child pornography has grown to epic proportions across the state thanks to the net, and it's become a social and legal problem for our society. Statistics show that the amount of cases of kid exploitation, child abuse, and child trafficking has steadily increased due partly to child pornography.

There is a difference in taking an image of a naked child, child erotica, and child pornography. Having an image of a naked child isn't considered child pornography. Child erotica, which is somewhat easier to induce via the net, has the child posing during a provocative manner, possibly with lingerie or revealing attire. This sort of fascination may cross the road of normal behavior but isn't considered child pornography. Many sexual predators are stimulated by the sight of children, preteens, and teenagers with few or no clothes on. While the prosecution of pedophiles and therefore the efforts of law enforcement have increased, so has the problem in catching these offenders and finding their innocent victims.

It is not uncommon for pedophiles to use photographs to induce aroused before they search out sexual gratification and lower their sexual inhibitions. Child pornography also substantiates a sex offender's interest in children, especially efforts to blackmail victims into further sexual activity. When assessed within the laboratory, the majority of child pornography offenders showed greater arousal in response to pictures of children than to pictures of adults. Recent studies have indicated that sexual offenders are persistent in their quest for pictures of potential victims.

3. Content

People may produce child pornography for any number of reasons (Rothman, E. F., 2021). They'll be looking to make money, and because children are coerced or forced to participate in sexual exploitation images, the cost to produce child pornography, as compared to other media, is low. Because some child pornography sharing platforms and systems require that users submit

their own original child pornography images to realize entrance, to make sure that the user will be trusted by the other criminals, some people may produce the photographs so as to join the sharing networks. Still others produce the photographs for his or her own personal use or create the pictures for others. There are numerous cases of adult women who were imprisoned for producing child pornography of their own children to share with their boyfriends, because they were threatened or forced to do so, or for other reasons. Finally, and as mentioned above, some adolescents are now self-producing sexual images that count as child pornography when they “sext” or take nude or seminude selfies. In some cases, they are doing so under duress—such as coercion by some other person who wants to receive the pictures. Other adolescents believe that they’re sharing nude images with a trusted dating partner and are shocked when the image that they believed was private or deleted is shared on peer-to-peer erotica networks.

4. Coercion

Although not all offenders use pornography, the sexualized conversation often precedes the exchange and creation of child erotic and pornographic material (McAlinden, A. M., 2012). Typically, the offender forwards pornographic images to the child in order to ‘desensitize’ them and lower their inhibitions. An offender then ‘moves’ the interaction with the intended victim from a public to personal chat room, or from public to one-to-one messaging within social networking sites, and on to the child or young person’s mobile phone and, eventually, onto an online cam, which can be posted on to the young person’s address by the offender. Similar ‘gifts’ to the child or juvenile person, which might also facilitate the offending process instead of simply function as an inducement or reward, also include mobile phones and digital cameras. Many offenders use images of children ‘looking happy’. The effect on the victim differs depending on the age of the recipient: for younger children this might be used ‘to “prove”...that what they were observing was “fun”’, while ‘with older children it could serve the aim of sexual excitation, instruction and normalisation’. Moreover, the viewing of kid pornography also helps sex offenders to overcome their own internal inhibitors.

Fantasy enactment, which is an important element of such on-line relationships, and

sometimes happens in real time, includes ‘overt coercion’, where the offender is threatening, controlling, bullying, and aggressive. It also encompasses emotional blackmail through which the offender will try and ‘wear the victim down’, invoking their sympathy and guilt or personal responsibility for the ‘relationship’. ‘Emotional coercion’ particularly, and therefore the persistent psychological manipulation of the child also helps to explain sexually aggressive behaviour by children towards other children for the aim of producing child pornography for offenders. The method culminates with ‘damage limitation’ with the offender emphasizing the necessity to maintain the secrecy of the relationship and sometimes an affirmation of their ‘love’ for the kid in order to reduce the risk of disclosure. With some offenders, however, particularly those not interested in extending contact with the child, by either an extra on-line exchange or a face-to-face meeting, there’s rarely an interest in damage limitation.

5. Sexual Tourism

Upon entering these foreign countries, these men often obtain information about brothels that offer children for sex or other available children from local taxi drivers, hotel concierges, restaurant wait staff, or newspaper advertisements (Teritto, L. & Glover, N., 2014). Child sex tourists also solicit children independently in foreign destinations at beaches or on the road, particularly if the sex tourist is seeking boys. Some predators also contact foreign children through the web and attempt to meet them on the trip. Child sex tourists also gain information about local children through Internet chat rooms, message boards, and online forums. These Internet forums provide locations of kid brothels, prices, accounts of kid sexual assault by other sex tourists, and sites for trading child pornography.

Child sex tourists are increasingly creating smut by recording their acts of kid sex crime to bring home as souvenirs. After returning home, child sex tourists may share or sell their images and videos with other child predators. Images of the child’s abuse are permanently memorialized and impossible to get rid of from circulation once they enter the net stream. Some child sex tourists also write graphic online accounts of their experiences and share information on a way to find and abuse children in foreign locations. These accounts may entice other predators to interact in child sex tourism.

6. Sharing

In the us, the first federal law criminalizing the commercial dissemination of pornography within which the producer had knowingly used a minor (a person < 16 years old) in obscene depictions of sexually explicit content was passed in 1977. (Rothman, E. F., 2021) In 1984, the child Protection Act increased the age of protection to 18 years old. within the 1970s, there have been reportedly more than 250 print magazines in circulation, produced primarily in Europe, that published child pornography. As an example, the magazine *Lolita* was published monthly within the Netherlands during the 1970s and reportedly included images of kids as young as 3 years old engaged in sex acts with adults. There have been also child pornography books and 8-mm films available for legal trade or purchase.

After the passage of a series of federal laws, including the 2003 PROTECT Act, which among other things made it illegal to download Japanese anime style porn or computer-generated images of children engaged in sex acts, those that wanted to look at child pornography primarily turned to online peer-to-peer networks. A peer-to-peer network is when two or more computers are connected and share files or folders directly, instead of going through a central server. Peer-to-peer networking, and peer-to-peer protocols like BitTorrent, can share large files fast and sometimes anonymously. There's also a network of cryptographically hidden websites called the "darknet" or the "dark web" that may be accessed through anonymizing browsers like Tor.

7. Pedophilia

For most observers, child pornography isn't only repulsive but genuinely baffling, which can explain the reluctance to believe it's so widespread on the web, except as a sort of jest (Jenkins, P., 2001). Surely such a large amount of people can not be so very disturbed as this phenomenon would suggest? After all, there's abundant evidence of adults being sexually interested in, even obsessive about, children, which accounts for an enduring market in pornographic materials. Though far removed from any kind of social mainstream, a sexual interest in children isn't confined to a small segment of hard-core individuals who are demonized under some such damning label as

"perverts" or "pedophiles." Child pornography has a substantial, if murky, history, and in recent times individuals have always been ready to find materials of this type, often by resorting to creative subterfuges and new technologies. the web merely marks the most recent phase in this story.

Rather than imagining a fundamental gulf dividing "child-lovers" from "normal" people, we should always rather speak of a continuum, during which popular condemnation of behavior is inversely proportionate to the age of the topic. If an adult man is sexually interested in younger teenage girls, then he may violate the moral codes of a selected society, but he can't be said to contradict any universal or concept, any biological imperative. This can be a classic example of a *mala prohibita* offense, condemned in some communities but not others. If it's not "natural" or acceptable for a thirty-year-old man to be sexually excited by a fourteen-year-old girl, at least it requires less explanation than true pedophilia, an interest in smaller, pre-pubescent children. The identical is true for a person collecting pictures of young teenage girls. Since sexual behavior with teenagers has been considered normal in most societies, we've no damning label for the person who experiences such temptations. How many people even know the arcane psychiatric label of "ephebophilia," which is applied to those interested in younger teenagers? And while sexual issues between men and teenage boys is less widely accepted than acts involving girls, this, too, has been tolerated, or nodded at, in many historical societies.

Pedophilia could be a sexual preference for children, usually pre-pubertal (Wylie, K., 2015). The Sexual Offences Act, 2003 allows for conviction on indictment to imprisonment for a term of up to 14 years for arranging or facilitating child prostitution or pornography. Variety of studies have attempted to identify differences within the neurobiological structure of paedophilic offenders. Recent findings suggest specific impaired neural networks referring to phenotypic characteristics might account for the heterogeneous results identified with neuro-imaging studies which these neuro-anatomical abnormalities could also be a dimensional instead of a categorical nature supporting the notion of a multifaceted disorder.

Viewers and producers of child pornography participate in some similar behaviors (Cusack, C.

M., 2015). They have a tendency to experience similar or predictable comorbidities, recidivism risks, sexual deviancy, and interests in violence and penetration. In general, child pornography offenders is also analyzed using five variables. First, their degree of interest in sexualizing children encompasses a range. Second, their motives may vary for collecting child pornography. Third, they will or might not engage in sex offending, that is, production offenses, hands-on offenses, and contact offenses. Fourth, child pornography viewers aren't necessarily pedophiles. Fifth, technology may influence the level of interest in child pornography, acceptance for his or her behavior, community participation, and degree of contact with children. Varieties of technology and frequency of technology used could also be separable from the opposite categories yet may also overlap, especially with offenders' motivations and psychology. Within these five categories, offenders may engage in numerous combinations of behaviors, extreme activities, experimental pornography use, and compulsive behaviors. Offenders' behaviors and interests may flow along a spectrum.

8. Internet

The impact and therefore the role of the web within the production, dissemination and collection of child pornography are assessed by variety of authors in recent years and there's a general consensus that 'the Internet has increased the range, volume, and accessibility of sexually abusive imagery, including child pornography (Akdeniz, Y., 2008).' It sets dead set provide a critical assessment of the problem of Internet child pornography and its governance through legal and non-legal means, including a comparative assessment of laws and policy initiatives in England and Wales, the United States of America and Canada. Consideration is given to the emphasis placed upon core values like freedom of expression within the treatment of computer-generated child pornography. within the us and Canada recent government legislative action has faced constitutional challenge and this remains a 'deeply controversial area'.

As one might expect, the legal situation as regards the net is far from clear and settled. The global, decentralized and borderless nature of the net creates a potentially infinite and unbreakable communications complex which can not be readily bounded by one national

government or perhaps several or many acting in concert. The decentralized nature of the net moreover means there's no unique solution for effective regulation at a national level. Criminal law is traditionally related to nation-states and policing may be a core activity of nation states. However, this legitimate activity is unsettled within a borderless medium like the web. The policing of Internet child pornography is possible at a national level only the perpetrators are within the jurisdiction of the nation-state, or when extra-territorial policing activity and co-operation is possible.

Consequently, the governance of Internet child pornography requires a collective and 'multi-pronged response to a multifaceted problem' during which both public and personal bodies are involved at various levels. This pluralistic Internet governance approach because it is emerging may include several layers: the National (and the local), Supra National (for example, European Union), Regional (Council of Europe) and International (United Nations). The effect of supranational, regional and international developments on nation-state governance can not be underestimated, and therefore the aligning of strategies and policies is critical within the seek for common solutions for Internet related problems. There are still many countries round the world that don't have specific legislation on child pornography. within the words of the UN Special Rapporteur on the sale of children, child prostitution and child pornography, 'this legal vacuum leaves a dangerous gap that exposes children to the chance of abuse, further increased by the impunity factor.' For this reason efforts to harmonize laws at an international level constitute an important step within the fight against the sexual exploitation of children and child pornography.

Offenses associated with pronography include a variety of shape (Pavisc, B., Modly, D. & Veic, P., 2012). They consist of using a computing system or network to offer, distributing acquisitions for oneself or another or owning a computer possesses pornographic content depicting children or minors in a very sexually explicit system or on computer storage media behaviors or that are focused on their sexual organs. according to Article 9. The Convention on Cybercrime on child pornography is: pornographic material depicting minors (persons under the age of 18) engaging in

sexually explicit conduct, someone engaging in sexually explicit behaviors, real images that represent the minor as participates in sexually explicit behavior.

Aside from victim access, the web offers the sexual predator something else that had been hard to return by within the past: broad validation of his or her deviant fantasies and/or behaviors by peers (McGrath, M., 2005). There are internet sites and chat rooms devoted to any and every one sexual behaviors. the web (and the pc technology accompanying it) offers the pedophile access to child pornography and therefore the ability to trade this commodity with others. Aside from simplifying the trading of kid pornography, the present technology may well be seen as creating a marketplace for more. Digital cameras and camcorders easily capture images of children that don't need to be sent to a photograph lab. These digital images are readily transferred to a computer disk drive and are then available for worldwide distribution. Current technology now even allows for live transmission of sexual assault. the pc and its associated storage devices (internal and removable) allow for compilation of vast collections of child pornography in small spaces. And, once a victim is located, the web is a treasure trove of knowledge this individual and/or family. Except for collecting information, ongoing monitoring can occur through various means, including sending innocuous animations as attachments that try to take over the pc.

9. Law

Infant pornography isn't the foremost common form of pornography, but it's prevalent (Cusack, C. M., 2015). Infants could also be explicitly exhibited or penetrated in pornography. The crime is usually perpetrated by trusted adults (e.g., doctors, babysitters, parents). a number of the foremost prolific child pornography producers are babysitters. For instance, in one international bust a babysitter was sentenced to 315 years in prison after participating in a world infant pornography ring involving dozens of suspects stretching across Sweden, Serbia, The Netherlands, The UK, and therefore the US (News 24, 2012). More often than not, authorities are unable to identify children's identities; but, identifiable children who are abused by their parents are removed and placed in state custody. Even when pornography distributors don't produce pornography, possessing and distributing such images of infants may be

particularly dangerous and offensive to society. Noncontact pornography crimes involving infants may merit an upward variance in sentencing.

Images innocuously posted online could also be downloaded and altered by pornographers. If images specializing in a child's genitals are possessed in a very collection of exploitative photos, then prosecutors is also ready to prove that they were transmitted as child pornography. If innocuous photos are altered (e.g., cropped) to focus on a child's genitals, then they'll constitute child pornography. However, whether or not they are doing not meet the legal elements for child pornography, they will constitute obscenity. Infant pornography is sometimes downloaded from websites that classify it as child pornography; thus, investigators can determine where depictions were acquired and evaluate whether images were transmitted as pornography or constitute obscenity.

The prosecution of child pornography possession and production has increased in recent years, because the Internet has enhanced its availability and law enforcement has refined its techniques for its detection (Walsh, W., Wells, M. & Wolak, J., 2016). Given the expansion and complexity of child pornography crimes, it's critical to better understand the character of those crimes as well as dilemmas and challenges law enforcement investigators and prosecutors encounter. Those dilemmas include the consistency of legal standards, problems with statutory frameworks, and also the suitability of the punishments being sought. law enforcement and prosecutors have also faced challenges associated with the legal definition of child pornography. Specifically, they need sometimes faced difficulty proving that a baby depicted in an exceedingly child pornography image is an actual child (rather than a computer-generated image) or that the child depicted is young enough for a specific law to use. They need also struggled with the way to resolve cases involving sexting—sexually explicit images that minors create of themselves—given that those images fall within most legal definitions of child pornography.

10. Conclusion

Child pornography is pornography that exploits children for sexual stimulation. It can be performed with direct participation or sexual assault on a child or it can be simulated child

pornography. Child abuse occurs during sexual acts or lascivious exhibitions of the genitals or pubic areas that have been reported in the production of child pornography. Child pornography can be used in a variety of media, including writings, magazines, photographs, sculpture, drawing, cartoon, painting, animation, sound recording, film, video and video games. Child pornography can be created for profit or for other reasons. Producers of child pornography are trying to avoid prosecution by distributing their material across national borders, although the issue is increasingly being addressed by the regular arrests of suspects from a number of countries over the past few years.

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