

# Pornography: Consequences for Families<sup>1</sup>

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## Introduction

Pornography is a longstanding issue, especially regarding the protection of minors,<sup>2</sup> but now it is more urgent than ever with the advent of the digital era where this type of content is just a click away and with which families must deal. On the other hand, the pandemic aggravated the phenomenon.

Pornography is the depiction of sexual subjects for the sole purpose of sexual arousal. Violence is omnipresent: according to the analysis of the 50 most popular porn videos, 88% of the scenes contain physical violence and 49% contain at least one verbal aggression.<sup>3</sup> Moreover, this degrading treatment is almost always perpetrated against vulnerable people, mainly women,<sup>4</sup> as well as children. On this last point, it must be stressed that the use of children in pornography is an intolerable crime that is unfortunately widespread since “*the number of online images of suspected child sexual abuse processed worldwide almost doubled between 2017 and 2019.*”<sup>5</sup> And contrary to what some believe, this type of content can be found not only on the dark Web since it can also be found on legal sites, as revealed by The New York Times which published “*The Children of Pornhub*” in December 2020, which listed numerous cases of sexual violence against children on the Pornhub website.<sup>6</sup>

This being said, we are currently living in a “pornographic consumer society” since porn is THE consumer product above all, accessible for free, anonymously, in an unlimited way, everywhere and at all times.<sup>7</sup> Figures do not lie. In the world, “*Every second, 372 people search for so-called adult content on search engines, 28,258 Internet users watch it and \$3,075 is spent on it.*”<sup>8</sup> More than a quarter (27%) of the world’s video web traffic involves

<sup>1</sup> This article is based on research conducted by the ECLJ as part of a book on pornography to be published in 2023.

<sup>2</sup> See T. Fallot, Communication sur l’organisation de la lutte contre la pornographie : faite au congrès de l’Association protestante pour l’étude pratique des questions sociales. Marseille, 28 and 29 October 1891: <https://gallica.bnf.fr/ark:/12148/bpt6k758313/f6.item.zoom#> It already mentioned a “pornographic epidemic” (p. 18).

<sup>3</sup> Ana J. Bridges, Robert Wosnitzer, Erica Scharrer, Chyng Sun, Rachael Liberman, “Aggression and Sexual Behavior in Best-Selling Pornography Videos: A Content Analysis Update”, *Violence against Women* 16, no. 10 (2010): 1065-1085.

<sup>4</sup> Carrotte ER, Davis AC, Lim MS, “Sexual Behaviors and Violence in Pornography: Systematic Review and Narrative Synthesis of Video Content Analyses”, *J Med Internet Res*, 2020 May 14;22(5):e16702.

<sup>5</sup> Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, *A Digital Decade for children and youth: the new European strategy for a better internet for kids (BIK+)*, COM(2022) 212 final: <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:52022DC0212&from=EN>

<sup>6</sup> Nicholas Kristof, “The Children of Pornhub”, *The New York Times*, 6 December 2020: <https://www.nytimes.com/2020/12/04/opinion/sunday/pornhub-rape-trafficking.html> See also Megha Mohan, “I was raped at 14, and the video ended up on a porn site”, *BBC News*, 10 February 2020: <https://www.bbc.com/news/stories-51391981>

<sup>7</sup> See Juristes pour l’enfance, « Association Déclic / La consommation de porno par les adultes, reflet d’une société pornifiée » avec Maria Hernandez-Mora et Anne Sixtine Pérardel, *Youtube*, 15 February 2022: <https://www.youtube.com/watch?v=ec8NJ-2wWqY>

<sup>8</sup> Rémy Verlyck, « Mettre fin à la pornographie est un impératif de société », *Le Figaro*, 10 February 2022.

pornography.<sup>9</sup> According to the porn film director Ovidie, “*In ten years, humanity has watched the equivalent of 1.2 million years of porn.*”<sup>10</sup> In 2019, Pornhub proudly claimed that it offered more than 1 million hours of new content and that it would take 169 years for a person to watch it non-stop!<sup>11</sup> A report by the Parliamentary Assembly of the Council of Europe (PACE) indicates that an estimated 50% of internet traffic is sex-related<sup>12</sup> and that approximately 66% of men and 41% of women watch this type of content each month according to research.<sup>13</sup> Another interesting figure shows that this phenomenon has literally exploded in two decades: a survey revealed that in 2012, 82% of French women said they had already seen porn, compared to 23% in 1992.<sup>14</sup> As regards minors, figures are alarming, as we will see later. It is also unanimously recognized that the covid-19 pandemic has aggravated the phenomenon, because of lockdown:<sup>15</sup> Pornhub’s frequentation has thus jumped by 22% between March and April 2020.<sup>16</sup> Supply and demand for child pornography also increased, as well as online exploitation.<sup>17</sup> The use of pornography is thus a mass phenomenon to which no one is immune.

Despite this, it is still a taboo subject. Society seems to become aware very slowly of the harmfulness of pornography and of the fact that it involves serious violations of human rights.<sup>18</sup> Although some people try to make believe it, warning against this plague is neither regressive, nor showing prudishness or religious moralism even if it is true that the Catholic

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<sup>9</sup> A. Billon, A. Borchio Fontimp, L. Cohen, L. Rossignol, « *Porno : L'enfer du décor* », Rapport d'information, Sénat, Délégation aux droits des femmes, 27 September 2022, p. 21: [http://www.senat.fr/fileadmin/Fichiers/Images/redaction\\_multimedia/2022/2022\\_Documents-PDF/20220927\\_Rapport\\_adopte\\_industrie\\_porno.pdf](http://www.senat.fr/fileadmin/Fichiers/Images/redaction_multimedia/2022/2022_Documents-PDF/20220927_Rapport_adopte_industrie_porno.pdf)

<sup>10</sup> Ovidie, « Pornocratie. Les nouvelles multinationales du sexe », France, 2016, 85 min.

<sup>11</sup> François Lévêque, « Pornographie en ligne : une consommation massive, un risque pour les jeunes et une urgence à réguler », *The Conversation*, 6 July 2021: <https://theconversation.com/pornographie-en-ligne-une-consommation-massive-un-risque-pour-les-jeunes-et-une-urgence-a-reguler-163735>

<sup>12</sup> PACE, Gender aspects and human rights implications of pornography, Report, Doc. 15406, 18 November 2021, § 12-13.

<sup>13</sup> *Ibid.*, § 11.

<sup>14</sup> IFOP, *Les Français, les femmes et les films X*, 23 November 2012.

<sup>15</sup> OSCE and UN Women, *Guidance. Addressing emerging human trafficking trends and consequences of the COVID-19 pandemic*, July 2020, p. 30.

<sup>16</sup> Pornography is booming during the covid-19 lockdowns, *The Economist*, 10 May 2020 : <https://www.economist.com/international/2020/05/10/pornography-is-booming-during-the-covid-19-lockdowns>

<sup>17</sup> Solon, O., “Child sexual abuse images and online exploitation surge during pandemic”, *NBC News*, 23 April 2020: <https://www.nbcnews.com/tech/tech-news/child-sexual-abuse-images-online-exploitation-surge-during-pandemic-n1190506> ; European Commission, Joint Research Centre, Lobe, B., Velicu, A., Staksrud, E., et al., How children (10-18) experienced online risks during the COVID-19 lockdown : Spring 2020: key findings from surveying families in 11 European countries, Publications Office of the European Union, 2021, <https://data.europa.eu/doi/10.2760/562534> ; EUROPOL, “Exploiting Isolation: Offenders and victims of online child sexual abuse during the COVID-19 pandemic,” 19 June 2020: <https://www.europol.europa.eu/publications-documents/exploiting-isolation-offenders-and-victims-of-online-child-sexual-abuse-during-covid-19-pandemic> ; UNICEF, COVID-19 and its implications for protecting children online, April 2020: <https://www.unicef.org/sites/default/files/2020-04/COVID-19-and-Its-Implications-for-Protecting-Children-Online.pdf> ;

<sup>18</sup> See A. Billon, A. Borchio Fontimp, L. Cohen, L. Rossignol, « *Porno : L'enfer du décor* », *op. cit.*: this report from the French Senate reveals the practices of the pornographic industry and contains recommendations, including to limit access to pornography to minors.

Church, rightly, warns for a long time against that.<sup>19</sup> Warning is being concerned about the general interest by highlighting the existence of a real public health crisis in this matter because it affects the whole of society. The fundamental cell of society is precisely family, as recognized by the Universal Declaration of Human Rights of 1948.<sup>20</sup> It is therefore primarily impacted.

We will thus specifically highlight the consequences of pornography, whatever its nature, for families (I), before assessing the answers to be brought to try to remedy this plague (II).

## **I. Consequences of pornography on families**

Families are currently suffering from pornography because it has serious consequences for children (A) and for couples (B). Before addressing these issues, it is essential to emphasize that watching pornography is risky for anyone: it would be naive to believe that it suddenly becomes harmless at the age of 18. Indeed, the risks for physical health are proven, especially in terms of sexual dysfunctions,<sup>21</sup> but also for psychological health, especially because of the risk of addiction<sup>22</sup> which is high and widespread. Neurosciences now show that the brain's reaction to pornography is similar to that caused by hard drugs, such as cocaine.<sup>23</sup> But such an addiction, unlike others, is difficult to stop because pornography is accessible at any time, unlimited, affordable, anonymous.

### **A. Consequences of pornography on children<sup>24</sup>**

Would we let a child watch what happens in a brothel? Yet this is what pornography left online within the reach of youth amounts to, not to mention the metaverse and its multisensory potentialities.<sup>25</sup> In 2013, the European Parliament noted that pornography is becoming commonplace among young people, in their culture and permeates them.<sup>26</sup> In 2022,

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<sup>19</sup> See for instance Catechism of the Catholic Church (1992), § 2354: *Pornography consists in removing real or simulated sexual acts from the intimacy of the partners, in order to display them deliberately to third parties. It offends against chastity because it perverts the conjugal act, the intimate giving of spouses to each other. It does grave injury to the dignity of its participants (actors, vendors, the public), since each one becomes an object of base pleasure and illicit profit for others. It immerses all who are involved in the illusion of a fantasy world. It is a grave offense. Civil authorities should prevent the production and distribution of pornographic materials.*

<sup>20</sup> Universal Declaration of Human Rights, Art. 16.3: *The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.*

<sup>21</sup> "There could be a connection between the increase of porn use and the growing number of cases of erectile dysfunction amongst men under the age of 30": PACE, Gender aspects and human rights implications of pornography, Report, Doc. 15406, 18 November 2021, § 30.

<sup>22</sup> Cline, Victor B. and Wilcox, Brad (2002) "The Pornography Trap", *Marriage and Families*: Vol. 9, Article 3, p. 11-13; Mateusz Gola, et al., "Can Pornography be Addictive? An fMRI Study of Men Seeking Treatment for Problematic Pornography Use". *Neuropsychopharmacology* 42, no. 10 (2017): 2021-2031.

<sup>23</sup> Juristes pour l'enfance, « Association Déclat : entretien autour de la consommation de pornographie par les adultes », 15 February 2022: <https://www.youtube.com/watch?v=fXbEkWqY1eg>; Elisabeth Pierson, « Le porno, c'est comme la coke » : trois jeunes racontent leur addiction, *Le Figaro*, 30 September 2022.

<sup>24</sup> "Child" means "every human being below the age of eighteen years" as defined in the International Convention on the Rights of the Child (1989).

<sup>25</sup> "Some metaverse applications even allow children to enter virtual strip clubs with 3D avatars simulating sex, with no or little moderation": PACE, For an assessment of the means and provisions to combat children's exposure to pornographic content, Committee Opinion, Doc. 15505, 21 April 2022.

<sup>26</sup> European Parliament resolution of 12 March 2013 on eliminating gender stereotypes in the EU (2012/2116(INI)), N: "young women and men are most affected by pornography's new cultural status; [...] the

the Council of Europe claimed to be “alarmed by the unprecedented exposure of children to pornographic imagery, which is detrimental to their psychological and physical development”.<sup>27</sup>

### 1. Minors increasingly exposed to pornography

While pornographic content is normally reserved for adults, studies show that minors are increasingly exposed to it. According to a 2017 French study, “63% of boys and 37% of girls aged 15 to 17 have already surfed at least once a website to watch pornographic films.”<sup>28</sup> This proportion is growing since in 2013, this same figure was 53% among boys (+10 points in four years).<sup>29</sup> The same is true in the United States where, in 2008, 93% of boys and 62% of girls had seen pornography on the Internet during adolescence.<sup>30</sup> The lowering of the age of first viewing pornography is also worrying: in 2016, for example, nearly 49% of American male students reported having discovered pornography before the age of 13,<sup>31</sup> and this phenomenon now reaches children as early as elementary school.<sup>32</sup> There is also concern about the frequency with which young people watch pornography. In 2016, 64% of Americans aged 13-24 actively watched porn weekly or more often.<sup>33</sup> In France in 2017, 36% of adolescent males who have ever surfed a porn website report doing so once a month or more and 4% every day or so.<sup>34</sup> The situation in Poland is highlighted in a recent report that reveals that currently, the average first viewing of pornography takes place just before the age of 11.<sup>35</sup> Nearly one in four 16-year-olds (23.9%) who watch porn admits doing so daily; among the 12-14-year-olds, the figure is just over one in five (21.5%).<sup>36</sup>

How are young people confronted with this type of content? First, smartphones contribute to this. In Poland, the young people surveyed most often said that they had seen pornography for the first time on a phone/smartphone with Internet access (35.1%) and that this type of device was the main way they accessed this content for 76.2% of the 16-year-olds surveyed and

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*‘mainstreaming of pornography’, i.e. the current cultural process whereby pornography is slipping into our everyday lives as an evermore universally accepted, often idealised, cultural element, manifests itself particularly clearly within youth culture: from teenage television and lifestyle magazines to music videos and commercials targeted at the young.”*

<sup>27</sup> PACE, For an assessment of the means and provisions to combat children’s exposure to pornographic content, Resolution 2429 (2022), 25 April 2022, § 2 ; see also the report (Doc. 15494, 07 April 2022), § 11-19 (Impact of exposure to pornographic content on the well-being of children).

<sup>28</sup> « Les adolescents et le porno : vers une «Génération Youporn» ? », Etude IFOP pour l’Observatoire de la Parentalité et de l’Education Numérique, menée du 21 au 27 février 2017 auprès de 1005 personnes représentatives de la population âgée de 15 à 17 ans résidant en France métropolitaine, p. 9: [https://www.ifop.com/wp-content/uploads/2018/03/3698-1-study\\_file.pdf](https://www.ifop.com/wp-content/uploads/2018/03/3698-1-study_file.pdf)

<sup>29</sup> *Ibid.*, p. 10.

<sup>30</sup> Chiara Sabina, Janis Wolak et David Finkelhor, “The Nature and Dynamics of Internet Pornography Exposure for Youth”, *CyberPsychology & Behavior* 11, no. 6 (2008): 691-693.

<sup>31</sup> Chyng Sun, Ana Bridges, Jennifer Johnson et Matt Ezzell, “Pornography and the Male Sexual Script: An Analysis of Consumption and Sexual Relations”, *Archives of Sexual Behavior* 45, no. 4 (mai 2016): 983-94.

<sup>32</sup> See Agnès Leclair, « Les enfants désormais exposés au porno dès l’école primaire », *Le Figaro*, 10 February 2020: <https://www.lefigaro.fr/actualite-france/la-pornographie-gagne-les-ecoles-primaires-20200210>

<sup>33</sup> Barna Group, “The porn Phenomenon: The Impact of Pornography in the Digital Age” (2016).

<sup>34</sup> « Les adolescents et le porno : vers une «Génération Youporn» ? », Etude IFOP, *op. cit.*, p. 17.

<sup>35</sup> Dr Rafał Lange (red.), Mariola Błażej, Filip Konopczyński, dr Agnieszka Ładna, *Nastolatki wobec pornografii cyfrowej - Trajektorie użytkowania*, Thinkstat NASK - Ogólnopolska Sieć Edukacyjna, Warszawa 2022, p. 5.

<sup>36</sup> *Ibid.*

66.9% of the 12-14-year-olds.<sup>37</sup> On the other hand, pornographic industry will stop at nothing to attract customers, even through no fault of their own, thanks to various techniques that the youngest cannot escape: advertising clicks, home page hijacking, clandestine sites, social networks, illegal downloading and streaming sites, etc.<sup>38</sup> It must be said that for this industry, the exposure of minors to online pornography is a manna in the order of 789 million dollars per year, including about 147 million dollars for accidental exposure alone, not to mention the fact that they are the customers of tomorrow.<sup>39</sup>

## 2. The harmfulness of pornography for children

From a physiological point of view, pornography has a very important impact on young people because of their sensitivity to dopamine<sup>40</sup> (“pleasure hormone”) and the characteristics of their brains, whose plasticity allows for huge advances in learning and thinking but also makes them more vulnerable.<sup>41</sup> Thus, pornography is detrimental to the normal processes and maturation of a child’s frontal cortex.<sup>42</sup> Research also shows that viewing pornography by young children “[can] induce mental and behavioral disturbances similar to those of sexual abuse.”<sup>43</sup>

Early exposure to pornography is therefore not without consequences, as PACE has recognized: “*This exposure brings increased risks of harmful gender stereotyping, addiction to pornography, early and unhealthy sexual relationships, as well as difficulties with developing balanced, respectful relationships in future life,*” it “*results in the blurring of the boundaries of normal curiosity towards sexuality and those of socially acceptable behaviour, and it undermines respect for human dignity, privacy and physical integrity.*”<sup>44</sup> Indeed, “*Recent studies have analysed the impact of pornography on young people’s behaviour and attitudes, highlighting mostly its negative effects regarding gender equality. As teenage years are a time for young people to develop an image of themselves and to discover their sexuality, this impact can be deep and lifelong.*”<sup>45</sup>

Youth exposure to pornography also leads to the development of unrealistic and distorted expectations about sexuality and misleading attitudes about relationships, especially since it is recognized that “*pornography has increasingly become one of the main sources of information on sex and sexuality for young people.*”<sup>46</sup> A French study found that “73% of

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<sup>37</sup> *Ibid.*

<sup>38</sup> Ennocence, *Réseaux sociaux, streaming, live streaming et téléchargement illégal : nouvelles portes d’entrée des enfants vers le monde de la pornographie, premier pas vers une sensibilisation de notre société sur ces sujets*, 2016, p. 21-25: <https://ennocence.org/wp-content/uploads/2016/11/rapport-ennocence-VF.pdf>

<sup>39</sup> *Ibid.*, p. 13.

<sup>40</sup> Université de Pittsburg, “Teen Brains Over-Process Rewards, Suggesting Root of Risky Behavior, Mental Ills”, *Phys.org* (January 2011).

<sup>41</sup> Jay N. Giedd, “The Amazing Teen Brain”, *Scientific American* (juin 2015) 32-37.

<sup>42</sup> E. Le Roux, “Pornography: Human Right or Human Rights Violation?”, *Open Journals Publishing* (2009).

<sup>43</sup> L’environnement médiatique des jeunes de 0 à 18 ans : Que transmettons-nous à nos enfants ? Rapport en réponse à la mission confiée par Ségolène Royal, Ministre déléguée à la Famille, à l’Enfance et aux Personnes handicapées au Collectif Interassociatif Enfance Médias (CIEM), May 2002, p. 39: [https://www.unaf.fr/IMG/pdf/rapport\\_CIEM.pdf](https://www.unaf.fr/IMG/pdf/rapport_CIEM.pdf)

<sup>44</sup> PACE, For an assessment of the means and provisions to combat children’s exposure to pornographic content, Resolution 2429 (2022), 25 April 2022, § 2-3.

<sup>45</sup> PACE, Gender aspects and human rights implications of pornography, Report, Doc. 15406, 18 November 2021, § 18.

<sup>46</sup> *Ibid.*, § 17.

boys in middle school believe that X-rated movies have been part of sexual learning.”<sup>47</sup> Admittedly, pornography is just a representation of sexuality, but teenagers do not distinguish between film and reality, especially since the sexual relationship they see is real.

Correlatively, exposure to sexually obscene content increases the likelihood that adolescents will accept and engage in harmful and risky sexual behaviors for themselves and others: early sexual activity,<sup>48</sup> sexting, multiple sexual partners, deviant sexual practices, substance use, and vulnerability to STD.<sup>49</sup> Regarding sexting,<sup>50</sup> which is the production and distribution of sexually explicit content by minors themselves online or via text messages, etc., a recent Polish survey revealed that about a quarter of the 16-year-olds surveyed (23.5%) have sent to others such pictures or videos of themselves. This practice carries clear risks of exploitation, sexual abuse, extortion and sexual coercion online, which has raised concerns in the Council of Europe.<sup>51</sup>

Pornography use also causes significant psychological damage to youth by affecting “*their self-esteem, well-being, relationships, equal opportunities and achievements in school.*”<sup>52</sup> “Perfect” bodies exposed in these contents are likely to generate complexes in adolescents. Globally, “*Studies suggest that children who use pornography [...] have lower levels of social integration and higher levels of undesirable behavior. There is also a higher incidence of depressive symptoms and reduced emotional bonding with caregivers.*”<sup>53</sup>

Minors are thus put at risk because they watch pornography, but also because other young people or adults watch it. A correlation between pornography and sexual violence between young people is recognized<sup>54</sup> and observed in the field: “*the patients we meet frequently mention repeated contact or even massive use of pornography, as in the case of Mohamed, 15 years old (...), who has been indicted for sexual assaults on girls in his school and for the rape of two of his neighbors who are less than 10 years old.*”<sup>55</sup> Child pornography can also be mentioned in this context: the fact that children appear in such content encourages their abuse. Indeed, “*While a person who visits child pornography sites is not necessarily a potential child*

<sup>47</sup> « Les adolescents et le porno : vers une «Génération Youporn» ? », Etude IFOP, *op. cit.*, p. 30.

<sup>48</sup> *Ibid.*, p. 11: “71% of teens who have ever had sex have surfed a pornographic site in their lifetime. As a reminder, the average for all teens is 51%” (our translation).

<sup>49</sup> Elizabeth M. Morgan, “Associations between Young Adults’ Use of Sexually Explicit Materials and Their Sexual Preference, Behaviors, and Satisfaction”, *The Journal of Sex Research* 48, no. 6 (2011): 520-530.

<sup>50</sup> R. Lange, M. Błażej, F. Konopczyński, A. Ładna, *Nastolatki wobec pornografii cyfrowej - Trajektorie użytkowania*, Thinkstat NASK, *op. cit.*, p. 29-35.

<sup>51</sup> Lanzarote Committee, *Opinion on child sexually suggestive or explicit images and/or videos generated, shared and received by children*, 6 June 2019 : <https://rm.coe.int/opinion-of-the-lanzarote-committee-on-child-sexually-suggestive-or-exp/168094e72c> ; PACE, “Hearing examines disturbing phenomenon of self-generated sexual images and videos shared by children”, 12.11.2020 : <https://pace.coe.int/en/news/8092>

<sup>52</sup> PACE, *Fighting the over-sexualisation of children*, Resolution 2119 (2016), 21 juin 2016, § 2.

<sup>53</sup> R. Lange, M. Błażej, F. Konopczyński, A. Ładna, *Nastolatki wobec pornografii cyfrowej - Trajektorie użytkowania*, Thinkstat NASK, *op. cit.*, p. 4.

<sup>54</sup> *Ibid.* ; Bonino S., Ciairano S., Rabaglietti E., Cattellino E., (2006), Use of pornography and self-reported engagement in sexual violence among adolescents, *European Journal of Developmental Psychology*, nr 3.

<sup>55</sup> Barbara Smaniotta, « Réflexions autour de l’impact de la pornographie... sur la sexualité adolescente », *Revue de l’enfance et de l’adolescence*, 2017/1 (n° 95), p. 47-56. See also Center for Family and Human Rights, *Dismantling the Pornography Industry and Making the Internet Safe for Children*, 23 February 2022, <https://c-fam.org/event/dismantling-the-pornography-industry-and-making-the-internet-safe-for-children/>: In Kansas City, half of the perpetrators of sexual violence against girls under the age of 10 were boys between the ages of 11 and 15, and it is believed that exposure to pornography is the cause.

abuser, it should be emphasized that statistically speaking most predators arrested for molesting or raping children were in possession of significant collections of child pornography.”<sup>56</sup>

## **B. Consequences of pornography on couples**

Pornography gives rise to difficulties within couples and has been shown to lead to the destruction of many families.

### **1. Pornography and domestic violence**

Pornography is the commodification of “actors”, especially women, used as a means of sexual gratification, often in a context of physical and verbal violence and contempt. This has a direct impact on the respect accorded to women at all levels, not only in the intimate sphere, but also in the professional, public and of course family sphere. Thus, pornography can lead to submission relationship, inequality and violence within couples: in a study on women victims of domestic violence, 73% of those who had been raped said that their partner watched pornography.<sup>57</sup> Indeed, as PACE recently reported “*The correlation between dating violence and the use of violent pornography is well documented.*”<sup>58</sup>

### **2. Pornography and conjugal unity**

In pornography, sexuality is disconnected from intimacy and affection and is reduced to a simple mechanical action whose goal is performance. As a result, there is a correlation between the use of pornography and reduced sexual and relationship satisfaction<sup>59</sup> and a change in sexual tastes.<sup>60</sup> Pornography users are often disappointed in intimate relationships with their partner, which also leads to decreased trust between partners, decreased pleasure in sexual intimacy, increased risk of developing a negative body image, belief that marriage is sexually restrictive, and decreased prospects for raising children.<sup>61</sup>

These observations are supported by studies. One U.S. study on married couples specifically found that those who used pornography more often reported lower satisfaction with their sexual lives and decision-making in their couple.<sup>62</sup> Another study found a link between high

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<sup>56</sup> Najat M’jid Maalla, Report of the Special Rapporteur on the sale of children, child prostitution and child pornography, A/HRC/12/23, Human Rights Council, 2009, § 42.

<sup>57</sup> Mary Anne Layden, “Pornography and Violence: A New look at the Research”, *The Social Costs of Pornography: A Collection of Papers* (2010), p. 57-68.

<sup>58</sup> PACE, Gender aspects and human rights implications of pornography, Report, Doc. 15406, 18 November 2021, § 23.

<sup>59</sup> “Pornography’s Impact on Sexual Satisfaction”, Dolf Zillmann Jennings Bryant, *Journal of Applied Social Psychology*, 1988; “Pornography, preference for porn-like sex, masturbation, and men’s sexual and relationship satisfaction”, Dan J. Miller Kerry A. McBain Wendy W. Li Peter T. F. Raggatt, *Personal Relationships*, 2019; “The Potential Associations of Pornography Use with Sexual Dysfunctions: An Integrative Literature Review of Observational Studies”, by Aleksandra Diana Dwulit and Piotr Rzymiski, *Journal of Clinical Medicine*, 2019 ; “Personal Pornography Viewing and Sexual Satisfaction: A Quadratic Analysis”, Paul J. Wright, Ana J. Bridges, Chyng Sun, Matthew B. Ezzell and Jennifer A. Johnson, *Journal of Sex and Marital Therapy*, 2018.

<sup>60</sup> E. M. Morgan, “Associations Between Young Adults’ Use of Sexually Explicit Materials and Their Sexual Preferences, Behaviors, and Satisfaction”, *Journal of Sex Research* 48, no. 6 (2011): 520-30.

<sup>61</sup> Dolf Zillmann, “Influence of Unrestrained Access to Erotica on Adolescents’ and Young Adults’ Dispositions Toward Sexuality”, *Journal of Adolescent Health* 27, no. 2 (2000): 41-44.

<sup>62</sup> Samuel L. Perry, “Does Viewing Pornography Reduce Marital Quality Over Time? Evidence from Longitudinal Data”, *Archives of Sexual Behavior* (2016).

pornography use and low commitment in the relationship.<sup>63</sup> Pornography consumption increases the likelihood of marital infidelity by 300%,<sup>64</sup> it is itself a form of extramarital relationship. The probability of divorce doubles for men and women who watch pornography.<sup>65</sup> A 2002 survey of U.S. attorneys found that 56% of their divorce cases litigated in the previous year had “*an obsessive interest in Internet pornography*” as a significant factor.<sup>66</sup>

In this context, and in order to open a reflection on the subject to a more spiritual dimension, one could also ask whether pornography does not have an impact on priestly and religious vocations, in the same way as it has on marriage, which is also a vocation. Regarding the birth of such vocations, one author argues that “*When someone views pornography regularly, they often develop the following: a shame-based relationship with God and an incapacity for human relationships and intimacy. These two big factors often keep or delay one from entering into the vocation to which God is calling them.*”<sup>67</sup> Regarding the persistence of the vocation, analogy with marriage does not seem to be without interest, especially since this priestly or religious vocation does not provide immunity from pornography, as Pope Francis has just reminded the seminarians and priests studying in Rome: “*It is a thing that weakens the soul. [...] The devil enters in this way: he weakens the priestly heart.*”<sup>68</sup>

It is a good thing to be aware of the facts and the extent of the pornographic plague. But it is then essential to take concrete action to protect ourselves and our families.

## **II. Acting to protect families**

Before addressing the question of action against pornography from a more legal perspective, it is interesting to note that in 1989 the Pontifical Council for Social Communications drew up a document addressed in particular to families and proposing guidelines for dealing with the

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<sup>63</sup> Nathaniel Lambert et al., A Love That Doesn't Last: Pornography Consumption and Weakened Commitment to One's Romantic Partner, *Journal of Social and Clinical Psychology*, 31(4), 410–438.

<sup>64</sup> Steven Stack, Ira Wasserman, and Roger Kern, “Adult Social Bonds and Use of Internet Pornography”, *Social Science Quarterly* 85 (2004): 75-88 ; Paul J. Wright and Ashley K. Randall, “Internet Pornography Exposure and Risky Sexual Behavior among Adult Males in the United States,” *Computers in Human Behavior* 28 (2012): 1410–1416, in National Center on Sexual Exploitation, *Pornography & Public Health – Research summary*, January 14, 2019: [https://endsexualexploitation.org/wp-content/uploads/NCOSE\\_Jan-2019\\_Research-Summary\\_Pornography-PublicHealth\\_FINAL.pdf](https://endsexualexploitation.org/wp-content/uploads/NCOSE_Jan-2019_Research-Summary_Pornography-PublicHealth_FINAL.pdf)

<sup>65</sup> Samuel L. Perry, “Does Viewing Pornography Reduce Marital Quality Over Time? Evidence from Longitudinal Data”, *Archives of Sexual Behavior* (2016). See also Samuel L. Perry and Cyrus Schleifer, “Till Porn Do Us Part? A Longitudinal Examination of Pornography Use and Divorce,” *The Journal of Sex Research*, 2017, 1-13.

<sup>66</sup> “National Review: Getting Serious On Pornography”, *npr*, March 31, 2010: <https://www.npr.org/templates/story/story.php?storyId=125382361?storyId=125382361&t=1584545017349&t=1644390899300>

<sup>67</sup> Amanda Zurface, Why Porn Makes It Difficult to Discern a Call to Vocational Ministry, *Covenant eyes*, August 10, 2021: <https://www.covenanteyes.com/2016/04/15/porn-makes-it-difficult-to-discern-vocation/>

<sup>68</sup> Address of his Holiness Pope Francis to seminarians and priests studying in Rome, 24 October 2022: <https://www.vatican.va/content/francesco/fr/speeches/2022/october/documents/20221024-seminaristi-sacerdoti.html> See also Mary Short, Thomas Kasper, Chad Wetterneck, « The Relationship Between Religiosity and Internet Pornography Use », *Journal of Religion and Health*, 54(2), March 2014: “*in a survey of religious leaders, 40 % of Evangelical Protestant clergy members in the United States struggle with pornography (The Leadership Survey 2001).*”



problem of pornography in the media.<sup>69</sup> It defines “seven sectors with obligations in this matter: professional communicators, parents, educators, youth, the general public, public authorities, and the Church and religious groups” (§ 22). This shows that the fight against the scourge of pornography is truly everyone’s business and a serious problem.<sup>70</sup> As recently as last October, during the debates at the United Nations, the Holy See delegation recalled that “It is a mistake to think that a society where an abnormal consumption of internet sex is rampant among adults could be capable of effectively protecting minors.” Thus, the role of adults is crucial: it is necessary for them to take a stand on this problem, bearing in mind that their behavior can in itself be detrimental to children and that the testimony of life is of great importance here, especially as regards parents.<sup>71</sup> It is therefore essential to find solutions that benefit everyone, and the States have a great responsibility in this matter as guardians of the common good, as expressed in the above-mentioned document: “Sound laws must be enacted where they are lacking, weak laws must be strengthened, and existing laws must be enforced. Because the production and distribution of pornographic material has international implications, action should also be taken on the regional, continental and world levels to control this insidious traffic. [...] Public authorities must feel obliged to take prompt action to deal with this problem where it already exists and to prevent it from arising in places where it may not yet have become an urgent matter.”<sup>72</sup>

Dealing with prevention and awareness-raising (A) and then regulation of access to pornography (B), we will present some non-exhaustive examples of measures that are more or less effective in themselves, but which, combined, give hope of curbing the phenomenon and protecting families.

## **A. Implementing prevention and awareness-raising policies**

In this area, it is important to understand pornography as a public health issue (1) and to ensure education related to this issue (2).

### **1. Understanding pornography as a public health issue**

It may be appropriate to begin by expressly recognizing, through non-binding resolutions, the danger of pornography, at all levels, for example to public health, as is done for smoking or alcoholism. In the United States, 17 states have done so on the basis of a project initiated by the National Center on Sexual Exploitation (NCOSE).<sup>73</sup>

Other States have included pornography in national health programs. This is the case of Poland in its National Health Program for 2016-2020, which has developed in a section about

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<sup>69</sup> Pontifical Council for Social Communications, *Pornography and violence in the communications media: A pastoral response*, 7 May 1989, § 21 s.: [https://www.vatican.va/roman\\_curia/pontifical\\_councils/pccs/documents/rc\\_pc\\_pccs\\_doc\\_07051989\\_pornograp\\_hy\\_fr.html#](https://www.vatican.va/roman_curia/pontifical_councils/pccs/documents/rc_pc_pccs_doc_07051989_pornograp_hy_fr.html#)

<sup>70</sup> See addresses of his Holiness Pope Francis to the participants in the congress on “Child Dignity in the Digital World”, 6 October 2017 and 14 November 2019 and the address of his Holiness Pope Francis to directors of the Federation of Catholic Family Associations in Europe, 10 June 2022.

<sup>71</sup> See Pontifical Council for Social Communications, *Pornography and violence in the communications media: A pastoral response*, 7 May 1989, § 24.

<sup>72</sup> *Ibid.*, § 28.

<sup>73</sup> See National Decency Coalition, *Pornography: Public Health Crisis Resolution*: <https://nationaldecencycoalition.org/updates/>

“Prevention of psychological health problems and improvement of psychological well-being of society” (VII) various objectives related to pornography consumption by children and youth.<sup>74</sup> There seems to be no mention of pornography in the 2021-2025 program, which is regrettable as the covid-19 pandemic has increased the risks in this area.

People suffering from an addiction to pornography are not rare and many would like to free themselves from it but are unable to. In fact, this is rarely treated, unlike other types of addiction,<sup>75</sup> notably because of the taboo maintained on the dangers of pornography. It is therefore urgent to develop and make accessible therapies in this field, in the same way as for alcoholism, drug addiction or smoking. In its resolution 2412 (2021), PACE invited States in this sense to “promote and provide counselling and support services for compulsive users of pornography.”<sup>76</sup>

## 2. Raising awareness and educating about pornography

To denounce the harmful effects of pornography, to demystify the real business behind this industry, or in a positive way to promote a healthy representation of woman, it is appropriate to organize public information and awareness campaigns for the general public. In 2021, France set up a campaign in the form of a 30-second “shock” spot to denounce the exposure of minors to pornography.<sup>77</sup>

On the other hand, it is essential to provide young people with a healthy and quality education in emotional, relational and sexual matters that gives a positive vision of sexuality that is not limited to simple pleasure-seeking techniques. Parents have a fundamental role to play in sexuality education, especially concerning protection of children from exposure to pornography.<sup>78</sup> In Poland, a recent study indicates that 58.5% of the young people surveyed had not discussed about Internet pornography and its consequences with their parents,<sup>79</sup> maybe because few parents are truly aware of the extent of pornography consumption among young people. However, in this area, the principle is “first-come, first-served” because it is a question of getting ahead of the pornographic vision of sexuality thanks to a healthy, authentic

<sup>74</sup> See Official Journal of the Republic of Poland, 1492, 16 September 2016, <https://dziennikustaw.gov.pl/D2016000149201.pdf>: “Analysis of existing legal provisions for the protection of children and young people from easy access to sexualizing and pornographic content” (2.8), “Conduct research on the exposure of children and young people to pornographic and sexualizing material, as well as on the effects of such contact on the psychosexual development and mental health of children and young people” (2.9), “Develop the availability and dissemination of science-based prevention programs that address the risks associated with children and youth accessing pornographic, harmful, and sexualizing content” (2.10), “Training of various professional groups (including teachers, physicians, health inspectors, prosecutors, uniformed services, city guards) on the risks and developmental and health consequences of children and adolescents viewing pornography” (2.11).

<sup>75</sup> See Juristes pour l’enfance, « Association Déclic / Prévention, sensibilisation, accompagnement de l’addiction pornographique » avec Maria Hernandez-Mora et Anne Sixtine Pérardel, 15 February 2022: [https://www.youtube.com/watch?v=IL2NK1z\\_Xqk](https://www.youtube.com/watch?v=IL2NK1z_Xqk)

<sup>76</sup> PACE, Gender aspects and human rights implications of pornography, Resolution 2412 (2021), 26 November 2021, 10.5.3.

<sup>77</sup> <https://www.youtube.com/watch?v=uIfi-34EBEw>

<sup>78</sup> About the role of parents, see Les associations familiales catholiques, *12 questions à se poser pour protéger ses enfants de la pornographie*, Téqui, August 2022.

<sup>79</sup> R. Lange, M. Błażej, F. Konopczyński, A. Ładna, *Nastolatki wobec pornografii cyfrowej - Trajektorie użytkowania*, Thinkstat NASK, *op. cit.*, p. 6.

and coherent discourse by parents, providing a positive vision of sexuality to which children can refer if they are ever confronted with something negative.<sup>80</sup>

There is still a need for education policies on the proper use of information and communications technologies. As required by the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence, known as the Istanbul Convention (art. 17), and the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse, known as the Lanzarote Convention (art. 6), the main aim is to warn against “*the risks of sexual exploitation and sexual abuse, as well as on the means to protect themselves*” linked to these technologies. The Council of Europe<sup>81</sup> and the European Union<sup>82</sup> promote “media literacy” in the context of pornography. In France, the law on the orientation and programming for the refoundation of the school of the Republic (8 July 2013) requires teachers to carry out actions to raise awareness of the rights and duties related to the use of the Internet and networks.

## **B. Regulating pornographic supply and access to pornography**

There is a general consensus on the need to condemn pornography in its most obvious abuses, such as mistreatment of the persons portrayed, child pornography, trafficking in human beings and the sexual exploitation to which it gives rise.<sup>83</sup> There is also a consensus on the need to prevent minors’ access to pornography in the name of the rights of the child.<sup>84</sup> the Council of Europe<sup>85</sup> as well as the European Union<sup>86</sup> call on States to act in this sense. In particular, it is

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<sup>80</sup> Anne-Sixtine Pérardel in Juristes pour l’enfance, « Association Déclic - Pornographie : influence positive d’un discours parental authentique », 15 February 2022: [https://www.youtube.com/watch?v=wdPuRQ\\_FJgQ](https://www.youtube.com/watch?v=wdPuRQ_FJgQ)

<sup>81</sup> States are invited to “support [...] the inclusion of relevant information in curriculums, including on the impact of pornography on children’s brain development, the increased risk of sexual dysfunction and the reduced ability to build healthy sexual relationships in future life”: PACE, For an assessment of the means and provisions to combat children’s exposure to pornographic content, Resolution 2429 (2022), 25 April 2022, § 6.9.

<sup>82</sup> See Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, *A Digital Decade for children and youth: the new European strategy for a better internet for kids (BIK+)*, COM(2022) 212 final: <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:52022DC0212&from=EN>

<sup>83</sup> See for example UN Model Law against Trafficking in Persons (2009), art. 5.1.s. See also OSCE and UN Women, *Guidance. Addressing emerging human trafficking trends and consequences of the COVID-19 pandemic*, July 2020, not. p. 22 and 32.

<sup>84</sup> Convention on the Rights of the Child, art. 17.e.: “States Parties shall encourage the development of appropriate guidelines for the protection of the child from information and material injurious to his or her well-being [...]”

<sup>85</sup> See PACE, For an assessment of the means and provisions to combat children’s exposure to pornographic content, Resolution 2429 (2022), 25 April 2022 ; PACE, Violent and extreme pornography, Resolution 1835 (2011), § 8 ; PACE, Gender aspects and human rights implications of pornography, Report, Doc. 15406, 18 November 2021.

<sup>86</sup> According to the Audiovisual Media Services Directive as revised in 2018, “Member States shall take appropriate measures to ensure that audiovisual media services provided by media service providers under their jurisdiction which may impair the physical, mental or moral development of minors are only made available in such a way as to ensure that minors will not normally hear or see them. [...] The most harmful content, such as [...] pornography, shall be subject to the strictest measures” (new article 6a).

a question of incriminating the fact that a pornographic content can be seen or perceived by a minor.<sup>87</sup>

However, it is much more difficult to convince people that pornography is inherently bad and should be subject to more general restrictions.<sup>88</sup> Its advocates argue that it belongs to cinematographic art and invoke freedom of expression and the right to respect for private life. In this context, the recent judgment of the European Court of Human Rights (Council of Europe) in the case of *Chocholáč v. Slovakia*<sup>89</sup> can be mentioned: a prisoner complained that his pornographic pictures were confiscated and that he received a reprimand for possessing them although this is prohibited in Slovak prisons. Unfortunately, the Court ruled that such a general ban on pornography in prison violates the right to respect for private life. The Court made no moral judgement on pornography and considered it a private matter without consequences. This is a very bad signal when protecting both the people depicted and the consumers, especially youth and other vulnerable people, is an absolute necessity.

### 1. Banning pornography

A consensus can be reached on criminalizing “violent” and “extreme” pornography: the Council of Europe has called on member States to do so.<sup>90</sup> But banning all forms of pornography is an obviously controversial measure, which in any case has the advantage of considering pornography as intrinsically evil and contrary to human dignity. According to the 1992 Catechism of the Catholic Church, “*Civil authorities should prevent the production and distribution of pornographic materials.*”

The existence of the *International Convention for the Suppression of the Circulation of and Traffic in Obscene Publications*, adopted within the United Nations in 1923, should thus be noted. Several dozen States are parties, including Member States of the European Union such as Poland it seems.<sup>91</sup> Through this treaty, they have committed themselves to prosecute and punish pornographic traffic, in very broad terms, both as regards the types of content and the acts related to it (production, possession, circulation etc.). The question that arises is that of its relevance in the Internet age; but given its very broad scope, this text does not seem anachronistic.

Where pornography is not prohibited, other measures are needed to regulate access.

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<sup>87</sup> The French Penal Code (art. 227-24) punishes with three years of imprisonment and a 75,000 euro fine, or a 375,000 euro fine for legal entities, the fact of making, transporting, distributing or trading in a pornographic (or violent) message “*when this message is likely to be seen or perceived by a minor.*”

<sup>88</sup> In a “2017 interview for the website *Konbini* (...), questioned about pornography, the future president of the Republic had declared a *debonair* “*it’s part of life!*”, with a big smile on his face”, which caused the anger of associations. “*Today he suggests that he has become aware of the extent and the urgency of the problem*”: Charlotte d’Ornellas, *Mineurs et pornographie en ligne* : “Emmanuel Macron fait fausse route”, *Valeurs actuelles*, 5 December 2019.

<sup>89</sup> ECHR, *Chocholáč v. Slovakia*, no 81292/17, 7 July 2022.

<sup>90</sup> PACE, *Violent and extreme pornography*, Resolution 1835 (2011) ; PACE, *Gender aspects and human rights implications of pornography* (2021).

<sup>91</sup> See the website of the Swiss Ministry of Foreign Affairs: <https://www.fedlex.admin.ch/eli/treaty/1923/0023/fr>

## 2. Placing a warning message on pornographic materials

European institutions<sup>92</sup> are in favor of placing a warning message on pornographic materials. There should be such an obligation on websites and publishers of such material, in the same way as warning labels for alcohol, tobacco or online gambling. In the United States, Utah has passed the *Porn Warning Label Law* requiring, on pain of a fine, that a warning message appear for at least five seconds before any pornographic content is displayed or that a warning message appear before accessing a pornographic site and that the site make a reasonable effort to verify the age of users.<sup>93</sup>

## 3. Imposing the default activation of a parental control or filtering software

Another measure is to require that a filter or parental control software be activated by default on devices connected to the Internet as soon as they leave the factory, allowing them to be deactivated at the request of the contract holder. In the United States, several States have implemented such a device on phones: for example Alabama, South Carolina, Idaho, Tennessee, Utah in 2021. In Poland, a law on the protection of minors against access to inappropriate content on the Internet is currently in project:<sup>94</sup> its purpose is to require Internet providers to offer their customers a free of charge mechanism for blocking children's access to pornographic content, to promote it and to report on the actions taken in this area.

In any case, such filters or parental control software should be activated in schools and libraries, as required by some 15 US States.<sup>95</sup> These various measures are also encouraged by the European institutions.<sup>96</sup> However, they have disadvantages because they imply drawing up a list of prohibited websites in real time, which can be complicated given the number of pornographic sites; there is also a risk of blocking harmless sites, i.e. not classified as pornographic.

## 4. Regulating moderation and notification policies

Imposing obligations on online services providers in the field of moderation and notification can help eradicate some of the harmful content that would otherwise be accessible to minors. This is of particular importance for platforms that are not “pornographic” *per se* but on which such content can be found, including social networks. It is to be hoped that the new “*Digital Services Act*”<sup>97</sup> that has just been adopted in October 2022 will make it possible to step up the fight against pornography in Europe, in particular by making the very large online platforms (such as Google, Facebook...) more accountable. For example, online platforms will have to

<sup>92</sup> European *Audiovisual Media Services Directive* revised in 2018, new art. 6a ; PACE, For an assessment of the means and provisions to combat children's exposure to pornographic content, § 6.3 and 6.9 ; PACE, Gender aspects and human rights implications of pornography, § 10.2.4.

<sup>93</sup> See for example Craig R. Chlarson, “Utah Passes Porn Warning Label Law”: <https://wasatchdefenselawyers.com/utah-passes-porn-warning-label-law/#:~:text=Utah%27s%20porn%20warning%20label%20bill,warning%20labels%20on%20internet%20porn.>

<sup>94</sup> <https://www.gov.pl/web/premier/projekt-ustawy-o-ochronie-maloletnich-przed-dostepem-do-trescnieodpowiednich-w-internecie>

<sup>95</sup> Arizona, Arkansas, Colorado, Georgia, Idaho, Kentucky, Kansas, Minnesota, Missouri, Pennsylvania, Rhode Island, South Dakota, Tennessee, Utah, Virginia: <http://nationaldecencycoalition.org/schools-libraries-filtering/>

<sup>96</sup> See especially PACE, Gender aspects and human rights implications of pornography, Resolution 2412 (2021), 26 November 2021, § 10.4.5 and 10.4.6.

<sup>97</sup> <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32022R2065&from=EN> Applicable in February 2024, except for the very large online platforms and search engines that will be concerned from 2023.

put in place mechanisms enabling users to easily report illegal content and they will have to process notices quickly. They will have to cooperate with trusted flaggers whose notices will be given priority. Very large online platforms have additional obligations to manage the systemic risks associated with the services they provide, including regarding the rights of the child.

### 5. Requiring pornographic sites to verify the age of their users

Requiring pornographic sites to verify the age of their users is a measure widely promoted at the European level.<sup>98</sup> But it faces technical and legal difficulties residing in the choice of the technical device, protection of the Internet users' personal data, possibilities of circumvention (VPN, Darknet etc.), the scale of regulation (possibly the EU). This is illustrated by the example of the United Kingdom, which included such an obligation among the provisions of the Digital Economy Act of 2017: several times postponed, the implementation of this measure was abandoned in 2019, but it is again discussed in a new Online Safety Bill.<sup>99</sup> France is struggling to enforce the age verification requirement from a 2020 law to protect victims of domestic violence.<sup>100</sup> In Poland, a draft law on the protection of minors against pornographic content had been presented by the *Association Twoja Sprawa* in December 2019 and provided for mandatory age verification of users by sites giving access to pornographic content,<sup>101</sup> including under penalty of inclusion on a register of illegal pornographic domains (similar to that of illegal gambling sites). It seems to be at a standstill.<sup>102</sup>

### Conclusion

Pornography has thus very deep repercussions from which a great number of people and families suffer today. In fact, the whole society is ultimately impacted as pornography engenders violence, contempt, shame and affects human beings in what is most human, namely their relationship with others and their capacity to love.

However, legal bases exist at the European and international level to fight: the ball is therefore in the court of policy makers, but the will often seems to be lacking. As the academic Robert Jensen reminds us, *“rejection of pornography is not something prudish but progressive, [...]”*

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<sup>98</sup> Council of Europe: PACE, Gender aspects and human rights implications of pornography (2021), 10.4.9 ; PACE, For an assessment of the means and provisions to combat children's exposure to pornographic content (2022), 6.4-6.4.10. European Union: Audiovisual Media Services Directive revised in 2018, art. 28 ter. ; The new European strategy for a better internet for kids (BIK+).

<sup>99</sup> <https://bills.parliament.uk/bills/3137>

<sup>100</sup> French Penal Code, Art 227-24 *in fine*: *“The offences provided for in this article are constituted even if the access of a minor to the messages mentioned in the first paragraph results from a simple declaration by the minor indicating that he or she is at least eighteen years old”*. A porn site was thus illegal if it was simply accessible to minors but, since 2020, it remains illegal even if access is conditioned to a simple declaration of majority.

<sup>101</sup> <https://twojasprawa.org.pl/article/sts-prezentuje-projekt-przepisow-chroniacych-dzieci-przed-pornografia> See also Rogala Krystyna, “Projekt ustawy o ochronie małoletnich przed treściami pornograficznymi – analiza proponowanych rozwiązań”, *Prawo Mediów Elektronicznych*, 2020, n° 2, p. 4-11 ; Sylwia Czubkowska, Rząd szuka haka na porno. KRRiT będzie prowadzić rejestr nielegalnych domen z pornografią, *Wyborcza.pl*, 16.01.2020 : <https://wyborcza.biz/biznes/7,177150,25605212,rzad-zagina-parol-na-porno.html>

<sup>102</sup> Michał Miśko, Wraca temat weryfikacji wieku użytkowników na stronach pornograficznych, *Geekweb*, 10.02.2022: <https://www.geekweb.pl/internet/item/2623-weryfikacja-wieku-uzytownikow-stron-pornograficznych>

*resistance to pornography is not an attack on freedom but rather a struggle for more freedom.*"<sup>103</sup>

However, the pornographic plague takes advantage of the taboo surrounding it. In order to be free of it, it is important to break this taboo by shedding light in ourselves, in our families and in society on this phenomenon and its consequences: as Christ tells us, "*the truth will set you free*" (John 8, 32).

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<sup>103</sup> Gail Dines, *Pornland, comment le porno a envahi nos vies*, Editions Libre, 2020, preface (our translation).