

# Non consensual pornography

The case of social media in Kenya

# Method

- Exploratory design being a relatively new area of study
- Discourse analytical approach

## Sources

Primary sources- Social media analysis

Secondary sources – journals, books

## Analysis

Thematically

# Interchanging terms

- Non consensual pornography
- Revenge porn
- Involuntary pornography
- Cyber rape

# Manifestations

- Affects women disproportionately.
- Sharing photos obtained with or without consent
- ‘Morphing’ – Vulgar manipulation of photos
- Hidden recordings e.g spy cameras ( vigilantism for sexual gratification)
- Filming of sexual assault e.g by rapists for blackmail
- Accidental clips that are titillating to some people
- ‘Parasite porn’
- Hacked photos shared for fun/entertainment (hacking being a field largely dominated by men).

# How harm is carried out

- Making the images appear under the victims name search
- Spreading through social networks
- Used for blackmail, extortion and further harassment

# Reasons for prevalence

- Used to sell blogs and solicit following and reactions from followers in form of twitter hashtags, and blog viewership. *E.g Daily post* <http://www.kenyan-post.com>. Equally *mafisi channel* on telegram with a membership close to 100,000
- ‘Fappening’ and the blurring of consent.
- Hegemonic masculinity and punishing women who go against the grain of acceptable norms of ‘acceptable feminine behavior’
- Availability of a ready audience
- Dissociative effect of online interactions
- Rape culture / victim blaming –dismissed as naivety, and a consequence/risk of using the internet that women should be aware of.

# Effects

- Mental health issues; Suicidal thoughts, depressions, isolation, anxiety e.g Mercy Bundi who committed suicide.
- Job losses e.g miss world Kenya
- Sustained ridicule and harassment both online and offline e.g musician Kaz and minister Karoney
- Slut shaming and ridicule for perceived sexual availability.
- Women shying away from the internet. E.g Kenyan MP Rachel shebesh
- Online reputation used to deny victims opportunities.

# Why is revenge porn so devastating

- Permanent
- Amplified and not localised a victim can not run from the perpetrator who has a permanent weapon.
- Societal views of the human body in both western influenced culture and religion



# Legal challenges

- Not expressly addressed by the law, sexual offences bill 2006, cyber crime act 2018 thus action is based on the subjective interpretation of the issue by the courts and law enforcers.
- Lack of awareness among the public and law enforcers
- Fear of re-victimisation keeps victims silent
- Cost of litigation
- Hopelessness in recovering photos once they have been spread

# Recommendations

- Revenge porn should be understood to be as harmful as physical assault for it is indeed of sexual use without consent. when sexual use without consent happens physically, it is given the name rape. The lack of physical touch in the virtual world shouldn't mean that the harm is any different. ICTY and ICTR ruled sexual assault doesn't require physical touch and forced nudity is an assault.
- Criminalisation - Legal permissiveness of revenge sends a message that the sexual exploitation of women is an acceptable form of entertainment.
- The law needs to be narrowly tailored so as to capture all forms of revenge porn and clearly define them.

- Creation of a strong online civil rights agenda by engaging the public and civil society as it must be recognised that women's rights are also human rights.
- Training of judges, law enforcers, lawyers on what comprises revenge porn