

Submission to the  
*Inquiry into the Australian Film and  
Literature Classification Scheme*

**Foreword**

I am writing this paper because I have a genuine concern for some of the issues involved, and believe that making a submission will be worth my time and effort. I am also grateful for the opportunity, and wish to thank the *Legal and Constitutional Affairs Committees* for conducting this review and accepting my input.

I would have preferred to write a fully referenced academic style paper, but I am unable to do so before March the 4<sup>th</sup>. Therefore, what follows is a collage of fact and my own personal opinion.

Further, I am male, and therefore this is mostly from a male point of view. As such, any lack of consideration for or representation of a female opinion or concern is because I am not able to write satisfactorily about opinions and concerns I do not have.

Lastly, **this submission contains graphic content**. This content is included because feeling the full impact of such content is important to some of the points that will be made. I understand that such content should not be put on the parliamentary website, however I do prefer that the version considered by the *Inquiry into the Australian film and literature classification scheme* is uncensored.

## **Synopsis**

Men think sexual thoughts very easily, and some men do not want to be caused to do so against their will by advertisements with sexual content. Regardless, all men would benefit from not being constantly bombarded with sexual content, least of all in advertising where it is frequently objectifying women and presenting them unrealistically, both of which contribute to problems such as relationship breakdown and instances of sexual assault.

However, sexual content is not as simple as the level of disrobement. It consists of three factors, Nudity, Desire and Context. The amount of each individual factor and the combination of factors is what determines the level of sexual content.

As a result, unless the product being advertised is inherently sexual, sex should not be used in advertising. Regardless, advertisements appearing in public (without relevant extra-picture context) should be equivalent to a G rating. Most importantly, the right of viewers to make informed choices about what they view before viewing it needs to be upheld.

## Introduction

Should outdoor<sup>1</sup> advertising be included in the *National Classification Scheme*? Resoundingly, yes. It is inconsistent that it is not currently included. If advertising on platforms that a viewer<sup>2</sup> can ultimately opt-out from - such as television or radio - requires regulation, then advertising in public space, which cannot be opted out from,<sup>3</sup> requires even tighter regulation so that viewers are not required to view material against their will.<sup>4</sup>

However, this would not be an issue if outdoor advertisements caused no offense, distaste or harm. But, they do, and that is what will be considered here. Primarily, the problem with outdoor advertising is sexual content.<sup>5 6</sup> What is problematic and why is more complex than may appear, not simply limited to whether women (or men) in outdoor advertisements are sufficiently robed. Other relevant factors include the role advertising plays in body image issues, the objectification of women, the ethics of using sex to sell, and so on. These are all legitimate issues, of serious concern, and should be considered by the *Inquiry into the Australian Film and Literature Classification Scheme* as strong arguments for bringing outdoor advertising into the *National Classification Scheme*. They are also interwoven, and not possible to fully compartmentalise. Nonetheless, what will be discussed here is the effect such advertisements have on men.<sup>7</sup>

In essence, these images very easily cause men to fantasise, or begin to fantasise, in a sexually graphic way, even if they do not want to. They are a catalyst for unhelpful, often harmful and sometimes unwanted<sup>8</sup> sexual thoughts. This contributes to the objectification of women, by constantly priming men with the notion that women are objects, which translates into behaviour. Men will argue that what is in their head is of no harm; they can 'look but not touch'. Although it sounds fair, it is fallacious in the sense that thinking in that manner will affect their

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<sup>1</sup> Outdoor is intended to include billboards, posters, shop window displays (facing the street or within a shopping complex), magazines on display in a petrol station and any other form of advertising that is in a public place.

<sup>2</sup> Viewer is intended to mean anyone receiving any form of content – visual, auditory, etc.

<sup>3</sup> One cannot opt-out from going outside.

<sup>4</sup> Although adults have the right to choose for themselves what material to view, they do not have the right to force material upon others.

<sup>5</sup> Predominantly but not solely visual sexual content.

<sup>6</sup> Sex, sexual content, sexual themes and so on are used interchangeably in this submission and refer to any content that is or could be perceived to be sexual in nature, whether overtly or through implication.

<sup>7</sup> And, to a lesser extent, women. See Foreword for why women are not discussed in depth.

<sup>8</sup> Counter stereotypically.

behaviour. Thinking that way<sup>9</sup> will contribute to relationship breakdown, sexual assault and sexual harassment.<sup>10</sup> Further, although men may claim this is against their freedom of thought, that is a straw man argument. They are correct that men are entitled to think whatever they please. However, advertisers are not entitled to manipulate men into thinking whatever the advertiser pleases, which is what is attempting to be restricted.<sup>11</sup>

These may sound like strong or extreme suggestions, but they are not. They sound strong or extreme because men, generally, deny it, or are unaware their type and frequency of sexual thought is unhelpful, or choose not to acknowledge it is the case – it is not in their interest to do so - and because women, generally, do not understand just how differently men think about sex. The few women that do have an intellectual understanding can still not fully empathise, not being able to experience what it is like to be man. This is evident whenever someone suggests that “Men just shouldn’t look” or “Men should just not think about it” or “Men should learn self control” and so on. There is no doubt that men are personally responsible and accountable for their actions and thoughts, but even so, blaming men for not being able to control their sexual thoughts and behaviour in Australian society<sup>12</sup> is akin to blaming an alcoholic, whose job is in a liquor store,<sup>13</sup> for drinking.

Below are two graphic examples to make the point that what men see in advertisements is very different to what men think as a result of those advertisements.<sup>14</sup>

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<sup>9</sup> Thinking that way consistently over time. Any one unintended sexual fantasy will not cause a marriage breakdown, or a sexual assault or so on. But an accumulation of ‘one unintended sexual fantas[ies]’ will.

<sup>10</sup> Reported, but also in more ‘acceptable’ ways that are variations on the stereotype of construction men making lewd comments as at women who walk past. Insofar as I am aware, most women do not like such attention.

<sup>11</sup> The principle being that freedom of thought must be a conscious decision. Clarifying example: A man, sitting at home, eating dinner, with no other input (TV, computer....) that decides he feels like fantasising about sex is engaging in freedom of thought. Contrastively, a man in a petrol station queue bombarded by highly sexual magazine covers that begins a sexual fantasy is not engaging in freedom of thought.

<sup>12</sup> This is not suggesting men are not responsible for their behaviour. It is suggesting that the environment men exist in makes it more difficult for men to be responsible. That does not however remove personal accountability for any behaviours that do occur.

<sup>13</sup> Yes, an alcoholic working in a liquor store could opt-out. The point should be understandable nonetheless.

<sup>14</sup> This point is on the assumed knowledge that men have seen such images at some point in their lives and that those images are not easily forgotten.



**Men see this ^**

**But think this ^**



**Men see this ^**

**But think this:**

Advertisers may reject this proposition, arguing that they are not responsible for men's thoughts. That is not the case. Although advertisers are not responsible for men neglecting to stop sexual thought, they are responsible for priming those thoughts in the first place. Further, the reason advertisers use sex<sup>15</sup> is that it sells. Substantial

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<sup>15</sup> Unless the product being advertised is inherently sexual in nature. More on that below.

contortion would be required to argue that advertisers are using sex in an advertisement but without the intent to make the viewer think, feel or associate sex in response. Another argument that may be put is that their advertisements are not *that* sexual, and that they do not cause the thought process outlined by the images above. To argue this, the advertiser in question must be either a woman or a liar. A woman because, as explained above, they generally do not understand the male thought process surrounding sex. A liar because any man putting that argument, especially that works in marketing and is across the psychological research, knows better. Also counter to any denial is that, in the picture of advertisements attached (Appendices 1-3), all the 'acceptable' advertisements are aimed at women, and all the 'unacceptable' advertisements are aimed at men.<sup>16</sup> Clearly, the advertising industry is well aware of the strong effect sex has on men, resulting in its prevalence in all forms of advertising.<sup>17</sup>

### **The Three Factors**

Having established the problems with sex in advertising, some images will now be deconstructed allowing for informed guidelines surrounding the use of sex in advertising to be created.

There are three factors that contribute to the sexualness of an advertisement, and the presence, or absence, of these factors can be used to determine if an advertisement is unhelpfully sexual, without needing to consider the advertisers intent. These factors are Context, Nudity and Desire.

### **Context**

Context is broken into two sub-elements: extra-picture context and in-picture context. Extra-picture context is the environment in which the advertisement appears. A shopping centre, the side of a bus, a lingerie store, a newspaper, junk mail and so on. The extra-picture context will contribute to or detract from the overall appropriateness of the advertisement. Of the three factors, the extra-picture context is the most peripheral element as in-picture context can amply create a different context to negate the effects of the extra-picture context. Nonetheless, it is a factor in deciding

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<sup>16</sup> Or both genders with men being a substantial part of the demographic aimed at.

<sup>17</sup> And, as further demonstrated by that prevalence, self-regulation does not occur, meaning regulation is required.

how to regulate advertisements. Picture *Lingerie* was taken in Westfield Eastgardens in Sydney. It was a life-size poster displayed in the window of a women's underwear store aimed to capture the attention of everyone walking past.



The extra-picture context is interesting. The extra-picture context is largely neutral – there is no particular reason why one would be thinking about sex on the way to Woolworths.<sup>18</sup> However, it is in the shopfront of a women's underwear store – and advertising lingerie in the context of women's underwear is perfectly legitimate. The problem is that men wandering past to Woolworths, having no intention of thinking or doing anything sexual will have their attention captured by Picture *Lingerie* (as it also has Desire and Nudity, explained below). On the presumption that

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<sup>18</sup> Or EzyDVD or Rebel or Hoyts or David Jones etc.



avoiding the store (that is if one knows it is there to avoid in the first place) is unreasonable, that would make the advertisement unacceptable. This is because although there is some relevant extra-picture context (the women's underwear store) it is mostly neutral – a shopping centre being not somewhere sex is expected to be and not somewhere men could or should be made to avoid even if sex could reasonably be expected. However, if *Lingerie* faced *into* the store, or was otherwise located within the store,<sup>19</sup> it would be in a fully legitimate extra-picture context. This is because if one goes into a store selling lingerie, sexual content of some sort can be expected. Because of this, men preferring not to unwittingly see it need simply not go into the women's underwear store – not somewhere men often go anyway, so they can reasonably be expected to avoid it. Or, if men do go in, they will be aware beforehand that sexual content is contained therein and can put up their 'defenses'. Essentially, they would be given the benefit that viewers of television and movies are given – the ability to make an *informed* choice, before viewing, about whether they want to expose themselves to “sexual references”, “sex scenes”, “nudity” and so on.

In-picture context, as mentioned, is probably more often relevant to regulating advertisements. This is because in-picture context determines whether an advertisement is appropriate to all places or only appropriate with extra-picture context, and because images with equal amounts of both Nudity and Desire may be classified differently because of the in-picture context. As extra-picture context is the context outside the advertisement, in-picture context is the context in the advertisement – is the advertisement a beach scene, a hotel, the local pub, a school, etc. The reason this is relevant is mostly obvious; a woman in a bikini on a beach is normal,<sup>20</sup> whereas a woman in a bikini on a construction site is not. This difference in normalcy contributes to the level of sexual content. One reason is that expected sexual content is not as exciting, which is one of the reasons why pornography requires increased consumption<sup>21</sup> over time to achieve the same level of arousal.<sup>22</sup> For

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<sup>19</sup> This says nothing about the objectification of women and body image issues such advertisements contribute to regardless of the audience, and therefore perhaps they should not be permitted altogether. But, if men's concerns are the sole consideration, such advertisements are mostly innocuous if located in an appropriate extra-picture context.

<sup>20</sup> Being normal doesn't mean it isn't tempting to men though

<sup>21</sup> And differentiated consumption – basically a progression of perversion on a continuum from 'normal' pornography all the way to snuff films, bestiality and so on.

<sup>22</sup> If you were thinking “Hey, that's what narcotics addiction is like.”, then you'd be correct. Pornography use behaves similarly to a drug addiction.



example, *Scuba* above is brimming with in-picture context. Not only is the scene somewhere sexual content is normal (a beach<sup>23</sup>), the product being sold (a snorkel set) is relevant to that scene. Combined with the small amount of Nudity and Desire (explained below), this means there is nothing especially sexual about the advertisement.<sup>24</sup>

This is in direct contrast to *Bardot*, where the in-picture context increases the sexual content of the advertisement. Firstly, there is little in-picture context, in order that your attention is drawn to the woman (who displays ample Desire and Nudity). Second, the present in-picture context is not of any scene that sexual content is to be expected. Third, the product being advertised is not related to sexual content, or a product related to an activity related to sexual content (such as the snorkel was). Last, leopard skin is meme in Australian society for sexual availability or wanting to appear sexually desirable.

<sup>23</sup> It will be explained below why beaches often contain sexual content.

<sup>24</sup> For the purposes of the example, other factors that are not relevant to in-picture context (such as advertisement size), have not been discussed.



Therefore, it can be surmised that the in-picture context can increase the sexual content in an advertisement, and is therefore a relevant consideration when determining whether an advertisement is appropriate.

## Desire

Desire is perhaps the weightiest factor when determining the sexual content and appropriateness of an advertisement. Desire here means ‘wanting or coveting, particularly sexual wanting or coveting’. This is more determinative than Nudity of the total sexual content of an advertisement. This is because the brain is the primary sexual organ and what it finds most attractive is someone else showing desire for it.<sup>25</sup>

<sup>26</sup> An important determinant is eye contact – very few advertisements that contain Desire do not have eye contact.<sup>27</sup> The difference between two advertisements that are exactly the same, bar one has a woman making eye contact and one does not, is quite substantial. *Lingerie* is an example where Desire is present. The woman in the advertisement is making eye contact, and her expression is one of desire. It follows that she desires what she is looking at, which is the viewer.

To demonstrate this point, the next picture, Picture *Pandora*, is full of desire<sup>28</sup> – and this is without any nudity or in-picture context to imply sexual content. The

<sup>25</sup> The fact a lady desires a gentleman is much more arousing and attractive than her body in and of itself.

<sup>26</sup> This sentence is a slight oversimplification of the research, but is true for the purposes used here.

<sup>27</sup> However, eye contact is not inherently desirous.

<sup>28</sup> Another good example is the lead up to the first sex scene in *The Time Traveller's Wife*. Rachael McAdams goes into Eric Bana's flat, and he runs around worried about the mess but the entire time McAdams is just looking at him, with this expression of pure, unabashed, intense carnal sexual desire for him.



model is again making eye contact with the viewer, a hint of a smile, exposing her forearm,<sup>29</sup> how clothed she is is unclear and the dark shades give her an air of mystique.<sup>30</sup> This demonstrates that Desire is a separate issue to Nudity.

But, the personal connection with the viewer is not necessary for Desire to be present. Advertisements may just include a model demonstrating sexual desires<sup>31</sup> which is quite enough to entice men into thinking sexual thoughts. *Lamb* is an example. Here, the model is presented in a stylised way,<sup>32</sup> with an indisputably sexual facial expression and the lamb kebab going into her mouth – heavily implying fellatio. The underlying message is clear; Lamb is very good, as good as sex, therefore you want lamb.

<sup>29</sup> A sign of intimacy – similar to, but less potent than, exposing one's neck.

<sup>30</sup> Drawing you in, making you curious – similar to why being an 'International Man of Mystery' is an attractive quality.

<sup>31</sup> Or any sort of sexual thoughts at all.

<sup>32</sup> Use of red, the flowing hair...





Clearly, Desire, especially sexual desire, is a strong factor in how viewers, particularly men, will respond to an advertisement, so much so that it may cause a sexual response without any Nudity or sexual extra/in-picture context.

### **Nudity**

Nudity<sup>33</sup> is the most common way of unabashedly<sup>34</sup> marking something as sexual content. Pornography would not work if the actors wore clothes, and sex scenes containing nudity are rated more highly than sex scenes where the sex is only

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<sup>33</sup> Nudity here is used to mean level of nakedness. To be completely un-nude, one would have all of their skin covered. It is a personal preference as to what constitutes acceptable nudity in society (a bikini? Covering to the knees? A hijab?) but the general argument is to side conservatively - it benefits many and harms none.

<sup>34</sup> As opposed to Desire and Context, which are subtle(er).

implied.<sup>35</sup> Nudity is also recognised in society as something needing regulation – hence restrictions on pornography, higher ratings for movies with nudity scenes, laws about nudity in public and so on. This is partly because men, generally, are strongly visual when it comes to sex.<sup>36</sup> As a result, Nudity in advertising also needs regulation. It is an easy way to distract men, and prevent them from being able to make an informed decision about the content they view.

However, Nudity is not always inappropriate or sexual. An example is *48 Hours*. Here, the Nudity is required to make the point – using this product will result in your body looking like this.<sup>37</sup> That cannot easily be shown without Nudity. Combined with the lack of Desire (no head shown with which to make eye contact/look desiringly), appropriate in-picture context (neutral) and appropriate extra-picture context (in a pharmacy), *48 Hours* is unlikely to prompt a sexual response in the viewer.

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<sup>35</sup> The difference between M and MA, perhaps.

<sup>36</sup> This is because the underlying factors of a women's attractiveness – youth and fertility – are visible, compared to men's attractiveness – resources and power – that are not.

<sup>37</sup> The truthfulness of such an advertisement will not be discussed here.



A more perplexing example is Picture *White Underwear* (See Appendix Three). Displayed in the same place as *Lingerie*, and containing the same level of Nudity, it seems it belongs in the same category. However, without the desirous look contained in *Lingerie* it is not so sexual. But, it is naked to the extent that it could easily cause a sexual response in the viewer. So, even though *White Underwear* does not seem sexual, or have the intent to be sexual,<sup>38</sup> it is still not appropriate for the public domain without extra-picture context.

Basically, although Nudity – real or implied (as in *Bardot*) – is exponentially more sexual when coupled with Desire or a sexual in/extra-picture context, it can be enough in and of itself to be unhelpful for men, even if there is no sexual intent behind the advertisement.

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<sup>38</sup> As evidenced by the facial expression. It is the same as the facial expression used in women's fashion advertising (see Appendix Two), and as mentioned above women's fashion does not generally use sex to sell, because men are not the targets of women's fashion advertising.





### Puzzle

So far, the examples have been straightforward. However, some advertisements are in a hard to determine middle ground, such as *Playtex*. *Playtex* has non-sexual extra-picture context, suggestively vague in-picture context (similar to *Pandora*), some Desire – model is making eye contact, and the facial expression appears exactly half Desire (as in Picture *Lingerie*) and half just smiling (as in *White Underwear*) – and there is Nudity, but some of it is implied rather than graphic. Is it



appropriate then? Maybe, maybe not. That is what the *Classification Board* would determine should outdoor advertisements be included in their charter.

## **Recommendations**

Finally, some suggestions and practical recommendations:

- This submission suggests that all forms of advertising be required to undergo classification prior to implementation.
- This submission suggests that the effects of advertising - particularly on men's immediate thoughts but also women's objectification, body image issues, etcetera – be taken into consideration when classifying advertisements.
- This submission suggests that such considerations always take precedence over advertisers' want to advertise in a particular way or place.
- This submission recommends that advertisements be precluded from using sex, in a very broad sense, to sell products that are not inherently sexual.
- This submission recommends that all locations, where extra-picture context is not sexual or expected to be sexual, be restricted to advertisements that are G rating or equivalent.
- This submission recommends that the viewers right to make an informed choice about the content they view before they view it be held in high esteem.

## **Conclusion**

In conclusion, there are many advertisements<sup>39</sup> that are of a sexual nature that viewers may not want to view, or not want their children to view. Further, in the current environment viewers are unable to make an informed choice about the content they view in any public place. Lastly, Nudity, Desire and Context are the three main factors that contribute to an advertisements sexualness, and are therefore three good factors to use as criteria for classifying an advertisement.

## **Epilogue**

Appendix One contains photos of advertisements deemed Inappropriate. Appendix Two contains photos of advertisements deemed Appropriate. Appendix Three contains photos of advertisements deemed Unsure. Appendix Four is an exchange from Facebook that may be of interest.

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<sup>39</sup> Or in the case of magazines, such as those sold in petrol stations (see Appendix One), products rather than advertisements.