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Attempts made to suppress it include: outright bans, prohibitions of its sale, censorship or rating schemes that restrict audience numbers, and claims that it is prostitution and thereby subject to regulations governing prostitution. Legal decisions affecting production and consumption of pornography include those relating to its definition, its relationship with prostitution, the definition of obscenity, rulings about personal possession of pornography, and its standing in relation to freedom of expression rights. American advocates for pornography often cite the First Amendment to the United States Constitution, which guarantees freedom of speech; however, under the Miller test established by *Miller v. California*, anything lacking "serious literary, artistic, political, or scientific value" is generally not protected. However, the Supreme Court of the United States held in *Ashcroft v. Free Speech Coalition* (2002) that pornography which involves consenting adults is protected by the First Amendment, even if the models "appear to be" minors but are, in fact, of lawful age, and thus has seen to protect the majority of, but not all, pornography on the basis of first-amendment law.[1] Although pornography dates back thousands of years, its existence in the U.S. can be traced to its 18th-century origins and the influx of foreign trade and immigrants. By the end of the 18th century, France had become the leading country regarding the spread of porn pictures.[2] Porn had become the subject of playing-cards, posters, post cards, and cabinet cards. Prior to this printers were previously limited to engravings, woodcuts, and line cuts for illustrations.[3] As trade increased and more people immigrated from countries with less Puritanical and more relaxed attitudes toward human sexuality, the amount of available visual pornography increased. In 1880, halftone printing was used to reproduce photographs inexpensively for the first time.[4] The invention of halftone printing took pornography and erotica in new directions at the beginning of the 20th century. The new printing processes allowed photographic images to be reproduced easily in black and white. The first porn daguerreotype appeared in 1850 and with the advent of "moving pictures" by the Lumière brothers the first porn film was made soon after the public exhibition of their creation. Pornographic film production commenced almost immediately after the invention of the motion picture in 1895. Two of the earliest pioneers were Eugène Pirou and Albert Kirchner. Kirchner directed the earliest surviving pornographic film for Pirou under the trade name "Léar". The 1896 film, *Le Coucher de la Marie* showed Louise Willy performing a striptease. Pirou's film inspired a genre of risqué French films showing women disrobing and other filmmakers realized profits could be made from such films.[5][6] In the United States, one of the Thomas Edison's first efforts using his methods and equipment for making moving pictures was of a nude woman getting up from her bath tub and running away.[7] In the 20th century, the era of "blue movies" began with the silent films of the 1920s and continued throughout the post-war era as film technology improved and equipment costs were reduced to a consumer affordable level. Particularly with the introduction of the 8mm and super-8 film gauges, popular for the home movie market. Until the advent of electronic and digital video technology, the mass production of pornographic films was tied directly to the mainstream film industry.[8] Beginning in 1969 with *Blue Movie* by Andy Warhol, the subsequent Golden Age of Porn and more permissive legislation, a rise of adult theaters in the United States, and many other countries, developed. There was also a proliferation of coin-operated "movie booths" in sex shops that displayed pornographic "loops" (so called because they projected a movie from film arranged in a continuous loop).[8] By 1982, pornographic film production had switched to the cheaper and more convenient medium of video tape. Many film directors were hesitant to switch because of the different image quality that video tape produced. Those who did make the change benefited from greater profits since consumers preferred the new format. This change moved the films out of the theaters and into people's private homes. This was the end of the age of big budget productions and the beginning of the mainstreaming of pornography. It soon went back to its earthy roots and expanded to cover every fetish possible since video production was inexpensive. Instead of hundreds of pornographic films being made each year, thousands of videos were including compilations of just the sex scenes from various titles.[9][10] In the late 1990s, pornographic films were distributed on DVD. These offered better quality picture and sound than the previous video format and allowed innovations such as "interactive" videos that let users choose such variables as multiple camera angles, multiple endings and computer-only DVD content. The introduction and widespread availability of the Internet further changed the way pornography was distributed. Previously videos would be rented or purchased through mail-order, but with the Internet people could watch pornographic movies on their computers, and instead of waiting weeks for an order to arrive, a movie could be downloaded within minutes (or, later, within a few seconds). As of the 2000s, there were hundreds of adult film companies, releasing tens of thousands of productions, recorded directly on video, with minimal sets. Of late, web-cams and web-cam recordings are again expanding the market. Thousands of pornographic actors work in front of the camera to satisfy pornography consumers' demand while often making money per view. By the 2010s, the fortunes of the pornography industry had changed. With reliably profitable DVD sales being largely supplanted by streaming media delivery over the Internet, competition from pirate, amateur, and low-cost professional content on the Internet had made the industry substantially less profitable, leading to it shrinking in size.[11][12] Much of the pornography produced in the United States is in the form of movies and the branch acutely competes with the Internet. The market is very diverse and ranges from the mainstream heterosexual content to the rarefied S/M, BDSM, interracial sex, ethnic, etc. through enduringly popular gay porn. The female demographic is considered to be the biggest catalyst for pornographic cultural crossover.[22] According to Adella O'Neal, a Digital Playground publicist, in 2000 roughly 9% of the company's consumers were women while four years later that figure has bloomed to 53%. Some subsidiaries of major corporations are the largest pornography sellers, like News Corporation's DirecTV. Comcast, the nation's largest cable company, once pulled in \$50 million from adult programming. Revenues of companies such as Playboy and Hustler were small by comparison.[24] Microsoft has long declined to license development software to game makers whose titles include sexual content. Wal-Mart, America's largest distributor of video games, maintains the policy of selling no games with an AO rating.[25] However, in recent years the pornographic content in video games has been promoted particularly by Playboy. *Playboy: The Mansion* became the first game built around the "Playboy" license.[26] One of the Japanese animation porn movies, which started the American adult video market, was *Urotsukidoji*. The adult animation market exists primarily through direct sales: mail-order to customers, and wholesale to specialty shops which cater to animation and to comic-book fans.[30] The legal framework in both countries regarding the regulation of obscene and pornographic material is overall rather similar.[31] In 2000 the owners and operators of Playgirl.com and scores of other adult sites were charged by the U.S. Federal Trade Commission with illegally billing thousands of consumers for services that were advertised as free, and for billing other consumers who never visited the web sites at all.[37] Nevadan Voice Media Incorporated, which ran several adult sites, was also charged by the commission. Sites often suffer from unauthorized, non-paying surfers who use stolen passwords, which can use month's worth of bandwidth in a day, costing the site operator hundreds or thousands of dollars' worth of additional bandwidth fees, all for traffic that returns no money at all.[38] The 2002 *Paragon Electric Co., Inc. v. Buy This Domain* case ruled that linking domain names to pornographic sites is not per se conclusive of bad-faith registration and use, although it does raise that presumption.[39] The lawful definition of pornography in the U.S. evolved through decades, from the 1960s. In this period, recognizing ambiguities, the term "sexually explicit content" gained use as one of the pornography's euphemisms,[49] but later it was determined that a distinction between pornographic and sexually explicit content is completely artificial.[50][e] In *Miller v. California* the Supreme Court used the definition of pornography made by *Webster's Third New International Dictionary* of 1969 ("a depiction (as in a writing or painting) of licentiousness or lewdness: a portrayal of erotic behavior designed to cause sexual excitement").[51] *Black's Law Dictionary* followed the Miller test and defined pornography as material that taken as a whole the average person, applying contemporary community standards, would find appealing to the prurient interest. *Heinle's Newbury House Dictionary of American English* (2003) defined pornography as "obscene writings, pictures, or films intended to arouse sexual desire". The Antipornography Civil Rights Ordinance defined pornography as the "graphic sexually explicit subordination of women, whether in pictures or in words". The ordinance was ruled unconstitutional by the Federal Appeals Court in *American Booksellers v. Hudnut* in Indianapolis (1985). Courts in California and New York have clearly rejected the argument that the making of pornography is prostitution.[52] (See *California v. Freeman* (1988) and *People v. Paulino* (2005).) The Oregon Supreme Court went even further in *State v. Henry* (1987) by abolishing the legal definition of obscenity in that state, ruling it violated freedom of speech as defined in the state constitution.

