

Cry Wolf: Time Magazine and the Cyberporn Story

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A July 1995 Time magazine cover story entitled “On Screen Near You: Cyberporn” claimed pornography on the Internet was “popular, pervasive and surprisingly perverse.” The magazine based its story on a study by “a research team” who “conducted an exhaustive study of online porn.”

The article in Time claimed that on Usenet newsgroups where digitized images are stored, 83.5 percent of the pictures are pornographic. The finding alarmed both computer free speech defenders and government censorship advocates. What Time didn’t tell its readers was that the “research team” was one person—a Carnegie-Mellon University undergraduate named Martin Rimm—and that Rimm had struck an agreement with Time that no outside experts could review the study because Rimm had an exclusive agreement for full publication with Georgetown Law Journal.

Adding to the cover story’s alarmist tone was Time’s cover showing a young child staring wide-eyed with gaping mouth into a computer screen. The most sensationalist artwork was reserved for the inside—a full-page photo-illustration of a naked man “mating” with a computer. Another full page contained a drawing of a computer screen with a lollipop beckoning a small child and a sinister person standing behind the computer.

Critics reacted swiftly to the story and the “exhaustive” study on which it was based. They said Time author Philip Elmer-DeWitt interpreted the study incorrectly and violated many rules of journalism. Some of the criticisms from Donna Hoffman and Thomas Novak, Vanderbilt management professors and experts in surveying Net usage, were:

1. Time said, “There’s an awful lot of porn online.” But Time neglected to say that much of Rimm’s study was of files on exclusively adult bulletin board services (BBS), most not connected to the Internet.
2. Time said that “917,410 sexually explicit pictures, descriptions, short stories, and film clips” were “surveyed.” Yet those files were from adult-oriented BBSs, not Usenet or the Internet. Plus all text and audio files were deleted from analysis leaving only the actual number of descriptions of images studied to be 292,114. Rimm downloaded 3,254 available images but only analyzed 2,830 images due to technical difficulties.

Hoffman and Novak also noted that while 917,410 pornographic files were found on adult BBSs, only 2,830 potentially pornographic images were found over a four-month period on the Usenet. Out of the 11,576 World Wide Web sites examined in December 1994, only nine Web sites (eight one-hundredths of one percent) contained material that could be classified as R- or X-rated adult visual material. Time’s statement that there is an “awful lot of porn online” was labeled by Hoffman and Novak as “blatantly misleading and irresponsible.”

3. Time said that 83.5 percent of images in Usenet groups were pornographic. What Rimm actually said was, “Among the pornographic newsgroups, 4,206 images posts were counted or 83.5 percent of the total posts.” Still Rimm did not provide a listing of the names of the groups so these could not be verified.

4. Time said, “There is some evidence that . . . the 1.1 percent . . . women (on BBSs) are paid to hang out on the chat rooms and bulletin boards to make the patrons feel more comfortable.” Rimm provided no evidence for that claim.
5. Time said the images appeared on a “public network accessible to men, women, and children.” Rimm provided no evidence of how much material from the adult BBSs makes its way to the Internet.
6. Time said, “Only about 3 percent of all the messages on the Usenet newsgroups [represent pornographic images], while the Usenet itself represents 11.5 percent of the traffic on the Internet.” Time did not take the interpretation to its logical conclusion that less than half of 1 percent (3 percent of 11 percent) of the messages on the Internet are associated with newsgroups containing pornographic imagery. Much of the material in the newsgroups is text files only with comments by Usenet readers.
7. Time said, “The Carnegie-Mellon report will affect . . . the cyberporn debate” and “conservatives . . . will find plenty” of “ammunition.” Yet, the report was not subjected to the rigors of peer review and was completed while the author was an electrical engineering undergraduate.

Rimm began the study about pornography on BBSs in early 1994. During this time, he also wrote a paperback called *Pornographer’s Handbook: How to Exploit Women, Dupe Men and Make Lots of Money*. Rimm gave the software that he mentioned so prominently in his academic study to the BBS operators in exchange for their cooperation and files. It is doubtful that the operators knew that they were part of the study but instead believed they were receiving marketing help from Rimm.

Eventually Rimm convinced *Georgetown Law Journal* to publish his study “Marketing Pornography on the Information Superhighway” and pitched the study as an exclusive cover story to Elmer-DeWitt. Rimm had secured a secret agreement that only editors directly involved in the publishing of the study could see it. Rimm effectively sidestepped any peer review — the usual operating procedure for scientific studies — by pitching to a student-published, non-peer-reviewed law journal, as most law reviews are.

Rimm needed people to endorse his study to add credibility. His method for getting this support was telling people how his study matched their own agendas, said Mike Godwin, online counsel to the Electronic Frontier Foundation. Rimm also used the tactic of telling people his study matched their agendas when eliciting support from three law professors — Anne Branscomb, Catharine MacKinnon, and Carlin Meyer — who wrote commentaries to follow his article in the *Georgetown Law Journal*.

In early June 1995, Rimm’s study arrived at Time. Elmer-DeWitt was busy editing another Time cover story, but four reporters helped him on the cyberporn story. One of the reporters talked to Vanderbilt’s Hoffman, who warned the reporter about the study’s flaws. Hoffman then e-mailed Elmer-DeWitt about her concerns. Even the top level of Time editors voiced concerns about the study, but Elmer-DeWitt was anxious for a scoop and ignored early warnings that the study was faulty to gain a coveted cover story and a promotion. He also was eagerly anticipating his vacation.

HotWired writer Brock Meeks said, “At this point, [Elmer-DeWitt] has too much invested in the story. Somehow he ignores the lingering doubts and presses forward with the writing.” Perhaps Elmer-DeWitt believed his own press. Time’s president told readers in the July 3 “To the Readers” that “[Elmer-DeWitt] was unusually adept at cutting through

the considerable hype and confusion that surround this baffling new medium. . . . it was Elmer-DeWitt's reputation for clear and accurate discussion of complex topics that led an interdisciplinary group of researchers to offer their study of online pornography first to Time" (Long 1995, 4).

Time then offered Ted Koppel and "Nightline" an exclusive to the story with another secret deal saying "Nightline" couldn't give the study to anyone else for review. "Nightline" scheduled Ralph Reed of the Christian Coalition to appear on the show with Godwin (Godwin 1995). During the "Nightline" taping, Godwin told an ABC reporter that there were problems with the study.

Meanwhile, not all was quiet on the Information Superhighway. The cover story became the focal point of a fiery discussion and attempt to uncover the truth on The Well, an online service used by leading journalists and media experts. On June 25, the message posted to the topic "Newsweeklies" on The Well was that the Time article was available on America Online.

Other media outlets such as CNN, AP, and UPI reported on the study without checking the facts. Newsweek gave Rimm's study one paragraph in its July 3 cyberporn study but said that Rimm concentrated mostly on adults-only bulletin boards. Using the Time story for support, Senator Grassley (R-Iowa), played to the June 26, 1995 C-Span camera: ". . . I have introduced S.892, entitled the Protection of Children from Computer Pornography Act of 1995 . . . Georgetown University Law School has released a remarkable study conducted by researchers at Carnegie-Mellon University. . . . I want to emphasize that this is Carnegie-Mellon University. This is not a study done by some religious organization analyzing pornography that might be on computer networks. . . . the university surveyed 900,000 computer images. Of these 900,000 images, 83.5 percent of all computerized photographs available on the Internet are pornographic."

David Kline, a business columnist for HotWired said, "[Time] failed to conduct journalistic due diligence on its cyberporn 'exclusive.' This is especially troubling given that Time surely knew its story would directly affect the prospects for pending legislation that could alter national policy regarding electronic free speech for decades to come" (Kline 1995).

Should Time have published this story in this form? Argue for and against using Potter's Box.