

Do we really have a right to view rape?

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I was listening to Woman's Hour on Radio 4 last week - in the rather absent-minded way that one does while occupied with other matters - when I overheard a discussion that suddenly rendered me slack-jawed with disbelief.

The subject was the Government's new proposals to make it a criminal offence to view images of rape and torture on the internet, and the first speaker was Liz Longhurst, a softly-spoken, articulate 74-year-old woman whose daughter, Jane, had been murdered by the boyfriend of a close friend. The killer's name was Graham Coutts, a man addicted to websites that depicted women being tortured, raped and asphyxiated.

The day before Coutts murdered Jane, he spent 90 minutes looking at images of necrophilia and asphyxial sex. After he killed her, he kept the body in a lock-up and visited it a number of times, also returning to the websites intermittently. No absolute causal link can be established, of course, between Coutts' repeated immersion in these grotesque computer images and his murder of Jane Longhurst: killers such as the Boston Strangler, who sexually assaulted and strangled 13 women in the 1960s, existed long before the internet.

Mrs Longhurst argued, however - very convincingly - that Coutts' discovery of an online community of like-minded fantasists had "normalised" his behaviour in his own mind. Before then, he had been sufficiently troubled by his inclinations to make attempts to seek professional help - afterwards, he became determined to enact them. She proposed that governments attempt to shut down the most acutely violent pornographic internet sites, and "make things difficult" for those profiting from them.

It is a reasonable request, you might think. But not according to Judith Vidal-Hall, a spokesman for Index on Censorship, who - after a strategic compliment to Mrs Longhurst's "totally rational and rather moving" arguments - argued that criminalising such websites was the "thin end of the wedge".

The longer Ms Vidal-Hall talked, the more pungent the mingled odour of overweening confidence and naivety became. "The man who uses the internet would also, in the 1950s and '60s, have gone to seedy dives in Soho," she said. Really? Mrs Longhurst had already made it very clear that she was not out to criminalise non-violent pornography: this discussion was specifically about the sort of sites that Coutts frequented, with unmistakable titles such as Necrobabes, Hanging Bitches, Deathbyasphyxia and Rapepleasure.

In terms of both morality and content, such sites offer something a million miles away from the flashes of nipple afforded to men who stumbled into Soho dives in the 1950s, or indeed a Playboy centrefold of today. They are much less about sex than abject female terror, and the generation of excitement through the repetitive depiction of raw fear.

But "we have no stopping point!" said Ms Vidal-Hall, impassioned in the fight against censorship: "Do you remember the Niemoller thing? First they came for the Jews and I did nothing. Then they came for the homosexuals and I did nothing, and then they came for me..."

It took me a while to absorb the enormity of this: Ms Vidal-Hall was actually quoting (or misquoting, as it happens) Pastor Niemoller's words - in which the "they" were the Nazi persecutors of Jews and other minorities - and applying them to those who wish to criminalise websites depicting rape, torture and murder. It's always hard to second guess the deceased, but I'm fairly sure that if Niemoller were around today he wouldn't be defending the right of profiteers to make money from images of a terrified woman being strangled or raped, or the right of viewers to absorb them.

It is already illegal, of course, to supply or view child pornography on the net: the commonly-agreed reason is that children are incapable of giving their consent to the sex acts in which they are depicted. Yet why should that argument not apply to adults too? Some of the women depicted on violent pornographic websites - mostly hosted by foreign servers - will have been raped or tortured in reality for the titillation of internet viewers. Others will have technically "consented" to a simulation of rape or abuse, although often in circumstances which make a mockery of consent, such as when desperate for money or drugs or controlled by violent pimps. The essence of such images, however, is that the viewer is led to believe that the woman's consent is withheld.

The same argument applies to websites that show the real, gruesome deaths of hostages such as Nick Berg at the hands of terrorists in Iraq. These victims have been forced to star in their own "snuff film". Do we have any right to watch their appalling, frightened ends, peddled by websites as a form of entertainment? Of course not, just as we have no right to watch the sexual abuse of a child.

Perhaps we should indeed amend that Niemoller quote: first they came for the clapped-out, crack-addict prostitute; then they came for the trafficked Eastern European woman; then they came for the hostage. And meanwhile, smug British intellectuals passionately defended the net's limitless freedom of expression, at the expense of those who have no freedom at all.