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# “All Against Pedophilia”

Ethnographic notes about a contemporary moral crusade

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## Abstract

Based on an ethnographic fieldwork carried out within the Brazilian Senate's inquiry committee on Pedophilia and in the Federal Police Department, the aim of this paper is to analyze the strategies and the effects of the conceptualization and the combat of the phenomenon of sexual violence against children as “pedophilia” and with focus on child pornography on the internet. The text consists of a historical approach to the emergence of the problem, an analysis of the political strategies of the Parliamentary Inquiry Committee on Pedophilia and an ethnographic description of the police investigations into child pornography on the internet. The hypothesis is that this “anti-pedophilia crusade” pivoting on the threats of a sexual perversion, is not as effective in the protection of the real child victims of violence as it is in the defense of an ideally innocent childhood.

**Keywords:** Pedophilia, child pornography, social problem, politics, police

## Resumo

Baseado em uma pesquisa etnográfica realizada junto à Comissão Parlamentar de Inquérito (CPI) da Pedofilia, no Senado Federal brasileiro, e no Departamento de Polícia Federal, o objetivo deste artigo é analisar as estratégias e os efeitos do enfrentamento à violência sexual contra crianças a partir da noção de “pedofilia” e com o enfoque na pornografia infantil na internet. O texto é composto por uma abordagem histórica da emergência do problema, uma análise das estratégias políticas da Comissão Parlamentar de Inquérito da Pedofilia e uma descrição etnográfica das investigações policiais contra a pornografia infantil. A hipótese é que essa “cruzada antipedofilia”, centrada na ameaça de uma perversão sexual, protege menos crianças vítimas de violência do que um ideal de infância inocente.

**Palavras-chave:** Pedofilia, pornografia infantil, problema social, política, polícia

# “All Against Pedophilia”

Ethnographic notes about a contemporary moral crusade<sup>1</sup>

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“Moral panic crystallizes widespread fears and anxieties, [...] displacing them on to ‘Folk Devils’”. (Weeks, 1981: 14 apud Rubin, 1984)

On 20 December 2007, the Brazilian Federal Police, in partnership with Interpol, started the so called “Operation Carousel” to combat child pornography on the web. It was the first international operation against “pedophilia on the Internet”, planned and executed under the command of a Brazilian police force. The operation prompted the establishment of a Parliamentary Inquiry Committee on Pedophilia (“PIC Pedophilia”), in the Brazilian Senate, an inflection point in the national political agenda concerning sexual violence against children both in terms of focus, strategies and vocabulary.

Thousands of disquieting images of very young children being sexually abused had been found in the computers seized by the police during the “Operation Carousel”. However, the so-called “pedophiles” could not be prosecuted because the “possession” or “storage” of child pornography were not illegal in Brazil at the time. The “monstrosity” was unveiled but because public authorities were unable to punish the “monster”, all that was left was a feeling of impotence and moral indignation. Soon law enforcement agencies – the Federal Police and the Public Prosecutors – started to demand new legal tools to combat the problem. A senator, who became the chairman of PIC Pedophilia, embraced the cause.

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1 This text is based on a fieldwork conducted for my PhD thesis entitled “The contemporary monster: the social construction of pedophilia in multiple layers” (Lowenkron, 2012), which received funding from the National Counsel of Technological and Scientific Development (CNPq). A first version of this paper was presented in the workshop “Violence, personhood and emotions”, during the 11th EASA biennial Conference, 24-27th August 2010, Maynooth, Ireland. I would like to thank my PhD supervisor, Adriana Vianna; Stela Oliveira, who helped me with the translation from Portuguese to English of the different versions of this article; Chloe Nahum-Claudel, who edited the first English version of the paper; and Peter Fry, responsible for the final editing of the text.

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Based on ethnographic fieldwork within the Brazilian Senate's inquiry into Pedophilia (from March 2008 to December 2010), and in the Brazilian Federal Police Department (from March 2009 to December 2010), this article will analyze the core political strategies and police practices in the construction of "pedophilia" as a "social problem". I will also discuss some of the mechanisms and effects of this "anti-pedophilia crusade" that has been disseminated worldwide in recent years.

The idea that the social construction of "pedophilia" can be understood by means of the analysis of the efforts of the State to combat the problem is inspired by Michel Foucault's (1988) suggestion according to which it is important to examine the productive effects of repressive practices. This epistemological approach is also based on the premise that social problems and deviant categories can be understood as effects of moral crusades and regulatory practices, as proposed by authors who pioneered *labeling theory*, such as Howard Becker (1973) and Stanley Cohen (1980).

According to Becker (1973), the creation of a deviant group or category usually results from the formation of a moral crusade which starts with the denunciation of a certain behavior as 'problematic'. The aim of such a moral enterprise is to sensitize and gain the support of powerful groups and institutions. Next, new rules and strategies of control are formulated and subsequently applied to specific behaviors and individuals now identified as *deviant*. Cohen (1980), in turn, made use of this transactional approach to analyze the creation of both *moral panics* and *folk devils*, highlighting the strategies of sensitization which not only lead to the spreading and intensification of the fear and perception of danger, but also to the formation of stereotypical images of those defined as deviant as well as the application and standardization of extreme and exceptional measures in the name of the safety of those who supposedly deserve to be protected.

Combining the analysis of the political debates and the legislative proposals of the PIC on Pedophilia with the Federal Police's criminal accusation procedures it becomes possible to understand two important dimensions of the construction of such a moral crusade, namely the formulation and the application of rules that define certain behaviors and individuals not only as deviant or 'folk devils', but, in this case, also as *monsters*, in Foucauldian

terms<sup>3</sup>. Besides, exploring the connections between the *politics of fear* (Lancaster, 2011) and the manipulation of emotions used in the construction of the problem as well as the creation of new modalities of crime regulation, the methodology used in the present study demonstrates how a supposedly rational public sphere can also be emotional (Irvine, 2009), and enables to challenge the rational/emotional opposition that is reified by some “sex panic” scholars.

Although “pedophilia on the internet” is presented as a “global problem” that can only be combated through an international effort, the aim here is not to analyze the worldwide crusade against child pornography and pedophilia<sup>4</sup>, but rather to understand one of its local expressions. It is worth remembering that the main focus of the moral crusade analyzed in this paper is not child sexual abuse itself, but the dissemination of images of child pornography on the web. Since this phenomenon takes place in the fluid and de-territorialized space of the internet, the crime here in question escapes the borders and the control of any particular national jurisdiction. That is why, this case study of a local expression of the combat against a transnational crime might hopefully shed light on the international political and law enforcement efforts to which the Brazilian scenario is strongly connected.

The fact that a police operation into “pornography on the Internet” was the precondition for a committee of inquiry into pedophilia, as mentioned above, highlights a common overlap, or confusion, in public discourses between “pedophilia” and “child pornography”. However, neither “pedophilia” nor “child pornography” should be taken for granted. In order to understand how these categories are socially constructed, contextually defined and often blurred, it is important to place their use amongst a series of enunciations and practices that construct the figure of an enemy to be pursued: the pedophile.

It is fundamental to note that “pedophilia” was originally (and continues to be) a medical-psychiatric category. According to the Diagnostic and Statistical Manual of Mental Disorders, “pedophilia” is defined as “a

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3 Foucault’s notion of monstrosity is not restricted to the domain of the illegal or the forbidden. The *monster*, in the foucauldian sense, belongs to the domain of the unintelligible and unnatural, combining the impossible, the forbidden and the unthinkable (Foucault, 2002).

4 For a historical approach of the international combat against child pornography before the internet, see Tate (1990). For the analysis of the emergence of child pornography as an internet crime, see Jenkins (1998, 2001).

paraphilia in which a person has intense and recurrent sexual urges towards and fantasies about prepubescent children and on which feelings they have either acted or which cause distress or interpersonal difficulty” (DSM IV-TR, 2000). Although “pedophilia” does not exist officially as a penal category, in the everyday discursive practices of public authorities and in the media the word appears as an umbrella term used simultaneously to refer to a psychological condition and to criminal acts such as rape of “vulnerable” children (under 14 years old); the production, distribution and possession of pornographic images of children and adolescents (under 18 years old); child prostitution and other forms of sexual exploitation of minors.

Social movements related to the Children Rights agenda prefer to avoid pedophilia using other labels such as “child sexual abuse” and “sexual exploitation of children” to conceptualize the phenomenon of sexual violence against children as a problem associated with social inequalities. As I suggested elsewhere (Lowenkron, 2013), the words are not neutral and the social categories chosen to define a social problem are strongly connected to the ways it is morally understood and also to the political strategies used to combat it. In this text I analyze the effects of the conceptualization and the combat of the phenomenon of sexual violence against children as “pedophilia” focusing on child pornography on the internet. The hypothesis is that this “anti-pedophilia crusade” blurs the frontiers between sexual desires and sexual acts, producing a shift in political attention from the inequalities of power to the dangers related to sexual perversion and from the violence perpetrated against real children to the corruption of the modern ideal of childhood.

### **Sexual violence against children: a contemporary social problem**

In what sense can “sexual violence against children” be regarded as a contemporary social and political problem? My starting premise is that the “violence” should not be considered as self-evident, that is, something that could be statistically analyzed, but as a notion that is associated with changes in the historical patterns of sensibility (Vigarello, 1998). My argument is that until the late 1980’s “the sexual violence against children” was not defined as a specific problem (Vigarello, 1998; Landini, 2006; Lowenkron, 2013).

Jenkins (1998) identifies two types of approaches to social problems. The

first is the objectivist approach, which views something as problematic when it causes either damage or disturbance to a sizeable segment of society. The objectivist social scientist aims to quantify the problem, explore its roots, and offer possible solutions to it. The other is the constructionist approach, in which the core question is not about checking if the problem exists or gauging how damaging it is, but investigating how a certain condition starts to be taken as a problem. The present study takes this second perspective.

It is important to highlight that the construction of social problems is part of the dynamics of politics as a whole. As Becker suggests, it consists of a process that includes conflict between different individuals and groups. Each is motivated by various interests to try and persuade the others to obtain official recognition and the support of the authority and power of the state to their particular enterprises (Becker, 1967). In addition, one can see that the construction and the dissolution of social problems are accompanied by a related process of manufacturing and reconfiguration of social characters – as, in this case, the figures of the “aggressor” and “victim”.

It is worth noting that if, on the one hand, the kinds produced are not confused with the people they describe, on the other, they do not fail to affect and, to some extent, create those who are classified as a certain kind of person (Hacking, 2008). It is noteworthy that such taxonomies and classifications do not exist only within the language, but also in the institutions, practices, and within the material interaction with things and with others<sup>5</sup>.

As Hacking points out (2008), most people who use the idea of social construction lay all their enthusiasm in criticism, in the transformation or destruction of what is subject to analysis. We must therefore make it clear that the proposition that the phenomenon of sexual violence against children is a socially constructed problem should not be confused with an attitude of mistrust or with an attempt to relativize its existence.

What is aimed here is to demonstrate how, in the last decades, this problem has been particularized and transformed into a priority agenda in national and international social and political contexts, and discuss how it has been understood and labeled in various ways. In order to understand the emergence of “sexual violence against children” as an alarming problem at

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5 To elaborate on the theme, Hacking uses the example of “the woman refugee”. As he argues, the refugee woman is not just a sort of person, but a legal and para-legal entity, used by committees, schools, social workers, activists and refugees (Hacking, 2008: 52).



the end of the 20th century, we must first of all consider that it was engendered during a cultural-historical process of building new insights and a new awareness of sex crimes as well as a new concept of childhood in modern Western societies.

“Sexual violence has become the violence of our time”, says Vigarello (1998: 244), arguing that the particularization of this form of violence is closely linked to the emergence of the modern notion of a subject endowed with interiority, as well as to the incorporation of the “values of modernity” – above all, of “individual freedom” – in the legal regulation of sexual behavior. According to the author, sexual violence was not particularized until the 18th century. Until then, the notion of violence applied only to any form of physical injury.

Upon examining law suits concerned with sexual crimes in the Ancien Régime, in France, Vigarello (1988) suggests that, at the time, the regulation of those offenses focused rather on the immorality of the act than on the violence of the act per se. Governed by Divine Law, the so called crimes of lust, such as sodomy, fornication and adultery, were seen as acts of desecration and contagious degradation that merged criminal and victim in the same indignity. In that context, rape against minors did not constitute a specific criminal category. It was considered an aggravation due to the abuse against the victim’s “virginity”, an ornament of the customs about and condition for marriage. On the crime of incest the theme was that of sin and moral infamy with the certainty of the corruption of the child defining the severity of the act.

In the Brazilian Penal Code of 1890, valid until the first half of the 20th century, sex crimes – gathered under the titles of “crimes against the security of the honor and honesty of families and public offense to modesty” – were not defined as acts of violence against the person offended, but as offenses against family honor. The control of women’s sexuality and the maintenance of young girls’ chastity were understood as a means to safeguard the honor of males (husbands, brothers and fathers).

Both in the language of sin and in the language of honor/shame (Peristiany, 1965), sexual offenses were defined as a moral attack against family values (understood as the basic social and moral unit of society) and against the rules of marital conjugality (the only legitimate space for the exercise of sexuality) and not as physical or psychological violence against the person offended. The analysis of the victim’s consent was not object of attention either.

It is in the Enlightenment philosophy of the 18th century that some authors (Vigarello, 1998; Borrillo, 2009) recognize the basis for the decisive axiological change that prompted the upsurge of a new model of legal regulation of sexuality and the basis for the particularization of the concept of “sexual violence”. Centered on the principles of a free and autonomous will, the new legal doctrine based on the modern individualist ideal defines that consent should be the principal criterion for defining the legitimacy and lawfulness of these acts.

“A largely theoretical change, it must be said” (Vigarello, 1998: 93). The author states that shame is still present and the complaints did not increase suddenly with the advent of the French Code of 1791 and neither did it happen in Brazil with the creation of the chapter of “crimes against sexual freedom” in the Brazilian Penal Code of 1940. Therefore, the assessment of historical transformations of gender inequalities is vital for the changes in the perception of sexual violence. “It is because sexual violence definitely confronts two subjects that it can now change direction” (Vigarello, 1998: 218).

Hence, if the value of the autonomy of will and of individual freedom translated into the importance given to “sexual consent” can be located on the philosophical sphere at the end of the 18th century, it was only in the second half of the 20th century that the consensus decision-making model of sexuality gained strength and political and cultural expression. Two social movements were responsible for displacing sexuality from the private (and sacred) family space to the center of political debates related to the rights of the individual: the so-called second wave of the feminist movement in 1960’s, and the homosexual movement, in 1970’s. Their criticisms hit the three main pillars of Western erotic economy up to that time: the institution of marriage, the heterosexual norm and the reproductive purpose of the sexual act.

The politicization of sexuality unleashed a changing process of the moral economy of the use of pleasures, by moving (or, at least, questioning) the main criteria for ordering the hierarchies of sexual legitimacy: from “heterosexual and reproductive sex” to “safe and consensual sex”. In this context, the “responsibility” – which corresponds to the individualist ideal of a modern rational subject, free and master of their own selves – appears as a mediating notion, capable of “balancing the insoluble tension between individual freedom and collective protection” (Vianna, 2005: 3), and of expressing the fundamental duty of care, respect and consideration to the rights of third

parties (Rios, 2006: 19). Hence the liminality of children and the particularity of intergenerational sexual interactions involving children, due to the special condition of these subjects considered *irresponsible* to freely consent in sexual relations. “Whereas the original age of consent laws were conceived as protecting girls’ virginity as property of their fathers, contemporary conflicts over age of consent laws are located in debates over appropriate form of rights for children in relation to sexuality” (Waites, 2005: 218).

Marked by an unprecedented particularity, and by alarming severity, the sexual offences against minors came to be understood as violence against a “subject of rights” in a particular condition of *vulnerability*<sup>6</sup>, applying equally to boys and girls. This is a new understanding of the phenomenon, both in political and ethical terms, that is, “a matter of citizenship and human rights where violation is considered a crime against humanity” (Faleiros and Campos, 2000: 18).

In order to understand how sexual offenses against children appear today as the most dramatic form of “sexual violence”, it is important to analyze its emergence in international and national political agendas in recent decades. To do so, one needs to place the construction of this cause in relation to a broader social process of construction and sacralization of a modern ideal of childhood engendered in the 18th century and reconfigured and given even greater importance in the late 20th century.

According to Ariès (1981), the modern understanding of childhood as a specific phase of life, carefully separated from the adult world and associated with notions of fragility, irrationality and pre-logicism, as well as the ideal of *purity and innocence* arose at the end of the 17<sup>th</sup> century and the beginning of the 18<sup>th</sup> century. The emergence of this concept of childhood was surely a precondition for the moral condemnation of violence against children, the emergence of philanthropic associations for combating “cruelty to children” at the end of the 19<sup>th</sup> century (Hacking, 1992), and later, of the movement against domestic ‘child abuse’ in the 1960’s, led by American pediatricians.

However, up to the first half of the 1970’s, sex was not part of the concept of domestic “child abuse”, which was restricted to physical abuse and neglect. The sexual dimension of child abuse gained prominence in the USA

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6 This special vulnerability is due to a naturalized conception of children and adolescents as ‘people in development’, that is, people who haven’t fully reached the maturity of an adult, either physically or psychologically.

from the encounter between two political agendas, namely: the fight by pediatricians against the “battered child syndrome” in the 1960’s; and the feminist anti-rape movement, in particular the denunciation of the evils of domestic sexual violence. These two movements overlapped in 1975, giving rise to a new political agenda about “child sexual abuse”.

The strong political and emotional appeal of the theme of “child sexual abuse” strengthened the Feminist criticism of the patriarchal family structure, according to which domestic violence is linked to the unequal power between men and women and between adults and children. Despite being triggered by the feminists, the concern with the sexual dimension of “child abuse” also attracted traditional and conservative groups. Concerned about the increasing expansion and acceptance of so-called “sexual deviations” during what was called the libertarian age from the 1960’s to the early 1970’s, they saw in the fight against “child sexual abuse” the chance revive fears about crime and sexual dangers, as Jenkins (1998) has shown.

It is, however, from the emergence of movements in defense of children’s rights in the 1990’s, that the topic of “sexual violence against children” becomes a specific universal priority in the political agenda, which can be associated with the emergence of a new ideal of childhood: the child as *subject of special rights*. The new ideal of the child as *subject of rights* draws political attention to its corollary: *the abused child or the sexually exploited child*, i.e. the child transformed into sexual *object* or *commodity*. More than contradictory, these opposing childhood figures can be understood as interdependent and complementary poles - one representing the childhood politically conceived and the other, the most extreme limit of the deviation from this ideal.

“Child abuse” is then defined as a violation of human rights, along with the other forms of violence and sexual exploitation of children. In this context, the sexual offenses against children gain a new sense: no longer the theft of innocence or of chastity, as they had been formerly represented, but as violence and the violation of rights. In Brazil the problem of “child abuse” has gained visibility as a “human rights violation”.

Under International Law, children and adolescents had their “rights” recognized in the United Nations Convention on the Rights of the Child, of 1989, whose principles were implemented in Brazil through art. 227 of the Federal Constitution of 1988 (which incorporated the doctrine of “full protection” which was being discussed at the United Nations). These rights were further

developed in infra-constitutional legislation, the Statute of the Child and Adolescent (ECA) of 1990. Since then, civil society organizations and public authorities have prepared strategies and instruments to combat the various forms of violence against children and adolescents.

While in the movement against “child abuse” led by the US, doctors were the protagonists in the construction of the problem, in Brazil the process of constitution of this political cause was led by psychologists, social workers and lawyers (Méllo, 2006), who were the most involved in the children’s rights movement in the late 1980’s. The social worker Viviane Nogueira de Azevedo and the lawyer and pedagogue Maria Amélia Azevedo organized the first book on the topic with professionals from different areas: “Crianças Vitimizadas: a síndrome do pequeno poder” [Victimized Children: the syndrome of family powers] (Azevedo e Guerra, 1989) - whose title reveals that in Brazil at that time, violence against children was attributed to socio-political features and not to a disease, as in the “battered child syndrome” in the USA (Méllo, 2006).

The sexual dimension of “child abuse” gained wider prominence in Brazil in the late 1990’s. One of the most important measures of the Federal Government and the National Congress for the institutionalization of “abuse” and “sexual exploitation” of children as a social and political problem per se, was the promulgation, in 1999, of Law 9.970 establishing May 18th as the National Day of Combat of Sexual Abuse and Sexual Exploitation of Children and Adolescents (Méllo, 2006: 196). Another important milestone was the elaboration of the “National Plan to Combat Sexual Violence against Children and Adolescents” in 2000, in compliance with the political commitment of the Brazilian Government to the Declaration and Agenda for Action, adopted during the First World Congress against the Commercial Sexual Exploitation of Children, held in Stockholm (Sweden), in August 1996.

Since then, the Plan has become the national guideline in the framework of public policies for combating sexual violence against children and adolescents (Brazil, 2000). While the “commercial sexual exploitation of children and adolescents” and “child sexual abuse” were targets of Federal Government campaigns, leading to public policy, NGO projects and parliamentary investigations, “child pornography” began to gain notoriety in Brazil from the half of the first decade of the 21st century, with the growing expansion of commercial internet access in the country. The matter came to

public attention with the dissemination of international police operations to combat “pedophilia on the internet” (as they are most commonly called in the press) in the national news media (Landini, 2007).

In 2005, the Brazilian Federal police in partnership with Interpol began to conduct a series of operations, aiming to combat child pornography on the World Wide Web. In 2005, an important civil society organization appeared: the NGO SaferNet. This NGO was responsible for the creation of a hotline ([www.denunciar.org.br](http://www.denunciar.org.br)), which was officially recognized as the National Central of Complaints of Cyber Crimes against human rights in 2009.

In 2006, the Federal Department of Public Prosecution in partnership with SaferNet, engaged in a long legal battle against one of the largest internet companies in the world, Google, in order to make it comply with the orders of the Brazilian judicial system, providing the data of users suspected of offering child pornography on the Orkut – which was, at the time, the main online social network among Internet users in the country and, consequently, the most frequently used *site* for the distribution of the greatest amount of child pornography among Brazilians.

Despite these isolated initiatives, it was not until 2008 that the combat of child pornography on the internet became a priority of the political agenda in Brazil, when the topic of “sexual violence against children” resurfaced with renewed strength and through a new approach in the National Congress: the creation of the PIC on Pedophilia. This Committee of Inquiry, which will be examined in more detail in the next part of the article, brought not only a new mode or approach of the phenomenon of “pedophilia on the internet” to the center of national political debates but also brought in actors that had not been previously linked to the social movements in defense of the Rights of Children and Adolescents, such as Senator Magno Malta, one of the leaders of the Evangelical parliamentary front and Chairman of the PIC on pedophilia<sup>7</sup>.

Magno Malta’s leadership as the Chairman of the Committee was decisive in defining the direction that the work of the PIC on Pedophilia took,

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7 Apart from party political affiliation, some Brazilian parliamentarians also form semi-formal alliances based on common agendas; for example the evangelical representatives together counter the legalization of abortion, civil unions between same sex persons and the criminalization of homophobia. Magno Malta is known as one of the main opponents of these claims associated to the “sexual rights” agenda in the Brazilian National Congress. Musician and evangelical pastor, the senator gained notoriety due to his political combat against organized crime, as the chairman of the Parliamentary Inquiry Committee on Drug Trafficking (1999-2000). He is also a defender of the reduction of the Age of criminal responsibility from 18 to 16 years old.

in particular the way it described, understood, constructed and faced the problem: the shaping of a “anti-pedophilia crusade” (as he himself named it). Based on a religious moral struggle of *good versus evil*, the crusade made use of a strategy of criminalization to address the issue. The criminal concerned would be portrayed as not only malevolent but also sick.

### **The Parliamentary Inquiry Committee on Pedophilia: an emotive public arena**

When I decided to set up this Committee and started to collect signatures of support from other senators, many of them refused to sign, claiming that it [pedophilia] did not exist, or that it was rare, that a case was heard of now and then (...). But the Federal Office of Public Prosecutors had sent me images, one of which, the last one, was particularly shocking, and it had helped me come to a definite decision. It showed a man in his seventies having sexual intercourse with a 4-year-old child. So, I would go into my colleagues’ offices, I would talk them into signing the request for the creation of the Committee, and whenever I heard a refusal, I would show them that image. So it’s a case of “Out of sight, out of mind”, but if you see it before your eyes, then you are moved. They would quail and I would say, “I’ll show you what a monster is”.

As it can be noted in the quote above, extracted from an interview with Senator Magno Malta, the chairman of the Parliamentary Inquiry Committee on Pedophilia attributed his political engagement and endeavor to create the Committee to the excruciating distress he experienced when he was exposed to the facts and, above all, to the images of children being sexually abused. Underscoring his emotional response as the determining factor for his commitment to the “crusade against pedophilia”, Magno Malta points out that such an endeavor was motivated by neither personal nor political interests, but by his deep, sincere and generous compassion for all abused children.

What is in question here is not an evaluation of the authenticity of the Senator’s emotions or the sincerity of the motives for his political engagement with the cause. The aim is to introduce a question that seems to be fundamental for the consideration of political discussions about childhood in general, and sexual abuse of children in particular: the fact that these discussions are situated in a political field where the display of emotions

is not only a moral obligation (Mauss, 1980), but also a form of government (Fassin, 2012)<sup>8</sup>.

The socially prescribed character of emotions was recognized by social scientists long ago. Mauss (1980[1921]) was a pioneer in drawing attention to the social and ritual dimensions of the expression of feelings which had previously been taken as merely natural and spontaneous. More recently scholars have stressed the political dimensions of emotions and emotional discourses either in everyday interaction (Lutz e Abu-Lughod 1990) or in the public sphere (Goodwin *et al*, 2001). Bailey (1983), for example, suggests that the displays of emotion are devices for persuasion which play a much larger part than reason in governing people. Irvine (2009) points out that overt emotion is not only increasingly acceptable but seemingly required in contemporary politics, since western societies consider feelings not only the core of the self, but also the main field of morality.

So it is important to analyze the central role of the rhetoric of emotions in the Committee's public denunciation and in the construction of the fight against "pedophilia" as a political cause. No sooner had the request for the creation of the Parliamentary Inquiry Committee on Pedophilia been drafted than the necessary signatures of support were collected. In order to achieve his goal, i.e. to harness massive support from other parliamentarians, the Senator had to ignite a process of "emotional contagion" (Boltanski, 1993: 123) in which the emotive impact of child pornography scenes played a central role.

As suggested by Susan Sontag in her book "Regarding the pain of others", photographs serve as privileged totems of causes. She writes that "sentiment is more likely to crystallize around a photograph than around a verbal slogan" (Sontag, 2003: 375). Throughout the PIC on Pedophilia, the exposure of images of child pornography became one of the main strategies used by the committee's chairman to sensitize the public and unite forces to repress the "problem"<sup>9</sup>. It is known that images of violence, suffering and atrocities can

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8 The author uses the expression "humanitarian government" to designate the deployment of moral sentiments in contemporary politics.

9 The attempt to mobilize aversive feelings toward pornography by the public exhibition of images is not an innovative political strategy. A similar strategy was used by the Republican United States Senator Jesse Helms, who advocated an amendment that banned National Endowment of the Arts grants from being used to "promote, disseminate or produce obscene or indecent materials". Analyzing the case, Linda Williams (2004) coined a term to describe this paradoxical movement that brings the obscene to the public scene in order to keep it out of scene: on/scenity. This case study was also analyzed, from a different approach, by Judith Butler (2000).



generate opposing reactions (Boltanski, 1993; Sontag, 2003). As suggested by Miller (1997), the disgusting can attract as well as repel – an idea that is particularly relevant in relation to “child pornography”, since one of the most significant elements in the public hysteria around these images is that their intense circulation on the internet suggests that many people are sexually aroused by this kind of material.

However the inner feelings of the spectators of those scenes are not object of anthropological research. So, the focus of this ethnographic description is to show how certain emotional responses are socially prescribed, morally imposed and publicly displayed (Mauss, 1980) and to analyze the effects of such emotive discourse understood as a form of social action (Lutz e Abu-Lughod 1990). Inspired by the suggestive notion of “the tactical uses of passions” (Bailey, 1983), rather than presenting a reasonable analysis as opposed to a passionate approach, the aim here is to question this dichotomy, stressing the importance of the moral effect of emotive discourse and aesthetic sensitization in the social construction of “pedophilia” as a politically relevant problem.

In the Committee’s public hearings, it was evident that those exposed to the descriptions or direct observation of the photographs and videos of “child pornography” could not react other than through the expression of “shock”, “horror” and “disgust”. The task of the *politicized pedagogy of emotions* (Lowenkron, 2012) of the PIC’s chairman was to convert these individual emotional reactions into a collective feeling of “indignation” and “hatred” against a common enemy: the “pedophile”. Those displays of emotions were interpreted by the committee’s members as political support for the cause and followed by expectations of and demand for political action.

The efficacy of “aesthetic sensitization” or the capacity of an image to incite aversive feelings and to exert persuasive power over other people, increases the younger the child is and the more violent the sex scene. Images of the rape of babies or of young children involved in sexual intercourse with adults were a particularly efficacious “device for persuasion” (Bailey, 1983) which the Senator frequently used in his sensitizing strategy. Not only did the chairman describe the images (which cannot be shown in public) during the committee’s public hearings, but he also displayed them to those he intended to mobilize: judges, representatives of Internet providers and telephone companies, senators, congressmen, and even the President of Brazil.

The Senator argued that the images not only work as a shock device, but also raise people's awareness of "the reality of pedophilia". He said,

When one thinks about 'pedophilia', one imagines an adult man having sex with a 13 or 14-year-old girl. One will never conjure a scene with a one-year-old girl or a boy, or a 6-month baby having sex with two men. Or a father doing that to his own child. Or a priest abusing a child or a pediatrician raping a 22-day-old baby with his own mouth. (Senator Magno Malta, in an interview)

Once confronted with the "reality of pedophilia", the observer of this "spectacle of suffering" seems to have no other alternative than to enlist in the crusade, since, as suggested by Boltanski (1993: 38-39), by omitting to join the cause one might be accused of (or blame oneself for) passive responsibility, indifference, or even, of leniency with the one who inflicted such pain to the "abused children", in other words, complicity with the "pedophile". In that respect, most parliamentarians admitted off the record to feel morally coerced to approve the bills proposed by the committee, an attitude that illustrates one of the most dangerous effects of moral panics, i.e. the power to efface critical perspectives, which is central in any democratic public arena.

Therefore, discursive strategies designed to evoke feelings of aversion were important for the political constitution of the PIC but they were, nonetheless, a dispositive of the legislature and therefore among its outcomes was the proposal of bills to "improve" regulation. In this respect, an achievement of utmost importance was the approval of the Bill that altered the Brazilian Child and Adolescent Statute (ECA/90), criminalizing the possession and storage of pornographic material involving minors below the age of 18. This reveals that the "heat of collective emotion" works as a powerful agent in the legislative process. The same Bill also stiffened the penalties for crimes related to the production, commercialization and distribution of child pornography.

It is also worth mentioning the importance of the technical staff assisting the PIC Pedophilia, composed of Federal Police officers and members of the Federal and State Offices of Public Prosecutors, and the president of the NGO, *Safernet*. The expertise of this team provided the projects with a solid legal base. Consequently, the projects were not rejected for technical reasons, even if some may disagree with the use of legislative means in due course, that is, criminal law as a strategy for addressing the problem. However, the

immediate approval of the Bill should not be understood only in technical terms. It is also important to investigate the moral reasons that justify the regulation of child pornography and of those who produce, distribute and collect images, labeled as “pedophiles”, “sexual offenders” and “monsters”.

According to the clinical and forensic psychologists, Taylor e Quayle (2003: 8), “It is the link between child pornography and sexual abuse that makes child pornography inappropriate and illegal”. This rhetoric effaces the fact that the national and international laws that define and criminalize “child pornography” do not make any distinction (at least, in theory) between scenes of “child sexual abuse” and “non-abusive” images depicting sexual interaction between young people over the age of consent (14-18 years old, in Brazil). In fact, as I will show in the next section, in practice, in Brazil adolescent pornography is not usually the target of law enforcement efforts against “child pornography”, although there is no guarantee that this could not eventually occur<sup>10</sup>. The main model of intervention imagined for this age group in the PIC Pedophilia was not criminalization, but family vigilance, the development of technological filters and educative campaigns (very often based on pedagogies of fear).

Nevertheless, it is important to understand the moral justification for the establishment of this legal age criterion. In a private conversation, the president of SaferNet told me that the reason for criminalizing sexual images of adolescents is not its relation with “child sexual abuse” itself, but the conception that a person under 18 years old does not have enough responsibility to understand the consequences of the recording of his/her own sexual activity, specially of the publication of these images on the internet, which may have permanent negative effects on his/her life.

Of course, this discussion was not brought to the public arena of the PIC Pedophilia, since the pornographic images involving adolescents would not have the same emotional appeal as the pictures of sexual abuse of very young children described by the senator Magno Malta. However, the point I want to make in this paper is that the moral, legal and emotional responses toward the different conducts related to pornographic images depicting young children cannot be taken as self-evident. Because this social reaction can easily be

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10 As suggested by some sex panic scholars (Rubin, 1984; Lancaster, 2011), these moral crusades often leave a residue in the form of laws that may affect the way in which sexuality is regulated long after the immediate political context.

naturalized, it must be more carefully analyzed. Since those images were the focus of the public debate of the PIC Pedophilia, the moral justifications for their criminalization were particularly evident in my fieldwork.

With regard to the producer of the images, the relationship with “child sexual abuse” can be established in a more direct way, since “child pornography” is understood to be a permanent record of a scene of “sexual abuse” and the very act of photographing or filming children in interactions or sexual performances is seen as “abusive”. But in what sense are those who distribute and/or collect “child pornography” committed to the process of “sexual abuse of children”? The criminalization of the audience of “child pornography” can be understood as an attempt to control desires and fantasies more than sexual behaviors? How can different ways of relating to the images (production, commercialization, distribution and storage) be articulated to a continuum of violence and framed in the same sexual perversion?

According to the text of the Final Report on the PIC on Pedophilia, “the most serious is that, according to numerous surveys, the dissemination of child pornography on the Internet contributes to the increase of sexual crimes against minors. It is, therefore, an excellent vehicle for expanding that evil” (Federal Senate, 2010: 304). According to the police officers who assisted in the PIC, not only does photographing consist of a form of sexual abuse of an existing child, but it also expands the damage caused to the victim due to the fact that it freezes and preserves the scene and the memory of the “abuse”, which makes the photo or video release a new “privacy violation” of the child and makes each exhibition/display a “re- victimization”.

During the discussions among the members of the PIC on Pedophilia, I was able to recognize two distinct models of understanding the connection between “child pornography” and “child sexual abuse” that were not situated in the logic of the *damage*, but in the logic of *danger*: an economic one (“supply and demand”); and the other psychological (“it feeds the perversion”). Thiago Tavares, President of SaferNet, supported the first model of explanation, suggesting an understanding of “child pornography” as part of the phenomenon of “commercial sexual exploitation of children and adolescents”. In this sense, he situated the possession of this kind of material at the top of demand, which, in turn, has a direct effect on supply and on the increase of the production of images involving the “abuse” and “sexual exploitation” of children.

Among the Senator members of the PIC on Pedophilia, however, the explanation based on the psychological model prevailed. The distribution and storage of child pornography were considered dangerous because of the presumption that those images could “feed the perversion of the pedophile”, intensifying the risk of the transition from a state of desire or fantasy to action<sup>11</sup>. According to one of the senators, “the person who has this kind of material stored at home, is a pervert. Given the chance, they will commit the sexual assault”. This was the danger that persuaded parliamentarians to criminalize the possession of child pornographic material.

According to the psychological argument (“it feeds the perversion”), the culprit and his victim are more directly connected, through the notion of *dangerousness*. It is argued that “child pornography” works as fuel for “sexual fantasies” and intensifies and/or normalizes the desire or the “perversion” of the “pedophile” who consumes it for the purpose of sexual arousal. Therefore, the user of these images should be punished for being virtually a “child sex offender” that sooner or later will move from fantasy to reality<sup>12</sup>.

On the other hand, in the economic argument (“supply and demand”), the accused and his victim are connected by long chains of causality, since no one assumes that the aggression would be necessarily perpetrated by the same individual who consumes the images. “Perversion”, here, is expressed not through acts of sexual offense, but rather through a (voyeuristic) demand for new visual records of “sexual abuse of children”, treated as an *erotic commodity*. In this way, the pole of demand is blamed for being connected to a wider process of “abuse” and “commercial sexual exploitation of children” and, especially, for offering a consumer market for this type of material.

If on the one hand these two models of understanding can be separated for analytical purposes, or as a means to set the boundaries between political positions, on the other it can be argued that both the arguments seek to

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11 According to the psychologists Taylor and Quayle, different psychological theories have been proposed to establish the possible relationship between pornography and sexual assault. Some suggest that masturbation in front of child pornography replace the abuse. Others, on the contrary, consider that pornography may reinforce existing sexual fantasies. Although the second theory is the most influential, the authors consider that “there appears to be little support for the allegation of a direct causal link between viewing pornography and subsequent offending behavior” (Taylor and Quayle, 2003: 72).

12 It is interesting to note that an inverse theory was proposed by the psychologist and criminologist Berl Kutchinsky, who carried out a research into the effects of the decriminalization of all kinds of pornography in Denmark in the 1970’s, i.e. that “hard core pornography, including child pornography, could act as a ‘safety-valve’, allowing would-be sex offenders and child molesters to live out their fantasies through explicit magazines and films without the need for ‘live’ victims” (Tate, 1990, p. 54).

control and punish not only conducts – since “perversions” and “demands” belong to the field of desires. In this sense, the consumption of child pornography is treated as a symptom of “pedophilia”, a psychological disorder characterized by sexual attraction for children, which is understood (and punished) as the cause of “child sexual abuse”.

Besides criminalizing the acts of possession and storage of child pornographic material, the committee also made significant progress in relation to the cooperation of Internet providers and telephone companies who agreed to sign “conduct adjustment terms” (CATs), which determine the duties of international telecommunication companies with branches in Brazil to submit to the demands of the Brazilian authorities, setting deadlines for these terms to be met. The main landmark was the signing by Google of this term, and the subsequent disclosure of the confidential contents of all denounced Orkut albums.

The authorized breach of confidentiality of all denounced Orkut albums gave rise to a new operation by the Federal Police, “Operation Turko” (anagram of Orkut) involving 102 search warrants, in 20 states and in the capital city, Brasília. Operation Turko was a direct consequence of the work of the Parliamentary Inquiry into Pedophilia and was the first operation in which the Federal Police carried out “red-handed arrests” for the new offence of possession of child pornography material. Once again, the interdependence of the actions of the PIC Pedophilia and those of the Federal Police in the constitution and institutionalization of “pedophilia on the Internet” as a “State problem” is significant. Despite their mutual influence, each of these technologies of government plays a different role and uses different strategies in the combat (and construction) of the “problem”.

In the construction of “pedophilia” as a “political cause” in the public arena of PIC Pedophilia, I emphasized the importance of the notion of “emotional contagion” in the process of mobilizing followers. In the construction of “pedophilia” as a “police case”, on the other hand, emotive reactions must be sidelined to allow for an “objective” analysis of the facts and the identification of the culprit. Moreover, in the process of politicization led by the committee, the “pedophile” emerges as a depersonalized figure, a common enemy against whom all “good men” come together. In the process of criminalization, however, the process is inverted; the generic figure of the “pedophile” is specified, by means of the identification of a “target”, in police jargon, whose acts are subject to prosecution and punishment.

## Police Investigation: Identification of evidence and criminals

The purpose of the police inquiry is to investigate the “materiality” and the “authorship” of an alleged criminal act. In other words, to collect evidence and identify the culprit. As proposed by Becker (1973), the process of accusation is central to the passage of transgressive acts to deviant identities. Thus, as an instrument of prosecution, the police investigation is central to the process of social construction of a “pedophile” as a criminal who is legally responsible for acts that designate an unhealthy or abnormal condition.

In Brazil, the Child and Adolescent Statute (ECA/1990) states that crimes perpetrated against children and adolescents will be considered subject to “unconditional public criminal action”, so any citizen can and must report to the public authorities any fact related to child pornography. In most cases, the crime is reported anonymously. Of course, not all denunciations lead to a full inquiry. Selecting the denunciations worth investigating constitutes a painstaking and thorough task. It is important, therefore, to examine the criteria the Federal Police agents use to classify the denouncer and the denunciation, as they evaluate each case.

First, there is a hierarchy of denouncers that the agents cannot ignore. For example, denunciations forwarded by the Federal Office of Public Prosecutors will not be ignored or discharged, even if they seem unfruitful at first sight, and an investigation will be carried out within a deadline. Then, a fundamental criterion consists of verifying the “indices of materiality” of a crime. This means first, checking if the website denounced is still on air; if so, assessing whether there is a “typical fact” (a crime) - in this case, whether the image (photo or video) is pornographic or not, and whether there are children of under 18 years of age participating in the scene.

The definitions of child pornography in the police investigations can therefore be quite complex, as suggested by the forensic psychologists Taylor and Quayle (2003)<sup>13</sup>, based on their experience within the COPINE Project (Combating Pedophile Information Networks in Europe). It is worth mentioning that, according to Brazilian Law, *the expression “explicit or pornographic sex scenes” comprises any situation involving children or adolescents in explicit sexual intercourse, real or simulated, or the display of a*

13 “As soon as we examine what we mean by child pornography, we begin to encounter uncertainties and confusions. The terms ‘child’ and ‘pornography’ on their own are themselves contentious, with complex and sometimes contradictory meanings”. (Taylor & Quayle, 2003: 2)

*child's or an adolescent's genitalia, for ends that are primarily sexual* (art. 241-E, ECA/1990).

Evidently, despite the legislator's attempt to define child pornography, the legal text still leaves gaps for different interpretations of the purpose of the image, which are always contextual, situational and relational. For example, in one of the investigations there were photos of naked children within a set of images of naked adults, in a context of "naturism". Consequently, the sexual purpose of the image was not confirmed and it was not considered "pornographic". Thus, in order to eliminate any remnants of ambiguity, the agents give priority to images of what they call "true abuse", which can either be an image of sexual intercourse with a child, or one of a performance of a sexually explicit nature, as defined by one of the Federal Police agents:

We work really hard on photos of "true abuse". For instance, in an "artistic" photo of a child, the guy can later argue that he finds seven or ten-year old kids' nudity beautiful. There are some stupid parents that do that; they take photos of their naked children and find it beautiful. (...) But the photo of a genitalia, well, that's different ... that is abusive. An "artistic" photo"? Ah, a naked little girl with a hat on.... Okay, it can still be considered "artistic"... Now, when a girl is on her arms and knees, or when she's holding her arms back, or lying in a gynecological position, then we have something characterized as child abuse.

Another key element to characterize "materiality" is to determinate whether the individuals involved in porn scenes are minors, or not. While the legal text stipulates minority as an objective criteria based on chronological age – "under 18" - it is extremely difficult and rare to identify the individuals in internet pornography, i.e. there is no way to check their age<sup>14</sup>. In practice therefore, it is not enough for the victims to be under age, they must also look like minors. The *stylization*<sup>15</sup> of bodies and acts is fundamental to the construction and essentialization of age categories, here in question.

14 "When viewing a picture in the absence of information about the individual photographed, attempting to determine an age may become a matter of complex judgment. Whilst decisions about whether a person photographed is a child are not problematic when the individual is very young; when we move into adolescent years such decisions, when based on visual evidence, are much more difficult to make" (Taylor & Quayle, 2003: 3).

15 Here, *stylization* is understood as in Judith Butler's formulation: "Gender is the repeated stylization of the body, a set of repeated acts within a highly rigid regulatory frame that congeal over time to produce the appearance of substance, of a natural sort of being" (Butler, 1990: 33). Although the author refers to the performative dimension of gender and not age, their formulations may be appropriate here to consider the construction processes of age categories.



I now proceed to analyze the process of identification of the distinctive aspects by which police identify a minor. According to the police agents, they use an “objective” criterion. When there is doubt or controversy it is because minority is “subjective”, which is not enough to be used as evidence in legal proceedings. In some cases, there is no doubt. How it is done? They say that it is “common sense”. “With a baby or a child of two, three, five years there can be no doubt”, said one of the agents.

However, there are cases in which the boundaries between fantasy and reality, lawful and unlawful, normal and abnormal are pretty blurred so that, in spite of being a crime, it is difficult to configure the “materiality” in the case of pornographic images involving boys and girls in the cloudy area of adolescence. The officers explain that there are many pornographic sites on the Internet in which young girls simulate the status of minors due to the fact that being a minor is considered a valuable asset in the erotic market catering for “male sexual fantasy”.

Most crime reports received by the police from internet users are links to web pages that display girls and young women with lean bodies, small breasts, few curves, fine or no pubic hair, wearing clothes and acting out childlike performances. According to the agent, a closer analysis will tell the difference between the simulated child pornography and the images that are unquestionably of minors, despite recognizing that it is not always possible to make sure that the young girls are minors or a little over 18 years old.

The aesthetic parameters used by the police officers to characterize minors constitute a set of varied elements and require an expertise that comes with time and much practice of analyzing the images of naked bodies. Despite that, some of the images are dubious and raise discussions about whether or not there are minors involved in the scene. Asian-descendent girls, for example, are considered by federal police officers to be difficult to categorize according to Western age patterns, because they do not have breasts, curves or pubic hair. Not only ethnic attributes, but also gender relations influence the evaluation of the performers’ physical appearance in relation to the criterion of age.

Analyzing an image depicting sexual intercourse between a boy and an adult woman, the detective warns that “in theory, the boy is a victim, although he did not identify himself as such”. Thus, it is possible to suggest that perception of “sexual violence” is crossed by hegemonic conceptions

about the relationship between age, gender, sexuality and violence. As female sexuality is associated with passivity, girls are easily identified as “victim”, but women are rarely seen as “aggressors”. The “boy” is only effectively seen as “sexually abused child” when he plays a passive/feminized role in a homosexual erotic scene.

Still with regard to the characterization of minors in pornographic scenes, it is important to note that, as proposed by Goffman (1985), being a certain kind of person is not merely possessing the necessary attributes, but also keeping the standards of conduct and appearance associated with the social group or category to which the individual belongs. So, especially in the videos, the appearance of “discernment”, “resourcefulness” and “pleasure” in sexual performance is also taken into account for the characterization of “minority” and “violence”.

Taking part in the analysis of a mute video with one of the police officers during fieldwork - a video in which a young girl had sexual intercourse with three young men at the same time - I said she looked like a minor because of her physical appearance. The officer, however, disagreed, arguing that she looked to be over 18 years old because not only did she seem to be perfectly aware of what was going on, but she also knew how to act in the situation, and seemed to be taking pleasure in it.

During a second viewing, though, now with sound on, the agent concluded that the girl did not seem so responsive to what was going on. Although the act didn't seem to be something “forced” or “violent”, the girl looked “a little lost” and “nervous”, giggling anxiously. In addition, with the audio on, it was clear that she had a childlike voice and that she sometimes complained that “it hurt”. Therefore, the agent reconsidered his first impression and wrote in his report that there was evidence that the girl was a minor. He wrote: “at certain points in the video, it is possible to consider that this is an adolescent under the age of 18 years, being *abused*, practicing sex, possibly to please friends”.

By suggesting that the girl in the video seems to be less than 18 years and that she might not be willingly submitting to that situation but rather to please her partners, the agent's report shows that the evidence of “minority” and “violence” (suggested in the expression “abused”) and, therefore, the evidence of the materiality of the crime was based, in this case, less on bodily attributes than in certain standards of conduct of gender and age identified in

the sexual performance. From the ethnographic description of the change in the agent's perception of the girl's minority, it was not simply (or mainly) the apparent age of the actors in this pornographic video, but a performance of "inexperience", "nervousness", "submission" and "pain" that offered the officer the elements that might be associated with adolescent female sexuality.

In case of doubt about the pornographic nature of the scene or the status of the people involved as minors, a prosecution procedure is not started. This selection criterion is based on a pragmatic, time saving decision, which leads to giving priority to investigations that are more likely to succeed. After the configuration of the "materiality", the Police Chief starts the police inquiry<sup>16</sup> focusing on identifying the "authorship" of the crime, which consists of a set of technical and bureaucratic procedures whose purpose is to gather the evidence needed to initiate a criminal prosecution process.

The first step is to determine the Internet Protocol ("IP") address used to commit the crime. Next, the Police chief applies to the Federal Justice Court for a warrant of disclosure of confidential contents (a consent for "telematic confidentiality breach") so as to compel the Internet Service Provider ("ISP") that has control over that IP address to identify which of its customers was assigned that IP address at the relevant time, and to provide (if known) the user's physical address, and other identifying information. After the warrant has been issued by a judge, an operation of search and seizure of evidence stored in computers and other electronic media is carried out.

The material seized is then sent for forensic analysis, which is the phase in which conclusive assessment in relation to the "materiality" and the "authorship" is carried out. In case the forensic analysis discovers substantive evidence of criminal activity like child pornography on the hard drive, the suspect is interrogated and indicted by the police chief and, probably, irreversibly stigmatized as a "pedophile". Finally, the police authority writes an end-of-inquiry report which is sent to the Federal Prosecutor's Office for a prosecutor's evaluation. If elements of the violation of a federal law can be substantiated before a Federal Judge, the subject will be prosecuted.

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16 In Brazil, the policy inquiry is not intertwined with the police investigation, as alerts Misse (2011). According to the author, "the inquiry is more than the result of an investigation summary, it is a piece composed of technical reports, depositions taken in registry and a legally-oriented report, signed by a police commissioner" (MISSE, 2011: 19).

## Between Monsters and Saviors

Throughout this article, an attempt was made to form an understanding of the social construction of “pedophilia” as a problem in its social, political and criminal contours, involving a dynamic, multi-faceted and unfinished process of production of sensitivities and classifications that are engendered by a combination of political spectacularization and bureaucratic procedures. In the contemporary political and criminal Brazilian contexts, in which the ethnography was conducted, this process took the form of an “anti-pedophilia crusade”, whose main focus was the regulation of the diffusion of images of “child pornography” on the internet.

With the dissemination of horror as a privileged political strategy and the criminalization of pedophilia as the main instrument of combat, the crusade produced an atmosphere of diffuse red danger and the figure of a nebulous enemy, a sneaky and not easily recognized monster, whom it was necessary to monitor, diagnose, identify, unveil and punish. In these final considerations, some of the main effects of the confrontation with the phenomenon of “sexual violence against children” under the notion of “pedophilia” will be discussed, highlighting both what is produced and what escapes or is left out when the monster is exposed through this crusade.

First, it is worth remembering that the term “pedophilia” appears in the Parliamentary Inquiry Committee and in the Federal Police inquiries primarily associated with the phenomenon of child pornography on the internet. However, as pointed out above, it is hardly ever possible to identify the children shown in pornographic images on the Internet, the first step towards stopping the abuses and protecting the child. Therefore, the figure of the “abused child” appears in the “anti-pedophilia crusade” not as a “person” to be protected, but as an “image” that works as a powerful support for denunciation and sensitization out of which two figures emerge; on the one hand, the “pedophile”, and, on the other, the representatives of all “good men,” guardians of the ideal of childhood.

Despite the statement by the most important *moral entrepreneurs* of the crusade that the main reason to criminalize “*child pornography*” is to combat “sexual abuse of children”, the ones that are most frequently penalized are the consumers and distributors of pornographic material in question. The analysis of the political debates demonstrates that the above mentioned consumers and distributors are accountable not only for what they do (divulging,

exchanging, distributing, acquiring, possessing and storing pornographic material with children), but also for what their actions reveal about their sexual desires and the dangers they represent - associated both with the logic of “supply and demand” and the risk of their moving from sexual fantasy to action [i.e. sexual abuse]. In my view, the focus on the “dangerous desire” is the main reason why the distinction between “child pornography” and “pedophilia” is blurred.

If the “pedophile” is the most immediate and dangerous “enemy” against whom the denunciation is directed, the pedophile is not the single scapegoat of this crusade, since “omission” and “indifference” are emotional responses just as demonized as the perverse pleasure. Thus, the “anti-pedophilia” crusade did not leave space either for questionings - evident in the slogan “All against pedophilia”, created by Senator Magno Malta to name his public campaign<sup>17</sup> - or to any other reaction different from “shock”, “horror”, “indignation” and “hatred”. The political efforts to shape morally appropriate sensations and emotions ended up restricting the possible emotional responses, leaving out other feelings that these images and reports could incite, such as “pity” and “compassion”.

If feelings of “pity” and “compassion” towards the “abused children” that appear in pornographic scenes make them be viewed as “victims of violence”, the feeling of “horror” that most frequently emerges may generate a representation of the same children as “perverted children”, dangerously sexualized. This idea is suggested in the pronouncement of Senator Magno Malta, when referring to the damage pedophiles caused to the victims who appear in the images: “They’ve created genuine perverts; they’ve made children of 8 or 10 years of age real **monsters**”.

Having been dislocated into an erotic territory, the sexualized child participates, alongside the “pedophile”, in the process of the pollution of the “adult fantasies of childhood as a time of sexual innocence” (Lancaster, 2011: 2). So, the victims of “child pornography” are perceived not only as “children in danger” but also as “dangerous children”, in Donzelot’s (1970) terms. It follows that the “anti-pedophilia crusade” rather than protecting the “abused

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17 The national campaign “All Against Pedophilia”, led by the chairman of the PIC Pedophilia, included the production of a website ([www.todoscontraapedofilia.com.br](http://www.todoscontraapedofilia.com.br)), t-shirts and stickers with the slogan, an educational booklet and the organization of some public events in different Brazilian cities when these materials were distributed to raise awareness in the local population.

children” portrayed in the pornographic scenes, protects the modern ideal of childhood, based on the ideas of purity and innocence, threatened by the monstrous representation of childhood in those images.

However, the historical analysis of the construction of the idea of sexual violence revealed that the offense against “childhood innocence”(or “female chastity”) places the “immorality” of the offense before its “violence”. The notion of “sexual violence” was politically constructed precisely to counter this form of moral regulation of sexuality, shifting attention to the gender and age inequalities and claiming for women and children the recognition as “subjects of rights”.

Thus, as the ideal of innocence has already been problematized by other authors in different ways<sup>18</sup>, I believe that the valorization and idealization of “innocence” do not represent the best way to give children the status of “subjects” or to ensure their “rights”. This is rather a mechanism that reinforces their position of “vulnerability” in intergenerational sexual relationships or other asymmetric interactions – either because it excludes those who have already lost the “innocence” of the right to protection, or because it obscures other forms of violence and abuse of power other than through sexual abuse, or because it strengthens the disciplinary dimension of childhood regulation based on techniques of surveillance and punishment.

Because of the alleged threat of “pedophilia”, the political attention shifted from the “domestic problem” of “child sexual abuse” to another “problem”, which is built as “global”, “transnational” and “deterritorialized”: the circulation of child pornography on the internet. With this, there is a weakening of the criticism of hierarchical social and family structures, and of the concern with the internal enemy that attacks from within the family (the “father”, the “step-father”, the “husband”). The political focus and collective fears were then redirected to the menace of a sexual perversion almost always associated to the figure of the Other; the unknown and unrecognizable, to the dangerous stranger that wanders round and round different neighborhoods,

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<sup>18</sup> Montgomery (2001) carried out an ethnographic study about child prostitution based on 15 months of fieldwork in a Thai village. She argues that western ideal of innocence that orients the moral and political approach of foreign activists engaged in the combat of the problem in non-western countries distort the lives of these underage victims and lead to unproductive policies. Like Montgomery, O’Connell Davidson (2005) also stresses the limitations of intervention strategies against child prostitution based on the western ideal of the “innocent childhood”. Both authors suggest that it is important to recognize children’s agency to better understand the actor’s motivation and, so, be able to deal with the complexity of the problem in different cultural contexts.

insidiously intruding into children's rooms through the computer connected to the internet; and the threat of the "evil" that proliferates in the web through the circulation of images.

By representing a threat to children and the family in their idealized form, the "problem" of "pedophilia" helps re-mystify the male dimension of State power (embodied in the warlike and persecutory modes of protection played by the State agents and agencies which led the anti-pedophilia crusade) as protector of the "vulnerable", so that "women" and "children" are "cast as requiring protection from the world of male violence while the superior status of men is secured by their supposed ability to offer such protection" (Brown, 2006: 199).

I do not wish to suggest that the mere substitution of words or models is enough to ensure in an immediate and magical way, another view of the phenomenon and much less to transform cultural and historically institutionalized administrative practices. My argument is that the production of classificatory categories is a crucial part of the process of construction and management of "social problems", to the extent that such classifications are, at the same time, produced by and producing representations and administrative practices which, in turn, move sensitivities, impose models of intelligibility, manufacture subjects, reorganize groups, disseminate and settle pleasures.

Finally, I think it is important to point out some ethical limits of the anthropological relativism when the critical eye of a researcher turns to morally disturbing issues such as "sexual violence against children". In this regard, I would like to make it clear that the constructionist perspective adopted in this text should not be confused with a relativistic stance that defines many anthropological analyses. On the one hand, my intention as a researcher is not to propose new strategies better to combat the "problem", as commonly expected from the so-called "experts" (influential agents in the process of production and definition of social problems), but rather to understand the political and moral dynamics that define its construction and the process of institutionalization. On the other hand, it is important to note that, as a moral subject, I share the same cultural codes and values that lead to the repudiation and the repulsion of the various practices that can be defined as "sexual violence against children".

That is why I believe it is relevant to discuss the effects of the conceptualization and the combat of the phenomenon of sexual violence against

children as “pedophilia” and with focus on child pornography on the internet. In this article, I tried to demonstrate how this crusade has not succeeded in protecting “flesh and blood” children against the various forms of domination and violence as much as it has succeeded in disseminating the horror and sense of danger, or the manufacture of stereotyped figures, or the blur between desires/fantasies and sexual acts, not to mention the strengthening of a specific form of regulation of the “problem” (the criminalization) and the emphasis on moral monstrosity. Therefore, I hope that this analysis of the “anti-pedophilia crusade” can help problematize the seemingly easier and more immediate solutions to the “problem”, and understand what is obscured by the *politics of fear*, offering a fresh look on the policies engendered by moral panics.

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## References cited

- ARIÈS, Philippe. 1981. *História social da criança e da família*. Tradução de Dora Flacksman. Rio de Janeiro: Jorge Zahar.
- AZEVEDO, Maria Amélia; GUERRA, Viviane Nogueira de Azevedo. 1989. *Crianças vitimizadas: a síndrome do pequeno poder*. São Paulo: Iglu Editora.
- BAILEY, Frederick George. 1983. *The tactical uses of passions*. Ithaca and London: Cornell University Press.
- BECKER S., Howard. 1967. *Social problems: a modern approach*. New York, London, Sydney: John Wiley & Sons.
- BECKER S., Howard. 1973. *Outsiders: studies in the sociology of deviance*. New York: The Free Press.
- BOLTANSKI, Luc. 1993. *La souffrance à distance: morale humanitaire, médias et politique*. Paris: Éditions Métailie.
- BORRILLO, Daniel. 2000. *Le droit des sexualités*. Paris: PUF
- BRASIL. 2009. “Plano Nacional de Enfrentamento da Violência Sexual Infanto-Juvenil”. Brasília: Ministério da Justiça. Mimeo.
- BROWN, Wendy. 2006. “Finding the man in the state”. In: A. Sharma; A. Gupta (ed.), *The anthropology of the State: a reader*. Malden, MA: BLACKWELL. pp. 187-210.



- BUTLER, Judith. 1990. *Gender trouble: feminism and the subversion of identity*. New York: Routledge.
- BUTLER, Judith. 2000. The Force of Fantasy: feminism, Mapplethorpe and Discursive Excess. In: CORNELL, D. (Ed.). *Feminism and Pornography*. New York: Oxford University Press. pp. 487-508.
- COHEN, Stanley. 1980. *Folk devils and moral panics: the creation of the Mods and Rockers*. New York: St. Martin's Press.
- DONZELOT, Jacques. 1970. *La police des familles*. Paris: Les Éditions de Minuit.
- DSM-IV-TR. 2000. *Diagnostic and statistical manual of mental disorders (text revision)*. Washington, DC: American Psychiatry Association.
- GOODWIN, J.; JASPER, J. M. & POLLETTA, F. (orgs.). 2001. *Passionate politics – emotions and social movements*. Chicago and London: University of Chicago Press.
- FALEIROS, Silveria Eva T.; CAMPOS, Josete de Oliveira. 2000. *Repensando os conceitos de violência, abuso e exploração sexual de crianças e de adolescentes*. Brasília: Cecria/ MJ-SEDH-DCA/ FBB/ Unicef.
- FASSIN, Didier. 2012. *Humanitarian reason: a moral history of the present*. Berkeley, Los Angeles, London: University of California Press.
- FEDERAL SENATE. 2010. “Parliamentary inquiry committee on pedophilia” (final report). Brasília. Mimeo.
- FOUCAULT, Michel. 1988. *História da sexualidade I: a vontade de saber*. Rio de Janeiro: Edições Graal.
- FOUCAULT, Michel. 2002. *Os anormais*. São Paulo: Martins Fontes.
- GOFFMAN, Erving. 1985. *A representação do eu na vida cotidiana*. Tradução de M. C. S. Raposo. 3ª. ed. Petrópolis: Vozes.
- HACKING, Ian. 1992. “World-making by kind-making: child abuse for example”. In: Mary Douglas and David Hull (eds.), *How classification works* (Essays in honour of Nelson Goodman). Edinburgh: Edinburgh University Press. pp. 18-238
- HACKING, Ian. 2008. *Entre science et réalité: la construction sociale de quoi?* Paris: La Découverte.
- IRVINE, Janice. 2009. “Transient feelings: sex panics and the politics of emotions”. In: Gilbert Herdt (ed.), *Moral panics, sex panics: fear and the fights over sexual rights*. New York and London: New York University Press. pp. 234-276.
- JENKINS. Philip. 1998. *Moral panics: changing concepts of the child molester in*

- modern America. New Haven and London: Yale University Press.
- JENKINS, Philip. 2001. *Beyond tolerance: child pornography on the internet*. New York and London: New York University Press.
- LANCASTER, Roger N. 2011. *Sex panic and the punitive state*. Berkeley and Los Angeles: University of California Press.
- LANDINI, Tatiana Savoia. 2006. "Violência sexual contra crianças na mídia impressa: gênero e geração". *Cadernos Pagu*, 26: 225-252.
- LANDINI, Tatiana Savoia. 2007. "Envolvimento e distanciamento na produção brasileira de conhecimento sobre pornografia infantil na internet". *São Paulo em Perspectiva*, 21(2): 80-88.
- LOWENKRON, Laura. 2012. *O Monstro Contemporâneo: a construção social da pedofilia em múltiplos planos*. Tese de doutorado. PPGAS/Museu Nacional/UFRJ.
- LOWENKRON, Laura. 2013. "Child sexual abuse, sexual exploitation of children and pedophilia: different names, different problems?" In: Horacio Sívori & Bruno Zilli (eds) *Sexuality, Culture and Politics - A South American Reader* [Online]. Rio de Janeiro: The Latin American Center on Sexuality and Human Rights (CLAM). pp. 472-489. Available: [www.clam.org.br/EN](http://www.clam.org.br/EN) [Accessed 30 october 2013].
- LUTZ, Catherine & ABU-LUGHOD, Lila (orgs.). 1990. *Language and the politics of emotion*. Cambridge: Cambridge University Press.
- MAUSS, Marcel. 1980. "A expressão obrigatória dos sentimentos". In: Sérvulo Figueira (Ed.), *Psicanálise e ciências sociais*. Rio de Janeiro: Francisco Alves. pp. 56-63
- MÉLLO, Ricardo Pimentel. 2006. *A construção da noção de abuso sexual infantil*. Belém: EDUFPA.
- MILLER, William Ian. 1997. *The anatomy of disgust*. Cambridge: Harvard University Press.
- MISSE Michel. 2011. "O papel do inquérito policial no processo de incriminação no Brasil: algumas reflexões a partir de uma pesquisa". *Revista Sociedade e Estado*, v. 26, n. 1: 15-27.
- MONTGOMERY, Heather. 2001. *Modern Babylon: prostituting children in Thailand*. New York: Berghahn Press.
- O'CONNEL DAVIDSON, Julia. 2005. *Children in the global sex trade*. Malden, MA: Polity Press.
- PERISTIANY, J. G. 1965. *Honra e vergonha: valores da sociedade mediterrânea*.

- Lisboa: Fundação Calouste Gulbekian.
- RIOS, Roger Raupp. 2006. "Para um direito democrático da sexualidade". *Horizontes Antropológicos*, 12(26): 71-100.
- RUBIN, Gayle. 1984 "Thinking Sex: Notes for a Radical Theory of the Politics of Sexuality", in: Carole Vance, ed., *Pleasure and Danger: exploring female sexuality*, Boston: Routledge & Kegan Paul, pp. 267-319.
- SONTAG, Susan. 2003. *Regarding the pain of others*. New York: Farrar, Straus and Giroux.
- TATE, Tim. 1990. *Child pornography: an investigation*. London: Methuen.
- TAYLOR, Max & QUAYLE, Ethel. 2003. *Child pornography: an internet crime*. New York: Routledge.
- VIANNA, Adriana de Resende Barreto. 2005. "Direitos sexuais: entre sujeitos e princípios". *Seminário Regional Salud, Sexualidad y Diversidade en América Latina*. Mimeo.
- VIGARELO, Georges, 1998. *História do estupro: violência sexual nos séculos XVI-XX*. Tradução de L. Magalhães. Rio de Janeiro: Jorge Zahar.
- WAITES, Matthew. 2005. *The age of consent: young people, sexuality and citizenship*. New York: Palgrave Macmillan.
- WEEKS, Jeffrey. 1981 *Sex, Politics and Society: The Regulation of Sexuality since 1800*, New York: Longman.
- WILLIAMS, Linda. 2004. "Porn studies: proliferating pornographies on/scene: a introduction". In: L. Williams (ed.), *Porn studies*. Durham and London: Duke University Press. pp. 1-23.

## Legal references

- Brazilian Federal Constitution*, 1988 (FC/88).
- Brazilian Child and Adolescent Statute*, 1990 (ECA/90).