

**Will the Real Digital Girl Please Stand Up?:
Examining the Gap Between Policy Dialogue
and Girls' Accounts of their Digital Existence**

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INTRODUCTION

When feminist scholars first turned their attention to the Internet in the early 1990s, technology was seen as a “boys’ world.” Many worried that online technologies were somehow inherently geared more towards boys, and accordingly there were calls for programs to encourage girls to pursue scientific and technology careers to re-jig the balance (Richards & Schnall, 2003).

Interestingly, the view from 2010 looks very different. Not only are girls more likely than boys to use a computer or laptop at home (94% to 88%), they typically turn to their mothers and not their fathers for answers to their technology questions (50% to 22%) (Hart, Bober & Pine, 2008).

Perhaps even more telling is the fact that the digital content – the blogs, websites, profiles, photos and fan tributes – that populate the online world is more likely to be created by girls than boys (Lenhart, Madden, Smith & Macgill, 2007. See also Mendoza, 2007; Media Awareness Network, 2005; Lenhart, Rainie & Lewis, 2001).

Many of these girls are heavily involved in seeing and being seen through online media.

Researchers report that girls like digital media precisely because it gives them control over their image and self-presentation, which in turn helps them manage their real world social relationships. The decentralized nature of online content creation could accordingly afford girls a space in which to move beyond stereotyped definitions of girlhood traditionally propagated in mainstream media and contribute their own narratives with respect to what it means to be a girl.

However, in this chapter we argue that that potential is constrained by a number of factors,

including the tendency of policy makers to uncritically incorporate mainstream tropes about adolescent and teen girls into their definitions of both the problems young women face online and the solutions that are required to protect them.

Policy discourses around girls and online media are especially important given the various initiatives currently underway to protect children from online dangers and the often unintended consequences this has for girls' online agency. The Council of Europe's (2011) Cybercrime and the Protection of Child from Sexual Exploitation and Abuse campaign, the International Telecommunication Union's (2011) Child Online Protection Initiative, APEC's (2009) project to increase law enforcement capacity regarding the protection of children from online risks and the OECD's (2011) report on the Protection of Children Online all call for legislative and policy efforts to better protect children. A number of countries around the world have taken steps to reform existing laws to address online risks (APEC, 2009a). Some, including Australia, France, Ireland, Japan, New Zealand, Norway and the United Kingdom, have criminalized cybergrooming¹; others, such as Japan Korea and Turkey, have used the criminal law to address specific behaviours which have arisen in the local context, such as the use of online dating sites to arrange dates with minors (OECD, 2011). Several OECD countries, including Australia, Canada and the United Kingdom, have implemented national strategies designed to address online issues through education, policy and law reform (*ibid*).

This chapter draws primarily upon the Canadian example to identify concerning corporate and policy practices that often simultaneously ignore and constrain girls' online agency, with

¹ Cybergrooming is defined as "the use of the Internet by an adult to form a trusting relationship with a child with the intent of having sexual intercourse" (OECD, 2011, p. 20). As discussed in part III below, this activity is addressed as "luring" in Canadian legislation and policy dialogue.

particular implications for girls' capacity to disrupt mainstream memes that have tended to dominate understandings of what it means to be a "girl". Canada provides a useful case study for thinking about these issues for a number of reasons. In 1999, Canada became the first country in the world to wire all of its schools to the internet (Shade and Deschief, 2005) and online media penetration in Canadian homes quickly approximated universal service (Steeves, 2005). Further, the 2010 Digital Influence Index reports that Canadians are more likely to use the Internet to stay in touch with friends and family than any other group studied, and are second only to the Chinese when it comes to mainstream adoption of social networking (Fleishman-Hillard & Harris Interactive, 2010). Finally, Canada was among the very first countries to develop a cyber-safety strategy and Canadian policymakers have since been relatively active in debating and formulating legislation purportedly aimed at risks associated with online interaction that are statistically more likely to affect girls. As such, Canada provides both an interesting window for examining some of the forces that affect girls' agency in relation to a phenomenon that is rapidly expanding in the developed world, as well as a potentially instructive example for other jurisdictions of the ways in which policy making can further affect girls' online agency.

We begin by reviewing the social science findings regarding girls' online experiences, with particular attention on the empowering benefits girls report. We then turn to examine the constraints on that performativity, focusing first on the nexus between commercialism and surveillance on web sites targeting youth and second on criminal policy dialogue relating to online issues. We argue that a sexualized surveillant gaze works to limit the empowering potential of online performance for girls who have incorporated online technologies into their social world. Further, the policy dialogue around online issues has failed to disrupt that

constraining gaze, in some instances ignoring it and in others uncritically incorporating its themes within the terms of the dialogue itself. The structure of the dialogue generates solutions that tend to reinforce paradigms of surveillance and control over individual behaviour and responsibility (including that of girls themselves), while leaving intact the business logics that promote media stereotypes and the commodification of girls' sexuality.

I. IT'S A GIRLS' WORLD: SOCIAL SCIENCE FINDINGS

Girls are not only active users of online media; they also use them for their own purposes. Unlike boys, who tend to spend most of their online time playing games and downloading music, girls prefer to communicate and express themselves (Mendoza, 2007; Media Awareness Network, 2005). But even when boys use online communication technologies, the two genders use them for different reasons. Whereas boys are more likely to use social networking sites (SNS) to find new friends and flirt with strangers, girls rely on SNS to maintain and deepen their existing social relationships (Adams, 2007). For their part, girls are more likely than boys to post a profile, but they are also more likely to take steps to keep that profile private (National Centre for Technology in Education, 2008). Boys who do post profiles, on the other hand, feel more comfortable than girls with disclosing their last name, city/town of residence and cell phone number. At the same time, girls are more likely to be truthful with the information they do post, in contrast with boys who are more likely to lie (Lenhart & Madden, 2007).

Girls are particularly concerned about disclosing information that could be linked to their real world location *because* they are girls. In the words of one middle school girl:

If they can access you, like person to person or in any way other than [the internet], it's not okay...Like if they can...talk to you, if they can find out where you live, that's not okay. If you're putting anyone in danger, it's not all right (Lenhart & Madden, 2007: 17).

This perception that girls are at risk of being harmed in the real world because of their online activities is reinforced by the fact that online parental supervision is also gendered. Parents of girls are more likely to monitor their online activities than parents of boys (Lenhart & Madden, 2007; Shin, Schriener & Cho, 2009). In the words of two high school boys who participated in the PEW study:

Girls are more vulnerable than guys are... I have two older sisters and my parents tell me that all the time. They let me get away with stuff that they never got away with...

I have an older sister and a younger sister, and I watch over my little sister. They are kind of like are more lenient when she's with me. But if she's not, she's in at 10:00. If she's with me, she can come home at like three, four in the morning. (Lenhart & Madden, 2007: 18)

Interestingly, in spite of girls' interest in using online technologies to explore their world and their identities, navigating the line between the private and the public sphere both online and off is still problematized for them in ways that it is not for boys. Perhaps the best illustration of this is the way that girls manage their online pictures. When boys and girls are young, they tend to post pictures of themselves or friends at an equal rate. By 12-14 years of age, girls begin to be more active posters (39% to 33%); by 15-17, girls are significantly more likely than boys to post pictures of themselves or friends (67% to 48%). Paradoxically, girls, particularly older girls, are

more likely to restrict access “most of the time” to the photos they post (44% to 33% for 12-14 year olds; 49% to 29% for 15-17 year olds) (Lenhart, Madden, Smith & Macgill, 2007).

If you keep in mind what girls like about online media, this apparent contradiction begins to make sense. Researchers report that girls use the Internet: to escape the kinds of things that constrain their movement in the real world; to try on different identities; to maintain their real world social connections, including connections with family; and to create a sense of authenticity by forming real friendships and enjoying a sense of community. Accordingly, it is important for girls to be seen in the online world, but at the same time, it is important that they not be seen “badly” (Shade, 2008).

The Media Awareness Network (2010a) recently conducted an online survey that provides an interesting window into how difficult this visibility can be. Girls were asked, “Have you ever asked someone to remove a photo that you appeared in?” Those who answered yes were asked why. More than half the girls who responded thought they looked ugly or fat in the picture. About one third were worried that the photo would interfere with their relationships with others. The remainder did not want to be shown doing something highly personal or embarrassing.

The control that online media provide over self-presentation is attractive to girls precisely because it enables them to project a certain identity and manage their social relationships. In the words of one survey respondent, “Facebook is like putting on an outfit – you can clothe yourself with different characteristics and display them to your friends and family.” In this sense, networked technologies empower girls by providing them with tools to meet their social goals;

certainly, young women report that they enjoy social media and happily participate in the online world.

II. MIRROR, MIRROR ON THE WALL: MEDIATIZED CONSTRAINTS

However, there is evidence that the empowering potential of online self-presentation for girls – the outfits available to these girls and the identities that they represent – is constrained by two factors that structure their online environment: the prevalence of mainstream media images in the offline and online world that privilege a certain type of identity, one that is physically thin and hyper-sexualized; and the business model behind social media sites that seeks to commodify their social interactions². Surveillance and consumerism come together in the online world to constrain girls’ potential for equality and manipulate their private relationships for commercial purposes, as corporations intentionally structure online media to embed marketing messages and encourage a certain type of consumption and a certain type of consumer.

There are numerous examples of corporate site owners mining the personal information that their users post in order to target advertising. Women who change their Facebook status to “Engaged” report being flooded with ads for weight-loss programs, skin treatments and wedding photographers. Certainly dieting and plastic surgery ads are prevalent on girls’ social media pages³. However, corporations go well beyond advertising in order to promote both products

² Although reports indicate that young people have eclectic preferences online, the vast majority of the time they spend their online time on commercial sites (Media Awareness Network, 2005; Steeves, 2005).

³ The discussion on the Facebook group “sick of sexist ads on my Facebook screen” (2010) indicates that some young women are aware of, and offended by, these kinds of practices. The following comments are typical:
 we know they are targeted, that's why we're pissed. i am a woman, but that doesn't automatically mean i want to lose weight. or remove hair. or get freakin liposuction. i have certainly not entered any information into my profile to indicate that i hate my body, yet this is somehow concluded about me because... i'm a young woman.

and attitudes. Fanta and Nintendo are among a group of companies that pay children as young as seven around \$50 a week to plug their brands as they talk to their friends on Facebook and Bebo. Coca Cola, Cheestrings and Mattel offer product vouchers on a points system to their “mini-marketers”. Recruits are told to “think deeply about how you would describe it to your best friend ... Write down the key points in your own words and make sure it doesn’t sound too rehearsed. Be natural; be you” (Walsh & Dowling, 2010).

But, as one of their mini-marketers, 12 year old Gemma, reports, children often change who they are to suit the job:

Sometimes, like on a 50-point mission, they’ll have something about say, the Jonas Brothers, and because I want to get the 50 points, I’ll promote them even though I’m not a massive fan (*ibid*).

Marketers expressly play on this ability to shift identity, especially for girls. As marketing guru Anastasia Goodstein (2008) notes, it is important to:

Know your audience. Boys and girls, and teens and tweens use the Internet differently – and you’ll want to tweak your strategy to take advantage of those differences. Teenage boys, for example, create and upload more videos onto sites like YouTube. But girls spend more time designing, decorating, blogging, commenting, and communicating on social networking sites (43).

Please do not tell anyone to ‘calm down.’ That the ads are targeted is exactly the point. Why is being a woman so tied to dieting? Lauren Conrad’s miraculous 10 lb weight loss has nothing to do with my life and yet I must be reminded of it constantly, apparently. Women are constantly reminded of weight loss -- ever...ywhere. It is perfectly rational, and not hysterical as implied, to be sick of being bombarded with ads telling us that there is something horribly wrong with our bodies. There is nothing on my profile suggesting that I hate my body, but clearly, based upon my gender, the ads are accurately targeted.

Because of that, she advises marketers to get to know the philanthropic causes that interest girls because it is a good way to gain their trust and generate product interest that is invaluable to advertisers.

One of the most interesting exemplars of this is Seventeen Magazine's Body Peace Project on Facebook. The project was created ostensibly to help girls deal with a bad body image. The debate over girls' body image is not new or restricted to the online environment, and a number of scholars have documented the effect of the airbrushed bodies embedded in media everywhere that are so unattainable that "even supermodels don't look like supermodels."⁴ There are a number of studies that link exposure to these kinds of representations to depression, loss of self esteem and unhealthy eating patterns in girls (see, for e.g., Rodgers, Sales & Chabrol, 2010; Jimenez-Cruz & Silva-Gutierrez, 2010; Wilksch & Wade, 2009; Bessenoff, 2006).

But negative body images are also big business. The diet industry alone is worth \$100 billion US a year. Marketers also believe that thin will help them sell their products to girls and young women. Approximately six years ago, when the Australian magazine *New Woman* included a picture of a heavy-set model on its cover, it received a truckload of letters from grateful readers praising the move. But its advertisers complained and the magazine returned to featuring bone-thin models. Advertising Age International concluded that the incident "made clear the influence wielded by advertisers who remain convinced that only thin models spur the sales of beauty products" (Media Awareness Network, 2010b).

⁴ "Even supermodels don't look like supermodels" was the early tagline of Dove's Campaign for Real Beauty (<http://www.dove.ca/en/default.aspx#/cfrb/>).

Seventeen's Body Peace Project (2010) was designed to encourage girls to sign a pledge promising that they will have better body images. The site tells girls who are feeling "anxiety or stress about some part of their looks" that they do not need to feel alone – they can "Go to seventeen.com/jess to submit your body image questions and get answers from our body peace expert Jess Weiner!" However, when they do, they are greeted by the same hyper-thin images that they are told to resist, both on the home page and when they search for the Body Peace Project using Seventeen's search engine. When we visited the site in 2009 to capture the images associated with the project, there were 17 messages about dieting and plastic surgery on the Seventeen home page alone.

These internal contradictions remain unexamined because the commercial agenda behind Seventeen Magazine – to deliver advertising that often relies on negative body images to sell products to the girls who read it – is unproblematized in the project's rhetoric. Instead, the project injects itself into girls' online social network, to remind them that it is the girls themselves who are at fault, not the magazine that feeds them the images:

There's a war going on over our bodies. But we're not under attack from other people -- we're the ones who won't stop beating ourselves up. It's time to call a truce!

[I vow to] Quiet that negative little voice in my head when it starts to say mean things about my body that I'd never tolerate anyone else saying about me.

These images are also highly eroticized, and at younger and younger ages. Girl Power for the tween set has now been appropriated by the Pussy Cat Dolls, and local stores sell six 6X thongs and tank tops with Porn Star printed on the front of them. Sexting appears on the same iPhones

that – up until earlier last year – could download apps like Wobble iBoobs that animates girls’ breasts in photos, and Private Dancer, which states “Our girls have some serious moves guaranteed to put you in that special mood” (Jaroslovsky, 2010). Linda Papadopoulos warns, “Both the images we consume and the way we consume them are lending credence to the idea that women are there to be used and that men are there to use them” (quoted in Casciani, 2010).

These are also the same images that many girls use as cultural currency to construct their online identities (Shade, 2008; Adams, 2007). Girls are not only surrounded by them; the design of social media entrenches the legitimacy of a certain kind of body and a certain kind of girl. Montreal-based Do I Look Good encourages young people to post pictures so others can vote on how hot they are. Toronto-based Nexopia, the most popular SNS among Canadian teens, asks members to disclose their height, weight, sexual orientation and dating status on their profiles; teens like 14 year old “Faith” create polls that ask visitors “Am I pretty? Ugly? Gorgeous? Alright?” and advertise their relationship with their “amazing” boyfriends. These are not exceptional cases. Williams and Merten (2008) found that half of teen profiles contain some form of sexual content, 44 percent use sexually explicit or graphic language, and 16 percent talk about their own sexual adventures.

In the early days on the Web, researchers reported that girls found the anonymity they experienced there to be empowering, because it gave them a chance to interact with others without being judged on physical characteristics like body type and facial features. But the business model behind social media is based on tracking individual behaviour, so users are now required to warrant that they are using their real identities and reveal details about their physical

body⁵. Richard Stivers suggests that the networked society has given rise to the “technological personality” - a personality where the individual’s identity is largely defined by her relationship to the communications technologies that structure and support her interpersonal connections. According to Stivers, there’s something about the technological personality that “militates against establishing sincere relationships.” With it, the individual “is left with role-playing and shallow emotions” (2004: 142-43) – alienated, lonely and depressed.

III. MIRROR, MIRROR IN THE LAW: POLICY CONSTRAINTS

Just as in the offline world, the empowering potential of the online world for girls is sapped by the corporate trade in their image and sexuality that constrains choices around the “girls” that they can “do” online. As jurisdictions from around the world move to address issues relating to youth online, including online sexualized self-disclosures (Insafe, 2009 (Europe); Hood, 2011 (Australia); Chetty, 2009 (South Africa)), policymakers have an opportunity to confront the corporate sexualisation agenda that structures girls’ online agency. Based on an analysis primarily focused on the Canadian policymaking experience we identify more generalized mechanisms by which legal tools and policy discourse can be diverted from addressing that agenda. Our analysis broadly yields three kinds of mechanisms: (a) avoiding discussion of girls altogether; or, in the relatively rare moments where girls are specifically addressed; (b) criminalizing girls; or (c) caricaturing them in uni-dimensional and oft-times conflicting ways as sexual provocateurs who are the authors of their own and others’ misfortunes, or as hapless targets in adult male “seduction” fantasies. Conscious awareness of these diversionary

⁵ Facebook, for example, requires users to agree that they “will not provide any false personal information on Facebook, or create an account for anyone other than yourself without permission” (Facebook, 2010); and Nexopia users must post a profile picture that shows “a recognizable portion of the user. Recognizable is defined as a clear portion of the user’s face and/or a sizable portion of the torso” (Nexopia, 2010). Pictures that do not comply are removed by the site.

mechanisms may provide useful lessons should legal authorities and policymakers (not only in Canada, but also elsewhere in the world) wish to initiate policy dialogue and reform that takes seriously the goal of enhancing girls' online agency.

A. Disappearing Girls

By and large, “girls” were strikingly absent from the Canadian parliamentary discussions that we reviewed. “Girls” (and hence their views, perceptions and experiences) were disappeared through gender-neutral talk of “children and youth” who were primarily in need of education, even during the very rare policy moments in which the mainstream trade in hypersexualization was raised. Degendered “children and youth” were variously cast as victims of exposure to sexualized imagery (Stead, 7 April 2005: 0940) and to commodification of their sexuality “because of a society that needs to make money off the treatment of others as second-class citizens” (Wasylycia-Leis, 27 November 2009: 1020). And yet, girls were almost instantly recognizable beneath the veneer of linguistic gender neutrality coating these rare discussions about mainstream commodification, with one member of parliament lamenting magazines’ advertising of fashion through “12-year olds posing poutingly in lingerie” (Fry, 25 September 2003: 1245).⁶

Even in the exceedingly rare instances where hypersexualization was specifically addressed in gendered terms, with one member of parliament noting that as a society we had “taken the wrong direction” through “the objectification, the exploitation, the sexualization of young people, of

⁶ Response to this commentary around media sexualization also de-emphasized its gendered nature and focused on a then ongoing-government study of child sexual exploitation (Morency, 25 September 2003: 1250) that ultimately resulted in only the vaguest of commitments to “encourage media responsibility” around these issues (Canada, 2004: para. 137-139).

children and of women” (Dewar, 29 September 2006: 1350), dialogue once again wandered away from the mainstream industry in favour of responsabilizing children to avoid being victims of the industry and of individual sexual predators.⁷ Education and creating awareness are extremely important components of policy-making in this area, but awareness and accountability rests not just with “children” or with individual sexual predators, but also the mainstream industry that trades on a hyper-sexualized representation of girlhood.

Gender-neutral talk notably also carried over into debate around crimes like online child pornography and luring, which are known to be statistically gendered.⁸ Here again, rare moments of recognition of the gendered nature of the crimes were largely disregarded or rebuked. For example, a Canadian senator who stated in relation to child luring, “this gender neutral stuff is rubbish. We are talking about little girls and guys in this instance, as we often are in cases of rape” (Ruth, 31 May 2007: Senate Debates No. 23) was told the Department of Justice does not “work that way”. Instead, it endeavours to use “completely neutral language to be sure [to] capture the criminal activity regardless of what gender perpetrates it” (Wong, 31 May 2007: Senate Debates No. 23).

Similarly, discussion of mainstream sexualization of girls was effectively precluded through focusing debate on babies and very young children whose sexualization and sexual abuse is less obviously present in mainstream media. Adolescent and teen girls are once again disappeared,

⁷ MP Megan Leslie also advocated for education, rather than just cracking down on online sexual exploitation through criminalization, especially given that, “many children over 12 are actually complicit in some of their own exploitation” (Leslie, 25 November 2009: 1715).

⁸ Girls are more likely to be targeted by luring than boys, with a 2005 U.S. study showing that 70% of those targeted by online sexual solicitations were girls (Morency, 5 February 2007: 1205). Further, a study of over 4000 images of online sexual abuse found that girls were the targets in 83% of the images (Murphy, 25 November 2009: 1610; Murphy, 16 June 2010: 1640).

or the legitimacy of their sexual objectification is tacitly accepted through minimization, with “young children” cast as “the perfect victims” in contrast with 12-year-old adolescents (Gillespie, 7 October 2003: 1215). The less-than-perfect-victim status of older girls was more than once reflected in the debates we reviewed,⁹ with one member of parliament noting, “We are not talking about 14 and 15 year olds. The videos we saw showed two and three year olds....” (Stinson, 3 February 2003: 1730).¹⁰

Much of the child pornography policy discourse that we reviewed, through its almost singular focus on statistics relating to infants and very young children¹¹ and imagery of “a four year old girl in diapers [that had] been shared an estimated 800, 000 times” (Guergis, 25 November 2009: 1530), legitimately deals with extreme and concerning sexual abuse. However, by zeroing in almost exclusively on victims whose sexual exploitation currently falls outside of the acceptable spectrum of mainstream material, the structure of the dialogue affords little opportunity to address widespread corporate exploitation of adolescent and teen girls’ sexuality.

⁹ For example, one member of parliament stated, “I have tried to comprehend the thinking of an adult who thinks it is pleasurable to have sex with infants or very young children, but I just do not understand that type of thinking” (Stoffer, 26 November 2009: 1340).

¹⁰ Focus on infants and very young children may also be affecting law enforcement in relation to protection of adolescents and teens, despite the fact that child pornography laws apply to minors up to age 18. Sgt. Sylvie Bourassa-Muise of the National Child Exploitation Centre testified during parliamentary hearings relating to child pornography that Canadian “law enforcement has a discrepancy in the application of the child pornography laws. For between 14 and 18 years, Quebec is saying no [because the age of consent to sexual activity at the time was 14], it’s not child pornography. Manitoba is looking at it and saying it’s child pornography” (Bourassa-Muise, 21 October 2003: 1120).

¹¹ For example, debates relating to a proposed legislative requirement for ISPs to report child pornography placed particular emphasis on protecting very young children (Guergis, 25 November 2009: 1545; Murphy, 25 November 2009: 1610; Lemay, 25 November 2009: 1635), with many parliamentarians quoting from study results that reported that “that 39% of those accessing child pornography are viewing images of children between the ages of three and five years of age, and 19% are viewing images of infants under three years old” (Szabo, 26 November 2009: 1210; Brown, 26 November 2009: 1045).

Preclusive focus on individual actors¹² has been another mechanism for sidelining discussion of the commodification of girls' sexuality. Unknown "dangerous Internet predators" (Lemieux, 25 November 2009: 1720, Lemay, 15 June 2010: 1325), "[a] growing number of perverts" (Girard-Bujold, 18 April 2002: 1610), and pedophilic sexual predators (Moore, 31 May 2006: 1835) who "are getting smarter in attracting unaware children" (Stoffer, 18 October 2001: 1520) have punctuated the Canadian criminal policy dialogue relating to child pornography and luring for almost a decade. The breadth and severity of the risk posed by strangers online are discussed in breath-taking terms,¹³ with the internet positioned as "a massive vehicle for criminals to lure and abuse Canadian children and to distribute illegal material" (Grewal, 13 October 2004: 1615), leaving children in internet connected homes "exposed ... 24 hours a day 7 days a week" (Bevan, 23 June 2005, Proceedings of the Standing Senate Committee on Legal and Constitutional Affairs: No. 17) to some "50,000 predators online at any given time" (Frizell, 25 February 2008, Proceedings of the Standing Senate Committee on Legal and Constitutional Affairs: No. 11).¹⁴

Within this policy dialogue, parents exacerbated stranger danger. Parents were varyingly presented as simply naïve, "mistakenly believ[ing] that their children are entirely safe when surfing the Internet" (Fast, 31 May 2006: 1740; Scanlan, 25 February 2008, Proceedings of the Standing Committee on Legal and Constitutional Affairs: No. 11), as unwitting dupes of sneaky

¹² While in some cases the internet itself comes alive, reified as a janus-faced agent (Moore, 31 May 2006: 1835; Maloney, 29 September 2006: 1330; McLellan, 3 May 2001: 1620), support for continuing Canada's "internet-savvy" status through connectivity remains unquestioningly supported (Fast, 31 May 2006: 1740).

¹³ Interestingly, from 2003/2004 to 2006/2007 "adult and youth criminal courts processed [only] 122 cases" where at least one of the charges was for a child luring offence. These represented a small fraction of the 430,000 cases processed by those courts during that time period (Loughlin, 2009: 5, 11).

¹⁴ Notably, the unknown predator dialogue continues policy focus on gender neutral children, despite evidence that girls aged 12 to 14 are the most vulnerable to sexual offences against youth, and that almost one-half of these offences are committed by friends and acquaintances and over one-third by family members (Barr-Telford, 14 February 2008, Proceedings of the Standing Senate Committee on Legal and Constitutional Affairs: No. 7).

children (Fast, 31 May 2006: 1745), and as woefully outstripped by their children in technological acumen (Ouellet, 16 June 2010: 1720). In other situations, parents are painted as irresponsible for failing to supervise their children's use of technology (Lemay, 15 June 2010: 1325). The remedies suggested include education¹⁵ (Ouellet, 16 June 2010: 1720; Stead, 7 April 2005: 0940; Andreychuk, 13 February 2008, Proceedings of the Standing Senate Committee on Legal and Constitutional Affairs: No. 7), and further circumscribing children's online agency through good old-fashioned surveillance (Hannem, 13 February 2008, Proceedings of the Standing Senate Committee on Legal and Constitutional Affairs: 7).

In the relatively rare instances in which legal actors and policymakers have actually focused on girls, they were often cast either as criminal agents of their own and others' misfortunes or as uni-dimensional caricatures employed to advance conflicting, yet unselfconsciously sexist narratives.

B. Criminalizing and Caricaturing Girls

Criminal prosecution of girls for their involvement in sexting¹⁶ appears to be more prevalent in jurisdictions such as the U.S. (Calvert, 2009) and Australia (Hood, 2011) than in Canada (Bailey and Hanna [forthcoming]). Nonetheless, Canadian girls have been both threatened with criminal charges and criminally charged in relation to online sexualized behaviours.

¹⁵ The irony of blaming parents for failing to educate their children while cutting funding for educational programs by grass-roots organizations was not lost on at least one member of parliament (Dewar, 29 September 2006: 1350).

¹⁶ Numerous definitions have been offered for sexting. Calvert suggests, "sexting includes not only the use of cell phones by minors to take and disseminate photographs of themselves and/or other minors in various stages and states of undress and/or engaging in sexually explicit conduct, but it also encompasses instances where those images are posted on the Internet by minors" (2009: 4).

In the U.S., girls have been framed as sex offenders for engaging in activities that, in many cases, simply emulate the sexualized versions of girlhood that permeate mainstream media (Calvert, 2009). For example, Pennsylvania teens Marissa and Grace were forced to get a restraining order to prevent the Wyoming County District Attorney from prosecuting them for child pornography offences in relation to a photo showing them “from the waist up wearing white, opaque bras”, which was found on the cell phones of some of their high school peers (Miller, 2010: 5-6). Marissa and Grace had refused to “voluntarily” participate in a six to nine month education program, serve a period of probation, and pay a \$100 program fee in exchange for the District Attorney’s agreement not to prosecute them in relation to the photo in which the District Attorney said the two were posed “provocatively” (Miller, 2010: 7-8). In the proposed “education program,” among other things, girls were to “gain an understanding of how [their] actions were wrong”, to learn “what it means to be a girl in today’s society” and “how girls/women can overcome societal barriers and achieve all their goals”, as well as to “identify how [they] would like to be valued in their world” (Wyoming County District Attorney’s Office, 2009: 2,4). Under the threat of criminalization, the program sought to discipline Marissa and Grace for behaviour that conforms to the hyper-sexualized imagery in which adolescent and teen girls are immersed, while also imposing upon them the obligation to figure out what they should do to overcome those barriers.¹⁷

Some U.S. states are moving away from child pornography prosecutions toward anti-sexting legislation.¹⁸ While often expressed in gender-neutral terms and providing for lesser penalties than those flowing from a child pornography conviction, debate and associated public

¹⁷ Other teen girls in the U.S. have actually been prosecuted and convicted (AH, 2007).

¹⁸ By April 2011, “at least 21 states and Guam [had] introduced bills or resolutions aimed at “sexting” (National Conference of State Legislators, 2011).

commentary sometimes focuses on censoring girls' bodies and the need to protect boys from "unfair" criminalization because they are associated with the girls who produce the images. For example, Kentucky House Bill 57 explicitly focused on "any part of the female breast from the top of the nipple downward ... with less than a fully opaque covering" (U.S., H.B. 57, 2010, s. 1). While anti-sexting legislation was being debated in Arizona, one public commentator lamented that "[w]hen a 14-year-old texts her 15-year-old boyfriend a topless photo of herself, she could be sending him to prison for five years and labeling him a sex offender for life" (Beard Rau, 2010).

In Australia, two 15-year-old girls were among those charged with child pornography offences since 2008 (Hood, 2011). In one case, the girl was alleged to have sent sexually explicit videos of herself to her boyfriend and another 19-year-old co-accused. The other girl charged was alleged to have sent a nude photo and sexually explicit video of herself to a 15-year-old boy. Conviction for these kinds of charges can lead to being listed on a child sex offenders list.

Canadian legal authorities appear to have taken a slightly different approach to sexting, by threatening the risk of criminal prosecution, rather than actually laying charges (Bailey and Hanna, forthcoming). One policing agency issued a press release to caution that "possession, distribution or production of any photograph, of a person under the age of 18 years, of a sexual nature is a Criminal Offence" (Bailey and Hanna [forthcoming]). The representative of another policing agency advised:

If you are underage and send your boyfriend a picture of you that shows some nudity, by definition you've created (child pornography), and you've distributed it – and now he has it so he's in possession of it, so that's three offences right there (Bailey and Hanna, forthcoming).

Canadian legal authorities have, however, gone further in relation to online prostitution, charging a 14-year-old British Columbia girl with prostitution-related offences for allegedly advertising the sexual services of herself and other girls in the “erotic services” section on Craigslist (Canadian Press, 2010). While governmental officials wrote repeatedly to Craigslist to request that it remove that section from its for-profit classified advertising site, tellingly it is only the teen girl who faces criminalization.

Apart from instances of criminalization, girls also surface in Canadian policy debate as caricatures designed to advance the political arguments of the moment. In our review, girls were most likely to surface as 14 or 15 year-olds¹⁹ in online luring and related age of consent debates.²⁰ Often these girls were featured in “seduction” fantasies involving middle-aged men or consensual sexual activities with older, but youthful boyfriends. Here, the narratives were more complex and sometimes contradictory, with teen girls variously cast as hapless victims, know-it-alls who are actually naïve, and sexual provocateurs putting men at risk of prosecution. In other instances, girls were used purely as props for pointing out inconsistencies in the arguments of opposing parties.

¹⁹ In many instances, the featured girl is 14 or 15 in order to illustrate a point about the purported inadequacy of Canada's former age of consent law, which set the age of consent at 14 until 2008 when it was raised to age 16: Canada. 2007).

²⁰ On occasion, 16 and 17-year-old girls emerge: “I think also the parent who is afraid about the 14- and 15-year-old girl being lured away is equally afraid about the 16- and 17-year-old girl” (Milne, 22 February 2008).

Real space examples of the hapless teen girl victim tended to focus on vignettes where girls were “seduced” by middle-aged men who they met in a bar and from whom they had received “expensive gifts” ((Marceau, 25 September 2003: 1210. See also Toews, 7 October 2003: 0940; Strahl, 3 February 2003: 1805; Gillespie, 7 October 2003: 1215).²¹ Online examples of the “seduction” fantasy vacillated between characterizing girls as vulnerable victims and sexual provocateurs. For example, teen girls who surface in examples of online fraud and seduction are often painted as vulnerable:

Imagine a man who is 42 years old but portrays himself as a 17-year-old youth. Imagine that the victim is a 13-year-old girl. Internet lurers and their victims typically meet online in a topic-based chat room. They form an online relationship and then start to meet in private chat rooms where the talk turns to a more intimate personal and eventually a sexual nature (Moore, 31 May 2006: 1835).

However, 14 and 15-year-old teen girls also appeared as sexual aggressors putting men of 50 at risk of wrongful prosecution for sexual assault. In 2007, a gender-neutral question about whether an underage teen who had sex with a 50-year-old could be tried in youth court in relation to that wrongful sexual act, quickly became gendered after it was explained that the youth would be considered the victim:

²¹ In other debate over proposed sexual touching provisions, the same MP characterized 14-year-old girls as pre-adolescent, noting “it is difficult to touch the breast of a girl under the age of 14 because many don’t have any” in order to illustrate the psychological harm such a pre-adolescent was likely to suffer (Marceau, 29 October 2003: 1625).

She is presumed to be the victim. You establish that she is the victim, but if the person is the one who wanted to create the circumstances in which there would be a sexual relationship, you are creating a legal fiction by stating that at that age a person is not in a position to make any decisions in relation to his or her sexual life: (Joyal, 6 February 2008, Proceedings of the Standing Senate Committee on Legal and Constitutional Affairs: No. 6).

Some of the teen girls who surface in discussions about consensual peer sexual activity are also cast as naïve victims (Epp, 29 April 2004: 1550; Gillespie, 7 October 2003: 1215), some times in spite of the fact that “they think they know everything” (Lunney, 20 February 2003: 1645; Laframboise, 26 November 2009: 1145). Where debate turns to concerns about avoiding criminalization of consensual sexual activity between teen peers (Cotler, 22 February 2005: 0955; Siksay, 26 November 2007: 1235; Bryden, 12 December 2007: 1520) the sexual provocateur again emerges – but this time she is putting innocent boys at risk.

This teen girl appeared in subtler form in a 2004 debate relating to the age of consent. Here the 14 or 15 year old girl was mature enough to “freely make a decision to kiss her 17 year old boyfriend”, who Canadians would not want to “criminalize ... for kissing a 14 year old girlfriend” (Knutson, 22 April 2004: 1640). However, in the 2007 age of consent debate, she was blatantly visible with one politician noting she’d seen “14-year-olds who were wearing so much makeup that they could very easily pass for 21 or 22 without any difficulty at all” and demanding to know, “where is the protection for young men in these circumstances?” (Carstairs,

6 February 2008, Proceedings of the Standing Committee on Legal and Constitutional Affairs: No. 6).

Finally, teen girls emerged in the Canadian dialogue as fodder for voicing political disagreements. In particular, teen girls were often referred to in attacks on conservative parliamentarians' inconsistency in arguing that 14-year-olds should be subject to adult sentences when they commit crimes, but that those same 14-year-olds are not sufficiently mature to consent to sexual activity (Bellehumeur, 3 October 2001: 1725; Marceau, 9 March 2004: 1610; Bellehumeur, 18 October 2001: 1340).²²

Many girls understand the online environment to be an enriching and empowering one that permits them to explore their social world and their place in it. This is how it should be. Unfortunately, online, as offline, girls' powers of self-determination and self-definition are constrained by a mainstream corporate agenda that trades on their image and their sexuality. Rather than confronting and addressing that agenda and those who profit from it, legal policy has been used to criminalize and discipline girls who emulate mainstream tropes in their digital interactions, and to tacitly reinforce that agenda's underlying themes.

Unfortunately, as the Canadian situation demonstrates, policy dialogue can be structured in ways that preclude confrontation with the mainstream agenda. Neutralizing language allows girls to disappear from the dialogue. Attention is trained on extreme sexual abuse of babies and very young children that currently falls outside of the acceptable scope of the mainstream agenda and

²² In one rather bizarre turn of events, a 14-year-old girl was posited as having consented to sex with a 40-year-old man, while another 14-year-old girl murdered her step-father (Bellehumeur, 4 October 2001: 1006).

on individual predators and naïve, negligent and irresponsible parents. The few girls who do appear in the discourse are cast in roles of criminals, naïve victims, know-it-alls in need of education and sometimes as sexual provocateurs placing men in danger of criminalization.

Sexual predators should be held to account, and naïve parents and girls may well benefit from education. However, preclusively focusing on these individuals and generating only individuated “solutions” that implicitly or explicitly reiterate tropes of hypersexualization, victim-blaming, surveillance, control and fear without directly seeking to disrupt the mainstream industry that trades on them will not facilitate the empowering and enriching online experiences that girls deserve.

CONCLUSION

So whither the digital girl? As Thiel Stern notes, girls construct their identities by interacting with a variety of cultural symbols and representations. These representations are contextualized within sometimes competing and sometimes reinforcing ideologies of family and politics (Thiel Stern, 2007). Visibility plays a special role in this process; clothing, hair, and the body itself can be (re)constructed to resist or conform to dominant images of femininity and girlhood.

This is perhaps even truer in online spaces where construction is a prerequisite of interaction and reconstruction is facilitated by access to an abundance of images that can be coopted and literally redrawn to take on new meanings. Girls consciously choose from competing representations and images to create online personas that are meaningful to them as they go about “the social psychological task of adolescence – to construct, experiment with and present a reflexive project

of the self in a social context” (Livingstone 2008: 396). It is precisely this moment of experimentation that provides an opportunity to create an internally-driven, authentic subjectivity that pushes back against the constraints of mainstream discourses about femininity.

However, our analysis suggests that this potential for empowerment is also contextualized by ideologies of technology and the marketplace that, like family and politics, work to organize the social practice of “doing girl” online. The mainstream corporate agenda privileges images of a certain kind of online girl, one who is highly sexualized and commoditized. But when girls act on these images and experiment with them through practices such as sexting and online chat, their behaviour is met with regulation at best and criminalization at worst. Throughout this process, dominant tropes of femininity as dangerous – both dangerous to the girl victim and dangerous because of the girl perpetrator – continue to play out in online space in two ways: first, through the mainstream media images that flood the space; and second, through background features that shape the space, such as the business model behind the sites girls inhabit and the regulatory framework that is enacted to protect them there. In this context, online visibility is both freeing and constraining.

Online visibility is further complicated for girls because of the ambiguous nature of online privacy. The feminine continues to be associated with the private realm. In fact, it is the ability to transgress private lines and to see and be seen in the public realm, without leaving the safety of the private space of their computers that attracts girls to online interactions in the first place. However, as our analysis indicates, this creates a sense of fear among policy makers precisely because it allows girls to step beyond the constraints they experience in real space.

We are left with an apparent paradox. Given the commercial imperatives that drive much of online public policy, the private space of adolescence must be permeable in order to enable the commodification of girls' online interactions. However, protection is predicated upon tightly controlling access to that space and creating barriers between the private (and safe) realm of girlhood and the public (and dangerous) realm of generalized interaction. To date, the paradox has been resolved by regulatory mechanisms that allow for certain kinds of invasions, while mandating logs, filtering and other technical controls over girls' behaviour. In this way, online visibility is understood as either openness/empowerment or closedness/control, and the liminal spaces between the four categories for girls to express their own understandings shrink. The interests of corporations and policymakers align behind regulatory frameworks that promote the instrumental goals of profit *and* control, effectively evading critical analysis of the relationship between the four categories.

Without questioning the legitimacy of policies aimed at criminalizing sexual predation or at educating parents and children, policy makers' exclusive focus on behaviours of individual predators, parents and girls themselves precludes confrontation with the online commodification of girls and girls' sexuality that constrains their online agency. In all cases, with focus trained specifically on the behaviour of the teen girls, their assailants, their "seducers" or their youthful lovers, those trading in the mainstream sexualization of girls continue unscathed, and the ways in which surveillance and consumerism come together in the online world to constrain girls' potential for equality and to manipulate their private relationships for commercial purposes remain unproblematized.

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