

Ethical Challenges in European Parliamentary Debates with Regards to Audiovisual Sexual Risks on the Internet

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ABSTRACT

Within European political debate on audio-visual sexual risks for children on the Internet, liberal positions on freedom of expression (Article 19, *Universal Declaration of Human Rights*, 10 Dec. 1948) are balanced by protectionist approaches highlighting the need for child protection (*Convention on the Rights of the Child*, 1989). Moreover, other political issues are raised with regards to ethical concerns, such as cultural diversity or censorship. Ethical considerations vary among European media systems due to different historical, cultural and political backgrounds. The hypothesis is that these ethical arguments reflect the historical and cultural diversity of the European scenario. Based on this assumption, the piece of research retrieved ethical reflections focused on audio-visual sexual risks on the Internet and the European media policy regarding child protection. A field study has been carried out through the online archive of European Parliament's plenary. The corpus collected 45 European Parliamentary debates held between 2001 and 2016. Firstly, content analysis has been applied with ATLAS.ti; secondly, a hierarchical descendant classification has been carried out with the Alceste method (IRaMuTeQ). As a result, the defence of protectionist values, such as consumer and child protection, is justified by violence prevention. Moreover, ethical issues are related to product placement and protection of cultural diversity. Four main themes are highlighted; they are the following ones: the equilibrium between public service and commercial interests, child pornography and sexual exploitation of children, the balance between freedom of expression, and child protection, the relation between freedom of expression and censorship.

Keywords: *Risk, media, children, Europe, parliament.*

INTRODUCTION

The spread of harmful contents through the Internet has raised different forms of "public anxiety" and "moral panic" in public debates (Cricher, 2008), especially towards the use of violent and sexual materials among children and youths. Risky content is building up as a danger for society, particularly since social media are becoming the first place of socialisation for young people; also, they are evolving into various forms of extreme violence, such as child pornography. Public debate has tackled three sexual risks: child abuse material, grooming and online pornography (McKee, Albury, & Lumby, 2008). Discourse on ethical issues related to the use of online technology has been guided by the idea of risk society theorized by Ulrich Beck (1992).

On this concern, some authors have underlined the need to renovate forms of prevention towards the emergence of new risks in a socio-cultural liberal context (Frau-Meigs, 2011). In European media representations, attention to risks prevails (Haddon, & Stald, 2009), but it varies according to cultural and historical aspects (McKee, Albury, & Lumby, 2008). The online availability of sexual risks, such as pornography, child pornography and grooming, appears to be one of the most urgent policy debates with regards to child protection on the Internet. The issue has been tackled through a multi-stakeholder approach, aimed at implementing regulatory, self-

regulatory or co-regulatory solutions (O'Neill, Staksrud, & McLaughlin, 2013). Governments and public opinion in the US and the EU have been building up pressure to fight harmful content in social media companies.

These corporations have been responding in a self-regulatory manner, by forming coalitions, making declarations, signing agreements, and calling for more media literacy so as to address the responsibility of users. Several solutions have been proposed and implemented: legal initiatives through State intervention, especially in the cases where youth and children are involved; self-regulatory initiatives from media services; media literacy promoted by public and civil society sectors, and aimed at risk prevention and youth empowerment through education; co-regulation, involving all the above. At the moment, the *Audiovisual Media Services Directive* (2018/1808, amending Directive 2010/13/EU), the *European Strategy for a Better Internet for Children* (COM 2012/0196 final) and the *Directive on combating the sexual abuse and sexual exploitation of children and child pornography* (Directive 2011/92/EU) are among the main European regulatory and self-regulatory initiatives regarding online sexual risky content and youth. Further activities of media literacy and fight against child pornography have been organized by the UNESCO and the UNICEF.

RESEARCH BACKGROUND

Public debate, animated by pressure groups, politicians and media, has raised the attention on the need for a protectionist approach towards the access to online sexual contents, especially among children and youth. Following the spread of such media panics, effects research has provided evidence of children's use of sexual content, by focusing on potential harmful consequences; also mass communication research has studied them in the perspective of risks and safety. An example of this second approach is the cross-cultural European survey EUKidsOnline (Livingstone, Haddon, Görizig, & Ólafsson, 2011).

Nonetheless, these theories have been criticised for being too deterministic, in comparison with liberal positions which emphasise the positive sides of exposure to sexual images; these latter perspectives defend the potentiality of breaking out repressive or normative expressions of sexuality (Flood, 2009). Furthermore, limits of research results on sexual contents on children and youths are due to ethical implications and lack of empirical evidence of harm (Helsper, 2005). The association between sexual risk and psychological or physical harm strongly varies (Livingstone, 2009). Recent research on the use of sexual content by young people show how they can express personal opinions on this subject (Buckingham, & Bragg, 2004), and they are aware of the falseness of media representations.

Ethnographic research has demonstrated how exposure to pornography is rarely traumatic, but it is part of sexual initiation or education and the possibility to experience pleasure (Buckingham, Willett, Bragg, & Russell, 2010). Another major issue pointed out by several researchers is the ubiquitous access to pornographic content (Ey, & Cupit, 2011). Furthermore, new devices and social networking platforms have facilitated the diffusion of other modalities of exchange of audiovisual sexual content, including self-produced material. "Sexting" is the term used to indicate the online exchange of sexual content, which is increased by anonymity, if compared to other forms of sexual communication via other media (Subrahmanyam, & Smahel, 2011). From the perspective of youth, based on results of focus groups, sexting is described as a

modality of filtration (Lenhart, 2009). News has often transmitted narratives on the diffusion of illegal sexual content produced and diffused by adolescents (Arcabascio, 2010).

The scientific debate on sexting is controversial on the risky effects of this practice among young people; in specific cases, sexting may have harmful effects, for example, when images are sent accidentally to wrong receivers or are modified (Barak, 2005). Other arguments focus on the “hyper-sexualization” of female body (Ringrose, 2010), children sexualisation or grooming through sexual images (Davidson, & Gottschalk, 2010). Concerns towards online risk have not explored much on its link with sexual development in adolescence (Stern, 2002) or sexual education. Other authors distinguish criminal activity from sexual experimentation (Wolak, & Finkelhor, 2011). Despite the fact that sexting is not deeply surveyed within the EUKidsOnline research network, some of its members highlight the importance of paying attention to cross-cultural analysis, with particular attention towards inter-religious diversity in European countries (Livingstone, & Görzig, 2012). Nevertheless, reflections on the diffusion of online sexual content in contemporary society go well beyond the widely adopted perspective of online risks and refer to crucial changes in social and intimate life; for instance, they may be related to phenomena such as the transformation of intimacy (Giddens, 1992), the frailty of sentimental relationships (Bauman, 2003), or the raise of emotional capitalism (Illouz, 2007).

METHODOLOGY

Corpus Construction

Ethical reflections on online audiovisual sexual contents were retrieved within 45 European parliamentary debates and then analysed through an original methodological protocol which triangulated statistical calculation, carried out with the Alceste method (This method was applied through the *opensource* software IRaMuTeQ), with a qualitative content analysis made through ATLAS.ti. The corpus of parliamentary debates was composed of 45 texts, some of which were supported by video recording.

The 45 debates were downloaded through an online search on the Plenary section “debates and videos” of the European Parliament’s website. The search keywords were: “Internet”, “better internet for kids”, “safer internet”, “pornography” and “audiovisual”. After the first research by keywords, a second check verified the presence and use within the text of words, such as “child*”, “adolescent*”, “young” and “youth”. Several debates, especially the most recent ones, were not translated and every intervention was in the original language. Table 1 shows the search criteria adopted:

Table 1: Search criteria on the website of the European Parliament

Website	Keywords	Additional keywords	Search type
European Parliament Section: Plenary Subsection: Debates and videos	“Internet” “better Internet for kids” “safer Internet” “pornography” “audiovisual”	“child*” “adolescent*” “young” “youth”	Mainly within the text

Following the first selection of debates, an email was sent to the *Citizens Enquiries Unit (Ask EP)* of the European Parliament (www.europarl.europa.eu/askEP/en) to request additional information, such as the potential availability of unpublished online documents, the translations of the most recent documents, and the legislative procedure of the European Parliament. The answer indicated that documents had been produced and received since 3 December 2001, multilingual documents were published as verbatim reports, and were not translated into all languages. Nevertheless, the recordings of plenary debates were accessible on the Web TV of the European Parliament, where language may be chosen from a drop-down menu in the “Listen in” box below the video.

Consequently, the procedure adopted consisted of, first, translating the text through *Google Translate*, and then watching the video and correcting the text. More in detail, the first step consisted of translating each written speech in the official language through Google Translate, in order to have a general idea of the content. The second step is revising and correcting the text, by listening to the spontaneous translation which accompanied the videos.

A final revision of documents distinguished them according to their agendas, titles and main themes. Through a careful content analysis, three thematic areas were identified: (1) audiovisual policy and regulation; (2) child protection and safer internet use of the Internet; (3). fight against child pornography.

Although the entire corpus may not be made available in the context of this paper, a selection according to sub-themes and dates is proposed in the following table 2 (The corpus was constructed for a previous research carried out at the Sorbonne University).

Table 2: Corpus of debates of the European Parliament

Audiovisual regulation and policy	Safer Internet use and children protection	Combating child pornography	Freedom of expression
<i>Audiovisual regulation (AR)</i>	<i>Safer Internet Use (SIU)</i>	<i>Combating child pornography on the Internet (CCP)</i>	<i>Freedom of expression (FE)</i>
06 September 2001	01 December 2004	10 April 2000	05 September 2000
14 June 2001	16 May 2006	03 February 2009	18 December 2003
03-04 October 2001	20-22 October 2008	12 February 2015	06 July 2006
04 September 2003	15 December 2008	11-12 March 2015	10 March 2009
06 September 2005			26 March 2009
13 December 2005	<i>Child protection (CP)</i>		22 November 2010
12-13 December 2006	11 April 2002		
28-29 November 2007	06 September 2005		
20-21 February 2008	15-16 January 2008		
13 December 2010	19-20 November 2012		
20-22 May 2013.			
<i>Audiovisual policy (AP)</i>			
04 October 2000			
22-25 November 2010			
12 March 2014			

Research Design

The research design was based on a multi-methodological approach with triangulation of two methodologies, content analysis, and descendant hierarchical cluster analysis through the Alceste method. The preliminary content analysis was aimed at selecting parts of the speeches on ethical reflections, via the ATLAS.ti software. The code "ethical reflections" refers to considerations about the limits of control and freedom, but also concerning values, norms, morality, and responsibilities. Third, a descendant hierarchical cluster analysis has been conducted through the IRaMuTeQ software and five clusters have been identified.

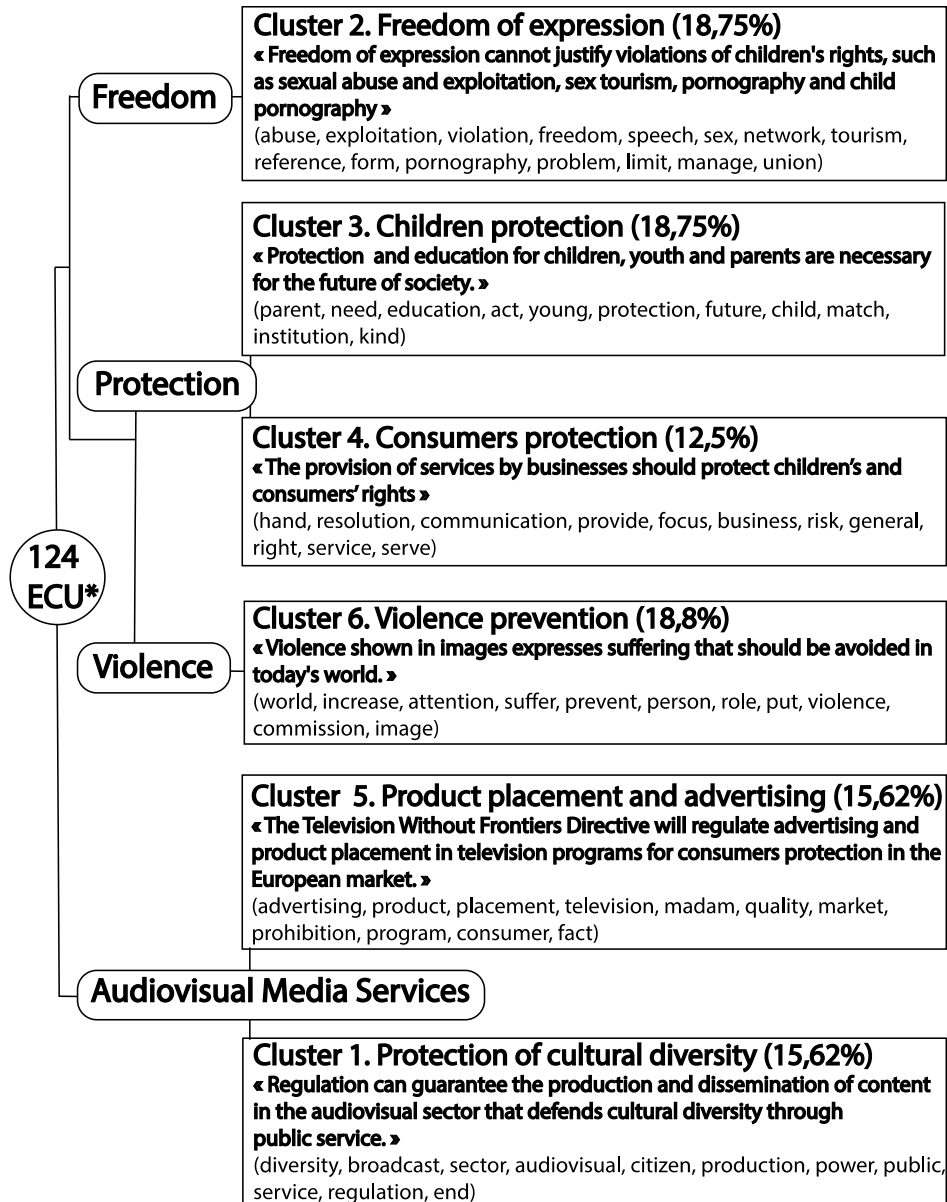
Following initial coding and data collection, a semantic analysis identifies thematic categories (Flick, Foster & Caillaud, 2015, p.75; Dany, 2016). The Alceste Method has been developed by Reinert between 1997 and 2003 and has been widely adopted by scholars of the social representations theory; it consists of a series of calculations aimed at reconstructing lexical composition of discourse and involves a descendant hierarchical cluster analysis, based on a semantic approach to the automatic treatment of discourse. Therefore, Alceste is a statistical methodology through which occurrences of words are identified. As Kalampalikis and Moscovici explain it, the Alceste method:

“is based on a breakdown of the corpus in relatively similar size fragments, called "elementary contextual units". These fragments are then statistically classified in a descendant hierarchical process [...]. The goal of this descendant hierarchical classification is the distribution of statements in clusters marked by the contrast of their vocabulary (Kalampalikis, & Moscovici, 2005, p.15).

The results are clusters, groups of words, corresponding to different lexical universes associated according to the organization of discourse.

RESULTS AND DISCUSSION

The arguments of parliamentary speakers were retrieved through word occurrences, showing the most used clusters of words. By examining each group of words, their meaning and correlations within debates, I attributed a descriptive title and a sentence. With a graph, the most significant information is gathered. Therefore, six clusters were identified and semantically interpreted. They were respectively entitled protection of cultural diversity (1), freedom of expression (2), child protection (3), consumer protection (4), product placement and advertising (5), and, violence prevention (6).



*ECU: Elementary Contextual Unit

Figure 1: Descendant hierarchical classification of « ethical reflections »

Cluster 1 corresponds to 15.62% of the corpus and is entitled *protection of cultural diversity*. Its meaning is summarised as follows: “Regulation can guarantee the production and dissemination of content in the audiovisual sector that defends cultural diversity through public service”. This cluster is related only to cluster 5.

Words included in cluster 2 cover 18.75% and are referred to *freedom of expression*. This group is related to clusters 3, 4 and 6. Its meaning is that: “Freedom of expression cannot justify violations of children's rights, such as sexual abuse and exploitation, sex tourism, pornography and child pornography”. Interestingly, cluster 2 mainly reproduces positions expressed in debates on the Directive on combating the sexual abuse and sexual exploitation of children and child pornography (2011/92/EU).

Cluster 3 matches 18.75% of the corpus and it refers to *child protection*. It states that: "Protection of and education for children, youth and parents are necessary for the future of society".

Cluster 4 fits 12.5% with reference to *consumer protection*; it is associated with cluster 3. Its key message is the following one: "The provision of services by businesses should protect children's and consumers' rights".

Cluster 5 covers 15.62%, mentions *product placement and advertising* and is related to cluster 1. It is mainly composed of words from debates prior to 2007, the year of publication of the Audiovisual Media Services Directive. Its meaning can be summarised as follows: "The Television Without Frontiers Directive will regulate advertising and product placement in television programs for consumer protection in the European market". Clusters 1 and 5 refer in particular to debates on the two Directives, in which terms related to technology are widely used. In this regard, the focus is on the public service and the audiovisual sector in cluster 1 and on advertising and television in cluster 5.

Cluster 6 refers to 18.8% of the corpus on *violence prevention*. It could be summarised as follows: "Violence shown in images expresses suffering that should be avoided in today's world".

Therefore, ethical considerations related to audiovisual sexual risks on the Internet allude to several values and rights, including protection of cultural diversity, violence prevention, child protection and education, consumers' protection, and freedom of expression. Protectionist approaches are expressed in different contexts: *a.* child protection associated with the education of young people and parents (cluster 3); *b.* consumer protection from advertising and service providers (cluster 4); and *c.* child protection to prevent violence (cluster 5). Furthermore, differently from the discourse on violence, ethical considerations on audiovisual media services also imply challenges related to product placement, advertising, and protection of cultural diversity.

Ethical Considerations

Content analysis highlighting how ethical considerations raised within European Parliamentary debates concerns four main themes. Firstly, the European audiovisual media system is defined as dual, since it combines commercial goals and information functions. Secondly, some forms of violence against children, such as child pornography and sexual exploitation, are extreme. Thirdly, a balance between child protection and freedom of expression is pursued. Finally, it's hard to find an equilibrium between online censorship and freedom of expression. These four positions are described in the following paragraphs. Therefore, non-consensual arguments refer to the following interrogatives: what are the right limits for freedom of expression? How may European media system be characterised? How would it be possible to impede the increasing diffusion of child pornography and extreme violent content? What is the right balance between child protection and freedom of expression?

The "Dual System" of Audiovisual Media: Public Service and Commercial Interests

The first controversial representation regards the European audiovisual media system. The dual system is depicted as a balance between universal public service and market-oriented audiovisual environment, which allows to defend democratic values and protect the most vulnerable groups

in society. This equilibrium is considered to be the basis of pluralism in European media, by guaranteeing a coexistence of public information and commercial messages. The dual system is thought to be a typical European-style media paradigm, opposite to the American panorama dominated by advertising. In 2006, the proposal for a Directive on audiovisual media is aimed at adapting the audiovisual industry to “technological and commercial developments” in line with democratic values, among which child protection, cultural diversity, social cohesion, editorial competition, pluralism, freedom of expression, and rights of information are evoked. The demand is to find an intelligent balance between a renewal that guarantees legal security and respect for values, defined as the cornerstone of a democratic society. The role of media in defending democratic values is at the foundation of a hegemonic representation of public service.

Additionally, public service is viewed as a guarantor of a public space free from political interference and characterised by high-quality programs and objective information. Priorities of Member States should be to “provide sufficient resources”, by even digitising the public service and combating “digital divide”. In fact, the dual system should be guaranteed by institutions, also in the digital age. In the implementation of the Audiovisual Media Services Directive, in 2013, freedom of expression and media pluralism are listed among the objectives. A socio-political function in determining the values and opinions of citizens is attributed to the media system, as being one “among the most important sources of information available to citizens in the EU Member States” (Debates on AR, 06/09/2005; AR, 12/12/2006; AP, 25/11/2010; AR, 22/05/2013). Public service is seen as a guarantor of freedom of expression by this speaker:

In my opinion, it is an absolute fundamental right and vital to freedom of expression that there is a public channel which is maintained public and which concentrates on producing topical and up-to-date information for citizens both in the nation states and across Europe (Debate on AR, 22/05/2013).

Nevertheless, by adapting the legislative framework, the purpose is to encourage new technological developments and promote the dissemination of European content. Competitiveness of audiovisual industry is expected to be incentivised, even though internal market should avoid the danger of a television which depends on market principles. Solutions proposed in the Directive lay the foundations for an audiovisual system, which is neither dominated by advertising in American style nor regulated by law (Debate on, 12/12/2006).

Therefore, private and public media are represented as complementary and mutually beneficial in guaranteeing the quality of information, as described in these two statements:

I am convinced that a well-balanced, high-quality public media environment has also a positive influence on the quality of private media (Debate on AP, 25/11/2010).

The coexistence of public service and commercial broadcasters has ensured a wide range of programming (Debate on AP, 25/11/2010).

A speaker expresses his doubts on the possibility of designing a paradigm different from the dual system in which either the public or the private sector would prevail. In fact, a fully public

system would be limited by the lack of competitors, which may stifle even more the “drive towards efficiency” to the detriment of consumers. In addition, a public system would imply restricting market access to new actors, through “enormous barriers to entry”.

A transformation over time of the social representation of media panorama is suggested by the historical transition from a State-owned broadcasting system to a dual one in which there is a need to strike a balance between public and private media, as described below:

In the 1970s, commercial and private actors fought to obtain broadcasting frequencies against State monopolies. Today, the large number of opportunities for consumers to access multimedia means that we must balance the public service with the private media (Debate on AP, 25/11/2010).

However, public and private systems should remain independent from “political and economic pressure” to ensure the promotion of European democratic values.

On the other hand, - the speaker continues - a purely commercial television system might not have any interest in pursuing objectives of general interest or broadcasting educational programs, which are not always profitable in terms of audience figures, but which are, by their very nature, necessary (Debate on AR, 22/05/2013).

Accordingly, a consensual representation of the dual system is shared within the debate on audiovisual regulation based on a liberal democratic ideology, common to the European political space. Nevertheless, different historical-cultural experiences of European Member States evoke a variety of representations of the media system and lack of consensus on the implementation of Directives. In fact, representatives of more liberal democracies tend to have a positive attitude towards public media systems, as guarantors of democratic values, especially freedom of expression, whereas those who experienced the influence of political parties on national media environments are less optimistic on the socio-political role of public service (Debate on AR, 06/09/2005). For example, new Member States – such as Hungary - have media systems born “under party control during the years of dictatorship”, arising from “established monopolies”; as a result, in these countries, regulation has not promoted “plurality of views” (Debate on AR, 12/12/2006). Consequently, neglect of pluralism and liberalism is associated with differences among European media landscapes; in fact, some Member States are dominated by commercial media, whereas in others, public service has a major influence on public opinion (Debate on AP, 22/11/2010).

Furthermore, these positions – based on different European political ideologies – highlight the need for a balance between economic goals and democratic values. In particular, Greens/EFA refuse a European television in American style and don’t support references to product placement, “single spots” and limits of the advertising market in the Directive. Thus, the amendments of the GUE/NGL group are supported by several speakers; they recommend that content and advertising remain separate, without changing the times of audiovisual programs and commercial breaks, in order to ensure the quality of European television. In this way, they

propose to prevent future television from becoming a “slave of the laws of advertising”. On the contrary, EPP-ED and Social Democrats express their favourable position towards six-minute advertising in the space of 36 minutes of the program for any format (Debate on AR, 12/12/2006). Therefore, the degree of regulation and State control in the European internal market of audiovisual media generates opposite views, as described in this intervention:

There is also the extreme represented by those who believe that everything must be regulated by law, who want to change society solely by means of the law, sometimes on the basis of values that we may even share, or on the pretext of protecting the weakest members of society, the youth and the others that we all want to protect. Such people believe that this must be done solely and exclusively by means of law, imposing burdens which make open commercial television impossible and unviable, or restricting legitimate business freedoms that exist in our market systems and in the European internal market (Debate on AR, 12/12/2006).

Extreme Violence in Child Pornography and Sexual Exploitation of Children

References to child pornography raise strong ethical considerations. It is defined as “one of the most sordid moral deviations of our modern society” and a “crime against humanity” accessible through the Internet. Faced with the difficulty to control ethical rules regarding technological development, the need for regulation of child pornography is recognised to be essential for Member States (Debate on AR, 12/12/2006).

Child pornography is classified as a crime in which offender could face “hardest punishments”, including “death penalty for paedophile network organizers” (Debate on CCP, 03/02/2009). “Reintroduction of the death penalty” is once again proposed in 2015. Also, another speaker expresses a position in favour of “restricting access to illegal content” (Debate on CCP, 11/03/2015).

A quote from a poet Zbigniew Herbert is mentioned to express the need to say "no" to different forms of violence and evil, such as sexual exploitation of children, depravity, online pornography and sex tourism:

We must learn to say "no" [...] "no" is a very important part of the discourse. It is the disagreement from evil (Debate on CCP, 03/02/2009).

Interventions concerning the diffusion of child pornography are connected with different political ideologies. For instance, a member of the TDI group associates the diffusion of child pornography with the permissiveness promoted for more than 30 years by some political groups and criticises the fact that this attitude did not reconcile with social problems caused by it:

But what progress do we see, except progress in the loneliness of our peers, broken families and children left to fend for themselves who, almost naturally, turn into drug addiction, sexual promiscuity, sects and alcoholism (Debate on AP, 10/04/2000).

Within the same intervention, diffusion of child pornography and paedophilia are linked with the trivialisation of homosexuality. In addition, with regard to the possibility for same-sex couples to adopt children, the interests of children were not upheld, but those of adults. He continues with these words:

This is necessarily the first step on the road which leads ultimately to the deviancies of child pornography (Debate on AP, 10/04/2000).

This latter is correlated to abortion, as a “horrendous decline in moral standards” and ends with a provocation presented in the form of a question:

Why, when one is prepared to accept State-controlled hospitals organising terminations of unborn children, should one find it absolutely scandalous in moral terms to abuse children, once born, for the sexual pleasure of adults? (Debate on AP, 10/04/2000).

This speech provokes strong reactions at the European Parliament.

The Relation Between Freedom of Expression and Censorship

Another crucial issue on audiovisual media policy pertains to the balance between freedom of expression and censorship, which are polemically represented with reference to non-European States. Censorship is connoted negatively and opposed to freedom of expression, which is interpreted as a basic value of democratic societies. Nevertheless, freedom of expression is supposed to be inherent to responsibility, since it implies the risk of spreading “anti-democratic and immoral information”. On the other hand, the Internet is depicted as “an anarchic for nature” medium; in the words of the speaker it is a:

Thorn for governments and bureaucrats, who are not absent from the cradles of democracy such as Europe and the United States (Debate on FE, 06/07/2006).

Hence, an Internet management system could be used to restrict illegal activities, including child pornography and “uncomfortable truths”. Measures proposed through motions for resolutions on freedom of expression are aimed at improving internet governance and tackling human rights violations. Respect for human rights can be achieved by virtue of guaranteeing freedom of expression on the Internet and preventing "censorship", "persecution" and "imprisonment". Overcoming the digital divide between rich and poor countries has made censorship methods more difficult to implement.

Another subtle form of censorship, existing even in Europe, is linked to the market of web advertising. In other words, a speaker states that search engines are now adapting their power to the rules so that exclusively advertised content can be found. In front of “the temptation or threat” still existing of a total censorship of the web, one could limit the block to singular pages (Debate on FE, 06/07/2006).

Representations of freedom of expression are related to different cultural, historical and political contexts from non-European countries. In fact, access to the media is not free all over the world, for example, in some countries the Internet is the only channel of communication for political opposition. Limits to freedom of expression are often due to media concentration. Yet, the resolution seeks to:

Roundly condemn the restrictions to freedom of expression that certain governments impose via the Internet, and in particular the acts of persecution and detention that some of them carry out (Debate on FE, 06/07/2006).

Examples of Internet restrictions are in China, Cuba, Burma and Belarus. The Internet in these repressive governments is described as a “wild and dangerous river”, whose flux should be regulated; the Internet is perceived as a “threat to any totalitarian country or any country that restricts access to information”. Although “trade and communication with these countries can often have a beneficial influence”, freedom of trade should be balanced with protection of individual freedoms. For example, in China, people have been imprisoned for expressing themselves on the Web. The Chinese government has also created a police service to check the correct use of the Internet by users; violations consist of up to 10 years of labor camp. In Internet cafés, staff controls online surfing and filtering takes place through keywords.

Additionally, in many countries, companies have accepted limits to freedom of expression; for example, Google, Microsoft, Yahoo in China, Secure Computing and Fortinet in Tunisia and Myanmar. Also, European companies have followed this trend; that’s the case of Telecom Italia in Cuba and Wanadoo (France Telecom) in Tunisia. In this regard, it is estimated to be:

Not tolerable that Western companies help repressive governments to trample on human rights (Debate on FE, 06/07/2006).

Yet, European institutions should ensure that companies commit themselves not to “have a hand in action for repression” through the implementation of codes of conduct (Debate on FE, 06/07/2006). Another example of excessive control is in the United States, where:

I keep in mind, thanks to the United States, that the legitimate fight against crime and criminals can degenerate into a systematic, illegitimate and immoral surveillance of all citizens and a violation of their rights, freedoms and their privacy (Debate on FE, 26/03/2009).

The Internet is recognised to potentially favour freedom of expression, political action and association; and, on the other hand, it can also pave the way for criminal activities, such as increasing child pornography. Numerous attempts have been made to censor the Internet, which appears as “a thorn in the side of the inquisitors controlling the media” (Debate on FE, 26/03/2009).

Thus, cases presented within debates polemically represent limits to freedom of expression with regard to human rights, while creating a hegemonic representation of the Internet as a liberal space. This latter is designated as a medium, whose freedom should be defended, although limiting criminal activities. The examples mentioned bear upon systems authorising censorship for political reasons (i.e. China, Cuba, Myanmar, Belarus, etc.); the only exceptions are the United States, where control is justified by legal and ethical reasons, to defend civil society from criminals.

The Balance Between Child Protection and Freedom of Expression

Ethical considerations on restriction to freedom of expression are motivated by child protection. Nevertheless, extreme violent content – such as child pornography and right-wing extremism – are seen as “pretexts” for limiting freedom. These two phenomena highly differ, since the former is interpreted as a crime, whereas the latter manifests itself in political life and has to be resolved at this level.

On this subject, a speaker considers that some members of the European Parliament have been adopting “avoidance tactics, such as discussing issues on which we can only exercise moral influence”. Other positions highlight the importance of tackling technological issues by fostering respect for true freedom, in defence of humanity. For example, in the following intervention:

Modern technological problems extend much further the purpose of technology and become moral problems. We should encourage true freedom, namely freedom from evil, and not obstinacy and anarchy that destroy and degrade humanity (Debate on FE, 06/07/2006).

Because of the “destructive nature” of child pornography and related abuses, respect for human dignity is reiterated and need for policies on child protection, which enable young people to have as essential points of reference “goodness, truth and beauty”. The speaker continues by saying that “capitalism” could be transformed into a “socio-economic system centered on men and the satisfaction of their needs”.

Child protection – together with safety and well-being – is amongst the reasons for abstention. On the opposite side, abstentions are motivated by the will to guarantee freedom of expression from “control drifts”. On this second argumentation, proposed measures are evaluated as excessively safe to the detriment of civil liberties and fundamental rights through a form of “supervision of all by all”. As a result, a speaker says that:

And as I know that child protection is often used as a Trojan horse to restrict freedoms more broadly, in the end I abstained on this resolution because the protection of children’s rights should not be exploited (Debate on CCP, 11/03/2015).

The Directive is interpreted by some as an attempt to control the Web and to conceal an “authorisation for the European Parliament to censor the Internet”, which could involve the risk of a “total tutelage”. The following phrase describes it:

This is the introduction of a total surveillance under the guise of protecting children (Debate on CCP, 11/03/2015).

On the other hand, responsibility for child protection is entrusted to legislators and education agencies, and it expresses the human values in society (Debate on CCP, 11/03/2015).

CONCLUSION

With regards to ethical reflections, online audiovisual risks are represented in different ways, based on political agendas and the variety of national identities; this diversity of cultural and historical backgrounds is expressed by speakers by even taking into account differences from non-European countries. Agendas diversify themes debated and political priorities, either self-regulation or regulatory initiatives of the Web. No great variations are subject to the year of debate and minor diversity of views is conditioned by political beliefs. Main ethical considerations are motivated by the ideas to balance private and public sectors in the European audiovisual panorama, to ban child pornography, to avoid excessive regulatory control and to limit freedom of expression. Ethical considerations refer to the need to find an equilibrium between commercial offer and public service in order to defend democratic values, especially freedom of expression. Although a dual system might express the idea of European democratic liberalism, media landscapes are differentiated according to their socio-cultural backgrounds and economic goals. However, these arguments are only tackled within debates on the Audiovisual Media Services Directive from 2005 to 2013. Controversial views of public service are suggested by speakers from ex-totalitarian systems, where public information has been controlled by political parties for several years. Therefore, these representations highlight the risk of excessive regulation, State control or political interference on media environment. Also, defence of economic interests is contradicted by the idea to avoid an American-style television dominated by advertising. Political ideologies of European parties also influence controversial positions regarding a balance between advertising and information.

Ethical considerations on child pornography are mentioned within debates on the Audiovisual Media Services Directive in 2000 and 2006 and debates on child pornography in 2009 and 2015. Although there are very few, ethical issues raise very controversial positions towards this topic which is tackled in some interventions through an extremist attitude. An example is a very controversial position expressed by a member of the TDI Group who finds that the diffusion of child pornography is the consequence of moral permissiveness; he bears in particular on ethical issues, such as legalisation of abortion and social acceptance of homosexuality. This speaker also enforces his position by stressing social problems provoked by moral deviance, including loneliness, broken families, drug addiction, sexual promiscuity, sects and alcoholism. His intervention was found to be very controversial within the European Parliament, by provoking strong reactions. Child pornography is considered to be a crime against humanity which is combined with other grave forms of violence against children, such as sexual exploitation, depravity, online pornography, and sex tourism. Some speakers propose the reintroduction of the death penalty.

Other ethical considerations on freedom of expression and censorship are raised within debates on freedom of expression in 2006 and 2009. The defence of freedom of expression is opposed to the excessive restriction in some non-European countries, forms of censorship and compromises accepted by Western companies, including European ones. The need of Internet governance against human rights violations is highlighted. Also, limits on freedom of expression are discussed to avoid the spread of anti-democratic and immoral information.

Freedom of expression is even balanced with child protection in debates on freedom of expression in 2006 and child pornography in 2015, with references to violent content and especially child pornography. In the first group of debates, child pornography is considered to be – together with right-wing extremism - as a pretext to restrict fundamental freedoms. Some speakers consider that child protection has been used as a “Trojan horse” to control the Web. Reasons for abstentions postulate the need to find a right balance between child protection and freedom of expression. Also, the issue is to defend a true freedom, corresponding to freedom from evil and not to a form of anarchy, which may destroy and degrade humanity.

Several interrogatives for policy implementation are raised by ethical considerations: which are the right limits to freedom of expression on the Internet, especially in European liberal democracies? Which is the best balance between commercial goals and public interests in European audiovisual media systems? What are the moral causes of the diffusion of phenomena such as child pornography? May moral permissiveness be in relation with the diffusion of extremely violent content? What is the fair penalty for such crimes against humanity, for example child pornography?

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