

## Naked Children, Moral Philosophy & Photographs

19 August Naked Children, Moral Philosophy and Photographs - Peter Bowden

This debate started with Bill Henson's photographs of naked pubescent children. It is wider now, extending in several directions, and Peter explores the moral underpinnings of the topics and his reactions to the photographs.

First has been the front cover of Art Monthly Australia with the photo of a naked six year old Olympia Nelson, a photograph staunchly defended by her father, and savagely castigated by Miranda Devine. Next has been the request by the Minister that the arts community come up with a set of protocols. But the final reason is the most intriguing - and difficult to answer - and that is the pitting of people with respected social consciences on either side of this debate. It opened with Cate Blanchett against Kevin Rudd. Not long after, a highly regarded Julian Burnside, defender of refugees took a position opposite to an equally respected Clive Hamilton, Professor of Ethics at Charles Stuart University. But the most important question is, in discussing these issues with many people, I find some whose opinions I have long respected, see no wrong in exhibiting photos of naked children. Others, in contrast, intrinsically believe the exhibitions are wrong.

These paragraphs are an attempt to discover why the community differs. And whether we can find an answer. And whether it will be easy for the arts community to develop protocols.

A first step was to explore what guidelines the great thinkers on moral philosophy have left us. They will not give us an absolute ruling but they might help decide. Immanuel Kant seemed the most appropriate. If you are unwilling to allow everybody to adopt an activity whenever they wanted to, then that activity is not morally acceptable. Would we allow photographers to photograph and exhibit the photos of every pubescent child who was willing to pose for him? Even when their parents gave permission - for whatever might be the reasons of the parents?

Kant's second Categorical Imperative was even stronger. That we should not use anybody for our own purposes is a superb injunction that is asking us to respect the autonomy, individuality and self respect of other people:

What ever the parents' motives might be, or the photographer's, be it artistic desire, a search for notoriety, or to make money, they are using their children for their own objectives. A naked full frontal is unlikely to be the photographic objective of any child.

But even for those that it is, the children are not old enough to make these decisions. We only have to look at the experiments of Stanley Milgram in the 1970's that showed us the extent that adults will obey people they believe to be in authority, even when such obedience is against all basic instincts. Would it not be more so with children?

Another major moral guideline comes from John Stuart Mill, which we know as utilitarianism, or consequentialism. He said create happiness, avoid harm. This theory, which is probably the most widely used moral theory today is only partially useful. We are not sure whether the photos cause harm. Did Olympia Nelson suffer any harm? Will she, or any of the children in these photos, as adults, feel mortified when the photos surface in adulthood? Is that harm anyway?

Aristotle and then Aquinas supposedly gave us the virtues to guide our moral decisions but the virtues are rarely of much use in today's difficult decisions. I can always find a virtue to support one side and another to support the opposite view. In deciding on photographic exhibitions of naked children, none of the seven virtues provide any guidance.

So a wider search for reasons behind the differing opinions is necessary. From social gatherings to a survey of attendees at a national ethics conference, and listening to the public debates became the methods of determining why people's opinions differ.

The survey, of 13 people, primarily teachers of ethics, gave 7 against the photographs, 3 for, and 3 undecided (as had not seen the photos). The survey was too small to draw conclusions, as were the dinner table conversations (which were overwhelmingly against the photographs)

The arguments against the photographs were primarily that children were unable to weigh up the full implications of what they were doing, but secondarily on the wider issue of the sexualisation of children, and the responsibility of parents. "Would Cate Blanchett allow her children to be photographed that way?" was written on one of the survey forms.

One particularly powerful argument came from an adult male: "I went to a Christian Brothers School," he said "and there were two members of that religious order who use to fondle boys. I was one of those boys. Remember in those days, boys wore short pants. I have never since fully trusted the intentions of middle aged males." He added that his memories of the fondling of the private parts of school boys at roughly the same ages as in the photographs, in addition to the then breaking news of the 70 men in Australia being charged with internet pornography, much of which were photos of naked children, were behind his concern with the exhibitions.

The arguments for the exhibition were principally on the desire for artistic freedom, "I do not want censorship", said more than one respondent. Plus a denial that the photographs were in any way pornographic - a denial that was echoed by both sides. "Many (of the photos) are even beautiful", said one respondent (who nevertheless, did not agree with exhibiting them).

The anonymous defenders of artistic freedom in On Line Opinion provided the more deep reaching arguments "for" the exhibitions: "Hensen is no more guilty than Michelangelo for his innocent artistic portraying of nude forms" (gecko); "All advertisers and artistic productions involving children could be characterised as "using children for their own ends" (Steel); "well, there go the Harry Potter movies. and the children of Narnia movie. and Nicky Webster at the Olympics. and ... god, this is just too easy." (bushbasher); "Very silly argument: .....Well, yes. Just like ABC Learning Centres (<http://www.childcare.com.au/>), Mattel (<http://www.mattel.com/>) and the Wiggles (<http://wiggles.com/>), to name just a few" (jpw2040).

The most intelligent comment of the lot came from someone who at least had the courage to supply his name "Back under your rock, Bowden - come back in 50 years" posted CJ Morgan, Tuesday, 3 June 2008. Mr Morgan's comment is to be valued; for it is one that contributes immensely to the country's intellectual thinking on this debate.

(Although it does raise some questions about the value of On Line Opinion as a forum for serious debate).

Statues and paintings of naked children have been created since time immemorial. Even paintings of a naked Christ. (Jan van Hemessen, Madonna and Child, 1543) But this issue is not about paintings or statues. The current controversy is about photographs. Photos of actual children whose names we know. They are a far cry from a naked Michelangelo. We have no idea of who posed for this statue, and even if we did, the statue is not him but a of a David, a representation from biblical history. The photos today are circulated around the country, with the full power of the internet, about real people who will be known to us for many years.

The Narnia movie, Harry Potter, the Wiggles are children's' entertainment. The photos of naked children are not intended for other children; but for adults

There is little doubt that the photographs have offended some people. The Minister for the Arts has asked for protocols. Should we have them? John Stuart Mill gave us another convincing guideline.

The only purpose for which power can be rightfully exercised over any member of a civilized community, against his will, is to prevent harm to others.

Do the photos cause harm? Remember the trial of the paedophile Dolly Dunn, and the recorded conversations about the bodies of young boys they saw on the street? Or Maddy McCann and the reports that she was kidnapped by a paedophile ring? Or the survey respondent who still could feel the wandering hands of his male teachers?

So if a harm would be the consequences of these exhibitions, it may not be, even indirectly, harm to the models. Although we are far from sure. It may be the harm that arises from arousing the senses of men who get a thrill from naked children. And the possible harm to other children.

So where does that leave the arts community and the minister's request for protocols?

The more interesting aspect of this talk, if I am totally honest, however, is that the arguments that I have given are rationalisations after the fact - they are attempts to justify what was in truth an instinctive reaction - that the photos were morally and ethically wrong. There is a body of ethical theory, now fading, termed intuitionism, which states that we could tell right from wrong intuitively. A more rational approach today says we should be able to analyse why an action is ethically acceptable or not. Nevertheless, my instinctive reaction was that the photos were wrong. The search then really should have been for the causes behind this instinctive reaction. But in that search, which needed to dig quite deeply, the only thought that makes any sense, and then not all that strongly, is the fact that I was one of the specially selected schoolboys at that Christian Brothers School. Or perhaps it was because I went to a catholic school.

Footnote

The "for" and "against" survey used at the ethics conference was distributed at the Philosophy Café talk. The results were 17 for the Henson exhibits and 11 against. The no opinions were 7, making 35 responses in total. There were 46 people at the talk so 11 did not respond. As noted for the conference of ethics teachers, which went the other way, this result can only be regarded as typical for attendees at philosophy cafés.

The count of reasons given for supporting the exhibition were:

Henson has a major international reputation	3
The photographs are not pornographic as some claim	8
People should be allowed to do what they want, provided they do not harm others	
The photos are beautiful art	8

The reasons against were :

They are pornographic	1
Children do not have the maturity to accept Henson's proposals	11
The children are being used for Henson's or their parents purposes	9
Puberty is a very private time for children, especially girls. They should be left alone	

The concern most frequently mentioned in the free comment section was on human nakedness, occasionally supplemented with comments on wowserism. The talk was obviously in error if it gave the impression that adult human nakedness was the issue.

The 'No Opinion' reply was intriguing. Two were not sure, one replied "yes and no", two had not seen the photos, one was "no opinion but tend to say no", and one clearly stated a genuine no opinion. These replies perhaps typify the problems that the arts community will have in developing protocols.