

VIRTUAL

PEDOPHILIA



SEX OFFENDER PROFILING AND

GILLIAN HARKINS / U.S. SECURITY CULTURE

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Gillian Harkins

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INTRODUCTION VIRTUAL PEDOPHILIA

The finer feelings of man revolt at the thought of counting the monsters among the psychically normal members of human society.

—RICHARD VON KRAFFT-EBING, *Psychopathia Sexualis*

Calling out the pedophile as monster is a contemporary cri de coeur. Such calls descry a monstrous sexuality lurking among the denizens of allegedly normal humanity. Pedophiles lurk “everywhere online,” the Federal Bureau of Investigation (FBI) declares, while police “pedo squads” track this menace and the public is placed on high alert for potential pedophilic harm.¹ Yet even as more and more resources are dedicated to tracking and punishing this threat, fewer and fewer certainties exist about what actually threatens. The pedophile is notoriously difficult to identify, with both police and popular culture lamenting the limits of diagnostic or forensic profiles to capture this particular predator. As the pop guru Malcolm Gladwell summarized this phenomenon in a *New Yorker* article in 2012, “The pedophile is often imagined as the disheveled old man baldly offering candy to preschoolers. But the truth is that most of the time we have no clue what we are dealing with.” The pedophilic predator does not have a typical profile. Even as he bears within him all the malevolence and grotesquerie of a sexual monster, on the surface he masquerades as an average Joe. He may read as a little abnormal—nearer the far poles of the normalcy spectrum, either a little too charming or a little too odd—but he is unlikely to appear beyond the spectrum of visible norms. He

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may be middle-aged, or he may be younger or older. He may be well dressed or disheveled, professional or working class, ensconced in the suburbs or loose in the city. But he is almost always white and is invariably male.

This book asks how and why the pedophile emerged as a white male whose apparent normality makes him elude typical profiles near the end of the twentieth century. How did “pedophile” come to signify all dangerous threats against children, and through them society at large, at the turn of the twenty-first century? After all, this declared threat of white male predators stalking innocent children is not entirely new. We have seen this character before—or, at least, people have tried to see him as he lurked on the fringes of various social imaginaries. The Austro-German psychiatrist Richard von Krafft-Ebing first named him a pedophile in 1886, inaugurating a new diagnostic category at the birth of forensic psychiatry in *Psychopathia Sexualis* ([1886] 1965, 371). In the United States, he was declared a white slaver exploiting innocent youth around the turn of the twentieth century before becoming a sexual delinquent weakened by eugenic degeneracy in the century’s early decades. At mid-century, he became known as a sexual psychopath, mentally ill and criminally driven to rape and murder the children of strangers, then briefly appeared in the late 1960s and 1970s as a child molester more prone to misguided touch than murderous violence. Across these earlier twentieth-century figures, the adult who sought out sex with children was mostly imagined as a creepy itinerant, someone outside the social core who lurked around playgrounds and parks to lure children with offerings of money, candy, or toys.

Since the late 1980s, however, the adult seeking sex with children has traveled under different and more thorough cover. In place of the obvious creep driven by greed, deviance, or lust, the late twentieth-century pedophile combines all these monsters into a predator in shepherds’ clothing.² This pedophile is a new kind of monster who passes easily among the white men at the center of societal norms and institutional trust. Why did this pedophilic figure loom so large only in the 1980s, when the pedophile has existed as a forensic psychological type since 1886? Is this a genuinely different figure from the white slaver, sexual delinquent, sexual psychopath, and child molester who came before? Or is this a new name for an old foe? This book argues that the late twentieth-century pedophile is neither wholly new nor merely a recycled figure from earlier periods. Over the turn of the twenty-first century, earlier diagnostic and criminal categorizations of men seeking sex with children were transfigured to create new regimes of preventative prediction. The pedophile was presented as a predator stalking the space and time between potential and

actual crime, always just about to appear if only the right information could be gathered to reveal him among the normal population. The pedophile as virtual predator did not replace earlier figures of child sexual predation, nor did such figures simply assume a new guise. Instead, the pedophile built on and re-assembled earlier figures of child sexual predation to make structural adjustments of safety and sexuality into a modified logic of sexual security. This logic of sexual security declared outdated, yet simultaneously revived and required, the resources of allegedly residual and at times archaic regimes to make virtual threat manifest as actual predator.

The pedophile emerged over the 1980s through the 2010s as a novel kind of virtual predator. The rise of the virtual predator connects new information technologies with modes of mediation that supplement prior regimes of representation. Virtuality describes predators who are alleged to exist in a liminal state combining potentiality, information, and prediction. Potential threat becomes more important than actual danger. The only way to identify this threat, since it does not yet exist, is by gathering information that can predict future action. This is what Eric Janus (2006) describes as the move from crime to risk, a logic of policing focused on potential predation rather than existing harm. Some critics have suggested this shift from punishment to prediction revealed pedophilia as the target of sex panic: exaggerated sexual threats enable predictive policing to expand the effects of empirically validated punishment. Other critics have argued that the shift to prediction elides the historical formations of sexual harm from which the pedophilic figure emerged: the structural, institutional, and interpersonal exposure of young people to sexual harm (as a tactic of colonial occupation; of genocidal projects; and of normativity).

This book builds on these two approaches to ask how the pedophile both *amplifies* fears of virtual dangers and *misdirects* care from the actual targets of sexual harm. I focus on the 1980s–2010s figure of the pedophile to ask how both the demand to police pedophilic predators and reactive declarations of sex panic have come to be recognized and incorporated into security regimes that reproduce relations of harm along familiar historical—and increasingly future-oriented—axes. Of particular interest to me is how this transpired without clarifying either white male culpability for sexual harm, or broader adult patterns of sexual violence against children.

My aim is to disinter the figure of the pedophile from its periodized commonsense moorings to clarify its function within processes of securitization. My approach disaggregates the existence of men who perpetrate sexual harm against children from the creation and circulation of the pedophile as a cul-

tural figure. I argue that the 1980s–2010s pedophile functions as (1) a virtual figure for sexual threat connecting residual modes of policing to new information technologies; (2) a cultural formation assembled from existing, if residual and archaic, materials to justify needs for biopolitical security; and (3) a mode of common sense that extends forensic expertise from now pronouncedly old-fashioned disciplinary and state authorities to the general public. The virtualization of the pedophile figure has enabled an elaboration of sexual security that protects few while increasing harm for many. Thus, I risk seeming to diminish the threat of pedophilia—actual human beings within this diagnostic category may very well commit sexual abuse, although the diagnosis and the act are not persuasively correlated—to show readers how predicting pedophiles came to function as a flawed prophylactic against very real dangers.

My argument takes us into the cultural archives of the turn-of-the-twenty-first-century United States, gathering materials from law, psychology, television, and film to argue that the figure of the pedophile creates a mode of common sense expanding the jurisdiction of public opinion. Starting in the 1980s, the peculiarly unprofileable pedophile came to dominate a particular imaginary of social threat. As the journalist Judith Levine explains in *Harmful to Minors*, pedophiles “look like Every-man or any man” and yet as white men remain “still strangely invisible” (2002, 22–23). The elusive pedophile marked the horizon of visual culture’s capture of a newly mediated reality, a *raison d’être* for television crime shows such as *Law and Order: Special Victims Unit* (1999–) and *To Catch a Predator* (2004–2007), as well as vigilante citizen websites such as Perverted-Justice.com. The pedophile as white child sex predator was depicted on the hunt and as the hunted in films such as Todd Solondz’s *Happiness* (1998), Michael Cuesta’s *L.I.E* (2001), Clint Eastwood’s *Mystic River* (2003), Andrew Jarecki’s documentary *Capturing the Friedmans* (2003), Greg Araki’s *Mysterious Skin* (2004), Nicole Kassell’s *The Woodsman* (2004), Todd Field’s *Little Children* (2006), and Peter Jackson’s *The Lovely Bones* (2009).

Across proliferating cultural texts, audiences were increasingly enjoined to hunt for white male sexual predators lurking among the otherwise protected classes of society. The diverse cultural media of this period worked in tandem with psychological and policing mechanisms to produce a seemingly novel function for figures of pedophilia. I use the term “pedophilic function” to convey the imbrication of figure (the representative) and mechanism (its delivery) in modes of representation that shift relations among domains such as law, science, literature, and film. Existing protocols of interpretation, detection, diagnosis, and analysis were declared increasingly out of date or Luddite in the

face of new virtual threats. In their place, a proliferation of political, professional, and cultural materials claimed to teach lay audiences how to look for the ultimate code, clue, symptom, or signifier of virtual sex predators against children. As the virtual pedophile circulated more and more across cultural media as a primary figure for elusive threats to the status quo, state policing and psychological prognosis were depicted as less and less able to protect against its danger. These cultural texts depicted a danger whose profiling and protective registration by science and the state proved ineffectual. The best way to detect and detain this predator was to spread responsibility for virtual surveillance to the widest possible swath of social agents. This virtual predator could be anywhere, in any body, and viewers were expected to be constantly patrolling for his potential presence.

Audiences were trained to have amplified sensitivity to virtual threats, learning how to match information to image in order to discern which white men embody this adaptive and expansive threat. But even as the public was charged with identifying the pedophile, it, too, was constantly disqualified from achieving any modicum of control. No amount of information could conclusively map virtuality to actuality. No process of identification could finally align images with off-screen realities. For every time someone who committed actual sexual harm was revealed in the signs of seeming normality, every time the so-called predator was located on-screen, the pedophile seemed to slip further into the recesses of virtuality. This is the magic of virtual predation: it can never be fully contained. Because the pedophile resides in potentiality, no specific encounter with an actual pedophile would prevent the wider threat of dangerous potentiality lurking in every man. The best way to catch the pedophile might be to predict his next move through informational assemblage, but each time he was forced to appear in image or body, the potentiality of threat moved elsewhere. Sliding easily across cultural domains, the potentiality of the pedophile recurred as a virtual predation always to be sought, yet never permanently found.

This resulted in an unprofileable figure that moved through whiteness without ultimately challenging whiteness as right to state protection rather than persecution. The white pedophile's unnatural nature could pass as normal whiteness, problematizing whiteness as invisible norm for audiences asked to detect monstrosity on its surface. The whiteness of the virtual pedophile, precisely as a statistical outlier among the psychologically normalized and the legally criminalized populations, justified the shift to a security logic of the potential rather than the probable. This worked in tandem with the

sexualization of other virtual predators such as the “terrorist” and “illegal immigrant,” who affirmed and expanded regimes of criminalized racialization alongside retrenchment of antiblack, antibrown, antiindigenous and antimigrant policing.³ Newer virtual profiles supplemented long-standing visualizing and territorializing profiles the historian Kelly Lytle Hernández describes as “aligned on the arc of conquest and, more specifically, settler colonialism” (2017, 7). Together these profiles assembled security logics in which renewed commitments to colonial occupation, racial domination, and imperial expansion could appear as protective defense against future rather than historical threats. The pedophile participated in this racial assemblage by reworking whiteness as a biopolitical average of safety, even as security logics came to erode “safety” as a fundamental biopolitical agenda. The development and dissemination of virtual pedophilia reaffirmed the otherwise mental and moral health of white masculinity as statistical average and actuarial safeguard, even as such safeguards were refunctioned for the structural adjustments of sexual security.

This leads us to the strange puzzle created by this undeclared war on the pedophile as Sexual Predator Number 1: the white men depicted as its most likely profile were not criminalized as a gendered and racialized *population*.⁴ In other words, the white man existed as a criminalized figure in the form of the pedophile even as white men continued by and large to escape mass-differentiated profiling as a group.⁵ There are two major approaches to this puzzle: the first treats the pedophile as a sex offender; the second, as a sex panic. In the first approach, expanded definitions of sex offenses, specifically targeting offenses against children, broadened the net of policing and caught more white men than other carceral projects targeting drug use or violent crime. But there is little empirical evidence to support claims that pedophiles are in fact subject to increased rates of arrest, arraignment, and conviction. And while white men are directly impacted by this system, studies show they are not disproportionately impacted and that, in fact, men of color tend to be overrepresented in the registries.⁶ In the second approach, critics debate how the actual vulnerability of young people to sexual harm relates to an alleged panic over pedophilic predators. Those focused on the reality of sexual harm have very different assessments of its scope, but they concur that the current system does little to mitigate the problem, and perhaps much to exacerbate it. Those concerned with the system’s punitive effects point out that isolating people who commit sex offenses from other criminalized populations exceptionnalizes whiteness and tacitly legitimates mass incarceration to treat social

ills. Those concerned with the experience of victims insist that individualized predator analyses do little to address imbalances of power at the institutional and structural level. In all of these cases, the hunt for pedophiles is understood to inflict more harm—including sexual harm—than it redresses across the spectrum of those most impacted.

As Sex Offender

There is little doubt that the hunt for the pedophile fueled dramatic increases in the incarceration rates of people identified as sex offenders, as well as the inauguration of the Sex Offender Registration and Notification (SORN) system.⁷ This system built on earlier efforts to reform the Model Penal Code to criminalize a wider range of acts than those historically named “Forcible Rape” by adding the category “Other Sexual Assault,” which included crimes such as “statutory rape, lewd acts with children, forcible sodomy, fondling, molestation, indecent practices, and other related offenses” (Greenfeld 1997, 18).⁸ This system also sought to track and publicize the movements of people convicted of such offenses. A widely cited Department of Justice report from 1997 names the targeting and incarceration of newly defined sex offenses the second biggest driver of increasing rates of incarceration between 1980 and 1994.⁹ Certainly, the number of people incarcerated for sex offenses spiked during this period, as did numbers of people registered as sex offenders after release or through plea bargaining.¹⁰ Statistics reported by the National Center for Missing and Exploited Children (NCMEC) suggest consistent growth in this population since 1997. Numbers of people registered as sex offenders reached 386,000 in February 2001.¹¹ These numbers hit 747,408 in 2011 (NCMEC 2012, 32). As of June 2018, NCMEC reports a total of 904,011 registered sex offenders in the United States and its territories, or a registration rate of 274 sex offenders per 100,000 people (figure Intro.1).¹² This is a 33 percent increase in people registered as sex offenders since only six months prior.¹³

Describing those most impacted by this expanded system of policing and punishment, the 1997 Department of Justice report summarized the average sex offender as “older than other violent offenders, generally in his early thirties, and more likely to be white than other violent offenders” (Greenfeld 1997, iii). Ongoing demographic studies concur that white men are more likely to be impacted by this system than by other criminal justice regimes, which means that the numbers of white men incarcerated for sexual offenses are

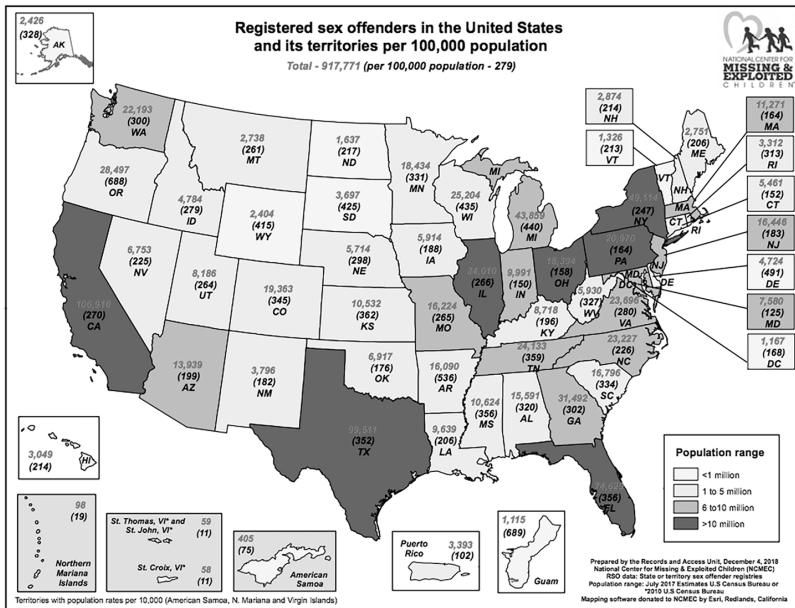


FIGURE INTRO.1 Map of registered sex offenders in the United States, Records and Access Unit, National Center for Missing and Exploited Children (December 4, 2018). The original image with data annotation is available at https://api.missingkids.org/en_US/documents/Sex_Offenders_Map.pdf.

more proportionate to their percentage of the general population. This makes the category an outlier among other criminalized populations, which consistently overrepresent people of color disproportionate to their percentage of the general population (Sentencing Project n.d.). Since 1997, criminologists and political scientists have undertaken studies to ascertain precisely how the sex offender legal system works and whom it most directly affects. Studies have found consistent racial disproportionality registering African American men, belying the correlation of white rates of incarceration with the actual impact of the sex offender management system as a whole. And registration for sex offenses committed by minors remains among SORN's most charged proportionality controversies.¹⁴

Surging rates of people incarcerated and registered as sex offenders do not, in other words, easily translate purported profile into proportionate impact. While the race, gender, and age demographics of "sex offenders" are not readily available, public messaging continues to conflate pedophiles with

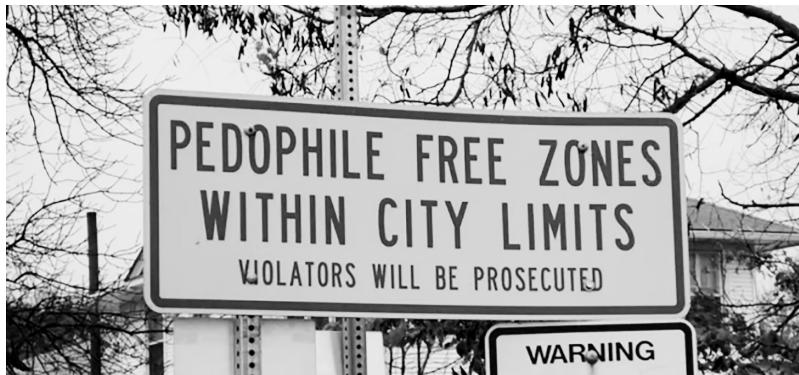


FIGURE INTRO.2 Untitled digital image, in “Sex Offender Statistics,” Statistic Brain Research Institute, April 1, 2017, <http://www.statisticbrain.com>.

those rounded up by SORN. On the website StatisticBrain.com, for example, a seemingly comprehensive and yet easily consumed list of sex offender statistics is placed below an unattributed photograph of a street sign prohibiting pedophiles (Statistic Brain 2017) (figure Intro.2). This conflation of pedophiles with sex offenders can generally be situated within the broader political, economic, and social transformations of the post-1970s period. Scholars concur that the focus on adults seeking sex with children increased between the 1980s and 2010s, a period associated with widespread carceral, neoliberal, and bio-political reform in the United States.¹⁵ These arguments by and large point out that the detection, detention, and permanent surveillance of alleged white sex predators against children facilitated the U.S. carceral development and bio-political restructuring more generally associated with the dismantling of the welfare state, commodification of social life, and mass incarceration of people of color.¹⁶

This period is best known for its suppression of people of color and the poor through the Wars on Drugs, Crime, and Terror, with their collateral policing of borders and bodies through anti-finite mechanisms of racialized profiling, policing, incarceration, and enforced precarity. These wars involved a retrenchment of long-standing modes of racial profiling, with mass-differentiated harassment, detention, and terrorization of people identified as black, brown, indigenous, and noncitizen subject to routinized surveillance and assault.¹⁷ This carceral turn has been linked to counterinsurgency efforts to quash revolutionary activity among race radical, anticolonial, and social-

ist domestic and international movements gaining ground in the 1960s and 1970s.¹⁸ In this period criminality historically tethered to visual logics of racial identification, and the hyper- and invisibility of blackness in particular, was recalibrated for new information technologies.¹⁹ Criminological data, with their empirical documentation of the past, were supplemented by forensic information, with its speculative prediction of the future.²⁰

Scholars often situate this carceral turn within broader shifts toward neoliberalism, a market-driven economic policy conjoined with political strategies to deregulate capitalism and “shrink” government.²¹ Increased rates of incarceration were correlated to deindustrialization within many regions of the United States, destruction of urban infrastructures, and increased human displacement, alongside increased regulation of human movement within and across borders. Within the United States, economic privatization and the shift of governance to shadow-state collaborations created modes of individualized entrepreneurial activity coupled with broader distributions of mass-differentiated disposability.²² During this same period children were increasingly treated as subjects whose valorization or disposability was routed through logics of human capital.²³ A focus on childhood’s capacities made their careful cultivation a central concern in what I short-hand as this period’s structural adjustment of sexuality and safety into a mode of sexual security.²⁴ Many scholarly arguments explore how punishment and political economy have been situated among changing regimes of life and death, with a specific focus on child sexual protection as a biopolitical ambition.²⁵

The pedophile stands out as a white male profile in an era when crime was predominantly racialized and territorialized as black, brown, indigenous, and noncitizen. The racial profiling of this era, across carceral and security apparatuses, certainly swept up large numbers of white men in its wars on drugs and the nonwhite world more broadly. But white men were not generally profiled as a threatening *population* or circulated as the visual target of police and military procedures. The stereotypical white male serial killer has never galvanized serious security resources, and the statistically significant profile of the white male mass shooter has been viewed primarily through color-blind frameworks. Daniel Filler (2004, 1539) uses the concept of a “white” narrative frame” to explain how sex crimes committed by white men against white children are made sensational yet exceptional. What Filler (2004, 1588) calls “white-on-white crime” is treated as a violent sexual aberration among stereotypically safe populations, amplifying isolated threat to catastrophic outcome through the racialization of risk. White children’s deaths at the hands of

presumed pedophiles were memorialized as laws against future catastrophes, including as the Jacob Wetterling Act, Megan's Law, the America's Missing: Broadcast Emergency Response (AMBER) Alert, and the Adam Walsh Act.²⁶ This cluster of legislation and its increased rates of arrest, charging, incarceration, registration, and indefinite postcarceral detention whitened the iconography of sexual threats to children in ways that justified the punitive turn and buildup of the carceral state. At the same time, focus shifted from white victims to white predators as a threat to all children without somehow disproportionately impacting actual white men.

The sheer scope of the transformations associated with the pedophile's exceptional yet catastrophic threat bears noting. Summary terms used to describe SORN include "containment" to describe the increase in criminal detention, "banishment" to describe the residency and work restrictions redlining sex offender registrants to specific spaces, and "branding" to describe the stigma sex offender registration imposes by making populations exceptional to due process.²⁷ During this period, registrable sex offenses publicly associated with pedophilia came to include allegedly gateway offenses such as public urination, indecent exposure, underage sexting, and "Romeo and Juliet" crimes between consenting teens, although these offenses are not consistently policed and charged and may themselves be overestimated among the drivers and impacts of the SORN system.²⁸ In addition, the sweep of incarceration and institutionalization were not tethered exclusively to punishment for a crime but could include preventative detention on the grounds of poorly defined actuarial categories. The U.S. Supreme Court found that people could be sentenced to indefinite civil confinement *after* they had completed their criminal sentence, even if no further crime had been committed, if they exhibited a "mental abnormality" perceived as "dangerous" to the general public.²⁹ Scientific and legal studies of pedophilic desire, sex acts against children, treatment protocols, and recidivism prediction grew exponentially without ever leading to conclusive answers as to what constitutes the alleged mental abnormality of those seeking sex with children or the dangerousness of those with desires that had never been enacted.

Despite this body of scholarship on sex offenders across the 1980s–2010s, in other words, the specific way pedophilia as a categorical innovation fed into or fostered extensive carceral, neoliberal, and biopolitical regime change remains undertheorized. In fact, a specific account of pedophilia as a diagnostic, forensic, and cultural category within broader state sex offender regimes is pretty hard to find. There are certainly studies of pedophilia as a diagno-

sis (Okami and Goldberg 1992). And there are studies of sex offenders as a criminal class and sex offenses as a juridico-legal domain (Wright 2009). One might readily find governmental and professional publications on the subject (Wiseman 2015), debates about statistical averages and actuarial predictions (Finkelhor et al. 2008), and squabbles over survey instruments and research protocols for data collection (Hanson and Morton-Bourgon 2005, 2009). Yet consistent data about the state's role in the hunt for predatory pedophiles do not seem to exist. This holds true for demographic data about race, ethnicity, gender, sexual orientation, and class for diagnosed and detained pedophiles.

One problem is that data have not been gathered that subdivide people arrested, charged, convicted, sentenced, and registered for sex offenses into offense categories against children younger than thirteen, the age range designated the diagnostic criteria for pedophilia. Nor do statistics exist that indicate the race and gender of clinical subjects seeking treatment for sexual interest in children younger than thirteen who do not interface with the criminal system. Sex offenders—a criminal category that includes, but is not defined by, adults seeking out, watching pornography about, or engaged in sex with children—technically describes only those interfacing with state policing and punishment systems. Yet increasingly desires, fantasies, or potential actions are described as sex offenses in ways that extend the interface among people, publics, policing, and punishment. The term “sex offender” enrolls diagnostic categories and actuarial prediction into a regime that depends on yet seemingly disqualifies the exclusive power of the state or the psy- professions over the pedophile's political or disciplinary function.

This makes it difficult to determine why pedophilia emerged as an organizing figure in this era. The actual role of pedophilia within the carceral, neo-liberal, and biopolitical regimes of institutional life remains murky. As far as I can tell, a diagnosis of pedophilia may occur clinically without leading to carceral containment (if no action has taken place), while criminal charges may be filed without a diagnosis of pedophilia (if no psychopathology is found). Clinical assessment may happen through carceral processes, such that post-arrest psychological evaluation becomes part of amassed evidence or preparation for sentencing. Assessment may also happen on entrance to or release from incarceration to dictate level of security, assignment to treatment, or potential threat after release. A diagnosis of pedophilia is itself irrelevant to a finding of criminal culpability, but it may be more central to civil incapacitation or involuntary commitment (Testa and West 2010). Yet the term “pedophilia” remains central to public, and often juridical, discourses of sex crime

against children. As the psychiatrist Fred S. Berlin (2014, 404) explains this problem, “Although from a psychiatric perspective the term Pedophilia is intended to define a recognized clinical entity, in the collective consciousness of contemporary society, the term has become a demonizing pejorative.” The relationship among the figure of the pedophile, adult sexual harm of children, and carceral and medical interventions appears to be unclear even to those tasked with defining this relationship. It is instead very much in the “collective consciousness” that the threat of pedophilia takes shape.

As Sex Panic

Many critics have pondered this puzzle, trying to assess why this particular figure took on its central role in the late twentieth century and what actual danger is posed by pedophiles, versus their profiling. This calculation has proved difficult, if not impossible, given the lack of clear data and the complexity of data as a metric of harm. Is the number of people caught in a dragnet designed for exceptional offenders the measure of harm? What about the number of people living with the aftermath of childhood sexual abuse? If we center those most impacted by this system, is it those branded for life as offenders or those with a life sentence of surviving unwanted sexual contact? Is there a differential impact between violent assault (“forcible rape”) and unwanted overtures (“lewd acts with children”)? How does an inappropriate neighbor relate to a violent stalker? How does statutory rape fit in, and what does it mean that underage sexting can be treated as trafficking in child pornography when the pictures in question are of one’s teenage self? I have spoken informally to many people across a wide spectrum about these questions, from those currently incarcerated to those on the registry, those living with the traumatic aftermath of childhood sexual abuse to those who feel minimally impacted by such experiences. And I have spoken repeatedly, of course, to those who have given little thought to the reality behind the slew of pedophilic images they consume across popular media. Such anecdotal evidence, the sheer span of perceptions and experiences of those directly and indirectly impacted by this system, does not rise to the level of data. And even if it did, it would be no more clarifying.

One major cluster of responses to this confusion is to view the hunt for pedophiles as a classic sex panic. As was the case in earlier phases of expanded policing associated with white slavery, sexual delinquency, and sexual psychopaths, the 1980s–2010s period is alleged to be in the throes of a moral panic

using sexuality as a distraction from more substantive social and political issues. In general, sex panic is understood to work this way: in a situation in which underlying structural conditions are precipitating social, political, or economic crisis, public discourse taps into the intense affect created by destabilization. This affect is then assigned an objective correlative in a specific moral threat that can be resolved through social or legislative reform agendas. Sexuality is among the most powerful moral threats because it heightens already existing affect with its own reservoir of intense feelings. As Roger Lancaster (2011, 2) summarizes the general logic of this analysis, “Sex panics give rise to bloated imaginings of risk, inflated conceptions of harm, and loose definitions of sex.”³⁰ Declarations of sex panic about adult-child sexuality have tended to dismiss claims about widespread sexual harm as “paranoid” (Lancaster 2011, 186), a sentiment echoed across James Kincaid’s (1998, 12) claim that pedophilia creates a “Gothic story” to distract from more “structural social problems,” Lee Edelman’s screed against the repro-normative Child in *No Future* (2004), and Lancaster’s own identification of the pedophile as folk devil in *Sex Panic and the Punitive State* (2011).³¹ In *Harmful to Minors*, Judith Levine (2002, 32) summarizes this argument succinctly: “The cold war was melting into detente; for the first time in living memory, Americans were bereft of national enemies and native subversives.” She explains, “At times like these, the child-molesting monster can be counted on to creep from the rubble” (Levine 2002, 29).

While I agree with much in these arguments overall—in particular, Lancaster’s analysis of economic restructuring and white middle- and working-class biopolitics and Levine’s focus on juvenile sexuality—I depart from them in my approach to affect and in my conclusions (Harkins 2013).³² Lancaster (2011, 205, 212), for example, argues that we live in a broader U.S. culture that has “learned to love trauma” and a leftist politics defined by “fixation on injury,” a phenomenon attributed to a punitive and then neoliberal turn valorizing individual suffering as politics. This is a claim familiar from feminist cultural studies of the late twentieth century such as Wendy Brown’s *States of Injury* (1995) and Lauren Berlant’s *The Queen of America Goes to Washington City* (1997). But Lancaster’s (2011, 205, 244) proposed solution—to adapt the “age old wisdom” of “getting over it” into at least the possibility of “the forgetting of trauma”—is a very limited redress for the politics of grievance that allegedly define this period. The idea that moral and political recognition of harm works uniformly across institutions and actors is simply false. Neither loving nor forgetting injury and trauma addresses the complex conditions in

which recognition and harm are distributed through interpersonal or institutional modes; nor do they get us very far in understanding how managing affect came to be both cause and solution for this problem.

A second major cluster of responses view the hunt for pedophiles as a misdirection from children's actual vulnerability to sexual abuse, as well as from actual distributions of sexual harm more broadly. These responses argue that pedophilia directs concern toward individualized pathology and away from the interpersonal and institutional networks where the vast majority of sexual abuse takes place. All academic study and much news reporting confirm that stranger danger in particular is the least likely scenario for childhood sexual harm. As Kim Brooks reminds readers in "Motherhood in the Age of Fear," published in the *New York Times* in July 2018, "Statistically speaking, according to the writer Warwick Cairns, you would have to leave a child alone in a public place for 750,000 years before he would be snatched by a stranger." Predatory behavior is statistically and anecdotally acknowledged as least likely as a result of the abduction, assault, and murder featured in the most notorious cases and as most likely among interpersonal or institutional networks. Sexual abuse, in other words, often takes place within a social fabric rather than pitted against it.³³ Focusing on individualized psychological pathology or criminal intention obscures the conditions in which children's uneven structural or situational vulnerability may expose them to sexual harm, including in the home and through contact with so-called opportunistic offenders who have no prior history of sexual abuse or proclivity to sexualize children as such.

The problem posed by the contemporary pedophile figure might be better understood in terms of amplification as misdirection. This is a mix of amplified fears over less likely threats, coupled with a misdirection from actual threats that are themselves *also about sex as a structural social problem*.³⁴ In other words, the focus on pedophilia is not so much paranoia about sexual harm that directs attention away from apparently more legitimate structural social problems (as Kincaid and others suggest) as a minimization and denial of sexual harm *as a structural social problem* tethered to broader systems. Harmful gendered and sexual experiences are already embedded in interpersonal, institutionalized, and structural frameworks that minimize, accept, or even support those practices. Historically, this process has justified the domination and terrorization of populations racialized and territorialized through modes of sexuality and across the making of genders.³⁵ An enormous body of scholarship and activism document the interdependence of interpersonal, institutional, and structural violence, both historically and in the present.

Interdisciplinary scholars such as Andrea Smith (2005), Beth Richie (2012), Dian Million (2013), Sarah Deer (2015), Dean Spade (2015), Allison Hargreaves (2017), and Andrea Ritchie (2017) document racialized and gendered inflictions of sexual harm through dominant social structures, including the foundational sexual violence institutionalized through settler colonial and racist state systems. The organization INCITE! Women of Color against Violence has gathered diverse scholars and activists in statements such as “Gender Violence and the Prison Industrial Complex” (2001) and anthologies such as *The Color of Violence* (2006) to demonstrate the dangers of isolating individualist approaches to sexual harm from the broader interpersonal, institutional, and structural conditions that produce them.

Even more troubling, additional harm is often inflicted by the very interpersonal, institutional, and structural mechanisms allegedly designed to mitigate it. Many critics have argued that efforts to elevate the voices and experiences of those directly impacted by sexual harm are often co-opted or redeployed in ways that reproduce or exacerbate that harm. As Million (Tanana Athabascan) explains, indigenous women’s representation is often mediated by broader institutional dynamics: “Our suffering is highly mediated, its representation to ourselves and to our relations locally, nationally, and internationally form, interrupt, and constrict larger discourses that create power in our time” (Million 2013, 24). The representation of sexual harm is mediated in ways that create power, but infrequently for those who directly experience that harm. Rather, representations of sexual harm are often appropriated and misdirected to build power for systems that themselves may have been the cause of or may inflict additional harm. Million (2013, 23) elaborates that “unspeakable acts of violence against Indigenous women effectively police them and their communities, but rarely the perpetrator,” a situation that holds across gender and sexuality-based violence and its state correlatives. In her study of interpersonally, institutionally, and structurally vulnerable black women and children, Beth Richie (2012) points out that their experiences of sexual harm are often treated as evidence of the need for increased community policing and punishment, often doubling back to target most forcefully women and children themselves.

The logic of sexual security built up through SORN is not, in other words, merely sex panic dressed up in the emperor’s new clothes. The emergence of the predatory pedophile does have many components of a sex panic. And there are certainly sex panic analysts who would concur that amplification by misdirection negatively impacts both those targeted as offenders and

those recognized as victims. But the mediations introduced in and through the offender-victim binary are not universalizing, and the uneven articulation and effect of these mediations makes sex panic a limited framework. In other words, declaring a sex panic does not complete the analysis, and in the case of pedophilia I have found that declarations of sex panic more often than not operate as part of the dominant logic of mediation (rather than its corrective). Interdisciplinary scholars of gender and sexual liberation movements such as Kristin Bumiller (2008), Christina Hanhardt (2013), and Emily Thuma (2019), for example, have explored the way dominant logics of mediation shape the impact of antiviolence work. Antiviolence activism has been unevenly enfolded into rape law reform, the Violence against Women Act (VAWA), and antitrafficking programs in ways that are often antithetical to its aims, as studies by historians, political scientists, sociologists, and legal scholars including Leti Volpp (1994, 2011), Nancy Whittier (2009), Elizabeth Bernstein (2010, 2012), Rose Corrigan (2013), and Lee Ann Wang (2016) demonstrate. Suggestions that victim discourse or an advocacy of injury built the SORN regime are oversimplified, and declarations of sex panic can obscure the more complex ways mediation appropriates and unevenly distributes the effects of diverse efforts to represent sexual harm.

This is the problem seemingly ignored by some sex panic analysis: *every* effort to critique institutional and interpersonal systems of sexual harm is highly mediated, including the declaration of sex panic. The insight of sex panic analysis can seem somewhat obvious to those familiar with institution-alized dynamics of appropriation and denial (what Elizabeth Povinelli [2002] calls “the cunning of recognition” or Jodi Melamed [2011] calls “represent and destroy”). Of course dominant institutions will use moralistic discourse about sex to amplify unjustified fears and distract from actual distributions of harm. This is familiar to anyone who has tried to control the mechanisms through which harm is recognized and redressed. Just because moral panics about sex exist does not mean their effects are universal or even universalizing, or that that such panics are not misdirecting from other forms or instances of actual sexual harm, or that the relation between amplification and misdirection takes familiar or recurrent forms. It certainly does not mean that demands for an injury-transcendent politics would be universally helpful (or new). Missing from these analyses are often the corollary discussion of how alternative and resistant modes of power are built by those directly impacted by sexual harm, such as Million’s (2013, 27) discussion of the “often agonistic struggle for life itself in an age of self-determination” sustained by indigenist women’s vision,

and Richie's (2012, 3, 18) elaboration of activism against a "prison nation" that uses "the power of law, public policy, and institutional practices in strategic ways to advance hegemonic values and to over-power efforts by individuals and groups that challenge the status quo." Without substantive focus on the uneven terrain of mediations and efforts to resist their appropriation, declarations of sex panic can end up participating in what Susan Bandes (2007) shorthands as "institutional denial."

Much of the puzzle comes down to whose voices are centered, and how, as well as who mediates the story those voices are allowed to tell. Such issues of selection and mediation impact both the collection and the analysis of data, as well as the generation of narratives intended to soothe or excite. Raising these questions of method begins to take us away from empirical studies and into the terrain of cultural studies, where the majority of this book is situated. Entering this field of study is daunting. There are few rhetorical positions not already mediated through binary logics of panic and denial, paranoia and reason. But the binaries are not neat, and the realities are not tidy. The populations defined as victim and offender are, for example, highly intertwined, and the high rates of incarceration for both defy the logic of SORN, as well as sex panic analyses that separate victim advocacy from offender demonization. In addition, sexual harm is often *de facto* part of a prison sentence for people convicted of sex offenses, as it is for all people caught up in the carceral system. Twenty-four-hour surveillance and prohibitions on sexual expression reduce sexual liberty, while routine strip searches, pat downs, and incidents of sexual assault induce sexual harm. It really should not take a news comedian such as John Oliver to remind people that jokes about rape as punishment belie beliefs that incarceration reduces sexual harm.³⁶

Questions of method in turn open up questions about which definitions of gender and sexuality organize the distribution of harm and recognition, as well as whose liberty and whose liberation are centered in movements for sexual freedom. I follow in the footsteps of scholarly work demonstrating how sexual entitlement to the bodies and experiences of others is often distributed through white supremacy, male supremacy, nationalist empires, and a hierarchical class system, as well as activist work seeking self-determination and collective determination for those most impacted by those systems. My own involvement with the child sexual abuse prevention organization Generation Five and higher education programs in Washington State prisons is an ongoing reminder of these stakes.³⁷ And yet this study of pedophilia takes me paradoxically back into a focus on whiteness and masculinity—in particular,

the exceptional whiteness of the virtual pedophile and its puzzling failure to become legible as profile or population while being obsessively, if virtually, figured as such. The book's willingness to center alleged white predators of white children is meant neither to demystify a panic nor to demonstrate a threat, although both demystification and demonstration are part of my project. My focus here is on the white pedophile's centrality to dominant mediation in the post-1980s period. In the best-case scenario, a closer focus on the white male pedophile will help explain how and why virtual predators were used to securitize sexual politics in the wake of more radical movements for sexual and gender liberation, including movements that would better serve those of us who have experienced harmful sexual abuse yet remain critical of existing systems of redress and repair.

As Virtual

Virtual Pedophilia centers cultural materials in the production of the pedophile as a figure and mechanism for the structural adjustments of sexual security from the 1980s to the 2010s. My selection of primary materials (popular media, government publications, television programs, and film) and preferred methodology (a blend of descriptive and hermeneutic reading) limits my capacity to argue causation. While I do not consider cultural materials epiphenomenal or superstructural, I do not think the specific materials I study here, or the way I study them, provide an adequate archive for robust historical argument. My archive is culled almost entirely from dominant cultural forms and media. This makes my claims about common sense more akin to a dominant cultural genealogy of the present than the social or subaltern cultural studies or historiography undertaken across disciplinary and interdisciplinary fields. These limitations direct the focus of my argument toward mediation rather than the reality mediated. My hope is that attending to the mediation of virtual pedophilia will make this problem's broader significance for studies of contemporary sexuality and criminality both clear and compelling.

My readings of cultural materials argue that the virtual pedophile functions as both figure and mechanism in late twentieth-century transformations of criminality and sexuality in the United States. Through the cultural mediation of the pedophile, something both more and less definitive than containment, banishment, and branding emerge as central functions in the SORN era. Across these decades, the spatial logic of control, with its regimes of embodi-

ment and containment, shifted to a logic equally predicated on temporal diffusion: the potential to become a threat existed in all bodies and spaces, rationalizing a shift from targeted policing to total surveillance as the charge for sexual security. The late twentieth-century pedophile expanded the range of referents and type of sleuths for sexual criminality by seeming to shift from analogy to virtuality. During this period, the mask of the white man seeking sex with children itself changed. In the late twentieth century, the white mask of normalcy, associated with analogic modes of representing sexual deviancy, became what I will call the veil of virtuality. This veil combines three components of virtuality—potentiality, information, and actuarial prediction—into a screen that hides unnatural deviance on the surface, rather than in analogic depths.

Earlier political and cultural modes of profiling operated primarily through analog representation, in which the sexual predator was “like” a beast, a savage, a fiend, or a monster. Analog figures were produced when early twentieth-century biological and sociological experts used eugenics and environmentalism to explain how degeneration and deviance created monsters among white men who were otherwise deemed normal. Their white masks of normalcy covered a rotten interior, which could be represented through analogy to monsters more visible on the surface. By the 1940s, FBI Director J. Edgar Hoover could easily shorthand “degenerate sex offenders” as “depraved human beings, more savage than beasts” who roamed public space like “wild beasts [who] break out of circus cages” (Hoover 1947, 32). Across the mid-century, white normalization occurred through the professional psychiatric and police differentiation of façades and interiors, as well as the cataloging of behaviors that indexed surface to depth. Meanwhile, lay capacities to navigate this spectrum were created through popular dissemination of what Hoover in 1955 called “common sense,” a capacity to discern the white beast among men that could be developed by studying analog media such as news, books, and film (Hoover 1955, 101). The FBI forged a substantive *raison d'être* across these earlier periods, from the Mann Act’s proclaimed fight against white slavery (as blueprint for “vice” legislation) in 1910 through Hoover’s own multi-decade (1924–72) reign as federal moralist-in-chief and champion of populist fears of a Red, Black, or Pink planet.³⁸

In contrast, late twentieth-century calls for revised and revitalized common sense eschewed such easy analogies to visible threats. In place of popular writings by the FBI, we find the leadership of the crime novelist, lawyer, and FBI consultant Andrew Vachss, whose series of articles in *Parade Magazine* popularized the phrase “predatory pedophile.” Vachss’s declaration that sex

offenders “study children as carefully as any psychologist, and their camouflage is our unwillingness to see the shark in our swimming pool” does not propose a search for sharks masquerading as something else (psychologists perhaps) (Vachss 1989). The pedophile’s potential predation lurks *on the surface of norms*, not behind or beneath them. The sharks aren’t camouflaged; our eyes are. We are unwilling, or perhaps even unable, to see their looks as predatory. This new form of camouflage does not mask reality but rather participates in it *as normalcy*; a kind of unnatural normalcy changed the function of looking itself. If normal behaviors such as looking at children can themselves *be* an unnatural threat, rather than its cover, how can actual predators be discerned? To do so requires a shift in perception. New technologies were needed that move away from the surface/depth model of normality and instead pierce the veil of virtuality that makes potential threat invisible to the naked eye. Psychologists and police, watchers from a dwindling world order, were presented as ill-equipped to fight a virtual battle with their analog arsenal of perpetrators’ photographs and psychological profiles (and perhaps even guilty of their own deviant looking)

The veil of virtuality signals a complex array of meanings and conditions—potentiality, information, and actuarial prediction—not always drawn together as a composite apparatus. The term “virtual” culls its first set of meanings from the European philosophical tradition of Baruch Spinoza (1677), Henri Bergson (1912), and Gilles Deleuze (1991, 2002), which proposes virtuality as the condition of potentiality imminent to all actual phenomena. “Virtuality” names that which might be but is not yet or not ever, a kind of potentiality manifest in all life’s matters. The philosopher Brian Massumi (2002, 30) offers a succinct definition: “The body is as immediately virtual as it is actual. The virtual, the pressing crowd of incipiences and tendencies, is a realm of *potential*.” This more philosophical approach differs from the second set of meanings: virtuality as a condition of technologically produced reality that appears through information patterns. The cultural scholar Katherine Hayles (1999, 13–14) defines “virtuality” as “*the cultural perception that material objects are interpenetrated by information patterns*. The definition plays off the duality at the heart of the condition of virtuality—materiality on the one hand, information on the other.” This second meaning suggests that binary code, digitality, or information constitute matter in new ways. With the advent of late twentieth-century technological revolutions, virtuality was no longer merely a philosophical concept for potentiality but also a historically specific concept referring to technological mediation.

The veil of virtuality associated with the late twentieth-century pedophile references both these meanings. “Virtuality” names that which is beyond material instantiation (as potentiality) but that might be said to precipitate it (through information). Virtual pedophilia—or the pedophile as a virtual figure—emerges from these conditions as an assemblage of the inhuman or the unnatural beyond either psychological diagnosis or criminal profile. The pedophile, always already potentially slipping into or out of his predatory habits, existed in a conditional tense in which the potential, the probable, and the actual were indistinguishable. It required new kinds of information to make it appear as an “actuality” (Massumi 2002, 43) or “material object” (Hayles 1999, 29). This brings us to the third meaning of “virtual” I develop here: its forensic signification of potentiality as actuarial prediction. The virtual pedophile is part of a broader actuarial turn in which statistical calculation predicting probabilities and providing risk assessment became a dominant tactic of crime prevention. Here the virtual differs from earlier iterations of phantom, folk devil, or monster by insisting that these are not fantasy objects (made up, fake, imaginary) but actuarial averages (realizable, measurable, modifiable). Actuarial information can predict the presence of a pedophile before his crime has been committed or materialize his presence in a body otherwise too normal for notice.

Through this process, the three referents for virtuality—potentiality, information, and prediction—seem to transform the category and capacity of the sexual norm, as well as the relationship between normality and nature for sexuality writ large. Emerging in the wake of late twentieth-century movements for gender and sexual liberation, the pedophile’s unnatural nature might pass as one of those more benign sexual variations such as homosexuality or kinkiness now making their way into acceptable zones of abnormality. The white man on-screen might appear normal, or a familiar and acceptable kind of abnormal, but in fact a virtual potential for grotesque or unnatural sexuality lurked as the surface of his white masculinity the whole time.³⁹ To distinguish the predatory pedophile from garden-variety gay or quirky sexual fetishist, audiences needed help discerning virtual monstrosity within changing distributions of normality across wider ranging human natures. This procedural function situates the pedophile within the era’s broader counterinsurgencies. The mediating function of virtual pedophilia captured and redirected insurgent efforts to redistribute sexual harm and pleasure. A widened swath of the population was seemingly empowered to challenge state and disciplinary power by taking self and community protection into their own hands. Yet this

empowerment was redirected into a vigilante populism that slightly modified while shoring up existing hierarchies as sexual security.

This is my answer to pedophilia's puzzling emergence as a dominant figure for sexual harm: the pedophile is a virtual assemblage beyond psychological diagnosis and criminal profile whose threatening potentiality expands processes of securitization. First, the proliferation of imprecise information is coupled with a dearth of actual images. The public is told to look out for pedophiles but never given an example of what one looks like. Websites, for example, frequently provide maps and slogans and images of children, but images of pedophiles or predators are almost entirely absent. Second, images are produced through aesthetic media such as television and cinema to present a possible—but not actual—image of the pedophile. These images are analogs for predatory presence, never capable of actually penetrating the virtual realm of pedophilic potentiality but promoting audience common sense as a medium through which analog images can be translated back into forensic information.⁴⁰ This explains the centrality of images—from their absence to their inadequacy—to capture an actual pedophile. The cultural mediation of virtual pedophilia produces a process of *insecuritization*. People are made insecure when information promises prophylaxis, surveillance provides the mechanism of informational retrieval, and visual analogs are the only medium through which to match information with image.

Let us turn briefly to the WikiHow.com page "How to Identify a Pedophile" to demonstrate the first step in this process. The page begins with standard clarifications that (1) "not all pedophiles are child molesters, and having thoughts about children is not the same as acting on them"; (2) "anyone can be a child molester, so identifying one can be difficult"; and (3) "there is no one physical characteristic, appearance, profession, or personality type that all child molesters share."⁴¹ No profile: check. But this lack of profile does not mean you can stop trying to identify predators. Instead, the absence of a profile means "you should never dismiss the idea that someone could be a child molester out of hand." So there is potentiality hiding in normality, and pedophiles could be practically anywhere. The page promises, however, that you can "learn which behaviors and traits are red flags, what situations to avoid." Multistep instructions are presented as if they provide information to help identify and prevent pedophilic behavior. But those steps focus primarily on extending surveillance to include accessing the U.S. Department of Justice National Sex Offender Database, using a nanny camera in the home, overseeing children's extracurricular activities, and online safety planning. Instructions

to increase surveillance, in other words, are treated as if surveillance is actual information that can guide action. People are then encouraged to assemble this surveillance as information into their own predictive images in the hope that they can map it onto an actual body given the chance. Yet the more technology is used to amass and distribute information about the pedophile, the more difficult it becomes to see him in actuality and the more people at large need information technology rather than professional experts to help them.

This circular process does not yield the protection it promises, however, and people need more and more—information, surveillance—to identify less and less.⁴² The virtuality of the pedophile results in a self-reinforcing process of insecuritization and instigation to technological vigilance that has no external limit. This lack of external limit leads to step two: the closed circuit of information and surveillance requires an aesthetic supplement to make the virtual pedophile appear as actual image. Across the screens of television crime procedurals of the 1990s and 2000s, the virtual pedophile created an aura that can be grafted onto any actor's behavior through serial and narrative programming. White male actors carried with them an aura of potential pedophilia that frequently eluded detectives and psychiatrists on-screen as much as the home viewer. Only by learning how to decode these various cultural texts could viewers learn to assemble information into image and identify the predator on-screen. Documentary and narrative films complete this circuit in their capacity to cull images of sex predators from early twentieth-century cinema and transfigure them into avatars—such as wolf, vampire, extraterrestrial, or undead—for explicitly virtual threats.

Across these texts, the hunt for pedophiles was presented as a seemingly liberatory experience that redirected popular energy toward the reproduction of specific social, political, and economic orders. By capturing the pedophile, people could revive their normalcy—often in the form of comparative respectability—in the aftermath of its articulation to fading rights and entitlements. This helps clarify why these cultural texts draw on such a surprising range of source genres. The majority certainly draw on Orientalist, anti-Semitic, and antimigrant genres of detection and surveillance (naturalism and noir rank highly). Yet some also draw on queer, African American, and Latinx genres that counter the racial politics of surveillance.⁴³ Sometimes presented in the language and visual codes of working-class resistance, in its modes of both white entitlements and black and brown radicalism, these texts rather surprise me as a group or an archive. Certainly, sentimentalism dominates the mass cultural idiom, but a rather curious countercultural theatics and sty-

listics inform enough of the material to draw my attention here. Thus, we get sequences of suburban white middle-class panic, *Little Children* exemplary among them, but also a knowing and resourceful discernment operationalized through working-class, queer, and minoritized perspectives of sousveillance, *L.I.E.* providing one counterexample.

My readings of these texts suggest that people otherwise threatened with ever more hegemonic disposability through overt and covert necropolitical agendas of the same security era were proffered the branch of life through agency that targeted reprehensible monsters. The white middle and working classes were certainly a primary target for this recruitment, promising agency in the wake of normal life's dwindling promises. But people across a far wider historical and legal spectrum were also enlisted to serve as this arm of public policing. The white pedophile's virtually monstrous nature drew a new line between socially defined crime (the purview of politics) and moral monstrosity (the purview of nature). Through a diverse range of cultural texts, guarding this line was presented as the sine qua non of popular empowerment. Liminal status might be corrected by incorporation into this new base of lay recruits targeting those unnatural monsters beyond the pale of criminalization articulated through racial assemblages of black, brown, indigenous, and noncitizen profiling. Hunting for the unnatural normalcy of the pedophile among them, good people protect a threatened biopolitics associated with white settler supremacy—and expand its domain to include new multiracial agents of security—with just a few strings attached: permanent insecurity and only a vigilant(e) common sense to guard against the forces of structural adjustment.

Chapter Overview

In the first two chapters, I provide a genealogy of the pedophile's late twentieth-century emergence from what I identify as key moments of transition or transfiguration in sexual typology and criminal profiling. Chapter 1, "Monstrous Sexuality and Vile Sovereignty," situates pedophilia as a psychological-forensic category in relation to the rise and fall of various other figures for child sexual predation: the white slaver, the sexual delinquent, and the sexual psychopath. This twentieth-century genealogy begins with Krafft-Ebing's coinage of *paedophilia erotica* ([1886] 1965, 371), whose distinction between psychopathology and criminal intent was immediately tested across the rapidly urbanizing zones of Europe and the United States. During the early and mid-twentieth

century, various figures of child sexual predation shuttled between the poles of illness and criminality. The pedophile only reemerged as a central figure in the wake of late twentieth-century popular and biopolitical struggles over relations among the disciplines, the state, and the people. This genealogy reveals the twentieth-century U.S. operation of what Michel Foucault (2003a, 12) calls “vile sovereignty,” a mode of power that expands its reach through the definition and discrediting of sexual monsters.

Chapter 2, “Profiling Virtuality and Pedophilic Data,” explores how these late twentieth-century struggles produced pedophilia as a central figure for securitization through vile sovereignty. Insurgent movements for gender and sexual liberation challenged the pathologization and criminalization of non-normative practices, while counterinsurgent activists insisted that all homosexuals were sexual predators with children as their central targets. Struggles in the 1970s over adult-child sexuality, including the emergence of the North American Man/Boy Love Association and Anita Bryant’s adversarial Save Our Children campaign, turned in the 1980s to a nearly exclusive focus on childhood sexual experience as harmful when instigated by adults. Across the 1980s and 1990s, various strands of sexual advocacy split focus between normalization of homosexuality and the criminalization of pedophilia. Adult-child sexuality was transformed into predatory pedophilia as criminal conduct, even as that conduct would unfold under a veil of virtuality that required new systems of detection and deterrence. The hallmarks of the SORN era would emerge from this conjuncture, making data collection and dissemination key to the preventative detention and expansive management of pedophiles as sex offenders.

The next two chapters demonstrate the cultural mediation central to new modes of common sense vital to the expansion of sexual security. Chapter 3, “Informational Image and Procedural Tone,” attends to television as a cultural medium disseminating common sense in this period. In the 1990s and early 2000s, the white sex predator against children was central to the rise of popular forensic procedurals such as *Law and Order: Special Victims Unit* (1999–) and *To Catch a Predator* (2004–2007). Security protocols were dispersed through new modes of common sense that produced an “aura” for virtual pedophilia that is detectable only when information becomes aesthetic. Aura accumulates to analog figures whose potential predatory nature exceeds their surface signification; they are haunted by a virtual reality that can never be fully represented on-screen. Through readings of *Law and Order: SVU*, I explain how procedural tone works to train audiences to exercise aesthetic

interpretation as forensic common sense. Aesthetic interpretation reads the aura as sign and returns it to its analog signifieds: code, clue, and symptom. Audiences are tasked with learning how to read “procedural tone” so they can develop a common sense capable of complex aesthetic, forensic, and diagnostic discernments and determinations.

Chapter 4, “Capturing the Past and the Vitality of Crime” takes up two films to engage this procedural tone as it is adapted through documentary and narrative cinema. Andrew Jarecki’s HBO documentary *Capturing the Friedmans* (2003) explores one family’s real-life response in the late 1980s to accusations of, investigation into, and incarceration for child sexual abuse. The documentary suggests that men whose historically liminal whiteness would have subjected them to sexual surveillance in earlier decades became targets for late twentieth-century sexual security. Focused on the persecution of Jewish masculinity as sexually aberrant, *Capturing the Friedmans* treats late twentieth-century pedophilia as a visual lacunae that virtualized white men as targets of criminalized sexuality. Clint Eastwood’s Oscar-winning Hollywood film *Mystic River* (2003) explores how this mediation of white masculinity is rebranded as a resource for white working-class resilience in the face of encroaching structural adjustment and surplus disposability. The film uses hard-boiled and noir genres to recraft a nostalgic representation of residual Irish working-class resistance to earlier modes of governance. By juxtaposing white working-class criminality with the unnatural virtuality of the pedophile, *Mystic River* revives white masculinity as a vital resource for agency in the newly securitized world.

In the final chapter and conclusion, I move toward queer encounters with the assemblage of sexuality and security articulated through SORN and its aesthetic mediations. Chapter 5, “Capturing the Future and the Sexuality of Risk,” considers the queer outcomes of SORN’s temporal and spatial entanglements through a reading of two narrative films. Gregg Araki’s *Mysterious Skin* (2004) tracks insurgent countercultural sexualities as they are enclosed within 1980s and 1990s discourses of trauma and risk. *Mysterious Skin* follows two white boys’ divergent experiences of childhood sex with their white baseball coach—one interprets it as love; the other, as alien abduction—to reframe the 1980s as a time when the range of possible sexual acts was constrained by futurist ideologies of sexual threat. Nicole Kassel’s *The Woodsman* explores the aftermath of this 1980s switch point, when the pedophilic function of the sex offender made the virtual predator into potential queer. *The Woodsman* presents a known pedophile on-screen by following Walter, a white, middle-

NOTES

Introduction

- 1 Special Agent Greg Wing, cyber squad, FBI Chicago Field Office, quoted in Federal Bureau of Investigation 2011; Lanning 2010, 20.
- 2 Andrew Vachss coined “predatory pedophile” in “How We Can Fight Child Abuse” (1989). The article also called for national registries and enhanced penalties. A note on language: There are no value-neutral terms for my subject matter. This book shifts between referring to acts and epistemes as harmful (abuse, violence, coercion, exploitation) and as neutral (adult-child sexuality, adults who seek out or have sex with children, intergenerational sexuality). I run the risk of using value-neutral language when audiences might expect, or rightly want, evaluation of the acts under discussion (abuse, harm, violence) in the service of clarifying how language changes in relation to the systems I study. I adhere to people-first language when discussing the human beings impacted by these systems (“people convicted of sex offenses,” “people who have been harmed by sexual abuse”) but retain the objectifying language produced by these systems when I am analyzing mediation or figuration (“sex offender,” “sex offending,” “victim”).
- 3 Studies connecting longer-standing and more recent policing as part of geopolitical warfare include Puar 2007; Cacho 2012; Nguyen 2012; Lloyd et al. 2012.
- 4 The term “population” names group differentiation through biopolitical governmentality (Foucault 1990).
- 5 Some argue that this population’s safeguards are diminished by the #MeToo movement of the 2010s, but such shifts seem uneven, at best (see the conclusion).
- 6 Studies evaluating racial disparities include Ackerman et al. 2011; Filler 2004; Hoppe 2016. Gender and sexual disparities are difficult to track since incarceration

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tion and registration data use a male-female binary and omit sexuality; see for overviews Mogul et al. 2011; Stanley and Smith 2011.

7 The acronym for the Sex Offender Registration and Notification Act is SORNA. I use SORN as shorthand for the broader sex offender management regime, which built on earlier state registration systems (see De Orio 2017; Leon 2011).

8 This is treated in Harkins 2009, chap. 1.

9 Greenfeld (1997, 18) notes that between 1980 and 1994, “Other Sexual Assault” demonstrated “a more rapid rate of change than for any other category of violent crime,” increasing an average of 16 percent per year. This rate is second to “Drug Offenses,” at 18 percent per year during this period.

10 Most statistics related to sex offenses and sex offenders gathered by the federal government can be found through the Office of Justice Programs in the U.S. Department of Justice, including the Bureau of Justice Statistics, National Institute of Justice, Office for Victims of Crime, Office of Juvenile Justice and Delinquency Prevention, and Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking (SMART).

11 Adams 2002, cited in Parker and Pittman 2013, 32.

12 The NCMEC gathers registry data from fifty states; Washington, DC; and the U.S. territories Puerto Rico, U.S. Virgin Islands, Guam, American Samoa, and Commonwealth of the Northern Mariana Islands. Separate registries are kept by U.S. states and the U.S. territories U.S. Virgin Islands, St. Thomas, and St. Croix. Registries for Indian Country and military bases have been maintained by the federal government. The Native American Sex Offender Management Project is piloting registries and reentry programs in four tribal jurisdictions.

13 William Dobbs, “The Dobbs Wire,” listserv, June 8, 2018. Dobbs reports NCMEC will no longer update its charts (personal communication, October 2019).

14 Studies finding disproportionate rates of African American registration include as per note 10 Ackerman et al. 2011; Filler 2004; Hoppe 2016. Studies of juvenile impacts include Finkelhor et al. 2008; Parker and Pittman 2013; Snyder 2000.

15 For summary overviews of SORN in relation to broader carceral shifts, see Gottschalk 2014; Wacquant 2009.

16 Monographs focused on SORN include Corrigan 2013; Ewing 2011; Fischel 2016; Horowitz 2015; Lancaster 2011; Leon 2011; Meiners 2016; Rickard 2016.

17 Extensive scholarship on these systems include Alexander 2010; Diaz-Cotto 2006; Hernández 2017; James 2002; Kunzel 2008; Law 2009; Mogul et al. 2011; Murakawa 2014; Olguín 2010; Ritchie 2017; Ross 1998; Simon 2007; Sudbury 2004.

18 On political counterinsurgency in particular, see James 1996; Davis 2005; Rodríguez 2006; Berger, 2014.

19 For early twentieth century studies of racialization and criminalization, see Gross 2006; Muhammad 2010; Hicks 2010. On racialized figures in this period, see Lubiano 1992, 2008.

20 Monographs on the actuarial turn in policing include Ferguson 2017; Harcourt 2007, 2012.

21 For broad overviews of U.S. neoliberalism, see Brown 2015; Duggan 2003; Harvey 2005.

22 On related carceral geographies, see Gilmore 2007 and Lloyd et al. 2012. On long-standing practices of coerced subjection through colonizing capitalist property relations, see Byrd, Goldstein, Melamed, and Reddy 2018. For retheorizations of disposability and debility decentering U.S. exceptionalism, see Hong 2015; Povinelli 2011; Puar 2017; Tadiar 2009.

23 Studies of childhood as human capital include Foucault 2008; Postman 1994; Prout and James 1997; Zelizer 1994.

24 Security regimes of this period connect environmental-militarized “green security” (Ybarra 2017, 5) and extractive-financialized “debt securitization” (McClanahan 2016, 26) with state-territorialized population targets. The broader turn to security is treated in Amar 2013; Katzenstein 1996; Barry et al. 1996; Birchall 2011, 2014; Bratish 2008; Clough and Willse 2011; Doyle 2015; Melley 2012; Puri 2016; Ybarra 2017.

25 On this biopolitics of childhood, see in particular Edelman 2004; Sheldon 2016; Meiners 2016.

26 The Jacob Wetterling Crimes against Children and Sexually Violent Offender Registration Act, part of the Violent Crime Control and Law Enforcement Act of 1994, was the first federal law to require state-by-state offender registration. Megan’s Law, passed in New Jersey in 1994, was the first state law to require community notification. It was federally enacted as an amendment to the Jacob Wetterling Act in 1996 to require state-by-state public disclosure of data via internet registries by 2003 and was extended internationally through the International Megan’s Law to Prevent Child Exploitation and Other Sexual Crimes through Advanced Notification of Traveling Sex Offenders in 2016, which includes a unique passport identifier. The AMBER Alert originated in Texas in 1996, then spread state by state, nationally, and internationally to alert the public about missing and abducted children. The Adam Walsh Child Protection and Safety Act created the federal SORNA in 2006, which includes a national registry and mandates for uniform state registry and notification systems, as well as SMART and the Sexual Offender Management Assistance (SOMA) Program. For legislative details, see Couture 1995; Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking 2012; Petrucelli 1995; Wright 2009.

27 Overviews of these impacts are in American Bar Association 2017; Wright 2009. On broader uses of incapacitation, see Wilson 2013. On banishment, see Beckett and Herbert 2009.

28 On uneven criminalization of sexting, for example, see Forbes 2011; Hasinoff 2015.

29 *Kansas v. Hendricks*, 521 U.S. 346 (1997).

30 Recent sex panics include proclamations about racialized and noncitizen sexual predators and dangers posed by HIV status, commercial sex, and gender identity. Anthologies treating these issues include Bhattacharjee and Silliman 2002; Dangerous Bedfellows 1996; Halperin and Hoppe 2017; Lamb 1999.

31 Some blame feminism as social movement and ideology (see, for example, Angelides 2004). For a related review, see McCreery 2004.

32 In contrast to this sex panic approach, see Jyoti Puri (2016, 33, 29), who reads “statistics and statistical accounts on crimes against women” in relation to India’s anti-sodomy law Section 377 to demonstrate that “rationality is not opposed to affect but is in fact another form of it.”

33 Structural exposure to sexual abuse is exacerbated, however, by the disruption of social fabrics perpetrated through state, institutional and interpersonal violence. Sarah Deer (Muscogee (Creek)) (2006) for example points out that U.S. legislation restricting tribal sovereignty over sexual assault committed on reservations by non-enrolled people promotes high rates of assault against indigenous women; see her reading of the 1885 Major Crimes Act [MCA]; 1953 Public Law 280 [PL 280]; and U.S. Supreme Court case *Oliphant v Squamish Indian Tribe* [1978]). See also Amnesty International Report 2007; Ross 2016; EchoHawk 2001–2002.

34 See, for one example, claims about white women’s vulnerability to rape by black men, which, as the activist intellectuals Ida B. Wells (1895) and Angela Davis (1983) point out, stand in marked contrast to the actual vulnerability of people of color in general and black women and children in particular to white predators (as well as white women’s and children’s more likely vulnerability to sexual harm by white men); see Feimster 2011; Freedman 2013.

35 On the making of genders through these processes, see Snorton 2017; Stryker and Aizura 2013; Driskill et al. 2011.

36 John Oliver, “Prison,” *Last Week Tonight with John Oliver*, HBO, July 20, 2014.

37 Generation Five, accessed September 18, 2018, <http://www.generationfive.org>.

38 Glossing Michael Warner’s *Fear of a Queer Planet* (1993), this phrase links Hoover’s antihomosexuality campaigns with anticommunist red-baiting and antiblack race-baiting connecting the Cold War and the color line (Borstelman 2003).

39 On racialization across vitality and virtuality, see Jones 2010; Nakamura 2007.

40 Film theorist Kara Keeling (2007, 3–5) builds on Gilles Deleuze (1986, 1989) to clarify how specific cultural and social frameworks are composed as the “cinematic image of common sense.” My study explores the virtual image of common sense produced through pedophilia.

41 “How to Identify a Pedophile,” WikiHow, accessed January 2, 2018, <http://www.wikihow.com/Identify-a-Pedophile>. The page has since been updated with new images but similar text (accessed January 18, 2019).

42 See the argument on the solicited recursivity of pedophilic threat in Fischel 2016.

43 On dominant logics of what Simone Browne powerfully theorizes as “racializing

surveillance” and resistant modes of “dark sousveillance,” see Browne 2015, 12. See also Fleetwood 2011; Mirzoeff 2011.

Chapter One. Monstrous Sexuality and Vile Sovereignty

- 1 For a Eurocentric history of childhood, see Aries 1962. For U.S. overviews, see Bernstein 2011; Brewer 2005; Brown 2001; Duane 2010; Sánchez-Eppler 2005; Stephens 1995. On age as a racialized category in the United States, see Feld and Syrett 2015; Meiners 2016, 31–57. For a powerful investigation of the child produced transnationally, see Castaña 2002. On the child as an ecological category, see Shelton (2016). See also the argument that transforming social, economic, and political meanings of “age” have been a constitutive part of the black racial formation from the modern era onward (Ibrahim 2016).
- 2 Sample studies of colonial impositions of gender and sexuality include Byrd 2011; McClintock 1995; Povinelli 2006; Rifkin 2011; Stoler 2002; Thomas 2007. Related anthologies include Cruz-Malave and Manalansan 2002; Driskill et al. 2011.
- 3 On European psychiatry and sexology, see Bland and Doan 1998; Tobin 2015.
- 4 On debates about pederasty and/as homosexuality in ancient Greece, see Halperin 1989; Ormand 2008.
- 5 For overviews of white slavery in England in particular, see Kincaid 1992; Walkowitz 1992.
- 6 On the whiteness of sexual protection laws, see Freedman 2013; Haag 1999; Jenkins 1998.
- 7 On *Plessy v. Ferguson* (1896), see Best 2004; Harris 1993. On the territorializing effects of racial terror, see Goldsby 2006; McKittrick 2006; McKittrick and Woods 2007.
- 8 The historical production of whiteness is treated in Delgado and Stephanic 1997; Lipsitz 1998; Jacobson 1998; Roediger 1994, 1999; Wiegman 1999, 2002.
- 9 On racial prerequisite cases and “commonsense” versus “scientific” racial categories, see López 1996. On the Dawes Act of 1887 and Dawes Rolls of the 1890s, see Fletcher 2011, Tallbear 2013. On the 1885 Major Crimes Act (MCA) that abrogated treaty rights to sovereign legal proceedings for native nations in order to allow federal prosecution of Native defendants in specific felony cases, including rape, see Deer 2015.
- 10 On civilizational discourse and late nineteenth-century empire, see Bederman 1995; Kaplan 2002; McCartney 2006; Wexler 2000; Churchill 2004; Lye 2005.
- 11 On juvenile courts, see Feld 2017; McGillivray 1997; Odem 1995; Ward 2012.
- 12 On European pre- and early modern shifts from ecclesiastical to state law prohibiting “unnatural” sexual acts as crimes, such as the English Buggery Act of 1533 that included as crimes against nature buggery, bestiality, and sodomy (defined *de facto* as acts between men), see Crompton 2003; Eskridge 2008.