

# **Justifications for re-sharing non-consensual pornography on social media platforms: A case of South Africa.**

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By

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*In partial fulfilment of the requirements for  
Masters of Commerce degree in Information Systems*

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*“Last but not least, I wanna thank **me**.*

*I wanna thank me for believing in me.*

*I wanna thank me for doing all this hard work.*

*I wanna thank me for having no days off.*

*I wanna thank me for never **quitting**” - Snoop Dogg, 2019*

## **DEDICATION**

I dedicate this work to my maternal grandparents, Nomsa Sylvia Mazitshana-Dyantyi and the late Facula John Dyantyi. I am a product of their gentle love and sacrifices. They crawled so I could sprint.

## ABSTRACT

**Problem Statement:** The usage and accessibility of digital technologies and social media have made it easy for individuals to create and share content. This ease of content sharing is one of the greatest benefits of social media, however, it has also brought about new social ills such as the sharing of non-consensual pornography. In 2019, the South African government introduced an amendment to the Films and Publications Act of 1996 to make it illegal to share sexually explicit photos and/or videos of others without their consent. However, social media users continue to share and re-share non-consensual pornography on social media platforms.

**The purpose of the research:** The main objective of this study was to explore the justifications used by social media users for re-sharing non-consensual pornography. The purpose was to understand how these justifications are used as neutralisations to continue to perpetuate this behaviour.

**Research Design/Methodology:** This study employed a qualitative approach, which is interpretive. Primary data was collected using semi-structured interviews, and the participants were provided with real-life vignettes as a stimulus. A total of 12 participants were interviewed. Additionally, secondary data was also used in the form of X comments, posts & reposts. These were collected on two identified trending X cases of non-consensual pornography. This study employed the Neutralisation Theory to help guide the exploration of justifications used by social media users.

**Findings:** The results demonstrate that social media users use some neutralisations to justify the behaviour of sharing, and re-sharing non-consensual pornography. The main neutralisation techniques used were *denial of the victim, denial of responsibility, and appeal to higher loyalties*. In addition, most social media users were not aware of the Film and Publications Amendment Act that criminalises the sharing of non-consensual pornography.

**Contribution:** Exploring the neutralisation techniques used for re-sharing non-consensual pornography helps to gain a deeper understanding of the harmful nature of this behaviour. This study, therefore, contributes to the existing literature on this form of cyberbullying. Moreover, the research highlights how imperative is to make policy and legal reforms, and educational initiatives to minimise the impact this behaviour has on its victims.

**Keywords:** *Non-consensual Pornography, Neutralisations, Film and Publications Act, Social Media.*

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## **LIST OF ACRONYMS AND ABBREVIATIONS**

<b>CCA</b>	Cyber Crimes Act
<b>FBI</b>	Federal Bureau of Investigation
<b>FPA</b>	Films and Publications Amendment Act
<b>GBV</b>	Gender base violence
<b>IBSA</b>	Image-based Sexual Abuse
<b>NCP</b>	Non-Consensual Pornography
<b>POPIA</b>	Protection of Personal Information Act
<b>SAPS</b>	South African Police Service
<b>SDS</b>	Sexual Double Standards
<b>SMPs</b>	Social Media Platforms
<b>TFSV</b>	Technology Facilitated Sexual Violence
<b>TO</b>	Theory of Objectification

# CHAPTER 1: INTRODUCTION

## 1.1. Background

The advances of the digital age have spawned an era where individuals can create and share content on the internet to be viewed by individuals across the globe in a matter of seconds (Brown et al., 2019). Although this ease of content sharing has a myriad of benefits, it has also led to the emergence of new social issues, notably the dissemination of Non-Consensual Pornography (NCP), colloquially known as “revenge pornography”. NCP occurs when an individual distributes sexually explicit images of another individual without the consent of at least one person depicted in the image (Falduti & Tessaris, 2023; Musoni, 2019). Representing a significant issue in the internet era, NCP is a subtype of cyber harassment and cyberstalking, often used interchangeably with terms such as “image-based sexual abuse” (IBSA), “technology-facilitated sexual violence” (TFSV), and “revenge porn”. Reasons behind the distribution of sexually explicit videos and photos vary from failed relationships seeking to humiliate, harass, and punish former partners (Branch et al., 2017; Soomro & Hussain, 2019) to cases where perpetrators, not romantically or socially acquainted, gain access to, and distribute intimate images through hacking (Clevenger & Navarro, 2021; Franks, 2015). Advancements in technology, such as Photoshop and artificial intelligence (AI) tools for image manipulation, have exacerbated the issue of NCP, exemplified by instances like Hollywood actor Scarlett Johansson appearing in photoshopped pornographic videos online without her consent (Farish, 2020).

Although NCP victimization affects individuals of all genders, there is a significant gender disparity in risk levels, with women being more vulnerable to becoming victims (Snaychuk & O’Neill, 2020). The United Kingdom (UK) Revenge Porn Helpline, a government service for reporting revenge porn, reported approximately 9,000 NCP cases through its helpline, with around 40% reported by women (Ward, 2022). While statistical data on NCP cases in South Africa is limited, there have been numerous instances of NCP involving prominent figures trending on social media platforms (SMPs). Prominent cases include the case of Malusi Gigaba (the minister of Foreign Affairs and a prominent member of the ruling party) and more recently, Zanele Sifuba, a South African public servant and a political leader whose intimate images

were being re-shared on X (formerly known as Twitter) and other social media platforms after an ex-partner allegedly disseminated them. SMPs, with their inherent affordance of easy content sharing and insufficient content moderation, have provided a fertile ground for NCP dissemination. Platforms like WhatsApp, Facebook, Skype, and X are commonly utilized for acquiring and distributing such images (De Angeli et al., 2021; Maddocks, 2018; Villacampa, 2017). Despite policies against NCP posting, Facebook and X are frequently used for sharing NCP, causing adverse reputational and psychological effects on the victims (Magaldi et al., 2020). Consequently, various countries have enacted laws to combat the spread of this harmful behaviour.

## **1.2. Research Context**

South African lawmakers, recognizing the urgent necessity to address the widespread problem of NCP, took a significant initiative by introducing an amendment to the Films and Publications Act (FPA) of 1996. The Film and Publications Amendment Act (FPAA) explicitly prohibits individuals from sharing or re-sharing such content, imposing legal restrictions on those engaging in this harmful behaviour. The recently amended act (Films and Publications Amendment Act, 2019) stipulates that:

*“No person may expose, through any medium, including the internet and social media, a private sexual photograph or film without the consent of the individual or individuals who appear in the photograph or film with the intent of causing that individual harm”.*

Offenders may face imprisonment for up to 8 years or a substantial fine of up to ZAR300,000 (van der Linde, 2021). These strict legal consequences highlight the country’s commitment to curtailing the dissemination of NCP and safeguarding the privacy and dignity of individuals.

The Global Digital Report indicates that South Africa’s mobile internet usage has significantly increased, reaching over 100 million mobile connections as of 2023, with over 25 million of these users also subscribing to SMPs (Kemp, 2023). This increased internet access exacerbates the problem of NCP. Platforms like X and Facebook continue to be used as channels for disseminating explicit content without the consent of those depicted. There have been several instances where well-known South African individuals, such as DJs and politicians, experienced the sharing of their sexually explicit images on these platforms. However, the problem extends beyond prominent figures and impacts ordinary individuals as well. This

research, therefore, aims to comprehend the re-sharing of NCP within the context of South African social media users.

### **1.3. Problem statement**

The sharing of NCP has adverse impacts on its victims, affecting them both reputationally and psychologically. Victims have reported losing their employment or being forced to leave their work after photographs were shared or fearing that those images might be published (Cannon, 2015; Citron & Franks, 2014; Huber, 2023). Mental health issues have also been reported by victims of NCP, ranging from suicidal ideation, depression, anxiety, and reduced self-esteem (Hearn & Hall, 2022; Walker & Sleath, 2017). While sharing NCP is illegal and causes long-term harm to the victims, people continue to participate by re-sharing NCP on SMPs (Magaldi et al., 2020). A video allegedly shot in Sandton; South Africa, went viral on social media. The video had two individuals engaging in a sexual act in an office. Social media users investigated who the people in the video were. A man and a woman matching the descriptions of the two people in the video were identified and their photos and names were circulated on social media. They were deemed as the "Sex in Sandton couple" (Mahlatsi, 2020). Ample research on NCP mostly focused on the prevalence and the impact NCP has on victims (Henry, Flynn & Powell, 2019; Pacheco & Melhuish, 2021; Patel & Roesch, 2019). Hall and Hearn (2019) explored motivations for sharing NCP. However, the study focused on the motivations of men who shared sexually explicit images of their partners on a certain pornography website.

The perpetuation of sexually related violence and cyber aggression (Including NCP) often correlates with moral disengagement (Martínez-Bacaicoa et al., 2024; Page & Pina, 2018). Moral norms can be selectively mutated to lessen cognitive dissonance while one is participating in unethical behaviour (Pina et al., 2021). Justifications used for continuing the behaviour of re-sharing NCP, by individuals not acquainted with the victim remain unexplored. Understanding these justifications is imperative to assist in policy and legal reforms, and educational initiatives to minimise the impact NCP has on its victims. This study, therefore, seeks to explore justifications for re-sharing NCP. Understanding these reasons and justifications for the continued re-sharing of NCP could help inform intervention campaigns aimed at curbing the scourge of NCP.

#### **1.4. Research objectives**

The main objective of this study is to explore the justifications used by social media users for re-sharing NCP. The following are sub-objectives to guide the study:

1. To identify factors that influence re-sharing NCP on social media websites.
2. To assess techniques used by social media users to justify re-sharing NCP.
3. To assess awareness about the consequences of re-sharing NCP.

#### **1.5. Research questions**

The main research question for this study is:

- What justifications do social media users use to neutralise the behaviour of re-sharing NCP?

The following are sub-questions that will help achieve the abovementioned objectives:

1. What factors play a role in social media users' re-share NCP?
2. What techniques are used by social media users to justify re-sharing NCP?
3. What legal implications are social media users aware of for sharing or re-sharing NCP on social media in South Africa?

#### **1.6. Research Method**

The study adopted an interpretive qualitative approach and utilized the Neutralization Theory as its guiding framework. The theory is commonly employed in criminology to investigate deviant behaviour. The selection of participants for this study involved purposive sampling, targeting individuals aged 18 to 45 who were active social media users. The research included both primary and secondary data sources. Primary data was acquired through semi-structured interviews conducted with a total of 12 participants. Due to limited resources, only 12 participants could be interviewed. In addition, secondary data was collected from two identified cases of NCP on X posts, retweets, and comments. The data collected was analysed using a Thematic Approach.

## **1.7. Significance of the study**

In South Africa, there is limited literature on NCP, and this study contributes to the existing literature on this form of cyberbullying by shedding light on how social media users use neutralisations to partake in delinquent behaviour. Exploring these neutralisations helps to gain a deeper understanding of the harmful nature of re-sharing NCP. This study further contributes to the literature on digital ethics, cyberbullying, cybercrimes, and gender studies with empirical evidence and critical insights. Moreover, the research highlights how imperative is to make policy and legal reforms, and educational initiatives to minimise the impact this behaviour has on its victims. Although there are laws in place to protect against the sharing and re-sharing of NCP, this behaviour continues to be an issue. The study found that most social media users are not aware of these laws. This finding highlights the need to have more information and campaigns to emphasize the importance of understanding the implications of re-sharing NCP.

## **1.8. Overview of chapters**

The thesis is divided into seven chapters as follows:

***Chapter 1: Introduction*** - This chapter contains the introduction to the research topic of this study. The research problem is outlined, followed by the research question and objectives of this study. The significance of the study is also discussed in this chapter.

***Chapter 2: Literature Review*** -The aim of Chapter Two is to identify literature gaps through the literature review of relevant academic sources on NCP. The core areas covered in this chapter are the definition of pornography and the definition of NCP. The prevalence of NCP and the law on NCP. Internet and social media adoption in South Africa is also discussed.

***Chapter 3: Theoretical Framework*** - The Neutralisation Theory, the theory adopted for this study is discussed in this chapter. The Neutralisation Theory was adopted to explore how social media users employ the neutralisation techniques as justifications to absolve themselves of guilt for engaging in sharing & re-sharing NCP.

***Chapter 4: Research Methodology*** - Chapter 4 focuses on the research methodology for this study. Research philosophy, research method, sampling strategy, data collection and analysis, research validity, and ethical considerations are described in this chapter.

**Chapter 5: Research Findings** - Research findings are presented in Chapter 5. The data is presented in key themes that emerged during data analysis.

**Chapter 6: Discussion** - This chapter discusses the research findings. The contribution and limitations of this study are also outlined.

**Chapter 7: Conclusion and Recommendations** – Concluding the research, this chapter reflects on the study's findings and outlines limitations and recommendations for future research.

## **CHAPTER 2: LITERATURE REVIEW**

### **1.1. Introduction**

This chapter reviews the literature on NCP and identifies gaps that justify undertaking this study. In this Chapter, NCP is defined. The prevalence of NCP, as well as its impact on victims, is discussed. The role of law on NCP is discussed. The chapter concludes with a summary of the literature review.

### **1.2. Defining pornography**

There is no universally accepted definition of pornography. Pornography is a multi-layered construct that may or may not share aspects among multidisciplinary researchers (McKee et al., 2020). Different scholars define pornography differently (Rea, 2001). Huer (1987) defines pornography as sexually explicit material produced and distributed to make a profit. This definition, however, only describes pornography as created with the intent of profit-making. Moreover, the definition does not take into consideration technological advancements, such as the pervasiveness of smartphones with cameras, and other digital devices that allow ordinary individuals to produce pornographic content for their consumption. Another definition of pornography is that pornography is sexually explicit material in the form of images, videos, and magazines intended to arouse sexual desire (Carroll et al., 2017; Husain & Qureshi, 2016; Perry, 2018). However, this definition boxes pornography to just intentions, which is to arouse. Whilst a more consistent definition remains elusive, Campbell and Kohut (2017) offer a more general definition of pornography. They define it as sexually explicit images or videos that show sexual activities such as penetration and masturbation. This study will adopt this definition, as it is more general and can relate to different scenarios.

### **1.3. Creation of pornographic images and videos**

The generation and creation of pornographic images can be consensual through sexting and non-consensual through various mediums such as Deepfakes and voyeurism. Sexting is an exchange of nudes and sexual photographs through a text message, social networking service, or e-mail, usually in the context of a romantic relationship (Halder & Jaishankar, 2014; Raine, 2020). Partners, usually in long-distance relationships, usually use this to maintain a level of intimacy and connection (Dodaj & Sesar, 2020). Sexting is sometimes a vehicle through which young people gain the acceptance and attention of a potential partner (Lipman & Campbell, 2014; Agnew, 2021).

Recent advancements in digital technologies have significantly enhanced the quality and capability of producing realistic images and videos through highly advanced computer graphics and AI algorithms (Chadha et al., 2021). The creation of manipulated images and videos is referred to as Deepfakes. Deepfakes are a combination stemming from “deep learning” and “fake.” Deepfakes are produced by manipulating media using Artificial Intelligence (AI) tools. There are currently several software tools that can be used to create deepfakes, such as DeepNude, FakeApp, and Zao (Karnouskos, 2020). Deepfakes have been used in the film industry for video editing rather than re-shooting. The use of Deepfakes has also benefited the education sector, particularly in online education, where proctoring systems are employed to surveil online assessments and ensure the integrity of examinations (Mahmud & Sharmin, 2021; Nigam et al., 2021).

Although Deepfakes can serve benign purposes, they are more often used with harmful intent, such as spreading false information, engaging in identity theft, and producing non-consensual explicit content (Li et al., 2019). Deepfakes first emerged in 2017 when a Reddit user employed deep learning techniques to superimpose the faces of celebrities into sexually explicit content and shared these manipulated videos online. Celebrities such as Scarlett Johansson, a well-known Hollywood actress, have appeared in “Deepfaked” pornographic films in which her images have been placed over pornographic actors' faces (Fido et al., 2022). The social repercussions are enormous and far-reaching as these videos that are created are often malicious.

Voyeurism is another avenue to create non-consensual pornographic images and/or videos. Voyeurism refers to an act where individuals use a camera to record intimate images of another person without their consent. An example would be planting a hidden camera to record a person in private spaces, even when they are naked (Vitis, 2021). These images are often disseminated without the consent of those depicted. Although the generation of these pornographic images can be consensual how they are disseminated online requires further consent. When there is no consent on the mode of distribution, this can be considered as NCP. The increase in "revenge pornography" in recent years may also be a consequence of sexting (Lee & Darcy, 2021).

## **1.4. Distribution of pornographic images**

Several terms are used to refer to the distribution of sexually explicit images and/or videos of those depicted without their consent, often to victimize them. There are different debates on the acceptable term for distributing pornographic images of others without their consent. The following section discusses the most prominent terms used to refer to the distribution of pornographic images without the consent of those depicted.

### **1.4.1. Revenge Pornography**

The term 'revenge pornography' is commonly used to describe the dissemination of sexually explicit images of another person without their consent. When the relationship ends, another partner may distribute images of their ex-lover out of revenge and spite (Soomro & Hussain, 2019). The images are often acquired through sexting, and, therefore, consensually created and shared with the partner. The term 'revenge pornography' often suggests that the person distributing the images seeks revenge as a response to perceived wrongdoing by the victim, thereby sharing explicit images and/or videos of the victim.

Although the term "revenge pornography" has been and is quite popular in media and among scholars, some scholars and victims have criticised the usage of this term as it merely describes a fraction of this behaviour (Branch et al., 2017; McGlynn et al., 2017). Furthermore, not only does the term 'revenge pornography' suggest that the images are shared purely out of spite, but it also fails to capture reasons for sharing beyond that of revenge (Citron & Franks, 2014; Henry & Powell, 2018; McGlynn & Rackley, 2017). The term focuses more on the behaviour rather than capturing the harm it causes to the victims and survivors. The minimisation of harm by the usage of this term has been the reason some governments and lawmakers are slow in putting measures in place to deal with this issue head-on (McGlynn et al., 2017).

### **1.4.2. Image-Based Sexual Abuse**

McGlynn & Rackley (2017) introduced the term "image-based abuse" (IBSA) to replace revenge pornography since the term "revenge pornography" emphasizes the behaviour while minimizing harm to victims. IBSA is creating, capturing, disseminating, and threatening to distribute sexually explicit images and/or videos without the consent of the depicted individual (McGlynn & Rackley, 2017). The term IBSA emphasizes the overlapping nature of multiple types of abuse, including modalities and reasons for perpetration, as well as the repercussions on victim-survivors. The authors argue that dissemination is not the only issue, but the creation

of these images without the consent of the depicted. Furthermore, IBSA may take different forms: revenge, voyeurism, sextortion, and Photoshop or Deepfakes.

This definition accommodates other forms of sexual violence such as sextortion, where images may not be shared online, but be used as ‘leverage’ against the victim. For example, South Africa experienced a surge in sextortion and revenge pornography during the COVID-19 period, which one could attribute to the physical distance between partners (Govender, 2020).

### **1.4.3. Technology Facilitated Sexual Violence**

Another term that is used interchangeably with IBSA and revenge pornography to refer to the sharing of pornographic images without the consent of those depicted is Technology Facilitated Sexual Violence (TFSV). Henry and Powell (2018) explain TFSV as an umbrella term that captures various ranges of sexually abusive actions and behaviour that an individual can engage in utilizing technology. Various means are used to inflict harm which include online sexual harassment; gender and sexuality-based harassment, cyberstalking; image-based sexual exploitation, and ‘revenge pornography’ (Henry & Powell, 2018). The authors believe that TFSV is on the continuum of sexual violence as it shares similar characteristics with other forms of sexual violence such as rape, as developed by Kelly (1988).

TFSV can be broken down into the following dimensions: Cyber sexual aggression, where technology is used to carry out sexual assault; online sexual harassment and sexual solicitation, gender-based hate speech, creation, and distribution of pornographic images non-consensually, and unsolicited sending of sexual material (Henry & Powell, 2018). While this term is more inclusive and comprehensive in capturing online deviant behaviour, its focus is on the broader behaviour and not specifically the re-sharing of pornographic images without consent.

### **1.4.4. Non-Consensual Pornography**

The sharing of pornographic images is also referred to as NCP. Nonconsensual pornography refers to sexually explicit images and videos distributed without the consent of those depicted, and sometimes for no legitimate reason (Franks, 2017). The term NCP included images and videos obtained through voyeurism, sexting, and hacking (Franks, 2017). Although the distribution of sexually explicit images without consent has been investigated under various terms (revenge pornography, IBSA, TFSV) some of these terms capture the creation and distribution of these pornographic images, and others broadly include other behaviours such as harassment, the term NCP is preferred over the other terms. The main purpose of this study is to understand the justifications for re-sharing pornography images without consent, and not

about the creation of these pornographic images. Therefore, this study will adopt and use non-consensual pornography throughout the paper.

### **1.5. Prevalence of non-consensual pornography**

NCP is not a new problem; however, internet accessibility has widened the audience and platforms of distribution. NCP garnered widespread attention in 2014 after a hacker posted multiple celebrities' private sexually explicit photographs on public SMPs in what became known informally as the Fappening or Celebgate (Magaldi et al., 2020). This incident put the spotlight on an old issue that had been happening to ordinary individuals. Studies on the prevalence of NCP, ranging from the creation of NCP to distribution and threatening to distribute show that this issue is widespread (Henry et al., 2019; Waldman, 2019), and women are more likely to be victims of NCP than men, while men are reported to be the perpetrators of NCP (O'Connor et al., 2018; Powell et al., 2020; Yeung et al., 2014). Moreover, individuals from the ages of 18-45 years are more likely to engage in NCP as they use the internet the most (Powell et al., 2020).

On the contrary, Henry et al. (2017) found that women and men reported the same amount of victimisation with differences in the forms of victimisation (Powell et al., 2020). Men were more likely to get unwanted attention from women after they experienced NCP, while women were subjected to more extreme public scrutiny and 'slut-shaming' (Powell et al., 2020; Yeung et al., 2014). The difference in victimization according to gender is not surprising considering societal views and expectations of women. In society, women are expected to be decent and not be sexually liberated like men (Uhl et al., 2018). This form of victimization also extends to when NCP images are posted online, some distributors encourage consumers to critically judge the bodies of the victims, mostly women (Uhl et al., 2018). Judging women's bodies is rooted in objectification as suggested in the Theory of Objectification (TO). The Theory of Objectification suggests that women are more likely to be sexually objectified than men (Fredrickson & Roberts, 1997). Sexual objectification happens when a woman is treated as if her body and sexual organs are made and available merely for the pleasure of others (Bartky, 1990). Women were perceived as more promiscuous and more blameworthy when they were more naked, particularly by participants with more traditional gender views (Mckinlay & Lavis, 2020). When women become victims of NCP, the argument is that they should have taken greater measures to protect themselves (Gavin & Scott, 2019; Kirchengast & Crofts, 2019; Zvi & Bitton, 2020).

## **1.6. Digital platforms and non-consensual pornography**

Various platforms have been used to perpetrate NCP. These range from SMPs and websites that were solely created for posting sexually explicit content (Magaldi et al., 2020; Uhl et al., 2018).

### **1.6.1. Non-Consensual Pornography Websites**

Websites were one of the first avenues used to perpetrate NCP. Quantifying the number of online websites that currently trade in NCP remains impossible. This is partly due to the difficulties in distinguishing between consensual and non-consensual sexually explicit images or videos, including the number of pornography websites both on the general internet and the dark web (Henry & Flynn, 2019). NCP websites and mainstream pornography websites represent two fundamentally distinct groups within the domain of pornography on the internet. Legal or consensual pornography websites adhere to a rigorous set of ethical and legal standards (Stegeman, 2021). The content on these platforms is produced and distributed with the full, voluntary consent of all participants, ensuring that the content is created in a safe and consensual manner (Stroud, 2018). In contrast, NCP websites are platforms where explicit content is shared without the informed consent of the individuals depicted. This content is usually acquired or distributed surreptitiously, without consent, and violates the individual depicted (Magaldi et al., 2020; Yar & Drew, 2019). The difference between mainstream pornography websites and NCP websites lies in the presence or absence of consent, and ethical implications of NCP.

Hunter Moore created one of the largest revenge pornography websites, IsAnyoneUp.com, in 2010 (Musoni, 2019). The images posted on this website were submitted anonymously, and others were obtained from hacking unsuspecting victims (Henry, & Flynn, 2019). The website not only posted sexually explicit images of victims but often their names and contact information. The NCP websites serve a dual function (Henry and Flynn, 2019): (i) they enable bitter ex-partners and others to humiliate the victims, and (ii) they market themselves to seek sexually explicit images that are recorded secretly without the consent of those depicted (voyeurism). Uhl, et al. (2018) found that most of the websites had advertisements, resulting in financial gain from the daily interactions. Some of these websites also charged the victims a fee to remove their non-consensually posted images (Uhl, et al., 2018). The study found that most of the websites also had a ranking system where consumers of these images could

comment on and rank the nude images for entertainment purposes. Some of these websites such as IsAnyoneUp.com, MyEx.com, and many others were shut down by authorities when cases of NCP were brought forward by victims (Henry & Flynn, 2019).

### **1.6.2. Social Media Platforms and non-consensual pornography**

Although literature mainly focuses on websites for the distribution of NCP, SMPs have also been plagued by this issue. Social media business models are often designed to maximise user content sharing and interaction which can be the key contributing factor to the widespread abuse and harassment on these platforms (Hasinoff & Schneider, 2022; Suzor et al., 2019). An image shared on X, for example, tagging accounts with many followers can trend in a matter of seconds.

Public SMPs have also been used to perpetrate distribution of NCP. The two most used and popular SMPs, Facebook and X have been grappling with NCP on their platforms (De Angeli et al., 2021; Maddocks, 2018). The X community guidelines stipulate that users can share sexually explicit content that is consensually produced and distributed, and posting NCP is a violation of the terms of service (X, n.d). A violation of this policy would constitute:

*“Posting creepshots or upskirts - images or videos taken of people’s buttocks, up an individual’s skirt/dress or other clothes that allows people to see the person’s genitals, buttocks, or breasts”* (X, n.d).

Users' accounts that have been found to have violated this policy will have their accounts suspended. Reporting of NCP or any other violations of X rules is up to the victims or the users in general (De Angeli et al, 2021). The reporting process is easy, and one does not need to have an account to report harmful content (X, n.d). However, screenshots are not accepted as evidence of bullying or harassment on X (Matias et.al, 2015), as there are no tools available to evaluate the authenticity of the screenshots (Zaki et al., 2023). Not accepting screenshots as a form of evidence allows X users to tweet and delete them and therefore, continue to terrorise others through the screenshots. X has been criticized for mishandling complaints of harassment and bullying on their platforms including NCP. The company has been condemned for letting trolls run rampant on its platform and not doing anything about it (Cusumano et al., 2021). With no way of validating between consensual and NCP, X becomes the dumping ground for NCP.

Facebook has also been wrestling with NCP on its platform. In 2018, the social media company reached an out-of-court settlement with a teenager in the United Kingdom (UK) whose naked photo was posted on their platform. The image appeared on Facebook platforms several times between 2014 and 2016 when the teenager decided to misuse private information, negligence on Facebook's side for not removing the harmful images timely, and for breaching the Data Protection Act (McDonald, 2018). More cases like these are being brought against the social media company, though they are not publicised (McDonald, 2018). Similarly, Facebook has community guidelines that set out rules of engagement, including banning NCP on the platform (Facebook, n.d)), however, nothing prevents users from posting NCP (Powell et al., 2019). While social media websites often provide guidelines, community standards, and terms of service to which end-users must adhere, as well as systems for monitoring the content posted, those do not often translate to effective content moderation (Crawford and Gillespie, 2016). The lack of enforcement of community guidelines, coupled with the complexity and shortcomings of platform technology, has created a situation where SMPs are unsafe (Grygiel & Brown, 2019) Even though some companies, such as Facebook, have invested a great deal of time in trying to moderate the content on their platform, there are still no standards when it comes to content moderation (Siapera, 2022).

In Europe, there is a code of conduct regarding the removal of hate speech that major platforms have agreed to adhere to, but some companies such as X are struggling to remove content within the agreed-upon timeline (Tan, 2022). In Germany, some platforms are getting closer to complying with content moderation regulations, but the companies are currently not able to do so even with increased content review staff and better tools (Gorwa et al, 2020). Moreover, Australia has also put laws in place to pose penalties against Internet and social media companies who fail to comply with orders to remove offending content on their platform such as NCP (Yar & Drew, 2019). Social media companies should take a firmer stand in ensuring their platforms are not used to harass and abuse others in the form of NCP (Dragiewicz et al., 2019). The move to make SMPs more accountable for the content posted on their platforms could be beneficial in curbing NCP.

### **1.7. Impact of non-consensual pornography on victims**

NCP is a violation of one's privacy and often has a devastating impact on the victims (Schein,2019). Victims of NCP are faced with serious complications after being victims of NCP, some experience mental health consequences such as distress, anxiety, and reduced self-

esteem, and others lose their jobs. (Hearn & Hall, 2022; Walker & Sleath, 2017). Victims have reported losing their employment or being forced to leave their work after photographs were shared or being terrified those images might be published (Cannon, 2015; Citron & Franks, 2014; Huber, 2023). In the context of images being distributed for revenge purposes, some report post-traumatic stress symptoms and suicidal ideation (Bates, 2017; Magaldi, Sales & Paul, 2020). Furthermore, the negative mental health consequences of NCP for female victims are like the negative mental health outcomes that rape survivors experience (Bates, 2017). The treatment from the community and law enforcement and victim-blame also has an impact on victims (Bates, 2017; Snaychuk & O’Neill, 2020). By feeling as if their victimization is their fault, the negative mental health consequences of NCP victimization may be exacerbated (Gassó et al., 2021). Victims may also be less likely to come forward to report NCP if they feel that their victimization will not be taken seriously (Call, 2021). When victims are dissatisfied with the judicial system, they may engage in self-destructive behaviours such as drinking and suicide ideation. Such maladaptive actions harm not just the victims of NCP but also their close relationships with their children, spouses, and friends. The use of maladaptive coping mechanisms highlights the importance of visible and accessible psychosocial support programs that can aid victims in regaining their emotional well-being. (Mafa et.al., 2020).

### **1.8. Non-consensual pornography: Victim blame**

Victims of NCP often withstand criticism when their sexually explicit images are disseminated online. The blame is often against women, who are considered sexually assertive, and, therefore, deserving of having their images shared online for acting in a sexual manner (Kakungulu-Mayambala et al., 2021; Ringrose & Harvey, 2015). This form of victim blame is prevalent in sexual crimes such as rape, and it also is the case in NCP (Pinciotti & Orcutt, 2021). In addition, victim blame goes further in other countries that have anti-NCP laws. In Uganda, victims are humiliated into isolation using existing laws such as the Anti-Pornography Act (Bigirwa, 2020). The Anti-Pornography Act prohibits and criminalises all acts related to pornography (Chisala-Tempelhoff & Kirya, 2016). The law was enacted in 2014, and section 13 of the Act provides that:

*“a person shall not produce, traffic in, publish, broadcast, procure, import, export, sell or abet any form of pornography”.*

This law in Uganda has often been used as a tool to persecute those who participate in a type of sexual expression (Bigirwa, 2020). Society will judge and blame the victim, and thereafter the victim will be arrested for participating in pornography while the perpetrator does not suffer any consequences (Asiimwe, 2020).

Victim blame is also prevalent in Malawi under section 179 of the Malawian Penal Code which criminalizes obscene matters or things. Section (1)(a) thereof specifically details:

*“An offence committed by any person who— makes, produces or has in his possession any one or more obscene writings, drawings, prints, paintings, printed matter, pictures, posters, emblems, photographs, photographic negatives or prints, cinematograph films, gramophone records or other contrivances for the reproduction of sound or any other obscene objects or any other objects tending to corrupt morals”*  
(Chisala-Tempelhoff & Kirya, 2016).

The responsibility of avoiding being victims of NCP is frequently put on potential victims, absolving the (typically male) offenders of any culpability (Bates, 2017; Kakungulu-Mayambala et al., 2021). Victims may also be fearful of engaging in the criminal justice system and coming forward to report their images being released, fearing bad judgments, a lack of action, or even punishment (Mckinlay & Lavis, 2020). The focus on the victim and what they should have not done often leads to the perpetrator continuing with this deviant behaviour. Moreover, laws that blame victims do not help eradicate the spread of NCP, as perpetrators are absolved of any responsibility.

### **1.9. Law and non-consensual pornography**

Cyberspace and online activity have sparked the emergence of some previously unknown areas of law violations that cannot be adequately addressed by existing legal solutions (Snail ka Mtuze & Musoni, 2023). The exponential growth in NCP and the harm it causes to victims has forced legislators and governments to respond by enacting laws and combat its spread (Henry, Flynn & Powell, 2019). In recent years countries, including South Africa have recognised the harms caused by NCP and put laws in place that deal specifically with NCP (Bond & Tyrell, 2021; Musoni, 2019). In 2015 UK passed a law to prohibit individuals from distributing NCP. Similarly, different states in Australia have passed amendments to their respective criminal laws to specifically criminalize offences related to distributing and threatening the distribution

of intimate images without the consent of those depicted (Yar & Drew, 2019). Making NCP illegal may discourage individuals from participating in sharing NCP (Walker & Sleath, 2017; Powell et al., 2020). Lageson et al (2019) investigated public attitudes and perceptions on the criminalization of NCP and noted that most participants favoured the criminalization of NCP. The participants believed that the law could play a bigger role in stopping NCP.

In South Africa, there are currently two overlapping laws that criminalise NCP: the Cybercrimes Act (CCA) of 2020, and the FPAA (van der Linde, 2021). Table 1 describes the two acts.

*Table 1: Descriptions of South Africa’s CCA & FPAA*

<b>Act</b>	<b>Description</b>
Cybercrimes Act of 2020, section 16(1)	<i>“Any person (“A”) who unlawfully and intentionally discloses, by means of an electronic communications service, a data message of an intimate image of a person (“B”), without the consent of B, is guilty of an offence.”</i>
Film and Publications Amendment Act of 2019, Section 18F (1)	<i>"No person may expose, through any medium, including the internet and social media, a private sexual photograph or film if the disclosure is made (a) without the consent of the individual or individuals who appear in the photograph or film; and (b) with the intention of causing that individual harm."</i>

Although both acts make provision for NCP as a criminal offense, the CCA goes further and makes provision for simulated images such as Deepfakes, where someone’s face can be photoshopped into a sexually explicit image (Mashinini, 2021; van der Linde, 2021). CCA is not without limitations; one criticism raised against the CCA’s revenge pornography clause is

that it solely imposes legal repercussions on the initial offender who initially spreads the explicit sexual images, while any subsequent sharing by third parties lacks substantial accountability (Musoni, 2019). The introduction of FPAA, however, covers this limitation, as the act is more comprehensive, and criminalises the re-sharing of NCP by third parties.

Before these legislations were in effect, victims of NCP could only bring civil litigation against their perpetrators as *crimen injuria* (Musoni, 2019; van der Linde 2021). The Issue with civil litigation was the emotional and financial burden it came with as well as the public attention it brought to victims (Burris, 2014; Crofts & Kirchengast, 2019). Moreover, a damages award does not guarantee that the victim's private photographs will be removed from the Internet. It is notoriously difficult to verify that images shared online are erased permanently and to ensure other internet users do not re-published these (O'Connell, 2019). The introduction of laws, specifically, to deal with this crime in South Africa is welcomed as it provides victims with restitution for an issue that previously had no direct remedy.

However, there is no perfectly safe place on the interweb, and even comprehensive legislation cannot always account for bad social behaviour, therefore, NCP will always be a feature and not a bug of online social activity Waldman (2019). In addition, when the law is sought to deal with technology-created problems, legislation procedures are required to keep up with the fast-changing technology, and they often lag (Hacker et al., 2023; Marchant, 2019). For instance, in some countries, such as the UK and the United States of America (USA) where sharing of NCP is illegal, the creation and distribution of Deepfakes pornography are not recognized as a criminal offence (Delfino, 2019; Mania, 2020). This inconsistency in the application of the law has negative implications for victims who often do not get justice even in instances when NCP is a recognised criminal offence.

### **1.10. Motivations for distributing non-consensual pornography online**

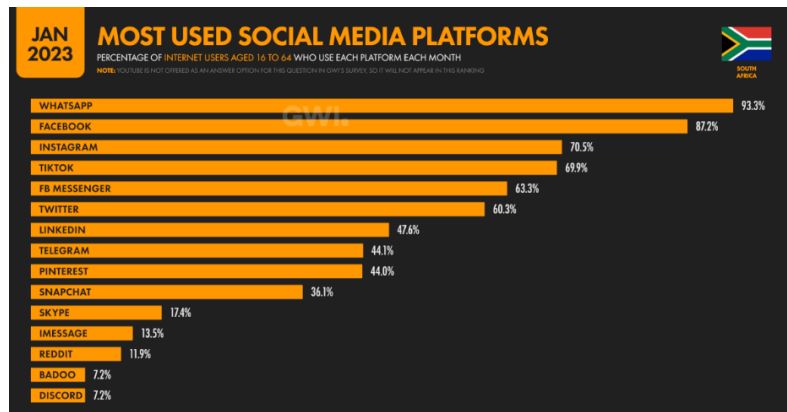
Although it is illegal to share NCP in some countries around the world, including South Africa, distribution and re-sharing of NCP continues (Mahlatsi, 2019). A study by Hall and Hearn (2019) explored an online website MyEx.Com that posts NCP. The study focused on male perpetrators, and texts accompanying the sexually explicit images were analyzed. The study found that men believed that the victims deserved to be exposed for varied reasons. The main men who shared sexually explicit photos of their exes' men were cheating, so posting their

images online was a way of gaining their power back. Similar findings appear in a study by Lee & Downing (2019) which explored the perception of individuals engaging in sending NCP to friends. The study used mixed methods when collecting data. The results indicated that the motivation behind sharing on NCP was to either bully, show off, or out of revenge. Moreover, a similar study by Mandau (2020) explored the experiences of young adults viewing and sharing NCP, and how these experiences are influenced by gender interactions. The results showed that amongst males, sharing and viewing NCP could be a means of climbing up the masculine ladder (Mandau, 2020). Although these studies explored the motivations for sharing NCP, the justifications for re-sharing NCP remain unexplored. Studies exploring the justifications for sharing NCP merely focused on revenge pornography shared by an ex-partner with the intent to cause harm to the other ex-partner.

### **1.11. Internet and social media usage in South Africa**

Internet access has become an integral part of modern society. In developing countries such as South Africa, access to the internet enables the previously disadvantaged access to information and resources they would otherwise not have access to. As of 2021, around 56% of South Africans had internet access (The World Bank, 2021). This statistic has progressively risen over the years as the country's investment in digital infrastructure and mobile technologies has increased. With well-established fibre optic, satellite, and mobile networks, South Africa boasts one of the most modern telecommunications networks in Africa. According to the Global Digital Report, the country's mobile internet usage has also increased significantly, with over 100 million mobile connections as of 2023 (Kemp, 2023).

In South Africa, social media usage has grown, notably in terms of the number of users and the intensity of use (Kemp, 2023). When the national lockdown due to the COVID-19 pandemic was implemented in March 2020, social media evolved into a form of everyday contact, spanning racial, ethnic, socioeconomic, and geographical divides (Matema & Kariuki, 2022). Currently, South Africa has over 25 million active social media users; this represents 43% of the total population (Kemp, 2023). As shown in Figure 1, Facebook, X and WhatsApp are the most used platforms by South Africans.



*Figure 1: Most used social media platform in South Africa (Kemp, 2023)*

The usage of social media as a plethora of benefits. Platforms such as WhatsApp have been used in education to bridge the communication gap among students, and students with lectures leading to positive learning outcomes (Mpungose, 2020). Social media has also been used in healthcare as a medium and vehicle of communication and outreach (Mwaura et al., 2020).

### 1.12. Chapter Summary

The chapter reviewed the literature concerning NCP, covering different facets of this concept, including distribution, prevalence, motivations, legal considerations, and the involvement of SMPs. Even though extensive research exists on NCP, sometimes referred to as revenge pornography, there has been limited research into the justifications employed by SMPs users when engaging in the re-sharing behaviour. Consequently, conducting this research became essential to address this gap in the literature.

## **CHAPTER 3: THEORETICAL FRAMEWORK: NEUTRALISATION THEORY**

### **3.1. Introduction**

This chapter outlines the theoretical framework used for this study. Theoretical framework refers to the structure that can sustain or accommodate the theory of the research study (Kivunja, 2018). Theories are employed in research to forecast, clarify, and comprehend a phenomenon. This study adopted the Neutralisation theory to understand justifications for re-sharing NCP on social media.

### **3.2. The Neutralisation Theory**

Neutralisation Theory is commonly utilised in criminology research to better understand the justifications of individuals behind delinquent behaviour (Maruna & Cooper, 2005). The Neutralisation theory suggests that delinquents, despite their involvement in deviant criminal behaviour, maintain a strong bond to conventional society and actively work to perceive themselves as good individuals (Sykes & Matza, 1957). Moral beliefs act as impediments to engaging in criminal activity (Siponen et al., 2012). Therefore, to escape moral responsibility for a criminal act and thereby avoid facing adverse societal consequences (Sakala & Chigona, 2020), one needs to display the absence of criminal intent by using neutralisation techniques (Sykes & Matza, 1957). Furthermore, neutralisation techniques are disengagement tools that enable people to justify behaviours that are considered deviant. By disengaging themselves from the consequences of their action, people can justify unacceptable behaviour without much distress.

#### **3.2.1. The Neutralisation Techniques**

Sykes and Matza (1957) identified five Neutralisation techniques which are: denial of the victim, denial of injury, denial of responsibility, condemnation of condemners, and appeal to higher loyalties. The neutralisation techniques are disengagement tools that enable people to justify behaviours that are considered deviant. By disengaging themselves from the consequences of their action, people can justify unacceptable behaviour without much distress. Neutralizations play a crucial role in explaining the emergence and continuity of deviant behaviour (Kaptein & Van Helvoort, 2019). Table 2 summarises the neutralisation techniques.

*Table 2: Summary of Neutralisation Techniques*

<b>Neutralisation Technique</b>	<b>Description</b>
<b>Denial of victim</b>	Offender maintains the belief that the victim deserves the action committed against them. The delinquent manipulates the perception of the victim and asserts that the mistreatment towards the victim is warranted (Sakala & Chigona, 2020)
<b>Denial of Responsibility</b>	Offenders argue that circumstances are responsible for their actions. Offenders often shift the blame to circumstances ‘beyond their control’ (Manor, 1980).
<b>Denial of Injury</b>	The technique is used to nullify the feeling of remorse toward the victim. The offenders justify their behaviour by indicating that “breaking the law is not a big deal, no one got hurt” (Liddick, 2013).
<b>Condemnation of condemners</b>	Condemning the condemners is an attention-shifting strategy employed by individuals to divert attention, rationalizing their deviant actions by placing blame on those who criticize or condemn them (Wong et al., 2023)
<b>Appeal to higher loyalties</b>	Appeal to higher loyalties involves individuals engaged in deviant behaviour justifying their actions by portraying them as contributions to the greater good or aligning with a higher-order ideal (Cheng et al., 2013).

### *1. The denial of the victim*

The denial of victim technique serves as a mechanism that enables individuals to justify their harmful behaviour as acceptable within a specific context. The offender may accept responsibility for their actions; however, they may still claim that the victim was the offender and deserves punishment (Sykes & Matza, 1957). Denial of victims also occurs when the victims are dehumanised (Sykes & Matza, 1957), and their existence is reduced to “just” statistics (Bandura, 1999; Maruna & Copes, 2005). This dehumanisation serves to create a psychological distance between the perpetrator and the victim, making it easier for the offender to deny any negative impact of their behaviour to the victim (Landry et al., 2022; Opotow,

2001). Similar to the concept of an ideal victim by Christie (1986), it is argued that an ideal victim embodies societal attitudes and values. To qualify as an ideal victim, an individual's characteristics, the type of crime they have suffered, and the role of the victim must align with established social norms and values (Loske, 2003; Roberts et al., 2019). This may be the case in NCP, where victims are questioned for their involvement in creating and distributing the images and/or videos. In cases of NCP, victim blame has been prevalent, where the victim is blamed for sexting or agreeing to have sexually explicit images of themselves taken (Kakungulu-Mayambala et al., 2021)

## **2. *The denial of responsibility***

The denial of responsibility is when one argues that their behaviour is the result of powers beyond their control. One may use several excuses to deny responsibility for their actions (Sykes & Matza, 1957). This neutralisation technique enables an individual to perceive themselves as being compelled into unfamiliar circumstances where they engaged in wrongful actions beyond their control. Moreover, the fact that NCP may already be in circulation could be used as justification for re-sharing.

## **3. *The denial of injury***

The denial of injury enables individuals to justify their actions by convincing themselves that the victim suffered no harm (Sykes & Matza, 1957). These individuals might admit that their behaviour was improper or unlawful, however, they rationalize it by arguing that it was acceptable because no actual harm was inflicted (Ramirez-Thompson, 2020). Fraudsters, for example, may convince themselves that no one was hurt by their actions and do not deem their actions as real corruption (Zuberi & Mzenzi, 2019). In cases of NCP where the victim themselves took the sexually explicit images and videos, individuals who share them might argue that the victim does not object to the sharing and will not suffer harm from this behaviour.

## **4. *Condemnation of the condemners***

Condemnation of the condemners is often used when the credibility of the victim or the individual expressing disapproval is questioned (Sykes & Matza, 1957). Consequently, the

offender shifts the focus from their deviant behaviour to the person who is condemning the behaviour (Byers et al., 1999). The use of this technique is often a strategy to portray the victim, or condemner as untrustworthy due to their questionable actions (Sykes & Matza, 1957). This neutralisation technique has received extensive attention in academic literature, as its primary objective is for offenders to maintain a favourable self-image. Cantor et al. (2022) found that those with sexual attraction toward children often portray themselves as advocates of children's rights while finding parents or authority figures in the children's lives as the problematic ones. To justify the behaviour for re-sharing NCP for example, the offender could claim that the condemner is hypocritical as they might also be sharing NCP on social media as well.

### **5. *Appeal to higher loyalties***

This technique is when an offender prioritises a greater or more significant cause over the needs of the broader society, demonstrating unwavering dedication to this superior purpose (Sykes & Matza, 1957). This does not necessarily imply a complete rejection of societal norms but signifies that the individual places their loyalty to other causes above these established social norms (Sykes & Matza, 1957). The appeal to higher loyalties technique justifies behaviour because one's moral obligation necessitates violating the law (Costello, 2000; Schoultz & Flyghed, 2021). Morals, ethics, and beliefs of the offender may be used as neutralisation for re-sharing NCP. A married person depicted in NCP may be deemed deserving of NCP as they strayed from their marriage.

### **3.3. The rationale for using Neutralisation Theory**

A few theories were considered for this study, one being the Cognitive Dissonance theory. However, they were deemed inappropriate to help answer the main research question, therefore the Neutralisation Theory was deemed suitable for this study. Even though the Neutralisation Theory was developed to study criminal behaviour, it has been used in studies that seek to explore behaviour that is deemed not acceptable based on social norms. Neutralisation Theory is easily applied, as it can be employed in different scenarios where individual actions are not aligned with held social beliefs (Maruna & Copes, 2005). Moreover, the Neutralisation theory has been employed to understand the involvement of individuals in serious acts of violence such as rape and murder (Bohner et al. 1998; Karimakwenda, 2020). and homicides. The theory has also been employed to study, comparatively minor aggressive behaviours such as burglary & assault (King-Parker, 2020).

While there's limited research on Neutralisation theory on NCP, studies on cybercrimes, cyberbullying and sexual crimes have employed neutralisation theory. Table 3 summarises studies that have employed Neutralisation theory to explore various deviant behaviours over the internet.

**Table 3:** *Cybercrime studies that employed Neutralisation Theory*

<b>Title</b>	<b>Purpose/Objective</b>	<b>Key Findings</b>	<b>Author(S)</b>
Applying Neutralisation Theory to Better Understand Ransomware Offenders	To explore the usage of Neutralisation by individuals in ransomware operations.	Results revealed that ransomware offenders mainly use six neutralisation techniques to minimise the perceived impact and/or guilty feeling of their actions. These include denial of victim and denial of injury.	Connolly et al., (2023)
Peeping Wang: A Bird's Eye View on Video Voyeurism among Chinese Men Attracted to Men	To examine male-on-male non-consensual voyeurism from a web forum dedicated to men attracted to other men	Perpetrators often justified their actions by denying the victim and, victim-blaming. Often implying the victim had fun.	Yang Liu (2023)

Neutralizing Cyber Attacks: Techniques of Neutralization and Willingness to Commit Cyber Attacks	Investigate the impact of Neutralisation techniques on the inclination of college students' willingness to engage in cyber-attacks, specifically defacing websites and compromising financial and government servers.	This study discovered that an overall scale of neutralization techniques significantly projected the willingness to commit the following cyber actions.	Bossler (2021)
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Furthermore, the concept of techniques of neutralization has had a significant impact on the study of deviance and has been used to inform the development of criminal justice policies and interventions. For example, research on techniques of neutralization has been used to design programs aimed at reducing recidivism among offenders by helping them to identify and challenge their justifications for deviant behaviour (Maruna & Copes, 2005). Therefore, this theory is appropriate to explore the justifications social media users employ to absolve themselves of guilt for engaging in sharing & re-sharing NCP.

### 3.4. Chapter Summary

This chapter presented the theoretical framework that is the foundation of this study. This study employed the Neutralisation theory to explore the justification for re-sharing NCP. While the theory originates from criminology, there are several studies in diverse fields (including Information Systems) that have used it to explore deviant behaviour.

## **CHAPTER 4: RESEARCH DESIGN**

### **4.1. Introduction**

This chapter presents the research methodology employed to investigate the justifications for re-sharing NCP. The chapter delves into the research philosophy, research method, data collection process, sampling method, and data analysis techniques, and examines research validity and reliability. Ethical considerations are also addressed.

### **4.2. Research Philosophy**

This study adopted the interpretive research paradigm. Research paradigm refers to a set of principal philosophical beliefs that describe the nature of the world and how people perceive it (Creswell, 2014; Levers, 2013). The interpretive research paradigm enables the researcher to gain insight into the experience of individuals (Cohen et al., 2000) and to uncover reality by considering the perspectives, backgrounds, and experiences of the participants (Tong et al., 2007). In addition, the interpretive research paradigm involves deploying various interconnected interpretive methods within qualitative research to gain an understanding of the phenomenon being studied (Johnson et al, 2020). This study aimed to explore the justifications for resharing NCP, and therefore, the interpretive research paradigm was deemed fit for this study.

### **4.3. Research method**

This study employed a qualitative approach, which is primarily exploratory (Lee & Krauss, 2015). Qualitative research aims to achieve a deeper insight into topics or specific circumstances by analysing the perspectives and behaviour of the individuals involved, as well as the context in which they operate (Kaplan et al., 2005). the choice of the qualitative approach was based on its suitability for addressing the primary research question as it allows for a more comprehensive exploration of participants' perceptions and in-depth information to better understand the re-sharing of NCP on SMPs.

### **4.4. Data collection method**

This study collected both primary and secondary data. Semi-structured interviews were used to collect primary data. Interviews often provide an opportunity for the researcher to explore the topic in-depth (Gill et al., 2008).

#### **4.4.1. Semi-Structured Interviews**

Semi-structured interviews also allowed the interviewer to ask more questions to participants during the interview, thus the responses were not limited to the planned questions. Moreover, interviews enable the researcher to explain and clarify questions, thus getting richer, more informative responses (Gill et al., 2008). An interview request was sent to all potential participants who are between the ages of 18-45, and who use social media frequently to help answer the research questions. Some of the interviews were conducted in person, and others via an online platform (Teams/WhatsApp calls). The data collection instrument (interview guide in Appendix D) provided a real-life vignette that was used as stimuli and a guide for the questions. Vignettes are often used as of stimulus and encourage participants to openly communicate their opinions (Sampson & Johannessen, 2019). While vignettes are commonly hypothetical situations, real-life vignettes have been used in research, and they help decrease idealized responses compared to fictionalized vignettes (Barter & Renold, 2000). In the case of this study, using scenarios that participants were aware of assisted in getting much richer data.

#### **4.4.2. X Data**

The secondary data was observed on X on posts that were trending that related to NCP. Social media offers access to a wide variety of data and allows researchers to find voices that would not be heard otherwise using more traditional methods such as semi-structured interviews (Andreotta et al., 2019). During the duration of this research, from January 2021 to December 2023 the researcher joined X to follow everything that was trending. During this time, cases of NCP were observed. Two recent cases of NCP were selected (described below). These cases were selected after the names of the victims were on the trending list on X in South Africa. At least 200 comments, posts, and replies were collected from both cases. The data from X was used to triangulate with the primary data collected. X was a preferred platform due to its ability to easily access tweets, regardless of whether one follows the tweeter user and those who comment or share tweets.

#### **4.4.3. Pilot Study**

The researcher conducted a pilot study to ensure the suitability of the data collection method for the research. The researcher then organised a focus group with four participants. The outcome of the focus group was unfavourable as most participants were not comfortable discussing the topic, primarily due to religious reasons. Most of the participants selected were Christians, and this significantly influenced the dynamics of the focus group discussion, particularly given the explicit sexual nature of the topic. As a result, only a limited number of individuals felt comfortable engaging freely in the dialogue. This imbalance in participation could stem from various factors, including taboos surrounding discussions of sexuality within the Christians community, personal discomfort, or potential concerns about how their contributions might be perceived by others within their religious circle. Consequently, the data collection method changed to semi-structured interviews which ensured that participants were comfortable conversing about the topic and answering questions.

#### **4.5. X case description**

Two recent cases of NCP are described in the section below. Comments from these cases were observed and included in the findings.

##### **4.5.1. Case One: DJ Lungile**

In late September 2022, a well-known celebrity critic's X account (@MK) shared a video on X featuring a prominent DJ. To maintain anonymity, we will refer to the DJ as DJ Lungile. In the video, DJ Lungile was observed exiting a shower in a state of nudity, with his private parts exposed. While the celebrity critic account posted the video, reports suggest that the original sharing of the video was attributed to an individual with whom the DJ was allegedly having an affair.

##### **4.5.2. Case two: Zandile**

At the beginning of November 2022, an NCP video trended on X depicting a middle-aged woman. On the video, the woman could be seen touching and/or rubbing her exposed private parts seemingly on a video call with someone (this is often referred to as “phone sex”). The woman was identified as a public servant and a political leader - a local government speaker. Even though the name of the woman was disclosed on X, to protect her identity the name Zandile will be used to refer to her in this study. It is alleged that the intimate video originated

from an (ex) partner she was having an extra-marital affair with. It was also alleged that the (ex) partner shared the video after a failed attempt to extort money from her not to release the video.

#### 4.6. Sampling Method

This study used purposive sampling to select the participants. Purposive sampling is defined as selecting a sample based on the researchers’ knowledge of the population, its elements, and the nature of the research aims (Teddlie & Yu, 2007). Purposive sampling is often employed in qualitative investigation, as the number of participants is not more important than the criteria used to select them (Wilmot, 2005). Figure 2 illustrates the sampling process followed in this study.



*Figure 2: Sampling process – adapted from Taherdoost (2016)*

Previous studies have found that NCP sharing is most prevalent among individuals between the ages of 18-45 (Branch et al., 2017; Powell et al., 2022), and this age group is also the most active on SMPs in South Africa (Cowling, 2023). Therefore, participants for the study consisted of individuals within this age group, who use social media, as they are more likely to provide more information to answer the research question. Twelve participants who met the criteria of the targeted population were selected. This number of participants was appropriate for the study to effectively utilize the available time and resources. Selection criteria for participants and X NCP cases are summarised in Table 4.

*Table 4: Summary of selection Criteria*

Data Collection Method	Criteria	Details
Interviews	Age	Individuals between the ages of 18-45

	Social Media usage	Facebook or X (minimum) and other SMPs.
<b>X Data</b>	NCP video	Meet the definition of NCP
	Recency	Comments/posts/retweets/shares on latest videos of NCP

#### 4.6.1. Participants demographic profile

The demographics of the participants presented in Table 5 show the characteristics of the participants from the primary data collected through interviews for this study. Of the twelve participants, four were female, while the rest were male.

*Table 5: Demographic characteristics of study participants*

<b>Interviewee</b>	<b>Age</b>	<b>Gender</b>
Participant 1 - [P1]	19	Female
Participant 2 - [P2]	23	Male
Participant 3 - [P3]	45	Male
Participant 4 - [P4]	32	Male
Participant 5 - [P5]	35	Female
Participant 6 - [P6]	23	Female
Participant 7 - [P7]	33	Female
Participant 8 - [P8]	29	Male
Participant 9 - [P9]	29	Male
Participant 10 - [P10]	27	Male
Participant 11 - [P11]	20	Male
Participant 12 - [P12]	41	Male

#### 4.7. Data analysis

This study used the Thematic Approach (TA) to analyse the data collected. TA is a method of identifying patterns and themes within qualitative data (Braun & Clarke, 2006). When the study aims to establish connections between variables and differentiate between objects, thematic

analysis is the preferred approach (Alhojailan, 2012). As illustrated in Figure 3, thematic analysis consists of several stages.

<b>Phase</b>	<b>Description</b>
1. Familiarizing yourself with your data:	Transcribing data (if necessary), reading and re-reading the data, noting down initial ideas
2. Generating initial codes:	Coding interesting features of the data in a systematic fashion across the entire data set, collating data relevant to each code.
3. Searching for themes:	Collating codes into potential themes, gathering all data relevant to each potential theme
4. Reviewing themes:	Checking if the themes work in relation to the coded extracts (Level 1) and the entire data set (Level 2), generating a thematic ‘map’ of the analysis.
5. Defining and naming themes:	Ongoing analysis to refine the specifics of each theme, and the overall story the analysis tells, generating clear definitions and names for each theme.
6. Producing the report:	The final opportunity for analysis. Selection of vivid, compelling extract examples, final analysis of selected extracts, relating back of the analysis to the research question and literature, producing a scholarly report of the analysis

*Figure 3:Steps of Thematic analysis (Braun & Clarke, 2016)*

Initially, researchers become familiar with the collected data, which involves reviewing notes from individual semi-structured interviews and listening to the recordings. This stage allows the data to be coded and organized. Next, the collected data is coded by following the order of the interview questions. The primary objective of coding is to ensure that each dataset is relevant to the research questions, as noted by Maguire and Delahunt (2010). To guarantee that the collected data answer the primary research question, the Neutralisation theoretical framework constructs, and research objectives were taken into consideration. The data collected were classified into themes using the five neutralisation techniques, which are denial of responsibility, denial of injury, denial of the victim, condemnation of the condemners, and appeal to higher loyalties.

The researcher used NVivo 12 software to assist in the data analysis process because it can manage vast quantities of data, as stated by Blismas and Dainty (2003). The reason for selecting NVivo 12 was its ability to simplify and expedite many of the repetitive and mechanical aspects of qualitative research (Baba & Yusoff, 2011).

#### **4.8. Research Validity and Reliability**

Reliability and validity are vital features of all research, but are more important in qualitative research, since the researcher's subjectivity may easily cloud the interpretation of the data collected (Brink, 1993). In qualitative research, validity refers to the suitability of the instruments and methods used to collect data, and whether these will help address the key research questions (Leung, 2015).

Reliability refers to the extent to which results remain consistent over time and accurately represent the total population under study. Moreover, reliability assesses the quality of a research instrument (Kimberlin & Winterstein, 2008). A research instrument is considered high quality if it consistently produces the same results in similar studies or if a set of questions is consistently interpreted in the same way by most or all participants (Golafshani, 2003). From a qualitative perspective, reliability is not determined by outsiders obtaining identical results but by their consensus that, based on the collected data, the results are logical and coherent (Lincoln & Guba, 1985). To address reliability concerns, triangulation was used to account for biases that may occur from the researcher's side. Triangulation involves several forms, but it commonly means using multiple data sources, data collection methods, or investigators (Long & Johnson, 2000). The main purpose of triangulation is to overcome the personal prejudices of researchers (Denzin, 1978). This study collected both primary and secondary data to triangulate to decrease any researcher biases.

Validity on the other hand determines whether the research genuinely measures what it intended to measure or how 'truthful' the research results are (Golafshani, 2003). Validity describes the degree of congruence between the explanations of the phenomena and the realities of the world (McMillan & Schumacher, 2006). Researchers often determine validity by asking a series of questions to test the research findings and by examining previous research examples (Golafshani, 2003). In qualitative research, validity refers to the suitability of the instruments and methods used to collect data, and whether these will help address the key research questions (Leung, 2015). In addressing validity, the researcher dedicated a significant amount of time to carefully analyse the data and document all steps taken to ensure consistency with the collected data.

#### **4.9. Ethics**

Traditional social scientific research incorporates ethics guidelines that are essentially founded on four principles: informed consent, the absence of deceit, privacy, and secrecy, and accuracy (Christians, 2005). All participants were informed of the objectives of the study in a language they understood. Consent was obtained from participants before the interviews (see Appendix A). Moreover, participants were informed of their rights to withdraw from the study at any given moment should they not feel comfortable continuing. Participants were not compensated for being part of this research and were informed of this through the introductory letter (see Appendix B). The anonymity of participants and confidentiality of the information they provide is maintained by giving the participants pseudonyms to hide their actual identities when analysing the data collected. Moreover, no names/handles will be revealed from the data that was collected on SMPs. It is important to note that NCP is a sensitive topic that may have a psychological impact on participants. Therefore, participants received information about free counselling services offered by organizations like Lifeline, the South African Depression and Anxiety Group and an affordable alternative, The Counselling Hub (see Appendix E). This was to ensure that they get adequate assistance in dealing with any post-traumas that may resurface when conversing about NCP. The researcher obtained Ethical Approval from the Commerce Faculty Ethics Committee before conducting this research (see Appendix C).

The collection of X data did not necessitate additional ethical approval from the Commerce Faculty Ethics Committee. However, in adherence to ethical considerations, the names of individuals affected by NCP within the identified cases were altered to safeguard their anonymity and uphold their dignity, thus preventing further dissemination of their videos, despite their existing online presence. Similarly, certain X user accounts involved in the dissemination of NCP video on one of the X cases were also anonymised to prevent any potential harm or unnecessary attention.

#### **4.10. Chapter Summary**

This chapter presented the research design of this study. The qualitative approach and methods used for data collection were deemed appropriate for the study to gain a deeper understanding of re-sharing on NCP.

## CHAPTER 5: FINDINGS

### 5.1. Introduction

This chapter presents the analysis of data collected in this study. The aim of the study was to explore the justifications that social media users use for re-sharing NCP. This study collected primary data using semi-structured interviews, and secondary data from X (Posts, comments & retweets) on two identified cases of NCP. The main objective of the study was to explore the justifications used by social media users for re-sharing NCP. During data analysis, some neutralisation techniques emerged. While the Neutralisation Theory suggests five Neutralisation techniques that can be used to justify deviant behaviour, in this study there were three that were more apparent, namely: *denial of responsibility*, *appeal to higher loyalties*, and *denial of the victim*.

### 5.2. Social media platforms used by participants

The platforms that the participants used and were active on were Facebook, WhatsApp, Instagram, X, and LinkedIn. Table 6 summarises some of the reasons given for the specific social media platform.

*Table 6: Purpose of using social media by participants*

<b>Social Media Platform</b>	<b>Number of participants</b>	<b>Reason/Purpose</b>
<b>Facebook</b>	12	Facebook was mainly used to keep in touch with friends, pass the time, and post and consume fun material in the form of memes and for educational purposes.  <i>“Social media is one of the biggest tools, especially in the education sphere. Facebook also has great pages and groups where people can learn different things”</i> <b>[P2]</b>

		<i>“I mostly use Facebook to share and consume fun content and memes, also keeping in touch with friends” [P3]</i>
<b>X</b>	5	X helped to keep in touch with trends and be timeously informed of what is happening, in the world and in South Africa across different subjects. <i>“I am always curious to know what is going on, on X you get updates almost immediately on different things” [P4]</i>
<b>WhatsApp</b>	12	WhatsApp was mostly used daily as a medium to communicate with family and close friends. Sometimes the tool for workgroups was after-work-hours communication was sent:  <i>“I have different work groups on WhatsApp, but obviously use it to communicate with friends and family as well.” [P1]</i>  <i>“WhatsApp is no longer used just to communicate with family, but work-related stuff gets posted on work WhatsApp group” [P3]</i>
<b>Instagram</b>	4	Instagram was used mainly to follow and keep up with celebrities and post their photos for safekeeping.
<b>LinkedIn</b>	9	LinkedIn was mainly used for professional purposes, to look for jobs and keep up with friends and colleagues

### 5.3. The denial of responsibility

X users and participants employed the technique of denial of responsibility in cases of NCP. They deny responsibility for making a video viral through sharing and re-sharing, instead placing the blame on others. For instance, on the video of DJ Lungile that went viral, one X user commented: *“The person he was with recorded him. She is the wrong one!”*.

Most X users shared the same sentiment that the person who recorded the video should bear the responsibility. They believed that if the video had not been recorded, there would be no video to share. In addition, when the News24 X account shared the following post (with an article link) about Zandile's case, similar comments arose:

*“Those who circulate the sexual video of Zandile must be held criminally liable for sharing revenge pornography and perpetuating abuse” - @News24.*

The comments on this tweet also show X users believed that since she created the video, she should also be held accountable. One X user commented:

*“She created content. As the rule states “Content created shall be content circulated”. Nobody will be held liable for something consented into. She knew exactly what’s gonna happen to the footage the moment she agreed to be taped. so, it's really not our problem. Thanks bye”.*

Few participants from the interview used the denial of responsibility. One participant shared that they re-share the video because it is already trending, stating that: *“.... It’s just curiosity”*. - [P4]

These comments also indicate that users believed the person who created the video should bear responsibility for its viral spread, rather than assuming the blame for subsequent re-sharing of these NCP videos.

Few X users pointed out that it is wrong to re-share NCP. Others went as far as asking others to stop sharing the video for likes and laughs. Also pointing out the dangers of sharing the NCP video to the victim. Most participants also shared that it is wrong to share, and re-share NCP as one could easily get depressed from such. Interview participants also pointed out that even if one created the video, it was only for private consumption and was not meant to be shared online.

*“I do not think anyone would want to see their video trending, even if they created it themselves”. - [P7]*

#### **5.4. Denial of the victim**

The denial of victim neutralisation technique was the most used for re-sharing NCP. Most participants mentioned how victims of NCP should assume some responsibility for videos/photos of a sexual nature ending up online. Some argued that the victims should have been more careful:

*“In this day and age, one should know that there is a slight chance that your nude photo can end up on the internet. The best way is to avoid sending nudes altogether. I actually do not understand the notion of sex tapes and all that. People should be careful”. - [P3]*

The Interview participants also noted that there are ways individuals can use to safeguard their anonymity should they choose to send sexually explicit photos to their partner, such as hiding their faces. This precaution would ensure that even if the video is shared with others, their identity will remain hidden

Other participants also condemned the sharing of sexually explicit pictures with lovers, as you do not know what they will do should things not work out:

*“...when the honeymoon phase ends anything can happen. One should always be careful of what they share with their partners, nudes can damage your reputation”. – [P7]*

X users expressed similar sentiments in their posts and comments on the video depicting Zandile, highlighting that these are the consequences individuals should have considered before recording themselves in a compromising state:

*“Sies. Didn't she think of the consequences of having live Phone sex? Doesn't she know the possibilities of a video can be recorded? Isn't she aware of how Media can travel and circulate like light. Justice system want track and arrest sharists. Lol forget about it”. - [X*

**User]**

#### **5.5. Appeal to higher loyalties**

There were a few instances where the appeal to higher loyalties neutralisation technique was used to justify the sharing and re-sharing of NCP. The data from the case of Zandile and DJ Lungelo showed that others justify their unethical behaviour by appealing to higher loyalties. The

backstories behind their NCP videos involved allegations of infidelity within their respective marriages. X users commented that the videos going viral served as a form of punishment for straying from their marital commitments:

*“Karma has a way of dealing with people who are doing nasty thing in their marriages. How do you do such at that age?” - [X User]*

This demonstrates that social media users believe that because the victims were allegedly cheating on their spouses, they deserve what happened to them.

## **5.6. Knowledge of Films and Publications Amendment Act**

Almost all the interview participants did not know the FPAA and the implications of violating this law. For most participants, it was their first time to hear about it, and others often confused FPAA with the Protection of Personal Information Act (POPIA) which is there to protect the distribution of personal information without the consent of the owner. One participant commented:

*“I know that there is some law that protects someone’s information and that you cannot share anything without their consent”. - [P3]*

Similarly, X posts and comments on the two cases of NCP show that most X users do not know about the FPAA. X users frequently commented on the original X post featuring DJ Lungile's video, expressing concerns that the poster, MK (pseudonym), was violating the Protection of Personal Information Act (POPIA) by sharing the video. On the contrary, few X Users were aware of the difference between the two acts (FPAA & POPIA) and the purpose that each act serves:

*“Its POPIA or POPI act as would say and not POPIA act. Secondly spreading such videos is an infringement of the Films and Publications Amendment Act 11 which can lead to jail time. I thank you”.*

A statement or public notice shared by the Nigeria Consulate on the Zandile case referred to the NCP case as a GBV violation. It is noteworthy that there was no mention of the FPAA which is the main act governing such violations. While NCP may be considered GBV, the exclusion of the exact act that was violated suggests that there is little to no knowledge about the Act in general.

Furthermore, when interview participants were asked about the enforceability of the act, they frequently expressed doubt. They questioned the capabilities of South African Police Officers

and compared potential NCP cases to how GBV cases are handled where most cases often go unsolved and are not given the necessary attention:

*“I am not too sure because South African police are not competent. I do not think they would know what to do in such cases because they even fail with GBV cases”*. - [P3]

In addition, interview participants noted that since NCP videos are commonly shared on online social media platforms where anonymity is easily maintained, tracing the owners of the accounts can be challenging. The extent of sharing was also mentioned as a factor in enforceability, questioning who would be held accountable if the video is distributed by numerous individuals:

*“Also, with the scale of sharing, who would be arrested? Would they know where the video originated?”*. - [P5]

Participants also mentioned that the fact that no one has been arrested for violating this law makes them doubt that it is to be taken seriously.

### **5.7. Other findings: Gender, Age, and sexual shaming**

X posts and comments on the two different cases of NCP show that there is a difference in how victims of NCP are perceived, mostly based on gender and age. The observed videos were of prominent figures, of different ages and gender. On the NCP video where DJ Lungile was depicted, more comments were sympathising with him on the perceived “humiliation” he might be facing:

*“Where do we draw the line? That video is violating every bit of privacy he is entitled to. There are certain things that we should not entertain or keep quiet about – this is one of those thing!”*. – [X User]

Moreover, some comments from users focused on how there will not be consequences for the wrongdoer (the person who shared the video) because the video does not depict a woman, suggesting that women get more attention in cases such as these and comparing this to how men often do not get attention in cases of GBV:

*“Let's agree the society does not sympathize to both genders the same For instance, when it comes to abuse issues it's always women whom are prioritized but an oke can turn into a joke for being abused. But again, what mini was done is wrong”* – [X User]

Most X posts and comments on the NCP video of Zandile, however, were not sympathetic but rather centred on her age and gender. They emphasized the humiliation of being older and still engaging in activities that one “*should be cautioning their children against*” - [X User] referring to the nature of the NCP video being considered phone sex. The comments further suggested that women her age should not participate in sexual activities, and rather focus on being role models to the future generation.

*“I find it funny because I expect better from people her age. She is an embarrassment to society especially given her status.”* – [X User]

Literature suggests that women are often expected to be conservative and less sexually liberated compared to male (Mckinlay & Lavis, 2020). Judgment is often harsher on women who are not afraid to express their sexual side.

## **5.8. Chapter Summary**

This chapter presented the findings of the collected data. The data illustrates that social media users employ some neutralization techniques to rationalize their actions of sharing and re-sharing NCP. The results showed the prevalence of gender differences and varying reactions regarding NCP. In addition, the results indicated that most social media users lack knowledge about the regulations governing the sharing of sexually explicit content on public platforms in South Africa.

## **CHAPTER 6: DISCUSSION OF FINDINGS**

### **6.1. Introduction**

This chapter revisits the research objective, exploring the justifications behind social media users' re-sharing NCP. The chapter presents nine subsections: The chapter provides a summary of the research problem, research objectives, and the research method employed, the neutralization techniques employed to rationalise re-sharing NCP, awareness regarding the consequences of re-sharing NCP is discussed, and thereafter the influence of gender, age, and sexual expression on participation in NCP is also discussed. The contribution of the study, research limitations, recommendations for future research, and conclusion are also outlined in this chapter.

### **6.2. Summary of the research problem, objectives, and Research Method**

Films and Publications Amendment Act, 2019 makes it illegal to share sexually explicit videos and images of others without their consent. Despite the law prohibiting such content sharing on social media, social media users continue to share and re-share NCP. This study explored the justifications users who engage in this behaviour employ. The main objective was to understand why individuals choose to re-share NCP content. Understanding these justifications is imperative to assist in policy and legal reforms, and educational initiatives to minimise the impact this behaviour has on its victims. To investigate the justifications, the study utilized the Neutralization theory, a framework that examines how individuals rationalize or neutralize actions that might stray from societal norms or ethical standards. Through this theory, the research aimed to uncover the cognitive processes and strategies social media users employed when justifying their re-sharing NCP. The following are the sub-objectives of the study:

4. To assess techniques social media users, employ to justify re-sharing NCP.
5. To assess awareness about the consequences of re-sharing NCP.
6. Identify factors that influence re-sharing NCP on social media sites.

This study adopted an interpretive qualitative approach and utilized the Neutralization Theory as its guiding framework, commonly employed in criminology to investigate deviant behaviour. The research included both primary and secondary data sources. Primary data was acquired through semi-structured interviews conducted with a total of 12 participants. In addition, the study collected secondary data from two cases of NCP on X posts, retweets, and comments. The data was analysed using a Thematic Approach.

### **6.3. The Neutralisation techniques**

Neutralization techniques serve as disengagement tools that allow individuals to justify behaviours that might be seen as deviant or unacceptable. The neutralisation techniques enable individuals to detach themselves from the consequences of their actions, thereby justifying their behaviour with less emotional distress. The use of neutralizations is essential in understanding how deviant behaviours arise and persist over time (Kaptein & Van Helvoort, 2019). The study noted that the social media users employed only three of the five Neutralisations to justify re-sharing NCP. The neutralisation techniques employed were denial of the victim, appeal to higher loyalties, and denial of responsibility.

#### **6.3.1. Denial of victim**

The study found that social media users often denied the victim by shifting the blame to them for NCP. Often questioned if they “*did not think of the consequences of having live phone sex? Are they not aware of how media can travel and circulate like light?*” [X User]. The denial of victim neutralisation technique is consistent with victim blaming. Some studies have reported that victims often get blamed in cases of ‘revenge porn’ (Attrill-Smit et al., 2021; Gavin & Scott, 2019; Mckinlay & Lavis, 2020). The responsibility of avoiding being victims of NCP is frequently put on potential victims, absolving the (typically male) offenders of any culpability (Bates, 2016; Kakungulu-Mayambala et al., 2021). More blame is often attributed to victims, especially for self-taken sexually explicit images even if they did not consent to their images being shared online (Mckinlay & Lavis, 2020). Blame is often attributed most to victims of NCP who took photos themselves as “*in this day and age, one should know that there is a slight chance that your nude photo can end up on the internet. The best way is to avoid sending nudes altogether*” [P3].

This finding is consistent with Serpe and Brown (2022) who highlighted the persistent blame directed toward victims of revenge porn, implying that victims should have exercised better judgment and held back from capturing nude images that could potentially be disseminated online. Certain African countries such as Malawi and Uganda take extreme measures, such as arresting victims of NCP for ‘indecentcy,’ rather than targeting legal action towards the actual perpetrators, often worsening the challenges victims face in these cases (Bigirwa, 2021; Stevenson-McCabe & Chisala-Tempelhoff, 2021). This prevalent tendency to blame victims,

even when they have not consented to the dissemination of explicit content, fosters a culture of injustice, and diverts attention from holding the true perpetrators accountable.

### **6.3.2. Denial of responsibility**

Denial of responsibility is also one of the neutralisation techniques used to justify re-sharing NCP on social media. Responsibility for deviant behaviour is often shifted, and “*the person who did DJ Lungile wrong is the one who took the video, MK did what he always does, and any gossip page would've done the same thing*” [X user]. This line of thought absolves MK (X username) of responsibility despite being the original disseminator of the video because they did not record the video. While X users were outright denying and shifting responsibility for re-sharing, on the other hand, the interview participants were more apologetic and more empathetic about re-sharing. It is difficult to ascertain whether their reaction stems from a genuine response to issues such as NCP or if other influences, such as social desirability, are at play. Various factors, including societal norms and expectations, may impact their expressed sentiments regarding NCP, making it challenging to attribute their responses solely to their genuine feelings about the issue.

Moreover, Denial of responsibility has also been evident in cases of ‘revenge porn’ where the perpetrators distanced themselves from the crime, but either blamed the victim or other excuses to shift the blame (Sugiura & Smith, 2020). This form of neutralisation further exacerbates the emotional distress and mental distress victims experience. The pervasive reach of internet platforms also worsens the implications of revenge porn (Yin, 2022). Once content is shared, it may become viral, reaching a wide audience rapidly, making controlling it nearly impossible. The prevalence of denial of responsibility in instances of NCP is alarming. It highlights the complexities surrounding accountability in the digital era, particularly concerning the sharing of private content without consent, emphasizing the importance of creating a more secure online environment that prioritizes user protection.

### **6.3.3. Appeal to higher loyalties**

In this study, there were several occasions where social media users employed the appeal to higher loyalties, a technique identified in the literature as justifying behaviours by prioritizing moral obligations over adhering to the law (Costello, 2000; Schoultz & Flyghed, 2019). There were instances where certain social media users argued that since victims in the X cases were supposedly involved in extramarital affairs warranted their victimization. By raising a sense of

duty or commitment to a higher cause, such as fidelity in a relationship, these individuals divert attention from the actual harm inflicted on the victims of NCP, perpetuating the cycle of victimisation.

Moreover, the appeal to higher loyalty often exploits the established power dynamics (van Baak et al, 2023), particularly evident when personal photos are weaponized against the vulnerable. This manipulation leverages existing power imbalances, exacerbating the vulnerability of the victims. Such tactics not only prevent focus from the real issue at hand but also contribute to perpetuating the cycle of harm victims experienced. The utilization of the tactic underscores a troubling trend wherein moral obligations are used as a scapegoat to justify harmful behaviours, deflecting responsibility from the perpetrators and prolonging cycles of victimization.

#### **6.4. Factors affecting re-sharing of NCP: Gender, Sexual expression, and age**

The study noted variations in how victims are perceived based on age and gender. The secondary data shows that women experience higher levels of victimization, and age is also a factor used to criticize behaviour that is considered inappropriate by women. Older women are supposed to be *role models and ... should not be engaging in things kids engage in [X User]*. Women are more likely to be victimised through NCP due to societal expectations (Kakungulu-Mayambala et al., 2021; Ringrose & Harvey, 2015). Furthermore, in a patriarchal society, more men are more likely to blame females when their nude photographs are leaked as they consider them to be promiscuous (Mckinlay & Lavis, 2020).

This finding is also consistent with the phenomenon of Sexual Double Standard (SDS). SDS suggests that individuals expect behaviours linked with increased sexual activity more from men compared to women (Zaikman & Marks, 2017). Men who are highly sexual receive more positive perceptions than women counterparts (Endendijk et al., 2020). In addition, literature suggests that there is a high correlation between these sexist-driven double standards and the likelihood to perpetuate ‘revenge porn’ (Pina et al., 2017; Shokooh Valle, 2021). These double standards, prevalent in many cultures, prescribe distinct expectations for men and women in terms of sexual behaviour. The correlation between SDS and NCP becomes evident as women face heightened scrutiny and harsher consequences for engaging in activities that “deviate” from traditional norms (Mckinlay & Lavis, 2020; Milhausen & Herold, 1999). Although

motivations for perpetrating NCP vary, the literature suggests that partners or ex-partners commonly distribute a woman's nude images without her consent as a means of punishment or control (Flynn et al., 2023). Furthermore, the power dynamics and control inherent in NCP can exploit existing gender imbalances, reinforcing traditional expectations and punishing those who challenge them (Papp et al., 2015). The judgment and stigma associated with SDS in cases of NCP further exacerbate the challenges faced by victims, making it harder for them to seek support or justice.

On the contrary, in the case involving a man (DJ Lungile), results show that men believe that when it comes to crimes or violations like NCP, men do not get the necessary attention or sympathy. Such views are often held in GBV scenarios, where men express how such cases involving men get less attention than women (Thusi & Mlambo, 2023). While this may be true, Thobejane and Luthada (2019), argue that statistics on male abuse are under-documented due to them not reporting it, often because of patriarchal reasons that often perpetuate that men should not cry. Society often positions men as the primary perpetrators due to their gender roles, and the media commonly promotes the idea that it is unacceptable for masculine men to display vulnerability, particularly concerning male victimization (Majola et al., 2021).

### **6.5. Knowledge about the Films and Publications Amendment Act**

Most social media users were not aware of the FPAA, and the consequences attached to the deviant behaviour of re-sharing NCP. Although they recognised that sharing is ethically wrong, *having not seen anyone arrested for such [P8]* may be the reason this behaviour continues to be perpetuated on social media. *If there is someone that gets arrested for such maybe we would respect the law so much more [P1]*.

In the NCP case of Zandile, for example, she decided to pursue a civil case against the perpetrator instead of a criminal case (Masweneng, 2022). However, the details of the civil case have not been made public. Furthermore, reported cases of NCP may sometimes not get the necessary attention. The reason for this could be that in South Africa, there is currently a lack of skilled professionals to assist with cybercrime investigations. There is a need to make deliberate efforts to improve the functions of specialised courts that deal with these (Mabasa et al., 2022).

The lack of skilled professionals to handle cases related to NCP is also evident in a case involving a South African mother, who was selling naked photos of her 4-year-old on the web. In this case, the perpetrator was arrested by the Federal Bureau of Investigation (FBI) after the woman received payment through PayPal (Serra, 2022). Social media users pointed out that *South African police are not competent. I do not think they would know what to do in such cases ... they even fail with GBV cases [P3]*. Minister of Police Bheki Cele acknowledged that the South Africa Police Service (SAPS) lacks the competencies and capacity to investigate crimes committed via SMPs (Maliti, 2022). To counter these capacity and skills issues, it is necessary to train the police to be able to collect electronic evidence and forensics, as they are primarily responsible for conducting investigations in the early cases of cybercrimes (Snail ka Mtuze & Musoni, 2023).

## **6.6. Chapter Summary**

This chapter examined the findings of the study, revisiting the research problem and objectives. The literature was also revisited to compare it with the findings derived from the data collected for this study. The results reveal that social media users employ certain neutralization techniques to justify the re-sharing of NCP.

## CHAPTER 7: CONCLUSION

Despite the implementation of FPAA, NCP remains an issue for SMPs in South Africa. Previous studies on NCP mainly explored the prevalence of NCP and the impact it has on its victims (Pacheco & Melhuish, 2021; Patel & Roesch, 2019). In some cases, victims of NCP have lost their employment or were forced to leave their work after photographs were shared (Huber, 2023). Some victims of NCP have also suffered mental health issues ranging from suicidal ideation, depression, anxiety, and reduced self-esteem (Hearn & Hall, 2022; Walker & Sleath, 2017). Other studies focused on the motivations for perpetrating NCP, and revenge on ex-partners was the main motivation for sharing NCP (Hall & Hearn (2019). There is a dearth of studies focusing on motivations behind individuals who are not acquainted with the victim but still re-share NCP. To address this gap, this study explored neutralisation techniques social media users employed for re-sharing NCP on SMPs. The neutralisation Theory was employed as a framework to guide this study. Applying this theory to the context of re-sharing NCP, helps understand the reasoning for individuals to share and re-share NCP even when they are not acquainted with the victim.

### 7.1. Summary of Findings

The data collected in this study demonstrates that social media users employed some techniques to justify the deviant behaviour of re-sharing NCP. The study identified the following three predominant neutralisation techniques as strategies employed by individuals for re-sharing NCP on social media platforms: - denial of responsibility, denial of victim, and appeal to higher loyalties. These techniques serve as psychological instruments to justify their actions and distance themselves from the moral obligation of acting ethically. Moreover, a notable finding from this study was the limited awareness of the FPAA among social media users. This gap in awareness raises concerns about the regulation and responsible sharing of content on SMPs.

The findings shed light on the influence of the victims' demographic factors such as age and gender in re-sharing content. Specifically, the age and gender of the victim were influential in the decision-making process of social media users when determining whether to share content. This highlights the complex relationship between various demographic variables and their impact on online behaviour. In conclusion, these findings underscore the need for increased awareness and education among social media users regarding legal frameworks, such as the Films and Publications Amendment Act, that govern responsible content sharing. In addition, understanding the underlying psychological mechanisms, such as neutralization techniques,

could also be instrumental in designing awareness campaigns to encourage responsible online behaviour.

## **7.2. Recap of the research methodology**

The study adopted an interpretive qualitative approach and utilized the Neutralization Theory as its guiding framework. The research included both primary and secondary data sources. Primary data was attained through semi-structured interviews, while the secondary data was collected from X posts and comments. Notably, differences emerged between findings from the X data and interview data. Participants in the interviews displayed occasional sympathy towards the victim and were apologetic about NCP, whereas most X data exhibited a lack of sympathy towards NCP victims. While the semi-structured interviews were effective in eliciting more information from the participants, the explicit nature of the research may have induced discomfort in some participants. This discomfort could have led to idealistic responses to possibly avoid judgment from the researcher. The inclusion of X data addressed this limitation by providing raw data, considering that X users are mainly anonymous and can freely express their views without fear of being identified and judged.

## **7.3. Contributions of the study**

.Even though extensive research exists on NCP, sometimes referred to as revenge pornography, there has been limited research into the justifications employed by SMPs users when engaging in the re-sharing behaviour. In the South African context especially, there is a dearth of literature on NCP. This study, therefore, contributes to the existing literature on this form of cyberbullying by shedding light on how social media users employ neutralisations to partake in delinquent behaviour. Exploring the neutralisations helps to gain a deeper understanding of the harmful nature of re-sharing. This study contributes to the literature on digital ethics, cyberbullying, cybercrimes, and gender studies with empirical evidence and critical insights. Moreover, the research highlights how imperative is to make policy and legal reforms, and educational initiatives to minimise the impact this behaviour has on its victims. Although there are laws in place to protect against the sharing and re-sharing of NCP, this behaviour continues to be an issue. The study found that most social media users are not aware of these laws. This

finding highlights the need to have more information and campaigns to emphasize the importance of understanding the implications of re-sharing NCP.

#### **7.4. Research Limitations**

There were several limitations when the study was undertaken. The first was recruiting participants. Initially, the study intended to collect the data using focus groups. When the researcher started with one focus group, several participants were uncomfortable sharing their views in the group. The main issue was that most of them were “religious” and conversing about something as NCP can be perceived as invasive. This challenge was then mitigated by changing the data collection method to individual interviews. Another challenge was the target population which was confined to people who were between the ages of 18-45. This age restriction may have implications for the study's applicability, as it excludes the viewpoints of individuals both younger and older than the specified range.

#### **7.5. Recommendation for future research**

Future research could extensively analyse NCP across multiple SMPs using a longitudinal approach. This method could aid in investigating trends, patterns, and alterations in the distribution of NCP over an extended duration. a longitudinal study would provide a thorough comprehension of the evolution of NCP, its continuity, and potential alterations in its prevalence across SMPs as time progresses. In addition, this study also noted variations in how NCP victims are treated based on their demographic profiles. Future research endeavours could delve deeper into exploring these distinctions to gain a better understanding of how various demographic factors age, gender and socioeconomic status influence the level of NCP victimisation. Expanding on this aspect of the study could contribute valuable insights to inform interventions and support services aimed at addressing the needs of diverse populations affected by NCP.

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## APPENDICES

### Appendix A: Consent Form

Name: .....

Age: .....

Gender:

- Female
- Male
- Other
- Prefer not to say

I volunteer to participate in a research project conducted by **Zimkitha Dyantyi** from the **University of Cape Town**. I understand that this research project is designed to study *Justifications for re-sharing non-consensual pornography by social media users*.

I am aware that participation is voluntary and that I may choose to withdraw from this study at any time, should I choose to do so.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

### Appendix B: Introductory Letter

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**Department of Information Systems**

Leslie Commerce Building

Engineering Mall, Upper Campus

OR

Private Bag X3 - Rondebosch - 7701

Tel: +27 (0) 21 650 2261 Fax: +27 (0) 21650  
2280

Dear Sir/Madam,

**Request to conduct research and interview participation consent form**

In terms of the requirements for completing a Master's Degree in Information Systems at the University of Cape Town, a research study is required.

The researcher, in this case, Zimkitha Dyantyi, has chosen to conduct a case study entitled "**Justifications for re-sharing non-consensual pornography on social media**". The objective of the study is to explore the reasons and justifications for re-sharing non-consensual pornography on SMPs such as FB, X, etc. *This research has been approved by the Commerce Faculty Ethics in Research Committee.*

Your participation in this study is entirely voluntary. Information provided will be treated confidentially and used exclusively for this study.

You can choose to withdraw from the research at any time for whatever reason, per ethical research requirements. Data will be collected through face-to-face interviews or Teams/Zoom, with one person per session. The interview per individual will take approximately 30mins-45 min.

If you are willing to participate in this study, kindly sign the attached form and return it to me at your earliest convenience. Should you have any questions regarding this research, please feel free to contact me on XXXXXXXX or email: [DYNZIM004@myuct.ac.za](mailto:DYNZIM004@myuct.ac.za)

Your participation in this study would be greatly appreciated but is entirely voluntary.

Sincerely,

**Researcher (M.Com Student):**

Zimkitha Dyantyi

Department of Information Systems

University of Cape Town

Email: DYNZIM004@myuct.ac.za

**Supervisor:**


Prof. Wallace Chigona

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## Appendix C: Ethics Approval



### Faculty of Commerce

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Internet: [www.uct.ac.za](http://www.uct.ac.za)

 @Commerce UCT  UCT Commerce Faculty Office

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25 10 2022

Zimkitha Dyantyi  
Department of Information Systems  
University of Cape Town  
REF: REC 2022/10/013

**Justifications for re-sharing non-consensual pornography on social media**


We are pleased to inform you that your ethics application has been approved. Unless otherwise specified this ethical clearance is valid until 31-Dec-2023 .

Your clearance may be renewed upon application.

Please be aware that you need to notify the Ethics Committee immediately should any aspect of your study regarding the engagement with participants as approved in this application, change. This may include aspects such as changes to the research design, questionnaires, or choice of participants.

The ongoing ethical conduct throughout the duration of the study remains the responsibility of the principal investigator.

We wish you well for your research.



2022.10.25  
21:56:19 +02'00'

**Jacques Rousseau**  
Commerce Research Ethics Chair  
University of Cape Town  
Commerce Faculty Office  
Room 2.26 | Leslie Commerce Building

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"Our Mission is to be an outstanding teaching and research university, educating for life and addressing the challenges facing our society."

## **Appendix D: Sample Research Instrument**

### **INTERVIEW GUIDE**

Age:

Gender:

- Male
- Female
- prefer not to say

#### ***Opening questions:***

- Which social media platforms do you use/are active on?
- How often do you use these platforms?
- What do you mainly use social media for?

#### **Real-Life Vignette One:**

A video depicting a naked renowned radio & Club DJ was shared on social media by a well-known celebrity ‘troll’. The DJ trended for this video for a couple of days and social media users were re-sharing it for those who did not see it from the original poster.

#### **Real-Life Vignette Two:**

A few months ago, a video showing “school kids” parading in skimpy clothes and another having sexual relations with a man in what seemed to be a house party, allegedly in Parklands, Cape Town trended on social media platforms.

#### **Questions**

1. What do you think about these videos?
2. What do you think makes people share, and/or re-share the video?
3. What are your thoughts on self-taken sexual videos/photos - that end up on the internet?
  - a. How do you think self-taken videos influence the way people interact with the video/image?
4. What do you think about people who condemn re-sharing NCP videos?

5. Of the images/videos of NCP that have you seen/heard trending recently, what do you think made them trend?
6. Under what circumstances is it acceptable to share NCP?
7. What is the impact of shaming people through sharing and/or re-sharing of NCP?
8. What has been your interaction with trending videos of this nature?
  - Comment
  - Share on WhatsApp/X/Facebook
  - Like
  - Tweet/Post about it (including WhatsApp)
  - Share

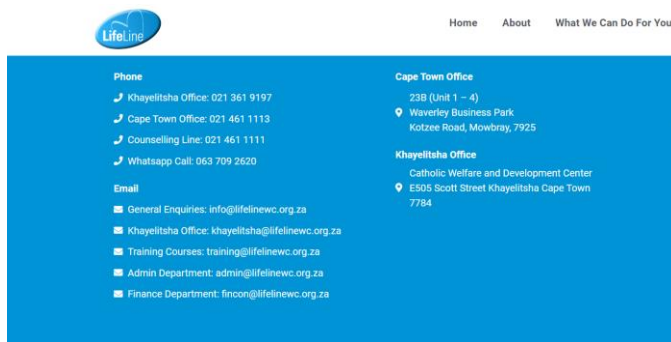
*If not all, why a certain interaction?*

### **Closing question**

9. What do you know about **the Film and Publications Amendment Act (FPAA)**?
  - What do you think about it?
  - How do you believe it could be best enforced?

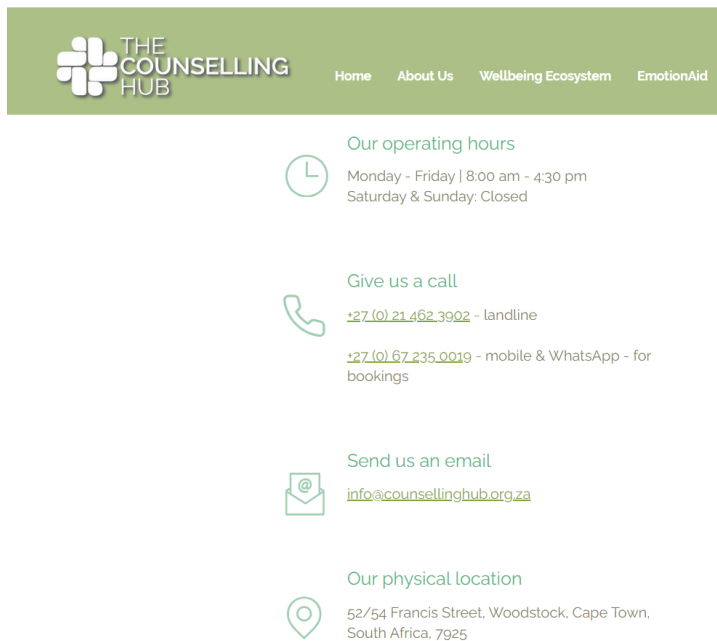
## Appendix E: Counselling Information

### LifeLine



The screenshot shows the LifeLine website's contact information page. At the top left is the LifeLine logo. To the right are navigation links: Home, About, and What We Can Do For You. The main content area is a blue box divided into two columns. The left column is titled 'Phone' and lists: Khayelitsha Office: 021 361 9197, Cape Town Office: 021 461 1113, Counselling Line: 021 461 1111, and Whatsapp Call: 063 709 2620. Below this is an 'Email' section with: General Enquiries: info@lifeline.org.za, Khayelitsha Office: khayelitsha@lifeline.org.za, Training Courses: training@lifeline.org.za, Admin Department: admin@lifeline.org.za, and Finance Department: fincon@lifeline.org.za. The right column is titled 'Cape Town Office' and lists: 23B (Unit 1 - 4), Waverley Business Park, Kotzee Road, Mowbray, 7925. Below this is the 'Khayelitsha Office' section, listing: Catholic Welfare and Development Center, 5505 Scott Street Khayelitsha Cape Town 7784.

### The Counselling Hub



The screenshot shows the The Counselling Hub website's contact page. At the top left is the logo 'THE COUNSELLING HUB'. To the right are navigation links: Home, About Us, Wellbeing Ecosystem, and EmotionAid. The main content area is white with green accents. It features four sections: 1. 'Our operating hours' with a clock icon, listing 'Monday - Friday | 8:00 am - 4:30 pm' and 'Saturday & Sunday: Closed'. 2. 'Give us a call' with a telephone icon, listing '+27 (0) 21 462 3902 - landline' and '+27 (0) 67 235 0010 - mobile & WhatsApp - for bookings'. 3. 'Send us an email' with an envelope icon, listing 'info@counsellinghub.org.za'. 4. 'Our physical location' with a location pin icon, listing '52/54 Francis Street, Woodstock, Cape Town, South Africa, 7925'.

## The South African Depression and Anxiety Group (SADAG)

**How to contact SADAG**

*Book 9/6*

**PHONE** 24 / 7

- Suicide Crisis Helpline  
**0800 567 567**
- CIPLA Mental Health Helpline  
**0800 456 789**
- Substance Abuse Helpline  
**0800 12 13 14**

**WHATSAPP** 8AM - 5PM

- Cipla Chat Line  
**076 882 2775**
- Maybelline BraveTogether  
**087 163 2030**

**SMS** 24 / 7

**31393**

The infographic also features a smartphone held by a hand. The screen displays the website [WWW.SADAG.ORG](http://WWW.SADAG.ORG) and the SADAG logo, which consists of three stylized figures holding hands in a circle. Below the logo, the text "THE SOUTH AFRICAN DEPRESSION AND ANXIETY GROUP" is visible. At the bottom of the screen, the slogan "You Are Not Alone" is displayed.