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Pornography as a creative industry: challenging the exceptionalist approach to pornography

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ABSTRACT

Much academic writing on pornography takes an exceptionalist approach, focusing on the ways it is different from other forms of culture. By contrast, this article – focusing on pornography as an industry – argues that in many ways it is similar to other forms of culture. In the production of pornography, producers make most money; ‘creatives’, including performers, mostly lack creative control, do not make lots of money and have short, nomadic careers; the business is facing challenges from increased digitalization; and the solutions to these challenges lie in branding, niche marketing and exploiting new technological possibilities. This perspective then allows us more clearly to see what is unusual about the pornography industry – particularly around the experience of stigma and workplace health and safety.

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Pornography and exceptionalism

There is a tendency in both academic and journalistic writing about pornography to take an exceptionalist approach in which the genre is presented as being somehow qualitatively different from other forms of culture. All culture might be sexist – but pornography is in some way the source of all sexism (Bronstein 2011). There may be many forms of culture that are unhelpful for young people’s healthy sexual development – but pornography is unfailingly identified as the most harmful (Zillmann 2000). All culture might be produced within a capitalist system – but it is pornography that is accused of exploiting its workers (Simonton and Smith 2004).

The argument of this article is straightforward: that claims for pornography’s exceptionalism can be maintained only by ignoring other forms of culture. When we make comparisons between pornography and other forms of culture we begin to see the many similarities they share.

I have previously argued, for example, that several aspects of pornography’s aesthetics can best be explained by its function as entertainment, rather than being specific to pornography itself (McKee 2012b). Pornography is indeed vulgar (Dines 2010) – but this is an important element of the aesthetic system of entertainment more widely. Pornography focuses on sex for fun rather than for intimacy or procreation (Zillmann 2000); and fun is a key characteristic across entertainment as a whole. Pornography has a tendency to

present body-punishing spectacles (Jensen and Dines 1998) – but when we consider it alongside circuses, action films and arguably even sports we can see that its search for bodily spectacle is not atypical of entertainment.

This is not to say that there is nothing specific to the production, distribution and consumption of pornography. Indeed, it is vital that in order to understand any cultural form we pay attention to its particular histories and contexts in order to understand why it takes the forms it does (Kendrick 1996). It is for precisely this reason that it is useful to understand the ways in which pornography is similar to other forms of culture – for then we can see more clearly what is, in fact, different about it.

Pornography as a creative industry

Pornography is big business. In the United States alone, in 2010 estimates for the size of the pornography industry ranged from \$8 billion to \$13 billion (Szalai 2010). This fact is commonly used by anti-pornography activists to argue for the industry's exceptionalism (Whisnant 2004, 16; Jeffreys 2009, 66; Tankard Reist and Bray 2011). But is pornography really that different from other large creative industries? This question has not been addressed by researchers. Despite the size of the sector, as Georgina Voss has shown, business researchers have not typically studied pornography in the way they would study other industries, so comparative data are not easily available. Business researchers have proven surprisingly uninterested in the pornography industry's 'social dynamics, the industry structure, or the revenue models used':

Examinations of employees of pornography firms occur at the micro-level of the individual and their personal motivations, rather than from the perspective of firm- and industry-level socio-economic contexts in which these activities occur. Much of this examination focuses on individuals who are directly bodily involved in the production of sexually explicit material through their roles as actors and models rather than on those who are involved in the more business-related aspects including managers, accountants, and technicians. (Voss 2012, 393)

Voss argues that this has been the case because business researchers are worried that to study it as a 'normal business' would 'legitimize pornography' (2012, 394). Such a worry means that pornography, once again, retains its exceptional status – precisely because comparisons cannot be made across industry sectors.

However, there is now emerging substantial academic research on the creative industries:

those industries which have their origin in individual creativity, skill and talent and which have a potential for wealth and job creation through the generation and exploitation of intellectual property. (DCMS 2001, 4)

The creative industries differ from other industrial sectors in having 'high levels of "creative intensity" – that is, the proportion of the workforce in creative occupations' (DCMS 2014, 4). They place 'creatives' (a more inclusive term than 'artists', including those workers who create entertainment as well as those who create art) at the heart of what they do. While there are shared factors across these industries, they are also commonly grouped into sub-sectors: advertising and marketing; architecture; crafts; design; film, television, radio and photography; information technology, software and computer services; publishing; museums, libraries and galleries; and music performing and visual arts (DCMS 2014). In

this article I align pornography particularly with the subsector of film, television, radio and photography, although it could also be linked to others – such as design or visual arts – in ways that would bring out different aspects of the industry. As I show in the following, there are a number of important similarities between pornography and film, television, radio and photography – and understanding pornography as part of this subsector can usefully illuminate aspects of its working practices.

I am not the first person to explore the ways in which aspects of the pornography industry are similar to the practices of other creative industries – Biasin and Zecca (2009), for example, argue that contemporary pornography uses branding strategies similar to those used in other creative sectors. In this article I argue that such an approach allows us to make a more fundamental argument against the exceptionalism of much writing on pornography by illustrating the similarities between the production practices across the creative industries.

Take the example of Taylor Marsh, who worked as the managing editor of the pornographic website Danni's Hard Drive. She tells how, in recruiting staff into the company she would look specifically for people who had transferable talents from other sectors of the creative industries:

The first line on his resume stated that he'd managed the talent for Barnum and Bailey Circus. That was all I needed to know. Anyone who could manage circus talent definitely had the qualifications to coordinate the crew I needed managed, the strippers, models, and XXX-rated porn actresses of the adult entertainment industry. (Marsh 2004, 250)

Circuses and pornography are both creative industries – and it would appear that some of the skills used in one might be transferable to the other. Placing the pornographic industry into this context allows us to make some comparisons and see the ways in which pornography production and distribution are similar to other forms of cultural production – and the ways in which the pornography industry differs from others.

In this article I consider that part of the pornography industry which might be called 'Big Porn Inc' (Tankard Reist and Bray 2011) – consisting of those large-scale businesses, based in America (The Economist 2011, 64), that still supply a large proportion of the commercial pornography to the internet (Jacobs 2007, 30) – in order to compare the mainstream of this with other creative industries. There also exist other forms of pornography production – including feminist, political-activist and amateur pornography, as well as emerging commercial industries in developing countries. Each of these deserves its own analysis.

How pornography is like other creative industries

Non-performer workers in pornography can have experiences similar to workers in other industries

For many workers in pornography, much of their everyday experience is similar to that in other creative industries – or indeed in any other industry. When people talk about working in pornography, they often think automatically about the people in front of the camera, but this is only a small part of the pornographic workforce. As Laura Agustín (2005, 618) points out, the sex industry also includes large numbers of 'non-sexual employees' including, for example, 'drivers, accountants, lawyers, doctors ... newspaper and magazine editors [and] Internet entrepreneurs', as well as designers, advertising sales

people, office managers and so on. For many of these workers, a job in the pornography industry can be like any other office job. For example, Taylor Marsh writes that 'The [Danni's Hard Drive] offices were painted bright white, the walls adorned with paintings and a few articles featuring Danni', and that 'you didn't feel like you were in a smut shop, but just a regular place of work' (Marsh 2004, 244). There is one significant exception to this similarity, however – non-performers are also aware of the stigma of working in this industry.

Most performers do not become 'stars'

Although the pornography industry commonly refers to all performers as 'porn stars' this term is misleading. In reality only a tiny minority of performers reach 'star' status.

This is true across the creative industries generally (Deuze 2006). Researchers have coined the term 'precarious labor' to describe the experience of working in any of the creative industries (Ross 2009). Andrew Ross points out that it is no longer possible for young people entering the workplace to hope for 'a fixed pattern of employment' across their lifetimes and that 'job security' is increasingly unusual (2009, 2). Researchers on the creative industries have noted the 'Creativity hype', which celebrates the pleasures of working in these industries, but also the tendency 'to ignore or, conversely, sugarcoat the precarious employment situations prevalent in the sectors it champions' (de Peuter 2011, 418).

For the small minority of performers who do reach star status, the experience can be positive (The Economist 1999, 56; Adams in Cavuto 2003). But the vast majority of performers in pornography do not typically make a lot of money out of it (Simonton and Smith 2004). Abbott notes that 'annual incomes generated ... typically approximate middle-class earnings'. At the professional level, 'actresses receive between \$300 [for masturbation or girl on girl] and \$1000 [for anal sex or double penetrations] for an individual scene' (Abbott 2010, 50).

Those performers who do not become stars are also likely to find themselves with little creative input into the final product. The industry's biggest stars may have a say over who they will perform with and what they will do, but the average performer in the pornography industry has less leverage and fewer options if they want to work (Amis 2001).

In this, pornography is much like other creative industries. Performing is one of the most difficult professions in which to succeed. A very small number of actors become stars but the vast majority, if they work at all, make money as 'supporting artists' or extras: the 'least powerful' people in the film and television industry (Johnson 2009). These performers can expect little respect: they are often treated like objects, their bodies discussed as though they are not there:

'Quite often you get talked about as if you're merely an inanimate prop,' says Chloe Franks, a fellow extra. 'I remember some costume ladies bustling around me as I was standing timorously in corset and knickers, saying, "Well, she is very small isn't she? With incredibly big feet!"' (Johnson 2009).

Most actors in pornography have an experience similar to that of extras: lack of job security, short periods of intense hard work, lack of creative control and ageism meaning that careers are often over when people are still relatively young.

Producers make the real money

The typical pornography performer does not become rich from working in the industry. By contrast, the producers of pornography – often men who have never appeared in front of the camera themselves – are the ones who can make big money from the productions (Szalai 2010).

Researchers have demonstrated that this is not unique to the pornography industry, but is more generally the case across the creative industries. Collis, McKee, and Hamley note that:

the ‘producer’ category is a central defining feature of entertainment. Art can be created by an artist purely for the purpose of self expression. Entertainment always has an audience in mind, and the question of how to make money from that audience to pay for the product is central to the development of all entertainment projects. (2010, 922)

The producer combines creative, legal and business skills, generates ideas for projects, finds the finance for them, project manages the creation of product and then oversees its distribution:

Producing successful entertainment requires an understanding of the history of entertainment, and of the global landscape of current entertainment cultures. It requires an understanding of creative processes, storytelling, and working with creative teams. It requires a deep and critical understanding of audiences: their cultures, beliefs, values, and concerns. It also requires strong business skills, such as developing business plans, marketing, financing, and basic accountancy. Finally, successful entertainment producers need to understand the basics of entertainment law: copyright, contracts, health and safety, and intellectual property. (Collis, McKee, and Hamley 2010, 921–933).

In Hollywood, and indeed all film and television systems around the world – with the exception of a small number of unrepresentative stars who can earn huge salaries – most of the money in pornography is made by the producers (Spark Tech Talk 2012). An important aspect of this behind-the-scenes work – in all creative industries – is distribution. Distributors ‘solicit content from companies and prepare it for global distribution’ (Jacobs 2007, 12; see also Russo 1998, 23; Jeffreys 2009, 67; Ray 2010; Reeve 2010). Distributors have real power in the pornography business as they do across the content-driven creative industries.

Much labour is ‘nomadic’

Very few of the creatives working in pornography – whether performers, directors, camera-people or editors – have full-time jobs with regular hours, a guaranteed salary, health insurance and a pension. They work in the system of ‘nomadic labour’ (Caldwell 2008, 113), moving from job to job under the ‘lucrative impermanence of contract labor’ (2008, 193). Sharon Abbott (2010, 61) notes that: ‘It is not uncommon for arrangements about future work to be made while on the set of another project’. In order to get the next job, the porn actor must be ‘professional and competent’: ‘arrive on time, have all necessary paperwork available (identification and HIV test results), be cooperative and be willing to stay overtime’ (2010, 54).

Once again, the experience of nomadic labour is not specific to pornography: researchers are increasingly identifying this as a defining feature of the creative industries more

broadly. Creative industry jobs generally are characterized by 'high levels of insecurity, casualization and long working hours' (Hesmondhalgh and Baker 2011, 6). For film and television, in a 'post-studio, post-[television] network age of contracted independent production', this means 'short employee tenure and little company loyalty' (Caldwell 2008, 146). Vicki Mayer's ethnographic account of camerapeople who produce footage for 'soft-core reality video' shows like *Girls Gone Wild*, emphasizes the precariousness of this work:

Typically men spent twelve to eighteen hours on their feet ... [facing] Spilt beer, flying confetti and whizzing beads [and] potentially damaged equipment ... Given levels of intoxication on the streets, fights and shouting were common ... [and t]he actual material compensation for this labor was also questionable. Men talked about receiving far less than they were promised or expected. (Mayer 2008, 104)

For Mayer, the situation of these camerapeople is not specific to pornography – in fact, she argues that their situation is typical of television more generally. In exchange for putting up with these poor working conditions, the creative industries are sold as being intrinsically satisfying, and 'their packaging of mental challenges and sensuous self-immersion is associated with a surfeit of pleasure and satisfaction' (Ross 2009, 18). Once again we can see this in the pornography industry, where some performers nominate intrinsic rewards rather than the pay as their reason for doing the work: freedom and independence; opportunity and sociability; and being naughty and having sex (Abbott 2010, 50–58):

a number of my respondents reported that they turned to the adult industry because it offered them what they wanted in a job – namely, flexible hours, good money and fun. It is not a blocked opportunity but an understanding of the often inflexible and demanding nature of conventional work that motivates entry into pornography. (Abbott 2010, 53)

Digital distribution is challenging traditional business models

Many writers have noted that the internet has changed the way in which the pornography industry operates (Attwood 2010; Dines 2010; Campbell 2014). One of the key differences is that it is now simultaneously more difficult to make big money from pornography than was previously the case, while being easier to make small amounts of money:

The piracy has killed the [Big Porn Inc] industry. I'd say 80 percent of the companies that were around five years ago either don't exist or are hanging by a thread. The day a new video comes out, within 24 hours, someone has set up a tripod in front of their TV to copy it and then uploaded it illegally. (Cummings quoted in Moye 2013)

In the golden age of pornography profits, from about the mid twentieth century (the invention of *Playboy*) to the early twenty-first century (the maturation of the internet), pornographic businesses were able to work with 'high profit margins' (Coopersmith 1998, 99). This is no longer the case. The rise of pirating in particular, as well as amateur material, has challenged the market dominance of 'old style pornocrats' and share prices are dropping (The Economist 2011, 64). The industry is becoming more competitive, and 'companies are consolidating' (The Economist 2011, 64). Whereas in the previous business model the producers made the money out of pornography, in the aftermath of digital disruption – to the extent that anyone continues to make money out of pornography – the pendulum has shifted towards distributors.

Once again this is not unique to the pornography industry. The internet has ‘disrupted old business models’ (The Economist 2011, 64) for mainstream film, television, music and games companies too. The strategies used to attempt to remain profitable in this changing audiovisual landscape are the same across the creative industries – including pornography. One strategy is to make content available more easily, across multiple platforms, at a low per-unit cost – the ‘iTunes model’ which has also been taken up by some mainstream porn companies (Hirsch quoted in Hachman 2011). Another is to focus on producing high-quality productions that people are willing to pay for, and making this part of your branding – the ‘HBO model’ that has also been taken up by Vivid Entertainment (2009a, 2009b). A third is to create non-piratable merchandise associated with your audiovisual content – the ‘Hollywood blockbuster’ model (Caldwell 2008, 233). People may steal the movie, but they will still pay for the associated merchandise. This model has been taken up by brands like Playboy:

Other big brands like Hustler and Playboy have chosen to diversify, and now trade on their names as much as their naughtiness. Playboy gets [licensing rights] from the bunnies that adorn clothing and other consumer-goods worldwide. One of the most profitable parts of Hustler’s business is its casino in Los Angeles. (The Economist 2011, 64)

A final strategy is to target niche markets who want material that is not commonly shared online – perhaps we could call this the ‘Christian Broadcasting Network model’. Following market niches there now exist internet pornography sites where:

people of all genders, sexual orientations, fetish interests, or finicky desires can find ready opportunities to explore the surfaces and depths of their erotic interests. (Waskul 2004, 5)

Cumulatively these strategies represent the collapse of traditional ‘Big Porn Inc’. The idea that monolithic companies, producing a homogeneous product, hold all of the power over consumers and can thus make spectacular profits very much belongs to a pre-digital world.

We can understand many aspects of the pornography industry by placing it in the context of the creative industries more generally. The experience of non-performers and of performers, the distribution of profits and responses to the challenges of digital distribution – these aspects of the industry are readily explicable by its nature as part of the creative industries.

How pornography is different from other creative industries

Identifying those elements of the pornography industry which are similar to other creative industries serves a useful purpose by bringing into clearer relief those aspects that are different. Two elements stand out: the experience of stigma; and the specificity of workplace health and safety in the pornographic industries.¹

Working in pornography brings associated stigma

Taylor Marsh, quoted above, says that in some ways her workplace as an editor for a pornographic website was just like any other office. But she also notes that:

Everyone working in the office had an alias or web persona ... Because of the nature of our work online ... real identities are guarded rather closely, which is understandable ... The stigma behind working in porn remains large. (Marsh 2004, 243)

In one study of female sex workers in Australia, the issue of 'community attitudes towards the industry' (47%) was more of a worry for them than 'their personal safety' (38%) (Groves et al. 2008, 393). In another study, sex workers talked about having to live a 'double life' where they felt:

they were forced to lie about their job to family and friends, they had a 'working' name and a 'real' name. Participants described it as 'hard work' maintaining their double lives and that it could lead to feelings of guilt and anxiety. (Begum et al. 2013, 95)

The degree to which this stigma survives for female porn stars in 2014 can be seen in the case of Belle Knox, a student at Duke University who was 'outed' as a porn performer and then became the focus of a heated controversy, 'slut shaming' and death threats (O'Connor 2014). Despite this stigma, however, it is worth noting that a study published in 2012 found that female pornography performers had 'higher levels of self-esteem, positive feelings, social support, sexual satisfaction and spirituality' compared with a control group of women matched on age, ethnicity and marital status (Griffith et al. 2013, 621).

The existence of social stigma also affects the question of what to do once a career in sex work is over. Monique Foster (2010, 16) warns that 'many employers out there ... will not hire you (and possibly fire you) if they find out you've worked in the porn industry' (see also Jeffreys 2009, 77; Abbott 2010, 60; Begum et al. 2013, 92). Perhaps because of the limitations that such stigma places on moving into other job sectors, increasing numbers of actors – including women – are moving into the more lucrative producer roles after (or as well as) their performance work. Actors such as Candida Royalle, Nina Hartley and Danni Ashe are among the more famous actors-turned-producers in pornography (Marsh 2004, 246). There also now exists a genre of books telling anyone who is interested how to be a pornography small business person (West 2005; Spriggs 2008; Miller 2009; Brown 2010) – including those written by female porn actors-turned-entrepreneurs (Sharlot 2003; King 2009).

Workplace health and safety involves more disease risk

Workplace health and safety is a central issue in all film and television production (Caldwell 2008, 45) – film sets are dangerous places because the makers are regularly doing untried physical things on each shoot. For this reason it is typical for a risk assessment to be done for each production in the mainstream film and television industry – although this is not always true on low-level cheap, pro-am productions. Partly this focus on health and safety comes about because in the mainstream film and television business – even in America – unionization remains strong. However, in pornography this is not the case, and there is less attention on workplace health and safety in the production of adult material.

Unlike other creative industries, disease prevention is the central (even if not the only) concern for workplace health and safety in the pornography industry. In the United States, the Adult Industry Medical Health Care Foundation (AIM) was launched in 1998 to provide HIV testing and health counselling to sex industry workers, and oversaw shutdowns in production when performers tested positive in 2004 and 2010. Partly in response to these incidents, the County of Los Angeles introduced the so-called 'Measure B' – the County of Los Angeles Safer Sex in the Adult Film Industry Act, which requires all pornography production companies to obtain a license before they shoot sex scenes, and mandates the

use of condoms in productions. Some journalists claim that pornography production in Los Angeles has declined by up to 95% since the introduction of the Measure, with companies moving instead to Los Angeles which has cheaper permits, no health checks and no condom law (Associated Press 2014).

It is not clear whether there is a right and wrong position on the benefits of the condom law for the health of performers. For example, Nina Nartley – a pornography performer, director, trained nurse and sex educator – has argued that:

Shooting scenes with condoms are noticeably more uncomfortable. The friction burn is real – both vaginally and anally. Condoms slip off. Condoms rip. And they get stuck inside. They aren't built to withstand our shoots. (Williams 2012)

On the other hand it is worth noting that the gay pornography industry in the United States has been successfully using condoms as its default setting for many years now.

In 2011 the Adult Industry Medical Health Care Foundation was forced to close after its database was hacked and the personal information of pornographic performers was released on a website called Porn Wikileaks (Anonymous 2013), leading to several lawsuits over privacy infringement. Its closure means that the pornographic industry in California no longer has coordinated HIV testing.

In other parts of the United States – and certainly globally in developing countries which are increasingly emerging as providers of pornographic content (Hughes 2004, 111) – health and safety provisions and support services can be far less developed than is the case for the Big Porn Inc companies.

Conclusion

This article has argued that by comparing pornography with other creative industries we can avoid the default setting of always assuming that it is exceptional and instead identify the points of overlap with – and thus the substantive points of difference from – other forms of cultural production. Although some writers have suggested that the pornography industry is particularly exploitative, a consideration of nomadic labour, the experience of performers in film and television and the distribution of profits and creative power suggests that these are more general traits of the creative industries. The development of niche content and a focus on merchandising is also common across pornography and other creative industries as they respond to the digital environment.

By working out what elements of the pornographic industry are shared with other creative industries, this also brings into relief the elements of the industry that are specific to pornography. The stigma of working in the industry is a clear difference. The lower attention paid to workplace health and safety, as well as the disease focus of Occupational Health and Safety, is particular to the industry.

Pornography has its own specific history and its own generic features. In order to understand the form it is important to understand its specificity. But at the same time it does not well serve our understanding if we start from the assumption that pornography is always and in all ways exceptional and unlike other forms of entertainment in the creative industries. It would be useful to see more historical research on pornography that places it into the history of the development of entertainment as a system more generally. As noted above, I have previously outlined the ways in which the aesthetic system of pornography

is in fact the aesthetic system of entertainment more generally (McKee 2012b). When one considers the history of Western entertainment as a form, one finds over the last 200 years a remarkably consistent and stable aesthetic system. Good entertainment is vulgar. It has a story. Seriality is valued, as is adaptation. Good entertainment has a happy ending. It is interactive, fast, loud and spectacular; it provokes an emotional response in the consumer; and it is fun (McGrath 1982, 54–59; McKee 2012a). It would be invaluable to see historical work that contextualizes pornography by comparing it with its contemporary cultural forms and movements, in order to see what is, in fact, unique about our object of study.

Another contextualizing approach that would shed useful light on pornography – and other forms of sex work – would be research on labour practices that compares pornography with other forms of labour. If one looks only at pornography and ignores all comparisons, one can find examples of terrible treatment of women. But how does that compare with the experiences of women in other jobs? Most research on pornography studiously ignores this question: but when Griffith et al. compared surveys of 177 porn actresses with 177 non-sex worker women matched on age, ethnicity and marital status they found that: ‘porn actresses had higher levels of self-esteem, positive feelings, social support, sexual satisfaction, and spirituality compared to the matched group’ (Griffith et al. 2013, 1). Exceptionalist approaches think that everything about pornography is unique – but this is only because they are looking so closely that they miss the world around the pornography, in which many characteristics are common.

A third useful contextualizing practice would be to move away from studies of whether pornography causes harm to sexual development, and instead to study the wider question – what is healthy sexual development? What role do all forms of culture – families, churches, schools, television, pornography – play in its formation? An odd alliance has emerged in anti-pornography activism between radical feminists and conservative Christians. The alliance is a strange one in the sense that while these two groups can agree about what is bad – sex for fun, commodified sex, sex for pleasure – if they ever risked the question of what is healthy sexuality, they would find nothing to agree on. For radical feminists, traditional marriage and even heterosexuality itself are part of the problem. For them, healthy sexual development would place political duty above pleasure, perhaps promoting political lesbianism, and sometimes rejecting any form of intercourse as a form of patriarchal invasion. By contrast, conservative Christians embrace traditional marriage and gender roles – for them, healthy sexual development would mean the unquestioning acceptance of patriarchal gender roles. The two groups can only work together by carefully refusing to talk about what forms of sexual identity and relationships they would like to see promoted. This works well for political practice – but for academic research, studied ignorance is a weak starting point. By contrast, research that began by specifying what constitutes healthy sexual development would allow us to compare and contrast how different forms of culture – including education and religion as well as entertainment – contribute to that process.

As long as we study pornography in isolation we cannot properly understand how much of our object of study is actually broader cultural movements rather than being specific to pornography as a genre. This article, by exploring the similarities and differences between contemporary pornography and other creative industries, provides an example of how we might move beyond exceptionalist approaches.

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