



The Hush-Hush Norm

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Mainstream writers do not discuss online sex and porn for fear of touching unseen landmines that offend readers. It is part of a phenomenon that I call the *hush-hush norm*. There are permeable boundaries between rebellious and mainstream hackers, and between porn and mainstream content providers. Yet, the mainstream press discusses all of it as if sex and porn do not exist.

That is, until recently. Some crusading US lawmakers introduced legislation for amending the Communications Decency Act, aiming at interrupting activities that enable human trafficking. The changes aspire to place more responsibility on those who host content. While well-meaning, the effort upends carefully calibrated understandings at many online firms, who fear unintended consequences.

This is a new effort in an old debate in policy or business circles. For years, debates were tied up in abstract knots, dominated by lawyers with an interest in the nuances of free speech and censorship and the legal boundaries of questionable behavior.

Why act now? Because, as any Internet denizen knows, some corners of the Internet have grown more salacious, vulgar, and boorish. Just talk to any parent. It is too easy for children's curiosity to lead them to the sleazy online square, and every parent now worries whether a child has enough

sense to handle a disingenuous text. What is a parent to do—keep them off YouTube for fear of much worse?

Look, here is where I am going. I have occasionally listened to these debates and, as a market analyst, noticed the lack of economics. Specifically, a range of economic institutions grew up around the hush-hush norm. The norm served one purpose years ago, and today it serves another. Although the hush-hush norm got us into this mess, it will not get us out. Its role needs to be identified and brought to light so that appropriate actions get taken now.

In case it is not obvious, those last few paragraphs serve as a warning. The content of this column is not suitable for children or, for that matter, Puritans. And one more warning: this column will have failed if some part of this situation does not make you angry.

The Gray Zone

Start with something obvious: there is a lot of porn on the Internet. It comes in a vast variety of flavors and fantasies and genders. Speaking as a non-lawyer, and merely as a rule of thumb, most porn is legal in the US if a site issues appropriate warnings and stays far away from minors and prostitution.

If the hush-hush norm had not reduced news coverage, market analysts in the past would have said

something like this: Online porn competed for sales against salacious VCR tapes, live shows, subscription magazines, and revenue in hotel rooms for “adult entertainment.” More recently, and after decades of this competition, the price for online porn is quite low, often free, and it has taken plenty of market share from offline sales.

Data suggests the online market for porn and sex is, at most, a niche market. As part of a research project about surfing, a colleague and I examined online visitor behavior for the top 10,000 most popular US websites in 2008 and 2013, and we could not miss the porn sites. We found online sex comprised approximately 7 to 8 percent of websites, and users spent about 2 to 3 percent of their time on such sites. Also, many households spent no time at such sites.

Those numbers imply two things relevant to today's topic. On the one hand, online sex cannot support much online ad spending. Related, subscriptions can't amount to much money—merely a rounding error on total e-commerce revenue. On the other hand, online sex has to have an outsized influence on the web. There is so much available for web crawlers to find. That means search engines regularly must make decisions about how to classify the activity, and whether to sell ads for it.

The hush-hush norm does shape what search engines do. The earliest “pay-for-placement” schemes in search engines did not ignore porn. They tried to make money selling porn providers’ ads. That approach made a little money and temporarily raised a lot of attention with investors. However, it did not work out so well: Many of those ads annoyed users, who were uninterested in this niche. The users stopped coming, so did the advertisers, and those sites eventually closed.

As a young firm, Google adopted a policy consistent with the hush-hush norm. It banned ads linked to porn, just as it had banned ads for alcohol, smoking, and gambling. Yet, Google did not ban anything from its organic search service, showing links for anything users clicked. The rationale: Some users wanted those links, just privately, and it was not Google’s job to censor. Hush-hush. Eventually, and not trivially, Google also made revenue on ads to those users.

That approach solved one problem but created another, since it did not meet the needs of families. In their book, *How Google Works* (Hachette Book Group, 2014), Eric Schmidt and Jonathan Rosenberg describe developing algorithms to recognize and filter pornography. As it turned out, those filters worked well enough and quelled any call for change.

That basically describes where the US settled in the prior decade. Google’s filters seemed to affirm the belief—to which the Valley is predisposed—that clever technology could fix any issue, even with sex.

The Status Quo

The hush-hush norm prevented a robust public conversation about the status quo. Seth Stephens-Davidowitz’s best-selling book *Everybody Lies* (Harper-Collins, 2017) offers a good place to start understanding. The book tried to break through the shroud of nondiscussion. This book won’t tell


you much about the dark side of sex market. Rather, it focuses on large-scale societal-level patterns by presenting and analyzing the vast range of Google search requests related to private topics.

As it turns out, many users ask Google questions they would never share in public, especially about sex. That reveals a lot about society. Many desire and feel things they do not express publicly. No reader can walk away from the data in this book without realizing that a complex sexual world lives behind the hush-hush norm. More to the point, despite varied and complex private lives, many businesses made money directly or indirectly off porn without ever saying

Many entrepreneurs also adapted to the norm. Many pitched their firm as if sex did not exist.

There are just too many examples to enumerate, so take this rule of thumb: If a new app or online site had a strong visual or video-sharing capability, and no religious branding, then sometimes the entrepreneur built a sexual angle into the business. You just had to ask about it privately. If there was one, the founder knew what it was, and if not, the founder would say so, too.

This is an explanation, not an excuse. I am not saying this was a good or bad strategy, or morally corrupt or enlightened. My only point: this is



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so. That removed pressure to alter what grew up around the norm.

For many years, online porn has been a small fraction of the hosting, carrier, and content traffic. Firms in those markets often labeled the source as “miscellaneous” on their income statements. Most financial analysts learned to interpret, and everyone simply carried on. Only carriers complained about the situation, particularly when pirated porn clogged capacity. While the complaints had some merit, they also were a bit disingenuous. Plenty of legit porn also clogged capacity at the same time.

how the norm worked. Some tried to make money, and everyone carried on in public as if sex did not exist.

(You might respond that a few years ago Tinder removed all pretense. Yes, they did. Is it a trend? This is a niche market, so I doubt it is. Let’s move on.)

Firms also benefited from imitating technical advance in porn. That pattern arose because, long story short, many “lead users” and technological “pioneers” have touched porn. The presence of lead users in porn goes back to VCR tapes and bulletin boards, and more recently, peer-to-peer software,

which moved data-intensive salacious videos between users. In the present era, hackers developed innovations in buffering, compression, and rendering of video streaming and applied these innovations to pirated material and, um, sexual services.

How do mainstream firms benefit? Firms have assigned employees to “analyze” technical advance in porn and “borrow” the useful parts, sometimes from open source communities.

To be frank, while others have told me about this “borrowing,” I do not know how widespread it is. It might be impossible to ever know. No mainstream firm has ever publicly

anything less than airtight, any sufficiently clever teenager can find what they are looking for.

Let me digress with a short editorial right here. Let’s not blame technology for human behavior. Clever teenagers found a way before the Internet, too. And I say this as a parent: nothing substitutes for a frank conversation between parents and children. (It is not easy being a parent now, and never has been.)

Notice the root of the problems—namely, technical success. Modern search technology is simply too good at finding everything. There are degrees of sleazy libertine exploitation that

for escort services and masseuses. Some are legit, but many merely offer a thin veil on prostitution. Just try explaining this to your child when they run across such a site by accident.

Craigslist’s experience illustrates a related problem. For many years, personal ads allegedly served as a home for prostitution, and Craigslist had repeated run-ins with law enforcement. Eventually, Craigslist adopted more restrictive terms of service and banned the illegal ads.

Alas, the results are unsatisfying. Many of the ads in those sections today still are unsuitable for innocent readers, to put it euphemistically. Moreover, much of the illegal explicit activity merely moved elsewhere, such as Backpage, which now receives most of the official ire, allegedly for facilitating prostitution by minors. And Craigslist and Backpage want every parent to keep their child off the site? Uh huh. Good luck with that.

Let’s not forget malware, which varies between annoying and destructive. Much originates from porn sites. The hush-hush norm makes this problem more difficult to address. After all, Yelp does not accumulate ratings for porn sites, and it is not about to start a list of bad sites.

Some readers will point out that such lists exist in the security community, and technically adept users know how to act. Yes, but let’s be realistic. Most mainstream users are not that adept, and many do not even know how to ask.

It is possible to continue with additional examples of fraud, but for the sake of brevity, let’s get to the worst of these examples. I am not entirely certain when or why a few criminals involved in sex trafficking lost all sense of shame and raised the profile on their activities. It did not happen all at once, but—very long story short—it seems to be another example where no good deed went unpunished in technology.

It started with good intentions, as an antidote to crackdowns in repressive

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crowded about learning from these lead users. It is hush-hush, after all.

Nonetheless, the foregoing leads to a sarcastic aside: The next time you watch a great basketball highlight on your browser, try not to think about who performed the test drives for that sharp picture.

Freedom’s Limits

Today we live in a world where porn remains just a click away, and so do virtual red-light districts, as well as activities much worse. Not talking about it just lets problems fester.

First of all, every parent knows the filters have flaws. An airtight filter interferes with browsing. With

never used to be available to a young person’s fingertips.

In plain language: Search engines make it too damned easy for a young and nontechnical user to find this stuff.

Let’s also put this in perspective. While it is not an everyday problem, this is a place where even a little bit is too much. You would not take your child or younger sibling to an X-rated movie, so why tolerate it during Internet surfing?

Let’s also recognize why this is a difficult legal problem. For all intents and purposes, adults can exercise freedom. Legal lines need to be drawn, and those are not always bright lines.

Here is a mild example of the issue. There are large numbers of sites

regimes. That motivated additional technical advances in protecting privacy—for example, better VPNs and encryption (among other inventions). Tor disassociated the browser from an IP address, hiding a surfer's location and identity.

At the same time, a set of shameless participants, now virtually anonymous, started developing markets for international drug dealing on the dark web. Along with it came child pornography and exploitive human trafficking. All along, some block chain exchanges turned a blind eye, laundered electronic money, and left no traceable identity. And so it grew: the dark web began to contain some of worst examples of online human depravity.

A few years ago, one of the places for illegal commerce, the Silk Road, became too big for law enforcement to ignore. The authorities managed to close it. Remarkably, two new places, AlphaBay and Hansa Market, quickly emerged. Again, authorities closed them. Again, and recently, this market has managed to recreate itself. Don't believe me? Just go to Reddit or 4chan or plenty of other places and search.

That description leaves out plenty of detail, but that should be enough to get the idea. The scope of modern technology makes human depravity available to every online participant in the dark web, and it is becoming increasingly accessible in the regular web.

More broadly, while legal rules and social norms created private spaces for some online users to pursue their niche interests, those same norms have fostered something else—thriving sleazy markets that seem difficult to stamp out.

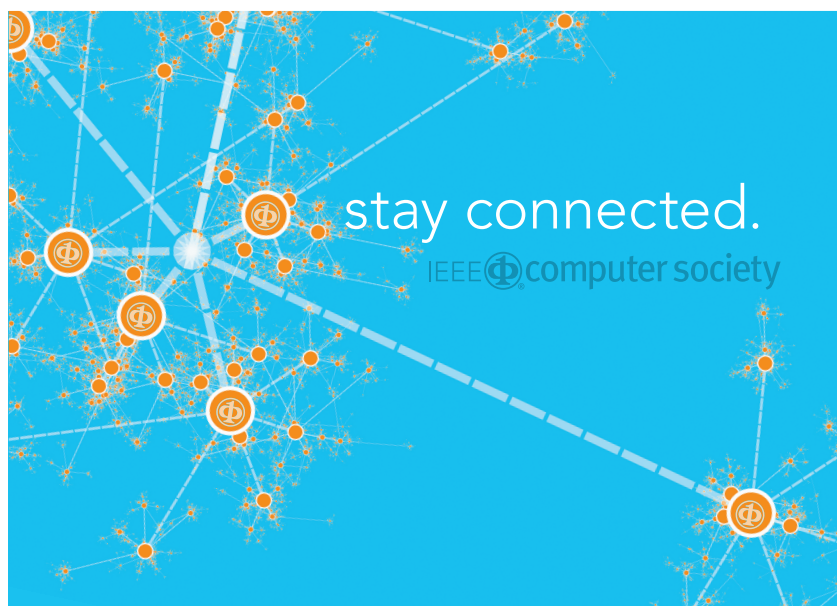
trade? Moralizing is easy: what decent human being refuses to try to stop this type of depravity in his or her own backyard? There are many enablers, so there is no need to point at any one of them in particular. Can a law compel any of them to care?

Now I will editorialize. I have been studying technology my entire professional career. Like most technologists, I take pride in technical ingenuity, and for years I believed extensions to the technical frontier resulted in unalloyed gains. But the more I study this situation, the more I question the presumption about “unalloyed.” It is not possible to take pride in the illegal parts of online sex. These actions do not improve the human condition.

More to the point, the web developed with unbridled degrees of unquestioned license. Now some bad actors have catalyzed attempts to end that discretion. Frankly, I see the point in the suggested restrictions. Enough is enough. There is no good reason to allow a decent society to put up with this crap any further.

Let me say it another way. If the Valley's management cannot be bothered to take responsibility, then a bunch of crusading legislators in DC will act. I would rather see the Valley's management preempt the legislation, wouldn't you? What are they waiting for? ■■

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Why amend the Communications Decency Act? To many, it appears the Internet is managed by technically adept firms that—dare I say it—lack more leadership. Pointedly, where are the restrictive terms of service to ban content that contributes to child porn and the international drug