

# The sexually endangered child

## Continuity and change in a social problem

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Translated from

Das "sexuell gefährdete kind" Kontinuität und Wandel eines sozialen Problems.

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This work, with some minor alterations, was presented – under the title "The 'Sexually At-Risk Child' : An Examination of Changes in the Social Discourse Regarding the Relationship Between Childhood and Sexuality, " as a dissertation to the Political Science Ph.D. Committee of the University of Bremen. The evaluators were Prof. Rudiger Lautmann and Prof. Gunnar Heinsohn. The Ph.D. examination took place on December 14, 1992.

This empirical study reconstructs the specialist view of the relationship between childhood and sexuality over the last forty years. Confluences of themes and underlying interpretational patterns are explained in terms of interactions between social and sexual-political developments, as well as the interests of the various social protagonists involved.

# Table of Contents

Note: Page numbers refer to the original book; in this translation they are enclosed in [brackets]. You can determine the approximate translation page number by dividing by 1.47, i.e., book page 198 would be about page 134 in the translation.

Introduction: Of Seeking and Finding .....	1
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## Part One: The Inner Chamber:

The Child at Risk from Him/Herself .....	17
1 First Historical Digression: From a Theological to a Medical Problem ....	18
2 The Perception of Danger in the Federal Republic .....	38
3 Two Dominant Interpretations of Onanism [Masturbation] .....	41
4 On the Harmfulness of Onanism .....	50
5 Strategies to Combat It .....	56
6 Two Divergent Interpretations .....	64
7 Results I: Onanism—Combating Dogmas .....	70

## Part Two: The Siren Song: The Child At Risk from the Media .....81

1 Second Historical Digression: The Summoned Censor .....	82
2 The Media-Danger in Specialist Journals .....	97
3 The Theory of Harm: Stimulated Drives and Moral Decay .....	107
4 Responsibility: The Source of the Danger is People .....	115
5 Protection: Collective Measures Take Precedence .....	117
6 Results II: The Basic Principles of Youth Media - Protection .....	122

## Part Three: Big Subject to Little Subject: Children Endangered by Sexual Contacts with

Adults .....	127
1 Third Historical Digression: 'Lewdness with Children' .....	128
2 From 'Serious Lewdness' to 'Sexual Abuse' .....	141
3 Concept I: Lewdness -- The Provoked Sex Crime .....	144
3.1 The Endangering Situation .....	144
3.2 Perpetrators and Other Responsible Parties .....	149
3.3 The Child: Guilty Due to Participation .....	155
3.4 Endangered Psycho-Sexual Development .....	160
3.5 Protective Measures: Castration and Control .....	162
4 Concept II: Abuse -- Everyday Male Violence .....	169
4.1 Gender as Risk-Factor .....	170
4.2 Patriarchal Violence-Structures .....	175
4.3 The 'Girl-Child': Innocent Victim .....	179
4.4 Harm Symptomatology .....	185
4.5 Detecting Abuse Trumps Its Prevention .....	187
5 Results III: Principles of Contact—Prevention .....	192

5.1 The 'Sexual Offense Concept' .....	194
5.2 The 'Abuse Concept' ‘ .....	198
Part Four: Myth-Busting: The Sexually At-Risk Child as Social Problem .....	205
1 Problem Discourse and Discourse Problem .....	206
1.1 Constructing a Social Problem .....	206
1.2 Courses, Interest Groups, Strategies .....	213
1.3 Risk-Models .....	221
2 Characteristics of the Traditional Endangerment-Model .....	232
3 Origin of the Traditional Endangerment-Model .....	232
3.1 Four Theoretical Approaches .....	233
3.2 History of a Social Problem.....	242
4 The Traditional Risk-Model in the Federal Republic .....	251
5 The Abuse-Model .....	270
5.1 On the 'History' of the Abuse—Model .....	271
5.2 Interest Groups and Their 'Desires' .....	275
6 Results IV: Counter-Propositions .....	285
Concluding Remarks: The Sexually At Risk Child: A Never-ending Story? .....	295
Sources, Bibliography, and Endnotes [F--] .....	305

3.2 History of a Social Problem	242
4 The Traditional Risk-Pattern in Germany	251
5 Abuse-Patterns	270
5.1 On the 'History' of Abuse-Patterns	271
5.2 Interest Groups and Their 'Desires'	275
6 Results IV: Counterpoints	285
Concluding Remarks: The Sexually At-Risk Child: A Neverending Story?	295
Sources and Bibliography	305

<b> INTRODUCTION: OF SEEKING AND FINDING

Preliminary Remarks: Avoiding Being Misconstrued </b>

In this work, when we speak of the 'sexually at-risk child' or the 'sexual endangering of the child,' these phrases are subject to a multiplicity of interpretations. What does immediately become clear, is that what we are dealing with here are not actual living individuals, but rather, 'the child' as social category. On the other hand, what is less obvious -- and what is also the explicit assessment -- as well as subject -- of the present work -- is that, in any event, we simply do not have a good handle on what 'real' children and their 'actual' life-relationships are like in terms of the day-to-day; therefore, it is also not a question -- in the naive sense -- of what 'actually' happens when children are confronted with sex. Instead, the focus of this particular political science work is the <b> ideas </b> that are floating around in our society regarding the relationship between childhood and sexuality.

In terms of a traditional understanding of reality, one would say that the present work studies not the actual categories of 'child' and 'sexuality,' but rather, 'merely' the portion of the social discourse that is carried on concerning this. However, this conception -- as will hopefully become clear in the course of this work -- is too short-sighted. At the same time, as a discourse analysis -- which analyzes the societal conversations (or more precisely here, writings) concerning 'the child' and 'sexuality' -- the present work is also an examination of society's <b> social practices </b> vis-a-vis children (see Maas 1984: 232). It is a question of the <b> social problem </b> of the 'sexual endangering of the child' as a societal <b> theory and practice form </b>, which is also constituted discursively. This means not only that the forms of thought under investigation are just as real of a social



phenomenon as the child's 'social reality' that is used to describe it, but also that they are actually the very source of all 'reality' (see Part Four).

The prevailing -- generally characterized as 'social-science-based' -- way of looking at social reality would rule out from the very beginning this study's affirmative basic position regarding analyzed theory- and practice-forms. This could -- and this should be explicitly emphasized -- lead to cognitive and emotional problems, i.e., for [2] those reading this work [F1] who themselves -- in still-to-be described ways -- feel obliged to protect children, or even regard themselves as being part of a social movement, as has been reported back to us. Their lack of understanding of -- or even indignation at -- some of the statements which they have run across is not only an indication of the cognitive dissonance which this work has surely generated, but is also a result of the simple principle that no one (the author included) enjoys their world-view being subjected to criticism. [F2]

I myself am certain that the work done by this group of people would have garnered greater acceptance, had the time period analyzed ended ten years earlier (this, at the beginning of the 1980s). What I, for example, had reported in the 1950s regarding the debates over childhood masturbation would -- in the face of today's prevailing leniency on the part of parents (and other carepersons) concerning the corresponding practice among 'their children' -- probably be considered an 'outgrown relic' of a forgotten era. By the same token, the yet-to-be-described ruthless combatting of masturbation would strike some female readers as being just as shaky as the notion that a child would be morally shattered by glancing at a woman in a bikini, an idea that, later on, would provoke only amusement. Today especially, it is easy to get people to agree with the thesis that the notion of a sex fiend lurking behind every tree in the playground -- which was the prevailing one in the 1960s -- probably did not correspond entirely to social reality.

Even the sexual-political explanations for such perceptions and assessments <b> in previous eras </b> that I provide (in Part Four of this work) are, [3] at least in principle, probably comprehensible to today's 'child protection movement.'

[sm. type] "We usually go off the track of socially constructing ostensibly natural facts when this obviously loses its normative currency." (Vowinckel 1991: 256) [end sm. type]

From the point of view of being accepted, the primary 'mistake' of my work probably consists of the fact that, at the end of the 1970s, I refused to acquiesce to the fall of 'traditional' ideas about the sexual endangering of the child.

<b> 'Pre-History' of the Study </b>

Investigating the social world without pre-formulated (potential) outcomes (science calls these 'hypotheses') is not exactly in keeping with international, mainstream empirical social research subsequent to World War II. However, in the last ten years in the United States (and therefore a short time later in Germany as well), there has been more and more interest in the so-called <b> <e> grounded-theory approach [F3] </e> </b>, which ostensibly attempts to have qualitative social research furnish its own self-direction via <b> the systematic generation of 'unexpected findings.' </b> Not least on the basis of this new methodological discussion, in my opinion, a central component of introducing a research report should be making clear which of the presented findings 'turned up' because they were sought out, and those which the investigation itself (here: the researcher) had not reckoned on. At the same time, this provides (beyond the awkwardness of the ritualized reasons for why precisely this subject would be <b> so </b> scientifically relevant) an opportunity to explain what had been the impetus for the present study. At the same time, along the lines of a critical-rational scientific understanding, it also tells the reader something about authors' "discovering-driving interests" (Habermas) in their research.

Crudely put, probably in every scientific discipline, research projects oftentimes start with the spontaneous question: "How can this be?" Perhaps the reason why the author had already long-since devoted himself exclusively to the research area [4] of 'sexual politics' is that it has managed to astonish him in this way over and over again. Even regarding the subject area of this study in a broader sense -- society's view of the relationship between childhood and sexuality -- the demand in recent years has been simply amazing.

But first, some remarks of a more personal nature: As someone who was born in the mid-1950s, before I even knew what it was, I had surely benefited from the social changes which were the hallmark of the 'sexual revolution.' Most of what the Adenauer-era society had given us -- people subjected to the needs of production and sexual 'squarishness' -- had (including the 'mercy of having been born later on'?) passed me by. Admittedly, also because I am of the male gender, I was -- for the time being -- spared much of the time-honored tying-together of sex with threats, fear, and guilt feelings -- something I only learned about second- or third-hand as a result of my scientific activities -- i.e., without actually being able to comprehend the feelings associated with it.

Initially I was somewhat unsure of myself, given that, in the mid-1980s -- and not only in Germany --- what I had by and large regarded as a quite liberal sexual order had, seemingly, come to an end. At the same time, what I was accustomed to as

the 'natural state of sexual morality' was under attack from numerous 'quarters': the Catholic church was conducting campaigns to further restrict the right to abortion, the watershed conservative government was exploiting the AIDS epidemic, the GREENS [a leftist, pro-environment political party] were producing mother's manifestos on stabilizing the birthrate, and the women's movement was sensationalizing rape as the act of normal men who had been incited by pornography. In addition, we were undoubtedly also disturbed (in one way or another) by all of the 'terrible images and facts' which (as a great achievement of the mass-media) had been constantly thrown at us for some years now: those relating to <b> child sexual abuse. </b>

My interest in the latter topic led, among other things, to helping to put together what is still today (July 1992) an ongoing research project [F4] at the "Institute for Empirical and Applied Sociology" at the University of Bremen, in which one segment of intergenerational sexual contacts -- which had been so successfully demagogued -- were studied [5] (micro-) sociologically. Admittedly, as a political scientist, what interests me about this arena isn't so much the socio-sexual interactions between adults and children as the issue of what might result from the conspicuous public interest in them in recent years. Initially, I looked at whether 'sexual abuse' constituted a new phenomenon in the 1980s, or, was only now being 'discovered' by science and the public. Of course, the first possibility was ruled out quite quickly: Neither the criminal statistics nor the statements from the abuse debate itself provided any indication that the phenomenon being criticized might have undergone fundamental changes in recent decades. Because -- through my previous research into the evolution of the sexual criminal law in Germany -- I know that there had also been far earlier warnings against sexual contacts between adults and children (including within the family), I myself had strong doubts regarding the second possibility as well.

In the meantime, the United States, where the sexual abuse debate is older, is also where the origin and evolution of public interest (and its sexual-political implications) has been studied by social science (Weisberg, 1984; Eberle/Eberle 1986; Wakefield/Underwager 1988). In Germany, on the other hand, one finds only a few (and usually very brief) contributions in which the 'causes' of the problematization are inquired about. The first, to my knowledge, was by Michael-Sebastian Honig (1987), who (in the context of a comprehensive review of the social science literature) dared to engage in a critical inquiry. It was only around 1990 that additional, non-affirmative-oriented essays (Grönig 1989; Rutschky 1990; Lempp 1990; Bernecker-Wolff 1991) came out concerning the origin of this social problem; even then, however, few empirical studies had any spontaneous reservations regarding either the way the topic was picked out

as a central theme, or the explanatory models that were being offered. [F6]

It was precisely this lack of systematic research that not only reinforced my interest in the question of why, after (based on my knowledge at the time) at least ten years of disinterest, a sexual 'fact' had suddenly advanced to become a 'leading' media story, but also, suggested a change in the level of inquiry. Particularly essential -- it seems to me -- to explaining the origin and unfolding of this social problem is going beyond the present era, and the status of the current debate. (Admittedly, the desire to reach conclusions which would have scientific relevance beyond the present era may have also played a role.) In any event, the social thematization of the relationship between childhood and sexuality in Germany was, in fact, incorporated as an object of research. [F7] Accordingly, the study began with a quite comprehensive set of questions/protocol. As will be described below, the final draft of the protocol, the work's structure, and even its present title only took shape during the course of the research itself. They are to be regarded as the result of a process, analogous to what the <e> grounded-theory approach </e> recommends (but without the 'instructions' provided therein being followed to the letter). I might characterize it as 'my discovery of the sexually at-risk child.'

#### <b> The Research Material </b>

The decision to also -- and in particular -- analyze the chronological changes in the way that society has looked at this topic (for the time being, on a purely sociological level -- which was made clear in the original title by the use of the category 'interpretational patterns') required, for empirical research, texts "which by no means constitute any kind of corpus," but rather, are "analyzed as representative of the set of possible texts" (Maas 1984: 232). Given the fact that, today, it is no longer possible for an individual scientist to get a handle on -- much less systematically analyze -- even the most important portion of the received written (or otherwise received) discourse of an entire society regarding a multi-layered theme over the course of several decades, some firm decisions needed to be made in terms of winnowing down the material to be examined. On theoretical [7] grounds, the first determination made was to focus the analysis on <b> scientific journals </b>, as opposed to the mass media. [F8]

Consequently, the focus of this study is not the perceptions and interpretations of any (adult) members of society, those who are/were <b> experts </e> via-à-vis children -- experts not in the sense of being parents themselves, but rather, those who deal with children and childhood on a professional basis. (Social) pedagogists, psychologists, jurists, and

practitioners of similar professions claim -- for their statements regarding children -- a validity which, due to systematic methods of discovery, goes beyond common knowledge. This claim is also reinforced by the fact that this expert knowledge is disseminated and discussed by certain media, in reference books and scientific journals. Of course the latter are, at least theoretically, generally accessible, although, as a rule, they are only taken note of by the professionals concerned (and unusually interested 'laymen') (see Bengel/Scherich 1992: 41). The present work contains empirically-grounded statements -- which appear in the scientific journals -- for only a portion of the social discourse.

Of course, for 'economy of time' reasons, an additional choice was still required here. Initially, a large number of current scientific journals from disciplines which declare themselves competent to tackle questions relating to childhood were skimmed through, to see whether they contained articles on the original, quite comprehensive and general theme of 'the relationship between childhood and sexuality.' Then, in a second step, from the titles which reported regularly on this topic -- because of our particular interest in changes taking place over time -- the fifteen (15) which appeared during the largest span of the time under study (1960-1991) were selected. The corpus of the research ended up consisting of a total of 603 [F9] [8] issues of scientific journals; the titles and volume numbers are cited at the beginning of the bibliography. (Anyone who fails to see his/her 'favorite journal' listed here might want to undertake a systematic examination of the quantity of articles on this topic.)

The selection may strike the particularly well-informed reader as being strangely skewed -- particularly in terms of the proportion of conservative-Catholic-oriented journals which were included. This large number is neither an accident nor due to irrelevant considerations; rather, it is 'simply' a reflection of the fact that, in these particular publications, the discourse on the relationship between childhood and sexuality was very intense, and was conducted continuously over the entire time period encompassed by the present study. Consequently, if it should turn out that the results of the present work do not do justice to the views of the professions at the time, this could only be because a 'silent majority' had not expressed itself in its 'own' public organs. However, to the extent that this objection is not lodged against other studies (with inevitably different methods), I shall proceed based on the assumption that the views in these journals were in fact the dominant ones in their disciplines (at any given time).

From these volumes, all articles (essays, summaries, reports of congresses, and published court opinions -- excluding mere reviews) whose central subject was the relationship between

childhood and sexuality were included. Moreover, rather than relying on title and keyword lists, the journal issues were scrutinized page-by-page. Moreover, the contextual tying-together of the categories of 'childhood' and 'sexuality,' in the sense of the original research topic, couldn't just be carried out in the form of a pre-existing enumeration of every possible individual topic; such an enumeration was, instead, only the **consequence** of examining the journal issues. [F10]

In order to ensure systematic conceptual delimitation, in the data collection phase via the intentional avoidance of all unnecessary presuppositions, to a great extent, we simply identified those articles [9] which themselves used the headwords/keywords 'children' and 'sexuality.' Simply put, when the word 'child' or 'children' was used in the discussion, then there was a delimitation of the subject of 'childhood' in a given article: No age or developmental limitations were carried out here; rather, the author's definitional agency was simply accepted. This procedure led to difficulties with the legal (or legally-inspired) texts because, in this arena, it has become customary to speak of **'youth'** (e.g., 'youth media-protection'), when what are really meant are minors (thus, over the time period covered by the present study, persons under either 21 or 18 years of age). Here, in each individual case, a check was made to verify whether the article concerned 'youth' [\*] only, or 'children' as well -- in the sense of everyday linguistic usage. (When necessary, reference was made to the normative point of view, according to which a 'child' is a person 13 years of age or younger.) [F11] On the other hand, where the root of the terms used in the article itself is 'sexual,' classifying it as pertaining to the sphere of **'sex'** was not complicated at all. In addition, it is well-known that in criminological, normative-historical, and sexual-science [F12] works there are a whole series of terms which, as a rule, either refer to sexual contacts or are even synonymous with 'sexuality': 'morality,' 'sensuality,' 'lewdness,' 'sense of shame,' 'seduction,' 'arousal,' etc.

[\* The German word here can be translated as 'youth,' 'teenagers,' or 'adolescents.']

The graph on the next page shows the distribution of the **605 essays** between 1950 and 1991 that were eventually identified. Even upon first glance, it is clear that the articles are not evenly distributed over the covered research period. If one interprets the number of texts published per year as a measure of the intensity of the discourse, one would have to speak of a pronounced confluence of the two terms in the last forty-two years. What is striking first of all, is that although it is true that the (specialized) public discussion did not actually come to a standstill during any time period (the low water-mark [10] was 1984, with three

essays), there was a period between 1970 and 1984 which one could characterize as being almost free of such topics. [INSERT PG. 10 FIGURE SOMEWHERE AROUND HERE] Going by the statistical mean of the yearly number (14.4 essays), there were three periods in which an above-average number of essays were published: the early 1950s [F13], the period from the beginning of the '60s up to the mid-'70s, and finally, the late '80s (this most recent high period extends beyond the end of the time frame covered by the study). Between the periods of 'high confluence' are found two phases of de-emphasis: a brief 'dip' in the late '50s, and a more extended one from the mid-'70s to the mid-'80s.

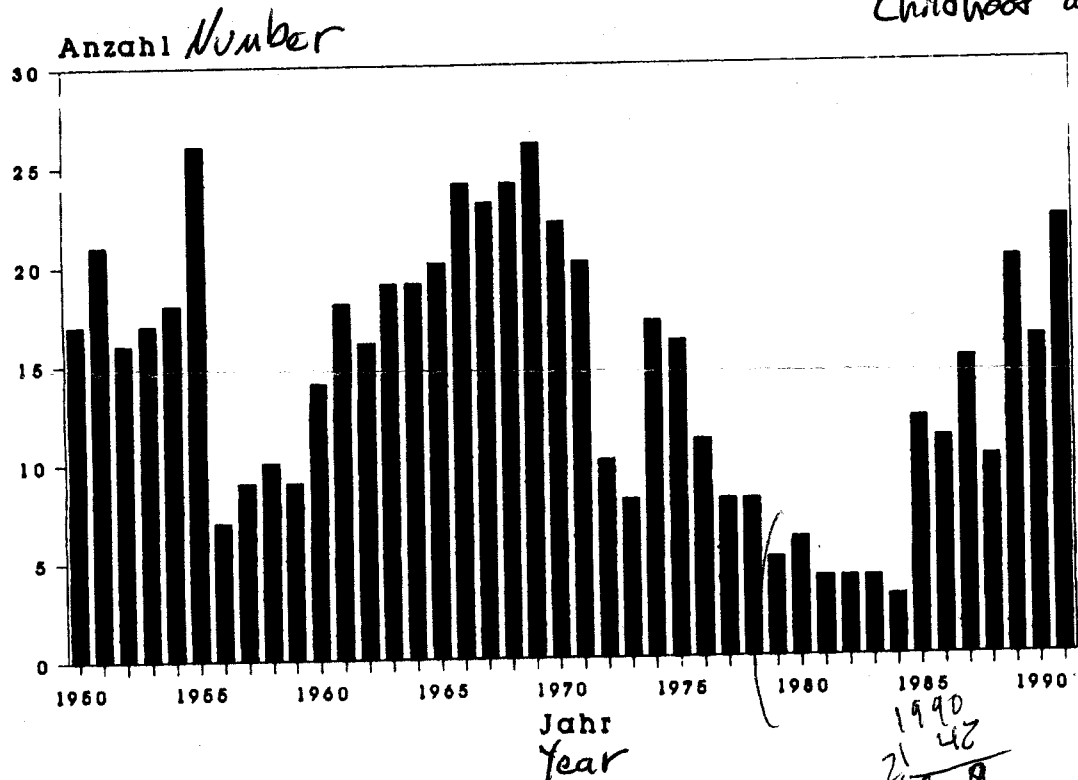
[11] Closer examination of the essays reveals the dominance of a <b> problem-oriented </b> style of reporting and thematization: Of the 605 essays, only 67 (mostly theoretically-oriented articles on child sexuality and sexual socialization) could not be characterized as problem-centered; the remaining 538 (= 88.9%) treated the relationship between childhood and sexuality as a <b> social problem. </b> This finding would seem to indicate a certain resemblance with reporting in the mass media, which assigns particularly high 'informational value' to reports on catastrophes, afflictions, problems, etc. Admittedly, with the media studied herein, we are not talking about billboards that have to reel buyers in with such topics; rather, the problem-orientation here is a result of the fact that the specialized journals are intended for members of professions which are <b> responsible for dealing with the social problems </b> in society.

#### <b> The Sexually At-Risk Child </b>

The conclusion that, in specialized publications, the relationship between childhood and sexuality seems to be primarily one which is chock-full of social problems is neither speculative nor surprising (and therefore, also can hardly be considered a 'finding'). This was -- based on the character of the specialized literature, as well as earlier works by authors from related fields -- <b> expected </b>, although, admittedly, the same cannot be said of every single theme that was 'discovered': In addition to the problematic areas of 'youth media-protection' and 'sexual abuse,' which frequently were in line with my hypotheses, I also found that there was a whole series of problems that either did not 'come up' at all in the research material, or do so to an extent that was scarcely even worth mentioning; by the same token, other linkages evinced an explosiveness or relevance (esp. the issue of childhood masturbation) which did surprise the author.

Also unexpected was the fact that, at the <b> center of the overwhelming majority of the essays from the overall time period studied </b>, was an odd and therefore (in the original sense of the word) also 'curious' <b> way of looking at </b>

Alle Aufsätze zum Verhältnis Kindheit/Sexualität (N = 605) *All Essays on the Relationship Between Childhood and Sexuality (N=605)*



punkt war 1984 mit 3 Aufsätzen erreicht), es jedoch zwischen 1979 und 1984 eine Periode gibt, die man als fast frei von solchen Themen bezeichnen könnte. Geht man vom statistischen Mittelwert der jährlichen Anzahl (14,4 Aufsätze) aus, gab es drei Phasen, in denen überdurchschnittlich viele Beiträge publiziert worden sind: die frühen fünfziger Jahre<sup>13</sup>, den Zeitraum vom Beginn der sechziger Jahre bis zur Mitte der siebziger Jahre und schließlich die zweite Hälfte der achtziger Jahre (diese neueste Hochphase dauerte am Ende des Untersuchungszeitraums noch an). Zwischen den Phasen der 'Hochkonjunktur' finden sich zwei Zeiträume der Dethematisierung: eine kleinere 'Rezession' in der zweiten Hälfte der fünfziger Jahre und eine ausgedehntere von Mitte der siebziger bis zur Mitte der achtziger Jahre.

13 Bei dieser Graphik ist zu beachten, daß ein Teil der untersuchten Zeitschriften erst ab Mitte der 50er erschienen ist, so daß die Werte in den ersten fünf Jahren auf einer kleineren Anzahl von Untersuchungsobjekten basieren, als die Kurve des übrigen Zeitraums. Es kann davon ausgegangen werden, daß die Kurve bis 1955 bei gleicher Besetzung aller Jahre mit Zeitschriften ein höheres Niveau erreicht hätte.



the relationship between childhood and sexuality. On the surface -- in contrast to the other 'problem essays' -- the text was (usually) characterized by (all of) the following six characteristics:

1. it is about **<b> risks </b>** from the sphere of the sexual which threaten the child;
2. the majority of children would seem to be at risk; [12]
3. children are (apparently) depicted as being at the mercy of this threat;
4. the causes of/those responsible for these risks are not only named, but also morally condemned;
5. the negative consequences for the affected child are specified, and characterized as extensive;
6. in addition, strategies for protecting children were recommended.

In the great majority of these articles, this 'thrust' can usually be spotted upon first glance; the title itself declares it to be a danger, warning, or protection essay:

[sm. type. indent]

"The Dangerous 'Dear Uncle',"

"Endangering Our Youth,"

"Parents, Be On Your Guard,"

"Is It Already Too Late...?,"

"Youth-Endangering Literature,"

"Problems of Youth Endangerment By the Mass Media,"

"Protecting Youth From the Dangers Posed by Words and Pictures,"

"Protection Against Vulgar Perfidy,"

"Protecting and Supporting,"

"Sexual Danger and Possible Defenses,"

"Sexual Violence Against Children,"

"How Do We Protect the Child from the Sex Offender?," etc.

[end indent, sm. type]

Almost exactly two-thirds (403) of **<b> all </b>** (not only the problem-oriented!) essays thematized such **<b> dangers </b>** as threatening children in the sphere of sex. [F14] Therefore, along the above lines, the first (for the author at least, the first 'true,' because surprising) finding of the empirical study was **<b> that, throughout the whole of the Federal Republic [\*], the dominant perspective -- in the specialized literature -- on the relationship between childhood and sexuality had been that of the 'sexually at-risk child.' </b>**

[\* For almost all of the research period (up to 1989), this would be what used to be called West Germany.]

It was only when the above was ascertained that the structure and final title of the present work came to be: Because it clearly dominated, but also because it was in structural accord with the [13] 'impetus' for the study (the sexual abuse debate), only this specific perceptual and interpretive paradigm -- **the sexually at-risk child** -- was subjected to further, systematic examination. Therefore, when considering the following findings, it should always be 'kept in the back of one's mind' that -- unquestionably in the journals examined, and to a high degree of certainty in other components of the social discourse -- there have also been other -- or even counter -- discourses on the thematization of danger. These are, concededly, discussed only occasionally -- especially when, without them, the course of the danger-confluence would not appear to be explicable. [F15]

Upon a closer examination of the context of the risk-articles, it appeared that the child was confronted with a far-reaching 'universe of danger': He or she was endangered by masturbation, by waywardness, neglect, and premature sexualization, by radio and television, the movies, magazines, books, posters and school newspapers, by "gutter sex ed" from and "playing doctor" with other children, by sex education in school and co-ed classrooms, by prostitution, prophylactic vending-machines, the FKK [Freikörperkultur; i.e., nudist] movement and the general sexualization of society as a whole, by wrong conduct or long-term non-marital relationships on the part of parents, by sexual encroachments from adolescents, exhibitionism, sexual abuse, possible subsequent court proceedings, and so on, and so forth. Just as numerous as the named dangers are the apostrophized harms and recommended measures to protect against and/or combat them.

Although it is true that not all of the danger essays focus on just one of these risks, in most of them, a clear concentration on one or [14] two of them is detectable. The 403 'danger articles' focus on an overall total of 545 individual dangers. If this multitude of risks seems bewildering upon first glance, they are readily subdividable, based on their respective 'sources,' into a limited number of distinguishable 'danger types.' Such a provisional subdivision based on 'danger source' was a virtual necessity, given that an essential feature of the risk-idea would seem to be the dichotomization of the denounced situation [F16]: On the one side stands the passive 'victim' (the child), in danger; on the other, the (in some way or another) active authority, from which the danger **emanates.**

Subdividing in this way, just three sources of danger make up the lion's share (81.5%) of all named sexual risks; therefore, the first three primary sections of the present work will examine them in detail: [F17]

1. the media (named in 48.6% of all danger essays [F18]),

2. sexual advances on the part of adults (in 40.9%),
3. masturbation and sexual play with similar-age peers (in 20.5%).

The following graph shows [F19] that the relative proportions of any given source of danger -- vis-à-vis the overall presumed risk -- was subject to certain fluctuations over the course of the period studied: The quantitative significance of the danger posed by masturbation, as reflected in the reports on it, saw a nearly continuous decrease during the 1950s, and no longer played any role whatsoever by the 1980s. In the first three decades, the relative risk of [15] sexual contact with adults remained relatively stable; it was only in the 1980s that this became the dominant source of danger. Overall, the media represented the most continuous of the named dangers, although this did decrease significantly towards the end of the period studied.

[INSERT GRAPH ON PG. 15]

In the present work, the 'sexually at-risk child' as dominant 'perceptual and interpretational model' (see Part Four) for the relationship between childhood and sexuality in the specialized literature in the Federal Republic was examined within the rubric of five sets of questions:

[left indent]

How is the sexual danger described, what ethical and factual premises underlie these warnings, and what protective measures are proposed?

In what discursive forms and with which linguistic devices is the risk thematized?

Over the course of the period as well as the various individual themes examined, can the model for interpreting and perceiving the sexually at-risk child be described as uniform, or are there several competing models? [16]

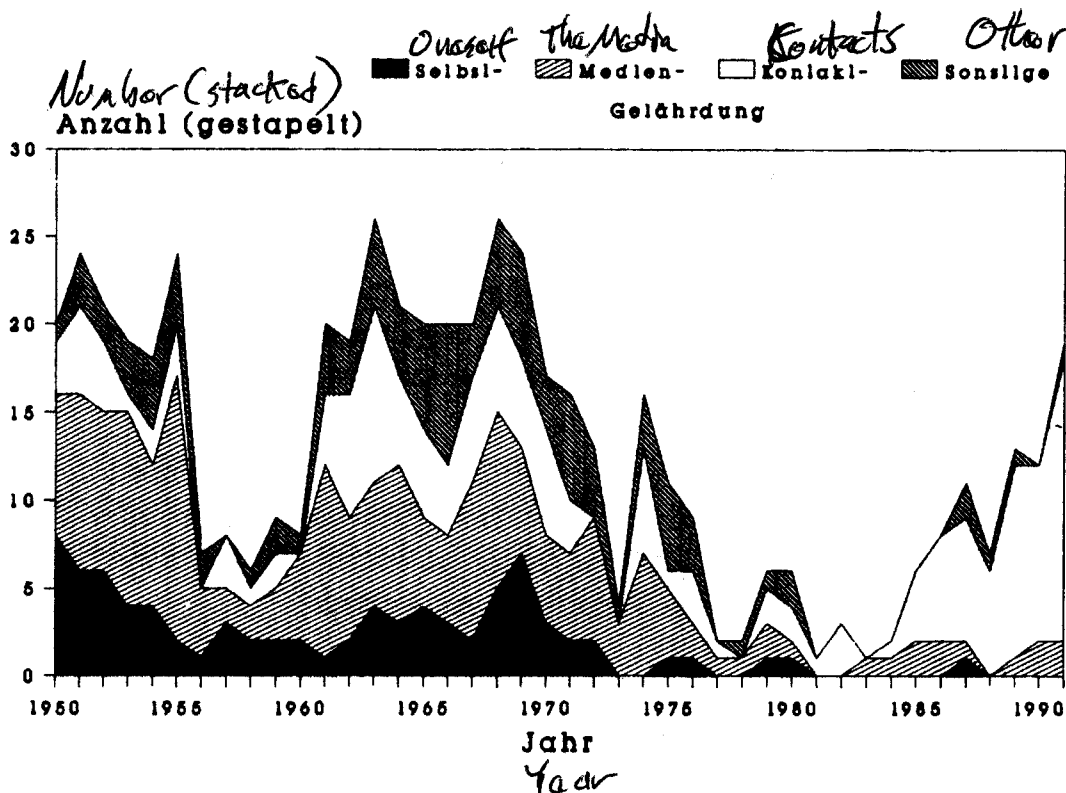
When and how did the various risk-warnings originate, and to what forms of social practice have they led over the course of time?

How might we explain the 4 theme of 'sources of danger,' and its overall confluence in the Federal Republic? [end left indent]

To a great extent, the way the results are presented follows the actual methods used in the study itself: The empirical and historical findings are, to a great extent, individually presented -- in descriptive-phenomenological form -- in terms of the three dominant spheres of danger (Parts One through Three -- for better comparability, these parts are largely

blieb in den ersten drei Jahrzehnten relativ stabil; diese Art wurde erst in den achtziger Jahren zur dominierenden Gefahrenquelle. Die Medien stellen insgesamt die kontinuierlichste der genannten Gefahrenquellen dar, auch ihr Anteil sinkt jedoch zum Ende des Untersuchungszeitraums stark ab.

*Chronological Evolution of Danger-Type*  
**Zeitliche Entwicklung der Gefahrenarten**  
 (N = 545)



Die 'sexuelle Gefährdung des Kindes' als dominierendes 'Wahrnehmungs- und Interpretationsmuster' (s. Teil IV) des Verhältnisses Kindheit/Sexualität in der Fachöffentlichkeit der Bundesrepublik Deutschland wird in der Arbeit anhand von fünf Fragenkomplexen untersucht:

Wie wird die sexuelle Gefährdung beschrieben, welche ethischen und sachlichen Prämissen liegen den Warnungen zugrunde und welche Schutzmaßnahmen werden vorgeschlagen?

In welchen diskursiven Formen und mit welchen sprachlichen Mitteln wird das Risiko thematisiert?

Lassen sich über den Untersuchungszeitraum und verschiedene Einzelthemen hinweg ein einheitliches oder mehrere konkurrierende Interpretations- und Wahrnehmungsmuster der sexuellen Gefährdung des Kindes idealtypisch beschreiben?

laid out in parallel). Subsequent to that (in Part Four), the results are discussed against a two-pronged theoretical backdrop: the theory of social problems, and, several divergent approaches concerning the origin and significance of specific ways of perceiving the relationship between childhood and sexuality within/for current society. In addition, on these bases, some recommendations -- with the status of hypotheses -- are made in terms of accounting for the origin and evolution of ideas about danger in the Federal Republic.

Further indications of the structure of the present work may be found in the table of contents. I decided to forego the ritual of describing in detail what is to be found in the following chapters. The reader is not spared from having to read on. [F20]

F1. An additional note regarding word usage: Particularly striking to female readers who have 'experienced discrimination' is that I have written some portions of this work in such a way as to make clear that I am referring to persons of both genders. When I deviate from this default position, I do so not out of carelessness, but rather, because I believe that, in certain contexts, the use of all-encompassing formulations would blur the actual nature of the relationships between men and women. This is true especially when a particular portion of the discourse is clearly dominated by either certain male authors or certain female authors, or, when one group involved in the conversation is actually homogeneous in terms of gender -- e.g., 18th-century 'doctors.'

F2. It should also be pointed out that objections and criticisms are aimed not at individuals, but rather, discourse-dominating positions; however, rules regarding scientific publications require -- in my opinion, for a good reason -- that those who authored the text under analysis be named. Correspondingly, what Landweer (1990: 76) established regarding the texts she studied also holds true here: "When moralizing legitimization strategies are the product of the discourse, they need not be ascribed to the positions of particular authors." [Translator's note: Because German is, linguistically, a 'gendered' language, meaning, for example, that there are different words to denote male as opposed to female authors (Autoren vs. AutorInnen), a (hopefully fluid) *translation* of any given phrase will not always reveal the 'gendered' nature of the German original.]

F3. Developed in Glaser/Strauss 1968; also see Strauss 1991.

F4. "The Phenomenology of Sexual Contacts Between Adults and Children," under the leadership of Prof. Rüdiger Lautmann.

F5. In this context, the present study could be regarded as a

kind of political science 'companion piece' to sociological interaction research on this complex theme.

F6. Just shortly before the compilation of the present work, in early 1992, the first German book to have a critical look at the abuse debate came out (Katharina Rutschky: Agitated Enlightenment). Despite having a different approach, on numerous points the author comes to conclusions similar to those found in the present volume. This was true to such an extent that it was even possible to refer to Rutschky's corresponding findings in the text.

F7. The original working title was: "The Social Regulation of the Relationship Between Childhood and Sexuality as a result of Social Interpretational Patterns."

F8. The hypothesis (explained in greater detail in Part Four) is that the public discourse (not only in this area) is, like the law, to a great extent 'pre-decided' by the 'para-scientific' knowledge produced by the various specialized disciplines.

F9. Because, in the first years of the Federal Republic [i.e., Germany, immediately following World War II], only a relatively small number of scientific journals came out, we also had to include those which were first published at some point during the 1950s. By 1950, eight of the journals studied were already in existence; by 1954 there were 13, with the corpus becoming complete only from 1959 on. All of the specialist journals selected were then published continuously through 1991 (albeit sometimes under different names).

F10. Obviously, on the basis of previous studies, as well as theoretical preoccupation with this theme-complex, the presence of certain individual topics (e.g., sex education, pornography, masturbation) was expected; on the other hand, other thematic linkages were -- to the author -- new in the form in which they were found (e.g., fetishism among children or the consequences of a married couple's concubinage for their child's moral-sexual development).

F11. In analyzing the source texts as well as the secondary literature, there was the additional problem that, in some cases, it was not discernible whether they were talking about children of both genders, or primarily about boys. (Regarding this problem in document analysis generally, see Landweer 1990: 141-142.) To the extent that the texts permit it, they are correspondingly differentiated in the present volume.

F12. That there has probably never been a perfect solution to the problems involved in determining and delimiting in the last of these is already evident in the fact that, even as of today sexual science -- as a responsible, appropriate, and relevant specialized discipline -- has still not managed to

define the object of their research in a way that is widely accepted. (See Dannecker 1987: pp. 9-11.)

F13. With this graph, it should be borne in mind that a portion of the journals studied only first came out in the mid-'50s; therefore, the figures for the first five years are based on a sample which is smaller than those of other time periods. Consequently, we may proceed based on the assumption that the pre-1955 portion of the graph otherwise would have reached levels comparable to other periods.

F14. Consequently, in the journals examined, the sexually at-risk child represents a 'non-problematic' social problem; that is, one whose problematic character was not in dispute.

F15. By the same token, at this point I do not wish to keep entirely mum about the <b> 'other' viewpoints </b> on children and sex contained in these journals either. In the 135 problem- but not danger-oriented essays, there is clearly less of a variety of themes. Four-fifths of these articles deal with problems of (especially school) sexual education/upbringing, with the remainder problematizing child sexuality and sexual socialization, psychosexual illnesses in children, child competency in sex-related criminal proceedings (but not when their central theme was so-called secondary harm -- these were treated as danger essays), or, criticized the ascription to children of particular sexual dangers (thus, problematizing the danger discourse itself). The only real high-water mark for this was between the mid-'60s and the early '70s: Here, the intense societal debate over the introduction of sex education in the school died down a bit. Beginning in the mid-1980s, a new wave of thematization in this sphere seemed to emerge; however, this trend is still not clear enough for us to be able to make any definite statements about it here.

F16. As we will see later on, this dichotomy is actually not as clear-cut as it would appear at first glance.

F17. Continuing in decreasing order of importance, the remaining dangers consisted of society's overall moral mistakes, sex education in schools and co-ed classrooms, children's testimony in the sphere of the sexual criminal law, the activities of the FKK movement (aside from its publications), domestic living conditions/circumstances, and a handful of other, very rarely mentioned sources of danger.

F18. The percentages provided here are not -- unlike the one further above -- relative to all dangers mentioned, but rather, to the proportion of danger essays in which any given danger is to be found. Because a portion of essays do focus on two or even more dangers, the figures provided here would add up to more than 100%.

F19. A table of the yearly distribution of these essays is included at the end of the bibliography as an appendix.

F20. In terms of citations, two additional comments are in order:

1. To better differentiate between primary and secondary sources, in all citations from bodies of text which come from the specialized journals studied, the source is printed *<i>* in italics. *</i>*

2. All of my own notations inserted into the cited texts are signified exclusively by brackets: [ ].



[17] <b> Part One

THE INNER CHAMBER:

THE CHILD AT RISK FROM HIM/HERSELF </b>

"Looked at objectively, what we have here is an exceptionally deplorable aberration of humanity."

(<i> Angermair 1950: 373 </b>)

[18] <b> 1 First Historical Comment:  
From a Theological to a Medical Problem </b>

The widely-held opinions regarding childhood masturbation which we will become acquainted with in the following chapters did not originate in the twentieth century, but rather, go back hundreds of years. As I first started to look into the question of when the notion of the dangerousness of masturbation first arose, and who came up with the theories of harm as well as the various protective measures, it became less and less an issue of the history of the campaign against masturbation in the 'Christian West' as a whole [Fl], and more and more one of when, and in what ways, <b> children </b> have been effected by the prohibition on self-oriented sexual activity.

<b> Origin of the Prohibition on Masturbation </b>

In the Christian era, the history of the negative assessment of masturbation probably began with the writings of the early Middle Ages monastery-founder <b> Cassian. </b> Michel Foucault attempts -- via an analysis of this theologian's main works -- to show that "the central question of masturbation had its origin in something other than the campaigns by physicians in the 18th and 19th centuries" (Foucault 1986: 25) -- namely, Middle Ages' monks' struggles against the temptations of the flesh. Cassian regarded masturbation -- just like emission -- as "impure," falling under "sins of lewdness." Certainly, for him, it was merely a question of how the Christian monk or hermit could achieve perfection: He established rules which were meant to make it easier for <b> clerics </b> to resist the temptations of the body. They alone were the subjects of his warnings against masturbation.

The pastoral struggle against the dangers of masturbation continued -- throughout the entirety of the Middle Ages -- in penance and atonement books. They had their origin in the monastery, and -- like Cassian's rules -- were (initially) only meant to apply to the clergy. Via the confessional and penitential practices which he recommended, the monastic life-ideal was meant to be promoted: Sexual needs were, like other bodily-oriented needs (e.g., physical cleanliness or tasty food), rejected as detrimental [19] to one's eternal

salvation. [F2] (Denzler 1988: 182) To what extent self-oriented sexual acts were condemned in works of moral theology during the Middle Ages is the subject of some controversy. Whereas Elschenbroich (1977: 136) holds that it was only mentioned occasionally, Bloch (1989: 285) declares masturbation to be the central topic of many penance and atonement books. He criticizes the oft-expressed view that, as a rule, masturbation among the laity would not have been punished during the Middle Ages, though he does acknowledge that the source text -- despite the authorities he found -- tends to contradict this thesis (101).

The penance books that actually do deal with this question usually make a distinction, in terms of the threatened sanction, between clerics and laity, adults and adolescents (up to twenty years of age), men and women. Adolescent male laymen received the smallest punishment for confessed masturbation. Moreover the degree of punishment decreased markedly over the course of the centuries; even during the so-called high Middle Ages, it was still only ten days of fasting and prayer. Masturbation had become a minor offense -- in terms of 'degree of punishment,' roughly comparable to chatting during a worship service. (Denzler 1988: 182)

Added to the vagaries involved in interpreting the Latin sources is the problem that penance lists, among others, only say something about the 'theory' -- and scarcely anything about actual day-to-day practice.

[sm. type, indent] "For one thing, it is hard to say to what extent the priests of the Middle Ages deliberately set out to combat masturbation." (Bloch 1989: 92) [end sm./ind.]

Following the eleventh century, theological criticism of masturbation increased once again. [F3] This occurred within the context of attempts to enforce stricter discipline among the clergy -- particularly the preservation of celibacy. This scarcely influenced the "penitential practices" of the laity at all. (Flandrin 1977: 282; Denzler 1988: 182) Bartholomäus (1990: 142) summarizes:

[sm/ind] "Clearly, in antiquity as well as during the Middle Ages, outside of the context of monastic and priestly spirituality, [20] great forbearance -- in practice, not in theory -- was shown regarding masturbation." [end sm/ind]

#### <b> The Discovery of Childhood Masturbation </b>

Regardless of the extent to which the moral-theological condemnation also applied to the laity (and how it might have been implemented in practice), it is clear that the disapproval of masturbation was directed exclusively at persons who were <b> old enough to go to confession </b>; thus, adults and older adolescents. Because the harmfulness

of masturbation exclusively related to one's immortal soul, children's sexual acts were not punished; in this regard, because they were 'not capable of sin,' punishment would not be necessary. According to the views of Middle Ages' theology, baptism freed children of original sin, and only upon attaining the "age of reason" (anni discretionis) were they really in a position to commit cardinal sins (which encompassed all sexual sins, including masturbation). Because of their 'inability' to sin, it was only beginning at a certain age that they had to go to yearly confession and do penance.

[sm/ind] "With the so-called capacity for guile (capacitas doli), with the ability to commit serious sins, young Christians -- according to the Canon Omnis Utriusque Sexus -- were required to attend yearly 'anni discretionis' confession." (Ernst 1930: 137; see Tucker 1978: 330) [end sm/ind]

In the thirteenth and fourteenth centuries, most synods fixed the age of first confession at 14 (some set 12 as the age for girls); only at the end of the Middle Ages was it put several years lower (RGG 1929: 770; Bauer 1933: 564; Browe 1933: 690-697; LeRoy Ladurie 1983: 336). Even public masturbation and sexual games among children were not pursued because, prior to the anni discretionis, children were not deemed to be aware of the wrongfulness of their actions. [F4]

The notion of combatting (self-oriented) sexual acts by persons who had not yet attained anni discretionis was first formulated by the French theologian Jean de Gerson (1363-1420) at the beginning of the fifteenth century, in several tracts on the Christian instruction of children and [21] against the sins of youth. The Chancellor of the University of Paris was informed, in his assessment of sex, by classical Christian moral theology: He condemned masturbation because it (like almost all other sexual acts) constituted a sin against God's laws. But of course, his thesis that even three-to-five-year-olds could commit sexual sins represented a radical break from the notions of the preceding era. However, because children in this age group were not yet required to attend confession, only upon entering adolescence were they asked about their earlier sexual activities. The father confessor was supposed to retroactively declare childhood masturbation to be a sin.

In his writings, Gerson typically focuses on how, in confession, believers can be coaxed into acknowledging their sinfulness. In the tract "On the Confession of Masturbation," he provides instructions on how to sound out young men about masturbation during their childhood. The questioning of a young penitent is presented by way of example:

[sm/ind] "If he does not wish to answer, I ask him bluntly:

'My friend, did you feel your penis or rub yourself down there like **children commonly do**?' (Cited in Flandrin 1976: 282 -- emphasis supplied by M. Sch.) [end sm/ind]

This suggestion makes it clear that Gerson regarded childhood masturbation (in terms of its frequency and familiarity) as something "common." He assumed that boys between three and five years of age already had erections and masturbated to orgasm; even among girls, he regarded masturbation as widespread. Gerson was primarily focused on making clear to confessing youth that their childhood masturbation was a sin; the reproaches served as a warning against further (and more serious) sexual sins in the future.

In Gerson's opinion, not only should the father-confessor make clear to adolescents the sinfulness of their earlier actions, but, parents and others involved in the child's upbringing should also combat child masturbation directly. In this regard, he recommended that they:

[ind] severely punish children's sexual acts;

prevent children and adults from sleeping together in the same bed;

(due to their tendency to seduce children) remain vigilant vis-à-vis servants;

provide their older children with rules of conduct as to how they themselves were able to avoid masturbation. [end ind]

[22] **Medicine and the Ghost of Protestantism**

In terms of the battle against childhood masturbation, Gerson was way ahead of his time. What was new and revolutionary about his reflections was that he put the child at the center of his examination, and declared him or her to be a sinful being. Admittedly, in contrast to the pedagogues and physicians of some two centuries later (whom we shall discuss further below), he viewed children -- relative to adolescents and adults -- not as being especially subject to the sins of lewdness, but rather, as being **equally** so. The notion that children were subject to particular sexual would have been foreign to him, because for him, it was merely an issue of the metaphysical harm wrought by lewd acts [F5] -- and that affected children exactly the same as adults.

A multitude of historical-empirical studies (Spitz 1952; Hare 1962; Comfort 1967; van Ussel 1970; Newman 1974; Elschenbroich 1977; Bloch 1989) have demonstrated that the systematic battle against child masturbation only began in Europe some two centuries after Gerson's death -- and not even in Catholic countries. Instead, it started in puritan England and Calvinist Switzerland at turn of the 17th-18th centuries,

5

where the conditions were ideal for the inception of a religiously-motivated (and economically effective) model of sexuality by an emergent, fundamentalist Protestantism. It made sexual feelings subordinate to the interests of human productivity, thereby reducing sexuality -- in terms of social perception -- to this propagative function. Under this (sexual-) economic primacy, masturbation became an intolerable "waste of vital fluids," and children's sexual playing-around [F6] was turned into [23] the very epitome of senseless and pointless activity. (Spitz 1952: 494-495; Comfort 1967: 95; van Ussel 1970: 140, 149; Bartholomäus 1990: 143; Lütkehaus 1992: 20)

The thesis that children are at increased sexual risk is based on the notion of their particular moral depravity. In "ascetic Protestantism" (as Max Weber called it) the prevailing ideas about the moral status of the child were the exact opposite of those held by Middle Ages' Catholicism.

[sm/ind] "The stain of original sin rendered children particularly defenseless victims of the devil, and combatting him was the responsibility of everyone who had any dealings with children." (Dohrn van Rossum 1982: 73) [end sm/ind]

The idea that, with baptism, children would be free of sin for the time being, and also could not commit sins during the first years of life, was completely foreign to the Puritans:

[sm/ind] <e> "Even infants too young to know the meaning of sin and too young consciously to enact it merited damnation, for they were by nature just as corrupt as the most hardened adult evildoer. Children, before they came to a realization of their sinful condition, were not innocent, but wicked heirs of hell." </e> (Marcus 1978: 48-49) [end sm/ind]

Children's inferiority was stressed again and again (and quite detestably) by Puritan authors in both England and the 'new world':

[sm/ind] <e> "The brilliant theologian Jonathan Edwards stoutly maintained that sinful children were more hateful than vipers because vipers had no souls. Whitfield literally screamed at his audience that children were worse than rattlesnakes or alligators, which, he said, were also beautiful when small..." </e> (Caulfield 1943: 799) [end sm/ind]

Leaning heavily on such works [F7], in which the child was subjected to moral degradation, in the eighteenth century medically-based writings also appeared, in which masturbation was declared to be a particular danger for adolescents. All of the new essential ideas on which the ensuing Protestant anti-masturbation campaigns would be based appeared for the first time in a book published in 1710 (with editions subsequently coming out in many European countries), by an

anonymous English author [24] (probably a physician by the name of Bekkers [F8], with the brief title "Onania." Moreover, in terms of our ongoing discussions, its most significant assertions were:

[sm/ind] Children are especially under threat because, during the maturation process, an organism can be easily harmed.

Frequent masturbation results in a whole series of physical and emotional injuries (such as impotence, infertility, premature death).

Onan's actual sin was not his refusal to father a child 'in place of' his deceased brother, but rather, the squandering of his seed (i.e., a religious-specific argument was turned into a population-policy one). [end sm/ind]

Accordingly, the central argument and ultimate yardstick in "Onanie" was certainly not its health consequences, but rather, the theological model (as in Gerson) of God's prohibition on masturbation. The volume's cautionary examples were (in part, word-for-word) adopted from the English pastor's theology.

It was only with the (at the time widely-disseminated) 'life-fluid'-based doctrine of the Swiss physician Tissot that the battle against masturbation became secularized. In Latin in 1758, and in French two years later, Tissot published a book entitled "A Treatise on the Diseases of Masturbation" [F10], which would prove to be a catalyst for other anti-masturbation works -- throughout the whole of Europe -- right up until the end of the nineteenth century. (Groß 1878: 1021; Wettley 1959: 6-11; Aron/Kaempf 1982: 118; Prange 1990; Lutkehaus 1992: 22-24)

But Tissot's book wasn't just about masturbation; he warned against the health risks of overly frequent sexual activities of every sort (e.g., even 'dissipated' sexual intercourse). Nevertheless, over the subsequent 150 years, it was the masturbation aspect that was referenced almost exclusively. As its dangers Tissot saw, in particular, the mental and physical feebleness which it regularly brought about. This author developed the theory that masturbation weakens the spinal cord. Here children and youth appeared to be especially at risk, because their physical development would be hampered, and their nerves would be destroyed. However, in contrast to "Onania," Tissot primarily made reference to <b>empirical observations </b> regarding the negative consequences of masturbation which, as a physician, he had sought to make his patients aware of. He confined himself to medical inquiries, and rejected almagamating them with moral-theological considerations (at least explicitly [F11]).

Whereas, from antiquity right on up to the seventeenth century

medicine was -- in contrast to theology -- inclined to regard masturbation as salubrious (see Wettney 1959:9), subsequent to Tissot's reflections, it was increasingly declared to be the cause of physical ailments.

[sm/ind] "The issue would be disease, not vice or crime. The medicalization of anti-masturbation morality was definitively carried out by Tissot." (Lütkehaus 1992: 22) [end sm/ind]

The concept of <e> "masturbatory insanity" </e> (Hare 1962; see Comfort 1967: 111 and Neuman 1974: 5) came into being, according to which masturbatory acts among children were not only the cause of many of the diseases of the procreative organs, but were actually "the central problem in medicine." (Gilman 1982: 237) The tenor of the warnings was, correspondingly, dramatic -- masturbation appeared to be 'suicide in installments.'

[sm/ind] "In this unfortunate epoch, masturbation was held to be the common cause of an almost endless series of physical ailments, psychological or emotional disturbances, and even serious psychoses. When highly regarded physicians and psychotherapists reported cases of heart disease, loss of vision, deafness, cancer, and other misfortunes, one after another, masturbation would be sought out as their cause. Even the deaths of children were, again and again, put down to [26] excessive masturbation." (Masters 1969: 13; see Solé 1979: 114 and Lütkehaus 1992: 29) [F12] [end sm/ind]

Despite the fact that medically-established harmfulness was the very reason why measures to combat masturbation were deemed necessary, those measures were, initially, predominantly of a pedagogical rather than a medical nature. The fight against masturbation became a central focus of emerging modern pedagogy. [F13]

#### <b> 'Modern' Pedagogy </b>

Coming out at nearly the same time as Tissot's work was Rousseau's "Emile," which is generally regarded as the foundational work of modern pedagogy. Drawing on his own sexual experiences and yearnings (reported in 1781 in the volume "Confessions"), the author set forth his vision of how a boy's successful sexual upbringing/education should proceed.

Rousseau was the first person to systematize the conception of the child as having no sexual interests and needs, and therefore, not taking any active initiative in this arena. The sex-drive -- which he accepted in adults -- was supposed to still be "dormant" in children and adolescents. [F14] In order to avoid waking up this slumbering drive, children should be kept ignorant of sexual goings-on for as long as possible (according to Rousseau, it was sufficient to enlighten them regarding the facts of sexual intercourse

8

shortly before they got married, which would, in turn, be after they had reached the age of twenty-one). If adolescents were shielded from [27] external stimuli, they could reach adulthood and remain 'pure' right up until marriage. Rousseau was the originator of the notion of the undisturbed ripening of the personality, which sexual activity would only hinder. For Tissot's 'pen-pal' (see Lütkehaus 1992: 23), the question of combatting masturbation played an essential role in maintaining adolescents' 'purity.'

In the ensuing decades there emerged, including in Germany, the first 'modern' pedagogical theory and praxis. The philanthropic (or philanthropicist) pedagogy founded by Campe, Basedow, and Salzmann stressed the necessity of providing sexual education to children. The recommendations in this regard were aimed almost exclusively at Rousseau and Tissot. [F15] (Elschenbroich 1977: 138-154; Rutschky 1983: 786; Lütkehaus 1992: 24) Christian Salzmann and his imitators regarded masturbation as being quite widespread: practically all young adolescents, and 90% of 10-13 year-olds, were said to be affected; even very young children, girls as well as boys, masturbated.

[sm/ind] "Children and youth supposedly masturbated in virtually any situation: while reading a romance novel, in church, with their hands in their pants' pockets, under their school-desks, on horseback, while jumping and swimming, and even against tree burrs. Relative to later standards, in the literature, these situations were depicted extremely graphically..." (Elschenbroich 1977: 139) [end sm/ind]

Rousseau took up the theory of the child's still-slumbering sex drive. If it reared its head prematurely -- e.g., through masturbation -- repressive pedagogical measures were to be imposed. In contrast to the Puritans' view, in Rousseau's paradigm, <b> external </b> factors were regarded as the exclusive cause of masturbation; particularly dangerous was:

[ind] seduction by wet nurses and servants;

parents' 'bad habit' of stroking their young children's genitals in order to calm them down; [28]

a 'pampered' upbringing;

children sharing common, uncontrolled spaces. [end ind]

However, the greatest danger was declared to be children's ignorance. Like Gerson long before them, the philanthropists believed that most children masturbated "in all innocence," since they knew nothing of the harmfulness of their actions. (Elschenbroich 1977: 141-144, 223-224; Rutschky 1977: 308; Bloch 1989: 198-201) The driving force behind "anti-masturbation pedagogy" (Elschenbroich) was, therefore, an



9

instructional pedagogy which was supposed to enlighten educators regarding the dangers of masturbation, so that they, in turn, would be able to warn their pupils.

In Germany, anti-masturbation pedagogy was disseminated right alongside the philanthropists' new pedagogical concepts. In the form of providing information about as well as combatting masturbation, by the end of the eighteenth century, sexual pedagogy had caught on in various pedagogical schools throughout the country.

[sm/ind] "In terms of their attitude towards sexuality, other pedagogues of the time were not fundamentally different from the philanthropists. The fierce battle against masturbation was the only thing they did have in common." (Hentze 1979: 162) [end sm/ind]

Soon, in addition to the 'enlightened idea' of warning children about the consequences of masturbation, there was a whole series of measures to combat it that had less to do with children's ability to reason things out -- or having good intentions toward them -- than with putting an end to their moral unreliability. Recommendations included:

[ind] the introduction of a special diet and special children's clothing;

the prevention of 'idleness' by keeping busy in the home and garden;

physical toughening-up (e.g. via cold water or physical exercise);

keeping a journal, in which, for better control of self and others, even sexual transgressions were supposed to be jotted down. [end ind]

Moreover, quite a few pedagogues promoted 'psychological shock therapies.' Particularly popular was the recommendation to pay a visit to the hospital, where, for deterrence purposes, children would be shown patients at the end-stages of cancer and syphilis, and told that they were 'victims of masturbation.' (Elschenbroich 1977: 141-149; Rutschky 1977: 304-310; Aron/Kaempf 1982: 141-142; Bloch 1989: 190, 199, 202-223)

In the pedagogical texts of the end of the eighteenth century, the harm caused by masturbation was already presumed to be fact -- [29] as a rule, corresponding remarks by Tissot were referenced. Particularly because it fell within the expert arena of medicine, close examination of this question simply ceased. Conversely, as far as the fight against masturbation was concerned, physicians usually deferred to pedagogists. And so, in a letter to those seeking advice on how to combat

it, Tissot recommended they read Rousseau's "Emile." (Bloch 1989: 181 f.) Consequently, a sort of division of labor very quickly established itself: the physicians were responsible for explaining about masturbation and conjuring up the harms caused by it, and the pedagogues were responsible for combatting it.

But even in the eighteenth century, anti-masturbation pedagogy still had to contend with Gerson's problem [F16]: The notion that children's "usual" sexual play was something dangerous and reprehensible took a very long time to permeate the consciousness of the 'citizenry' (at least initially, this would be grasped only by members of the so-described 'up-and-coming' social classes).

[sm/ind] "The problem <b> had </b> to be clearly spelled out, because an awareness of the 'harmfulness' of extra-marital or 'excessive' sexual intercourse -- and above all unproductive autoerotic play -- had to be molded first. It is clear from the literature that the authors were, first of all, constrained to make clear to their audience what would actually be regarded as vice of this sort." (Elschenbroich 1977: 134) [end sm/ind]

Therefore, an essential prerequisite for successfully combatting it was the introduction and implementation of terms which clearly referred to the corresponding acts by name, while simultaneously (morally or medically) assigning a negative valuation to them. The term used in penance books and catechisms -- "weakening" (Lat. "mollicei," likely derived from "mollis" = weakling), was too vague and all-encompassing. [F17] From the eighteenth century on most authors used biblically-derived terms, denoting the act as [30] "onania," "l'onanisme," or "Onanie [\*] [F18]; initially, the artificial Latin "masturbation" was used only rarely. (van Ussel 1970: 138 f.' Elschenbroich 1977: 136) In the eighteenth century, corresponding to the widely-used English term <e> "self-abuse" </e>, the self-directed sexual acts of children were, in German-speaking realms, often also called "Selbstbefleckung" [self-abuse] or "self-defilement." [F20] Value-laden terms [F21] of this kind were used throughout Europe. (Lee 1969: 15 f.; Neuman 1974: 1; Aron/Kaempf 1982: 132; Bartholomäus 1990: 144)

[\* Translator's note: the preceding three terms are exactly as they appear in the original text; i.e., they were left untranslated.]

The degree to which condemnatory terms had already achieved dominance was revealed by the fact that, within the paradigm which had gained broad acceptance in the nineteenth century, the masturbatory act was even subject to reproach on an individual basis. Contrary to the theory of a multitude of external causes, child masturbators were, in the final

11

analysis, held responsible for their own actions. The ruthlessness of many of the measures designed to combat it was also evident in the punishments which were meted out. To a great extent, the way that child masturbation was dealt with in the nineteenth century corresponded to the generally-accepted "pedagogy of discipline" at the time: [31]

[sm/ind] "The final transformation in the pedagogization of childhood sexuality was to make them responsible for their own bodies -- meaning that, from now on, it would be children's and adolescents' responsibility to maintain their own sexual discipline." (Scherer 1982: 122) [end sm/ind]

The 'victory' of Protestant rigor over the more educationally-oriented philanthropists was, however, not complete; components of both paradigms can be found in the discourse throughout the nineteenth century, and well into the twentieth. In particular, the question of whether the child was sexual by nature, or had interests along these lines only as a result of a disruption in their development, would remain an open one.

The degree to which ideas regarding the need to combat masturbation had spread throughout Germany was evidenced by the fact that even the Reformed (i.e., strongly Calvinist-oriented) Prussians had incorporated some of anti-masturbation pedagogy's proposals into the criminal law as state norms. The "General Laws of the Prussian States" of 1794 not only obligated the parents to prevent sexual playing around...

[sm/ind] "§1045. Brothers and sisters, once the younger of the two has attained the age of eleven, are not permitted to sleep in the same bed." [end sm/ind]

...but also (it being regarded as a primary cause of masturbation) made seduction by servants subject to imprisonment:

[sm/ind] "§995. Servants, and others who share the same dwelling, who stimulate innocent children, by means of speech, stories, or acts, to lascivious dissipation, shall be subject to flogging and a jail or prison sentence of up to six months." [end sm/ind]

However, in the German legal arena, such attempts at standardization were more the exception than the rule. Although it was generally regarded by jurists as indecent, neither under the General German Law, nor in [32] the individual penal codes which grew out of it, was masturbation made subject to punishment. [F22] (Bauer 1827: 399; Friedrich 1843: 270; Jagemann 1854: 632; Mair 1862: 57)

<b> From Surgery to Psychoanalysis </b>

Furthermore, in the nineteenth century as well, Tissot remained the undisputed authority on the harm caused by masturbation. However there was some 'progress,' in the sense of a further rationalization and secularization of the initially moral-theological problem. Now, the fight proceeded almost exclusively in the form of a medical-pedagogical discourse; among the multitude of publications on this theme, religious authors were in the minority. (van Ussel 1970: 140) Children's sexual activities were turned from a religious into a social problem (Spitz 1952: 496). Not only was the church compelled to share their jurisdiction over this problem with newly-established scientific professions; to a large extent, they abdicated to them entirely. (Denzelot 1980: 180-182). [F23]

What is striking is that, over the course of the nineteenth century, the manner in which the masturbation-threat was portrayed underwent a variety of changes: First of all, many of the older texts probably (many sources are not clear on this point) dealt primarily with masturbation among boys; girls were mentioned only occasionally:

[sm/ind] "In the discourses on 'child' masturbation, what was being talked about -- above all, in the eighteenth century -- was almost exclusively boys. Still, in the handful of cases in which masturbation among girls was detected -- and it was [33] recommended that it be stopped -- it was castigated as being particularly 'unnatural'..." (Landweer 1990: 141) [end sm/ind]

Only in the course of the further medicalization of the anti-masturbation fight was there an increase in measures specifically targeting the practice among girls. Secondly, as it became ever rarer for the deed to actually be referred to by name, a practice of euphemistic circumlocution was adopted. The risks associated with it not only no longer had to be mentioned by name; they were also no longer <b> supposed </b> to be mentioned by name. It was regarded as dangerous to describe the incriminating acts with too much specificity. Thirdly, one of the consequences of the growing taboo against discussing sexual matters was that parents and carepersons were less and less in a position -- or willing -- to talk with their children about masturbation. Whereas the original target audience of pedagogical works consisted of parents and professional carepersons, now, written materials were increasingly geared towards older children and teenagers themselves. (Elschenbroich 1977: 134, 140; Bloch 1989: 197, 204, 212)

As it became increasingly impermissible to mention self-oriented sexual acts by name, there was also a simultaneous increase in the willingness to push the envelope in terms of the measures recommended to combat it. Perhaps because

carepersons found that purely pedagogical methods -- such as 'enlightenment' and 'strengthening of the will' -- had scarcely any corrective effect on children's masturbatory practices, more drastic measures (such as infibulation and mechanical apparatuses) were devised.

[sm/ind] "The nineteenth century believes in apparatuses. Savage and inspired technology was used against sexual abuse." (Aron/Kaempf 1982: 143 f.) [F24] [end sm/ind]

In addition, as a last resort for 'incorrigible' masturbators, surgical operations were both recommended and carried out. Masturbation was the primary medical grounds for circumcising boys and clitorrectimizing girls. (Comfort 1967: 959; van Ussel 1970: 161; Elschenbroich 1977: 146-148; Rutschky 1977: 299; Lütkehaus 1992: 41) Spitz (1952: 501) succinctly characterizes this development as the <e> "sadistic trend in antimasturbatory therapy." </e>

[34] Only at the end of the nineteenth century (due to the loss of significance of the 'vital fluids' theory as well as advances in systematic empirical observations) were Tissot's theories concerning the consequences of masturbation -- including the weakening of the spinal cord -- called into question by mainstream medicine. [F25] Under the influence of psychology and psychiatry, masturbation was turned from the cause of physical ailments into the <b> symptom </b> of mental ones: Now, the primary causes of (child) masturbation were hysteria, neuroses, epilepsy, and sexual function disorders. (Hare 1962: 9; Aron/Kaempf 1982: 136 f.)

Iwan Bloch's standard work on sexual medicine, "The Sexual Life of Our Time" (1st ed. 1906), may be regarded as typical of the period of transition around the turn of the century. There, although the author does assert that the physical consequences of masturbation -- particularly in children -- can indeed be "quite serious," he makes a distinction between the effects of "occasional" and "habitual" masturbation:

[sm/ind] "I should also like to emphasize this: it is not 'onania' that is harmful, but rather, 'onanism'; that is, habitual and excessive masturbation which is carried on for years impairs one's health demonstrably." (Bloch 1908: 471) [end sm/ind]

"Excessive masturbation" was, at the same time, declared to be the cause of a whole series of psychological injuries; concerning its effect on children, it was said that:

[sm/ind] "The solitary 'vice' is already having an influence on the child's character. He seeks solitude, and is afraid of people, worn out, morose, bored, hypochondriacal." (Ibid.: 472) [end sm/ind]

Standing at the center of the models, however, is the connection between masturbation and neurasthenia. At the same time, Bloch was forced to admit that he was unable to say which would have been the cause, and which the effect (here: the underlying illness vs. the symptom): "It is often impossible to determine what initially set this vicious circle in motion." (478)

By the beginning of the twentieth century, many physicians (according to Spitz 1952: 505-508) would refuse to treat childhood masturbation with surgery. If this view is correct, Bloch's work could probably be classified as leaning towards the minority of those who still favored more traditional measures to combat it. In addition to the usual whole series of compulsory physical measures (such as thrashings and night-time fetters for [35] children), he recommended that masturbating children initially be threatened with circumcision, and then -- if this didn't work -- painfully convert this threat into action: "Even the actual undertaking of little operations is, more than rarely, helpful." (477) For boys it was recommended that part of the foreskin be cut off; and for girls, cauterization of the vulva.

Bloch held the view that, if only they wanted to, adolescents could remain celibate up until their mid-twenties without any problem. [F26] In contrast to the "habitual" kind, he regarded "occasional" masturbation as neither a medical nor a psychological problem, but primarily as a "shameful moral slip-up." At the beginning of the twentieth century, at least insofar as a portion of the phenomenon is concerned, he fell back to Bekkers' position: For the majority of "healthy" children, the problem of masturbation was actually -- once again -- a moral one.

Although the causal model vis-à-vis mental illness was controversial among scientists in the first half of the twentieth century, it did -- in part, independent of the outcome of the psychiatric/sexual-science discourse -- in fact replace pedagogy's notion of neurasthenic harm, as well as, to a large extent, the general public's heretofore widespread belief in the negative consequences of the practice. The <b>secondary psychological harm</b> postulated by Bloch and Rohlader (in the latter's 1989 monograph "masturbation") meaning, disturbances stemming from the 'sting' of the masturbator's own conscience -- also played a central role in discussions concerning the up-and-coming field of psychoanalysis. In the century's first two decades, numerous intense debates concerning the nature and dangerousness of masturbation took place within the 'Viennese Psychoanalytic Union.' Moreover, the point of departure was Freud's "Three Discourses on a Theory of Sex," in which, for the first time, a well-grounded conception of the evolution of the sex-drive in children had been laid out. Although it is true that, in each portrayal (it was first published in 1905), Freud did

explicitly emphasize the existence of a sex-drive in children, in his assessment, he remained rather ambivalent about masturbation in childhood. In the short chapter [36] "Masturbatory Sexual Expression," although he, on the one hand, holds seduction by a third party responsible for masturbation...

[sm/ind] "Standing in the foreground is seduction's influence, which treats the child as a sexual object, and acquaints it, under impressionable circumstances, with the satisfaction of the genital zones, which, at that point, usually compels them to continue to relive the experience onanistically." (Freud 1991: 92) [end sm/ind]

...on the other hand, he regards an endogenous genesis as 'normal':

[sm/ind] "It is self-evident that seduction is not necessary in order to awaken the child's sex-life; such an awakening can also be the result of spontaneous internal causes." (Ibid.) [end sm/ind]

Neither in this work, nor in subsequent debates, did the founder of psychoanalysis determine whether, and to what extent, childhood masturbation would be harmful. [F27] Under the psychoanalysts, what had been -- up until the end of the 1920s -- the traditional view -- that too frequent masturbation led to neurophysiological and psychological damage -- was confronted with the new theory that masturbation harmed children solely via socially-induced feelings of guilt. Widespread agreement (see the 1927 special issue of the "Journal of Psychoanalytic Pedagogy" on this theme) was achieved merely regarding the fact that pedagogues and psychologists would only be able to free children of their feelings of guilt concerning masturbation; they would not, however, be able to bring a halt to masturbation itself. In the period that ensued, psychoanalytically-oriented pedagogy became the chief critic of traditional anti-masturbation pedagogy. (Spitz 1952: 491; Hare 1962; 9-12; LaTendresse 1969: 123; Lütkehaus 1992: 49-51)

In the '20s and '30s, in their educational pamphlets, authors such as Wilhelm Reich and Max Hodann declared that -- in a statistical sense -- they regarded masturbation during childhood and the teenage years as a 'normal' sexual activity.

[sm/ind] "The lion's share of male -- and a considerable portion of female -- persons masturbate at some point or another during [37] their lives. Generally speaking, this later fades away on its own, as normal sexual intercourse takes its place." (Hodann 1924: 31-32) [end sm/ind]

Admittedly, the ambivalent attitude one finds with Freud is retained by them as well. The 'all-clear' is sounded only

16

with regard to masturbation by children: Young readers are tacitly given permission to masturbate, if, and so long as, they have no sexual partners. However, if masturbation is not eventually replaced by (hetero-!) sexual intercourse, it is declared to be questionable. (Hodann 1924: 32; Reich 1932: 30-39)

This relatively tolerant attitude would, however, only remain in circulation in Germany for a few years: With psychoanalysis and additional components of sexology being officially condemned as "Jewish sciences," even these sexual-pedagogical positions were prohibited.

[sm/ind] "Even masturbation by teenagers was seen, by National Socialist [Nazi] sex education, as the dangerous working of Jewish subversion." (Koch 1986: 87) [end sm/ind]

In the official pedagogical works of the Third Reich, it was assumed that with the transition to the 'new society,' the "sexual problems of youth" would also be solved:

[sm/ind] "Therefore, all that is being claimed here is that the German youth of the Third Reich are growing up under forms of discipline in which the biological manifestations of physical maturation are given a different emphasis than was the case in the past. Consequently, the sexual question must also be posed differently. At the same time, the empty liberalist cliché about the right to one's own body must be vigorously opposed, and the dubiousness of this right -- in the face of the obligation to remain pure and become mature, as one's self-evident duty to the people -- underscored." (Kersten 1941: 195 f.) [end sm/ind]

Although most of the psychoanalysts and sexual scientists who had been driven out of Germany would continue their work in the United States, and even -- on top of that -- criticize sweeping ideas regarding endangerment, it was only there that -- at least according to the theses of Hare (1962: 15) and Comfort (1967: 10) -- the work of Kinsey et al. would finally put an end to their models of the psychological harm caused by masturbation. They 'verified,' with 'hard empirical data,' that the overwhelming majority of the U.S. population had masturbated as children; thus, the public, (sexual) medicine, and pedagogy were constrained to either believe that practically the entire population was psychologically damaged, or, give up the danger theory altogether.

[38] In the Federal public [i.e., post-war Germany], the conception of masturbation as dangerous held on, right up until the beginning of the 1970s. This was not, in my opinion, due simply to the fact that there was a time-lag in our receipt of, e.g., the Kinsey studies. What the discourse surrounding children's self-endangerment looked like in Germany is something that we shall examine in the following



chapters. Why it (first) came to a standstill in the '70s is something which the present work shall examine in Part IV.

## 2. The Perception of Danger in the Federal Republic

In the specialist journals examined, one finds a whole series of essays warning against onanism's danger to the child. In contrast to other types of dangers, the central feature of these contributions appears to be that children are primarily endangered by their own actions; thus, **because of they themselves**. Therefore, this risk-source will (provisionally) be termed **'sexual self-endangerment.'** In the course of performing a close examination of these texts, we shall see whether this ascription holds up.

Warnings against the dangers resulting from solo-sexual acts and (more rarely) sexual playing-around were the focus of 83 of the examined essays; they constituted 15.2% of all dangers mentioned. As may be gathered from the graph on the following page, this topic is not evenly distributed over the time period being studied. As can be seen, these contributions are concentrated in the two periods of time when the discourse-economy concerning the sexually at-risk child was, overall, at its highest points: in the first half of the 1950s, and then again in the 1960s. However, in contrast to the overall economy, here, following its nadir in the 1970s, the number of publications no longer increases. After 1972, warnings against onanism are found only sporadically (in a grand total of five essays). This means that, whereas this question constituted a considerable share of the overall discussion surrounding sexual risks at the beginning of the Federal Republic, by the 1980s, as far as the specialist public was concerned, self-endangerment was virtually forgotten about. This portion of the discourse did not come to a standstill because the question of child onanism was being discussed in other contexts, but rather, because (at least in the material examined) it really was no longer being discussed at all.

[39] [INSERT GRAPH HERE]

What is striking is that, among those essays which do **not** regard the relationship between childhood and sexuality as being risky, the issue of onanism is scarcely dealt with at all. Only in a few of the essays on sex education is -- in passing -- the topic mentioned. In all of the materials examined, there was just one lone essay that focused on onanism without declaring it to be a danger: The psychoanalyst Nelly Wolffheim reported -- in the journal "Child Psychology and Child Psychiatry Practice" -- various examples of the erotic/sexual interests, fantasies, and experiences of three- to six-year-old children. Moreover, the language used in the essay to describe the sexual interactions is, throughout, somewhere between neutral and sympathetic.

"While Hanno and Anton stimulated themselves, Rolf (age 5) and Gerhard

(age 4) did it together. There was a tenderness between them which I had never seen before, in which Rolf was the initiator, and Gerhard was content to simply let it happen. The need for affection was so strong that, all of a sudden, here they were arm-in-arm taking a stroll, playing, and even eating, squeezing against each other with all their might, smothering one another with kisses; only with difficulty could they be pried apart." (Wolffheim 1958:21)

[40] In similar ways, onanism among children in this age-group is reported on numerous times. It doesn't seem abnormal, reprehensible, or even risky.

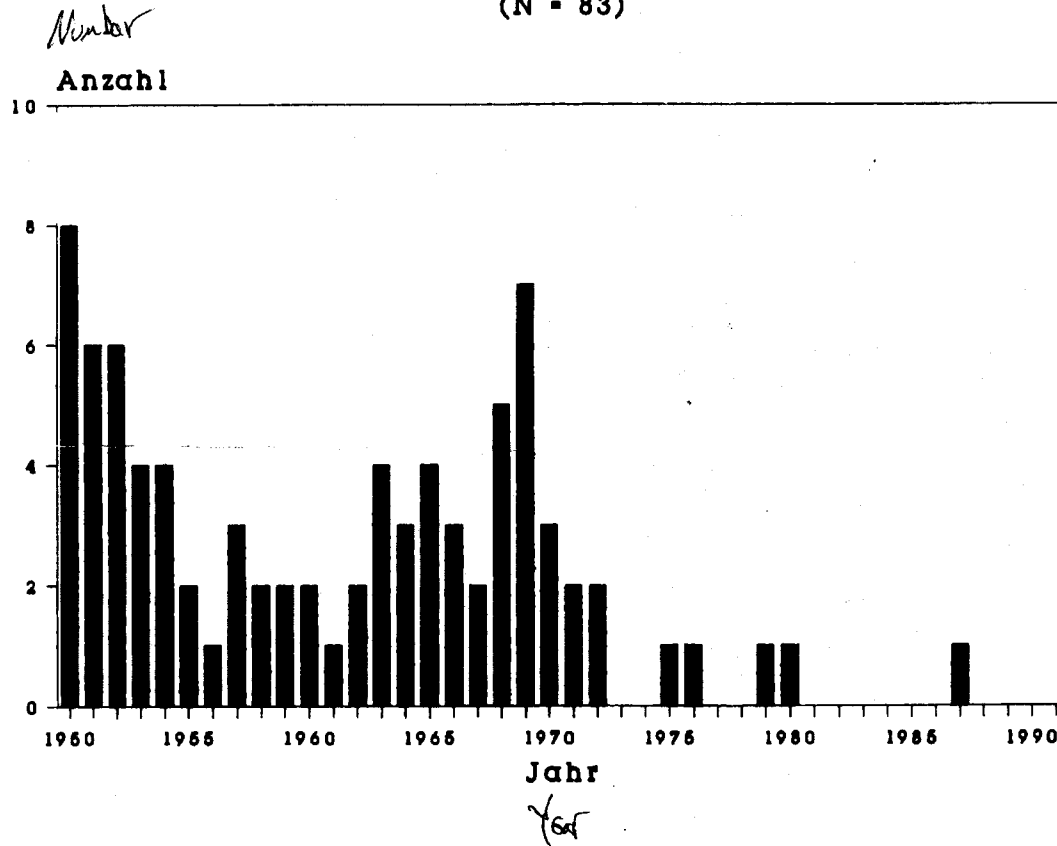
"When he's not with Lenchen, Horst talks about her a lot. At night in bed, he's gotten into the habit of masturbating for quite a while, during which time he talks to himself out loud; kindergarten and Lenchen constitute the context of his conversations with himself. When Lenchen is absent, Horst doesn't want to go either." (Ibid.: 22)

Even when reporting on children's sexually-related worries and fears (e.g., when they have observed their parents engaged in sexual intercourse, and are not able to properly categorize what they saw), these are not interpreted in terms of harm, but rather, as the consequence of experiences which are 'normal' for -- and, as a rule, inconsequential to -- children of these ages; therefore, there is no reason why child-rearers should be concerned about them.

The author is aware of how different her opinions are from the prevailing view of 1958: The essay bears the confrontational and provocative title: "What Children Are Really Like." The present study confirms Wolffheim's assessment: In fact, many years later, in the specialized journals, the depiction of childhood masturbation and sexual playing-around is still characterized by notions of danger. However, upon closer inspection, and despite unity with regard to the notion of risk, clear differences in terms of how childhood masturbation is interpreted do emerge. Systematically speaking, there are four different interpretations of onanism, two of which quantitatively dominate the discourse.

The first dominant form looks at onanism as the coming-together of two different factors: the **innate sex-drive**, and **character defects** within the individual; the second regards it as a **psycho-social development disorder** which occurs particularly frequently in certain groups of children. The two others (due to their presuppositions or stricter interpretations of the strategies recommended to combat onanism) play rather subordinate roles in the time-period under examination. (The 'strict religious' and 'medical' interpretations are briefly summarized following a detailed description of the two dominant interpretations.) All four interpretations appear in the examined sources in parallel chronologically. Theoretically, the different interpretations compete with one another; however, on occasion, aspects of two different interpretations complement one another within a given text. Except for the medical one, which first appeared [41] in

Self Endangerment Essays  
**Aufsätze zur Selbstgefährdung**  
 (N = 83)



Auffällig ist, daß unter den Aufsätzen, die das Verhältnis Kindheit/Sexualität nicht als ein riskantes betrachten, die Frage der Onanie kaum behandelt wird. Das Thema wird lediglich in einigen Aufsätzen zur Sexualerziehung am Rande erwähnt. In den untersuchten Zeitschriften konnte nur ein einziger Aufsatz gefunden werden, in dessen Mittelpunkt die Onanie steht, ohne daß sie zur Gefahr erklärt wird: Die Psychoanalytikerin Nelly Wolffheim berichtet in der Zeitschrift "Praxis der Kinderpsychologie und Kinderpsychiatrie" anhand verschiedener Beispiele über die erotisch-sexuellen Interessen, Phantasien und Erlebnisse drei- bis sechsjähriger Kinder. Die Sprache des Aufsatzes ist dabei bezüglich der sexuellen Interaktionen durchgehend neutral bis verständnisvoll.

"Wie Hanno und Anton erregten sich Rolf (5 Jahre) und Gerhard (4 Jahre) aneinander. Sie waren von einer nie vorher von mir beobachteten Zärtlichkeit, wobei Rolf der Angreifer war und Gerhard es sich nur gern gefallen ließ. Das Zärtlichkeitsbedürfnis war so stark, daß sie einander plötzlich beim Spaziergang, beim Spiel, beim Essen in die Arme fielen, sich mit aller Kraft aneinander preßten, sich abküßten und sich nur schwer trennen konnten." (Wolffheim 1958: 21)

5

1957, all forms are detectable throughout the time-period examined.

### 3. Two Dominant Interpretations of Onanism (Masturbation)

#### 3.1 The Anthropological Interpretation

A portion of the texts presume the presence of an inborn sexual drive, already present prior to puberty, and acknowledge the existence of a "readiness to engage in autoerotic behavior that is fundamental to early childhood." (Meier 1969: 562) The sex-drive is described as a force inherent in all persons, as a "dark impulse emanating from the body." (Ell 1964: 67) Manifestations of the sexual drive in children are, correspondingly, regarded as "natural." Because the existence of an impulse leading to onanism -- as well as the potential danger to the child on account of it -- is interpreted as a kind of anthropological constant, and these authors return again and again to a specific image of mankind; this interpretation of childhood masturbation shall be termed the 'anthropological' one.

Because sexual movements during childhood are regarded as natural, in a fundamental sense, all children can be affected by the problem of onanism.

"It is an open secret that almost all boys (and numerous girls) sexually pleasure themselves during some or another phase of their development." (Fischer 1954: 74)

In addition to "only children" [F28] (Bf. 1951; 265), those with "lots of energy" are frequently regarded, on account of their "strong drives," as being especially inclined to engage in sexual activities.

"Then there are those self-assured, outgoing, high-energy children and youth who have a wanton attitude with regard to their base impulses, for whom, in later life, food and women, money and possessions, are everything to them." (Grassl 1963: 231)

Although the widely-held view was that girls do not masturbate, there was a universal refusal to draw a fundamental distinction between the sexes in terms of this issue:

"When masturbation does arise among girls, it does not attain the marked degree typically found among boys." (Ell 1964: 69)

The reason for the smaller percentage of girls who actually do masturbate, and especially for their smaller masturbation-frequency, is put down to biological differences:

"Because of the anatomy of their sexual organs, the way boys express their masturbatory tendencies makes them more susceptible to their strength being sapped than girls are." (Jacobs 1966: 68)

Although the existence of a sex-drive in all children was acknowledged, this was not intended to mean that everyone would be begin masturbating of their own accord. Rather, a portion of both boys and girls would need outside help in order to "discover" onanism. This help usually came from similar-age peers; this was, as a rule, subsumed under the category of "seduction." This allocation was based on the assumption that there were active versus passive roles played in children's sexual games. This made it possible to at least absolve a portion of those concerned by labelling them as "the seduced." If such an assessment-relevant subdivision were not able to be made (because correspondingly classifiable children were not identified, or because the onanism was apparently carried out spontaneously by children from the same age-group), when necessary, one reverted to epidemiological concepts.

"Sexual precociousness can gain ground through 'contagion'." (Leber 1955: 413)

However, the child who discovers onanism as the result of his/her own sex-drive, without being steered towards it by others, was regarded as the 'normal case.' A multitude of everyday phenomena were regarded as triggers for this.

"But even boys who have reached puberty without prior attempts and seduction by others may unintentionally discover the possibility of masturbation; namely, either during the daytime by accidental pollutions, which can occur, for example, while rope-climbing, or rubbing against the seat while bicycling, or even by wrestling with buddies, or, at night in the form of wet dreams." (Ell 1964: 67)

Also characteristic of this interpretation of onanism is a (limited) tolerance for sexual activities during early childhood. Small children could be absolved of blame because they were not conscious of the moral reprehensibleness of onanism, and therefore (unfortunately) were still unable to develop a sense of shame. (This age-reservation is reminiscent of Catholic [43] moral theology since Gerson's time, which held that small children were 'incapable of sin'.)

As a child sees it, the ipsatonic sexual activities of the present era have -- as a test of his or her sexual prowess -- a point, and therefore are engaged in, for the most part, without any reservations whatsoever. Only when we are able to see the outward signs of the strengths and weaknesses of a potential partner's character are ipsatonic habits inwardly felt to be phase-inappropriate, as biographically-outdated; therefore they are then renounced, out of a sense of shame." (Heise 1979: 545)

Unlike the drive itself, the ability to control it is seen as not being innate, but rather, something attained in the course of socialization. Therefore, in contrast to adolescents and adults, young children typically have no control over their

sexual expression. Only when the child has reached puberty, and still has not learned to exercise control over and thus 'curb' his/her sexual impulses, does masturbation become a problem.

Post-pubertal children who continue to masturbate are assumed to have a "character defect." Such weaknesses of character or will result from a

"disturbance in one's value- and motivation-systems...the direction of the will, its content and goals, are abnormally conducted and determined." (Grassl 1963: 232-233)

Here, onanism is the consequence of the innate sexual drive running smack into a social character defect, whose drive is not able to be controlled.

The greatest danger of this weakness of will lies in the fact that occasional masturbation may lead to "fixation," "vice," or "addiction to masturbation." Many texts speak of "onanism" when alluding to the formation of the concept of theories of sexual perversion. Basically, though, precisely what frequency of masturbation constitutes such obsessive behavior is never stated. The sole exception is an essay by Ell (1964: 70), who characterizes a frequency of "1-3 times per week" among boys as "moderate masturbation" (which should not have any negative impact on their health). In every other article, any masturbation is viewed and described as "excessive, premature, or prolonged." (Meier 1969: 562) This suggests that the dividing line between "occasional" and "excessive" masturbation is merely rhetorical: Any onanistic act can be viewed as a component and manifestation of onanism, and consequently, as something harmful and dangerous to the child. [44]

Although the character defect leading to onanism is usually traced back to mistakes in upbringing (rarely to inborn predispositions [F29]), almost all texts proceed based on the assumption that children share at least some of the blame for onanistic acts. The question of degree of guilt is of decisive importance for the moral-philosophical and moral-theological assessment of individual onanists, and is, therefore, discussed in these essays in detail again and again. The extent of blameworthiness is assessed differently. The assessments range from severe reproaches...

"Admittedly, precisely because this sin is so firmly imbedded within the person as a whole, habitual onanists are oftentimes quicker than other sinners to make excuses of a transparent nature." (Angermair 1950: 375)

...to exhortations for clemency:

"The consequently visible shrinking of the freedom of will in this addiction to onanism entitles the pastor to take a reassuring approach, that in in this case it certainly cannot be treated as a mortal sin; that the penitent, therefore, should not regard onanism as being any more tragic than any other venial transgression." (von Gagern 1951: 70)

Interestingly enough, the degree of blame was based not so much on the frequency of the onanistic acts as on the (presumed) extent of a guilty conscience as well as the intensity of the child's "inner struggle" against the impulse. Those children who were deemed and condemned as morally "bad" were primarily those who did not put up a fight against the vice or sin:

"You are not a bad boy, so long as you consciously fight for your purity!" (Pereira [F30] 1951: 454) [45]

In a portion of the texts, it is assumed -- following a rather "optimistic" view of humanity -- that children attempt to resist the impulse of their own accord:

"The boy probably wants to be clean and pure when it comes to sexual matters. For he knows that a high value is placed on chastity in the teenage years, as well as the fact that sexual stimulation and satisfaction are really meaningless, via which he turns himself into an instrument of pleasure, which has its rightful place only within the context of true love." (Fischer 1954: 75)

Even as far as older children are concerned, there is considerable room for doubt as to whether they would really be in a position to curb their sexual impulses. But of course, what seems to be particularly frightening is the fact that many children don't take this struggle very seriously at all, or even treat it as a lost cause. Rashly giving into the onanistic impulse is seen as "subjugation" to the sex-drive, as people lowering themselves to the status of "slaves" to their lust.

### 3.2 The Psycho-Social Interpretation

By contrast, the second dominant interpretation looks at self-endangerment as something which only threatens particular groups of children, as opposed to all children. It proceeds based on the assumption that the sexual impulse does not yet exist (is not manifest) in young children, but rather, is only, as it were, "awakened" upon the onset of puberty. Only among a portion of children do outside influences lend to this development being accelerated or taking place entirely too prematurely. Onanists are assigned, in sort of 'social-worker-fashion,' to one of several risk groups based on pre-existing criteria. Onanism appears, moreover, as a disturbance of the child's psychological development, caused by either a particular social situation or a unique event. I call this the 'psycho-social interpretation of onanism.'

Most contributions of this kind begin with a description of one or more individual cases. At the same time, when the particulars of the described masturbating children are emphasized, this does not mean that self-endangerment was being declared to be a rare -- or even, merely individual -- phenomenon. Rather, the descriptions were provided in order to show, using individual cases, that particular social factors and/or courses of psychological development regularly lead to

onanism. Concrete examples of sexually [46] dangerous social milieus, striking parent-child constellations, and the flouting of certain child-rearing rules are provided. A typical case is one of a small girl, who lived

"in a very chaotic milieu. For example, she lived with her mother in a room where the latter would entertain her lover. This girl, who lied, stole, and got attention through sexual playing-around, was born out of wedlock while her mother was married to someone else, a marriage which subsequently ended in divorce..." (Krause-Ablaß 1958: 290) [F31]

Here, the sexual acts are viewed not in isolation, but rather, as one component of a wide-ranging behavioral disturbance resulting from the child's life-situation. A causal connection is assumed to exist between psycho-social factors and the manifestation of onanism at a particular point in time.

First and foremost, children are at risk due to "asocial" family conditions; that is, families which, due to how they are put together, and/or their behavioral patterns, do not conform to the norms of bourgeois nuclear families. A second group consists of those who have to live in children's homes for shorter or longer periods of time.

"From the very beginning, I myself have never been in any doubt as to the fact that an operation of this kind [a tuberculosis sanitarium for boys] must run into particular difficulties in terms of discipline, insofar as sexual incidents would be bound to happen." (Battenberg 1957: 48)

The group-home situation is particularly problematic here, in addition to 'normal' masturbation, mutual masturbation and sexual play between children would also be in the offing. There are two explanatory models covering onanism among group-home children: It arises either due to the institution itself, as a result of the particular psychological burden placed on children there, or, it is -- as is assumed to be particularly true of homes for the so-called difficult to rear -- already 'brought along' with the children themselves.

"Those children who come to a group home are often sexually precocious. They lack role models for well-ordered sexuality..." (Leber 1955: 239)

As far as the 'inmates' of such children's homes (which bring together the two risk-factors of lower-class background and group-home situation), masturbation [47] can be a symptom or component of a sexual waywardness which had already begun in early childhood.

"The breeding ground for waywardness is strained early childhood development. The child comes into the world without the ability to delay -- much less renounce -- the gratification of their impulses. Human society on the other hand, which the child is supposed to grow into, cannot exist if every individual is only thinking about his own needs." (Schwarzmann 1963: 203)



When it comes to homes for difficult-to-raise girls, masturbation is usually associated with the waywardness-model. What are constructed are the typical 'careers' of such group-home girls, beginning with onanism, moving onto same-gender sex play, and then "precocious sexual intercourse," which ends in a venereal disease.

"The vast majority of girls who are sent to children's homes are sexually wayward. They are all more or less cast from the same mold. Sexual waywardness also sometimes manifests itself in narcissism. From the beginning, girls who react in this way usually represent con-artist types, or belong to the onanist group...At 13 years of age, they gain attention at school through sexual conversations with others and cavorting with boys...lewd acts involving their brothers, their mothers (prostitutes)...These manifestations of lesbian love certainly occur in a condensed way during their time in the group home. These girls have an absolute nose for those who will be responsive to their needs. They can make a mess of, and contaminate, an entire group home. At age 13, they are already hanging around Italians, Greeks, Turks, and Americans. Associating with guest workers and other foreigners frequently leads to venereal disease, which is then later brought into the group home." (Schmücker 1967: 242-244 --- description redacted)

Here, onanism is measured with a stronger gender-specific yardstick than is the case for articles of the anthropological sort. Whereas in the latter masturbation is seen to be similarly tragic for both boys and girls in terms of sending them off the rails and engendering character weaknesses, with the former it is almost exclusively among girls that it is interpreted as evidence of general moral inferiority. Correspondingly strong moral condemnations of boys were nowhere to be found.

Girls who stand out due to onanistic acts are not only regarded as being sexually at-risk, but are simultaneously also viewed as being sexually **dangerous** -- for example, one 12-year-old girl who went from a group-home to a foster family:

"After a period of time, she made herself conspicuous through excessive masturbation. The shocking symptom frequency and its manual practice in the presence of family members made it necessary to return her to the group-home immediately...During this whole time, there was such serious sexual activity in the form of masturbatory acts and the touching of men, boys, girls, and animals going on that an almost unbearable menace had entered that home." (Vogl 1957: 164)

Also striking, in addition to the gender-dependent perspective of these reports, is the class-dependent one. In contrast to lower-class and group-home children, who constitute their own risk-group, onanism among middle- and upper-class children is interpreted as the result of individual errors in child-rearing on the parents' part:

"Parents and other child-rearers are not doing the right thing when they allow their young ones to turn pleasure into a trusted, essential value in the latter's childhood years. How difficult it must be to

suddenly decline to give pubertal children the same affectionate-provocative caresses and other comforts they had been giving them for years prior to that." (Fischer 1954: 76)

Onanism among children from 'better homes' is not a sign of sexual waywardness, but rather, a "consequence of blame-worthiness on the part of the child-rearer" (ibid.), and consequently, is excusable on an individual basis.

"Sosette is the daughter of a very young, college-educated French couple who is spending an academic year here on a full scholarship. Last year, she had an extremely itchy rash on her labia. This was almost certainly the result of her seeking comfort through pleasure." (Kufner 1969: 489)

The special term "comfort-onanism" [F32] is even employed to morally exculpate these children; its connotations of clemency positively demand of the reader -- and even awaken in him or her the need -- to 'comfort' the affected children (in order to prevent the latter's comfort-onanism from occurring).

"The child who lacks loving affirmation escapes into 'comfort-onanism' or sexually-tinged daydreams. Because he masturbates and because he then daydreams, love is withdrawn from him." (Leber 1955: 413)

When, as in the above examples, major violations of the -- probably taken for granted, because they are only rarely put in concrete terms -- child-rearing rules of the normal, bourgeois family are not detectable, the occurrence of onanism is interpreted as the consequence of a unique event; particularly popular are 'shock-experiences.'

"Given the home's cramped quarters, it was very clear that Heidi, even when she did not sleep in the parents' bed, experienced things which she was not able to understand, which deeply frightened her...The lack of sexual clarity...increased the moment she saw Max naked in the bathtub for the first time. Here she experienced a shock, a castration-shock, as Freud calls it, and reacted -- because they were not giving her any answers to her questions, but instead would become angry -- with the first attack of onanism. She was searching for the non-existent penis, perhaps even hoping that it might grow, and manipulation might help bring this about..." (Bitter-Lebert 1956: 47)

Partly through the use of psychoanalytic concepts, rational reasons are sought out as to why a child who comes from an 'intact' family would 'excessively' masturbate. Some of the authors in this group attempt to distance themselves from the view -- which was in the process of becoming the dominant one -- that masturbation was something fundamentally harmful and dangerous.

"For a long time, masturbation has been excessively derided, incidentally by no means only via the church fostering guilt, but also through strong influences from the sphere of education and instruction, above all on the part of philanthropists. Today, we are clear about the

fact that it only represents a serious danger when it occurs as a regressive phenomenon..." (Auer 1972: 103)

They emphasized that parental (or other child-rearer) intervention would not be necessary in every single case of onanism. The critical proviso to this (initially apparently liberal) rule lies in the fact that intervention should only take place when it is necessary...and it is necessary when, in the view of the parents or others responsible for the child's welfare, "excessive onanism" was taking place, or, an "autoerotic fixation" was looming. Admittedly, on this point, the psycho-social interpretation does not differ from the anthropological one. What is missing is some statement as to when "normal" (and therefore tolerable) onanism leaves off, and "excessive onanism" or "fixation" begins.

It is left up to the parents (or other child-rearers) to decide when the observed phenomenon has become masturbation-addiction, and therefore, a pedagogical (or even psychotherapeutic) intervention seems necessary. Therefore, the intervention threshold is certainly crossed when the onanists are [50] noticed by third parties, and thus, might cause the family embarrassment. Among middle-class families, it is less the actual masturbation within the home that cannot be tolerated, as it is its becoming conspicuous in an environment which views itself as being not psycho-sexually disturbed. Thus, it is unacceptable

"that these practices are now being carried out, above all, in the school, and indeed, so excessively, that scarcely a day goes by when someone isn't discovered stuffing their t-shirt between their legs, with no inhibitions whatsoever..." (Kufner 1969: 489)

Child-educating institutions in particular had to remain free of onanistic acts, probably because they would not only disturb the lessons, but also because other children would sit up and take notice, and might imitate the behavior. This type of interpretation may be termed psycho-social not only because the onanism itself is regarded as resulting from a psychological and social developmental disturbance within the child, but also, because an openly masturbating child disturbs public psycho-social order and child-educating institutions.

#### 4. On the Harmfulness of Onanism

Although the necessity of essays warning against child masturbation is not explicitly discussed within the essays themselves, the latter are virtual manifestations of a presumption of the dangerousness of "satisfaction-by-proxy." It is held to be dangerous primarily on account of the multitude of harms it is said to cause in children. Essays which merely speak tersely and non-specifically of great risk to "physical and mental health" are in the minority. Most of the texts name a whole series of specific negative consequences for the affected child. To systematize them, they range from physical via emotional and secondary psychological harm on up to those

affecting one's spiritual well-being. (Admittedly, the latter are only to be found in those contributions with a strict religious interpretation, the most significant of which will be addressed further below.) A significant chronological distribution in terms of varying types of harm was not able to be ascertained. Both the anthropological as well as the psychosocial interpretation proceed based on an assumption of (in both cases, seldom named) physical and (dominant at the time) psychological damage. The assertion of secondary psychological harm is, on the other hand, concentrated in those essays where an anthropological interpretation predominates. This may have something to do with the fact that in [51] these texts, the question of the ethical assessment of onanistic acts takes up more space, and therefore, the authors also discuss the effects of such assessments. Overall, the two dominant interpretations evinced such great agreement on this issue that a separate accounting of them was unnecessary.

### Physical Harm

The assertion that onanism results in physical harm was found only in a small number of the essays. But even there, it typically was not named with any specificity; the talk was generally of

"the risks to health of abuse and excessiveness." (Battenberg 1957: 49)

Only Ell's (1964: 70) detailed contribution, which always strives for precision, comes close to explaining how "immoderate" onanism leads to physical harm to the child.

"The body is undoubtedly harmed by immoderate masturbation, because the repeated squandering of one's best energies, which were necessary for the production of semen, brings over-exhaustion, because the body is forced to manufacture sperm far more often than nature itself intended. Because of it, the body is unable to sufficiently carry out -- even as far as the mental aspects of puberty are concerned -- the still important task of the internal growth of the organs. One's general condition worsens, thereby also hindering physical and intellectual competitiveness."

The expected negative physical consequences are less from the individual onanistic act than from "excessive" onanism.

### Psychological Harm

In most of the essays, psychological damage constitutes the dominant category of harm. As the endogenous cause of this harm, the onanistic act, notwithstanding the literal meaning of the widely-used term, is actually not self-gratification\*, but merely, "sham-gratification." The onanism itself evinces emotional disturbance in the child because the sexual impulse is naturally directed not towards solo-sexual acts, but rather, towards heterosexual sexual intercourse:

[\* Translator's note: Although the German word here, 'Selbstbefriedigung,' literally means 'self-gratification,' in most instances, I have simply translated it as 'masturbation' (or 'onanism'). I translate it as the former here because the author is making a semantic comparison.]

"Therefore, we are touching on the inherently body-distorting nature of onanism. That is, viewed in purely physiognomic [sic!] terms, hindering the formation of bodily expressiveness in terms of sexual polarity. The fact that sham-gratification is inevitably accompanied by an element of unfulfillment is a deeper reason why onanism can turn into an addiction." (von Gebattel 1950: 413)

Given the counter-natural quality of onanistic acts, it follows that onanism must, per se, be unsatisfactory. It leaves in its wake a sense of emptiness and frustration, which can also lead to mental illness.

"The unsatisfactoriness of masturbation is to be found not so much before and during the act, but after it. Lust's spell is broken, one is lonely, feels powerless, and perhaps still senses the dampness of the semen, or wipes it away. In this situation, the ego experiences a degradation of its self-esteem. Therefore, the word "self-gratification" is not quite accurate. Only the body is gratified; it is not aroused via it itself, but rather, through the soul's fantasies and longing for bliss...But the soul remains unsatisfied..." (Ell 1964: 73)

For the ineluctable consequences of onanistic acts derived from these sorts of deductions from philosophical or religious views of humanity, neither a more precise specifying of the harm, nor empirical evidence, seems to be required. On the other hand, when empirical evidence is produced (in the form of particular cases), the harm is self-evident. Anyone who masturbates is no longer capable of engaging in play activities, the inverse of which says that, anyone who does not engage in play activities must be an onanist.

"First of all, play is typically out of the question, because, as a rule, children who masturbate are unable to continuously engage in play." (Bitter-Lebert 1956: 48)

Happily (for the discourse), most harm is not immediately apparent, but rather, only appears over the long-term course of the individual's mental discourse. Therefore, one is free of any demands for proof vis-à-vis the presumption of a causal -- or even a merely temporary -- connection. A hallmark of the onanism articles is the total absence of the formation or testing of scientific hypotheses. The consequences of onanism are something which one simply takes on faith.

"However, also happening in this childhood- and school-phase are the beginnings of social development. One does not have to be a confirmed Freudian to know how often children are not ready for these new experiences, how severely their mental and spiritual well-being will be impacted by them, and which unfortunate and permanent maladjustment [53]

it will result in, which oftentimes still burden[s] them well into their adult lives." (Ohnesorge 1968: 109)

The onanist evinces "maladjustments" not only in terms of the sex-drive, but life in general. Masturbating children turn into psychologically disturbed adults.

"Although the consequences are complex, overall, they manifest themselves in terms of an insufficiency of expectations and relationships. This early disturbance also remains, in the further course of life, an obstacle to the establishment and modification of normal social relationships, which are hugely important for regulating one's psychological balance." (Meier 1969: 562)

Most certainly **not** falling under "insufficiency of expectations and relationships" is, for example, the isolation of the individual in modern faceless society. Rather, what is meant here is a particular form, which one might call 'dual isolation': What appears to be at risk here is the ability to establish a heterosexual partnership, because the "formation of bodily expressiveness" is impossible. Put in layman's terms: Onanism makes one incapable of engaging in marital sexual intercourse. Admittedly, this aspect is only rarely mentioned openly; the concern about bodily sexual functions in later marriage is just projected onto the psychological level.

"Otherwise, the fixation on autistic pleasure could drive the child into mental isolation, thereby endangering the goal of all sex education, which is to foster the ability to form loving partnerships." (Kufner 1969: 489)

The danger of onanism appears to be particularly dramatic when the child's act is carried out with adults within a context of sexual deviancy. Masturbation seems to be the first stage in a perversion-career. Even when this connection is not explicitly asserted as being causal, given the way the text is arranged, the reader is quite able to draw an imaginary line from onanism, all the way on up to necrophilia.

"Frequently there is the degeneration, the perverting of a drive, above all the sex-drive. It often reaches back to early childhood, and over the course of time, through habituation, turns into vice: habitual masturbation, homosexuality and/or lesbian love, sadism and masochism, zoophilia and necrophilia." (Grassl 1963: 231 f.)

It is no accident that this list begins with masturbation and ends with 'sex with corpses.' The two acts function as symbols [54] of the beginning and end of life as an outsider engaging in a series of perversions. Just as the act which squanders the semen necessary for procreation is directed against the inception of life, a sexual act with a body disrespects the end of life.

The connection between masturbation and acts injurious to the public good is also presented through the use of real-life cases. Moreover, there are reports of adults who, having

masturbated since childhood, are now committing sexually violent acts against girls or women. At the same time, the existence of a causal connection between onanism and victimizing sexual acts is explicitly asserted. The child masturbator is thereby predestined to become a criminal sexual perpetrator as an adult.

The climax of reproach is reached when onanism is declared to be the central characteristic distinguishing man and beast, whereas triumph of the will over the sex-drive is said to constitute a necessary element for being human.

"Why shouldn't they degrade themselves to an instrument of meaningless pleasure? Because this degradation is morally reprehensible; i.e., against the demand to do good! We raise them to fulfill the commandment to bind to that which is good, because that is the only way that disorder and catastrophe can be avoided, and man is able to be more than merely an intellectually-refined, well-ordered predator." (Fischer 1954: 77)

The onanist is turned into an animal. The animal is not only the impulse-driven antithesis of reason-driven mankind [F33]; Christian imagery [F34] (and many of the authors make no secret of their Christian 'backgrounds') also describes "the animal" as evil incarnate: the adversary of Christ.

In addition, onanism's harms cross the boundary between endangering and dangerousness, between self-jeopardy and putting others at risk. Even as the smaller, prepubertal child is primarily threatened by the sexual impulses within himself, masturbating older children and adolescents are also dangers to their environment. This construction furnishes an additional reason to take action against onanism: If the individual [55] does not learn to curb onanism as a child, he will not be able to do so as an adolescent or adult. The result is not only the destruction of the human character, but also a general jeopardizing of the rules of human coexistence.

"If these underpinnings -- which even survived the industrial era -- cannibalize themselves, sexual freedom will grow to such a degree that a well-ordered coexistence of husband and wife will no longer be possible, and in addition, even physical health will be undermined, which -- at least with people -- can only thrive in the realm of responsible sociability...For the sake of this question, which is clearly tied into the very provocative problem of the viability of the West..." (Heise 1979: 543)

Thus, in the end, child masturbation becomes a question of the Western Christian social order. Because the psychological danger of onanism reaches far beyond the affected individual, the assertion of harm also furnishes society with legitimate grounds for taking action against unreasonable individuals.

### Secondary Psychological Harm

We now shift our focus away from onanists as a risk to Western civilization, and return to the social difficulties which the individual child can get into as a result of his onanistic acts. Interestingly enough, these problems are described as dangers

**flowing from masturbation.** One could characterize them as 'secondary psychological harm,' because they result not from the onanistic acts per se, but rather, from the (negative) reactions from one's environment.

"To a great extent, the effects of masturbation depend upon how it is judged within one's life-environment...Because of the conflict experienced between 'should' and 'can,' he [the onanist] develops a fear of undressing as well as methods for covering-up, is shy and mistrustful, isolates himself, loses his youthful sparkle and inner gaiety, expects disaster, and dreams in images of fear and pleasure..." (Ell 1964: 71)

Mind you, instead of leading to the insight that the problem of onanists is actually a problem of their environment, and that onanism -- because if society didn't stigmatize it, it would be harmless -- should be tolerated, the negative [56] reactions of the environment are declared to be an **additional** danger, because ending the practice of child masturbation is held to be necessary.

"Given the particular fear of 'disgrace' with which this sin is automatically associated, the fundamentally asocial attitude of the onanist will make itself known. He feels that, somehow or other, he is an unhealthy member of a society which he is supposed to serve with his sexual aptitude. Even the very terms 'secret vice' and 'solitary vice' are sufficient indications of a linguistically-creative people's sense of a rupture in social contract which lay behind it." (Angermair 1950: 138)

What we have here is a circular self-fulfilling prophecy of harm: Onanism is harmful because society stigmatizes it, and the affected child becomes mentally ill because of this social rejection. But it must be socially stigmatized, because it could lead to the child being psychologically damaged. The social rejection of onanism which these essays contribute to is cited as a cause of its harmfulness: Consequently, these contributions to the self-endangerment discourse themselves produce the very harm which they presume.

## 5. Strategies to Combat It

Since onanism was regarded as a great threat to children (and society), it is not surprising that almost all of the texts, in addition to describing (and condemning) onanists, also address the issue of remediation. Articles warning about -- and proposing measures against -- it demonstrate a rhythm and terminological formulation which is characterized by goal-directedness and aggressiveness. The best way to describe the measures recommended would be in terms of military concepts and metaphors. The picture which results from that is a battle between child-rearers on the one side, and sexual urges or psychological and social disturbances on the other. The child's character becomes a battlefield. One particular aspect of the strategies for combatting onanism is that at least a portion of the danger emanates from the child himself; consequently, he



must be protected from himself.

There are four fundamental, distinguishable strategies for combatting masturbation; three of these (in a broad sense) may be termed pedagogical, the fourth, medical. (The latter is the result of the medical interpretation of the phenomenon, and therefore, shall be [57] addressed separately in Chapter 6. [F35]) Two of the pedagogically-oriented strategies -- diversion into sports and play, as well as instruction in self-discipline -- were found throughout the entire chronological course of the discourse, whereas the third -- the fundamental re-education of the onanistic personality -- was only called for in the texts from the 1950s.

As we saw, within the framework of the anthropological interpretation, masturbation is viewed as the consequence of a non-influenceable sexual drive. The proposals for combatting it made in these texts are aimed not at fighting the impulse itself, but rather, using various means means to sever the connection between the impulse itself, and actual solo-sexual activity. On the other hand, whenever the 'sexual impulse' is described within the context of the psychosocial interpretation, the thinking is that it was awakened in the child too early. Interestingly enough, however, what is meant here is not a remediation of the social and familial circumstances which unnaturally spurred the activity; rather, the advice is the same as it is in the context of the anthropological interpretation. Wide-ranging (social-) pedagogical recommendations for avoiding this disturbance are never developed. Even here, the child is always the object of intervention. Consequently, it is not the presumed causes of onanism that should be combatted -- only the symptom. But of course the measures here cannot be said to have either a preventive (with at-risk children) or a health-regulative (with already-affected children) character.

### **Diversion Into Sports and Play**

A seemingly naive strategy for protecting against the danger of onanism consists of

"diversion and pleasure through play etc." (Leber 1955: 239)

Accordingly, in terms of preventing masturbation, simply diverting the child from his sexual impulses should be sufficient; thus, giving him 'other things' to think about. In addition to via play and roaming around, this can also happen, in particular, through sports activities, towards which the child-rearer should 'steer' the child:

"In many cases, undesirable build-ups of energy can be brought down to normal through physical training -- so long as it is not overly tiring." (Angermair 1950: 377)

Implicit here is the notion of a general 'life-energy,' which the child has at his disposal only to a finite extent. His 'energy reserves' should be regularly rebalanced such that, by constantly removing some of it, his energy level will be kept as low as possible. Sports activities and the sexual impulse are mutually exclusive, because, so much energy is dissipated

through physical exertion that there usually isn't enough left for solo-sexual activities.

This is, however, only one component of the portfolio. Under the surface if a mechanical-economical energy-concept is hidden a thoroughly refined, whole scenario of defenses. They are based on the importance of sexual fantasies for triggering, onanistic acts, and assume that sports will have an 'agreeable' effect on children's **fantasies**. "Images of achievement" should be promoted, with sexual pleasure being supplanted by "pleasure in measuring one's strength." Sports are recommended not only because the sexual impulse is reduced through physical exertion, but also because sexual pleasure is replaced by a different sensory pleasure. The qualities of sport are played up in the context of a sort of erotic Plan B which makes it possible for the child to be libidinous, and thereby use it in place of sexuality as a way of satisfying their impulses. Permitted impulses are set against undesirable ones:

"For every battle against an impulse, perhaps of a biological-animalistic sort, every time an impulse is curbed, another impulse is set against it, another tendency is played out. Consequently, again and again, impulse control happens only through impulse fulfillment."  
(Grassl 1963: 232)

The tendencies which present themselves here are of manifold types: sympathy, curiosity, the joy of movement, the drive to investigate, artistic creation, and joy from "skillfulness at drawing and building."

A different economy -- namely, that of the world -- follows the notion that the child should be "kept busy" from morning until night. Because the child's free time, so-called idleness, has been identified as an area of particular danger, this period of time must be kept as brief as possible. [59]

"When one offers children 'an interesting life, when there are suitable toys and materials for every age, there is no time left for onanism'."  
(Bitter-Lebert 1956: 48)

For this reason, free time (not including homework and house chores) should be cut back overall, at which point the free time still remaining will be rationally planned out to the smallest detail. If the child is occupied, he has no time for "bad thoughts."

"I would urgently stress the necessity of using every child-rearing skill one possesses to properly direct the free-time of children and youth towards common endeavors, so that they can, corresponding to their age-group, actively participate in play and handicrafts, in sports and hiking, so that they are fulfilled by a clean life positively brimming over with ideas." (Kötter 1951: 85)

This strategy has the advantage of being regarded as simultaneous preparation for the working world. The child develops his own initiative and learns to repress any manifestations of joy (consequently, following the pleasure-

35

principle), and instead, willingly performs externally-imposed tasks which have to do with everything **but** pleasure. The energies which had been absorbed by masturbation can now be directed towards rational aims.

"Early responsibility for performing concrete tasks takes his mind off of himself, and means a normal diversion of mounting energies. If this does not happen the result is introversion, from which the yearnings emerge." (Br. 1951: 264)

Consequently, the sport-and-play strategy would be much more successful than merely distracting the child. A simple, even downright naive-seeming measure turns out to be a well-thought-out plan for sublimation, which simultaneously makes a contribution to the internal tendencies of a character structure desired by adults.

### Instruction in Self-Control

Because the anthropological interpretation regards a lack of will as the decisive cause of masturbation, the most frequently recommended (and not only by the avowed advocates of this school of thought!) defense strategies against the risk of onanism consist of strengthening the child's **willpower**. This program manifests itself through the use of concepts such as "self-discipline" and "self-control." Here, one adheres to the notion that onanism can scarcely [60] be successfully prevented in any lasting way from the **outside**; therefore, the child must learn to curb his sexual instinct **himself**. The task of the child-rearers is merely to teach the child how he can protect himself against the onanistic urge.

A certain intellectual insecurity regarding this assistance for the purpose of self-help reveals itself in allusions to the fact that this self-control will only be helpful if it is voluntary. Apparently, in the battle against onanism, there is also something along the lines of involuntary, compelled self-control; thus, regulation-by-others, which is characterized as self-determination. A conceptual confusion which is typical of how those who combat onanism deal with the issue of the child's will.

The child's **ability and will to exercise self-control** can be fostered with the aid of various methods. It seems that the child is simply to be convinced -- using rational arguments -- of the harmfulness of onanism. It is assumed that, when the child is informed -- in a suitable manner -- of the negative consequences of onanism, as well as its moral wrongfulness, masturbation will fall by the wayside.

"Oftentimes, well-grounded instruction concerning the nature of sexual life has a surprisingly favorable impact on the anxiously disquieting and troubling urge to engage in onanism. That's why experience shows that children who confess their onanism are more inclined to engage in self-criticism than those who do not." (von Gebattel 1950: 411)

Here, the "child-rearer" takes on the role of the "educator" -- something which the authors of these texts are also quite happy to do. The texts' target audience is parents and professional child-rearers (in the broadest sense of the term). The warnings delivered, especially with regard to anticipated harm, are meant to be passed on to the children in a linguistically-appropriate way -- by the reader/child-rearer. Because, according to this method, it is automatically assumed that 'instruction' regarding the 'facts' will indeed work a cure, it is simply <sup>an issue</sup> of the "child-rearer" appearing credible. Therefore, he must endeavor to win the child's trust, including with regard to sexual matters. He should be not only qualified professionally, but also respected as a humane, acceptable "adviser" -- as the child's "friend":

"Consequently, with an onanist, where no pronounced value-inversions of an anthropological, social, or religious nature are detectable, the father-confessor or child-rearer must seek out what may have triggered it. In the process of doing so, he will be taken seriously [61] as understanding friend, thereby securing the necessary trust." (Angermair 1950: 377)

Part of instructing children regarding the dangers of onanism is providing them with a sexual-ethics foundation for these strategies. Moreover, to the extent possible, this is to be done in such a way that they (this particularly applies to adolescents) do not detect that a sexual-moral indoctrination is taking place, and accept these norms 'willingly.'

"Young people must not have ethical norms imposed on them by force, in the manner of an authoritarian upbringing, because here, in many cases, that will make it impossible to reach the threshold of voluntary assent. Therefore, an understanding of the anthropological relevance of ethical norms must be awakened gently." (Auer 1972: 105)

Typically, standing at the center of the imparted sexual morality is the view that the sexual impulse should only experience its nature- or being-appropriate realization in marriage, and therefore, is only allowed to be lived out within that context.

"It should always be borne in mind that the physician's principle countermeasure against onanism consists of steering him towards the dual way of being in human existence. Its actual and primary form of realization is, of course, marriage." (von Gebattel 1950: 144)

The advocates of these methods are, without exception, energetic supporters of a sexual education or upbringing which, however, in this context, is reduced to information concerning the dangers of onanism and the "primary form of realization" of sexuality. But the actual task of providing a sexual education/upbringing -- including supervising children's own self-control -- is assigned first and foremost to the parents:

"Having to provide assistance is an often difficult and painful process for child-rearers who, as a rule, are probably initially the parents.

"They help their child in such a way that they fulfill its first externally-addressed bodily wants, which they -- as guardians of the child -- had already foreseen; but they are still not fully-fledged encounter-partners." (Heise 1979: 545)

The parents' guardian-role with regard to the bodily wants of their children is, moreover, demanded with an innocence which lay beyond any incest fantasies, and allows for no ambiguity whatsoever. Given the background of today's father-as-perpetrator debate, any potential misunderstanding must be ruled out. [62]

A prerequisite for this strategy's success is that the child masturbates simply out of ignorance, and is actually in a position psychologically to renounce this activity once and for all. Although the intentions of the rational-instructional method are indeed welcomed in some of the texts, doubt is registered as to whether children or adolescents could so easily subjugate their sexual impulses to reason.

"We remain clear, however, given the frightfulness, even the virtual terror with which this element is laden in day-to-day life, quiet time is more effective than objective and reverential instruction, and that everything perhaps once more becomes blurred in the incomprehensibility of an urge which is experienced over and over again." (Merzbach 1951: 247)

The language's vividness and urgency make it clear how easily reason can fail under the sway of instinct. Therefore, rational influence requires an irrational foundation.

"Irrational bases must be provided for intellectual insights, which shore them up. For example the motif of purity, supported by motifs of struggle and victory. The child making an early habit of renunciation. Self-control thereby becomes a subconscious attitude, which is a great help to the child." (Br. 1951: 265)

Embedding the concepts within the deep mysteries of the un- or half-conscious realms of the child's mind is meant to help him gain control over his sexual urges. Joyful devotion, a willingness to renounce certain things, pluck, and the will to victory should help the child protect against onanistic acts. At the same time, the authors are not always successful -- probably because of their temporal proximity -- in freeing themselves from being associated with a 12-year-old child-reservist's "self-devotion" to 'Führer, Volk, und Vaterland.'

"To let children and youth be on fire for the common good to the degree that the age of the pupil allows. Their eyes fixed on the goal of purity, always ready to fight for it." (Tilmann 1950: 402)

### Character Re-Training

One thing that all of the texts agree on is that child onanism should not be accepted by child-rearers. As we saw, the described strategies of renunciation and self-discipline only bear fruit when no "pronounced value-inversions of an

anthropological, social or religious nature" are present. Certainly, such superficial attempts to exert influence would fail in the face of a poorly-constructed character. In that case, in order to combat sexual transgressions, procedures which penetrate deeper into the psychic structure must be utilized. This means "re-education," and the comprehensive re-structuring of the child's character.

"Given the symptom nature of onanism, there is not, and cannot be, an isolated educational treatment for it. It is always a matter of renovating the epicenter of onanism, which in the case of excessive, chronic onanism amounts to a physical and mental re-training of the overall character, often supported by medical help." (Gügler 1951: 246)

At the same time, the majority of the authors absolutely do understand the implications of such interactions for the child's personality. It is acknowledged that this task would be, as a rule, beyond the capabilities of both parents as well as most child professionals. When it comes to a restructuring of the child's character, "a therapist must be brought in." (Kufner 1989: 489) Admittedly, even under this expert direction, the re-training of the child is associated with "painful learning processes." However the goal -- freedom from masturbation -- legitimizes it, just as it does the sweeping reduction in the child's freedom (of will).

Where rational arguments and attempts at irrational influence fail, the necessary measures must be brought to bear.

"Of course, where it appears that the young person wishes to carry on pursuing this goal of pleasure which, for whatever reasons, he had begun in childhood or even later on, then the causal therapy has to go hand-in-hand with the above-mentioned values-training, this healing assistance being provided with corresponding firmness." (Angermair 1950: 378)

Unfortunately, there are no further details as to just what sort of firmness is appropriate for unreasonable onanists. Child-rearers are left with the problem of finding their own way to "healing assistance." Here the relevant authors suspect, probably correctly, that every person who is invested with parental authority also knows which firm measures are appropriate for "repentance, punishment, and betterment." (Fischer 1954: 78) [64]

## 6. Two Divergent Interpretations

We have become acquainted with two interpretations of onanism, three types of harm caused by it, and just as many strategies for combatting it. Moreover, we determined that no systematic connection exists between the dominant interpretations and the manifestations of the two different components of the warning essays. There are, however, two groups of texts in which the most robust relationships between the interpretation of the nature of onanism, the type of presumed harm, and the suggested protection measures were found.

## The Consistent Religious Interpretation

In this group, child masturbation appears to be a phenomenon whose genesis, dangerousness, and combatting must be dealt with against the background of the Christian faith. The goal of the pronounced warnings and advice is the "protection of the child's chastity" (Tilmann 1950: 405), whereby chastity is understood -- in a comprehensive psychological-sexual sense -- as the absence of erotic fantasies, tendencies, and experiences. What sets these texts apart is not that they contain none of the usual ideas about harm or strategies to combat onanism, but that specifically religious ideas are the focus of their remarks. (These texts are also partial to the forms of argument used by the anthropological interpretation.)

The texts deduce the prohibition on masturbation from God's laws, in the course of which they always point to the familiar term 'onanism' as having been derived from the well-known passages in the First Book of Moses. Through the use of the term, a sort of authorship of the bible vis-à-vis the invention of the sin of this name is claimed. In order to make the anti-onanist thrust of the Holy Book even clearer for children, even the 6th Commandment, among others, is reformulated with this aspect in mind.

The theological interpretation flows from God's purpose for man's existence, in which onanism has no place. Therefore, it is understood as a sign that the metaphysical order in which man stands and acts has been violated:

"Expert opinion is united that onanism is to be treated as a symptom -- we could well say, a sign, an outward expression of a wrong attitude towards [65] life...Thus, this 'sinful' conduct is also a symptom of being distant from God in terms of a certain wrong attitude towards life; therefore the will is contrary to God." (von Gagern 1951: 72)

The causes of the deviation from man's purpose for existence are not specified -- presumably they are the consequences of original sin, the works of malevolent powers, or both simultaneously. The reprehensibleness of onanism consists, in the first place, of the fact that it violates the rules contained in the bible, which means that it goes against the will of God (even if the biblical decree doesn't 'technically' apply to a particular situation).

"Given a supernatural belief in the grace granted to us by an inherently triune God, as well as the certainty that the body is the temple of the Holy Ghost, there is a deepening awareness of how God absolutely takes offense at the solipsistic abuse of sexual power." (Angermair 1950: 373)

Due to the fact that masturbation is treated, first and foremost, as a religious offense, the gravest harm is presumed to occur not in the physical or psychological spheres, but in the metaphysical one. The child's spiritual welfare is at risk because, according to the Christian (Catholic) conception, masturbation is a mortal sin:

"Given that the Holy See (8/2/1929) has expressly declared that, in the interest of preserving health, deliberately bringing about emission is not to be permitted even one time, it follows that not only habitual but also causally conditional masturbation -- to the extent that it is voluntary -- is a mortal sin, because even if it is done for the purpose of attaining some other goal, rather than for its own sake, it is still, per se, regarded as a deliberate, desired emission." (Fleckenstein 1952: 308) [F36]

If one were to fully follow the anti-masturbation interpretation of the story of Onan, this 'offense' would be punishable by the death penalty.

In order to not fall victim to this sin, the child must learn to resist the temptations of the sexual urge. This requires deep faith on the individual's part, which manifests itself as trust in God. What is [66] effective against the onanistic impulse is faith through prayer. [F37] If the attempt to protect oneself from sin using prayer fails, the child should at least develop deep feelings of guilt. If this is successful, and the onanist succumbs to an ecclesiogenic neurosis, the manifest tendency towards suicide is put down not to fear of looming eternal damnation, but rather, to despair resulting from the onanism itself.

"That is why journal entries like the following are not surprising:  
'In the face of so much filth, God, give me strength. Today I want to begin a new life and take account of myself. Hopefully God will give me the strength to reach my goal. A new life shall begin...God, I thank you for giving me the strength to spend a second day in the presence of your spirit...I am fortunate to be deeper into it now than ever before. Would it be a sin to simply give up? Today I saw evil incarnate smiling back at me, when I glanced in the mirror my dissolution.'" (Ell 1964: 72)

What has changed in the texts of this sort, over the course of the period being studied, is not the view of onanism as a serious violation of God's will, but merely, the methods by which the dangers inherent in this sin are to be impressed upon children. In the context of a 'modernization' of the Christian interpretation, the 'traditional' method of argumentation (which works with an "objective norm") is criticized; it is reworked, so as to be better suited to the anti-authoritarian Zeitgeist of the 1960s.

"In practice: masturbation. The advocate of the objective norm says: You shouldn't do it! It's bad! God doesn't like it! And if you have done it, it was a sin, and you must confess your guilt, and do penance for it! In times in which the authorities still went unchallenged, this may have led to a sort of guilt trip. Today, such talk leads only to a judgment of guilt, but not to a guilt-trip. Today one must ask: When you do this, are you happy with yourself at that point?...This is where norm and subject meet: [67] Here, a guilt-trip is possible as a shaming of one's self, as a failure in terms of image, and therefore also of remorse and intent." (Ell 1968: 15-16)

At the end of the 1960s, it was no longer a question of using faith to dissuade children from engaging in onanism, but rather,



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of letting them carry on with it with a guilty conscience. In contrast to earlier views, failed efforts of will and prayer are obviously **not** unwelcome outcomes. Day-to-day defects only serve to make the subject's faith all the stronger:

"Here, at this precipice of a failure of the will, is a critical access way to God, and thereby, to faith..." (Ibid.: 16)

### The Medical Interpretation

Since the end of the 1950s, occasional articles have appeared in the studied specialized literature in which onanism is understood to be the symptom of a physical illness. In contrast to all of the other texts, they contain neither detailed depictions of the solo-sexual acts nor precise statements concerning the past history and developmental course of the disturbance. For example, one description of an onanist, deemed to be sufficient, was the pithy comment "that the girl is feeble-minded and very compulsive." (Schmücker 1967: 244)

Although the solo-sexual act is closely associated with so-called hypersexuality, the relationship between the two categories remains rather unclear. Sometimes, "hypersexuality" denotes the underlying disease, the symptom of which is masturbation; other times, this concept represents the symptom itself, and appears to serve as a generic term for onanism. Some texts even name diseases which might cause such symptoms (usually: "early-childhood brain disorders" or "hormonal disturbance"); however, they do not precisely elucidate the corresponding physiological or psychosomatic interrelationships.

Constituting a sub-group of their own are those texts in which there is a strong connection between the medical interpretation and the strategies suggested to combat it. Although a portion of these contributions also include elements of the anthropological interpretation, the measures for protecting against it are described in exclusively medical terms. In addition to that, the question of harm plays only a marginal role in these contributions; as grounds for the necessity of combatting it (as we shall see, this activity is by no means without risk), it is sufficient to note that [68] masturbation is to be dealt with as a **symptom of disease**. And defining a phenomenon as pathological or due to sickness apparently gives the doctor the right to bring measures to bear in this battle without the need for any further legitimization.

The above-described "re-training" with "firm" pedagogical measures has an air of patriarchal pensiveness to it; one applies methods to combat it which result from a medical interpretation of the phenomenon: influencing children's sexual behavior with the aid of chemical substances. This strategy is the logically consistent result of putting the insights of the medical interpretation of onanism into practice: When masturbation is traced back to organic or hormonal disturbances, pedagogical-psychological measures would be insufficient, if not downright useless. The only thing that will help is reducing the (even here accepted) sex-drive through the use of

medications which influence the distribution of hormones in the child's body. It is a matter of "tamping down excessive sexuality." (Ritzel 1971: 168)

Depending on when a given contribution was published, it suggests one or another product which has just gone on the market, whose instruction leaflet (among other things) promises a reduction in the sex-drive.

"Epiphysan is administered intra-muscularly, and of course, precisely according to the instructions enclosed with the medication. The results are absolutely astonishing. All attempts at masturbatory activity and every attempt to sexually approach adults and children suddenly stop, and, following the conclusion of 23 inpatient treatments, will no longer recur in the home-milieu." (Vogl 1957: 165)

After Epiphysan there came into action the substances 'Haloperidol' in the '60s, and 'Cyproteronacetat' in the '70s. In each case, we are talking about medications which are intended to reduce or (in higher doses) completely prevent the release of sex hormones.

The amount given depends on the child's hormonal system's degree of resistance to this external influence. If it is great, and sexual excitability does not initially diminish, the doses administered are increased. For these procedures, medicine uses a term which was deviously created by law associations; however, this is par for the course in the medical arena: [69]

"With the establishment of the optimal dose, we are adhering to the tried and tested principle of medication by stealth." (Jacobs 1966: 67)

The **testing-out** of various substances showed that either the sex-drive of boys was generally stronger, or, their bodies evinced a greater resistance to hormonal intervention; higher doses of the preparation were clearly necessary here.

Even the medical laity could understand that administering hormone-influencing medications during (pre-) puberty was associated with certain risks. Although there indeed were references to the latter in the contributions analyzed, actual harm to children was disputed. Throughout them, the use of medication is evaluated positively.

"Summary: The intramuscular administration of Epiphysan is apparently capable of temporarily dampening sexual arousability in children and youth without causing tangible hormonal damage." (Vogl 1957: 167)

The problem with these contributions is that at the time the medications were administered, from the end of the 1950s through the 1960s, no results existed concerning possible permanent and long-lasting harm! (Because some of the success reports proudly pointed out that the effects of these measures are of a long-term nature, it is reasonable to assume that correspondingly long-term side-effects are also possible.) Administering to patients a medication whose possible long-term side-effects are unknown does not represent the customary method of clinical

testing. It is a standard ethical precept that a certain degree of risk is acceptable, provided there is hope that, through the medication, a serious illness will be able to be alleviated or cured. Consequently, it must be the case that childhood masturbation was, in fact, regarded as a serious disease.

Certainly, the question of the need to at least assess the long-term risks of hormone treatment are not assessed from a medical ethics point of view. In any event, only rarely do the stated grounds for providing medication go beyond succinct remarks concerning indications ("hypersexuality," etc.). Primary indicators are declared to be:

"Sexually inappropriate behavior regarding which, through short-term treatment or treatment lasting only a few months, a rapid reduction in sexual activity leads to an easing of the social conflict situation." (Ritzler 1971: 168) [70]

Only in one text are such social conflict-situations elucidated upon. On the one hand, the child should remain fit for work at school; on the other hand, he should be protected against an otherwise necessary internment:

"When there is a suspicion of hypersexuality among youth and especially children, treatment is recommended if the physical restlessness threatens to substantially disturb the educational process or occupational training...However, in the case of true domination by one's physical urges, the outcomes are so good, that completely new points of view for the practice of child psychiatry -- and particularly youth social work -- are being yielded up, the pinnacle of which is that the practice of interning sexually dangerous children and youth can now be done away with." (Vogl 1957: 165-167)

It is certainly questionable whether hormone therapy is really a substitute for placing one in a group home; perhaps the thinking was that children in reformatories would be kept sexually quiescent.

"Because we are dealing with orphaned girls who were court-ordered to be placed in a special education boarding school, prior to starting the Epiphysan injections, extremely careful consultations with the youth authorities must be carried out. On the medical side, the possibility of lasting damage must be borne in mind." (Ibid.: 165)

Even here the talk is, once again, of possible lasting harm. What is striking is the (stemming from fundamental ethical doubts!) uncertainty which the special care in describing even their own cautiousness then precipitates, when orphaned special education pupils are supposed to be rescued from their suffering via this rather experimental route.

## 7. Results I: Onanism-Combating Dogmas

### Remarks on the Relationship Between the Various Interpretations of Onanism

For centuries, the fight against onanism has vacillated between the assumption that children have a sexual drive that, due to endogenous causes, can lead to masturbation, and the assumption that onanism among children is caused by outside forces which prematurely awaken the still-dormant impulse. Neither for Gerson, nor for ascetic Protestantism, was there any doubt whatsoever that children were sexual beings just like adults; indeed, to the Puritans, they were particularly compulsive. By contrast, Rousseauism, and following it -- in Germany -- the philanthropic pedagogy revolving around the notion of a dormant instinct, were introduced into the [71] discourse; that is, the idea that the child is, by nature, an asexual being. These two models can be traced clear through the texts under examination: Anthropological and traditional-religious interpretations proceed based on the former idea, whereas the psychosocial and medical interpretations are based on the latter. Just as the historical genesis of the anthropological interpretation appears to have been as a secularized form of the religious fight against onanism, the medical interpretation may be regarded as a medicalized form of the psychosocial one, as an attempt by medicine to restore its jurisdiction over the problem of child masturbation. [F38]

Calling onanism **self-satisfaction** is not to be equated with **self-endangerment**. However, because the asserted harm (except for the so-called secondary type) is a direct result of the child's actions, masturbation does, at least superficially, meet both of the criteria for self-endangerment; the risk flows from one of his or her own actions. However, onanism is only self-endangerment -- in the sense of designating the primary source of harm -- under the anthropological and strict-Christian interpretations: They alone assume that the cause lies within the child him/herself. With the psychosocial and medical interpretations, the actual source of danger is to be found outside of the child: Only after that initial distorting influence does the child carry out the harmful acts him/herself. Consequently, here, masturbation would actually be regarded as a special type of endangerment-by-others.

This theoretical difference does not, however, lead to any practical consequences. When we look at the two interpretations dominant in the Federal Republic, we see that, despite having contrasting models of childhood sexuality, [72] the anthropological and psychosocial interpretations turn out to have almost identical ideas about harm as well as the measures proposed to combat the problem. [F39] However, whereas the child-centered protection measures of the anthropological interpretation are largely congruent with its premises, with the psychosocial approach, there is a peculiar discrepancy between the interpretation of onanism, and the measures promoted: In none of these essays is sorting out this deplorable state of affairs even considered as an idea which has merit.

The cause of this inconsistency is, in my opinion, that the notion of a child having his/her dormant instinct unnaturally awakened by external influences raises problems in terms of how to deal with 'entrapped' onanists. The assumption that children

are asexual logically leads only to models of preventing onanism which are meant to stop it through appropriate control and protection measures -- that the impulse is spurred on from the outside. If this first line of protection fails, and the child's natural development has already been distorted, further prevention measures are pointless. Because, in the final analysis, all of the prevention measures undertaken over the last two hundred years have proven themselves to be ineffective in practice, in the end, even in the context of the interpretations which follow this model, the only intervention left that still could be recommended is stopping masturbation that is actually occurring. However, in the fight against onanism, it is only of secondary importance whether the child masturbates because he or she is naturally compulsive, or because the instinct has been unnaturally awakened. Consequently, although the causes of the child's masturbation are viewed here as endangerment-by-others, it is also treated, for pragmatic reasons, as **self-endangerment**.

However, despite this congruence, there are some differences in terms of the **thrust** of the measures promoted. Whereas the anthropological and strict-religious interpretations place greater emphasis on rescuing the individual from the pernicious powers of the sexual sphere, the psychosocial and medical interpretations focus on smoothing over sexual conspicuousness. What may be said of this [73] is that whereas the model of the sexual child leads to an **individual-centered** view of onanism, that of the asexual child leads to an **order-centered** one.

As far as the more individual-centered interpretations are concerned, onanism occurs because -- and so long as -- the child is incapable of curbing the sexual impulse. Therefore, the focus is on the question of **controlling sexuality**. What these essays home in on is the child's **control-interest**; what matters is that children renounce onanism, or at least have feelings of guilt associated with it. Standing at the center are the child's will, and his training. Because of course all children have the impulse to masturbate, and yet, not everyone succumbs to it, there is a hope that children themselves would be able to find a way to vanquish "the dark yearning of the body." One aspect of this concept is a toleration for the lesser weaknesses of the child's body (in accordance with the Christian motto in Matthew 26:41 ['The spirit is willing, but the flesh is weak.']); even dispensations for small children are -- corresponding to the "anni discretionis" tradition -- not out of the question. Sometimes, these texts even express sympathy for the moral distress caused by sexual "challenges." On the other hand, attempts to conceal the reprehensible conduct are condemned particularly harshly. But because it is a question of the child's ability to internalize a control mechanism which only allows him to live out his sexual instinct in the context of marriage, such attempts would be regarded (in terms of improvement) as counter-productive.

On the other hand, because the **order-centered** view holds that a sex-drive in a child is **abnormal**, it is presumed that if the child does have such an instinct, and acts on it, he is

fundamentally unable to control it. In order to avoid harm occurring, it must then be eliminated through outside intervention. This view goes along with what I would like to call a **repair-interest**. Central to this interest is the construction of a causal relationship between distortions of the "normal" development of the child, and onanistic acts as their consequence. Disturbances in development involve a deviation in either the life-environment (psychosocial interpretation), or in the sphere of the body (medical interpretation), from a presumed **normal state**. The attempt -- following this causal interpretation -- to eliminate the disturbance is never aimed at the primary deviation, but rather, always at the secondary one; i.e., the normal state is meant to be restored, in the course of which the effects of the disturbance for the child will be eliminated.

In contrast to the control-interest position, with the child's adaptation to the norm, even lesser weaknesses of the child's flesh are not [74] tolerated, but rather, eradicated. And in contrast to the traditional view of child sexuality -- which corresponds to everyday experience -- for the foundation of the asexuality model, not only is a polished edifice of ideas needed which would reinterpret the experiences of child-rearers, but also, the actual behavior of the child must itself be adapted to the theory. Over the course of years, a multitude of methods and techniques have been devised which were intended to prevent the child from disproving the asexuality theory through his own behavior. The increase in the intensity of the measures to combat it that were recommended in the 19th century shows how difficult it is to try to make the real child conform to the ideal one. Despite the immense expenditure on control measures, shielding from external stimuli, and ever more brutal strategies, children's urge to masturbate had apparently not diminished. And so, even in the Federal Republic, given the failure of 'superficial' pedagogical models, the only thing left to do was to 'reconstruct the normal child' through psychological/psychiatric re-training, or, medication. Moreover, hormone therapy was considered to be a continuation [F40] of re-training, by different means. The goal of both techniques was to extinguish the child's sexual impulses, to liquidate the child as a sexual being, notwithstanding that, of course, this was not actually the stated aim of these essays. [F41]

### **Eight Dogmas**

Besides the above-described differences, there is also a whole series of aspects that are common to all interpretations of the self-endangerment discourse. The following is meant to summarize what the recipients (in large part, generally independent of the interpretations of children's onanism contained within them) of the essays under examination would have been able to glean from them. At the same time, these discourse 'messages' will no longer merely be subject to internal criticism from a sexual-sociological perspective.

1. **Solo-sexual acts are reprehensible.** The childhood acts which these essays are concerned with are generally described using value-laden terms. In both of the most frequently-used terms, 'onanism' and 'masturbation,' the negative connotation is inherent in the very etymology. Upon first glance, the next most frequent term -- 'self-satisfaction' -- reads as neutral to pleasant, in view of the fact that, from the point of view of the present-day, 'satisfaction' appears to be a positive activity or condition. However there is also a pejorative ring to this term, given that sexuality is exclusively referred to as the realization of a "dual mode of existence." Self-satisfaction is then turned into a regressive and purposeless act, thus making the one engaging in it seem imperfect, indeed, inferior, because he has no counterpart who he satisfies and from whom he, in turn, obtains satisfaction -- and thus, is referred to **as a defect** in and of itself. The sexual act upon and with one's self -- regardless whether it be done by children or adults -- is not only "worthless," but also morally reprehensible and psycho-hygenically dubious; that is why, in addition to the already negative terms themselves, further derogatory descriptions are also employed. Child masturbation is an "addiction," a "tempting tribulation," and "a truly serious business"; "an evil, a sin"; "bad habit," a "vice," a "secret vice" or "solitary vice"; "sexual confusion," to wit, "hindering the formation of bodily expressiveness in terms of sexual polarity." The mode in which masturbation is written about is one of pedagogical anxiety and moral indignation [F42]; sympathetic tones are rarely discernible.

2. **Masturbation is harmful.** The grounds for the presumed harmfulness of onanism, and consequently the pivot- and central-point of all of the essays, is the [76] dogma of the harmfulness of children's solo-sexual acts. It is a matter of dogma because the large number of different harms which supposedly afflict the body, spirit, and mind (in a metaphysical sense) of the masturbating child exist independently of the question of empirical verification (and verifiability!). They are derived from the sexual-anthropological, moral-theological, and biomedical convictions of the authors -- their existence is, in the essays, always presupposed. Whoever wishes to heed the essays' warnings about -- and strategies to combat -- it must **believe** in the assertions of harm. The harm-dogma furnishes the legitimation for all of the measures designed to combat onanism, including those which are risky for the child. Harmfulness and dangerousness constitute the central connection of all four interpretations of onanism.

3. **Masturbation is a poor substitute for the forbidden.** A fundamental moral reproach of masturbation says that it is '**substitute-satisfaction**' -- and as a surrogate it is always, by definition, merely a second choice. This classification as a substitute-act could even be called humane, if one proceeds based on the (highly questionable) notion that sex is usually more enjoyable in pairs (or even among three or more) -- and therefore, anyone who has to do it alone must feel bad about it. And yet, such an attitude would be completely foreign to these

a disturbed child would engage in onanism. Even given the fact that their models of children's sexual development are also different, still, masturbation is never seen as a normal component of it, but instead, as its distortion. When, due to sexual development during puberty, a strengthened sexual impulse is presumed to be the cause of more frequent masturbation, we [78] have some interesting paradoxes to deal with: The child's sexual development is being influenced by his sexual development. Here, it is apparently a matter of an automatic self-distortion of one's childlike nature.

**6. He who is disturbed, disturbs.** In the texts, human behavior is assessed from the standpoints of order and risk. Dominant are ideas about sexual, social, and metaphysical order which have no place for the masturbating child. Even the undiscovered onanist -- not involving the participation of a third party -- is engaging in an act of public interest which society's authorities have an obligation to look into. Interventions into the private sphere are legitimated by child onanists' dual roles: As both disturbed and disturbing, they are simultaneously endangered, and **endangering**. Even when it is not asserted that every masturbating (male) child will inevitably turn into a perpetrator of sexual violence, at the very least, the examples cited in the texts do suggest that this is a potential consequence. Because it is also easy to verify that most criminal sexual perpetrators did in fact masturbate when they were children, (in a logically-impermissible inversion of the argument) the **male** onanist is turned into a potential risk to his environment. The construction of a para-causal connection between onanism in childhood and sexual violence in adulthood justifies the public interest in the affected child, and legitimates -- if need be -- even state intervention into the parents' right to bring up their children as they see fit.

**7. Boys are especially at-risk, girls are particularly depraved.** Although it is generally emphasized that, in principle, girls as well as boys can be affected by onanism, the threat-perception adheres to a gender-dependent perspective. Because, for boys, the impulse is thought to be stronger, and their clearly visible sexual organs are considered to be especially susceptible to manipulation, they are believed to be "naturally" at a higher risk for onanism than girls. By the same token (particularly when it is an issue of their 'high spirits'), this strong impulse is also recognized as a(n at least qualified) basis for excusing their transgressions. Conversely, based on the notion that girls have a weaker impulse, as well as the 'inaccessibility' of their sensitive organs, onanism among them is more likely to be deemed 'abnormal.' Those girls who do engage in onanism -- despite their masturbation-hindering psychological and physical characteristics -- are, correspondingly, deemed to be of low character (or deeply disturbed). Because it must be easier for them to resist the temptation, masturbating girls are regarded as particularly sexually depraved. What is being perpetuated [79] here is the **traditional model of female sexuality**, which says that only a 'depraved whore' would be capable of having



49

texts. Although, as self-satisfaction, onanism is criticized as representing the individual's withdrawal into himself -- and therefore, as anti-social -- the degree of pedagogical misgivings and moral indignation increases even further when it is carried out as a joint activity. Mutual masturbation (even this still retains the stigma of self-satisfaction -- it appears to be self-satisfaction with the help of others) and the infamous 'playing-doctor' are condemned, even though they are, of course, very social, and -- as is even described in the essays -- often in fact provide children with their first opportunity to form small groups. Therefore, self-satisfaction is not condemned first and foremost as a substitute, but rather, because it is a substitute for a satisfaction that the child is forbidden and which would be condemned in even stronger terms. Not only is the child not supposed to mutually satisfy himself with others; he's not supposed to do it at all -- really, the only 'good child' is one who does nothing sexual whatsoever.

**4. Onanism is a contagious addiction.** Where onanism is concerned, otherwise pedagogically praised ways of making connections -- group-learning or emulating a field of activity -- are discredited as 'breeding grounds.' Terms borrowed from epidemiology once again underscore the [77] dangerousness of sexual acts, while simultaneously pointing to their (from the perspective of adults) uncontrollability. Children's sexual acts in front of and between one another are said to spread like an epidemic. In addition, this mentally communicable sexual disease is even spoken of as having an addiction-type course. [F43] However, all of the interpretations avoid stating whether it is a daily, weekly, or monthly frequency of masturbation that turns onanism into a sexual "compulsion" or "habit." And so it appears that, as is the case, for example, with heroin, even after just a few solo-sexual acts, uncontrollable continuation already looms. Not only is onanism added to the long list of the sexual perversions of adults; at the same time, it is also equated with diseases (such as addiction to alcohol or pills) which, over the long-term, ruin people's minds and bodies, and render them useless to society. Above and beyond that, the use of epidemic- and addiction-related terms makes it easier for the presumed readers of these essays to fit onanism right into the usual 'social-workerish' pattern of interpretation.

**5. Something is not quite right with individuals who masturbate.** The derogation of masturbation always makes explicit the assumption that 'something is not quite right' with onanists, whereby this 'something' (depending on how widespread the phenomenon is presumed to be) may be anything from a slight, remediable character weakness, on up to an organically-conditioned, incurable mental deficiency. Moreover, the more widespread the phenomenon is thought to be, the more 'harmless' and reparable the presumed deviances appear to be. Even in those interpretations which concede that the child has an innate urge to engage in sexual activity, the individual who gives in to it is still regarded as a flawed being (precisely because there are children with 'strong characters' who do not do 'it'). The other interpretations assume from the very outset that only

50  
sexual sensations.

8. **The target of the fight against onanism must be the child.** Always, in addition to warning of the risks, the impetus for publishing the essays in these specialized journals is also to convey the message that onanism can be successfully combatted. The measures recommended vary, depending on numerous factors (including the authors' personal predilections). Because the child is putting himself at risk via his own actions, he is also the sole object of intervention. This holds true even when external factors are presumed to be the underlying cause of the onanism: Here, proposals to combat the pedagogical and social attitudes which -- according to the psychosocial interpretation -- are responsible for onanism, are simply thrown out the window. The measures suggested have the appearance of an escalating psychological battle-plan. The most frequently-mentioned method is training the child's will to exercise **self-control** (in which training him to abstain from masturbation also -- and always -- pursues the goal of a more general character education). If the child's self-discipline fails (i.e., if his own will should turn out to be too weak), it is time for more dramatic measures; at that point, his will is replaced by that of the child-rearer. Self-control becomes control-by-others. What comes with that is physical activity, the elimination of free-time, the method of the firm hand, character re-training, and finally, hormone therapy. In general, the greater the degree of presumed disturbance (either to the child's sexual development due to onanism, or, because the child is responsible for the onanism), the more risk the suggested measures to combat it are prepared to take. Because the child is held morally responsible for the failure of his will, he must also deal with the consequences of that. At the same time, assigning blame to the child relieves practitioners of any responsibility for the consequences of their interventions. The origin of a multitude of strategies to combat onanism may well be insufficiently repressed fantasies of punishing the disobedient child. [81]

## Part Two

### THE SIREN SONG: THE CHILD AT RISK FROM THE MEDIA

"Fight for Freedom and Cleanliness."

Müller 1964: 194) [82]

#### 1. Second Historical Digression: The Summoned Censor

As early as the 18th century, anti-masturbation pedagogy was already concerned about children potentially being sexually endangered by what, today, would be collectively called 'the media.' From the year 1787, Oest and Campe's "Complete System for the Prevention of Self-Weakening" includes the following recommendation:

"17. One selects with utmost care those few books which are permitted to be placed in the hands of children, banishing not merely those which contain suggestive and seductive passages, but also those which might stimulate children's fantasies and put too much strain on their feelings." (cited in Rutschky 1977: 311)

Of course, just above that, in this same text, one finds a warning against dangerous **works of art**:

"13. One also removes from youths' sight anything which would have a detrimental effect on the imagination, This includes copper engravings, paintings, and statues which depict nudity, especially when it was the artist's intention to express seductive appeal." (Ibid.)

To the anti-masturbation campaigner, looking at nudes with "seductive appeal" and reading "suggestive and seductive passages" are but two of the many risk factors which could give rise to the wicked deed. Why such materials are not at the **top** of this list is made clear by the sequence in which dangerous 'media' are enumerated: Mentioned **before books** are copper engravings, paintings, and statues; that is, artistic and craft products which appear in very limited editions, or are even one-of-a-kind pieces. Added to the problem of technologically-limited reproducibility in terms of the printing process was the high rate of (at least functional) illiteracy. Therefore, it is not surprising that the literary risk should be relegated to a lower position on the list. Over and above that, because of their high prices, nearly all books were available only to the children of the small upper-class. (Explicitly mentioning such 'luxury items' is, however, understandable, given that Oest and Campe's leaflet was geared towards those population groups which were able to both buy books, and read.) Actually it would appear that, in the 18th century, it was **only** the children of the upper classes who were endangered by the media, because it was assumed that the latter spurred them on to -- as we saw above, the dreaded -- masturbation. [83]

Only in the middle of the 19th century did the invention of bulk printing, combined with the introduction of compulsory school attendance in Germany, lead to the wide dissemination and general comprehensibility of printed texts (see Bosselmann 1984: 43) -- thus was inaugurated the **mass-media**, in today's sense of the term. As books and periodicals were also widely disseminated among the nobility and the upper classes, suggestive depictions were very quickly declared to be a 'problem' for society (and the state). The term 'pornography' became the 'defamatory battle-cry' (Nitzschke) against sexually-related depictions which threatened to morally corrupt ordinary people. [F1] Only after the notion that pornographic books and images posed a danger to the people's morality became widely disseminated could the media also be 'discovered' as an **independent** source of danger for children and youth.

## New Dangers and Old Responsibilities

However, state attempts to prevent people from reading particular printed works were initially directed against its adult subjects. The origin of the **censor** was not a desire to restrict explicit sexual material, but rather, the interest of the absolute state in controlling the production of books and periodicals by a rising bourgeoisie. Prior to the 19th century, the censor had a predominantly political character. Although it is true that the idea of drawing up a list of banned writings based on their sexual content had already been developed by the Catholic church in the context of the counter-reformation, its secularization in Germany (as in most other mid-European states) first occurred via a decision of the Karlsbad Congress of 1819. [F2] (With it, **pre-censorship** was introduced for all periodicals and most books.) This "provisional federal press law" also included a prohibition on (in the comprehensive sense, not merely the narrow sexual one) 'immoral' writings. [84] (Mittermaier 1906: 12; Dickfeldt 1976: 102; Ziegler 1983: 119; Nitzschke 1989b: 30)

Following the revocation of the Karlsbad decisions in the context of the civil revolution of 1848, corresponding provisions were adopted by some of the German states in their own penal codes. However, in most of them, writings with moral-sexual content were merely regulated by the police: **Trading** in indecent materials was interpreted as a special kind of offense against public decency, regarding which the local authorities could make their own judgments. (Mittermaier 1906: 198; Zeisig 1967: 63) With the founding of the German Reich, in the context of standardizing the law, the Prussian criminal law provided the basis for the Reich Penal Code of 1871 (RStGB) [Reichstrafgesetzbuch]. As with many other provisions, the PrStGB anti-pornography paragraph was adopted word-for-word into the RStGB as §184. However, it was not primarily directed against the private possession or the individual passing-on of such materials, but rather, against their **public presentation**. [F3]

"State intervention only ensues when the incoming tide of pornographic merchandise comes to the surface, when the public is no longer able to ignore it." (Zeisig 1967: 88)

The regulations, as well as their execution, were directed primarily at preventing pornographic material "...from spreading, and the masses getting ahold of it." (Berner 1986 [1899 reprint]: 476) That it was mainly a question of avoiding its dissemination to "**ordinary people**" is verified by 19th century court decisions and commentaries relating to §184. (Lautmann/Schetsche 1990: 162f.) What is crucial in terms of our context here is that, prior to the turn of the century, as far as consumption was concerned, state measures made no distinctions between adults, teenagers, and children. Prior to the 20th century, the practice of censorship was oriented not towards age-groups, but rather, **social classes**.

## The At-Risk Child Is Discovered

There are two reasons why, around the turn of the century, minors were eventually discovered to be a group that was particularly at-risk from [85] pornography. For one, the very idea of **youth protection** actually originated in the course of the 19th century: Children and youth became the target group of legal protections in nearly every facet of social life. And for another it turned out that, as a result of the rise of the workers' movement, as well as the (forced) democratization of law and order, the authoritarian state increasingly came under pressure to justify its media controls. Slowly but surely, the inexorable saturation of pornographic materials [F4] rendered the up-'til-now central basis for the prohibition (the danger that ordinary people would become morally confused) implausible.

**Statutory youth-protection** began, in most European countries, with measures to protect adolescents in the sphere of working life, which today are traced back to military (Dickfeld 1976: 102; Gernert 1985: 67), purely economic (Baum 1986b: 35), or economic/disciplinary (Honig 1984: 129-130) interests. In Germany, the Prussian "Agency for the Regulation of Youth Employment" prohibited children under nine years old from working in factories and mines, and limited the work-day for those under sixteen to ten hours. (Gernert 1985: 67; Honig 1984: 130; Honig 1988: 191) Churches and charities also played an important role in spreading the idea of youth-protection. These organizations - which typically drew from the educated classes -- looked at social relationships primarily in terms of being potential sources of danger to minors. The efforts of associations and (prompted by them) state authorities were usually combined under the term 'youth-protection.' This always included endeavors to protect actual **children** as well, given that they were directed at "all those begotten [!] who are still growing; as a rule, those eighteen years of age and under." (Gernert 1985: 70) Therefore, youth-protection claimed (and still claims) comprehensive jurisdiction over all now-adult persons (including those who are not yet born).

From the beginning, youth-protection associations directed their activities primarily towards the state; even as far as the media (into which the protection idea [86] was carried over at the end of the 19th century) was concerned, the authorities were the most important target of demands for protection measures. Thus, the main reason why jurisdiction -- as in the case of onanism -- was not exercised over parents and other child-rearers here was because controlling printed matter was traditionally the responsibility of the ecclesiastical and secular authorities; consequently, the state did not merely petition for jurisdiction over this sector [F5] -- it aggressively claimed it for its own. Because state action in this sector also primarily took the form of prohibitions (along with the threat of significant penalties), the child media-protection discourse very quickly focused on the legal-normative plain. [F6]

In the year 1900, for the first time, a comprehensive expansion of the sexual criminal law (through the so-called Heinze bill) introduced an age-specific criminal norm to protect

524

against dangers posed by the media. (Through an amendment to the 'pornography paragraphs' -- §184 StGB -- providing and offering indecent writings, for remuneration, to persons **under 16 years of age** was forbidden.) The parliamentary debates over this law in the years just prior to the turn of the century show how swiftly the idea of child- and youth-protection was adopted by state authorities: For the representatives of all of the conservative-Christian-oriented parties, the danger to minors constituted an essential foundation for their demands for stricter control over the media. The expanded pornography paragraph was intended

"to morally preserve our still unspoilt youth by protecting them against the public exhibition of shameless and immoral pictures, books, and other products of this nature; otherwise, our youth would be left defenseless." (Roeren 1898: 510) [87]

In this debate, for the first time, the protection of minors was even declared to be the **primary** purpose of a legal sanction against the dissemination of pornography:

"It is a question, **above all else**, of protecting our German youth, the sons and daughters of our people..." (Schell 1989: 405 [emphasis added by M. Sch.] -- also see Spahn 1898: 402).]

In the course of the following decades, the "protection of youth" topos drops the notion of "protecting the general morality" as a dominant argument for prohibiting the production and distribution of media with sexual content. Eventually, by the second half of the 20th century, the only thing left to justify censorship measures was the concept of protecting minors. (Nagel 1988: 175f.; Barsch 1988: 12)

### The Youth Media-Protection Century

The 20th century began with the decision to use the penal code to protect minors from pornography. The above-mentioned associations would soon demand an additional, separate law to comprehensively protect children and youth in this sphere of risk. In 1911, on their initiative, a quasi-governmental Central Office for the Control of "Dirty Literature" was set up. Three years later, the Reichstag debated the "framework for a law against endangering youth through the exhibition of written material, pictures, and depictions." However, this so-called 'shop-window law' (so termed because, in particular, it was intended to protect minors from noticing images depicting nude bodies in bookstore display-windows) was defeated in the Reichstag due to heavy resistance from the SPD [Social Democrats], which feared an intensification of political censorship. (Nagel 1988: 29, 54; Gay 1986: 362; Heinritz 1985: 313; Dickfeldt 1976: 103-104)

World War I suspended public debate over youth endangerment by the media -- but only briefly. The notion of pre-censorship as a means of youth-protection withstood the transition from empire to republic completely unscathed: Germany's first democratic constitution -- which came into effect in 1919 --

53

granted to the legislature, in its Art. 118, ... sweeping powers to intervene vis-à-vis the freedom of the press, for the purpose of "protecting youth." This was the original basis for the "Reich Cinema Law" which, from 1920 on, made all publicly-shown films subject to pre-censorship. Films were prohibited if they were expected to have "harmful effects on the moral, spiritual, [88] or health-related development" of adolescents. Six years later, the special "Law to Protect Youth from Trashy and Dirty Writings" (in short, the Trash- and Dirt-law) -- which conservative politicians, the churches, and youth protection associations were already demanding during the Kaiser's reign [F7] -- was finally adopted. Here, sexually-oriented depictions fell under the term "dirt"; their contents were thereby understood to reflect "common sexual lasciviousness." (Seeger 1928: 594)

As empirical analyses of linguistic practice -- based on the law that set up the review centers -- shows, the lists of banned writings were overwhelmingly comprised of those with sexually-oriented content. (Dickfeldt 1979: 37-41) Consequently, the Weimar Republic's Trash- and Dirt-Law was actually and primarily a measure against presumed sexual dangers, and not -- as workers' parties and authors of the time believed -- a means of political censorship. In any event, when the state uses the idea of youth-protection to justify general control over the media, it probably does so -- at least, it did in the Weimar Republic -- primarily out of an interest in protecting the morality of its adult citizens as well.

Eventually, even the most wide-reaching demands of the youth-protection movement were fulfilled by the National Socialists [i.e., the Nazis]. On the basis of a February 1933 decree by the German president concerning the 'Protection of the People and the State,' various writings -- some of which, due to their sexual content -- were confiscated.

"In Berlin, the Reich Central Office for the Control of Indecent Images, Writings, and Advertisements placed 411 authors, as well as numerous periodicals and brochures, on the prohibited list..." (Gernert 1987: 138; see Kienzle 1981: 15)

With various edicts, the new regime saw to it that the offices of the Reich took stronger action against erotica (and what was deemed to be erotica). In May of that same year, in public book-burnings of symbolically-annihilated works, "indecent literature" even constituted its own category of that which would no longer have a place in the new Germany. (Bleuel 1979: 286; Koch 1986: 91) Moreover, this auto-da-fé was in accordance with the conviction of nearly all of the youth-protectors at the time. [89] that surely, minors could only be protected through a complete eradication of the corresponding materials, and an absolute prohibition on their continued production. [F8] (Bosselmann 1984: 43) The National Socialist state boasted of having quickly and thoroughly disposed of pornography. (Nitzschke 1989a: 23) The media having been successfully brought into line by 1935, the special law was finally rendered superfluous. [F9]: The Reich Chamber of Culture Law, as well as a new Reich Cinema Law

56

made certain that, in Germany, the only films, books, and periodicals that could be produced were those which corresponded with the family ideology and sexual-political strategies of the National Socialists.

The anti-pornography paragraphs in the penal code itself remained unchanged during the Third Reich, and were, therefore, in effect at the beginning of the Federal Republic. On the other hand, with the repeal of the Reich Chamber of Culture and Cinema Laws by the Allied Control Council at the end of the 'Thousand-Year-Reich,' the special laws in this sphere were no more. However, at the beginning of 1949, an institution for the pre-review of cinema films had already been set up (so-called Voluntary Film Industry Self-Control - 'FSK'), which was supposed to review films, including in terms of their suitability for children and youth; at the same time, its principles were firmly based on the determinations of the Reich Cinema Law of 1920.

Just a short time after the first Bundestag was convened, the parliament (at the behest of the CSU [Christian Social Union] faction) asked the government to submit drafts for a youth-protection law. In 1951 the first of these, the "Law for the Protection of Youth in Public" (JSchOG) went into effect, which, in terms of control over film, fully restored the status quo ante of 1920. In 1953, the "Law Concerning the Dissemination of Youth-Endangering Writings" (GjS) followed, which, despite some alterations, is regarded as a new version of the Trash- and Dirt-Law of 1926. [90] Shortly after that, the GjS-authorized "Federal Review Office for Youth-Endangering Writings" (BPS) was established.

The thrust of the work performed by these agencies (at least into the 1970s) was identical to that of the former Leipzig Review Office of the Weimar Republic: 80-90% of the indexed materials were on there because of sexually-oriented depictions. Only in the '80s did their share -- because of the increase in violent representations being placed on the index -- drop to 50-60%. (Schilling 1966; Geiger 1974: 227f.; Gernert 1985a; BPS-Yearly Statistics for 1986) A table of what -- according to content -- was placed on the index in the first six years of the Federal Review Office makes it clear what was regarded as 'sexually-oriented' at the time:

#### Indexings by the BPS 1954-1959 [F10]

Type of Indexed Material	Number
'Nudity (pictures, FKK [nudist], periodicals)'	449
'Magazines (pin-up, normal, horror)'	72
'Sex Journals (for homosexuals, other)'	88
'Serials (criminal, adventure, love and sex novels, comics)'	59
'Other Topics (erotic stories, movies, sound recordings, amusement items, etc.)'	68
Total	736

Consequently, the phrase 'sexual content' was interpreted quite broadly; representations of unclothed persons were considered to be particularly dangerous.



37

"Most of the writings and depictions indexed as youth-endangering were those with sexual content. Moreover, the child-protectors regarded youth as already being in great danger even when an illustration merely imitated the contours of a nude body." (Heinritz 1985: 312)

This legally-inscribed intensification (see Englert 1952: 226) was certainly not welcomed by all representatives of the youth-protection [91] associations. Many would have preferred to expand the concept of morality to encompass all of life's inter-relationships, and along with that, grant extensive leeway to the state to intervene in children's socialization.

"It must be emphasized that §6, that is, punishability without having been placed on the index, is geared only towards moral endangerment; therefore (little-by-little, we've had to come to terms with the fact that morality, in the legal sense, is associated only with sexuality, and no longer with universal moral concepts such as honesty and truthfulness!!), what is meant is merely sexual endangerment." (Kohlhaas 1953: 347)

Essentially, the form that statutory youth media-protection takes today had its beginning in the '70s, in the context of an overall reform of the Federal Republic's sexual criminal laws. Following widespread rejection -- on the part of specialists and experts -- of the 1962 draft of a new penal code (which had a lot to do with the fact that the morality section of the criminal law was expanded enormously), and a reform supported by every faction in the Bundestag which, in 1969, did away with all of the existing provisions of the sexual criminal law, the social liberal coalition, via the Fourth Criminal Law Reform Bill (StrG), repeated the universal prohibition on pornography. Especially in reference to youth-endangerment, this listing of controls was heavily criticized, and not only by the opposition Union parties. [F11]

However, the disagreement between the coalition and opposition here consisted merely of the question: **Which** statutory measures would be most effective in protecting youth from the media? Whereas, in the hearing of the Special Committee for Criminal Law Reform, pornography's harmfulness to children and youth was a matter of intense controversy among the academics who participated, in the ensuing committee and [92] chamber debates, the parliamentarians of all parties [F12] were united: Protecting children made controlling pornography necessary.

It is, therefore, a widely-held misconception that the 4th StrG brought about a unilateral liberalization of the state prohibition on pornography. It is true that the law, in making a distinction between "simple" and "serious" [F13] pornography, did make some previously statutorily forbidden materials accessible to adults. With these measures, however, not only was the rug pulled out from under increasing public criticism that citizens were 'being treated like children'; at the same time, sexual materials regarded as especially dangerous (which, despite the prohibition, had been widely disseminated up to that point) were more effectively kept out of minors' reach. (See Barsch 1988: 16; Schetsche 1990.) Therefore, it was also a question of a

measure for the **re-organization** of youth media-protection. [F14]

Therefore, the notion that the 4th StrRG constituted 'progress' was even acknowledged by the youth-protection associations which had, overall, taken an extremely critical stance toward the social-liberal coalition's 'sexual reform':

"The legislature has clearly placed the concept of youth-protection and defense against being pestered front and center." (Becker 1974b: 319)

In addition, youth-protection in this sector was further strengthened through administrative measures. (See Fichtner 1972: 201.) Thus, in the [93] year 1978, due to a decree by the federal government, the number of offices authorized to apply for media-indexing under the GjS increased from twelve to around 600 (!). Expanding the right to submit applications to all state ['Land'], district, and city youth offices brought about the desired result: The number of applications -- which had continuously decreased throughout the course of the 1970s -- and even brought the very existence of the BPS into question (at least according to Becker 1974a: 281) -- clearly increased once again. (Hauff 1980: 278; Barsch 1988: 17)

The dissemination of video-films led to a further 'boom' in indexings (this time, associated with a change in the context which was being focused on). Whereas proceedings against so-called violent materials were almost unheard of in the '50s and '60s, their importance -- relative to the dominant number of proceedings brought due to sexual content -- had already begun to increase in the 1980s. Due to the large number of extremely violent films on the market, by the mid-1980s, the proportion of indexings due to 'glorification of violence' rose to more than 40%. [F15] (Stefan 1985a: Greger 1986; BPS-Yearly Statistics 1986) Admittedly, within the context of this development, indexings based on sexual content were only falling off in percentage terms; on the other hand, the absolute numbers masked even greater changes. Furthermore, sex was and is regarded by the BPS as youth-endangering to a high degree.

### **The Youth-Protection Movement as the 'Engine' of Penalization**

From today's perspective, in view of the manifold social problems in the period immediately following the war, such a swift (re-) introduction of a youth media-protection law seems rather striking; and therefore, also requires further explanation. (Dickfeldt 1979: 137-144) One thing that is clear is that the rapid penalization can essentially be traced back to the efforts of 'charitable' organizations to protect youth from moral danger; i.e., to the activities of the **youth-protection movement**, which (re-) emerged just after 1945. Its associations were able -- both personally as well as programatically -- to call on a long tradition, "which reached back to the first morality societies of the 1880s." (König 1990: 208; also see Dickfeldt 1976: 196) The large role played by these organizations in securing the passage of these regulations was even highlighted -- in a roundabout way - - by the federal government itself, in its stated grounds for submitting the draft of the GjS [F16]:

"The call for the enactment of a law against youth-endangering writings has been raised for some time now -- and with great vigor -- by many quarters of the general public." (Draft bill 1951: 8)

In similar ways, well into the 1980s, the public perception of a steep reduction in the risks posed by the media, as well as governmental practices relating to the question of sexual danger, were the result of the involvement of these associations.

Certainly, they regarded themselves as being motivated primarily by the **social** plight of youth. Along these lines, for example, Walter Becker, the driving force behind youth media-protection in [West] Germany, recalled the motive for re-establishing the Youth Protection Association following World War II:

"In 1951 -- It was a small group, which was stirred by the neediness of that time, by the misery of post-war youth, who were suffering from homelessness, a lack of steadfastness, external and internal difficulties." (cited in Fippinger 1986: 322)

This born-out-of-need thesis was universally held to by those in Becker's circle. [F17] It is, however, more than doubtful as to whether their activities at that time actually had an effect on young people's living conditions and social plight. In her analysis of the activities of the Association in the 1950s, Heinrich explicitly answers this in the negative:

"In view of the obvious material and social worries and needs of youth well into the 1950s, it must seem astonishing that even in an analysis explicitly devoted to the importance of youth, these youth-protectors [95] give little consideration to the external conditions of youth need. Indeed, the explanation of the causes of the noticed youth-endangerment also point, again and again, to the external consequences of the war. Yet, in the eyes of the youth-protectors, these neither go to make up the high potential for danger, nor shape the critical goals and activities of their organizations." (Heinritz 1985: 295-296; also see Kupffer 1983: 28)

In contrast to how they seem themselves, since the end of the 1940s, standing at the center of the interests of the youth-protection movement in the Federal Republic has been neither hunger, nor a serious lack of housing, nor the dreadful state of education, but rather, dangers based on society's **moral attitudes**. And it very quickly becomes evident that standing at the center of this morality is the 'sexual question.'

"The child-protector's fear of the possible far-reaching consequences of a 'too early encounter' with the sexual was so deep-seated, that they believed that only through completely shielding youth from anything that might be associated with sexuality could their looming moral waywardness be averted." (Ibid.: 298) [F18]

This focus on the part of youth-protection had a lot to do with the fact that both the participating organizations as well as their activist functionaries were drawn almost exclusively from a religious sphere in which a rigid Christian sexual morality predominated. And so, in 1951, in order to coordinate non-

governmental youth-protection activities, a nationwide umbrella organization was founded. This "Federal Association for Youth-Protection Action" (BAJ) was, at the time of its founding, tightly controlled by the Catholic and Protestant churches as well as their field organizations. [F19] Of the seven leading activists "of the early years" who were paid tribute by Walter Becker, the "father of youth-protection" (G. 1975: 159) and co-founder and chairman of many years standing of the BAJ, [96] a solid four were members of the clergy. (Becker 1971a: 133) This board of directors from 1960 also makes the association's orientation quite clear. It was occupied exclusively by church functionaries -- indeed, by evangelicals and Catholics equally. (dipa agency announcement 1961)

The two large churches' particular engagement with the question of youth media-protection was eventually 'rewarded' by a reference to their members in the Federal Review Office:

"However, at this point, also among the experts who have been taken on are persons affiliated with recognized religious communities. This is justified by the exemplary struggle that has always been led by Christian organizations especially, but also because of the heightened importance -- compared with the 1920s -- of the church in the public life of Germany." (1951 Draft bill: 16)

However, the activities of religious associations went far beyond lobbying for legislation. Following the passage of the GjS, these organizations sponsored many indexing initiatives. (Konig 1990: 213) Even the BPS sought out their cooperation [F20]; it wanted voluntary youth-protection to be seen as not just supporting [F21] but also correcting the measures taken by the state institution. Here, indexing practice and the dispensing of justice were critically tracked; if the bias of the process did not fit the association's (in terms of sexual ethics, what can only be characterized as a 'fundamentalist') position -- which would be the case particularly if a large number of indexing applications were rejected (therefore the method was 'too lax') -- an attempt would be made to exert stronger influence [97] on the relevant government bodies. Here is just one example -- typical in terms of tone -- of one of many 'attacking-the-verdict' articles:

"Obviously, the judges were not really made aware of the scope of moral dangers to children and youth. For example, they gave no consideration whatsoever to the consequences of confronting young people with a depiction of a woman as purely an object of sexual interest. The court really didn't give any thought to the danger of possible confusion in terms of social and sexual ethics, despite the fact that, as far as items of this sort are concerned, this is the most important starting-point of any examination." (Klockner 1969: 84)

Overall, in terms of looking after their own interests, the front-line religious organizations would have to be characterized as consistent and effective. Without considering their influence, the evolution of the norms of youth media-protection in the Federal Republic could not be explained. The following section

is intended to provide a detailed look at how those who seek to protect youth from the media view the dangers threatening them.

## 2. The Media-Danger in Specialist Journals

In the specialist journals examined, the mass media is the most frequently mentioned source of danger to the child. [F22] This risk was the focus of 196 essays; it constituted 36% of all sexual risks mentioned. The graph on the following page shows the chronological distribution of these essays. Following a thunderous 'prelude' at the very beginning of the period examined, the intensity of the discourse fell back sharply in the mid-1950s; however, at the beginning of the 1960s, it increased once again. Then, for fifteen years, the discussion was carried on at an almost consistently high level. Following its (also in absolute terms) nadir around 1980, there were in fact some contributions once again; it would not be correct, however, [98] to speak only of a German increase in this context. At least as far as the 'sexual question' is concerned, after 1980, the media was hardly ever regarded by the specialist journals as being dangerous to children. [F23] There is a direct relationship between the course of the economy and the legislative measures related to the GjS and Section 13 of the StGB.

<<<INSERT PG. 98 GRAPH HERE>>>

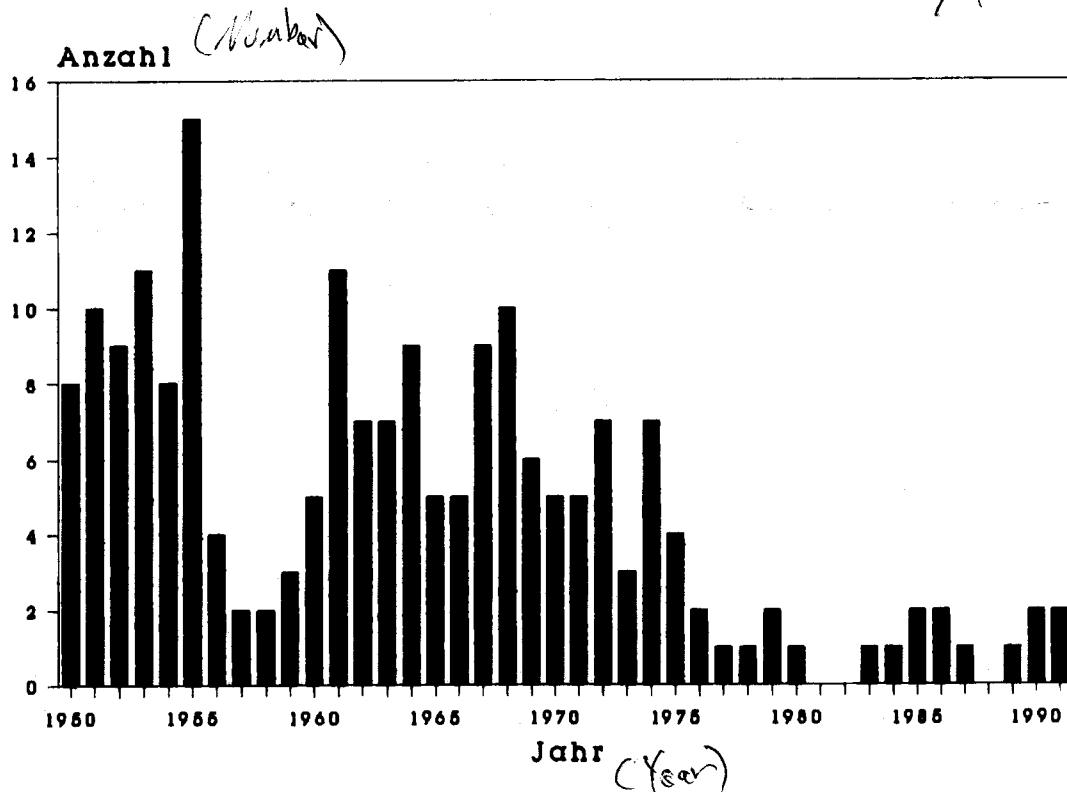
A first draft of the GjS was introduced in 1951; the bill was finally passed in 1953. Again, the large number of contributions between 1950 and 1955 reflects this: At first the essays stressed the need for a corresponding bill, and then for its passage; finally, they reported the first decisions of the Federal Review Office. The beginning of the second high-phase coincides with the conclusion of the work by the "Great Criminal Reform Commission." With the publication of the government's draft bill (E1962), which was based on the Commission's findings, [99] it was decided that the sexual criminal law would be a major topic of discussion in terms of revising the StGB. The examined essays were actually an integral component of the intense public debates over the sexual criminal law, which continued right on up through the early 1970s. Immediately following the adoption of the 4th StRG, the debate -- including the studied material -- formally came to an end.

The form and content of the media-danger discourse can only be understood in terms of the interaction between the activities of the Youth Protection Associations and governmental measures. The virtual absence of any detectable divergent conceptions here (in contrast to the onanism-question) can, in the first place, be put down to the fact that -- to a great extent -- what got picked out as central themes is determined by governmental norms, and their interpretation by the BPS and the courts. Decisions by the executive and judicial branches were frequently printed -- and also commented on in detail -- in the specialist journals. Many of the terms and concepts in general use were coined by governmental authorities (or, conversely, were picked up on by

nur von einem deutlichen Anstieg zu sprechen. Zumindest bezüglich der 'sexuellen Frage' wurden die Medien in der Fachöffentlichkeit nach 1980 kaum noch als gefährlich für das Kind angesehen.<sup>23</sup> Der Konjunkturverlauf steht in einem unmittelbaren Zusammenhang mit gesetzgeberischen Maßnahmen zum GjS und zum 13. Abschnitt des StGB.

### Aufsätze zur Mediengefährdung (N = 196)

Essays Concerning  
Media-Endangerment



Ein erster Entwurf zum GjS wurde 1951 eingebracht, das Gesetz schließlich 1953 verabschiedet. Die große Anzahl von Beiträgen zwischen 1950 und 1955 spiegelt dies wieder: Zunächst wurde in den Aufsätzen die Notwendigkeit eines entsprechenden Gesetzes betont, dann über seine Verabschiedung und schließlich über die ersten Entscheidungen der Bundesprüfstelle berichtet. Der Beginn der zweiten Hochphase fällt mit dem Abschluß der Arbeit der "Großen Strafrechtskommission" zusammen. Mit der Veröffentlichung des auf ihren Ergebnissen beruhenden Gesetzentwurfs der Bundes-

23 Wie schon im vorangegangenen Kapitel angedeutet wurde, hat in den achtziger Jahren eine deutliche Verlagerung des Interesses hin zu den sog. gewalthaltigen Medien namentlich Videofilmen - stattgefunden.

With the publication of <sup>on</sup> their studies based federal government's draft bill CE (1962) ~~was the start~~ it was decided that the special criminal law would be a major topic of discussion in terms of revising the StGB.

the authorities at the Association's urging). Even the divergent opinions of particular authors are usually explicitly worded as criticisms of BPS or court decisions, or a presumed bias at a particular point in time. Last but not least, the close interrelationship between the 'normative' and 'discursive' levels (if this sphere actually can be meaningfully understood) results from the participation of many government functionaries in deciding what the specialist journals will focus on. On top of that, because of the dominance of legally-trained authors [F24], in this risk-area, a functional-technocratic point of view -- as opposed to an ethical-anthropological one (as in the onanism debate) -- prevails.

### Of Floods and Waves: The Evolution of Danger

In the eyes of the authors, the democratic era following World War II began badly. Not atypical of the criticism of the new, republican state of affairs, at the beginning of the 1950s, there was a certainty that at least in the Third Reich, everything would have been better in this respect. Although it is true that not all of the National Socialist state's methods [100] to restore 'sexual cleanliness' among the public were endorsed unconditionally, its 'results' were openly applauded.

"Since the discontinuation of the Chamber of Literature, with all of its unfortunate connotations, there has not been any brake whatsoever on an unbridled journalism whose standards continue to plummet. At this point, following the loss of any sort of guidance, flooding into kiosks, the open market, and direct-mail advertising is a literature, the fight against which has nothing to do with muck-raking and snooping-around." (Kohlhaas 1953: 345)

What is initially held responsible for producing social ills is (for understandable reasons) not so much the state's new democratic order, as the social-ethical effects of the war. In connection with this, many of the texts literally refer to the founding of the federal government as the model for the GJS draft bill.

"Therefore, the legislature justifies the need for this law based on the fact that in recent years, in ways similar to what we saw following World War I, the alarming extent to which writings have been disseminated represents a serious danger to youth." (Englert 1952: 221)

In such passages, one might initially assume that the notion is really one of an inevitable general loss of morality in war (and in its orgies of destruction in particular). However, what is actually to be inferred from these texts is that the negative developments would only have set in right **after the end** of the war, as a "flood of youth-endangering writings" (Stümmer 1961: 56) overrunning society (and consequently also its minors).

"The flood of literature, pouring forth from everywhere, means danger. And it is all the more unfortunate, that even adults show so little understanding for their youth." (Riedel 1953: 88)

Correspondingly, the (from the perspective of the Third Reich) 'new' danger is bemoaned in emphatically **oceanic metaphors**. This is particularly significant as a "place of damnation" [F25], which, with this linguistic usage, is meant to be applied to the media. This imagery returned [101] at the end of the 1960s: Now the flood had become a wave, which threatened to crash over the heads of children.

"We are convinced that, if possible, certain writings with 'indecent,' 'immoral,' and 'youth-endangering' content should be kept away from youth. We see the 'sexual wave' [F26] which has taken hold of our magazines." (Becker 1964: 34)

What also characterized the evolution of the endangerment-situation at the end of the '60s was the catchphrase 'the sexualization of society.' Not only was it always bringing to market new materials with a **pornographic intensity** which had heretofore been unheard of; it was even promoting its dissemination to schoolchildren. Many authors went beyond merely rejecting the 'sex-wave' and 'sexualization,' even to the point of embarrassed consternation.

"At the same time, it is a question of a previously unknown type of little fifty-cent booklet, each one put out in millions of copies, inundating rural kiosks and -- in the guise of standard weeklies -- devoting themselves exclusively to whoring-themes and sexual perversions. Among the swinish writings is one whose obscenity provokes downright physical revulsion and intellectual offense to a degree which has not yet been equalled in our land." (Weber 1970: 213)

Whether it be a flood or a wave, what is striking is that each time a quantitative peak in the discourse is recorded, the complained-of development is worked into the dynamic of the demonstrated topos. On the other hand, in the 'troughs' of the discourse-economy, one is more likely to find concepts which emphasize a certain stasis to the phenomenon:

"I shall refer to just one of the youth radio programs in Bavaria. It first aired in September of 1960, a time when the alarming conditions still faced by youth made them susceptible to a provocative discussion in which morally dangerous literature figured prominently." (Stümmer 1961: 56)

Therefore, floods and waves -- when the discourse has passed its apex -- flow into **conditions**. Thus, the description (oftentimes, more accurately: the conjuring-up) of the sexual endangering of children (and youth) by the media follows an alternation of the phases of quiescence and motion, [102] which is reminiscent -- in terms of its physical course -- of a pendulum: Potential and kinetic energy alternate. Sticking with the physics metaphor, the ascription of energetic conditions to one of the two appears to depend upon the quantitative status of the prevailing economy of themes: In its troughs, the danger is more likely to appear static/constant, whereas at its apexes, it tends to seem kinetic/swelling up. Whether the alternation between the two description-types merely represents an evolution in the authors'



6

fears constitutive of the discourse itself, or, has a 'real' basis in changing attitudes in the media sector, is not important for this level of analysis. In the end, the authors are convinced of the existence of the risk: the source of the danger is the media.

### The Sources of the Danger: Practical Determinations

When one inquires as to which kinds of media are declared to be sources of danger, what one finds is that the focus of the warnings changes significantly over the course of time: Following the war, it was notices or posters placed on kiosks or outside movie theaters, and of course, periodicals themselves (those directed at children, as opposed to movie magazines). In particular, merchandise being placed on display was considered evidence of mounting danger:

"Consequently, at the same time that legislative work in this important area was at a standstill, step by step youth-endangering literature was going downhill, gradually heading towards a public scandal. A close look at city kiosk displays provides the best overview of the nature and extent of youth-endangering literature. People gawking at the covers of all of the glossy magazines snigger at American screen beauties in the form of pin-up girls. With fierce competition on the one hand, and the jadedness of the bulk of the populace on the other, the publishing houses in question are driven to take ever greater risks in this field." (author not specified 1951: 462)

In the course of the 1950s, records and even sex-education literature came on the scene; in the '60s, television and comic books were spotted as sources of danger, When the so-called sexual revolution spread to the schools, it was school newspapers' turn:

"The so-called 'wave of liberalization' [!] in school newspapers simply cannot be allowed to leave the question of pedagogy out of the equation; i.e., a small group of sexual extremists cannot be permitted to hold unchecked and [103] unchallenged sway over the moral convictions of still under-age and largely uncritical children and youth, while engaging in intellectual terrorism!" (Weiland 1960: 306)

At the beginning of the 1970s (in ways similar to the end of the 19th century), it was stressed that the danger flowed not from the high-priced, glossy magazines, but rather, from the inexpensive materials. To be precise, this would have been the "St. Paul," or "Bordello" press (Becker 1972a: 49), which found its way into the hands of children. In the days of Otto Muehl [F27] and his imitators, in the end, it was "contemporary art" which frightened the child-protectors:

"In many cases, even contemporary art is not readily comprehensible (...). It contains elements of provocation and aggression. The impressions triggered by an encounter with this sort of work of art can not only be encumbering and depressing to the mental-emotional development of a not-yet-mature personality; it is also dangerous to the

spirit of §1 Sect. 1 of the GjS." (BVG 1971: 285)

In addition to one concerning computer games, the 1980s brought a warning against pornographic videos (besides 'merely' violent ones).

What is clear is that any medium can pose a danger to children and youth. The warnings are typically focused on those which (due to technical advances, but also in part -- as with the school newspapers -- because of cultural or political developments) have recently appeared on the market, or, have attained mass-distribution for the first time. [F28] Thus, examples can always be found which, in the opinion of the author, comprise **something** which might sexually endanger children. Now, just what is this something, meaning, what are the specific pictorial or linguistic contexts which, if conveyed to children, are supposed to be dangerous? Although the legal requirements of youth-protection do not mention sexual contents **only**, this area -- as we already saw in the previous section -- constituted, right through the 1980s, the indisputable focus of private- and public-sector [104] youth-protection interest. When one takes a closer look at these presumably risky contents, one finds a wide range of various items, with remarkably unclear delimiting criteria.

Firstly, it includes all materials which are (at least in part) produced for the purpose of having a sexual effect on those who look at them, which are defined by law as being "apt to endanger" -- thus, depictions which would be characterized as pornography in the strict sense of the word. Most authors are content to characterize this subject matter simply by mentioning a general (and as a rule -- for unbiased readers -- incomprehensible) classification: Said to be dangerous are depictions of "sexual occurrences" (Stummer 1961: 57), those with an "over-emphasis on the sexual" (Muller 1964; 196), the "exclusively glandular function of a degraded sexuality" 9(Weber 1970: 213), and the "glorification of sexual desire." (OLG Cologne 1970: 297)

More detailed descriptions of the 'dangerous materials' are, as a rule, only to be found in the reprinted BPS and court decisions.

"The film shows a woman with a bare bosom standing up, who then completely undresses herself, does sex-poses on the bed, and gets up and poses in front of the mirror, and on her apartment balcony, in various provocative positions. The model's exposure serves the exclusive purpose of sexual stimulation. Such depictions are severely youth-endangering, and are designed to spur on young viewers, and dull their sense of shame." (Klockner 1969: 82 -- citing BPS Decision No. 1820)

The reason it is not spelled out [F29] as to precisely why pornographic material is looked at as being dangerous to children might -- excluding the theory that the editors of these journals were uncertain of the moral repercussions that such depictions would have on their well-informed readers themselves -- be due to fears that youth-protection journals could fall into the hands of minors, or, that extensive citations (and possibly even image examples) could serve as 'inside tips' for interested adults. However, in my opinion, the primary grounds for this 'abstinence'

lay in the fact that a consensus among the discourse participants (including those who merely accepted it [105] passively) has always taken it for granted that sexually-oriented depictions -- of whatever kind -- would be dangerous to children. [F30] As far as youth-protection is concerned, it is completely irrelevant whether the material was produced for the purpose of sexually arousing those who looked at it, or whether it was a matter of the artistic depiction of nudes or an article in a school newspaper on problems related to contraception... A detailed description of the material is unnecessary, because the nature and degree of explicitness of the sexual reference is unimportant insofar as condemning it is concerned.

Certainly in practice, this leads to serious problems in terms of definition and delimitation. Here, at the end of the day, materials' dangerousness can only be determined on a subjective level: Something is sexually dangerous when it throws children into "emotional and moral turmoil" -- in other words, sexually stimulates them.

"The moral development of youth is also endangered by the sultry and crudely sexual atmosphere which is depicted in the book, as well as by the numerous indecent accounts which provoke lasciviousness, lead the sexual drive astray, and are apt to poison youthful imaginations." (Seipp 1955: 187 -- citing BPS Decision No. 7 of 7/30/54)

Because they are neither willing -- nor in a position -- to cite objective (i.e., inter-subjectively verifiable) criteria for "likely to endanger," they must deduce them (or at least the theory) from the child's reactions to being confronted with the material:

"The focus of discussion is the question of the effects on children and youth of the mass media's messages. These effects are, however, very difficult to capture because ethical boundaries are placed around experiments involving human beings. Essentially, social reality serves as the real laboratory here." (Becker 1968: 186)

It is the **practice of pedagogues** to review media content to determine whether it is likely to be youth-endangering. They are proven correct when the child reacts to the material in the way that youth-protection expected.

"The emotional and moral turmoil which can be created here can be seen in the face of every pupil who is caught, by his teacher, with forbidden reading material." (Gehring 1950: 123)

Certainly, such attempts at an everyday, practical determination of dangerousness only appear to have probative power: As a result of a book or periodical being declared youth-endangering by youth-protection, adults prohibit its receipt by children. When the child is then caught with the forbidden reading material, what is read in the culprit's face as emotional turmoil caused by the dangerousness of the material itself (something whose prohibition would appear to be proper, and therefore, justified) might just as easily be seen as emotional turmoil

caused by the threat of sanctions. It would then be fear of punishment and a guilty conscience (in view of the norm-violation) which was reflected in the face of the caught child in the example cited. It seems dubious to me that (prejudiced) educators and child-rearers who observe this would allow a decision to be made in favor of one of these two possibilities -- or even, something which lay somewhere in between.

Because such stimulus-response-schemata **should not** be experimentally tested, and everyday, practical (at least quasi-experimental) proof would only be adduced once it has been established precisely what youth-protection is supposed to prevent (thus, it is already -- particularly as far as governmental measures are concerned -- 'too late'), for the practice of the responsible review offices, this means that what is dangerous is not what stimulates children sexually, but rather, what -- **based on the opinion of the youth-protector** -- they **could** be sexually stimulated by; therefore, the standard of proof would be the reaction of the child **anticipated** by youth-protection.

"Effects-analyses of texts, images, or films are not able to be carried out by the BPS. Also, based on the current status of media-impact-research, content would not be reducible to one single factor. Therefore, the BPS must rely on suspected effects on children and youth. Consequently, it must proceed based on the assumption that everyone would be identically impacted, and that particular effect-relationships exist. At the same time, it is only able to refer to evidence which has not been otherwise verified." (Barsch 1988: 25)

Therefore, at the end of the day, material is deemed to be 'likely to endanger' when it is capable of **giving child-protectors the sense that it would be dangerous for children**. And this would, of necessity, correspond -- first and foremost -- to what would stimulate the adult examiner him/herself. Consequently, the primary object of reference here is not the child's imagination, [107] but rather, the erotic tastes of child-protectors. Correspondingly, in practice -- as one BPS media reviewer reported -- they make decisions based on their own feelings:

"Many times, in borderline cases, the decision factor in terms of clarifying the issue came in answer to this question: 'Would you want to present as reading material -- or to show -- this magazine, this series of pictures, this erotic and lascivious essay, this poster, to your own children, your grandchildren, your nieces and nephews?'" (Herr 1955: 18)

Another prime example of this way of doing things is the characterization -- approved-of in contributions throughout the course of the 1950s [F31] -- of all depictions of **unclothed bodies** (e.g., in FKK journals) as "severely youth-endangering." In assuming that every sight of a naked person would be interpreted by a child as sexual -- and consequently lead to the sex-drive being stimulated -- child-protectors are probably just projecting their own (borne out of the sexual neediness of the post-war period) pornographied glance -- which tries to turn

every sight of a half- or un-clothed body into a sexual stimulus -- onto the child. Consequently, at the end of the day, it is they themselves who are -- at least in their imaginations -- sexualizing the child.

### 3. The Theory of Harm: Stimulated Drives and Moral Decay

However, such criticism of youth-protection overlooks the fact that in the texts, the problem of media endangerment of the child is not dealt with primarily on the level of empirical evidence. Quite the reverse: The question of proof is simply dismissed:

"At this point, given that a sufficient degree of probative literature does exist, what is required is not that we prove anything, but rather, that we merely point out the fact that people under eighteen years of age are not yet [108] mature, that their development is still in a state of flux, and therefore, is also still easily influenced by outside forces." (Seipp 1955: 186)

At the same time, in a portion of the essays, it is simply taken for granted that children are harmed by sexually-oriented depictions; no further rationale or explanation is required. It is -- quickly and succinctly -- asserted that

"all of the scientists working in this field concur regarding the dangers that films can pose for children and youth." (Schwarz 1970: 97-98) [F32]

From such texts, one learns very little about the presumed harmful consequences, or their possible underlying mechanisms.

In other contributions -- especially the reprinted court and BPS decisions-- the question of harmfulness is dealt with in greater detail. However, here, it is also explicitly decoupled from scientifically-derived proof (see Xylander 1968: 136):

"Due to the absence of solid scientific findings concerning the dangers posed to youth by written material, nothing is able to be said regarding its status. Along with the Federal Constitutional Court, (...) the esteemed Supreme Court proceeds based on the assumption that, under GJS §1 Sec. 3 and its progeny, the possibility that children and youth will be endangered by written material cannot be ruled out (...)." (BVG 1971: 282)

Because neither the natural nor the social sciences are willing -- or in a position -- to furnish proof of the media's dangerousness, any scientific examination of the phenomenon must be immediately declared irrelevant, and replaced by recourse to practical "pedagogical experience" (whose value we have already become acquainted with).

"When, despite realizing this, youth-protection continues to stand up for some prohibitions and restrictions, and thinks providing warnings and advice to parents is the right thing to do, this is because it is our experience that all outside influences have an effect on the child, and that negative influences generally reverberate among groups of children and youth. This is where the [109] experiences of pedagogues -- not

scientifically- or sociologically-proven dogmas -- come in." (Becker 1968: 186)

And according to these "experiences of pedagogues," as a matter of principle, **all** children must be regarded as endangered. Mind you, even here, it is determined that there are certain groups which -- for reasons that are not precisely spelled out -- are supposed to be especially susceptible to sexual stimulation by the media. The most frequently mentioned problem group is (once again) **group-home children**. [F33] However, with the exception of this one category, the social or individual characteristics of particularly at-risk groups remain unclear. Girls, in comparison with boys, appear to be neither more susceptible nor more resistant.

In the reprinted court decisions, it is always emphasized, again and again, that the assessment of the harmful effects of receiving such material is based not on 'normal,' but rather, "especially susceptible" persons. (See Barsch 1988: 31.) At the same time, it is never stated what, then, the issue for children and youth actually is in connection with this.

"At the same time, it has to be stressed that it is not only the average -- but also the susceptible -- youth who must be considered when determining whether or not a writing is youth-endangering. It is also -- and especially -- the susceptible youth who needs the protection of the law." (OLG Cologne 1970: 298)

Making a distinction between 'normal' and 'fragile' children -- and refusing to more precisely characterize the latter -- follows juridical logic, and is in the interests of committed youth-protection: The necessity of also protecting those who are particularly at-risk not only legitimizes measures directed at minors as a whole, especially because, only after the fact is it declared who is part of the particularly at-risk group; it also makes it easier to adopt a strict interpretation of statutory regulations. Of course, even if the majority of children and youth are not 'liable' to act out after reading pornographic material (which of course, as we saw above, is the only [110] 'empirical' criterion for the harm), there will always be examples in which an individual's deviant social behavior **can** be connected to such reading material. Thus, the problem of the absence of empirically demonstrable harm is further relativized.

The claimed harm constitutes the central basis for the perception of harm: Indeed, the materials are only dangerous because they (at least) appear likely to cause harm to children who get their hands on them. Although the harm-theory is the basis of all of the contributions examined, only rarely is the underlying theoretical model actually named. However, a portion of the essays do contain at least some remarks concerning the feared harm and its presumed effect-mechanisms. Accordingly, harm lends itself to being subdivided into two closely-related complexes: firstly, **sexual harm**, in both the direct and indistinct sense, and secondly, harm to adolescents' **moral development**.

What is understood by **sexual harm** here is that 'the sexual'

in the child (denoted as the "sex-drive," "sexual fantasies," "sexual curiosity," or even "coarse lasciviousness") is appealed to, stimulated, or only awakened. [F34] The main accusation directed against the media is that it harms children by appealing to their sexual curiosity and giving rise to their sexual fantasies. At the same time, whereas the model of sexuality that generally underlies this does regard the impulse primarily as an endogenous force, it nevertheless proceeds based on the assumption that its activation, strength, and orientation is largely dependent on external stimuli. Getting hold of the material is not the result of children's curiosity; rather, the child's sexual interest is regarded as a consequence of being confronted with sexually-oriented depictions -- and therefore, as 'harm.' This model of exogenous stimulation, along the lines of a stimulus-response schema, could already be found in the earliest decisions of the BPS.

"In the petition, the pamphlet is judged to be youth-endangering because, among other reasons, it...is likely to over-excite youths' sexual fantasies, thereby endangering the process of youths' moral maturation; the artificial stimulation brought about by drawings of this sort is likely to get all tangled up in youths' sexual fantasies during their developmental years, and have [111] a harmful influence on their development by inciting lasciviousness...The danger also lies in the fact that it is particularly in the pubertal years that curiosity is already being awakened, influenced by advertisements for things which youth of these ages are not yet able to digest, and for that very reason, undesirably occupy their sexual fantasies." (BPS Decision No. 16; 1955: 31)

The concepts first developed there can be found -- **mutatis mutandis** -- in a multitude of sources. At the same time, many contributions stop short of looking upon the awakening of sexual curiosity or instinctual arousal, as harm. In others, the stimulation of the drive is merely regarded as a **mechanism** of harm -- then, only its consequences appear to be harm per se: onanism, sexual playing-around among children, taking up sexual intercourse as a teenager. Most likely, what is usually at least implicit here is that sexually-oriented materials are dangerous because of their effects on behavior.

Only one of the contributions proceeded based on the assumption that there were also 'brave' children and teenagers who -- despite their urges having been stimulated by the media -- had not engaged in "premature" sexual activity. In that case, the harm lay precisely in the child or youth's frustration at not being able to satisfy their stimulated sexual cravings:

"...that probably in a great number of cases -- actually depending on the child's social and psychological situation, as well as the dramatic structure of the film itself -- the upshot is supercharged drives, build-ups of sexual urges with simultaneous frustration; frustrations which then lead to senseless, meaningless activities. Because of a strong compulsion to identify with the silver-screen image and its more powerful authoritative claim to reality than that of the TV screen, with the former's peculiar power to fascinate, the resulting effects are profound, manifesting themselves less in terms of an intensification of the libido

72

than in the creation of a 'destrudo,' a destructive aggressiveness."  
(Schwarz 1970: 98)

This means that, whether children give into their spurred-on urges or not, they are still threatened by sexually-oriented depictions in the media.

**Moral harm** makes reference to a model of **normal ethical-moral development** in children and teenagers: If there is no disturbance 'from the outside,' adolescents 'naturally' acquire moral concepts, character traits, and the ability to socially fit in, which -- in the authors' opinion are -- in numerous ways -- congruent with what is socially desirable. The harm [112] consists of the fact that this (usually referred to as "personal maturation" [F35]) process gets "distorted," "confused," or "misdirected" when sexually-oriented depictions enter one's awareness:

"The sequence of events leading to youths' personal maturation can be disturbed by situationally-adverse sexualization from the outside."  
(Bottcher 1966: 139)

Since the development of morality is disturbed by sexual contents entering one's awareness, we may presume (and the texts confirm this) that here, it is primarily a matter of the development of collective attitudes with regard to sexual norms and moral ideas.

"...that the girl, whose sexual development is portrayed from her first sexual experiences right on up to the brothel, is a sexually abnormal, unrestrained, and compulsive person who, driven by unbridled desire, descends step-by-step, until she ends up in a brothel. For the immature or credulous reader -- especially the teenager -- who does not -- or does not yet -- possess the ability to properly categorize the described girl, and is not yet able to recognize the purpose of the depiction, the novel's portrayals could not help but have a lasting impact on one's sexual imagination and emotional life. Young readers take these depictions at face value, and are not yet able to process them." (Seipp 1955: 188 - citing BPS Decision No. 17 of 10/22/54)

Basically, this portion of the harm-theory says that being confronted with sexually-oriented depictions impedes an inner acceptance of the sexual morality held by child-rearers. What this upbringing objective looks like can be very precisely reconstructed from the sexual ideologies contained in the texts. Standing at the center of the desired morality is the notion that sexuality would really only be ethically acceptable in the context of marriage. That is why the media is accused of 'teaching' children and teenagers that sexuality is also [113] possible outside of this framework -- thus, as a so-called purely pleasurable experience [F36] -- even when it would be not at all desirable.

"The sentences complained about by the public prosecutor's office comprise a one-sided glorification of sexual libertinism and pleasure, without so much as a single word being devoted to how a partner-oriented sexuality -- and, appropos to personal dignity, the obligation to



exercise control over one's impulses -- is an absolute requirement of human coexistence. The ideal to be strived for is not an unrestrained sexuality but a tamed one. Indiscriminately changing partners in order to avoid sexual constraints is not a desirable sort of sexual coexistence, because it makes humane [!] relationships between the participants impossible." (OLG Cologne 1970: 298) [F37]

The concept usually applied in this context, "social-ethical disorientation" (sometimes also called, in a conceptually confusing manner -- as in the above source -- "social-ethical confusion of concepts") subsumes all effects (even those which went beyond changes in attitudes, into the directly sexual sphere) under the umbrella 'disturbance.' In the 1960s, it was developed into a key category of index-practice, and aided the expansion of harm-theory to encompass "moral character" as a whole. (See Barsch 1988: 31; Knoll 1986: 442.)

What was feared in the 1950s was that the coming generation would be plagued by moral confusion. Will-driven mastery of sexuality was regarded as a fundamental skill, which also made it possible to exert self-control over other (likewise seen as anti-social) emotions and urges. Were this not attained in the sexual sphere, self-control in other areas would also be impossible.

"The full-throated repudiation of every prevailing moral and ethical value, which -- particularly in the context of sexual ethics -- quickly degenerates into sexual [114] nihilism, is likely -- as it runs smack dab into traditional and still-prevailing views pertaining to every area of ethics -- to bewilder teenagers and immature persons, causing them to waver. Even the experts are finally on the verge of acknowledging the danger of moral decay." (Seipp 1955: 187 -- cited in BPS Decision No. 7 of 7/30/54)

If sexual morality is treated as equivalent to morality in general, it automatically follows that deficiencies in sexual morality will be seen as a consequence of the general decline of the social order. [F38] The effects of this are depicted in the bleakest of terms.

"...the character of children and teenagers whose awakening minds feed on these sorts of pickings would have to be distorted and corrupted. They follow mendacious and misleading models which threaten to morally coarsen, emotionally deaden, and intellectually stultify them; establishing a value-system is out of the question, and social order is distorted, if not impossible." (Halberstadt 1964: 102)

The strong connection between the two harm-complexes -- the spheres of sexual activity and the internalization of moral concepts -- may be best described in terms of an **artificial-lake model**: The sex-drive is seen as a river that flows from standing water into the lake, which is then dammed up by character-fixed social-ethical attitudes (and one could psychoanalytically add: and be released only in sublimated form). In children, whereas the inflow is seen as small, the dam wall also appears to be low. When sexually-oriented materials get into their hands, not only is the inflow -- because of the impulse-stimulation -- presumed to quickly increase; but also, the dam wall is supposed to become

slightly higher and stronger than would be the case in undisturbed (natural) development. The feared consequence is the over-topping -- or even breaching -- of the dam: premature sexual activity, promiscuity, hedonistic sexual morals, sexual and general moral anarchy. In the end, for the narrower [115] sexual sphere, this even means -- and we saw something similar in the warnings against onanism -- losing the human quality of sexuality:

"From time to time, shameless sexual excesses are performed, and the person who has lost all connection with reality is revealed to be living a completely immoral sex-life, meaning: sinking into the depths of a shearly animalistic sexuality, without even becoming aware of it."  
(Becker 1965: 43)

#### 4. Responsibility: The Source of the Danger Is People

In the high phases of the theme-economy bemoaning floods of dangerous materials, individuals are held responsible for, among other things, changes in (sexual-) moral attitudes. Long before the changes of the 1960s -- which today are referred to as the 'sexual revolution' -- youth-protectors had already coined the term **sexualization** (of society or the general public) to characterize the decline of the restrictiveness of the dominant sexual morality. In the 1950s, in what now calls to mind the situation under the Third Reich, the term was applied to the following changes: the increasing number of images of bare (esp. women's) bodies in generally-accessible media, the emergence of a market in (actually statutorily prohibited) pornography, and an increase in discussions about sexual topics in nearly every form of media. Lastly, in this era, as can be seen from the increasing number of contributions in the journals examined, essays warning about the various sexual dangers themselves certainly contributed as well. Therefore 'sexualization,' as a discursive phenomenon, was a joint effort, co-created by its own critics.

Sexualization is believed to be the result of a change in socially dominant notions of morality (one could even say: in the moral system). What is noticed and criticized is

"the general state of anarchy in terms of moral opinions, adults' increasing laxity with regard to sexual matters..." (author not specified 1950: 15)

Not only do adults acquire and consume sexually-oriented depictions (which also eventually find their way into the hands of children); [116] they also, as parents, shirk the responsibility to immunize adolescents entrusted to their care against the sexual dangers posed by the media. However, not only are adults responsible for the danger; at the same time, they are also themselves **endangering actors**.

"The readers and perusers of such writings are not, for instance, the few followers of friends of naturism, but rather, our poor youth who, by their very nature, make no distinction between a risque magazine cover,

the high-minded cover of a naturism periodical, and the **uninhibited adults** who are behind these images, who are only looking for sex."  
(author not specified 1951: 463 -- emphasis added)

At the end of the day, the authors see it as their job not only to protect children and teenagers against the sexual dangers which threaten them, but to do so for adults as well. [F39] They act as the guardians of the entire society's sexual morality. In the 1950s, they found support for their attempt to 'bring up the child-rearer,' \* especially from the CDU- \*\* dominated government leadership: The powers-that-be are also dissatisfied with the basic moral stance of their people. They find it quite reprehensible when citizens actually contemplate exercising the civil liberties guaranteed them by the constitution. Thus Federal Families Minister Josef Wuermeling, in an essay on the connection between "democracy and youth-protection," (because of his pro-reproduction population policies, which are still well-known today) attacks the dissemination of sexually-oriented depictions, underlying which, in his opinion, are adults' faulty moral attitudes:

"An egotistical and unbridled personal autonomy, with no consideration for the prerequisites of social coexistence, is in keeping neither with the spirit of the constitution nor the requirements of a democratic social system, which also demands mutual respect." (Wuermeling 1959: 4)

[\* Translator's note: The German phrase here is: 'Erziehung der Erzieher.' 'Erzieher' can mean either child-rearer or educator. 'Erziehung' can mean either upbringing or education.]

[\*\* Translator's note: The CDU, or Christian Democratic Union, is a conservative, free-market party, one of the two major parties in Germany (the other being the Social Democrats).]

Only at the end of the 1970s did critics of the media stop blaming child-rearers for shirking their responsibilities. The student movement of this era -- referencing the classics of Marxism -- initiated a critique of economic conditions, which youth-protection soon got in on itself; now, the blame was assigned to the **economic interests** involved in distributing sexually dangerous writings: [117]

"It is and remains, solely and only, people who are youth-endangering -- people who write, disseminate, and distribute eroticizing and brutalizing literature, and, for business reasons, wish to sell it to youth, people who earn their living from indecent recordings..." (Becker 1968: 190)

However, the accusations are directed -- usually in the form of a moralizing appeal -- primarily at **individual** producers [F40], at

"certain film producers and directors, authors of dubious magazine series, photographers of pornographic subjects, advertising directors, and others..." (Abeln 1975: 72)

Only in passing -- and this is the difference from Marxist-

inspired criticism -- are impersonal, economic exploitation contexts considered.

## 5. Protection: Collective Measures Take Precedence

Not without reason, the authors themselves refer to their field of work as youth media-protection. Since, by the very name, they have committed themselves to the task (as opposed to -- considered objectively this term might suggest -- media produced by youth) of protecting children and youth from sexual dangers, in these warning-essays, they also play a central role vis-à-vis the question of remediation. Assuming, *arguendo*, that these persons or institutions have in fact been granted jurisdiction over the protection of children, some inconsistencies between abstract responsibilities and concrete recommendations for youth-protection measures begin to emerge.

In the abstract, state and society, associations and individuals, are declared to be equally responsible. Recommendations run the gamut, from the primarily government-oriented...

"Insofar as the mass media is concerned, youth-protection is the job of state and local authorities." (Müller 1964: 195) [118]

on over to churches, youth-protection organizations, and professions that deal with children and youth, as well as the issues relating to them, and across to the family:

"Though social groups do have an important role to play in the fight against obscene material, children's upbringing -- in the strict sense of the word -- is the responsibility of the family." (Filbinger 1966: 155)

This last allocation of responsibility is certainly the exception, as is the idea of collaborating with affected children. The dominant view is that victims would not be able to do anything of their own accord to counter the danger. (In terms of an age-based gradient -- and this is of less interest to us here -- only from teenagers is a kind of self-protection expected.)

In contrast to the abstract allocation of responsibility across just about every conceivable institution, concrete recommendations are almost exclusively directed at governmental activities. This limitation is a result, for one thing, of the fact that -- even when individuals are regarded as responsible -- social developments (*in toto*) (such as sexualization) are viewed as fundamental causes of the danger. Secondly, what also plays a role is the fact that the legislature immediately -- once a new coalition is formed -- responds to the demands of various youth-protection organizations: Because of the former's prompt action, youth-protectors got the sense that they could rely on both the state and its measures. It may be inferred from the texts examined that governmental authorities as well have always declared themselves to be responsible for this area.

"In light of its responsibilities towards adolescents, the Ministry of Culture [in Baden-Württemberg] is gravely concerned about the huge moral

dangers which, to an especially great extent today, students throughout the land are exposed to in public life. That is why the Ministry has taken upon itself the task of considering any measure that might help to steer schoolchildren away from rising moral anarchy..." (author not specified 1950:15)

The situation in the 1950s was what could only be called an almost total fixation on normative strategies: Recommendations were aimed at the enactment or revision of laws and rules which would (more effectively) organize official procedures, and interpret existing regulations in a rigorously legalistic manner. It was the GjS that was referred to most often [119] (also mentioned were the penal code, regulations governing the police and pertaining to the infringement of rules, barriers to trade regulations, and the JSOG [F41]).

Before the government had even submitted its first draft of the GjS, the enormous importance of overhauling the "Filth and Trash Law" [sometimes translated as The Obscenity Law] was already being constantly emphasized.

"A 'law to protect youth against the threats posed by writings and images' could assume the responsibility for turning teenagers' hypothetical right to unencumbered moral development into actual reality." (Gehring 1950: 213)

Later on, however, its effectiveness (as with other laws) would prove to be a matter of intense controversy. On the one hand, even after a brief period of practical experience with the work of the relevant authorities, its success was already being emphasized: It showed that the state had at its disposal the material as well as personnel resources to take effective measures against the immoral state of affairs in the media.

"That is why there is absolutely no doubt that the GjS is well-suited to keeping such writings and images out of the hands of young people." (Seipp 1955: 186) [F42]

On the other hand, some texts (a minority, mind you), upon passage of the law, stressed the limited effectiveness of normative measures:

"The attempt is made to eliminate or contain the dangerous situations which these writings can lead to. The legislator hopes that at least the coarsest materials might be kept away from youth. But the law will not be able to eliminate the possibility of the covert dissemination of morally endangering -- and even 'blatantly seriously morally' endangering -- writings..." (Englert 1952: 227)

From the beginning there has always been -- among the youth-protectors immortalized in these texts -- a faction which, though not fundamentally against statutory measures, nevertheless does think that they need to be **supplemented**. Its members ask for additional societal measures [120] to protect children and youth. This is also a view held by the legislator.

76

"The official basis for the law is revealed to be that the legislature itself only regards the law as a partial measure in the struggle against youth-endangerment, which must also be accompanied by positive federal and state measures which promote good literature for youth as well as youth welfare." (Potrykus 1953: 300)

Here one sees, for the first time, a distinction between so-called "negative" (= legal bans) and "positive" media-protection measures. However, the idea of "positive youth media-protection" attained greater salience only when, in the mid-1960s, statutory measures against sexually-oriented depictions no longer seemed effective. "Positive youth-protection" is based on the notion that minors themselves -- through pedagogical immunization strategies -- will be in a position to guard against the receipt of dangerous media. This -- also called "literary" youth-protection -- assumes that children and teenagers' interest in sexually-oriented depictions (as well as in other unpleasant materials -- typically mentioned in this vein are crime novels and comics) would disappear, if only they were furnished with enough "good literature" -- meaning, "morally irreproachable" books for children and teenagers. Here, protecting against media danger becomes a sort of substitution-problem. [F43]

Beginning in the mid-1970s, as the issue of sex education in the schools [F44] became a social battleground, some authors tried to lay the groundwork for the nationwide introduction of their own measures. In particular, for years, Walter Becker pushed for a sexual-pedagogical means of quasi-immunizing children against media dangers. In a programmatic essay from 1965, he lays out his concept in some detail:

"The focus of positive youth-protection efforts in recent times has been universal sex education. Thus, sex education [121] should empower them to put an out-of-control, emancipated sexuality back in its place, and reincorporate it into the human species. All such education should be oriented towards the image of the 'successful' marriage. When sexuality and eroticism are integral to human character, isolated sexuality will disappear, even from the imaginations of young people." (Becker 1965: 34, 41)

Even with these measures, the role of extra-familial authorities is emphasized (by other authors as well).

"However, social-educational responsibility for youth overall, as a subgroup of society, demands that we keep an active, prophylactic eye on potential disruptive factors. As pedagogical self-control of society, youth-protection seeks to ward off those disruptive factors which are beyond the purview of parents. It is the job of comprehensive sex education to impart to young people the right attitudes and knowledge, and to encourage them to make responsible decisions." (Böttcher 1966: 140)

This is especially surprising, given that, in the societal debates over sex education, it is precisely the religiously conservative faction that, again and again, stressed parents' primary jurisdiction over this area -- as well as the need to repel extra-familial influences. That authors who belong to this

ideological camp emphasize the positive function of non-familial sex education can only be interpreted as an attempt to make an emerging school subject [F45] serve the function of youth media-protection. Actually, this protection idea disappeared quite quickly, when the supporters of a reformed sexual pedagogy (which did not regard children's sexual activities as fundamentally dangerous) asserted themselves in the debates over sex-education classes. Youth-protection no longer speaks the language of sex-education; on the contrary -- it is now declared to be a new form of sexual endangerment. [F46]

Laying out all of the suggested protection measures side-by-side, it becomes clear that the primary subject of youth media-protection is not parents, but rather, the state, organizations, and possibly even professionals who specialize in education and [122] child-rearing. In my opinion, the reason why the rights of the parents are ignored -- despite their being held in high esteem by the conservative faction -- is not -- as as Schefold (1987) thinks -- that with respect to sexual morality, the family is assumed to be intact as a matter of principle, and therefore youth media-protection would only be interested in the public sphere, but rather, that the capabilities and moral reliability of parents are deeply distrusted by the state as well as youth-protection organizations. In the context of youth-protection's jurisdiction over the moral protection of society as a whole, even the parents themselves are regarded as at-risk:

"Parents need protection from vulgar profanity." (Weiland 1968: 307)

## 6. Results II: The Basic Principles of Youth Media-Protection

Based on the high degree of content-congruence of the examined contributions, and despite the large number of texts, the core messages of this discourse-component may be readily summarized in the form of eight "basic principles." It is in large part due to the discourse's strong normative-legal orientation that I have elected to describe it in this particular way.

**1. Every form of media can be dangerous -- to any child.** Due to the ubiquity of the media as well as the government's limited control over it, in the Federal Republic -- as was emphasized in the 1950s: in contrast to the Third Reich -- the child is exposed to a high degree of media-related danger. **All types of media --** without exception -- can be dangerous: Be it periodicals, books, films, sound recordings, or television, youth-protectors are able to find examples which, according to their criteria, must be regarded as risky. Particularly dangerous are media which are inexpensive and obtainable by every sector of the population. Every new medium brings with it a new source of danger. Based on the juridical construction of the "especially endangered" or "delicate" child, there appear to be groups of children which are, **theoretically**, more endangered than others. However, this empirically baseless homunculus is constructed and employed in such a way that it remains an open question as to which children belong to which groups. It is a matter of the subset of the child population which, due to the absence of any attempt whatever at delimitation, is in fact ideationally identical to

90

the population as a whole. Thus, when in doubt, any child may be said to be especially at-risk -- which only makes youth media-protection all the more necessary. [123]

2. **Sexual content is what makes the media risky.** Up until the end of the 1970s, youth-protection was focused -- vis-à-vis all media -- on the dangers posed by sexual content. It regarded protecting children (and teenagers) from **what it considered sexual content** as its primary task. Because this content -- as is the case with pornography generally -- cannot be determined to exist in any given material based on objective criteria, a depiction is held to be sexually-oriented when its receipt by children has a sexual effect on them; i.e., their sexual impulses are stimulated or awakened. Because, for quite understandable reasons, experimental research into this is frowned upon, it is only based on non-systematic day-to-day observation and thought-experiments that we may infer when this is the case. However, because day-to-day practical and abstract-theoretical determinations are not intersubjectively comprehensible, at the end of the day, a depiction is regarded as sexual when an individual child-protector **presumes**, based on his/her own embarrassment, that a child could be sexually aroused by it. Therefore, the ascription is made based on the introspections of adults who make these assessments, and has nothing whatsoever to do with the child's feelings and reactions.

3. **The moral/sexual harm is obvious.** Once a material's sexual content has been established, that's proof enough that it's dangerous to children. This direct linkage is based in the notion that, when such depictions get into the hands of children, this triggers harmful effects on three different moral/sexual levels. On the first level, stimulating -- or arousing for the first time -- the sexual impulse already counts as harm in and of itself, which needs no further rationale. On the second level is the sexual behavior which -- either immediately or at some point in the future -- is said to result from this external stimulus, which itself is deemed to constitute damage: masturbation, sexual play, premature sexual intercourse, and later on, promiscuity and diverging from the 'impulse's naturally-intended goal.' On a third level -- going beyond the directly sexual -- is presumed harm to the general development of the child's character and personality. Juridically-oriented youth media-protection (according to the Federal Review Office's phraseology) combined all of these harms under the umbrella-term **social-ethical disorientation**. Assertions of harm are -- either implicitly or explicitly -- decoupled from the question of scientific provability. The causal link between being confronted with sexual material and the harms [124] named is presupposed as self-evident, which also provides rhetorical immunization against criticism.

4. **The media threatens the social order.** Learning to control the sexual impulse is seen as the key to mastering all impulses and emotions. Meaning: If the child (due to external sexual stimuli



emanating from the media) does not manage to control himself sexually, he also won't learn to master his other impulses and emotions. He would then be incapable of fitting into society. This inability endangers not only the affected individual, but also society as a whole. Since, due to this harm, the up-and-coming generation is at risk of moral decay over the long run, to youth-protectors, the media appears to pose a high degree of risk to the **entire society**. Therefore, through their work, they in fact seek to save not only the child, but the social order itself. To be sure, the functional linkage between sexuality and the stability of the social order results not from (worthy) theoretical considerations, but rather, from the authors' irrational fear of excessive sexuality. In a sort of Manichean conception of the world, sex seems -- to them -- like a dark, incoming tide, which threatens to engulf the (sensible) order of things. The ever-recurring sea-metaphors used in the threat descriptions make it clear that this fear is well-grounded.

##### 5. The asexual -- as well as the sexual -- child is endangered.

The question of whether the child is by nature a sexual or asexual being, and thus, whether the sexual impulse is merely inappropriately and significantly stimulated by the media, or, contrary to how it develops naturally, is prematurely awakened, is only of secondary importance. The two positions stand next to one another as the endpoints of a not all that long, conflict- and competition-free continuum. Whether one's inclination is towards one pole or the other makes no discernible difference either in terms of the assertions of harm or the recommended protection strategies. The goal of youth media-protection merely requires that sexual acts be interpreted based on a **hydro-mechanical model**: The receipt of sexually-oriented depictions constitutes a stimulus that gets the child sexually stirred up, just like a switched-on hot-plate gets a steam-boiler going -- regardless whether the water inside it was cold or even warm beforehand. In any case the steam produced does harm to both the child and society -- whether it is bottled up, or is able to leak out. Even the deterministic-monocausal model, in which being confronted with sexual material automatically [125] leads to harm, resembles not social- but rather, natural-science thought-patterns (though of the 19th century). The youth media-protection child is not a human being, but rather, a (not even very complex) physical system.

##### 6. Adults are primarily to blame. Defending against danger is based on the notion of disturbing a given order -- carrying it out requires that the 'disturbers' be identified. In the case of the sexual endangerment of children by the media, **adults** are named as the 'disturbers' in three ways: as child-rearers, consumers, and producers. At the same time that, as child-rearers, they refuse to immunize children against the danger of the moral apparatus being prematurely awakened, as consumers of pornography they facilitate the child's access to the material, and as producers of media, they introduce new sources of danger into the world. Ascertaining the cause of the danger in terms of

82

the abstract phrase 'the sexualization of society' does not prevent youth media-protectors from assigning quasi-individualized blame to 'adults.' Moreover, it is an issue not of functional ascription, but rather, reproaching for moral blameworthiness: Indeed, adults are answerable not for deliberately harming children but for gross negligence, or at best, thoughtlessness. Youth-protection also addresses adults as the guilty party when they admonish them to consider the child. The moral appeal and accusation of guilt are designed to get them to 'voluntarily' relinquish the rights which the (of course explicitly approved of and deemed worth protecting) constitution grants them: to make a profit, and to consume whatever they are able to pay for. However, because youth-protectors already know in advance that adults will not heed their appeals, they simultaneously call for **compulsory state measures**, which are intended to stop adult citizens from doing what, apparently, they cannot give up.

**7. Children's proneness to danger makes stringent controls necessary.** Due to children's inherently insatiable curiosity, parents as well as pedagogues are seen as having an absolutely necessary and -- as a rule -- also positive influence on them (this is what is supposed to distinguish them from most adults) - however, when it comes to sexual matters, this can be not only troublesome, but even dangerous. The child's universal curiosity impels him to grab ahold of every scrap of media he can, particularly -- insofar as his sexual curiosity is concerned -- that which specifically focuses on sexual matters. At the same time, due to his lack of ethical insight and judgment, the child is not in a position to make a [126] (to youth-protectors, morally appropriate) selection from the media that is within his reach. Therefore, the child is endangered by the media due to two of his (probably viewed as innate) characteristics: curiosity, and the inability to make moral decisions. Consequently it is virtually in children's nature to fall victim to media dangers. It is precisely **because** they are prone to danger that they need help from some external source. This makes the ongoing **distrust** of children necessary: Child-rearers must always be vigilant against children's attempts to get ahold of harmful media. This danger is amplified even further in a positive feedback loop: Due to curiosity, the child gets his hands on sexual material, the reading of which, in turn, whets his appetite for knowledge even further. As the potential victim of his own curiosity and moral immaturity, the child needs to be continuously controlled by adults.

**8. In order to control children, adults themselves need supervisor assistance.** As serial failures, adults are responsible for children's endangerment; therefore (e.g., as average parents), they are not able to be in a position to effectively protect their children. They lack the moral integrity as well as the technical ability which this requires. They should be supported in their efforts by professional pedagogues, but also by supra-individual authorities. At the

same time, however, only rarely are societal institutions what one has in mind here (usually, when necessary, the services of a particular youth-protection association are emphasized). The primary point of reference for the protection measures called for is the state. The latter has **not** been identified as a guilty party, and therefore, is regarded as having sufficient integrity for this task. Because it also appears to have at its disposal the means necessary for protection (these satisfied the youth-protectors of the Third Reich anyway), it is granted **regulatory authority**. It is supposed to take legal measures against the production and distribution of media which could be dangerous to children, thereby supporting the parents in their own protection efforts. At the same time, however, its regulations should be directed **against** those parents who do not fulfill their obligations, and who, due to carelessness or ignorance, make dangerous media accessible to their children. Finally, at the same time, even adults themselves appear to be the objects of protection, seen by youth media-protection as a first line of defense against the entire society becoming sexually disoriented. Child-rearers are both the controllers and the controlled. [127]

### Part Three

#### BIG SUBJECT TO LITTLE SUBJECT: CHILDREN ENDANGERED BY SEXUAL CONTACTS WITH ADULTS

"...so the seducers walk right up to them."

(Henne 1952: 155)

"We social-pedagogy professionals...know the truly epidemic scale of scandalous crime that is taking place in the cozy secrecy of the seemingly familiar family home..."

(Roth/Spath 1990: 103) [128]

#### Third Historical Digression: 'Lewdness with Children': The Facts

What characterizes this danger-discourse is that it concerns interactions which are the subject not only of moral condemnation but also crimino-legal provisions. In the penal code that is in effect today, there are several paragraphs which 'relate to' sexual contacts between children and adults. Depending on the genders and formal social relationships between the participants, as well as the types of interactions engaged in, there are various situations which would be covered by these laws. In particular, what come to mind are Paragraphs 174 (sexual abuse of dependents), 175 (homosexual acts), 176 (abuse of children), 177 through 179 (rape and sexual coercion), and 180 (promoting the sexual activity of minors). Even prior to the overhaul of the sexual criminal law (in the early 1970s), there was a correspondingly large number of paragraphs which were

intended to protect the child against sexual approaches of any sort.

And yet, §176 represented -- and still represents -- the provision of by far the greatest **practical** importance (in terms of the sheer number of criminal prosecutions). Having said that, the primary reason why it is the focus of our historical examination here is that, the danger discourse in the Federal Republic refers again and again to §176 in particular. The reason for this (in addition to its quantitative significance) is that this Paragraph most 'purely' embodies the idea of protecting the child against sexual contacts with adults: It is designed exclusively to protect persons under fourteen years of age; the simple fact that some of the participants are children is sufficient for punishability -- other characteristics (such as gender or relatedness) are irrelevant. The decisive importance of this particular provision is evidenced by the fact that the dominant terms used to characterize the danger of intergenerational sexual contacts -- from the beginning right through to the end of the period under study -- are formulations which are based on the penal code itself: earlier on it was 'lewdness with children'; today, it's 'the sexual abuse of children.' [F1] [129]

#### A New Criminal Category Emerges

A historical examination of the crimino-legal prosecution of sexual contacts between adults and children in Germany broadly confirms Aries's thesis of the 'discovery' of childhood as a category in modern times: Well into the 19th century, in German-speaking lands, there were no regulations dedicated to protecting children of **either** gender against sexual encroachments.\* Moreover, prior to the 16th century, there wasn't even a provision specifically prohibiting such sexual contacts.

[\* The German word here is 'Ubergriffen,' which may also be translated as 'infringements,' 'interference,' 'attacks,' 'incursions,' or 'excesses.' However, I have elected to consistently render 'Ubergriffen' as 'encroachments.' As 'old-fashioned' or even euphemistic as this may seem, I believe it best captures what the author himself was attempting to convey with his own word-choice in this context: as value-neutral a term as possible (under the circumstances).]

"The criminal law sources of the Middle Ages did not **specifically** make lewdness lewdness committed against children a punishable offense. Sometimes, even common-law theories did not regard sexual assaults on children as a **special type** of crime." (Aaron 1910: 1 -- emphasis added; see Haeberle 1983: 388)

There were, in any event, no specific age-limits in Middle Ages law; if there was an age-stage roughly comparable to our modern childhood, its endpoint would actually have been marked by each individual's onset of sexual maturity. Only at the end of the Middle Ages did anyone begin to abstract from the concrete case;

limits emerged, which were formally based on the number of years lived. (See Killias 1919: 61.) This -- to us today -- irritating and (at least according to deMause 1978: 17) morally scandalous attitude certainly did not mean that in the Middle Ages and other common law, sexual encroachments against children would have been fundamentally immune from punishment; they were simply not understood to be specifically child-protection situations. Children were (at least under the law) granted the same protection with regard to sexual assaults as adults were -- and this also varied according to gender.

"Neither secular nor ecclesiastical law recognized the specific situation of lewdness with children. Sexual acts against children were only punishable if it were a matter of incest, sodomy, or rape; the fact that the victim was a child had no impact on punishability itself. The discoveries of individuality and the need to protect children would be left to the 16th and 17th centuries." (Killias 1979: 61)

Thus, the anal penetration of boys and men was punishable as sodomy; counted among 'respectable female persons,' who were protected against rape, were not yet sexually mature girls as well; many types of intra-familial contacts were prohibited as 'incest.' [130] Moreover because, at the time, penalization itself was actually based on the corresponding acts, in principle at least, the child-participant in, for example, sodomy and incest was also (partially) to blame -- and could also be punished right along with the older party. However as per the (to us already familiar) church doctrine of *anni discretionis*, in practice, children were usually exempt from punishment. This was also the case with regard to 'simple lewdness' (however, in many systems of law, all extra-marital sexual intercourse was punishable) -- here, older girls at least could also be (co-) perpetrators.

However, one must not overlook the fact that Middle Ages law and even common law were, as a rule, only interested in penetrative acts; the action of a whole universe of 'lewd' (or later, 'sexual') acts above and beyond sexual intercourse only emerged as the result of legal developments of the 18th and 19th centuries.

"Consequently, lewd acts per se never called for the most serious punishments; most cases probably didn't even need to be avenged, once they'd been brought out into the open." (Quanter 1904: 214)

Accordingly, girls were only protected against violent vaginal penetration, and boys, against anal penetration. Because, to our understanding, the 'sexual criminal law' [F2] in those times had a very high 'threshold for intervention,' the vast majority of the acts which would later be encompassed by the terms "lewdness with/the sexual abuse of children" would by no means be interpreted as punishable offenses.

"Consequently, only the most serious sexual attacks on children were regarded as deviant, and thus, punishable; that is -- according to modern terminology -- intercourse and intercourse-analogous acts." (Killias 1979: 95)

(Certainly, this says nothing about whether -- based on social norms -- such acts were accepted, or whether -- for example -- they were rejected as sins and punished by the church.)

It is only in the course of the last four centuries that special conditions have been established to protect children against sexual encroachments from adults. Moreover, five evolutionary stages are distinguishable (however [131] they did not occur in all German-speaking lands in this precise order):

First, the penalty for 'ravishing' offenses against the age-group of 'non-marriageable girls' was increased; i.e., the rape of sexually immature girls was apparently more reprehensible than that of women. This initially took the form of language supplementing the rape paragraphs; only at the end of the 16th century did

"criminal provisions begin to appear which made the sexual abuse of immature girls apart from rape a separate, punishable offense." (Killias 1979: 71)

Second, the absence of 'marriageability' -- probably due to practical reasons -- was decoupled from the question of individual sexual maturity: Based on a mean value [F3], an explicit age-limit was established. Initially, under common law, this was typically age twelve; later on, it was fixed at fourteen.

Third, under this now abstract, fixed age-limit, whether one consented to intercourse was determined to be irrelevant: If a given instance of vaginal penetration was not regarded as rape, it was at least subsumed under the category of "involuntary enfeeblement;" therefore, it was treated like lewdness with sleeping, unconscious, or mentally ill persons. (See Wachter 1826: 21.) By treating the child as a person whose wishes -- in the sexual arena -- had no legal significance, the division between childhood and being an adult was permanently inscribed into the sexual criminal law. [F4] [132]

The first stand-alone provision against lewdness with sexually immature girls came into force in the (Protestant) principalities of Saxony and the Rhineland-Palatinate in the latter half of the 16th century. In its Article 31 (Section 4), the Saxon Constitution of 1572 still made a distinction, for girls between eight and twelve years of age, between rape with the application of physical force (which was subject to capital punishment), and sexual intercourse without physical coercion (which was punished more leniently):

"Whoever violently ravishes such a child shall suffer death by the sword. However, when the same is achieved without violence, the perpetrator shall suffer the lash, and be forever banished from our region; however the maiden may also be punished for this deed." (Cited in Quantor 1904: 215; also see Teufert 1980: 27)

If the act took place without such 'direct coercion,' the presumption was that the girl was partially to blame, the extent of which would be assessed by the court and then punished accordingly. Only when the girl was under the age of eight [F5]

"would there be an irrebuttable presumption that the victim had not consented, and the perpetrator -- analogous to rape -- beheaded."  
(Killias 1979: 75; see Haeberle 1983: 392) [F6]

Fourth, it was only in the 19th century that uniform protections for both boys and girls were adopted. Regulations came into effect to protect **the child**, thereby combining provisions against the vaginal penetration of girls with those forbidding the anal penetration of boys. (Mittermaier 1906: 115-116) At the same time, the law-maker had to struggle with the problem of how to give a standardized name to every conceivable act-type in all sorts of different contexts. In the 1834 Saxon "Law for the Punishment of Carnal Offenses and Some Regular Crimes Which Are Associated Therewith," they were still kept linguistically separate. Its §5 states that persons "who engage in sexual intercourse with, or misuse for the unnatural satisfaction of the sex-drive," [133] children under twelve years of age, shall be punished, which the origin of the provision -- coming from two different paragraphs -- makes clear. Then, only four years later, the abstract regulation became part of the penal code in every state -- now, the talk was of prohibiting all "lewd acts with children." (Aaron 1910: 11-13)

The evolution of comprehensive child-protection is also particularly clear in the case of Prussia. Under the **General State Law** of 1794, the rape of children (up to twelve years of age) was punished particularly harshly; there were also paragraphs which dealt with acts that did not involve physical coercion. Then, in 1815, through an "order from the very highest levels" (meaning, the instruction originated from the monarch himself), it was determined that the question of **force** should no longer play a role in the assessment of acts against children under twelve years of age, and that this would also apply to sexual acts other than sexual intercourse. (Quanter 1904: 212; Mittermaier 1906: 12; Aaron 1919: 3) Finally, fifth, the requirement of penetration was thereby completely dispensed with. The wide sphere of "lewd acts" was now fair game. (Delimiting it was the task of the courts; therefore, to a great extent, this was subject to the prevailing sexual-political Zeitgeist.)

All of the characteristics of the modern concept of 'lewdness with children' were now in place. As a consequence, it was -- for example, in §144 Sec. 3 [F7] of the PrStGB, and later, correspondingly, in the RStGB as §176 -- determined that (a) every sexual act [F8] against (b) children of either sex below (c) a particular age-limit and (d) independent of the question of consent to it, would be under threat of punishment. [F9] In both penal codes, this revised approach was incorporated into the paragraphs that dealt with [134] lewd acts against women with the use of threats or violence and extra-marital intercourse with weak-willed or unconscious persons.

Only via the 4th Criminal Law Reform of the early 1970s did intergenerational sexual contacts get their '**own**' paragraphs, entitled "Sexual Abuse of Children," which (right on up to the present-day) -- dividing them up into eight specific situations -- endeavor to capture every constellation of sexual interaction between adults and children that jurists and politicians could

conceive of. Whereas the paragraph that came into effect in the 19th century only recognized lewd acts "upon" children as well as encouraging or tolerating their commission, now, in addition to adults' sexually-oriented acts upon children and children's upon adults, also taken into account were such acts by adults in front of children, "deciding" that a child will engage in acts with a third party [F10], "deciding" to tolerate acts by a third party upon himself, acts in front of adults, acts in front of a third party, and influencing a child through pornographic materials or conversation (which is intended to sexually stimulate the perpetrator, the child, or a third party). Consequently, the 4th Criminal Law Reform brought with it a clear expansion of prosecutable situations [F11]; the goal was to provide the child with complete crimino-legal protection against every kind of sexual contact with adults.

### The Tutelary Good, Then and Now

Even if the objective of the sexual criminal law in Germany did make the switch from safeguarding state-preserved morality to protecting concrete individual legal goods, to this day, this process still has not been fully completed. Ever since the concept of legally-protected goods was developed in the 19th century (especially by Feuerbach, Binding, and von Liszt), jurists themselves have posed the question: Which one of the -- as we saw -- at the time just-developed abstract notions of lewdness with children is actually supposed to be the protected legal good? Accordingly, when it was unmoored from the general [135] provisions against sexual violence, the argument was made that the grounds for protecting children in the sexual sphere would be different from those pertaining to the protection of adults.

"In the case of lewdness with children, the circle of lewd acts is wider than in lewdness with adult persons; simply touching the body of a child can constitute an offense." (Schwarze 1974: 304)

First and foremost in the 19th century, it was argued that the child's 'maturing body' was at risk of being harmed.

"Due to their physical immaturity, children are to be protected up until the age of twelve. There are particular physical injuries which lewdness leaves in its wake during these years of life, which is probably what was first and foremost in the minds of the lawmaker..." (Aaron 1910: 6-7 -- referring to the mid-19th century point of view.)

Then, in the 20th century, this purely physical harm was supplanted by emotional/moral endangerment.

"Therefore, there are two grounds for protecting youth. They are still undeveloped physically, and carrying out sexual acts often causes lasting harm; however they are also morally immature, and their moral development is hindered and deflected by the premature stimulation of their sexual sensations." (Ibid.: 8)



The legal good of "undisturbed sexual development" came into being, which the legislature also regarded as central to the construction of the version of StGB which is still in effect today:

"Nevertheless, at the very least, experiencing a sexual act early on can be a contributing factor for unfavorable development or further endangerment which, due to the increased risk, is unacceptable." (Select Committee 1972: 35)

To this day, this topos dominates the rationale for every provision of the sexual criminal law which relates to minors (as per the relevant StGB commentaries: Kackner 1991; Lenckner 1991; Dreher/Tröndle 1991). Moreover, the 'prevailing doctrine' is itself based on the model of the endogenously evolving sexual drive, which is disturbed by external stimuli. (See Schroeder 1974: 870-871.) It, in turn, is based on the principle that the question of punishability is completely separate from the issue of whether or not the child understood the sexual content of the act; it simply comes down to the perpetrator's sexual intent. (Dreher/Tröndle 1991, §176, Comment 3) [136]

Over and above that, constitutive of this crime is that it is a question of a so-called **abstract-endangerment offense**; meaning, actual, concrete harm -- or even (proven) injury -- is not an element of the crime. In other words: The legislator makes the irrebuttable presumption that the child is endangered by such acts. In the famous (Great) Leipzig Commentary on the StGB, this is put quite succinctly:

"It is not a matter of proving that the child has been endangered."  
(Laufhütte, §176, Comment 1) [F12]

### The Irrelevance of the Child's Wishes

As we have already seen, it was only in the course of the 18th and 19th centuries that 'lewdness with girls' **with their consent** was construed as an offense, which was treated like rape. This model, which (reminiscent of the institution of "**statutory rape**" in the U.S.) might be characterized as "rape according to the law," was still controversial in the jurisprudence of the first half of the 19th century. So said Wachter (1826: 23), in critical remarks to a group of law school professors:

"Here, they even go so far as to claim that: If the girl is still infantile, even if it was consensual, the enfeeblement would be tantamount to rape, because it cannot legally be consensual; only when a consenting infant becomes severely enfeebled would there be no rape!"

Under this new regime, the 'victim's' **wishes** no longer mattered. Leaving the issue of consent out of legal proceedings certainly did not lead to any resolution of the ethical questions associated with it. To this day, the central legal, political, and philosophical problem in this area is how to deal with adults who assert that the child can consent to sexual interactions. (The existence of cases in which this assertion also corresponds to the 'actual course' of the interaction has been assumed in

legal and political debates for centuries now -- even as opinions did change as to what quantitative significance this constellation would have in practice.) The normative-ethical 'trick' consisted (and still consists) of explaining why an empirical examination of [137] individual cases was not necessary here; i.e., why a person below a certain age-limit is fundamentally **unable** to consent to such contact.

Particularly devoted to this question was Aaron's legal dissertation of the year 1910. There, the author came to the conclusion that the irrelevance of the child's wishes in this area would have been tied to 19th-century Prussian lawmakers' assumption of the existence of an age of "presumptive will-lessness." (20) This premise is, however, criticized by Aaron as counterfactual:

"The young person's will, though crimino-legally irrelevant, does in fact exist; therefore, one cannot say that the child would be a will-less tool in the hands of the perpetrator, as, for example, would be the case if the perpetrator forcibly grabbed the child's head and placed it on his genitals." (38)

Therefore, in his opinion, contacts would be punishable not because they are carried out **against** the child's wishes, but rather, **despite** the fact that they take place in accordance with the child's wishes. At the same time, the explicit negation of the child's right to self-determination was legitimated by a 'formula' that was thought up as early as the middle of the 19th century (apparently 'newly' imported from the U.S. under the label `<e>` "informed-consent `</e>` theory" [F13]), according to which children are unable to consent to sexual interactions because they cannot foresee the **consequences** of their actions:

"Not only because here the element of consent (...) on the part of the legally violated individual cannot be regarded as the result of the free operation of the will, as stemming from a corresponding appreciation of external as well as internal factors (...) Meanwhile, the abused child is able to have a clear understanding neither of the moral reprehensibility of the act that was carried out with him or her, [138], not its pernicious effects..." (Friedrich 1861: 407; see Aaron 1910: 47) [F14]

Jurists adhered to this formula throughout the entirety of the 20th century. In the Federal Republic, Herbert Jäger's 1957 ground-breaking (and repeatedly cited) work on the concept of legal-goods protection in the sexual criminal law 'solved' the problem by making reference to the child's inability to "fashion a true will":

"Indeed, here, it is not always a question of how, in crimes of violence, one person's will is overcome by that of another. Rather, the injury consists in disregarding or exploiting a lack of experience and limited power to resist; thus, in the fact that children have not yet reached the point where they can fashion a true will of their own, with all of the cognitive faculties that go along with that." (Jäger 1957: 50; see also Simson/Geerds 1969: 293)

Since this is also the view of the relevant commentaries to the StGB, one can rightfully say that the notion of the inadequacy of the child's will has been a permanent legal fixture for some one hundred and twenty years now. This inability of the child to fashion a will that would be acceptable to jurists is not, however, a feature that is unique to the sexual criminal law. In civil law (which probably even played the role of the forerunner here), ever since the end of the Middle Ages, gradations of competency [F15] have been constructed. To this day, the Civil Code declares the professed wishes of young children to be completely irrelevant as far as legal transactions are concerned (and therefore [139] legally inconsequential); the situation is similar with regard to the question of responsibility for harm caused.

It is certainly striking that today's criminal law fixes the age of criminal responsibility at the precise age below which children -- by §176, among other provisions -- are supposed to be categorically protected against being approached sexually. (See Schwab 1971: 403).) It is as if the very basis of childhood as a legal category is the irrelevance of any expression of one's will: Consequently, it is not that children's ability to markedly express their will is disputed, but rather, the exact inverse of that: Persons who (based on age) are deprived of this competency are -- for that reason -- referred to as children. That is why -- in terms of juridical understanding -- children would, by definition, be persons who are unable to make any valid declarations of will. It is no accident that the point at which the child's absolute protection against sexual approaches ends coincides with the beginning of criminal responsibility. The child will be protected against sexual interactions so long as he or she cannot personally be held responsible for them. In other words: At age fourteen, he himself is responsible for his 'bad' acts, and therefore, also no longer needs to be protected from them.

### The 'Groundless' Emergence of a New Offense Category?

In contrast to media endangerment, but particularly so relative to the danger of onanism, in the 'sexual abuse' literature, one rarely finds references to the possible causes of the above-described commencement of social problematization and penalization. This is likely not merely attributable to the fact that in the factually-oriented assessments which dominate juridical works, as a rule, no importance is attached to such questions; it is also because today, it seems all too self-evident that sexual contacts with children should be punished. But even the relatively small number (compared to the other two dangers) of works on its historical evolution which do exist indicate that the norm that prohibits adults from having sexual contact with children is explained not in terms of being a product of a sought-after social development, but rather, as something which goes without saying. Although one occasionally does see references to works on the history of child protection generally (such as Honig 1988), and the (of course rather

abstract) debate between Ariès and deMause, to my knowledge, in the German-speaking sphere of recent decades, only Killias (1979) has specifically focused on the causes of [140] penalization. He traces the emergence of a separate offense category back to general developments in child-protection concepts and the judicial system.

"Therefore, the formal independence of the child-protection offense appears to be more a function of, following the renaissance, the increasing humanization of the treatment of the child, as well as the increasing contact-based differentiation and formalization of the legal system." (97)

At the same time, he also especially stresses the role of the child- and youth-protection movement over the last 150 years, which has dedicated itself to fighting against immorality in many areas (alcohol, prostitution), and has also placed great importance on protecting children from moral danger in these contexts. It regarded

"protecting children against 'moral depravity' quite generally as the most effective prevention against prostitution -- and this meant protecting them from their own sexuality. In accordance with this theory, 'child-rescuers' demanded sweeping child- and youth-protection measures, which made sexual acts of any sort involving girls or boys punishable offenses." (111)

But an even more important clue to an additional cause of the emergence of this new offense category turned up around the turn of the century. What the jurist Mittermaier (1906) -- always inclined towards clear phraseology -- says about the aim of special protections for children and youth against sexual encroachments is just as succinct as it is unambiguous:

"But in addition to that, the more refined and cultivated way of thinking recognizes that the moral sphere of the child also requires attention: Even if they are just on the cusp of sexual maturity, children are still to be protected as such; so that they are not morally corrupted, and do not become incompetent adults, the moral order will be adhered to." (114-115 -- emphasis added) [141]

## 2. From 'Serious Lewdness' to 'Sexual Abuse'

Sexual approaches [F16] to children by older persons (adults and adolescents) were the subject of 165 of the danger essays (which corresponds to 30.3% of all risks mentioned). In the essays from the '50s and '60s, reminiscent of the German's sexual criminal law's traditional headings [F17], they are predominantly characterized as either "morality crimes" [F18] or -- explicitly adhering to the legal norm itself -- "lewdness with children." Following the passage of the 4th Criminal Law Reform, the heading of the newly-formulated §176 was increasingly used to characterize the facts at issue: "Sexual Abuse of Children." [F19] This term -- occasionally alternating with "sexual violence against children" -- has been used continuously in the

public discourse since the mid-1980s.

The graph on the following page depicts the chronological distribution of the essays. The discourse-economy shows that, prior to the end of the 1970s, [142] there were two high phases as well as two periods of de-emphasis, which is similar to what we found with the dangers posed by both onanism and the media.

<<<INSERT PG. 142 GRAPH HERE>>>

Two things immediately stand out: First, compared to the two other dangers, the high phase of the beginning of the 1950s is not very pronounced; second, in absolute terms, the 17 contributions from the years 1962-63 (11 of them from 1963) constitute a high point which towers over the discourse-level of that era. Without anticipating the analysis of the general economy-course (which appears in Section Four of the present work), what we can say at this point is that this singular peak probably occurred within the context of some 'spectacular cases' that were the subject of intense discussion at the time. [F20] [143] However, what primarily distinguishes the chronological course from the two other theme-economies examined is the curve's steep ascent since the mid-1980s. Even at the end of the research period, it was still in full swing. [F21] This is the only 'boom' that was found in the material examined from the 1980s; the onanism-risk had disappeared completely from the discourse, and in the sphere of media-endangerment, only a very small rise in activity was evinced during this same period.. Discussions about the "sexual abuse of children" were and are just as intense in the mass media as in the specialist journals studied. In 1991 as well, scarcely a month went by when the daily newspapers, magazines, and (even public) radio and television did not report on some facet of the topic -- and a new (usually popular-) scientific report or book about abuse including accounts of self-declared victims appeared. Because the inter-relationships among the various sectors of the media is not a component of the present work, (due to non-systematic observation of the mass-media) the only thing that can be said with certainty is that in this field, the high phase of the specialized discourse largely parallels its corresponding thematization in the mass media.

The defining characteristic of this portion of the discourse consists of the fact that, from the mid-1980s on, the contents of the essays differ in numerous respects from those which ostensibly dealt with the very same problem in earlier decades. Upon closer examination, one gets the impression that what was depicted and lamented under the heading "morality crimes" back then, as opposed to 'sexual abuse' today, are -- despite dealing with what, in a crimino-legal sense, are the very same facts -- two entirely different phenomena. Initially, the only thing they appear to have in common are warnings about sexual contact between children and older persons. Moreover, the sexual acts [F22] [144] are depicted and morally criticized exclusively -- leaving their type, intensity, and context out of the consideration -- based on the fact that one of the participating

parties is a child. The category of 'child' is not, as a rule, explicitly elucidated; however, it can usually be inferred from the texts that membership in this group is simply based on corresponding legal determinations (only occasionally are 14-15 year-olds also referred to as 'children'). For the time being, only these few, abstract characteristics justify treating the older and newer essays in the same way (statistically- as well as systematically-speaking).

When the contents of the contributions are analyzed, two diachronic conceptions of intergenerational sexual contacts become evident: An older one, which I shall call the '**sex-crime\* concept**,' can be found in all contributions prior to 1984; by contrast, all of the essays which came out from that point on (with three exceptions [F23]) are based in the newer '**abuse concept**.' This sort of chronological bifurcation was not observable, for example, in the various onanism interpretations. Moreover, because the differences between the two concepts are so fundamental on every level, completely separate accountings would also seem to be in order. But one outwardly striking feature which should be noted at this juncture is that the following, abuse-concept discourse -- in contrast to all of the other debates -- is conducted primarily by female authors.

[\* Translator's note: The German word here, 'Triebverbrechen,' may also be translated as 'urge-,' 'instinct-,' or 'drive-' crime. (See below.)]

### 3. Concept I: Lewdness -- The Provoked Sex-Crime

#### 3.1 The Endangering Situation

If the older specialist essays are to be believed, the democratic era starts off not only (as we saw in the foregoing section) with a flood [145] of obscene materials, but also with an "alarming increase" in indecent assaults against children:

"The British zone's Criminal Investigation Department has, above all, pointed, with the gravest concern, to the increase in lewd acts against children (around 225%!). According to their figures, in North Rhine-Westphalia, one German schoolchild falls victim to a sex-criminal every four hours! But these observations are not limited to the British zone; similar developments have been reported in other states." (Becker 1951: 281)

Moreover, the rise in such "detestable crimes" was not merely an apparent one, based on (associated with the reorganization of the police force) a greater proportion of these deeds coming to light; rather, what was on the rise was the number of "moral assassinations" actually committed.

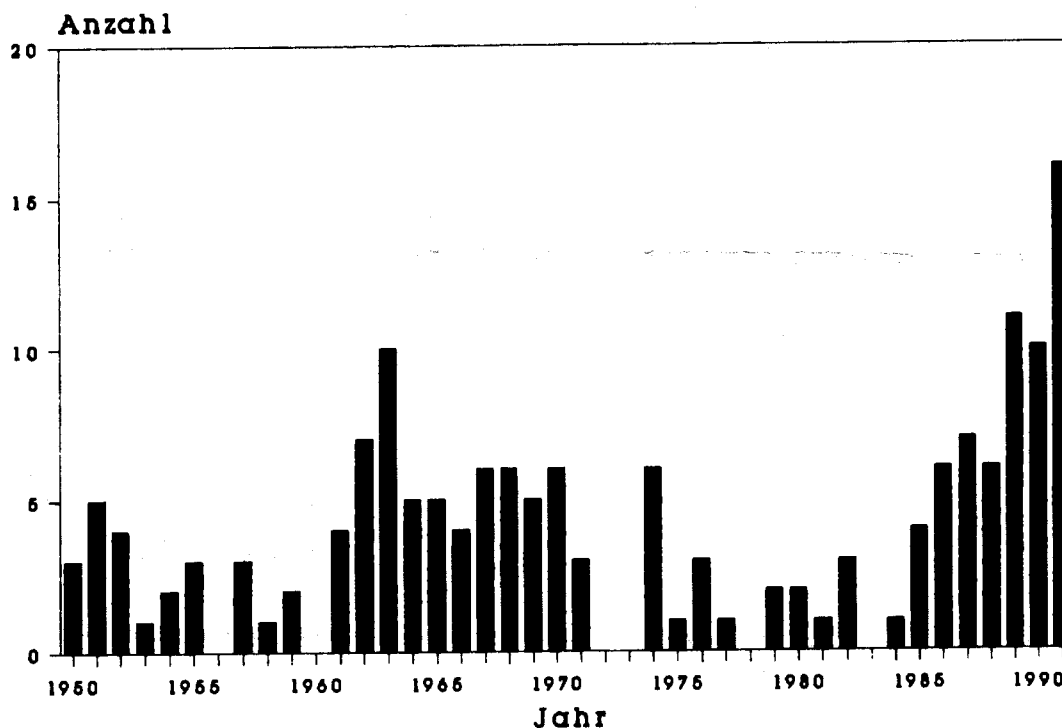
"One must not attempt to reassure the public regarding this extremely grave danger to children by attributing the enormous increase in sex offenses to, in part, a greater willingness on the part of parents and children to report them, as well as better police training." (Mann 1952: 26)

Only at the end of the 1950s was the all-clear sounded: The

zwei Hochphasen und zwei Zeiträume der Dethematisierung, wie wir sie ähnlich bei der Gefährdung durch Onanie und durch die Medien gefunden hatten.

*Essays Concerning the Dangers of Sexual Contacts*

### Aufsätze zur Kontaktgefährdung (N = 165)



Was zunächst auffällt, sind zwei Besonderheiten: erstens ist die Hochphase zu Beginn der fünfziger Jahre verglichen mit den anderen beiden Gefährdungen eher gering ausgeprägt, zweitens gibt es in den Jahren 1962/63 mit 17 Beiträgen (davon elf 1963) einen absoluten Höhepunkt, der auffällig über das Diskursniveau jener Zeit hinausragt. Ohne der allgemeinen Analyse des Konjunkturverlaufs (im vierten Teil der Arbeit) vorzugreifen, läßt sich hier schon sagen, daß dieser singuläre Gipfel wohl mit einigen damals in der Öffentlichkeit heftig diskutierten 'spektakulären Fällen' in Zusammenhang steht.<sup>20</sup>

<sup>20</sup> Einer davon war die erste Tötung eines Jungen durch Jürgen Bartsch im März 1962 - dieser und einige andere Fälle erregten 1962 und 1963 (von den Medien angeheizt) die Öffentlichkeit.

number of crimes reported annually had levelled off (at -- as was thought -- a high level).

Almost all of the statements concerning the extent of the problem were based on official statistics. The figures used were the number of 1) reported crimes, 2) charges brought, or, 3) proceedings which ended in the conviction of the perpetrator. However, according to the generally prevailing view, such recorded offenses constituted only a fraction of actual cases. In order to understand the relationship between the number of cases which became known to the prosecuting authorities and the number of suspected acts, one calls on the classic criminological category of the **dark number**. Determining it is characterized by the authors in this field as extremely difficult, as "of scarcely estimable magnitude" (Becker 1963: 33). The only thing there is broad agreement about is that the majority of sexual interactions do not come to light; estimates of the 'light/dark' field ratio range between 1:4 and 1:10.

"Every year in the daily papers -- above all in the warm months -- one reads reports of sex crimes against children and teenagers. The Criminal Investigation Department opens 15,000 new files on these crimes annually in the Federal Republic. An additional 80,000 files were, unfortunately, not [146] opened. This is the estimated number of cases that go unreported every year." (Abeln 1981: 71)

These acts are not evenly distributed across all social classes; the victimological burden on the 'underclass' is particularly high. Especially endangered are

"neglected, poorly supervised children, who have often already exhibited behavioral difficulties in the past. To the extent that their parents have not given them sufficient love, warmth, and concern -- the parental emotional caregiving that children need for their normal emotional development -- the family backgrounds of all child victims are defective." (Wehner-Davin 1976: 450)

Over and above that, there are additional risk-factors. Numbered among them are, besides both parents working outside the home, an absence of playmates, a lack of sex education, and -- for reasons which we shall examine more closely -- too little pocket money. The specific factors are, as a rule, merely named; it is left up to the reader to find possible explanations for the connection between living conditions and "susceptibility" to sexual contacts. The 7-12 year-old age group appears to be particularly endangered as well. On the other hand, no distinctions are made here in terms of the child's gender: It goes without saying that boys and girls become victims to an at least similar extent. [F24]

Press-report-induced public discussions were mentioned as the motivation for selecting sex-crimes as a central theme in the specialist media.

"Various crimes against children in Stuttgart in 1964 have roused the public in particular ways." (author not specified 1965: 215)



Moreover, for these authors, the sensationalistic reporting of 'spectacular cases' appears to serve just as well as a source of agitation among the public [147] as it does evidence of people's disquiet.

"The public has recently become deeply disturbed by the moral offenses against children which has been reported in detail in newspapers and magazines." (Flitner 1969: 340) [F25]

Moreover, what is striking is that the specialist portrayals follow the mass media's lead in giving prominence to acts involving the massive use of physical force.

"Every day, big-city and provincial newspapers alike report on sex crimes which again and again are perpetrated against children and youth, but often even against adults as well. Every day, children and teenagers are cruelly physically harmed -- or even murdered -- in bestial ways." (Wurfflein 1962: 409)

With reference to those publications, one is then able to call for restraint; and although imagery of their own is not employed, at the very least, they are concerned with presenting the particulars.

"I would prefer to forego describing the facts of the matter. Anyone can read about brutish crimes every day in the newspapers." (Ibid.)

At the same time, the mode of description oscillates between an attempt to avoid lowering themselves to the level of sex-and-crime reporting, and the (sometimes seemingly compulsive) desire to clothe their personal repugnance and specialist-officious indignation in graphic terms. Alternating with the use of blood-and death-associated [F26] hunt- and animal-metaphors, the naming of acts (particularly in eras in which the press is not so full of sensational reports) follows -- in terms of emotional content -- the opposite form; namely, a purely juridical one (e.g., using the language of the penal code of the time). [148]

The focus is on extra-familial sexual contacts; incest is usually ignored in these accounts. The continuum of reported acts ranges from

"merely encouraging children's imaginations, to visually influencing them via exhibitionism, on up to actual violence." (Schüler-Springoram 1965: 1)

Strikingly, only cases from the two ends of this wide continuum are examined more closely: exhibitionistic acts on the one side, and those involving excessive physical violence on the other. In the case of the former, this way of doing things is actually quite reasonable: According to criminal statistics, exhibitionistic forms are of course by far the most frequently reported crimes in this sphere -- something that cannot be said of physically violent acts. With the latter, extended accounts would appear to follow the sensationalistic reporting practices that the mass media is known for: The crueler the act, the higher the estimated informational value for readers.

Whether even this media has succumbed to the temptation to increase circulation through heightened thrills is not something we are able to speculate on. [F27]

Most popular are case examples in which the child dies in the course of the interaction.

"Again and again on afternoons during the first weeks of May, his interest in animals lured Holger, nine years old, to where the traveling circus was located. The friendly zookeeper gladly allowed Holger to help him with his work. On the last day of operation, the friendly zookeeper took Holger along with him on the feed-wagon. There, he tried to get closer to the boy. When Holger defended himself, he was violently assaulted and eventually murdered...The perpetrator concealed the body in hay." (Wehner-Davin 1976: 446) [149]

What certainly is not explained is how large a share of the total number of cases of lewdness with children such acts make up. [F28] It seems to me that accounting for this tendency in terms of authors' efforts to lend weight to warnings against moral assassination by latching onto one particularly brutal (and statistically rare) example sufficiently explains nothing in and of itself. [F29]

### 3.2 Perpetrators and Other Responsible Parties

In the 1950s, not a whole lot was said about the social relationship between child and adult. Following the legalistic way of looking at things, the former was generally characterized as the "victim," the latter, as the "perpetrator." This perpetrator is of course a stranger to the child, who approaches him or her out of doors -- with a preference for secluded locations -- with evil intent.

"Unfortunately, however, sexual deviants also favor these places [parks], and look for opportunities to approach women, teenagers, and children in order to defile them." (Pahl 1955: 584)

On the other hand, in the '60s and '70s, nearly all authors gathered -- from the crime statistics [F30] -- that the act of a stranger grabbing and overpowering a child was not altogether typical, given the fact that, in the vast majority of reported crimes, the perpetrator was someone from the child's "immediate area." This is understood to mean the circle of persons whom the child knows by name (neighbors, familiar persons, friends of the family). Accordingly, the 'stranger'-oriented educational campaigns of the 1950s are criticized: [150]

"Only rarely does the 'dirty old man' correspond to the description which is given by the father or mother, in terms of either his appearance, age, or behavior. A far too little known fact among those affected is that in the majority of cases, it is a question of fellow tenants, neighbors, relatives, or persons the family knows quite well." (Schüler-Springorum 1965: 1)

However, the possibility that the perpetrator might actually be a member of the family [F31] is mentioned only rarely, and even then -- as in the above text -- usually only in passing: Even "fellow tenants" are potentially dangerous.

Last but not least, due to the strong legal orientation of many of the texts, the adult participants are predominantly characterized as "perpetrators," or even "sex-perpetrators." Other terms regularly employed include "moral offender," "child molester," "child/youth-corrupter," or even -- specific to act-type -- "exhibitionist"; occasionally, colloquial terms such as "chocolate uncle" or "friend of children" are used.

Steps are taken to counter the allegedly widespread stereotype regarding sex offenders' outward appearance: Perpetrators do not belong to any particular social class, and cannot be identified by how they look.

"Do we know what a seducer looks like? No, for he can be old or young, a friendly grandpa or a more experienced older brother, tattered or nicely-dressed; thus, just like any other person. But he sure knows how to worm his way into the child's favor -- that's what usually sets him apart."  
(Henne 1952: 155) [151]

However, this critique of stereotyping only relates to outward appearance and possible socio-structural factors. [F33] The notion of a perpetrator-disposition was supplanted by pathologization. [F34] A fundamental characteristic of these texts is the carving-out of a particular adult personality-type: the psychologically **abnormal impulse-perpetrator**. According to the impulse-perpetrator concept, the sexual act with/in front of/against etc. the child is given rise to by an individual disturbance in the sphere of the sexual impulse. In the absence of any deeper theoretical reflection on sexual orientation and partner-selection, it is determined that a "sexual abnormality" is probably present in the majority of perpetrators, which would have knocked such impulses off of their "natural course." Sexually approaching children is regarded as a direct consequence of this abnormality, as an inherent aspect of the perpetrator's personality, and because of that, is reckoned to occur over and over again. Therefore, the impulse-perpetrator is a **serial perpetrator**.

This assertion of a serious personality disorder begs the question of its causation. Here, congenital (e.g., brain damage) as well as acquired defects are considered.

"In the destructive-perverse pedophile posture, the wayward personality proves to be at the mercy of trigger-mechanisms, which -- acquired through imprinting and habituation -- produce a nexus with particular stimulus-situations." (Schneider 1964: 317)

What is striking is the great number of possible reasons mentioned for this personality defect. This clearly reflects an effort on the part of these authors to declare that -- outwardly at least -- a sexual interest in children is obviously neither cognitively nor emotionally comprehensible to them. Images of

100

village idiots, senile old men, midgets, and even sex-starved soldiers returning home are called upon:

"At the same time, there is no denying the fact that, among sex offenders, there are also a large number of late returnees from prisoner of war camps, whose [152] sexuality was brought to a complete standstill at one point, and who are now straying from the straight and narrow."  
(Becker 1951: 282)

Classifying them as psychologically disturbed gives many perpetrators the (admittedly dubious) advantage of being at least partially acquitted of moral -- and even legal -- responsibility for their actions. A large number of offenders are certified as having had diminished capacity at the time of the act. Therefore, for this group, the focus is not the question of punishment, but rather, the search for possibilities for treatment.

"One should also give some consideration to the potential for curing sex offenders, given that a large portion of them indeed are brain-damaged, feeble-minded, senile, or sexually neurotic." (Becker 1963: 33)

As colorful as the conjectures concerning the individual causes of impulse-disorders are, the image of the perpetrator is just as unilaterally gray: Aside from a determination of sexual deviancy, the texts contain scarcely any additional remarks regarding perpetrators; particularly lacking is any attempt at the formation of a perpetrator-typology, which, for example, takes into account the various types and courses of interactions. [F35] The impression one gets here is of a largely homogeneous perpetrator population in terms of sexual interest and behavioral patterns.

At this point, it is very important that we observe that, both in terms of the way that things are depicted as well as the examples provided, in all of the contributions, it is clear that **men exclusively** are considered perpetrators. In none of the contributions examined is there any reference to the fact that a woman might commit a given act. The gender specificity of the category appears to be so self-evident that it doesn't require explicit mentioning -- the sex offender is always a man.

### **Additional Responsible Parties: Parents and Society**

In terms of the assessment of responsibility for the sexual contacts, three different 'parties' play a role: The majority of authors hold [153] the adult participants in the contacts primarily responsible; next, the children themselves are assigned part of the blame (which can rise to the level of primary blame); lastly, there are additional persons or authorities which, though not direct participants in such contacts, are nevertheless held indirectly responsible for bringing them about. Three groups in particular are named: parents, adults overall, and the state.

Most frequently, partial (moral, but not, as a rule, legal) blame is assigned to the **parents** (and even then, mainly to the mothers!) of the affected children. First and foremost, they are

(admittedly, due in part to ignorance of the dangers lurking) accused of having become careless, and not sufficiently carrying out their parental responsibilities. Children who are raised properly should develop a sense of shame vis-à-vis sexual matters, which is actually what would have to constitute the most effective protection against sex-criminals. If the child is lacking a sense of shame, this would have to be attributed to the parents themselves. Parents are also criticized for oftentimes not reporting contacts which their children reveal to them, either out of a false sense of shame, or due to misgivings about the child being psychologically burdened by anticipated criminal proceedings. Consequently, they become co-conspirators to all further acts (which are only able to occur because proceedings against the perpetrator could not be initiated).

Over and above that, it is parents' duty to always be on the lookout for things in their children's possession which the latter would not have been able to buy with their own pocket money: This is an important indication -- to be described further below -- of the existence of an indecent quid-pro-quo relationship.

"The indifference, thoughtlessness, and laziness with which parents overlook the fact that their children are bringing gifts such as sweets, toys, and often not small sums of money into the house is simply incomprehensible." (Schneider 1950: 432)

Lastly, parents' choice of clothing for their children to wear is particularly to blame. Because this hypothesis is based on the assumption that there is in fact clothing which would be especially sexually arousing to sex offenders, parents must be

"particularly admonished to not dress their children up as 'lures' for sex criminals, but rather, to also safeguard their children's natural sense of shame in terms of clothing." (Würfflein 1962: 41)

Secondly, the overall (adult) population is responsible: [154]

"Over and above that, the general public can also help to prevent sex crimes. Anyone who observes suspicious-looking persons at children's playgrounds, places of entertainment, parks, and other locations should report it immediately to the nearest police station." (BMFJ 1962: 254)

In the meantime, in order to help apprehend perpetrators and prevent additional crimes from occurring, all citizens should report anything that looks out of place to the appropriate governmental authorities. Those who do not carry out this civic responsibility are particularly to blame.

"Now, of course, whenever adults see morals offenses and crimes being committed, it is their duty to report it, regardless who the perpetrator is, and without fear of being discredited oneself. Protecting a sex-criminal out of good-naturedness or 'compassion' is irresponsible." (Schneider 1950: 432)

However, motherly care and the attentiveness of the people can only bear fruit if, thirdly, the **state**, via its legal norms, signals to the sex-fiend that sexual contact with children will not be tolerated.

"What deters them is the sense that...our penal code -- for which not only Erika's parents but all fathers and mothers are thankful -- does not want its daughters to be sexually assaulted and exploited." (Weber 1971: 207)

Here, it is usually not the legislator that the reproaches are directed at, but rather, the authorities responsible for carrying out the law. It is supposed that the police and judges are too 'soft' on apprehended sex-fiends (and were, for example, setting repeat offenders free over and over again):

"Today, compared to how it was previously, the safety situation in the Federal Republic is pitiful. In addition to child-rearing authorities, also partially responsible are those agencies whose job it is supposed to be to provide citizens security, and protect them. What I mean by that are the legalisms which sometimes, in irresponsible ways, turn a blind eye to what is necessary..." (Wurfflein 1962: 410)

Lastly, in addition to such institutions, particularly in the early years of the Republic -- following the thousand-year Reich - - what are felt to be chaotic economic and **sexual conditions** are held responsible for the high number of sex crimes against children: moral insensitivity, the housing shortage (parents are forced to share a bed with their children), the sudden end of malnutrition, the [155] existential concerns of other sectors of the population. Morally reprehensible fundamental attitudes are seen as spreading throughout the society: moral anarchy and depravity everywhere. (Here one finds a clear parallel to the social processes that were held responsible for the rise in media-related dangers.) Children would also have been more likely to get ahold of ever more widely-disseminated **pornography**. Here also, with media endangerment, the concept of the "sexualization of public life" was used; and it was wondered, the extent to which

"such atrocities are part and parcel of a changed life-style, especially in terms of general sexual behavior. Changed attitudes toward children and society hold sway over today's society. The child is adjudged to be a potential object of sensuality, and is often -- even before or during puberty -- sought out as a sexual partner. Moreover, the fence that previously had walled off childhood as a protected area has now been recklessly torn down." (Flitner 1969: 340f.) [F36]

### 3.3 The Child: Guilty Due to Participation

Just by the nature of the social relationship between child and adult that is portrayed, a rough model of the (presumed) interactions emerges. Accordingly, the perpetrator requires an **isolated location** in order to indecently assault the child, a place where he need not fear chance discovery by passers-by, and where the child -- even if he or she loudly resists --

could not expect to receive any assistance from third parties. Therefore, the perpetrator either seeks out children who are already hanging out at such unsupervised locations...

"In nearly all cases, the way the act is carried out follows a common pattern. Perpetrators usually make their way down to unsupervised, out-of-the-way, [156] or hidden places where children are playing..." (Fröhlich/Sommer 1950: 17)

...or, he lures the child to a correspondingly remote locale. With the latter, 'tricks' play a large role, whereby he gets the child to follow him to a suitable place for carrying out his plans. Even in times when the stranger-perpetrator model is criticized, 'prime examples' of such tricks are gladly presented. Most popular are cases in which the perpetrator exploits the child's interest in animals.

"'Help me look for my poodle -- he ran away from me,' an approximately thirty-year-old man asks eight-year-old Anne. Ready to help, she follows him, not knowing that the man is simply trying to lure her away from a residential area. In a nearby patch of woods, he commits lewd acts upon the girl, just as he has already previously done with other children." (Wehner-Davin 1976: 446)

Those contributions which describe perpetrators as having a predilection for luring children to areas with lots of trees, and then overpowering them there, are certainly strikingly guarded in their depictions of the actual sexual acts. This could be because a 'quick grab' scarcely lends itself to a detailed account of the course of the interaction. Arguing against this explanation, however, is the fact that a similar 'abstinence' holds true for cases in which the abuse is the result of the exploitation of a position of authority (e.g., by a "pedophile teacher").

On the other hand, interactions where one of the parties is thought to be just below the age of consent (or even just above it) are described in greater detail: usually long-term scenarios, which begin with 'harmless' social contacts and end in sex crimes.

"Then there is the retiree who's fond of children, who initially looks at the little girls in a friendly way, chatting and playing with them without any ulterior motives whatsoever. They come up to his room, he takes this one or that one up onto his lap -- and before you know it, the touching becomes intimate. The children, who receive candy, go up there again and again, stick together as a tight-knit group, and reveal nothing." (Flitner 1969: 341)

It is also possible to distinguish several different act-phases here. The encroachment is effected not as a quick grab -- if need be, with the use of force; rather, a complex socio-sexual interaction evolves between the adult and the child (or children). [157]

"In most cases, these youth-corruptors' dangerous activities continue over a long period of time (sometimes several years!) without being reported. The children and teenagers are usually seduced or abused repeatedly. Frequently, children are introduced to the perpetrator by their already previously seduced playmates." (Fröhliche/Sommer 1950: 7)

Only rarely do these reports confine themselves to a 'dry' juridical or social-science description of the case; on the contrary -- they are filled with explicit or apocryphal moral judgments concerning the interactions. Although, as a rule, the adult is assigned the lion's share of the blame, it is almost universally also the case that the child bears a certain degree of complicity.

In the stranger-perpetrator model, in a portion of cases, the adult must first get the child to follow him to some out-of-the-way location. Because, prior to that, the use of violence is extremely risky, it is pointed out that the child 'willingly' complied with the change of venue. But it is still typically assumed that the only reason the child would follow the perpetrator would be due to his or her gullibility.

"Many sex offenses would never have been perpetrated, if only the child had not innocently gone along with the perpetrator's plans." (BMFJ 1962: 254)

Only rarely discussed vis-à-vis stranger-perpetrators -- but characteristic of the immediate-environs model -- is the presumption that in a large (as a large a?) number of cases, the children will also have consented to the sexual interaction in some way. At the very least, they are reproached for, over a period of years, having again and again willingly gone over to visit neighbors or persons who are familiar to them, where sexual activities always end up taking place.

"One would have to proceed based on the assumption that, many times, the victim -- here, the abused child -- not only makes it easy for the sex-criminal to attain his goal, but actively accommodates him, sometimes even initiating the activity..." (Schneider 1950: 431)

There are a whole series of explanations for this presumed consent on the child's part, ranging from congenital sexual disorders, all the way up to financial considerations. Moreover, in the 1950s, it was widely believed

"that many children are predisposed to such crimes. There undoubtedly are children who are predestined to become victims of sex offenses." (Becker 1951: 284) [158]

Therefore, when -- due to a lack of cognitive faculties -- these individuals are incapable of understanding the wrongfulness of their actions, they are granted clemency. "Feeble-minded" or "less intellectually-gifted" children more frequently fall victim to sex-fiends. Certainly, this determination also implies that the majority of children (the cognitively 'normal' ones) cannot be so easily absolved. This reproach, in its mildest form, says



that it is their **curiosity** which would have led to their participation in the sexual arena. Clearly, they are more condemnable because they already had some indication of the presence of 'sexual depravity.' This includes children who find "pleasure" in the sexual activities, and "offer themselves up out of sexual desire." (Hieber 1990: 112) The prevailing assessment of the child's role in sexual interactions is most aptly characterized by the term '**accommodation**,' which covers the continuum from positive toleration all the way up to initiating activities of their own accord. (At the same time, the child's wishes are not interpreted in such a way that the child's failure to actively resist is enough to constitute consent.)

At the end of the day, the large number of cases in which the child does not appear to be averse to responding in the affirmative to adults' approaches makes unilateral condemnation difficult. Particular prominence is given to a type of socio-sexual interaction which might best be described as an '**exchange-relationship**' between adult and child. Children allow or take part in sexual acts in exchange for money or other forms of payment.

"Two nine-year-old girls have a word with a young man whom they do not know, begging the 'uncle' to give them a couple of quarters\* for ice cream. Because they are not satisfied with the 20¢ he gives them, he promises them more, if they will go with him into the bushes; he then gives them two dollars. The following day, they go in there of their own accord, and 'make a profit' of five dollars." (Flitner 1969: 341)

[\* Translator's note: I have converted the German monetary amounts here (in Marks) to their rough U.S. currency equivalents.]

At the same time, the transition between perceiving a 'good opportunity' and seizing the initiative is a fluid one. In many cases, not only do children consent (due to financial or other interests) to the interaction; they initiate sexual activities with adults "of their own accord." The presumed extent of cases involving the child's active participation (or even initiation) is typically reflected in the fact that authors only select a few of them for closer examination. When statistical statements are made regarding the course of interactions, usually about a third of all cases that come to light are assigned to this category. When the child's own initiative is associated with economic interests (or to be more precise: someone else associates the child's initiative with economic interests), a portion of the phenomena which are legally regarded as lewdness with children are viewed, [159] under such a life-world perspective, as a sort of self-prostituting of the child.

"It does indeed happen, that a somewhat feeble-minded old man absolutely does become "seduced" by precocious children between the ages of nine and thirteen, who wish to get some sweets or a bit of money from him. In the larger cities, there are 12-14 year-old boy prostitutes who -- based on cold calculations of what is useful to them, as opposed to sexual desire -- go out with men." (Becker 1951: 282)

Here, the declaration that there are victims and perpetrators is true only in the formal legal sense. In terms of moral considerations, it absolutely can happen that a child primarily appears to be not a victim, but a perpetrator.

One basis for such a categorization -- besides 'purely economic' interests -- might be the conviction that even people whom society still considers children already have sexual interests and can also articulate them -- perhaps even to adults. Certainly, this sexual interest is then interpreted either as individual "precociousness," or -- equally unnatural -- as being greatly accelerated in the aftermath of the war. In this context, it is seen -- not just by the texts examined -- as quite 'normal' when these precocious or accelerated children then turn into sex offenders themselves by "indecently assaulting" smaller and weaker children. [F37] They are regarded (e.g., even in the crime statistics) just like adult sex offenders. What appears to be particularly disquieting is that these acts often do not 'come to light.'

"Almost even more significant is the proportionate rise among children under age fourteen; in 1954 they constituted 5.6% of all perpetrators; in 1955 this figure had already risen to 6.2%; in 1956 it was 7.4%, and in 1957, their share had already reached 9.01% (= 1,021 perpetrators)...At the same time, it must be emphasized that even with regard to the number of acts perpetrated by children, the 'dark' number would undoubtedly be quite considerable." (Händel 1958: 310)

This concept produced a correspondingly fine line between who was the child-victim and who was the child-perpetrator. Therefore, in many of the cases depicted -- even those far below the threshold of self-prostitution -- [160] at the end of the day, the only (reproachful) conclusion that remains is that the child must confess to his or her complicity.

"Child victims must remember to also acknowledge their own 'guilt': for having been with strangers, for having accepted gifts from strangers, for having met with these strangers several times, without telling their parents about it." (Wehner-Davin 1976: 449)

### 3.4 Endangered Psycho-Sexual Development

As with the other dangers depicted, constituting the rationale for the oftentimes emphatic warnings is the idea that sexual interactions threaten to do all sorts of damage to the child. Compared with the onanism and media dangers, however, the harm-declarations here are clearly confined to a narrower area. The former are usually seen as quite universal, and are portrayed rather blandly. This is probably due primarily to the fact that the harmfulness of sexual contacts is seen as being more immediately apparent than is the case for the other risk-areas. [F38]

Apart from assaults in which a high degree of violence is employed in order to attain the sexual goal, **physical harm** only plays a subordinate role. It is merely mentioned in the context

of presenting the overall harm-continuum, which ranges from temporary psychological shock, all the way up to the death of the child. According to the political-juridical preamble of §176, the most important legal good is not "freedom from bodily harm," but rather, "undisturbed sexual development." Similar to how it is in the other two risk-areas, here too, children's "normal development" is distorted by "external stimuli" -- only this time, sexual approaches by adults constitute the source of the disturbance.

As was the case for the danger of onanism, the occurrence of harm is independent of the question of whether or not the child is ascribed an already active sexual drive. The precise reasons given as to why the sexual approach does developmental harm are either developmental-psychological [161], or sexual-pedagogical. [F39] Psychological injury is an automatic consequence of the fact that a majority of society condemns sexual interactions between children and adults.

"Here, as far as children under fourteen are concerned, there is still a generally socially recognized taboo, which remains unaffected even if countless children are said to not suffer psychological harm." (Becker 1976: 162) [F40]

On the other hand, this social condemnation in the form of a criminal norm is justified by the fact that children are psychologically harmed by these contacts: Undistorted sexual development is the primary legal good of §176.

"The legal good being protected by this criminal provision is more properly perceived as the child's right, in addition to an undistorted development with regard to sex, to grow into a mature person with regard to sex." (Schüler-Springorum 1965: 2)

Only to a very limited degree is the circular argument which is emerging here fazed by the lack of an empirically-grounded theory of harm in this area. It is openly acknowledged only by a few authors.

"Although none of the experts have been able to present any notable empirical material concerning the problem of the psychological effects of sex-crimes on children and youth, there is nearly unanimous agreement that one should always expect age-inappropriate sexual experiences to be associated with more or less serious psychological traumatization of the child." (Schneider 1964: 318)

Therefore, the idea that sexual contacts between adults and children result in psychological harm was probably -- at least in the 1960s -- based not on findings from scientific studies, but rather, on specialists' basic (theoretical day-to-day) convictions. [162]

Depicted injuries to psycho-social development during childhood even include the danger of corresponding illnesses in later years. When sexual activity between adults is seen as a -- possibly lewdness-induced -- disorder, the standard by which it is assessed is "normal" or "healthy" sexuality within the context

of marriage and procreation. Deviations from the social (as well as state) norms associated with it (particularly promiscuity and prostitution) are interpreted as damage potentially stemming from these earlier contacts in childhood. Because empirical confirmation of such long-lasting harm is lacking here as well, in order to shore up the harm-theory, one is, once again, forced to resort to "significant" historical examples. [F41]

"In the literature, we find a significant case by Erich Wulffen from the year 1910. A 14-year-old girl had to be turned over to the vice squad in Plauen. It then came to light that this girl had been abused by her stepfather over the course of some twelve years, eventually becoming a common prostitute." (Friedemann 1962: 145)

Certainly, aside from those of a psycho-sexual nature, additional long-term or even irreparable injuries are not -- as a rule -- described in any detail. It is merely succinctly stated that these crimes can be the cause of

"irreversible harm to a child's body and soul." (BMFJ 1962: 254)

### 3.5 Protective Measures: Castration and Control

The primary goal of most of the contributions is to educate the (specialist) public regarding the danger, thereby contributing to the protection of children. Over and over again at the beginning of the essays, it is pointed out that the implementation of these prevention concepts is obligatory. In terms of the protective measures demanded, there is a distinction to be made between those targeted at perpetrators, and those aimed at children. The former are usually governmental activities, designed to prevent future contacts not only by punishing the perpetrator once he is apprehended, but also by dissuading him from his sexual interest in children, [163] or -- if that route does not seem promising -- "putting him out of commission" for the long term (e.g. -- if need be -- for life). Victim-oriented measures, on the other hand, are designed to impede potential perpetrators by making the child less susceptible to sexual contacts with adults. The sexual danger should be explained -- or the psyche, overhauled -- in such a way that there is no longer any inclination to participate in such acts.

As a rule, **perpetrator-oriented protective measures** are tied to legal determinations. The salient points of reference here are the protection of all children below the age of fourteen under §176 StGB, male children and teenagers under §175, and females between fourteen and sixteen (whom these authors often refer to as "children") under §183. The goal of these criminological provisions is not only the protection of particular, named legal goods pertaining to the child (first and foremost, an "undisturbed sexual development"), but over and above that, the preservation of the moral order within the state and society. Punishing the sex offender also serves the "general public's interest in going after" (Kohlhaas 1969: 74) these perpetrators:

"One cannot always proceed based merely on an individual's desire to prosecute, and his/her own vulnerability. Regardless, it remains in the public interest to ensure that all of the bonds without which a democratic state (indeed, even moreso than a dictatorial state) simply cannot exist are not dissolved." (Ibid.)

Because children are "our nation's most precious possession" (Würfflein 1962: 410), it is affirmed that the Third Reich's tradition of mercilessly punishing [F42] the perpetrator was to be continued in the Federal Republic as well:

"It is a good thing that the Third Reich's strict legal interpretation of child- and youth-protection continues to be upheld." (Becker 1951: 283) [164]

Many of the "new" measures called for in the '50s and '60s to enhance protections leaned heavily on the methods practices by the National Socialists [Nazis] to render sex offenders "harmless." Here as there, they promoted the "elimination" of perpetrators. In the context of this criminal-political revanchism, in addition to the setting-up of no-go areas and strict police supervision of convicted sex offenders, what was particularly demanded was **preventive detention**.

"We seek, as a new provision, the introduction of a bill to provide for so-called preventive detention, which could be imposed in addition to punishment, when it is a question of a person with criminal tendencies who has already committed a particular series of criminal acts, regarding which neither punishment, court-ordered therapy, disciplinary measures, or even welfare counseling have led to any improvement in the situation." (Becker 1963: 32)

However, **treatment** is declared to be 'more humane' than institutionalization. If one -- as is the case here -- sees sexual encroachments against children as the result of mental illness, this method practically sells itself. In this case, a prison sentence is only regarded as useful

"if it is combined with the psychotherapeutic treatment of the perpetrator." (author not specified 1951: 360)

The sex offender should no longer be placed in 'normal' places of detention, but rather, in special institutions, in which

"the deprivation of liberty is implemented based on the most recent medical, psychological, sociological, and socio-therapeutic discoveries." (Foth 1968: 103)

Certainly, upon closer examination, doubts emerge regarding the humaneness of the treatment modalities proposed. All in all, calls for psychotherapeutic treatment are rare. (In the '50s and '60s, this probably did not correspond to the dominant view of how criminals were to be dealt with.) In the year 1951, one attorney in good standing called for "social treatment" for older sex offenders (Becker 1951: 285), apparently without stopping to consider the significance of this concept in the criminal and

extermination systems of the Third Reich. Many years later, the setting-up of "special institutions for sex offenders" (Foth 1968: 107) are still (or already once again?) being called for. [165]

The dominant form of recommended "treatment" is the so-called **castration** of the perpetrator (meaning: the removal of the testes). Moreover, towards the beginning of the research period, the Third Reich's experiences with these methods were referred to explicitly. Any lingering doubts had more to do with the treatment's unknown success rate than any ethical considerations.

"The committee of experts did not favor the reintroduction of castration for serial sex offenders because, in their opinion, the current state of scientific knowledge did not permit reliable predictions to be made concerning its effectiveness in preventing recidivism." (author not specified 1951: 360)

These reservations were, however, dispelled over the course of the next few years. One emboldening factor was the decision of the Federal Supreme Court (of 12/13/53), according to which the "removal of the male gonads by a physician" was legally permissible, to the extent that it was the only medical means of freeing those affected from a degenerate sexual impulse, and to the extent that it promised to be successful;" a systematic burnishing of the Third Reich's 'pioneering' achievements in the medical science of castration was now well under way. This led to the conclusion that castration was an excellent way to 'cure' sex offenders:

"Based on discharges from preventive detention facilities, all of the surgical castrations that have been performed so far have been successful. Lastly, Prof. A. Langelüddeke (Hamburg), who sifted through 1,036 criminal record summaries which went up to 1953, reported on the results of castrations carried out on sex offenders between 1934 and 1945: Prior to their castration, these 1,036 men were convicted of having committed over 3,400 morals crimes; following their castration, this figure dropped to 24." (Schneider 1964: 317f.) [F43]

Particularly due to its purportedly high rate of success, "as a preventive measure, the compulsory castration" (Würfflein 1962: 410) of child molesters was proposed. 'Liberally'-minded authors, however, insisted on the consent of those concerned; the consent of their victims was then also attested to by the Child Protection Service. [166]

"Because a sex offender who resolves to take the step of castration, takes this great evil upon himself in order to also protect himself -- not only the general public -- from even greater evil." (Schüler-Springorum 1965: 5)

Besides calls for new legal measures, another -- almost unanimous -- standing criticism was that the laws passed by the legislature were not being sufficiently aggressively implemented by the relevant authorities. There were numerous recommendations to ramp up prosecutions. Corresponding to the specter of the stranger perpetrator -- who approaches children in unsupervised areas, or speaks to them at locations which they frequent in

order to then lure them to such areas -- strong police controls are, for example, demanded, into which a portion of the general public could also be integrated. Recommended as examples were protective measures such as Frankfurt's "Action Season:"

"Two officers keep an eye on all playing fields, bathing areas, river banks, and schools in their service area...However, because even eight officers would not be enough to monitor the huge expanse of green spaces and wooded areas, they should obtain the assistance of trustworthy persons -- such as, for example, forestry workers, forest rangers, groundskeepers, gardeners, security guards, railroad track inspectors, road crewmen, school custodians, garden plot holders (and among these are many officers and retirees), etc. -- in order to cast as wide a net as possible." (Pahl 1955: 584)

**Victim-oriented protective measures** must, by contrast, be primarily parent-oriented. From a prevention standpoint, they are believed to be more effective than state measures. In order for parents to be in a position to protect their children, they must first be informed of the danger. Their lack of instruction is seen as a fundamental reasons for the high number of crimes. Furnishing parents and legal guardians with information about the danger is the job of the authorities and experts; educational brochures are a primary means of conveying such information. Leaflets (and other media) inform them about the dangers threatening children, and give them 'tips' for protecting the latter. The recommendations themselves apply to **two levels of action**: First, there are measures which the parents themselves can implement; second, is the matter of the instructions which are given to children. Therefore, parents must see to it that

children are brought up to be moral, and a sense of shame is cultivated, [167]

the child exercises restraint when interacting with feeble-minded and older persons,

the child is always under supervision, and particularly, his/her circle of friends is monitored,

idleness and excessive free time are curbed, and,

all morals crimes that come to their attention are promptly reported to the police.

The focus of the second action-level is the task of warning the child about sex fiends in the proper manner, and instilling norms of behavior which effectively protect the child against sexual contacts with adults. This should take place particularly within the context of sex education. [F44]

"The pamphlet emphasizes that the best protection against sex criminals is a sound sexual education, as well as security, understanding, and parental love in the home." (Gernert 1967: 240)

Education not only helps to overcome children's (as we saw above: dangerous) naïvete regarding strangers' interests; it also serves to enlighten them as to the **dangerousness of their own impulses**.

"Educate our children properly, including in the area of sex. This strong and most dangerous force in particular must be directed." (Henne 1952: 156) [168]

A whole series of media [F45] for children were available to assist child-rearers with their educational efforts. What were recommended are "vivid depictions" on blotting sheets [F46] and in picture books and primers, with titles like "Helga and the Strange Man" or "Tutta and the Chocolate Uncle," or film strips such as "The Good Uncle," films like "Be Careful, Peter" or "The Candy Man" -- and lastly, even puppet shows: [F47]

"Based on their own findings, the Youth Office has apparently proven that, through puppet shows, even pre-school-age children can be prepared for the dangers that will confront them in the real world 'without robbing them of their spontaneity'." (Gernert 1967: 240) [F48]

The various media contain a multitude of suggestions as to how the child can elude sexual approaches by adults. In particular, he or she should

immediately tell his/her parents about any strange experiences with adults (or even other children),

never go to remote, uncontrollable areas (parks, forests, etc.) without supervision,

never open the door to anyone he/she doesn't know,

defend him/herself from any approaches by strangers, [169]

not provide any help to strangers, especially for money.

What is striking is that nearly all of the protective measures -- on both levels of action -- are geared almost exclusively toward protecting children from **stranger**-perpetrators. This held true even during the era when the immediate-environs concept had already caught on in terms of how abuse was being reported on. This inconsistency was not only due to the fact that many of these (female) authors had probably subconsciously blocked the idea that contacts with perfect strangers were statistically less common, but also to the fact that it was deemed to be impractical -- as well as emotionally dangerous -- to warn children about the dangers emanating from their own immediate surroundings.

"But who would wish, from the very beginning, to put a strain on the relationship of trust between child and parent, between the former and his/her immediate social vicinity, in order to prevent possible extreme cases of punishable acts which, paradoxically, precisely this relationship of trust makes possible or aids and abets in the first place? Wouldn't this be a case of replacing one evil with another? Ergo, the only remaining possibility is to warn against stranger perpetrators." (Wehner-Davin 1976: 449)



Therefore, the measures recommended were directed primarily at those dangers which it is most practical to warn against.

#### 4. Concept II: Abuse -- Everyday Male Violence

Even a cursory glance at the following reports regarding intergenerational sexual contacts reveals that the 'abuse-concept' here is different from that of every other endangerment discourse in two respects. Firstly, without exception, they came out between the years of 1985 and 1991 (the end of the research period), and made scarcely any substantive references to earlier thematizations, let alone warnings of the previous century. Secondly -- even taking into consideration the narrow time-frame during which they were produced -- in terms of form as well as content, they are presented in an unusually uniform manner: The individual texts are like broken pieces of glass onto which a hologram was being projected; under an analytical "laser beam," every piece bears a -- merely reduced-in-scale -- likeness of the overall discourse. In other words, virtually every contribution incorporates the premises and [170] argumentations of the abuse-concept. This homogeneity even extends to (one could also say: is the result of) the literature that is cited in these contributions. When references actually are provided, or sources are named for some of the conclusions offered [F49], the same handful [F50] of texts are cited again and again.

##### 4.1 Gender as Risk-Factor

This concept's contributions usually begin by calling the reader's attention to the fact that information was finally being provided regarding a social problem which had -- up until now -- been hushed up.

"For a long time -- too long -- the sexual abuse of girls was not a subject of discussion." (Kellermann-Klein/Kern 1987: 86)

Recipients are promised unheeded and (up until now) unheard accounts of a universal phenomenon [F51] which has been subject to taboo for centuries, if not millennia. Moreover, some of the texts (in the tradition of Florence Rush's 1982 work) give the impression that, following the 'discovery' of the ubiquity of abuse, a large portion of world history would need to be re-written.

At the same time, allusions to this public silence (or concealment) constitute a sort of ritual indictment; they are largely independent of the text's date of publication. Although a wide-ranging campaign against sexual abuse -- including in the mass media -- has since been launched, such allusions at the beginning of the 1990s are similar to those which one would have seen back in 1986. Only in some of the most recent contributions is it -- deviating from this pattern -- taken for granted that, at the very least, "specialists" would know this by now. It is pointed out, in the frequently encountered assertion that sexual abuse [171] within one's immediate vicinity -- even in specialist

circles -- was rarely noticed prior to the 1980s, that the discourse was predominantly led by younger authors, who would have been unfamiliar with the contributions to their 'specialist' journals of the '60s and '70s. [F52]

Accordingly, the template is not the warning essays and educational brochures of past decades in Germany, but rather, the discussion which began in the mid-1970s in the United States. In addition, there was a time-lag of about a decade between the 'discovery' there of a purportedly hidden continent of violence, and its impact on socio-pedagogical practice in the Federal Republic:

"Previously, only in a few individual case-reviews -- e.g., when children from group homes were signed up to get therapy -- did the subject of sexual abuse come up. But today, one would have to say that almost every other week there's at least one case where sexual abuse is either known or suspected to have occurred." (Grube 1991: 204)

What characterizes these texts is the constant oscillation between two representation-level extremes. On the one hand, the annual frequency of sexual encroachments upon children is reported in the form of highly-aggregated statistical evidence [F53]; on the other hand, 'the abuse' is described with the aid of individual cases which are selected based on unspecified criteria.

At the beginning of the current discourse, it was assumed (in accordance with the hitherto criminologically-accepted figure) that the maximum 'light/dark-number' ratio here was 1: 10. Consequently, because the number of cases registered by the criminal prosecution authorities in the second half of the 1980s was approximately 10,000, the actual number of [172] those affected would have to be estimated at around 100,000, or (as per Saller -- 1986: 180 -- on the basis of the crime statistics of the late 1970s), "at the most, 150,000." However, since 1987, the typical yearly estimate one finds in the texts is at least 300,000 abused children. [F54]

"Realistically, all cases that are reported today can only be regarded as the tip of the iceberg. Recent estimates indicate there are some 300,000 cases per year. This is essentially based on data from the Federal Police Bureau, as well as on American studies and projections." (Dunand 1987: 438f.)

Automatically carrying over the findings of retrospective American studies [F55] to the situation in the Federal Republic leads to the conclusion that:

"The experts are unanimous in emphasizing that the number of girls who are sexually abused in the Federal Republic is approximately 10-40%. (author not specified 1989: 464)

In terms of the distribution of the presumed figure of at least 300,000 victims in the overall population of children, one particular risk-factor plays a dominant role: the child's gender. It is universally stressed (in contrast to Type I) that the vast majority (80-90%) of affected children are girls. The term 'sexual violence against girls' is sometimes used as a synonym for the problem as a whole.

In accordance with this allotment of risk, the case descriptions provided focus almost exclusively on girls. Part and parcel of depicting the victim as a child of the female sex is characterizing the perpetrator [173] as an adult of the male gender. The gender-specific, dichotomized perpetrator-victim-schema is further reinforced by the fact that oftentimes, there is similar, simultaneous talk of "sexually abused" women. At the same time, the term which the criminal law uses exclusively in the context of persons who are regarded as powerless and helpless (in addition to children: unconscious persons, institutionalized persons, prison inmates, etc.) is carried over -- probably in order to signal a similarly defenseless position -- to the group which constitutes the majority of the population.

"Sexual abuse is a form of violence which is directed, above all, against women and children." (Dunand 1987: 440)

Here, the interactions would appear to be reprehensible not so much due to the intergenerational stigma, as because they are manifestations of the violence inherent in relations between the sexes.

In terms of the risk based on age-group, great emphasis is placed on the fact that, fundamentally, any child (or, as a rule, any girl) could be in danger. Girls are at risk from the very moment they are born.

"Even infants, above all female ones, are not exempt from sexual violence: 'Apparently, for many men, only children of the female gender give rise to aggression and experimentation: Several-month-old girls are penetrated or worn out like dolls.' (The forensic physician E. Trube-Becker, cited in Kavemann and Lohstötter 1984, pg. 102)." (Pischner 1991: 51)

The fact that the crime statistics show relatively few offenses against children under seven years of age [F56] is interpreted as an indication that the abuse of small children is less likely to come to light. The only reason that retrospective studies yield results similar to those statistics is that the memories of those surveyed fail them.

"There are in fact no age-limits below which girls are immune from violence. But we do find particular age-peaks in the statistics. One such peak begins about age six, because this is where the memory-threshold lay. (Kellerman-Klein/Kern 1987: 87)

In contrast to the 'impulse-perpetrator concept' texts, the view held here is that [174] abuse is absolutely **not a class-specific problem**. Children/girls from **all** social strata would be equally effected. Even the mere existence of other risk-factors is doubted.

This quantitative-totality way of describing things then changes -- usually very abruptly -- into individual case descriptions, from which the day-to-day reality of sexual violence against girls is supposed to be inferred. The numerous examples enlighten the reader regarding the whole panoply of

child-abuse horrors; it is a question of

"violence, of sexuality, of the connection between sexuality and childhood, sexuality and violence, of violence within the family, of incest..." (Buskette/Reiter 1989: 19)

In contrast to most of the essays adhering to Concept I, here, the **sexual** acts absolutely are individually named and described. Even on a linguistic level, the depictions differ from the rather juridical-criminological style of all of the older texts. The sexual acts are meant to be portrayed from the perspective and -- to the extent possible, using the words -- of the child concerned.

"She recounted that she frequently watched TV shows in her parents' bedroom. The stepfather would often come in and sit down next to her on the bed. At first he strokes her; then he tries to kiss her. Sometimes he would take out his willie, grab her hand and place it on his penis, and push against it until he ejaculated. The stepfather had also tried to pull down her pants. He told her she was his little wife, and he wanted to show her what a husband and wife do with each other."  
(Roth/Späth 1990: 104)

This quote certainly is misleading, to the extent that, as in the majority of such concrete examples provided here, a particularly violent and serious case is held out as typical when, statistically-speaking -- e.g., according to Baurmann's study, cited numerous times in these texts -- they actually constitute the exception.

"As free, emancipated, and 'progressive' as the demands of pedosexuals might sound, the day-to-day reality of sexually-abused children is a bitter one. Forensic physicians like E. Trube-Becker tell of this reality: the six-month-old baby, abused for months by a friend of the mother, the three-year-old, whose anus was destroyed by the foster father's penis (...)." (Kolschefski 1986: 153) [175]

#### 4.2 Patriarchal Violence-Structures

There are sudden sexual encroachments by strangers in these texts as well; however, they appear to be not only less harmful, but also quite rare. The focus of the accounts is always immediate-vicinity cases, which are described as being particularly "serious" and "violent." One of the core messages is that

"...for girls, the family is actually the most dangerous place."  
(Kellermann-Klein/Kern 1987: 86)

A certain 'exuberance' in emphasizing intrafamilial contacts frequently leads to the figure of 300,000 estimated victims yearly being attributed solely to encroachments by "male relatives" (thus ignoring abuse by neighbors, familiar persons, and strangers):

"About 300,000 children in the Federal Republic are sexually abused by their fathers or other male relatives every year. This violence is primarily directed against little girls." (author not specified 1986: 405)

At the same time, the disavowing, abusing father clearly constitutes the primary focus; the accusatory and so exquisitely dreadfully rhyming title of the volume by Kavemann/Lohstöter -- "Father as Perpetrator"\* -- itself became the agenda. To ensure that readers never forgot his identity, the two concepts were combined to form a new, dual category.

[\* The original German title here does indeed rhyme: "Väter als Täter."]

"It is not unusual for the father/perpetrator to also abuse the daughter's friends." (Braun 1989: 23)

In the end, apparently due to an overpowering interest in identifying fathers as perpetrators, the vast majority of the acts (also contrary to the findings of the retrospective surveys cited) were ascribed to this group. [F57] [176]  
Whereas in the older contributions it was regarded as self-evident (and therefore, as a rule, never considered worth mentioning) that these acts were perpetrated by men, in the 1980s, authors felt obliged to explicitly stress this again and again. The traditional image of female sexuality, which excludes any notion of female sex-offenders, appears to have become shaky. The recurrent emphasis on women's innocence makes it clear that, in the meantime, it has become conceivable that women commit sexual abuse as well. Due to the primacy of heterosexuality in the society, particularly when -- on occasion -- male victims are mentioned, it is stressed that the perpetrators here are men as well.

Similar to the situation under the old concept, here also, perpetrators come from all social strata. The image of an 'otherwise' completely inconspicuous citizen is depicted. Any man who the reader knows could be an "abuser": the inconspicuous neighbor, the friend, the colleague. The 'impulse-perpetrator concept,' according to which perpetrators are -- as a rule -- mentally ill, is certainly explicitly and vehemently rejected:

"An additional form of prejudice is the notion that acts of sexual abuse would necessarily be committed by impulse-perpetrators. The reality, however, is that this is only rarely the case. As a rule, sexual abuse is carried out by inconspicuous, psychologically normal men who nobody would think capable of sexual abuse. Sexual abuse is the only thing that sets these men apart from others..." (Pischner 1991: 51)

Therefore, here, the perpetrator is also inconspicuous because he is not psychologically deviant relative to the majority of the (male) population. The notion of the deviant sex-fiend has been supplanted by that of the normal-man-perpetrator, which is yet another reason why the abuse is primarily interpreted as a gender-specific phenomenon: Aside from gender, there are neither risk-factors pertaining to the child, nor social or psychological

characteristics pertaining to the perpetrator; consequently, the victims are **normal girls**, and the perpetrators are **normal men**. This idea not only presupposes that any man could be an abuser, but also implies that within every man is lurking an abuser. In this way, the criminalized act is turned into (not in the normative, but rather, the statistical sense) the **normal** behavior of an entire gender. It is a component of men's customary interactions with women, an everyday consequence of social power-relationships. [177]

"We look at sexual abuse within the framework of violence against women in society." (Kellermann-Klein 1990: 256)

That is why the victims are girls not primarily because they are children, but because they are persons of the female gender.

Although the man is clearly ascribed overall moral blame for the abuse (and therefore, a closer examination of the circumstances surrounding the interaction -- particularly the nature of the child's participation -- in any given case is unnecessary), there is also an inquiry here into whether there are additional persons or authorities who are partially responsible for the sexual contacts. Since, in the context of the father-as-perpetrator concept, one of the parents is not primarily to blame, the question as to the **parents'** 'complicity' is not even posed in its traditional form. It consistently boils down to an issue of whether or not the **mother** -- as an indirect participant -- should be assigned partial responsibility for the abuse of her daughter. [F58] Just as regularly as this question is asked, it is also answered in the negative. At the same time, this exoneration is by no means based on the categorical assumption of individual blamelessness, but rather, on gender-politics grounds.

"To be sure, there are mothers who are aware of it but, out of fear or even laziness, say nothing. And there are certainly also mothers who put their daughters in the man's bed in order to take some of the load off themselves. But one must guard against once again assigning blanket responsibility to the woman." (Kellermann-Klein/Kern 1987: 88)

They might also be helpless because they still have not come to terms with the sexual violence that befell them during their own childhoods.

"It is not unusual for mothers to have had experiences of sexual violence during their own childhoods and teenage years, which they have not yet been able to process. That is why they are totally incapable of either protecting their daughters, or meeting their own needs for love and support. (Saller 1985, No. 10)" (Buskotte/Reiter 1989: 26f.)

Mothers are also exonerated in terms of the question of **socialization**. Curiously enough, although the girls are acquitted of any responsibility for the sexual acts, it is, nevertheless, assumed that there is something special about them which predestined them to fall victim to sexual encroachment. The fact that **girls** [178] are primarily the victims is not -- as

it might appear at first blush -- due to male perpetrators' heterosexual orientation, but rather, to character traits which, because of gender-specific socialization, are typical of nearly all girls:

"Therefore, girls become victims precisely because they are -- and therefore have been raised up as -- girls." (Braun 1989: 21)

Apparently unnoticed by these authors is the fact that the theory that certain children are predisposed to become victims of sex crimes, frequently found in older contributions, has now snuck in -- as it were -- through the backdoor. In the way it, at the very least, becomes one of the reasons why a given child was sexually abused. (Certainly, the blame for this risky socialization is born not by individual child-rearers, but rather, by the patriarchal structures of society.)

As we have seen, this discourse declines to individually pathologize male perpetrators. All in all, it is determined that the abusers are normal men not because specific reasons for the act are to be sought out (as was customary under the old concept), but rather, because the issue is what **structural** causes might come into play. In fact, a whole series of abuse-facilitating factors in the patriarchal order turn up, beginning with the fact that the entire society is geared toward male sexuality:

"According to the Munich representative of the German Youth Institute, in our society, male sexuality is afforded enormous breathing-room." (author not specified 1989: 465)

A further related factor is "societal acceptance of male dominance" (Saller 1986: 182) -- among the general public as well as within the family; this entices many men into regarding children as objects which they own. (Men's view of themselves as the patriarchal head of the household makes abusing their own daughters seem justified.) Lastly, the **pornography industry**, with its -- actually criminally prohibited -- production of so-called child pornography also leads many men to engage in such encroachments; even if this is not their [179] primary motivation, the corresponding reduction in inhibition is certainly a contributing factor -- yet another consequence of the patriarchy. [F59]

#### 4.3 The 'Girl-Child': Innocent Victim

Here, accounts of the course of the activity center on a privileged type of social relationship between child and adult. Whereas in the older contributions the focus was on violent attacks by strangers in parks, here there is a predilection for depicting abuse by father-perpetrators (and other close relatives). In this respect, the course of the activity is completely different when the victim resides in the same home as the perpetrator, and is therefore **continually** exposed to his sexual advances; one-time acts are the exception.

Because the abuse is carried out by a person who has a position of authority over the child, the latter has no chance of

avoiding the encroachments; accordingly, as a rule, the perpetrator does not need to use physical violence. Initially, (in the most common scenario) the child does not notice how, little-by-little, the sexual acts are integrated into the social relationship.

"Sexual abuse often begins insidiously, within the context of day-to-day upbringing." (Pischner 1991: 52)

The sexual content of the acts then grows ever more intensive. Abuse within one's immediate environs begins with furtive glances, and ends -- oftentimes only years later -- with the ultimate aim of every perpetrator: the vaginal penetration of the child.

"The perpetrator starts out with cautious, sexually-motivated approaches; then the acts often escalate to masturbatory encroachments, oral and anal intercourse, and finally, violent vaginal penetration." (Braun 1989: 21)

Due to this spiral of abuse (towards ever more explicit and serious activities), extremely broad criteria [180] must be used to delimit the acts. The definitions of sexual violence are intentionally kept separate from juridical determinations. Therefore, the spectrum of acts mentioned in the texts is much more comprehensive than those which appear in criminal proceedings, because the former are not limited to "acts of a certain seriousness"; virtually any everyday activity could be interpreted as abuse, if it can be characterized -- in terms of the course-model -- as 'insidious sexualization':

"Retrospectively, the following behavioral patterns are often found to have been present at the beginning of the abuse:

- being naked in front of the child
- exhibiting their genitals
- observing the child undress, bathe, wash up, on the toilet
- kissing the child in intimate ways." (Saller 1986: 181) [F60]

Moreover, whether or not the child perceived that she was being addressed in a sexual manner is irrelevant; the sole criterion is the adult's sexual intent. (Meaning: An act is regarded as sexual abuse if the adult meant for it to be sexual.) The child is not supposed to notice, let alone regard herself as a victim. The determination of one's **victim-status** is based not on the self-declaration of the child concerned, but rather, on the **declarations of experts**.

This logic would appear to contradict the sexual self-determination of the child, which this concept declares to be the central protected legal good.

"We see sexual abuse as encompassing everything which violates girls' right to sexual self-determination." (Kellermann-Klein/Kern 1987: 87)

This inconsistency is resolved, however, when one takes into account what is meant here by the child's "self-determination." Practically all of the contributions follow the definition of



sexual abuse which has been adopted by the English-speaking realm:

"The sexual abuse of children and youth is understood to mean participating in sexual acts which, due to one's developmental status, one is unable to understand or give informed consent to, and which violate the sexual taboos of the family and society, [181] in order to sexually satisfy adult or other persons who are significantly older." (Durand 1987: 438)

Constituting the core of this definition is the so-called **informed-consent thesis** [F61], according to which a sexual contact is **consensual** -- and therefore, morally permissible -- only if the participating persons 1) understand what they are agreeing to [F62] and 2) are completely free to decide for or against the contact. This is precisely where the critique of the 'abuse-concept' comes in:

"It is presumed that children are able to give consent. However, this begs the question as to whether a sexual relationship between such unequal partners is actually possible." (Buskotte/Reiter 1989: 23)

Because children are always lacking both 'informed consent' to the contact and (due to their being embedded within relationships of authority, as well as having insufficient resources) the freedom to either agree to or decline it, children are **never** able to consent to sexual contacts with adults.

The final surprising thing one finds here is a 'solution' to the assessment-dilemma that had plagued German jurisprudence since the 19th century (even when the texts themselves are based on contemporaneous American discussions about this issue): Because every [182] sexual interaction is by definition non-consensual (see Okami 1991: 455), rather than being **violated** by preventing adults from carrying out sexual acts with (also: in front of, upon, etc.) children in accordance with the latter's subjective wishes (however these may manifest themselves), the right to self-determination is actually **upheld**. Consequently, the child's right to self-determination simply consists of being unable to consent to sexual contact with an older person under any conditions. Therefore, because the child's expressed wishes are completely irrelevant to determining his or her victim-status, it logically follows that the right to self-determination is violated **only** when some third party says so.

Accordingly, in contrast to the 'impulse-perpetrator concept,' here the female child can only play one role: that of the innocent victim. This dichotomized and dichotomizing assignment of roles is associated with a particular model of child sexuality (unlike under the older concept, where the issue of children's sexuality was, ultimately, irrelevant). It is the concept of the child's **relative asexuality** which leads to the maxim that it is **impossible** for a child to be sexually interested in an adult. According to this model, although it is true that children do have feelings and interests which could be

characterized as 'sexual' or 'erotic'; these are 'of an altogether different nature' than the sexuality of adult men. Sex is subdivided into the non-specific, non-genitally-centered sexuality of children (and possibly of women as well -- although the corresponding remarks in these essays are, admittedly, insufficient for a firm conclusion regarding this), vs. the genital- and penetration-centered sexuality of male adults. At the same time, whereas -- in a moral sense -- child/female sexuality is judged to be 'good' and 'pure,' that of the man is seen as 'bad' and 'dirty.' According to this way of divvying things up, the child can be regarded as an 'innocent creature' even if he or she should exhibit sexual curiosity, so long as this is in accordance with the 'form of sexuality appropriate to children.'

Due to the mutually exclusive ascription of these two different 'types' of sexuality, to the man on one side and the child on the other, the inference is made that, whereas the interests of the girl-child are limited to a desire for non-genital affection, the male adult is always striving for genital satisfaction through penetration. Therefore, sexual approaches by adults are not able to be adequately processed by children, let alone responded to. Due to this assumption of relative asexuality, any [183] possibility that a child might -- of his or her own accord -- be interested in having sexual contact with an adult is automatically ruled out.

Because of that, when it is stated that the child accommodated such an interaction, or even took the initiative, this is seen as the adult's sexual desires being projected onto the child, as a "seduction-myth" which serves to either legitimate the encroachment, or blame the girl for the contact.

"The myth of the precocious, hyper-sexualized girl who pushes the abusing man/father/uncle into a corner and provokes the sexual attack with her irresistible advances, the calculating child-whore who uses her preternatural female wiles to exploit adult men's 'natural susceptibility' to young girls to her own advantage, are the clichés that blame victims for sexual assaults and hold them responsible for the act, and turn the perpetrator-victim dynamic on its head...No one could seriously wish to claim or establish that sexual abuse systematically carried out over a period of years -- as is the case the majority of the time -- can be put down to seduction by a younger or even an older girl." (Buskotte/Reiter 1989: 21f.) [F63]

When such behavioral patterns actually are observable -- something which, in any event, only a minority of the contributions concede -- this is always regarded as a psychological disturbance within the child which is due to earlier abuse:

"Sometimes, even small children exhibit strongly sexualized behavior -- atypical, adult sexual contact. This is, then, frequently interpreted as an invitation to engage in sexual acts. However, sexualized behavior is not the cause of abuse but rather the consequence of it, a behavior which little girls have been 'taught' under immense pressure." (Braun 1989: 23)

It is conceded that counseling and therapy work with abused girls has demonstrated that many of the girls affected do personally believe in this seduction-myth, and -- though objectively completely innocent of course -- subjectively regard themselves as being to blame for the sexual contacts. This is primarily traced back to a strategy on the part of the perpetrator: Not only does he do [184] sexual violence to the child -- he even manages to shift the blame for the sexual acts onto her shoulders.

"The child feels partially responsible -- a feeling which the perpetrator often uses his best resources to cultivate. Perhaps he tells the girl that 'she's so sexy, he just can't help himself'; 'she's bad, and she asked for it'; 'in reality, she wanted it too'; 'all fathers do this with their daughters, because they love them.'" (Ibid.: 22)

Besides perpetrators, patriarchally-structured society as a whole is also held responsible for such blame-shifting; this is understood not only by a majority of the authors, but (in this case: unfortunately) also by the abused children themselves:

"Added to that is a sense of responsibility for the abuse itself -- girls know how, in our society, at least part of the blame for criminal sexual acts against women is placed on victims themselves." (Grube 1991: 208)

Whereas, under the 'impulse-perpetrator concept,' children must learn to acknowledge their own moral complicity, here, it's precisely the opposite: They have to understand that they are completely innocent.

"At the same time, it is more important for the child to realize that she is not to blame for the abuse, even if she was unable to ward it off from the very beginning. The abuser alone was responsible for having approached the child sexually." (Dunand 1987: 443)

However, this dichotomous allocating of roles -- and the unilateral assignment of blame that goes along with it -- only applies to girls (who are the focus of consideration). Because abuse is treated more in terms of inter-gender than inter-generational violence, (older) male children (at least) can not only be victims, but also perpetrators.

"Just like other adult patterns of behavior, children can come to accept abusive conduct by adults, and carry it over (...) into subsequent life-contexts. They wander from one home to another, eventually becoming part of a group on the fringes of society, in which they are abused once again, or, in the case of boys, become abusers themselves." (Ibid.: 441)

Consequently, the child's same dual endangered/endangering role found in other danger discourses turns up here as well, albeit in a bifurcated form: Whereas girls only play the role of the endangered party, boys can be both the endangered as well as [185] the endangerers. At the same time, (already interpreted as risky in the context of the danger of onanism) 'playing doctor'

is reinterpreted either as child-on-child sexual abuse of the girl by the boy, or, at the very least, an indication that one of the participants had previously been sexually assaulted by an adult.

#### 4.4 Harm Symptomatology

Although -- going by the express statements of these texts -- most authors condemn sexual contacts between children and adults based on the premises of the informed-consent theory rather than the issue of harmfulness, in most of the contributions, depictions of the **harm caused by the abuse** nevertheless take up a considerable amount of space. Accounts derived from counseling and therapeutic settings paint a particularly dramatic picture. Here, the primary premise is that -- regardless of act-type and context -- **every** intergenerational contact involving a child results in serious and long-term damage.

The types of harm are numerous and diverse, they affect the child physically, emotionally, psychologically, and psycho-sexually. Though the degree and extent of the consequences can vary, they are, as a rule, more severe than, for example, those resulting from (non-sexual) physical abuse. It is impossible to provide an exhaustive list of the various kinds of harm, because new manifestations of it are always emerging. In general terms, it is found that:

"Sexual abuse is the cause of many problems and disturbances among girls and boys of all ages." (author not specified 1991a: 426)

**Physical harm** is put down to injuries resulting from violent vaginal and/or anal penetration. However, due to the fact that they are long-lasting, the psychosomatic illnesses caused by abuse are seen as being more serious.

"Sexually abused children are frequently physically ill -- acute or chronic stomach aches, sudden, inexplicable changes in eating habits resulting in obesity, anorexia, or bulimia..." (Grube 1991: 206)

Physical symptoms result not just from the abuse itself, but also from the taboo against talking about it. These disturbances can last for a very long time; as a rule, they disappear only when the rule of silence is broken. [186]

The purely **psychological harm** is usually so profound, that it requires psychotherapy. Sexual abuse does a great deal of psychological damage to children:

"Sexual abuse robs the victim of absolutely everything. It is a serious intrusion into the life-sphere of the child or youth. It is associated with

- physical injury
- Loss of identity
- spiritual losses
- loss of trust
- loss of sexuality

loss of the ability to form and maintain relationships."  
(Kellermann-Klein 1988: 75f.)

Particularly insidious is harm in the **psycho-sexual sphere** . As we have already seen, many girls are "sexualized" by the abuse; that is, they exhibit behavioral patterns along the lines of having a sexual interest in -- and making sexual demands upon -- adults.

"Another behavior typical of sexually abused girls evinces itself, above all, in relation to male educators. Sophie, for example, 'PUTS THE MOVES ON' HER TEACHER, often moving her body around in such a way as to make herself sexually and erotically appealing to this adult. Her behavior was more in line with that of an adult woman than an eight-year-old girl." (Grube 1991: 209 -- emphasis in original)

The extent of the damage is revealed by the fact that many of these disturbances are by no means confined to the childhood years; it stays with the woman affected for many years -- oftentimes, for their entire lives.

"Abuse's effects on the psyche are devastating. Later on, not only do the women affected have sexual difficulties (frigidity), but often severe disturbances in their overall partner-relationships as well; they also suffer from depression and compulsiveness. Again and again, they are either actively or passively at its mercy. (See the account in the 'Brigitte'-Reader.)" (Kolschefski 1986: 153)

There are also injuries which really only become apparent many years later.

"For the most part...the consequences only become obvious in adulthood, and continue to have an impact throughout one's entire life: identity disorders, depression, problems with one's own sexuality as well as partnerships, and susceptibility to diseases of addiction." (author not specified 1991b: 17) [187]

On top of that, the feelings of shame and guilt imposed on the girl by the perpetrator lead to self-destructive patterns of behavior,

"such as drug and alcohol abuse, suicide attempts, conduct harmful to one's self (e.g., prostitution), and psychosomatic illnesses." (author not specified 1988: 80)

In the end, with the discovery of its ubiquity, a large portion of deviant sexual behavior among women was able -- as these contributions suggest -- to be explained in terms of sexual abuse; in particular, the "tendency" to engage in prostitution and consume hard drugs was always the result of an abuse-induced psychological disturbance.

#### 4.5 Detecting Abuse Trumps Its Prevention

Due to the large number of actual and potential perpetrators, preventing sexual encroachments is extremely difficult. It is also hard to say just who would provide this protection, given that the family, which would otherwise be regarded as a refuge of safety for the child, is "really the most dangerous place" as far as this issue is concerned. Therefore, it is primarily those who either reside with children or work with them in an occupational capacity who are called upon to both keep an eye on girls in particular, as well as pay attention to the behavior of potential perpetrators.

"By the same token, information and training needs to be provided to everyone who has dealings with children. In the opinion of the child-protection movement, the general public must be more attuned to the signs of maltreatment, and break through the wall of silence." (author not specified 1991b: 17)

However it is "professional helpers" (physicians, psychologists, social pedagogues, and lawyers) who are appealed to in particular; they alone are in a position to both reliably detect abuse and provide these girls with effective assistance. Even in this risk-area, self-protection is next to impossible [F64]; in every case, children are instructed to seek the help of adults.

All in all, it is certainly questionable whether protection (in the preventive sense) is actually possible. Compared to all of the other danger essays, [188] these contributions contain scarcely any suggestions in terms of preventive measures. Only rarely are criminal measures mentioned (particularly when efforts to lower the age of consent are criticized). [F65] It is repeatedly emphasized that preventive measures really are only meaningful when they are accompanied by changes in the social conditions which gave rise to the abuse in the first place.

"However, it would make more sense to focus preventive measures on perpetrators and the social conditions that facilitate or encourage violence against children, especially girls." (Saller 1986: 184)

The 'stepfatherly' approach to preventive measures found in almost all of the contributions points to a (admittedly, nowhere explicitly expressed) consensus that abuse really cannot be prevented so long as a given child has not yet been impacted by it. Apparently, all that can be done is to protect already harmed children from further encroachments, as well as provide them with therapy. Whereas prevention-oriented recommendations are common in both of the other discourses, all that one finds here are rules and recommendations pertaining to the detection of abuse that has already occurred or is currently taking place.

A **comprehensive symptomatology** [F66] has been developed to detect abuse. The reason why this grew to become so important is because it is assumed that those affected are operating under a code of silence which prevents them from telling even a confidante or specially-trained, so-called 'helper' about the act. And because one cannot expect the perpetrator to admit to it of his own accord, the presence of abuse can only -- often downright criminalistically -- be inferred based on various

clues. Therefore, the ability to perceive even that which has been left unsaid plays a particularly important role: [189]

"Actively listen, and use all of your senses to listen to what the child is not telling you." (Kellermann-Klein 1988: 79)

When there are obvious wounds on "intimate parts of the body" (such as bleeding injuries to the genitalia), a lack of verbal victim self-declaration is not a major problem. But even aside from that, there are additional physical signs which, though less obvious, speak volumes to a trained specialist (e.g., bitemarks and bruises, particularly on the thighs and chest area). Unfortunately however (even though long-term abuse is always aiming for violent anal and vaginal penetration!), such physical indications are found only rarely; as a rule, the act must be deduced solely based on psychological signs. Moreover, even if children do not talk about the abuse directly, they usually draw attention to themselves "via various symptoms and striking features of their oppressive and difficult situation." (author not specified 1991a: 426) The basic rule of abuse-detection is:

"With any sudden change in behavior, sexual abuse should also be considered a possibility." (Kellermann-Klein 1988: 76) [F67]

At the same time, professional helpers must rely on their own feelings to tell them when something is not right with the child.

"Whatever the nature of the sudden change in behavior, the feeling that 'something just isn't right about her, she's so different, I no longer even recognize her,' is a signal." (Braun 1989: 21)

What is important to know in terms of this intuitive signal-detection is that the child's "cry for help" can force its way into all sorts of different life-spheres. The signal usually consists of deviating from one's normal behavior -- in which direction this occurs is absolutely immaterial. Oftentimes, completely opposite patterns of behavior can constitute such a symptom at any given time:

refusing to eat or gluttony,  
decreased or increased academic performance,  
clinging to the mother or avoiding her, [190]  
fear of strangers or rash familiarity,  
neglecting physical hygiene or compulsive washing,  
aggressiveness or shyness.

Sleep disorders, thumb-sucking, bed-wetting, and speech disorders, but also frequently not feeling well and a tendency toward illness, are described as additional indicators (aside from striking sexual behaviors, which have already been mentioned numerous times). What the latter has in common with a further sign -- auto-aggression -- is that, initially, it often doesn't

appear to be a striking feature at all; thus, through a sort of dual encryption, it seeks to avoid being identified as an indication of abuse.

"Every form of AUTO-AGGRESSIVE BEHAVIOR (biting, hitting, and scratching oneself bloody) is often a way of expressing violence suffered, possibly in connection with sexual abuse. At the same time, the auto-aggressive behavior can often seem accidental; there are children who are constantly getting injured, fall a lot, or are even extremely accident-prone."  
(Grube 1991: 205 -- emphasis in original)

Therefore, in many cases, a high degree of empathy as well as an imagination enriched by many years' experience is required to recognize such signs as a child's "call for help." When such an indication is not, in and of itself, sufficient for an 'abuse' diagnosis, various psychological techniques can provide additional help. Thus the presence of abuse can be inferred, for example, with the aid of drawings by the child [F68], or deduced from the way he or she plays with so-called anatomically-correct dolls. [F69] Even these, however, are not always successful at diagnosing abuse. In the final analysis, only the child breaking the code of silence him/herself provides true clarity.

"The best way of ascertaining abuse is via a statement from the child concerned. Only through talking can a suspicion be substantiated."  
(Pischner 1991: 53) [191]

However, due to the demonstrated structure of abuse (adults' ability to convince children that they themselves had wanted the contact; pressure on children to not talk about the incidents; children's knowledge that those around them wouldn't believe them anyway), such admissions are precisely what are not obtained from victims. Therefore, the credibility of children's statements is to be assessed quite differently, depending on the situation. Naturally, the child who makes a personal declaration is completely credible. [F70] On the other hand, when the presumed abuse is not confirmed, different reasons are given for dispelling any lingering doubts: helper-observed 'signals.'

"Of course, sexual abuse is not the reason girls give for running away, because they always keep that a secret. Instead, they cite 'harmless' pseudo-grounds, such as, that the parents were too strict." (Grube 1991: 206)

Likewise, their accounts are believed unreservedly only when they correspond to what the person advising them thinks about the abuse. On the other hand, if the child declares that he or she consented to the contact, showed interest in it, or even took the initiative, this is regarded as merely a consequence of the influence exercised by the adult involved. If the girl continues to refuse to go along with the determinations of the abuse-model (e.g., perpetrator-victim logic), eventually she is severely reproached for her stubbornness.

"Girls make all sorts of excuses for their fathers, and even justify the abuse to us. Identifying with, excusing, and idealizing the perpetrator



shows us that a girl sees herself not as an autonomous person, but as an object still under the sway of the perpetrator." (Kellermann-Klein 1990: 257)

In the case of a conflict between the abuse-concept and the recollections and interpretations of the child, many essays argue in favor of the former. In order to ensure this, the child is both made to recognize that abuse has occurred, and placed into therapy in a facility specially designed for this purpose which [192] is staffed by appropriately-trained female personnel (because it is self-evident that, as a rule, girls who have been abused by men should be looked after exclusively by women). The primary prerequisite for working in such a facility is that these (due to the statistical distribution described, most probably) women remember and have processed their own experiences of abuse.

"One's own personal sadness can also cripple professionals. If one's own abuse has not been disclosed and dealt with, if one cannot escape one's own pain, one cannot bear the child's pain, and therefore must ward it off." (Braun 1989: 24) [F71]

Over and above that, this work is only possible if all of the staff accept the general premises of the abuse discourse:

"The concept developed through the work of professional groups, with the maxims of the believability and innocence of the abused, as well as a bias in favor of looking at patriarchal social structures and gender-specific socialization as its root causes..." (Buskotte/Reiter 1989: 28)

For these reasons, the work of these new types of helping institutions is markedly different from that of traditional family counseling and assistance, which -- due to the latter's constant focus on the welfare of the family as a whole -- cannot have a bias in favor of the abuse concept.

## 5. Results III: Principles of Contact-Prevention

In contrast to the two other depicted sources of danger, as far as the arena of intergenerational sexual contacts is concerned, the typical statements and premises of the contributions examined cannot be summed up in the [193] form of a standardized 'mnemonic.' A content analysis shows that there are two concepts here, which represent downright contradictory opinions with regard to many individual issues. The most significant divergences between the two concepts are presented in the following table.

## Two Conceptions of Sexual Contacts Between Adults and Children

Parameter	Concept	
	'Impulse-Perpetrator'	'Abuse'
Typical 'Perpetrator'	Stranger	Father
Perpetrator Characterized as	Abnormal	Normal
Act Location	'Outdoors'	'At Home'
Role of the Family	Protecting	Endangering
Victims are	All Children	Primarily Girls
Child is	Often Complicit	Always Blameless
Grounds for Moral Condemnation	Harm	Violation of the Right to Self-Determination
Harm Impacts	Primarily Sexual Development	The Body and the Psyche in Numerous Ways
Purpose of the Warning	Prevention	Detection/Therapy

Even a cursory glance at it clearly reveals that these two concepts -- if one uses more up-to-date sexual-science classifications [F72] -- simply look at two different aspects of the same overall phenomenon: The 'impulse-perpetrator' concept primarily deals with children's extra-familial contacts with pedophilic perpetrators, whereas the 'abuse-concept' focuses on intra-familial interactions with so-called substitute-object perpetrators. This accounts for at least a portion (but certainly not all!) of the differences between the two categories; it does not, however, explain why the problematization occurred during a particular historical era, or why these particular subsets were used to the virtual exclusion of every other [194] relationship constellation and act-type. However, at this descriptive-phenomenological stage of our study, this dichotomization can only be noted.

### 5.1 The 'Sexual Offense Concept'

**1. Every sexual contact between a child and an adult is a crime.** The warnings relate to sexual crimes against children. The warning itself already makes clear an essential determinant of this concept: The contact is a violation not only in a moral, but also in a legal sense. This determination implies a great degree of casualness in the determination here, given that these warnings enjoy legitimating support in terms of state-imposed legal norms. Particularly because the legislator has declared it

to be a crime, the harmfulness of such a contact would appear to be self-evident. Therefore, research into the genesis of harm, and the question of its frequency and duration is -- to a great extent -- superfluous. Accordingly, the legal construct of an "abstract endangering offense" already constitutes a condemnation in and of itself, regardless of the probability of actual harm. In contrast to otherwise typically dominant assessments of risk on the part of the state (e.g., via-à-vis technical projects), here, 'residual risk' is assumed a priori. The harm hypothesis is based not on empirical evidence, but legal normativism.

## 2. These crimes endanger children's moral/sexual development.

In accordance with the characterization of such contacts as **morals** offenses, the anticipated and denounced disturbances within the child are primarily of a moral/sexual nature. There are two different levels of moral harm. First is the harm (in the form of damage to one's "undisturbed sexual development") done to the **child's morals**. This interference is independent of the question of whether the child is (already) ascribed an active sex-drive, or it is assumed that his or her drive is (still) 'dormant.' Through sexual contact with adults, the sex-drive is either too strongly spurred on, or too early awakened; but the result is always the same: The child becomes morally unmoored. What constitutes the serious harm here is the fact that the individual concerned -- now grown-up -- engages in behavior which is inconsistent with society's sexual norms: promiscuity, perversion, and prostitution. Second, even if actual harm is not done to a particular child, 'morals offenses' always denote crimes against the [195] **morality of the society itself**, which is distorted when adults and children interact with one another sexually. Thus, it is also a matter -- apart from the child him/herself -- of preserving the sexual order, which reserves sexual intercourse for (married) adults. Consequently, the perpetrator violates not only the child, but also, his sexual duty to society. In addition to getting children to conform to "the greater good," the fact that this is a crime also serves a second purpose: as an invitation to "decent people" to make sure that sex-fiends "get what's coming to them."

## 3. Without children accommodating them, there would be no sex crimes.

In the descriptions and case examples provided, the dominant act-course is one in which the child plays a role which ranges from tolerance, on up to active participation. This means that, in the cases described, it is taken for granted that the child must have **accommodated** the adult in some way or another. Either it was a situation in which the perpetrator used violence to gain instant access, or, the child was -- perhaps even consciously -- seeking out sexual contact. At best, this is regarded as the behavior of 'less intellectually gifted' children who have fallen for adults' tricks. It is assumed, however, that the majority of children become involved in contacts with adults due to the formers' own interests: general or specific sexual curiosity, enjoyment, material wants. This construction also follows the class-specific perspective of the perception of danger: Lower-class children are particularly 'at-risk.' (The morally anarchic attitudes there foster an inclination to engage

in sexual contacts with adults.) What is striking is the discrepancy between legal vs. moral assessments of such contacts; as far as the latter is concerned, the **child** is always complicit, in some way or another. With the figure of the initiating child, the perpetrator-victim relationship is even reversed: It is not the (abnormal) adult who seeks out a child; rather, the morally depraved child seeks out adults whom they can then turn into victim-perpetrators.

4. **Only the abnormal sexually assault children.** Whereas the child's adult-accommodating behavior is regarded as rather normal (e.g., average here), an adult who is sexually interested in a child would appear to be the exception -- however, when this is the case, it is an issue of a person with an **abnormal** personality. But the use of this concept begs the question of the cause of this 'deviancy,' and constitutes a transparent attempt to rationally explain [196] what is apparently an incomprehensible stimulus-response. At the same time, the causes of this disordered impulse -- which are as far removed as possible from the characters of the authors and readers -- are both sought out as well as found. The descriptions make it clear: This perpetrator is entirely **different from me**. Even when it is acknowledged, in principle, that most sexual interactions take place within the child's immediate circle, the perpetrator is not, of course, the neighbor or acquaintance, but instead, remains the stranger who lures the child from the shadows. Despite all of the taboos against it, sexual impulses directed towards children are apparently so dangerously nearby that it is sick individuals and strangers who must constantly be rebuked.

5. **The abnormal must be rendered harmless.** Although children are allocated a 'fair share' of the blame, this does not mean that the actions of the adults involved are judged more leniently. The allocation of blame among the participants is not some sort of zero-sum game. At the same time that, in order to arrive at a high number of yearly offenses, the large number of superficial (e.g., exhibitionistic) acts is included, case descriptions of actually quite rare acts are more likely to be used to demonstrate the heinousness of these offenses: The worse the assault, the more likely it is to be depicted. Portraying the perpetrator as "brutal" and his actions as "animalistic" also serves to legitimize massive intervention on the part of the state. Here, **punishment fantasies** can be lived out to one's heart's content: The perpetrator should be taken out of circulation; he is to be eliminated -- if not actually as an individual, then at least as an abnormal personality. Firm measures to **"render perpetrators harmless"** are promoted (which is reminiscent of "parasites" and "pest control"). Moreover, most popular is the (fantasy-whetting?) method of surgical castration. If the perpetrator 'voluntarily' allows himself to be castrated, he might even be praised for his commitment to the common good: With the (presumed) elimination of the impulse at one stroke, the individual is transformed from a bad guy into a good one -- or even (as many of the contributions' metaphors suggest [F73]) -- from a semi-animal into a full-fledged person.

6. **The (disobedient) child must also be punished.** Demands that impulse offenses be punished are directed against children as well as adults. That is to say, the commonly used term 'impulse offense' [197] has a tripartite meaning: First, it expresses the idea of the abnormal adult who has contact with children because he is under the sway of **his own** distorted impulses. Secondly, the interaction is regarded as an offense **against the impulses** of the child, whose normal sexual development is the central goal which is harmed by the act. And third, the **child** also falls victim to the crime due to his or her **own impulses**: sexual curiosity/inclinations make it easier for the adult to approach the child. Only particularly bloody acts are of interest as examples; most popular of all are those which involve the death of a child. If one follows the internal logic of the act-courses described, it appears that the children themselves -- due to their obligingness -- are ultimately to blame for their own deaths. Therefore, sexual murders are depicted not merely in order to elicit an emotional willingness on the part of readers to support the stringent punishment of adults, or to lend more emphasis to warnings. At the same time, the child's death would also seem to be an absolutely 'legitimate' punishment for his or her own undisciplined behavior -- the accounts here follow a **shock-headed Peter morality**.

7. **Disciplining children is the only thing that will help prevent sexual contact with adults.** Although firmly punishing perpetrators (e.g., in the form of surgical 'treatment') undoubtedly satisfies the authors' as well as society's desire for punishment, this cannot effectively prevent such contacts. Therefore the bulk of preventive measures lay on the 'victim' side of the equation; that is, regulating children's behavior. Of course, danger always looms when children loiter at locations which are not observed by (good) adults and therefore are not under **control**. Standing in opposition to the family as a place of controlled security is the nameless danger emanating from parks, forests, and labyrinthine ruins. At the same time, children endangered by strangers shrouded in darkness is also a metaphor for the danger emanating from the child him/herself (which also impacts the adults seduced) due to a lack of control. The threats of death which are included in warnings against 'wicked uncles' also constitute a **disciplinary tool**. Undisciplined children first fall victim to themselves (due to their sexual curiosity, economic and sexual interests); only after that do they then fall victim to the so-called perpetrator. Therefore, the first line of defense is protecting children from themselves. Raising them to be modest and punctual, and behave in predictable ways, should be of help with this: Even sex education -- usually railed against in other contexts -- can be made useful here: Within the framework of sex education, [198] children should learn to associate sexual impulses with 'danger,' and imbue them with anxiety.

8. **Parents are responsible for disciplining and controlling their children.** To the extent that the child is (still) unable to exercise self-control, it is necessary to constantly monitor his or her activities, places of residence, and circle of

friends. This (as with instruction in self-discipline) is 'rightfully' primarily the task of child-rearers; because of that, however, it is also the **obligation of child-rearers**. At the same time, the prevention-oriented disciplinary measures that are promoted are directed at least as much towards parents as they are towards children: Of course, if a sex offense should occur, this automatically means that the parents failed to properly rear their child. Over and above that, most of the **risk factors** (such as divorce or the mother working outside the home) which make it more likely that children will engage in sexual contacts with adults are also **subject to reproach** on the level of the individual. Given that sexual contacts between adults and children constitute an inexhaustible source of blame, the parents would also bear some responsibility here. Therefore, last but not least, the warning essays serve to encourage the exercise of stronger control over their children -- and demonstrate to them the consequences which usually ensue when this control breaks down.

## 5.2 The 'Abuse Concept'

### 1. Only a tiny fraction of cases ever come to light.

Communicating to (particularly female) readers that the sphere which is about to be reported on is doubly tabooed is part and parcel of abuse essays' introductory ritual. For one thing, in intra-familial sexual contacts, the child is subject to a code of silence which has been imposed on him or her by the adult which -- often over a period of decades -- makes talking about it impossible (and often even impedes simply recollecting it). This personal prohibition on talking about and remembering it corresponds to a social taboo. Even if the child were able to discuss the abuse, no one would believe him or her. The essays project an image of themselves as **taboo-breakers**, and suggest that: Whoever reads on will learn the whole terrible truth. The second part consists of conjuring up the 'actual extent' of abuse: **at least 300,000 cases per year in the (old) Federal Republic**. This figure is -- based on the assumptions made -- just as improbable as it is constantly reiterated. However, at the same time, what should not be overlooked is that this is not a matter of ascertaining [199] the actual number of interactions [F74], but rather, of the **symbolic observation of the extremely high dark-number**, which is just as much a reflection of the dual taboo as it is a verification of it. The media is only able to prove itself by fostering a permanent state of alarm. The law itself is also under the sway of the above huge number.

2. Such acts arise from the logic of patriarchal power relationships. The abuse concept is based on feminist-oriented theories relating to the notion of the patriarchy. Sexual contacts between adults and children are considered wrong primarily because they are a form of male sexual violence against girls, and are therefore an expression of society's far-reaching patriarchal power structures. Moreover, abuse is seen as being analogous to **rape**, albeit a form of it which -- due to the abusing man's social power to do whatever he wants -- takes place

without the use of physical violence or the threat thereof. First and foremost, girls are victims not because they are children but because they are female persons, who are in fact quite powerless and helpless (which is what makes abuse seem like a particularly perfidious form of sexual violence against women). Here, the man not only accomplishes his sexual goals without any regard to the consequences for the child, but is also pursuing sexual-political aims: Via the abuse, girls' future role in patriarchal society is symbolically made clear to them.

### 3. The perpetrator is always a completely normal man.

Because the framework for analyzing the act is furnished by the gender-politics model, a central characteristic of this threat-perpetrator is the presumption that **every man** is at least a potential perpetrator. The reason why the notion of the psychologically abnormal perpetrator is rejected so vehemently is that the causes of the act lie not in (individually explicable) deviations from the norm, but simply in consistently and inconsiderately living out the (socially accepted) male role. As an expression of patriarchal power-relationships, sexual violence against girls is a **normal** male behavior; consequently, the perpetrator is just a **normal man**. Given the explicitness of this conclusion, it is certainly surprising that -- in contrast to the older concept -- the fact that the perpetrator is a man must be virtually sworn to over and over again. This is [200] probably due to the fact that, in earlier or even contemporaneous discussions within the women's movement itself concerning the forms and possibilities of female sexuality, women were no longer so sure of their feelings towards children. Analogous to the 'sex-offender' concept, all child-oriented sexual impulses had to be vehemently displaced onto others -- here, this is **men**.

### 4. Girls are always innocent; boys are often guilty enough.

As the portrayal of the preferred relationship-constellation has already demonstrated, girls are not to be reproached for being involved in such contacts. Whereas under the older concept all parties participating were morally to blame, here we find a **victim-perpetrator polarization**, with just one side being unequivocally condemned. [F75] The logic of this rules out victimological inquiries from the very beginning: The existence of 'risk-factors' would only relativize the perpetrators' otherwise exclusive responsibility. There is a dual dichotomization of guilt: not only in terms of the age-boundary (adult = guilty perpetrator, child = innocent victim), but also vis-à-vis the dividing line of gender (men = guilty, women = innocent). The focus of interest is contacts between **men as doubly guilty persons, and girls as doubly innocent ones**. On the other hand, these two groups' dual determinacy -- with guilt and innocence being ascribed to different 'sectors' along each respective dimension -- does lead to some dissonances. When a case involving an adult woman and a male child is considered, however, it becomes obvious that, when in doubt, it is the gender-specific dimension that prevails: Whereas the acquiescing mother (who is involved due to helplessness, and or due to the fact that she is female) is absolved of any responsibility, the boy -- even if he absolutely was victimized -- is turned into a

potential and actual abuser of girls. Here, the difference between the endangered and the endangering child divides along gender lines.

5. **For girls, the family is actually the most dangerous place.** The primary goal of these contributions is to 'enlighten' and 'awaken' the female segment of the population regarding what its male counterpart is up to on a daily basis. Sexual contacts occurring within one's immediate environs [201] are dealt with almost exclusively. The centerpiece is strongly moralistic accounts of sexual contacts between members of real family units; the typical case is a girl being abused by her (step-) father. At the same time, this is not just a matter of identifying fathers as the statistically dominant perpetrator type, but also of partially equating the two categories, as is shown linguistically in both the texts themselves ("father/perpetrator") as well as systematic public campaigns ("Daddy's Love Hurts" [F76]). With everyday sexual violence (even against wives) being laid bare, the family, as a place of protection and security, is fundamentally compromised. Therefore, the 'abuse concept' also involves saying goodbye to the 'safe-and-sound world' of the bourgeois, patriarchal nuclear family. Here the symbolic significance of sexual abuse goes far beyond scandalizing the sexual contact, and becomes real.

6. **Mental and psychosomatic illnesses constitute both harm and calls for help.** Given the child's dependent position within the family, these acts would appear to be not only reprehensible, but also, virtually inevitable: Obviously the girl has no chance of eluding these sexual approaches. Under existing social conditions, efforts at general prevention would seem to be largely pointless. Therefore, in contrast to the other two danger discourses, the point here is not to eliminate the sexual danger, but rather, to detect individual cases of abuse which have already occurred. Therefore, experts' primary task is to draw up a comprehensive symptomatology of sexual violence against girls. Due to the dual taboo surrounding abuse, **symptom-detection** is difficult. Because, as a rule, children cannot reveal their experiences directly, they broadcast coded calls for help to their surroundings. The most important signals -- which simultaneously also constitute evidence of harm -- are a variety (although the number is indeed finite, it is also boundless) of psychological and psychosomatic disturbances on the part of the victim. Therefore, the ever-growing catalog of symptoms constitutes both a decoding lexicon for identifying victims, as well as evidence of the enormous danger posed by these contacts. [202]

7. **Even seemingly superficial contacts harm victims in far-reaching and long-lasting ways.** Because superficial visual or physical contacts can be components of an abuse-scenario, the concept of sexual abuse must be extended far beyond the limits of the criminal law. Many forms of familial interactions (e.g. parents going around naked in front of children) which have become accepted in the last several centuries have turned out to be **doorways** to sexual violence. Even if (and this is the exception) it does stay at the level of superficial contacts, the



negative consequences [F77] for the child would still be well-nigh incalculable. Practical experience clearly shows (most contributions closely adhere to the method of proof developed by Forence Rush [F78]) that **every** sexually-oriented act leads to serious and long-term harm: Every girl and woman who signs up for abuse counseling or joins a self-help group is able to trace her numerous psychological and psychosomatic disorders back to her abuse experiences. Likewise, many therapy settings again and again see women for whom such childhood experiences are eventually able to be identified through individual cases. This is done -- for reasons of principle -- neither by citing the findings of other people's empirical investigations (which is actually quite common -- e.g., Baurmann 1983), nor by refuting the charge that 'cross-sections' of therapy patients present selectivity issues. After all, the damage only makes itself known after many years or even decades; or, due to an internalized code of silence, women are not in a position to be able to connect their numerous sufferings to childhood abuse. Only intensive memory work can make that connection. Because the retrospectively made connection between the abuse [203] and any psychological and psychosomatic disorders is neither chronologically nor causally verifiable, the harm hypothesis is totally immune to empirical falsification.

8. Even if they were harmless, sexual contacts between children and adults should still be condemned. Universal harmfulness is not, however, the basis for the blanket moral condemnation of these sexual contacts. Emphasizing and describing in detail the worst physical and psychological consequences merely serves to make readers aware of the overall cruelty of these acts, and arouse their repugnance. Therefore, the real reason why these interactions are disapproved of is that they constitute **relationships of power** in which the child's interests and right to self-determination are violated. Messages such as the following make this quite clear:

"Whatever age she may be, no girl wants to be abused." (Braun 1989: 21)

This statement would appear to be just as succinct (no one wishes to do anything against his or her wishes -- and that includes becoming involved in sexual activity) as it is tautological, if not for an assumption that the reader would automatically agree with the critical presupposition (and thereby simultaneously accept its premises without question). According to the axiom which is usually denoted as the '**informed-consent theory**', the child's right to self-determination can only be protected by categorically ignoring any expressions or his or her own will. Because children misjudge the sexual content of actions, or can be manipulated by adults into believing that they had desired or even initiated the abuse, whether or not one is a victim cannot depend on self-declaration -- which would only appear to make the role of experts all the more important. Given the **asymmetries** in the sexual connection between the two parties, the existence of a **relationship of power**, and the **possibility** of undue influence, which is equated with the actual use of violence, no further examination of the act-course or the interactions of the participants is required in order to discern the violent nature of

these contacts. And by calling something 'violent' -- a primary symbol of intensification in our society -- one has a better shot at discrediting any unwelcome act or social relationship.

#### [205] Part Four

#### MYTH-BUSTING: THE SEXUALLY AT-RISK CHILD AS SOCIAL PROBLEM

"Myth conceals nothing and displays nothing. It deforms.  
Myth is neither a lie nor a confession. It is an adaptation."

(Roland Barthes) [206]

#### 1. Problem Discourse and Discourse Problem

In the first three parts of the present work, the public discourse concerning the sexual endangerment of the child -- including its conceptual and normative background and history -- were reconstructed. It will be necessary to rely on this descriptive-phenomenological level when posing the question: How should the described content and form of the accounts, as well as the course-economies of individual themes, be interpreted? The proposal for a multi-functional explanation of the most striking phenomena, which is to be presented in this section, begins with a first hypothesis: The category of the 'sexually at-risk child' denotes a social theory and practice in which not only is every confrontation with the sexual sphere regarded as dangerous to children, but at the same time, the relationship between childhood and sexuality constitutes a social problem generally.

Fitting what -- as of this point -- have been regarded as danger-essays constituting a discursive phenomenon into a comprehensive social theory- and practice-form requires a series of theoretical considerations concerning the historical evolutions of both the childhood/sexuality relationship itself as well as the category of 'social problem.' We shall begin with the latter.

##### 1.1 Constructing a Social Problem

In recent years, in the social-science sphere, the notion that purely intellectual human conceptualizations -- whether stated out loud or put down in written form -- are simply a (correct or mistaken) reflection of objective circumstances, has been assumed not only by a small group of orthodox Marxists. Since the beginning of the 1970s, the increasing acceptance of the concept (as per the name of the ground-breaking work by Berger/Luckmann) "The Social Construction of Reality" within the <e> scientific community </e> has led to more and more "facts" being regarded, in accordance with the original meaning of the word (Lat. factum = something made or manufactured), as having been socially produced. At the same time, this conclusion is not based on the fact --

which was undisputed in any event, given that we are talking about social science here -- that the institutions of the social world are a consequence of human activity, but rather, that human theory- and practice-forms have less to do with the 'objective' structures of their surroundings than [207] they do the perceptions and interpretations of the actors within this day-to-day environment. (See Plessner 1991.)

Moreover, social science theories regarding reality's dependence upon supra-individual definitional and ascriptional processes always reject as naïve the assumption that social problems (such as the numerous sexual dangers which -- at least according to the essays examined -- confront children) are based on scientifically objectifiable facts. Even though such essays' significance in terms of explaining social phenomena is widely accepted within social science itself, the degree of a social problem's 'constructedness' -- depending on a given author's position with regard to the epistemological issues associated with it [F1] -- is quite a different matter. At the same time, there are at least two competing fundamental positions, usually characterized as the "objectivist" and "constructionist" approaches. (See Albrecht 1990.)

The objectivist position can be traced back to Robert K. Merton (1975; English 1961) For him, social problems are -- to a great extent -- objective facts, independent of both the definition of a society, as well as how those affected conceivably could exist. The existence of a problem is clearly able to be scientifically established; an essential criterion for this is "a significant discrepancy between social standards and social reality..." (113) Albrecht (1990: 6f.) summarizes Merton's view as follows:

"It is possible to establish the existence of a social problem through the use of objective criteria, and it is the task of the sociologist to bring out and make manifest every latent social problem which, though objectively ascertainable, has not yet been recognized as such by society as a whole, or even by those impacted by it."

Merton also points out, however, that the ascertainment of the presence of a social problem does not arise -- as it were -- 'automatically,' [208] due to its objective existence, nor is this left to individual discretion. Rather, it is selected as a central theme via a social process in which the social position (and therefore the definitional power) of the reigning "problem-definer" plays a decisive role:

"Just like any problem in society, social problems are socially defined: Of course holders of strategic positions of authority and power have greater influence over socio-political decisions, and thus also over -- among other things -- identifying what is to be regarded as a significant departure from social standards." (Merton 1975: 119)

Establishing the objective existence of social problems enables Merton to make a distinction between manifest and latent problems; the former are those which have been selected as central themes by those concerned and the public-at-large; the latter are those

which have 'only' been ascertained by scientists or academics (thus, those which are not a topic of lay discourse). In contrast to the scientific community, the public is often mistaken regarding the existence or non-existence of a social problem. In particular, the perception within the **mass media** "is not strongly correlated with estimates of the true extent of the problem." (123)

"It cannot be taken for granted that the public's perception of a social problem is simply correct; this holds true for ideas concerning its extent, its distribution, its causation, its consequences, its duration, or its changes. For reasons that we are just beginning to understand, these perceptions are often tremendously mistaken." (122)

Consequently, it is also science's task to discover the factors which are responsible for determining whether and to what degree a social problem gets selected as a central theme, as well as the reasons for its 'proper' or 'false' portrayal in the media.

On the other hand, the **constructionist position** -- first explicitly formulated by **Herbert Blumer** (1975; English 1971) -- emphasizes the decisive role of **collective definitional processes** in the emergence of social problems. According to Blumer's hypothesis, these processes determine "the history and destiny of social problems from the very first moment of their emergence" (106), meaning: [209]

"It is the social definition of a given social condition, not its objective character, which determines whether or not this condition constitutes a social problem." (105)

Consequently, only that which society (which primarily means: the public) treats as a problem actually is one; therefore, it can only be analyzed in terms of the process through which it was constructed:

"It is a process which determines whether social problems are acknowledged to exist, whether they merit the public's attention, how they should be looked at, what should be done about them, and how we should re-double our efforts to control them. The existence, 'life story,' and destiny of social problems is determined by this process." (112)

Going further than Blumer who -- at any rate -- still accepted certain quasi-objective facts [F2] as the basis for formulating social problems, is **Kitsuse/Spector's radical-constructionist** essay (1973). According to them, social problems are **'constructed'** (this term is used throughout the essay) by social movements, **completely independently** of the existence of corresponding social facts. Because of that, their inquiry completely dispenses with the search for 'any' objective, underlying conditions; here, the subject of scientific inquiry is **exclusively** the construction-process based on the **interests** of participating social groups:

<e> "Our position is that one need not assume nor explain the existence of this objective condition; indeed, to do so would deflect attention from investigation of the definitional process. The definition may be

accompanied by empirically verifiable claims about the scale, intensity, distribution, and effects of the imputed social conditions; but it may not and theoretically it need not." </e> (414) [F3] [210]

The groups which 'construct' the social problem in this way can (according to these authors) either be ones which declare themselves to be personally affected by it, or, announce that others -- for whom they claim to speak -- are impacted by it. In the context of the present work, we shall focus almost [F4] exclusively on the latter group.

The positions of Merton and Kitsuse/Spector may be viewed as the two poles of a **continuum**; and though it is true that the present work is closer to Blumer's position, it is nevertheless really more in the nature of a 'middle' one. One might characterize this middle-position [F5] as the 'cocoon theory of social problems.' [F6] It depicts my **second hypothesis**: The social problem of 'the sexually at-risk child' represents -- via the media's (re-) production of certain emergent patterns of thought -- a specific form of the enshrouding of indisputably core social phenomena, a reality-cocoon which determines the individual's perceptions and actions vis-à-vis childhood/sexuality.

According to this model, the problem emerges within a discourse process of social definitions and ascriptions, the prerequisite for which, however, is an "'objective core' of facts." (Albrecht 1990: 9) Consequently, on this level of analysis (see below), a distinction would be made between an actually occurring child's confrontation with the sexual sphere, and the (at any given time, collectively developed and shared) interpretation of this 'encounter.' In order to clarify this difference, an example: As far as **ascertaining** the existence of sexual interactions between children and [211] adults is concerned, in at least a **portion** of cases [F7], there is no difference between the impulse-perpetrator- and abuse-concepts in terms of crime statistics, or even the views of adult participants. Certainly, where they very likely would differ would be in terms of their assumptions regarding the causes and consequences of the contacts, as well as moral assessment. These interpretations are, just like some perceptual handicaps, part and parcel of whatever cocoon-reality happens to prevail at any given time; in this case, sexual contacts between children and adults have been turned into the social problem of 'sexual abuse.'

What should be noted here is the expressly limited scope of this hypothesis: When I investigate the question of how the relationship between childhood and sexuality is depicted in the specialist journals of the Federal Republic of Germany, I adhere to certain commonly accepted definitions of what, for example, constitutes an 'act,' and which individuals are regarded as 'children.' Therefore, I take it as a given (in the sense that it is generally socially recognized) that there are children who perform sexual acts upon themselves, that genitally-oriented play among children occurs, that there are forms of media whose central focus is the sexual arena (including those which are produced for the purpose of sexually stimulating the persons who look at them) -

- which get into children's hands, and that sexual interactions between children and adults do (at least occasionally) take place. Although these **core phenomena** are themselves consequences of societal definitional and ascriptive processes, in the context of the present study, this **reality** will not be questioned. [F8] This means that, here, we are not interested in how the [212] determinations underlying such categorizations came to be. (What constitutes individuals interacting?, What are media?, etc.) My inquiries focus exclusively on the more complex (or, if you like, 'secondary') level of social (at least potential) controversy.

At the same time, whereas, on the one hand the basis of the texts examined here are the ideas which 'generate' the problem-cocoon as structural conceptual forms, on the other hand, they also become universally binding with the help of these very publications. Moreover, the 'goal' of the warning-essay is for the recipient to equate the thread spun by the prevailing interpretation with the core phenomenon itself, thereby turning the former into the sole practice-relevant reality. When this is done successfully, not only is the social problem as 'real' as its core phenomenon -- the former's repercussions -- according to the Thomas hypothesis [F9] -- are just as real as the latter's.

This observation might leave the impression that social groups, based on their own interests, could turn any core phenomenon into a social problem (such as the sexually at-risk child). However, what should not be forgotten here is that there are socially **competing** perceptual models for almost every "core reality" (as per Koch); the extent to which any given one achieves dominance depends on various factors (e.g., the social power of the participating groups, and the interpretation's 'internal logic'). [F10]

"Therefore, social problems emerge as the result of a process which is conditioned by the social possibilities for dealing with a problem, the interests of socio-political actors, and their institutionally established degree of cooperation; but they are also driven forward by competition between them." (Giesen 1983: 231) [213]

## 1.2 Courses, Interest Groups, Strategies

In my opinion, however, the question of the theoretical position of these (female) authors in the above-indicated continuum would -- **in contrast** to the often bitter debates which the schools themselves engage in -- not be of decisive importance, even in terms of analyzing the process by which a social problem constitutes itself. Blumer and Kitsuse/Spector's models of how social problems emerge are similar to Morton's concept of a transition from latent to manifest. All of these essays emphasize that (female) social actors and their strategies for action require this, in order to make the problem part of the public 'consciousness.'

### Course-Economy and Career

Luhmann (1970: 14f.) has pointed out that, even prior to any debate over the **existence** of a social problem, topics of public

interest follow a typical **career-course** in the media, consisting of a "latent phase," during which the topic is only formulated by "a select few," a "breaking-through," which leads to extensive discussion amongst the general public (including a "high water mark"), and finally, "signs of fatigue," during which the media loses interest, either because the problem gets solved, or because it takes the form of "an old, unfulfilled dream." [F11]

Precisely because the focus of this is the course of the thematization in the mass media, Luhmann's reference to the significance of the first, 'specialist-community' phase is of particular importance to the present work. He questions the chain of cause and effect which is usually presumed by the 'experts' themselves, as is also frequently found in the essays studied here. (Reports in the mass media disturb the general public, which in turn signals its concern and sympathy via surveys, letters to the editor, etc.; then, due to this 'public arousal,' there is a general feeling that what is needed are detailed statements and explanations from (female)\* experts.) In Luhmann's view, it is really only when the specialist public selects a given subject as a central theme that the mass media finally has a reason to report on it (in a scandal-mongering way). For Müller [214] (1977 f.) and Nelson (1984: 12-14) as well, the first phase, that of defining the problem, is effected by "professional experts." This is a prerequisite for carrying out campaigns vis-à-vis the general public. Correspondingly, Hendrich (1974: 173) argues that:

"Regardless whether one is looking at a social problem in terms of its social, personal, or material aspect, the questions that arise are these: Who is articulating it, and consequently -- corresponding to the definition -- who is actually turning it into a problem for the first time? In a developed -- meaning, a complex -- society, it is to be expected that there are specific roles for problem-definers. In the strict sense of the word, this articulation is done by specialists: Experts in this and that...see to it."

[\*Translator's note: The exact German term used here, with the latter portion in bold, is "ExpertInnen," just as "AkteurInnen" and "AutorInnen" were used in preceding paragraphs. The suffix "Innen" denotes females (as opposed to "Experten," which denotes males). Because the author put this in bold print, it is clear that he meant to emphasize it. However, because I felt that, in translating this, putting the word "female" in bold type might place more emphasis than was intended, and given the fact that these one-word 'phrases' in German must be rendered as two-word phrases in English, I elected to place the "female" in parentheses.]

Only when this ideational constitution has been effected by "experts in this and that" are problems dealt with in the mass media. As a rule, what comes after that are clashes in which

"the various groups, organizations, and institutions attempt to exercise their interest-driven influence to ensure that their own particular definition of the problem becomes more or less the universally-binding description of the condition, and becomes part of the political decision-making process." (Müller 1977: 51 -- see Blumer 1975: 108 f.)

Admittedly, the post-facto determination as to which group of experts 'launched' a successful problem-campaign -- based on what interests -- still does not explain why it began at this particular point in time, or why it was able to achieve social acceptance. As of this point, the first phase of problem-constitution (including the special role of specialist journals), as well as the transition from specialist-community to mass-media interest, has scarcely been explained at all. (Albrecht1990: 16) Existing empirical studies predominantly focus on the problem-constitution among the general public; therefore, the findings presented in the following section will initially refer to the situation there. Certainly, in my opinion, many of the characteristics, courses, and strategies found there are directly applicable to the specialist-community discourse studied here.

### Persons Affected and (Female) Experts

As a rule, the protagonists who attempt to turn the problem into a central topic of public discussion are either persons who have been personally affected by it, or experts who -- usually for professional reasons -- devote themselves to the [215] 'victims.' [F12] In the arena of research, we have dealt with 'victims' -- namely, children -- almost exclusively, to whom (as is the case with drug addicts or psychiatric patients)

"reason, responsibility, and the rights associated with being a normal member of the social community are granted only in limited ways. Here, socio-political 'advocates' act on behalf of those personally affected -- without having obtained a clear mandate from the latter to do so -- based on the best-interests model of the therapeutic or pedagogical relationship, with their superior reason and sense of responsibility, or even justified...in terms of the interests of the social majority." (Giesen 1983: 233)

Here, the thematization process is carried out by experts, with those personally affected being completely excluded. Therefore, we shall focus on the former group.

First of all, it should be emphasized that the goals of these experts are not necessarily identical with those who have been personally affected by this issue. Rather, they have

"their own institutional interests, which are closer to their hearts than those of the categories of persons whose problems the former feel it is their mission to articulate." (Hendrich 1974: 174)

What is of particular importance to them is for their specialist point of view to gain general acceptance, whereby they seek to link their monopoly claim with how the corresponding problem is dealt with. [F13] In addition to social prestige, pecuniary interests also play a decisive role here; in order for groups of persons to engage in the issue for professional reasons,



"It takes a whole lot more than a mere awareness of a socially problematic situation: They have to be able to say that dealing with the problem professionally holds more promise...than other potential solutions, and in order to be able to compete with the proposals of other professions, they may also need to market their professional services." (Giesen 1983: 234) [216]

Moreover, the extent of the engagement depends -- among other things -- on a given profession's social-institutional situation:

"Unlike [the police], professional groups such as social psychiatrists and social workers, who are not yet able to carry out their work in institutional settings which are not subject to fluctuating levels of consumer demand, develop a strong interest in the public thematization of socially problematic situations." (Ibid.)

At the same time, as a rule, it is not possible to 'arouse' public awareness of a diagnosed disturbance of the social order without simultaneously creating a 'moral need' on the part of the target group, which is the only thing that would justify turning one's attention to this topic. (See *ibid.*) Therefore, because they emphasize this aspect, experts are sometimes characterized and described (initially by J.R. Gusfield [F14]) as <e> (humanitarian) "crusaders." </e> In the German-speaking realm, the term typically applied is 'moral entrepreneur.' Scheerer (1986: 147-149) understood this as denoting groups of persons who thematize the social problem as a moral issue and push for solutions in the form of universally-binding rules, and whose "paramount interest in achieving this goal is contrasted by a certain disinterest in the details of the chosen means." [F15]

### Moralizing and Scandalizing

Most studies stress that it is primarily the media's willingness to address a given topic which determines whether it actually rises to the level of a major preoccupation or is turned into a "heater issue." (Müller 1977: 51) It is thought that mass-media publicity,

"even if it is not the crucial prerequisite for social movements, does drive the coalescence of political will." (Schmit-Beck 1990: 642; see Scheerer 1978: 223)

Those who are personally affected, as well as experts, employ various discursive **strategies** in order to arouse the interest of the mass media. Empirical studies have been able to identify some of the mechanisms or strategies which have made it possible -- or made it easier -- for "problem-definers" to get the public to accept that **their own** problems are actually **social** problems. (See Schmitt-Beck 1990: 657.) In the following, we will focus on three predominant methods which have been employed in similar ways in the journal essays examined herein, as well as the mass media. [F16]

**Moralizing** denotes a procedure by which not only are actions, situations, and persons judged in reference to moral criteria, but moral assessments are meant to be made binding on

others." (Stehr 1989: 31) Moreover, the goal is to "redefine boundaries on a normative level, and to portray them as the 'prevailing morality'." (Cremer-Schäfer 1990a: 31) What this means for our sphere of interest is this: To go along with the claim of universal applicability, a set of criteria is developed for determining when a phenomenon should be morally condemned because it constitutes a sexual danger to children. (See Gusfield 1989: 433) At the same time, this condemnation is associated with the claim

"that a particular act, person, or entire group of persons has not only violated a particular interest of the accuser but also a communal interest, the only remedy for which may well be moral condemnation and control or repression..." (Cremer-Schäfer/Stehr 1990a: 29)

Consequently, the outrage is "conceptualized as a case of 'norm-violation'" (ibid.), thereby making action on the part of society as a whole -- typically, the state -- necessary.

Moreover, the fusing-together of the theme itself with the moral assessment of it takes place in numerous ways which render this message "impossible to respond to, and therefore, manipulative," because members of the target group see one another playing the role which is expected of them, [218]

"thereby tying their status to certain opinions. Even more unpleasantly, in the face of this unreasonable demand, one finds oneself engaged in a moral confrontation with one's opponent, thereby making it impossible for the former to discredit the latter with tact, prudence, or the need to remain calm. Like all manipulation, this too demands that no distinction be made between the topic itself and opinions regarding it: The institutionalization of the theme is fused with the moral implications of opinions to such a degree that one is compelled to accept the morality claim." (Luhmann 1970: 8f.)

Moralizing becomes scandalizing when moral ascriptions and validity claims gain acceptance with the aid of more specific representational techniques, and attempts are made to immunize the former against any criticism. One typical **scandalization method** is to **dichotomize** social reality in terms of the perpetrator-victim schema [F17] in such a way that there is no longer (and indeed, perhaps no longer can be) any distinction between 'explaining' a given act in the social-scientific sense and 'excusing' it in a moral sense. [F18] In the sphere of punishable acts, there are additional methods: The highest possible dark-figures [F19] are bandied about, and what are presumed to be particularly shocking cases are presented to the public as if they were typical. [F20]

Scandalization is based on the principles of "collapsing any distinctions between divergent phenomena, emotionalization, and imparting messages." (Nitzschke 1989a: 22; see Hilgartner/Bosk 1988: 62) An unbiased, scientific analysis of the topic is unwelcome because it is inconsistent [219] with activists' interest in gaining acceptance of their own perspective on the problem:

"As a rule, those who engage in public condemnation regard non-moralizing responses to situations that call for moral indignation as dissent."  
(Cremer-Schäfer / Stehr 1990a: 29)

Linguistically speaking, scandalization is based on utilizing a certain class of concepts which might be termed **summary symbols** or **dramatization metaphors**. These are expressions which serve to

"condense very complex issues into a more specific, more society-based (as well as more unpleasant) problem; i.e., by papering over any differences, and collapsing everything into a single dimension." (Ibid.: 23)

They create a link between danger and social disorder, and often contain a "dramatizing twist" which suggests that that which is negative and anxiety-producing has a tendency to expand and intensify. In our area of study, the terms 'criminality' and 'violence' are typical summary symbols. In some of the literature, it is taken for granted that without the use of such metaphors, it would be impossible for interest groups to gain acceptance of the mass-media scandalization rituals (which such summary symbols are based on) that are a prerequisite for the successful acknowledgment of a social problem. [F21] Up until now, whether this also applies in a similar way to specialist literature with scientific pretensions has only rarely been discussed.

## Myths

Less a plausible strategy than a (by its protagonists) hoped-for long-term consequence of moralization and scandalization is the transmutation of their perspective on -- as well as description of -- the problem to **mythological** status. The theory of this [220] form-category was developed by Roland Barthes (1966) for the sphere of mass-media communication. Myths provide

"a whole series of pre-selected pieces of information as well as attitudes vis-à-vis a particular phenomenon." They suggest "that the messages which they are conveying about a phenomenon also reflect how it actually exists in reality; that of course, that's just how it is. The mythology keeps mum about the fact that its own messages -- as well as the phenomenon itself -- are socially contrived, and also conceals its ulterior motives for promoting this particular social construction of reality." (Hess 1986: 26) [F23]

On the other hand, what can be systematically pursued is the integration of already-existing (i.e., more widely socially circulated) myths into one's own portrayal of the problem. The '**crime**' mythos is employed particularly frequently in the texts examined. This signals to us that 'criminality' is a question of irresponsible, dangerous, and person-distorting acts, against which only the institutions of the criminal law offer effective protection. Morally condemnable 'evil' takes the form of crime; conversely, combatting it is always 'good.' (Cremer-Schäfer/Stehr 1990: 82; Quensel 1986: 18) These polar opposites become flesh and blood as, on the one hand, the police, who -- in the interests

of all good people -- fight against evil, and on the other, criminals, who take on mythical form: [F24]

"The extent to which an act is deemed detestable, is said to infect even the farthest reaches. Wicked deeds are carried out at certain places and times, and evil which does become conspicuous shocks us. More and more people are infected by it, to the point that it is transmuted into a mythical creature: What was once empirical becomes symbolic, and comes to represent evil in its [221] entirety. The person is reduced to the level of a **complete animal**." (Strasser 1984: 10)

Once a social problem is 'mythologized' in this way, even as far as concrete cases from one's own immediate environs are concerned, individuals' reactions are based not on the actual activities and participants involved, but rather, on the mythology under which actual cases are supposed to be subsumed. Therefore criminal sexual perpetrators are turned into "monsters, animals, unpersons." (Schorsch/Becker 1977: 15; see Rasch 1982) The public and government institutions no longer treat them as real individuals, but instead, as personifications of such myths. These are the

"silhouettes of the scoundrel, the father-killer, the pederast, etc. that, from time to time, judges trot out, put into the dock, exploit, and condemn. One always condemns only that which strays from the straight and narrow." (Barthes 1964: 142)

Psychology explains the victory of the use of the criminal mythos in terms of a 'strategy' for successfully dealing with problems in the sexual sphere in particular; it speaks to people's 'suppressed inner wickedness,' and allows those who keep it at bay to live out their lives with a 'clear conscience.' Via the mechanism of projection, outraged indignation liberates one from those sexual desires which are condemned by the norms of society (and in its internalized form, by one's own conscience), and which individuals cannot be permitted to exhibit openly.

"Such occasions provide a safety valve for disapproved-of impulses, because they appear to serve not one's own pleasure, but rather, the purposes of punishment, retaliation, the re-establishment of order, and the satisfaction of the collective conscience." (Schorsch/Becker 1977: 16; see Nitzschke 1989a: 26 and Hochheimer 1963: 92)

### 1.3 Risk-Models

On the discursive level, how a social problem is constituted is based on the mass-media (re-) production of particular (partly with the described special forms available) messages regarding the phenomenon at issue. They establish

"which definitions and concepts are applicable, what contexts are effective, and what sorts of reactions are appropriate." They are "closely associated with fundamental world-view structures, which make it possible to [222] understand and make sense of things even in cases of betrayed expectations." (Giesen 1983: 236)

When the ideas in question become socially accepted, we speak of the existence of a social problem having been generally 'acknowledged.'

At any given time, this 'ideational foundation' is constructed of a corpus (based on its own determinate logic) of inter-related knowledge, normative definitions, interpretational schema, standard solutions, and instructions for taking action. (See Schetsche 1992.) The sociology of knowledge typically refers to this as an **interpretational model**. [F25] Admittedly, the journal essay contents which I analyzed (in contrast to the view propounded in my above-mentioned contribution) do not represent **any** interpretational models in the sociology of knowledge sense, but rather, their **transference-forms**. A distinction between these two categories is necessary for two reasons.

**Firstly**, in the present study, the **day-to-day convictions** of particular individuals or small groups are to be 'found' in the context of analyses of individual cases:

"Interpretational patterns feed off of the hermeneutic re-construction of individual cases..." (Lüders 1991: 403)

According to this concept's originator (Oevermann 1973: 3), they have "always referred to a system of mere objectively problematic behaviors." [F26] By contrast, the specialized journal contents which I analyzed are constituted solely of such objectively 'problematic behaviors': For example, under their way of thinking, children's solo-sexual acts are [223] "onanism" -- with all that this concept entails. [F27] That this is not merely a matter of interpreting a real, core phenomenon is revealed -- to cite just one of the examples found by this analysis -- by the fact that according to this theory, it is precisely when semen stains are not found (if they were, there would be an 'objective' basis for deeming the behavior problematic) that excessive onanism (with its ingenious strategy of concealment) is presumed to be occurring.

**Secondly**, interpretational patterns -- which may well be precisely what is always meant by this -- constitute the "deep structure" of consciousness, which is relatively accessible only on a limited basis: The individual interprets and deals with a situation based on the interpretational pattern which corresponds to it, without one even being aware this is occurring. (See Arnold 1983: 895; Lüders 1991: 381-383; Meuser/Sackmann 1992: 19.) Although this may well be true of the consciousness-structures of 'exceptional individuals,' it is not applicable to the quasi-materialistic conditions of the media: The yet-to-be disseminated meaning-structures must be articulated, at least to the extent that they go beyond the baseline of everyday knowledge which is presumably accessible to recipients. (See Watney 1987: 42f.) The transmission of these not-yet-existing ideas is only possible by means of either manifest content, or, latent messages of the kind which the average reader would be able to decipher. [F28]

Due to both of these differences, I will now dispense with using the 'interpretational models' of **perceptual and interpretational** [224] patterns to refer to the systematically

inter-related content of this theme in the media; from now on, I will denote its concrete manifestations in this area of inquiry as specific **risk-models**. Nevertheless, according to my empirically (with the help of other methods) verifiable hypothesis, the perceptual and interpretational matrices are closely associated with interpretational models, in two ways: For one thing, they are themselves based on interpretational models which are being articulated by these very authors (where it is a matter of both interpretations of the sexual endangerment of children, as well as baseline models of childhood and sexuality) [F30]; for another, even as they use existing interpretational models to appeal to recipient individuals, they are also (supposed to be) creating within the latter specific danger-interpretations. Consequently, the interpretational and perceptual matrices constitute the forms in which interpretational models are transmitted and updated. [F31]

We are actually able to track two different processes over the course of the period being studied: first, the reproduction of a traditional, already several-centuries-old model, and second, a new model for society, coming together for the first time. First of all, with regard to content, it was ascertained that two-thirds of the essays in the specialist journals studied which addressed the relationship between childhood and sexuality adhered to what [225] I have termed the 'sexually at-risk child' model. It has seven defining characteristics:

1. **Universality:** Being at-risk sexually appears to be the abstract quality that defines individuals who are denoted as children, which is also synonymous with their entire being (at least as far as one gender is concerned).
2. **Generalizability:** Every contact that a child might have with the sexual sphere, of whatever kind, is regarded as dangerous; this means that such confrontations harm each and every affected individual, in at least some respects.
3. **Harm Dogmatism:** The conclusion that such confrontations are harmful is independent both of empirical proof vis-à-vis a statistically significant number of cases, as well as the theoretical issue of the scientific verifiability/falsifiability of any given assertion of harm.
4. **Intervention Legitimation:** Because children appear to be defective persons, they are not in a position to keep the sexual sphere at bay; therefore, it is legitimate -- and obligatory -- for adults to protect them.
5. **Practical Orientation:** The thematization of sexual danger serves to 'enlighten' all adults involved in the rearing of children via the above-mentioned multiplier effect, and strongly influences their day-to-day dealings with children.
6. **Moral Certainty:** Included in the accounts are explicit as well as concealed moral ascriptions at every level; the storytelling-

style is characterized by terms with negative connotations.

7. **Scandalization:** Accounts employ the wide variety of scandalization methods which are also typical of the mass media: perpetrator-victim logic, de-differentiation, dramatizing metaphors, and myth-creation. [F32]

Despite this corpus of agreement, one cannot speak of a uniform endangerment discourse in the Federal Republic. Rather, my **third hypothesis** says that, in the Federal Republic, the **(specialist-) public constitution of the social problem of the 'sexually at-risk child'** [226] is ideationally based on two different endangerment-models, which are mutually distinguishable in terms of their content, history, and sexual politics.

Through the 1970s, the three kinds of danger examined here constituted theme-specific variations of a standard danger-discourse. The perceptual and interpretational matrices underlying them all, which I refer to as the **traditional endangerment-model**, became less and less socially relevant as this era came to a close; eventually, the danger-discourse essentially came to a standstill. By contrast, since the 1980s, the thematization of the sexual abuse of girls (in particular) followed a different endangerment-model. Instead of continuing on with the traditional danger-discourse, this **abuse-model** elevated the category of the at-risk child to a new level of sexual politics.

The contents of the examined texts themselves are the primary basis for making this distinction. But even on a purely superficial/esthetic level, there are already no less than five reasons why the debate over the sexual abuse of girls should be regarded not as a continuation of the (standard) older endangerment-discourse, but rather, as a totally new phenomenon:

1. In a quantitative sense, up until the end of the 1970s, the individual danger-discourses were strongly interlinked. In the graph on the following page, the three dangers' course-economy histories are once again compared with one another, but **excluding the abuse-discourse**. This shows clear parallels in terms of peaks and valleys. After the early 1980s, by contrast, almost all of the upticks occurred in the area of endangerment through sexual contacts with adults. There is nothing to indicate that, along with the abuse-discourse, the other two dangers were again strongly thematized as well.
2. The abuse warnings of the last seven years were largely independent of reflections on other kinds of danger: In the 334 essays published through 1984, a total of 469 dangers were mentioned; i.e., an average of more than 1.4 dangers per essay. In the 69 contributions between 1985 and 1991, on the other hand, a total of 76 dangers were mentioned, which corresponds to just 1.1 risks per essay.
3. The abuse-discourse was and is clearly being led by a new interest-group. With the older thematizations, one finds a whole series of authors penning contributions about several

different kinds of danger over a long period of time (sometimes, more than twenty years). In the abuse-discourse, by contrast, one does not find any authors whose work (also) appeared prior to 1985.

[227] <<<INSERT ALL GRAPHS HERE>>> [228]

4. Even the authorship of the abuse-discourse is put together in a structurally different way. A virtual reversal of the previous gender-ratio is detectable: Whereas in the traditional discourse female authors constituted a clear minority in all of the danger-spheres, in the new debate, male authors do.
5. There is a clear chronological separation in terms of how the two different concepts thematize sexual contacts with adults (which is not found, for example, in the two dominant interpretations of onanism). The abuse-model first emerged in 1985. After that point, there was only one essay (Hieber 1990) which adhered to the older concept. Except for this, as well as two other contributions which corresponded to neither of these two types, all of the contributions since the mid-1980s have followed the abuse-model exclusively.

Therefore, regarding the last of the endangerment-spheres examined, we have been able to establish the following: The reason why warnings against abnormal impulse-perpetrators are so incompatible with the conjured-up, normal-man-perpetrator is not because they focus on different subsets of the same phenomenon, but rather, because two different perceptual and interpretational matrices are applied, with different constellations being made the focus of interest. Whereas the concept of the 'provoked sex-crime' follows the traditional endangerment-model, the 'everyday male violence' concept arises from the autonomous, historically new abuse-model. Although combining them into a single source of danger is indeed justified in terms of superficially similar content, upon further sexual-political analysis, it leads us astray. With that in mind, the following Sections Two Through Four will address the traditional endangerment-model, with Section Five being reserved for the abuse-model.

## 2. Characteristics of the Traditional Endangerment-Model

In addition to the above-described premises and characteristics, which are also typical of the more recent discourse, the traditional endangerment-model is characterized by six closely interrelated **ideas** which, in [229] the three spheres of danger examined, crop up in theme-specific variations: [F33]

1. The **sexual impulse**: Under this model, all perceptions of danger are based on the notion that sexual feelings, acts, etc. have their origin in a sexual **impulse**. At the same time, however, they harken back not to the psychoanalytic impulse-concept, but rather, to a mechanistic one, as it was developed by medicine and jurisprudence in the 17th and 18th centuries. To these authors -- as Ernst Ell so inimitably put it -- sexuality seems to be "a dark impulse emanating from the body" which, according to this model,



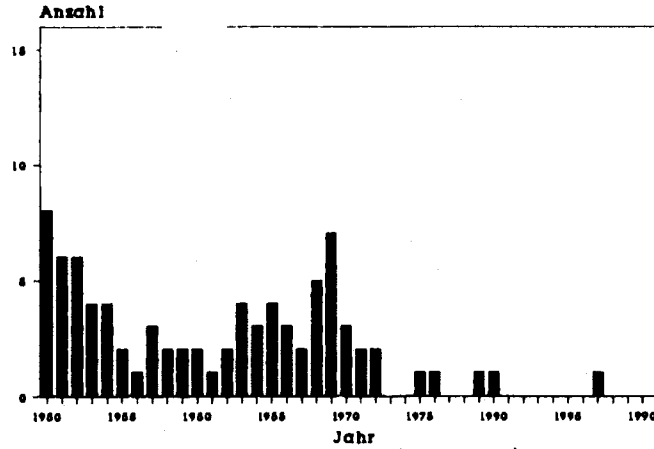
("naturally") **evolves**, in various ways, on the basis of endogenous energies: Either it initially 'lay dormant' in the child, in order to then be quite suddenly awakened at puberty, or it is already manifest even in the prepubertal child, continually becoming stronger only over the course of adolescence. In terms of regarding children as being at-risk, which of these two models a given author subscribes to is of rather secondary importance.

2. **The disturbance:** According to either of these sub-models, the impulse will only unfold "as nature intended" if its **endogenously-driven development** is not interfered with. Each and every confrontation with the sexual sphere would appear to constitute such a **disturbance** of the auto-genetic child-sexuality-system: solo-sexual acts, sexually-oriented perceptions, erotic approaches -- all of them lead to so-called **sexualization**; meaning, to morally unacceptable behavior on the child's part. This is characterized by a renunciation of any and all learning- or socialization-models of human sexuality. On this level, the three 'danger-types' studied are distinguishable in terms of the 'location' of the presumed source of the disturbance. The protection measures favored at any given time are primarily contingent upon whether the center of gravity of the course of the disturbance shifts more towards the child's psyche, [230] or the environment. Because the danger of onanism appears to be primarily endogenous, measures to protect against it are primarily geared toward either the impulse itself or the quality of the child's character. The source of media endangerment, on the other hand, is primarily exogenous; correspondingly, protection there should take the form of external screening. Lastly, in contrast to how it may have looked initially, endangerment via contacts with adults would appear to constitute an almost 'equal mixture' of exogenous and endogenous disturbance; that is why just as many 'child-' as 'perpetrator-oriented' prevention measures are to be found there.

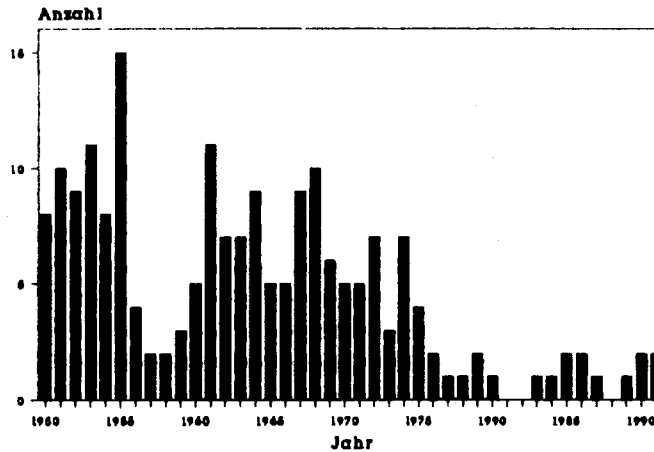
3. **The Linking-Together of Desire and Disturbance:** Whether children's impulses be regarded as latent or manifest, they are always viewed as being activated even by the slightest of internal as well as external causes. It is taken for granted that their **impulses** (and drive-development) are extremely **susceptible to being disturbed**; what this boils down to is that children are liable to fall victim to sexual danger. Even in the media sphere, a "certain proneness" to seeking out external sources of stimulation is perceived. That is why the assumption of the 'naturalness' of drive-development does not openly contradict the notion of its being easily distorted; a susceptibility to it is seen as being a consequence of more recent developments in society. Its extent, at least, appears to be a result of 'modern times': social and moral anarchy following the war, the general sexualization of society, and wrong attitudes on the part of adults (e.g., an 'orientation towards consumption'). In the Federal Republic, the traditional endangerment-model is also, at the same time, a conservative critique of civilization; it (re-) produces fin de siècle bourgeois anxieties. [F34]

*Essays on Self-Endangerment*  
 Aufsätze zur Selbstgefährdung  
 (N = 83)

*Number*

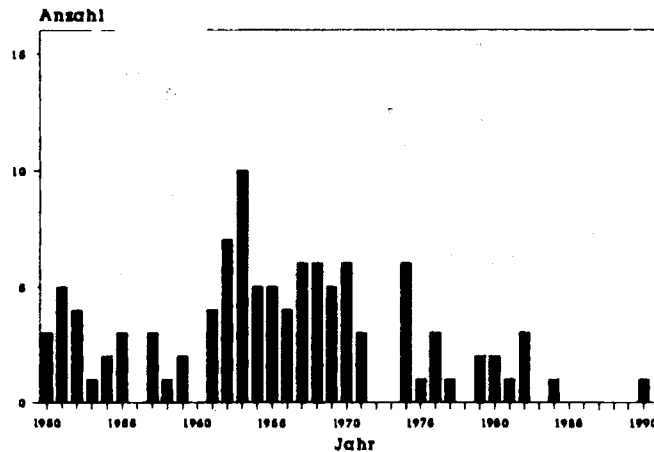


*Essays on Media-Endangerment*  
 Aufsätze zur Mediengefährdung  
 (N = 196)



*Essays on Contact-Endangerment*  
 Aufsätze zur Kontaktgefährdung  
 (ohne Mißbrauchsdiskurs; N = 106)

*→ (excluding the abuse discourse...)*



4. **The Need for Discipline:** In the final analysis, due to the confluence of impulses, susceptibility to disturbance, and informal as well as external stimuli, the only way to effectively fight against these dangers is by helping children to be able to **control** their so easily 'distortable' sexual urges. This means having to learn not to think about, want, or do anything of a sexual nature when those urges crop up. The prerequisites for this are strength of character and a high degree of self-discipline (to use the psychoanalytic term: a strong super-ego). To the extent that a given child has not yet learned this, his day-to-day activities must be continually monitored; later on, [231] this (gradually tapering off) control-by-others will serve to ensure his own self-discipline. Supervising children, as well as instilling them with self-control, is primarily the task of parents: successful protection against sexualization is their **responsibility**.

5. **Impulse-Control Boils Down to Sexual Discipline:** Practicing self-discipline in the sexual sphere is **actually** regarded as both a **prerequisite for as well as a sign of learning** (or having learned) to **control one's impulses and emotions**. Sexual behavior is not only the yardstick by which the still 'necessary' degree of control-by-others and training measures are assessed; it is also assumed (sometimes explicitly) that discipline in this arena acts as a sort of leading indicator. Because the sexual impulse is regarded as the 'most powerful' of all human drives, once control over it has been established, mastery over all the others will be a foregone conclusion. Because a lack of self-discipline here is equated with an inability to exercise control over one's impulses and emotions generally (which is viewed as a prerequisite for a stable social order), the sexually active child is seen as being not only endangered, but also dangerous.

6. **The Threat to Order:** Finally, ensuring the 'normal development' of children's impulses (and particularly, the mastery of them) is not only in the best interests of the child; it is also in accord with **what society desires**. [F35] The primary reason why one must learn self-control is not in order to be able to resist actual sexual temptation, but rather, because mastery over one's impulses is an essential component of being a **grown-up individual**. If the protective measures really do 'protect' something, it is the development of the child into an adult whose sexual drive is only 'used' "as nature intended" (which means nothing other than following the rules of the state and the society). The goal is to integrate the next generation into a **sexual order** (defined as natural or divinely-ordained) in which individuals' impulses are lived out only within the context of married/monogamous, procreation-oriented [232] heterosexuality. [F36] If child-protection fails, promiscuity, an inability to marry, prostitution, homosexuality, perversion, and sex-crimes loom over adults. When these become widespread, it is not just the social order, but also the **order of the state** [F37] that is **endangered**. This linkage legitimizes state jurisdiction over

children's sexual development, as well as control over 'those who are entrusted with their upbringing.' [F38] Child-protection is also viewed as a form of state protection.

### 3. Origin of the Traditional Endangerment-Model

I have -- in the form of three historical digressions -- described **when** ideas regarding the various sexual dangers facing children emerged, as well as **how** they gained social acceptance. In accordance with my hypothesis that, up until the mid-1980s, all three types of danger were based on a **single** perceptual and interpretational matrix, we shall now attempt to reconstruct an overall view of the process by which this endangerment-model originated. [F39] First, however, I shall avail myself of the theoretical considerations of various authors who -- much more deeply than I would be able to -- [233] have examined the relationship between childhood and sexuality in previous centuries.

#### 3.1 Four Theoretical Approaches

A great number of these specialist authors were found to be largely in agreement with the systematic fight against children's sexual stirrings that had its start in the 17th century. Even Michel Foucault, probably the most prominent critic of all theories as to why there was a general increase in sexual repression in modern times, characterizes the "pedagogization of children's sexuality" as one of the four "great strategic complexes for expounding specific knowledge- and power-discourses concerning sex" (Foucault 1977: 125) in previous centuries:

"...children are defined as 'presexual' beings at the threshold of sexuality, whose actions fall short of sex, and yet, are already pushing up against a dangerous dividing line; parents, families, educators, physicians, and later on, psychologists had to keep a constant eye on those precious and threatened sexual sproutings; this pedagogization manifests itself above all in the battle against onanism, which raged in the West for nearly two centuries." (126)

When one takes a look at the theories of the origin of the -- sticking, for the moment, with Foucaultian terms -- childhood-sexuality discourse which are represented in the literature and its significance for civil society, one finds that there are four different types of explanatory essays, which I -- for the time being -- will refer to as 'descriptive-/process-based,' 'economic-functional,' 'genetic,' and 'instrumental.' These 'types' will be presented with the help of examples from some of their particularly significant advocates or originators, at which point we shall examine their explanatory value vis-à-vis the historical developments described.

**Descriptive/process-based theories** can only be characterized as 'explanatory' in a limited sense. They 'merely' show the (usually ideational) figures via which the discourse over the sexually at-risk child has been expounded throughout history. [F40]

In addition to Philippe Ariès's standard work on the origin of the category of childhood in the modern sense ("A History of Childhood," French, 1960), also characteristic of this way of proceeding -- and of greater interest to us here -- is Jos van Ussel's [234] work from the year 1971. Its title is emblematic of its ideology-critical thrust: "Sexual Repression: A History of Sexual Hostility."

Although the author's description of the rise of sexual repression since the 17th century is just as rich in material as Foucault's first volume of "Sexuality and Truth" is, arguably, devoid of it, he is, nevertheless, reluctant to hazard a guess as to the possible causes of this development. However, in the course of a detailed examination of the domestication of children's sexuality through the lens of the campaign against onanism, he does cite some of the divergent hypotheses regarding the reasons for the anti-masturbation pedagogy: It could either be a consequence of real changes in masturbatory behavior -- even if not in terms of the number of individuals engaging in it, then in masturbation-frequency or the nature of the acts -- or the result of onanists' attempts to evade social controls. (van Ussel 1977: 146-148) Both explanations point to 'objective' changes in masturbation itself, and shift the search for the causes of the fight against it onto the individuals impacted by it. At the same time, van Ussel also posits some potential 'external,' social causes: a general "de-sociabilization" of society (147), or, the spread of fundamentally puritanical attitudes, (148) leading to strong reactions against non-reproductive activities.

However, based on the context and nature of his account, it is pretty clear that the author himself does not really concur with any of these four causal hypotheses. To him, the prohibition on children engaging in sexual activity and the emergence of sexually-based notions of purity are, instead, (not more precisely specified) components of what has only recently been recognized as the **re-formulation of the category of childhood** in the 17th and 18th centuries, the essential characteristic of which is "infantilization":

"The 'modern' child is just one model of children's reality, and indeed, an infantile one..." (96)

This confining of one's self to the ideational side of the process leaves open not only the question, **Why** did this particular model of childhood gain acceptance?, but also, **Why** did Bekkers's and Tissot's ideas have such a strong impact on actual practice? And above and beyond that, it is precisely in the area addressed here that we are confronted with the 'peculiarity' that many of the anti-masturbation campaign's ideas had initially been presented -- in there more or less 'final' forms -- almost three hundred years [235] before they actually achieved success. (During his own time, Gerson's reflections remained largely unheeded.) And so that begs the question: What differences, between 15th-century France and 18th-century middle Europe, could account for the fact that, within a span of only a few decades, the idea of children's

self-endangerment would catch on?

**Economic-functional theories** answer this question indirectly, via the observation that a particular form of the childhood-sexuality matrix **automatically** goes along with bourgeois hegemony. Due to the fact that this would only be practical under a capitalist-based system, it was only after this kind of society had evolved that it was able to gain acceptance. In my opinion, the first explanatory essay of this sort was produced in the Weimar Republic by **Wilhelm Reich**, in the context of his attempt to unite the Marxist and psychoanalytic models under the umbrella of so-called **sex-pol theory**. According to Reich, every social system reproduces itself ideologically in the character structures of its members. The stability of bourgeois rule and the inability of the working classes to overthrow it is a result of the authoritarian structuring of individuals which is typical of capitalism. In accordance with Freud's theory, for Reich, sexuality plays an important role in the emergence of this **collective character**:

"Changes in the psychic organism which are put down to sexual morality establishing itself first produce those psychological structures which from the mass-psychological basis of every authoritarian social order."  
(Reich 1982: 95, orig. 1936)

Moreover, the 'sexual repression' of children, particularly impeding their sexual urges via the prohibition on masturbation, is regarded as a central 'mechanism' for the creation of authoritarian dispositions.

"Morally impeding the child's natural sexuality -- the last stage of which is physically curbing the genital sexuality of the small child -- makes him anxious, timid, fearful of authority, obedient, and 'well-behaved' as well as 'trainable' in the authoritarian sense. It cripples him, because now, any stirrings of vivacity or freespirtedness is accompanied by severe anxiety. So he learns to just defer to others. Because of the prohibition on sexual thoughts, the mental faculty in general becomes inhibited, and one is rendered incapable of engaging in any sort of criticism. In short order, he buys into the goal of establishing authoritarian rule, and despite poverty and humiliation, remains a suffering subject. **The primary way that the authoritarian structuring of human beings is effected -- and this needs to be explicitly emphasized -- is via the anchoring of sexual inhibition and fear within the living material of the sex-drive.**" (Reich 1977: 49; orig. 1933) (Emphasis in original.) [236]

In the 1960s and '70s in the Federal Republic, in part for reasons of political expediency [F41], this **repression hypothesis** was taken up by a whole series of authors (in particular, Helmut Kentler, Reimut Reiche, Günter Amendt, and Ignatz Kerscher) [F42], in order to thereby disavow society's existing social order as a capitalist instrument of repression. However, the liberalization that has, in fact, occurred in almost all capitalist societies -- in every era -- refutes Reich's classic ideas, to the extent that a repressive sexual morality can no longer be regarded as a necessary component of bourgeois hegemony. In order to rescue the model of a functional linkage between capitalism, totalitarian

political systems, authoritarian character structures, and the sexual repression of the child, Herbert Marcuse (1980: 76-102; orig. 1964) and -- following him -- Reimut Reiche (1968: passim) developed the theory of **repressive desublimation**. [F43] They were obliged to explain why the new sexual freedom was just as power-reinforcing as the old sexual morality. [F44] Sexual liberalization was seen as a new, 'disguised' form of repressive sexual morality.

Consequently, the question of interest to us here -- that of the 'sexual repression' of children -- has been answered, inasmuch as it appears to be a direct **function of exploitative economic conditions**: The limited lifting of controls on child sexuality at the end of the 1960s was intended to turn an impending crisis of under-consumption into a buying frenzy, while simultaneously fending off demands for political emancipation. 'Accounting for' these [237] is less about reconstructing the process by which they came into being than it is about describing the endangerment-model's 'natural place' in the system of bourgeois hegemony. Merely by naming the social function of this theoretical-and-practice-form, the question of the causes of its evolution appears to have been adequately answered. However, the Reichian model merely describes how and why parents pass on to their children certain character qualities; it does not tell us how these structures came to exist in the first place. What is lacking is a reconstruction of the 'original accumulation' of bourgeois character qualities in the early phases of the evolution of capitalism. [F45] What remain unspecified are not only the 'social characters' in this drama, but also, the economic and ideological driving forces.

There are actually some similarities between the repression theory and the **genetic theory**, inasmuch as the latter also treats what is diagnosed as a defensive posture with regard to children's sexuality as an integral component of an overall social phenomenon. However the focus is not -- as in the descriptive approach -- on social structures, but rather, historical processes; here, the answers to the question of the origin of the phenomenon are rather more eloquent. It looks at the perceptual and interpretational model of 'the sexually at-risk child' as both a component and a consequence of the **genesis of bourgeois society**.

This approach was developed in the 1930s by **Norbert Elias**. According to his hypothesis, bourgeois society is the result of an evolutionary and fundamentally autopoietic process of the **civilizing of humanity**. Although it is true that the defining characteristic of this way of looking at things is that the historical development in question is viewed and understood as the consequence of human activities, there is no presumption of intentional action vis-à-vis this civilizing process, [238] either by those participating or those affected; Elias (1980, orig. 1939) describes a phenomenon "of a third kind" [F46]:

"Obviously, 'civilization' is no more the product of human 'reason' and the result of long-term, calculated planning than rationalization is.

Actually, there is absolutely nothing in history to indicate that the changes have been implemented 'rationally'; for instance, via the purposeful rearing or training of particular individuals or groups of people. It all simply happens, unplanned; nevertheless, it takes place not without a curious order to it." (312f.)

Here, the explanatory focus is the moment at which the internally-driven **impulse- and emotional-control** ("self-mastery") that characterizes modern man initially forms -- within high society at first, and then, later on (to a greater degree) among the bourgeoisie. Moreover, as was the case with Wilhelm Reich (albeit on the basis of different mechanisms), the regulation of the sexual sphere plays a particularly important role.

"Above all, they [bourgeois groups] stand for 'virtue,' and against high-society 'frivolity': Accordingly, the regulation of sexual relations -- the fence which encloses the sexual sphere of the balance of impulses -- is always much more intense among middle-class, up-and-coming, bourgeois strata -- corresponding to their vocational positions -- than it is among aristocratic high society..." (429)

The emergence of the model of the sexually at-risk child is regarded as central to the principle of "the obligation to constrain oneself" catching on: It is by controlling his sexual desires that the child actually learns self-control. Via family socialization, parents pass down to their children (without this being an intentional child-rearing measure) the idea that the sexual impulse is associated with fear and anxiety:

"Fears of this kind contribute considerably to the control to which the child is subjected from his earliest days, to the prohibitions which are imposed upon him. Perhaps even the parents themselves are only dimly aware of what they're doing, and perhaps in part this is already going on automatically; these fears are transmitted to the child by gestures just as much as through words." (449f.)

The special significance of childhood in Elias's theory lies in its drawing of a parallel between phylo- and ontogenesis: The process of civilizing the individual must be gone through anew by each generation. [239] At the same time, the risk-model is to be understood as a (non-intentional) program to conform to -- and even go beyond -- the prevailing standards of self-discipline. [F47] Moreover sexuality, as a strong yet malleable impulse, takes on a kind of forerunner role: The self-control which is learned in the sexual sphere can also be applied to other impulses and emotions. [F48]

The big advantage of Elias's theory is that even the primary genesis of the 'compulsive' character structures of bourgeois humanity, and along with it the role of the repression of children's sexual stirrings, are explained in plausible ways. What remains unclear, however, is why -- if the intergenerational process would already have had to be 'put into practice' -- it is still necessary to disseminate the risk-model via every conceivable type of media. Individuals do not appear to have



internalized the necessity of repressing children's sexual stirrings in the form of the dominant interpretational model; over and over again, the relevant professions are compelled to make clear -- even to parents who travel in mainline bourgeois circles -- the importance of strengthening the child's will. At the very least, the history of all three of the risk-spheres examined would appear to also be a history of the utter failure of the measures employed to combat them. If one proceeds based on the assumption of a parallel between ontogenesis and phylogenesis, wouldn't the process of civilization necessarily end in complete failure? An additional set of questions also remains unanswered: Why does a model of impulse-control which is deeply embedded within individuals again and again have to be shored up by the criminal law? And what accounts for growing demands by bourgeois social [240] movements for the state to bring all of its police-backed power to bear for the sake of protecting children from desire and renunciation?

From this point of view, and based on one of Elias's theories, König (1990) carried out a study of the sexually-related sphere of nudity. Moreover, he expands on the theory of a dialectic between internal and external control-authorities, between -- as it is called in a chapter heading -- "self-compulsion and compulsion by others":

"It would not be appropriate to speak, as per Elias, of doing away with control-by-others, which would then be offset by increasing self-control. Rather, this increase corresponds to an unconscious shifting from anonymized and institutional control-by-others to self-control..." (54f.)

This supplement to the 'civilizing theory' refers, in particular, to governmental and other authorities which are involved in the ideational reproduction and social implementation of the endangerment model, and intentionally allows participants to be asked things for which Elias's model makes no provision. [F49]

Political interests expressing themselves stand at the center of the **instrumental theory**. Here, the history of the censorious management of childhood sexuality is not merely a consequence of social behavior, but the result of **intentional** actions by determinable political and social groups. The fundamental hypothesis presented by **Gunnar Heinsohn, Rolf Knieper, and Otto Steiger** in their "General Population Theory of the Modern Era" (the subtitle of their joint 1979 paper) is that the repression of non-marital and non-procreation-oriented sexuality that has been in effect since the middle of the 15th century is a consequence of systematic population policies on the part of the state. The hypothesis already presented therein (63f.) to account for the emergence of the anti-masturbation campaign was fleshed out in greater detail by Heinsohn and Steiger (1985/1989), in the context of their interpretation of the witch hunts in Europe and America; they explicitly argue against the ideas coined by Elias. (1989: 245f.)

To these two authors, the extermination of 'witches' represented neither an outbreak of collective delusion nor the consequence of self-generating civilizing- [241] processes, but

rather, the objective of a **political program**. Moreover, the elimination of folk knowledge concerning traditional methods of contraception and the "eradication of hedonistic sexuality" (246) primarily served the goal of raising the rate of "the production of human beings" by ideologically and normatively reducing sexuality to procreation. Because the reproduction-model had successfully and "terroristically" worked its way into the consciousness of adults over two centuries of witch-hunts, population policy was able to 'confine' itself to instilling its principles into each new generation:

"Beginning around 1700, the campaign against birth control shifted from openly terroristic witch-hunts to governmental/pedagogical monitoring, only employing brute force as a last resort. Naturally, this fine-tuning was also focused on dealing with pleasure-oriented sexuality that was detrimental to procreation. In order to render brute force against adults no longer necessary, the child would now be shaped in such a way that even the mere thought of sexual pleasure would evoke fear and feelings of guilt." (248)

The campaign against onanism was designed to serve as a critical component of bringing this about, and was actually the first practical implementation of the notion of the sexually at-risk child.

"Therefore, of all of the bad manners, masturbation was the worst. It was felt to be a sin; consequently, 'population policy' could only be drilled into people's heads by cultivating fear. The campaign against it was the result not of some mysterious process of evaluation, but rather, clear state policy." (251)

A virtually irrefutable argument for this hypothesis was the striking chronological connection between the two phenomena. The campaigns against childhood masturbation began right at the end of the peak of the witch-hunts. What is not indisputable, on the other hand, is the directionality of the intended effect of the prohibition on childhood sexual activity on population figures. Killias (1979), in his study of the origin of the 'lewdness with children' construct, comes to the conclusion that the repression of childhood sexuality would have been a measure meant to **lower the rate of reproduction**:

"These trends were triggered -- or at least promoted -- by the efforts of the bourgeoisie and the upper classes to make it legally -- or at least, practically -- impossible for poor people to marry and thus procreate, in order to thereby offset the population rise...The population-policy intentions of [242] the authoritative classes led to a tremendously severe repression of non-marital sexual activities, and indeed, even of children 'playing doctor'." (98f.)

Heinsohn and Steiger's work primarily focused on accounting for modern witch-hunts; therefore, neither the political authorities by whom nor the means **with** which the model of the at-risk child was constituted was examined in great detail. [F50] The

fundamental principle of population policy makes it easy to understand, however, why the discourse did not come to a halt once the endangerment model had been accepted by the bourgeoisie. Quite the contrary: The 19th century was an era of the integration of control measures, and the extension of the above model into new areas of activity. Why? It was a matter, in that century, of the state as well as the bourgeoisie having created a 'surplus' of free laborers. (See Heinsohn/Knieper/Steiger 1979: 132.)

### 3.2 History of a Social Problem

When, in the following, I sum up the three examined danger-spheres with reference to the theoretical approaches depicted, I do not do so for the purpose of developing an autonomous hypothesis that accounts for the described phenomenon in terms of the 'sexual repression' or 'disciplining' of the child. I would simply like to propose a somewhat different perspective from which to examine the issue [F51], with whose assistance we might be able to answer some of the questions which have remained open up to this point. My fourth hypothesis is this: The emergence of the traditional risk-model in the 18th century represents the primary constitution of a social problem, the 'emergence' of which is due to the interaction of socio-economic developments, [243] new religious ideas, and the activities of political and professional interest groups.

The following portrayal of the problem's emergence follows the historical development of these three contribution-factors. Moreover, in line with my own area of research, the focus will progressively narrow from general European conditions, to specifically German ones.

#### Socio-Economic Developments

Prior to the 17th century, the idea that childhood masturbation should be combatted remained socially inconsequential. It was only because of several changes in the structures of day-to-day life that childhood began to appear somewhat problematic to portions of the bourgeoisie. We must actually come to terms with three different processes, which nevertheless began at the same point in time -- towards the end of the 15th century.

Firstly, at the same time that economic development in the larger cities was engendering an increasing division between family life and the work-process, trade and commerce were evolving into specialized professions, thereby giving rise to the notion of extending and systematizing education and training. What all of this meant was that city children from upper-class families were no longer an 'integral component' of everyday life, and were also no longer under the direct supervision of adult or adolescent members of the household.

"Through a long process of reciprocal closing-off, two spatially and symbolically separate 'mono-cultures' were produced, in the sense that

many spheres have disappeared from the action-repertoires of both today's adults -- especially men -- and today's children, which their little and big ancestors still participated in with one another, in favor of more specific 'adult' vs. 'childlike' ways of behaving." (Doehlemann 1979: 11)

Children's behaviors which would still have been regarded as normal in Gerson's time would eventually strike adults -- who were spending ever greater portions of their daily lives in a world which had been 'purged' of children -- as 'disconcerting.'

Secondly, the 'necessity' of **controlling emotions and impulses** was heightened in a two-fold manner. For one thing, the rising populations of cities, and especially the densities thereof, made [244] 'uncontrolled' behavior in everyday life increasingly unbearable. [F52] The problem of 'public safety and order' did not exist under the old feudal regime; rather, it emerged in cities which were administered by the citizens themselves. For another thing, the emerging capitalistic economy 'demanded' -- within the framework of the initial accumulations of traders and tradesmen -- an ethic of sacrifice in this respect, just as it promoted the adoption of the first market-economy (or Darwinian) laws: Whoever sacrificed most effectively and -- instead of living the high life -- was able to put away some money, was more economically successful over the long-term. Therefore, for male citizens (and to a lesser degree, for female citizens as well), the ability to maintain self-discipline was an essential character prerequisite for individual, collective social, and economic advancement. [F53]

Thirdly, for population-policy reasons, the more lenient Middle Ages attitude towards sexuality was superseded, and for the first time, an attempt was also made to put into continuous practice the old Christian model of **marriage-based, procreative sexuality**. At the same time, initially within the context of the persecution of witches, those who possessed knowledge regarding traditional contraception methods, as well as the most prominent advocates of a more permissive sexual attitude were, in many communities, physically liquidated -- which had the effect not only of eliminating the persons in question, but also of intimidating and scaring off those who survived. As several generations 'learned,' in these ways, that pleasure-oriented sexuality and effective contraception were associated with mortal danger, the application of external pressure upon adults became quite unnecessary; however, a problem arose as to how to pass on the now required attitudes towards sex to each new generation.

Therefore, at the beginning of the seventeenth century, the emerging bourgeoisie was faced with three questions vis-à-vis children's behavior: First, for reasons relating to the economy and public order, children's unruliness and unproductivity were no longer acceptable; children had to exercise control over their [245] emotions -- i.e., be taught self-discipline. Second, they had to learn not to show overly intense sexual stirrings to anyone, and to abstain from a 'dissipated' pre-marital sex-life.

(Prior to that, the idea would have been to protect them from sharing the witches' 'fate.') And third, because the parents were increasingly preoccupied with other matters [F54], and the rising demands on them also meant that they were no longer able to engage in child-rearing 'in addition to' the former, authorities and professions which were themselves concerned about the rearing of children -- and this also meant training them in self-control -- attempted to look after them. Thus, in several respects, there arose the need to **systematically and professionally train** the up-and-coming generation to resist their impulses and strengthen their will -- not just with regard to sex, but certainly inclusive of it.

### Religious Ideas and Their Secularization

The ideas underlying our social problem originated from the theological **sexuality- and childhood-models of fundamentalist Protestantism** [F55] in England, Holland, and the New England States. Given that, according to their beliefs, the pressure to succeed financially was anchored in sexual chastity, the three above-mentioned social and economic developments were particularly distressing to Calvinists and related religious sects. For parents, due to the doctrine of predestination, it was not only a social but also a religious 'disaster' when their children refused, via their behavior, to furnish evidence of their chosenness (by God). [F56] Because Holy Scripture was regarded as the sole source [246] of truth and counsel concerning each and every problem in these communities, it was also 'asked' for advice regarding the now unacceptable behavior of children. As a result, for example, of Puritan exegesis, it was discovered -- as has already been demonstrated in the chapter on the history of the anti-onanism campaigns -- that **children's high degree of moral depravity** was a consequence of the evil of original sin.

Due to their above-described extremely restrictive sexual morality, not only did such fundamentalists attach particular importance to controlling sexual impulses; to them, it also appeared entirely plausible that these impulses had to be at the root of every evil related to children's behavior, especially where **diabolical** sexual temptations were concerned. Therefore, even in a causal sense, the sexual arena became the precedent for learning impulse- and emotional-control in every sphere of life. [F57] Conclusions along these lines can be found in a large number of treatises on moral theology from the 17th century. 'Onania' merely took the ideas which had already been developed there and systematically applied them to the question of masturbation.

Due to the Treaty of Westphalia (1648), which confirmed and expanded upon the provisions of the Augsburg Treaty on Religion, the central Europe of the beginning of the 18th century was just as much a religious 'patchwork quilt' as it was a political one. Hundreds of small feudal principalities (in Germany) also adhered to the Christian orientations that their territorial rulers had chosen for their people: Affiliations often alternated between

Catholic, Lutheran, Calvinist, Reformed, and Uniate every three or four miles. [F58] Because of that, despite the extensive exchange of both goods and ideas among middle-class tradesmen, any statement regarding what to do about children's willfulness that was based on a particular fundamental theological position had strong ideological boundaries placed upon it in terms of its dissemination. Therefore, what gained acceptance almost throughout the whole of Europe were not the still clearly Calvinist-inspired grounds for combatting onanism, but [247] only their **secularization** by Tissot and his successors. Now, the battle against children's lack of self-control was justified not in religious terms, but rather, with the 'facts' of a new common and cross-border ideology: **science**, initially in the form of medicine here.

At the same time, over and above that, the scientific form founded by Tissot represented a **rationalization** of the obligation to exercise control over one's emotions. Anybody who wished to dispense with praising God like the fundamentalist Protestants did, and merely wanted to accumulate wealth, and even anyone who had only heard about witch-hunts second-hand, now had good, rational, understandable, and articulable reasons for requiring their children to exercise control over their impulses; namely, in order to protect them from physical as well as psychological harm. In this way, the model of the sexually at-risk child was turned into a template for the comprehensive control of emotions.

This model caught on in 'progressive' bourgeois Europe not via personal transmission -- and this accounts for the speed and parallelism of its spread to many other countries -- but by the power of the new medium of books. In accordance with this method of distribution, the 'information' was initially geared only towards the most highly-educated bourgeois circles of big cities; they were the only people who could purchase and read books. At the same time, however, this was also the social group for whom the need for a solution to the above-described 'problem' was also the greatest. Therefore, these were precisely the people who, it was thought, needed to be given answers and advice. [F59]

### The 'Dramatis Personae' and Their Interests

As we have seen, successfully establishing something as a social problem is not merely a matter of providing particular interpretations of and solutions to a problem to a receptive clientele; it also depends on whether [248] there are social groups which have an interest in actually disseminating this problem-perspective. Therefore, in my opinion, the idea of the sexually at-risk child also caught on in the course of the 18th and 19th centuries because professions emerged whose ideological, power-politics, and financial interests coincided with this concept.

Of course, bourgeois children's de facto separation from day-to-day life not only made the former alien to the latter (which

fostered the notion that they were in peril); it also made the development of educational and control institutions (and the ideologies which go along with them) necessary. Modern **pedagogy** emerged, the advocates of which supported the fight against sexual endangerment not only because the existence of their entire profession was based on the notions of weakness and the need for protection (see Honig 1984: 134), but also because they recognized not only the great need for expertise which presently existed, but also the extent to which it could be engendered over the long-term. However, from the very beginning, they competed in this sector with **physicians** who (due to the annihilation of the lion's share of knowledge relating to traditional healing practices) had emerged from the witch-hunts in a stronger position than ever, and now laid claim to a monopoly on particular interpretations and solutions to the problems of day-to-day life. As we have seen, the two professional groups compromised for the time being and shared the work -- and the proceeds. Pedagogues and physicians jointly offered their services to parents, in order to address the latter's concerns and ensure children's well-ordered development. By the end of the 18th century specialists in both professions as well as 'enlightened' citizens were in agreement regarding the dangers of onanism. What still needed to be experimented with were the means by which the child could best be helped to strengthen his will and self-control.

In modern societies, whether a particular view of reality is able to attain social dominance also depends on whether it contravenes the **interests of state authority**, or is in accord with them. Via the persecution of witches, ecclesiastical and (quasi-) governmental authorities gained acceptance of the new sexual and reproductive order that they had been wanting (how syphilis was interpreted by physicians and moral theologians was one more thing). There is, in my opinion, no evidence to suggest that the authorities of (neo-) absolutist states prior to the 19th century had any significant involvement in shaping children as individuals. Attempts by some Calvinist-oriented states (such as Prussia) to confer to the fight against onanism the force of law did not catch on. In my opinion, the social problem constituting itself in the primary [249] form of the onanism-danger was -- in Germany at least, where the state was not yet involved in regulating it -- the 'contribution' solely of the bourgeoisie and their appointed experts (as well as those in similar lines of work). However, far from going against government interests, it was actually in accord with them in several respects: In terms of maintaining law and order, ecclesiastical and secular authorities were just as interested in the selective repression of the emotions of the populace as they were in controlling children's sexuality. The aforementioned bourgeois ideas were in accord with a sensible and divinely-ordained sexual order, and also enabled the exercise of a certain degree of control over reproduction.

As the first quasi-governmental jurisprudential authority, it was quite effective in dealing with this 'new problem': Because

medicine and pedagogy defined the child's will as weak and in need of bolstering, jurists quickly ascertained the necessity of protecting children even against those sexual contacts which are effected with their 'apparent consent.' In other words, it was only when the notion of the sexually at-risk child became generally accepted by the bourgeois public, on the basis of the onanism-problem, that special measures to protect against sexual interactions between children and adults were even developed. With the adoption of the concept of an 'age of consent' in the middle of the 19th century, the child was established as a subject of state protection. In the hundred years following that, the originally pedagogical notion of children's urges being endogenously controlled increasingly gained acceptance in the sexual-criminal law as well: The sexually-undisturbed development of one's sexual drive eventually became a central legal good of the sexual criminal law.

On the other hand, initially due to a lack of 'critical mass' and later on because it simply was not needed, the idea of external endangerment via the media -- which had been stressed much earlier by the anti-onanism campaigns -- was not translated into specific state measures: At the beginning of the 19th century, the major European countries had collectively agreed that their citizens' reading material was to be systematically controlled from there on in, including with regard to moral endangerment (viz their adult recipients). Consequently, special protection for children against media endangerment would have been superfluous. Therefore, initially, the state was only concerned with 'practice-relevant' external dangers (which were thought to flow from contacts between children and adults).

However, as the pedagogical campaign against masturbation did not appear to be meeting even with any longer-term success (children were continuing to masturbate), [250] the measures demanded and carried out grew ever riskier and more brutal; in the end, medicine even assumed the responsibility for combatting evil. Because individual upbringing within the family and the school had apparently broken down, in the second half of the 19th century, blame was assigned again and again to outside influences: Now it was the seduction of children by books on the one hand and 'the help' on the other that supposedly foiled what would otherwise have been a successful campaign against rule-by-one's-urges and weak-willedness.

From representatives of the relevant professions, pastoral theologians, and particularly, worried parents there emerged a **social movement** which called for **state support** in terms of protecting children and youth. Better laws against lewdness between adults and children as well as new provisions against sexually-oriented depictions in the media were promoted. The citizens' interest in maintaining public order (meaning: comprehensive control over impulses and emotions) was also heightened by a new influx of 'uncivilized' **wage-laborers** that were positively pouring into the explosively-growing cities. It was thought that the members of this new class would be best influenced not via an



appeal to reason, conscience, and good will, but rather, through state threats backed up by the criminal law. With the family's integration into the apparatus of governmental control, the bourgeoisie was also able to reinforce its own notions regarding child endangerment. Thus, following the abolition of prior restraint, the (in Germany still autocratic) state interest in maintaining a minimum degree of control over what its citizenry was reading was in line -- in seemingly serendipitous ways -- with this very same class's demands that youth be legally protected against media danger. And so the twentieth century began with a legal offensive to protect children from sexual endangerment. The already pre-existing relevant professions -- in modernized form, as **psychology** and **psychiatry** -- now had additional justification to be able to deal with child sexuality, with the approval -- and on behalf -- of the state. [251]

#### 4. Traditional Risk-Model in the Federal Republic

Given the markedly course-economy nature of the evolution of the thematization in all three spheres of danger, in terms of the traditional way of looking at the matter, the first question that comes up is this: What are the underlying reasons why the core phenomenon gave rise to such an extensive discourse? I have already pointed out, in the corresponding sections, the possible importance of particular events to the various theme-economies. Longer-term, significant correlations would appear to be most plausible in the sphere of media endangerment, where at least the high-point of the discourse in the 1960s could be interpreted as a reaction on the part of child-protection to a changing landscape of sexually-oriented materials. On the other hand, there are no indications that childhood masturbation would have been more widespread in the '50s and '60s than it was in the '70s and '80s. However, the problem with such observations is that answering the question as to the causes of quantitative pulsations on the surface of the cocoon presupposes a knowledge of the 'objective conditions' (namely that of the core phenomenon). Because the discourse under examination **reflects** the status of specialist knowledge, an independent system of reference for findings is precisely what is **not** present here. Consequently, this question - - apart from the fact that, in the context of a strongly constructivist paradigm, it would be nonsensical anyway -- is unanswerable for the lion's share of the spheres under study.

An at least partially autonomous knowledge-reference may be found only in the area of contact-endangerment, in the form of official crime statistics. [F60] The specialist public discussions (statistically) correlates, in some way or another, with the number of acts which have become known to the authorities. When the course-economy of the publications is compared with the crime figures corresponding to this time period (i.e., the ratio between the number of cases reported annually and the total population) for §176 StGB [F61], [252] no clear picture emerges. [F62]

<<<INSERT PG. 252 GRAPH HERE>>>

However, when one takes into account the much smaller degree of variation on the part of the crime figures, it becomes apparent that the two curves do trend in **similar** ways, from the mid-'50s right on up until the mid-'80s. When one examines the individual high- and low-points, one finds that the minima and maxima of the discourse-economy is usually either a year ahead of or a year behind the corresponding points of the crime figures -- thus, time periods which are too short to enable the establishment of a direct causal connection between the two values (particularly inasmuch as the statistics concerning reported cases only become available to the specialist public a year or two [253] after the fact). Moreover, these plot-lines tell us nothing about the direction of any causal connection between the two data-series; all that may be said here is that the discourse and the number of reported cases do have quite parallel courses over almost the entire length of the graph (which suggests the presence of one or more common conditional factors).

Mind you, this ambiguousness did resolve itself in the mid-'80s: For the first time since the absolute high-mark of 1964, between 1987 and 1989, the crime figures relating to Paragraph 176 increased two years in a row. In terms of the absolute number of cases, this trend continued through 1990 as well. [F63] For the first time, this suggests a situation in which the fueling of the specialist public discourse appears to have precipitated an increase in the crime figures in this area, following a four-year time-lag. However, given that we are talking here about the tail-end of the research period, this impression can only be regarded as a very preliminary finding. [F64] If a development along these lines actually were demonstrated here, this would constitute strong evidence of an influence in the direction that is more in line with constructivist assumptions: An intense (specialist) public discourse engenders, due to changed perceptual and interpretational models, criminality in this sphere. Such a connection is very clear in the United States, where, between 1976 and 1984, the number of reported cases rose from 6,000 to 113,000 (!). Even the most prolific American abuse researcher interprets these numbers rather 'constructively':

<e> "Sexual abuse has recently entered the public spotlight not because the true prevalence has increased, nor because reporting suddenly mushroomed (this was an effect rather than a cause), but, primarily, because the problem has been championed by a coalition of groups who were well experienced in promoting social problems -- specifically the women's movement and the children's protection movement." </e> (Finkelhor 1984: 3; [254] correspondingly: Hilgartner/Bosk 1988: 58; Besharov 1988: 3; Wakefield/Underwager 1988: 400) [F65]

In the Federal Republic, there are similarly clear connections, in the areas of 'media-' and 'contact-endangerment,' between the status of the discourse and the norm-promoting activities of the state. Even here, however, the association can scarcely be interpreted as being of a one-sided causal nature. Because the

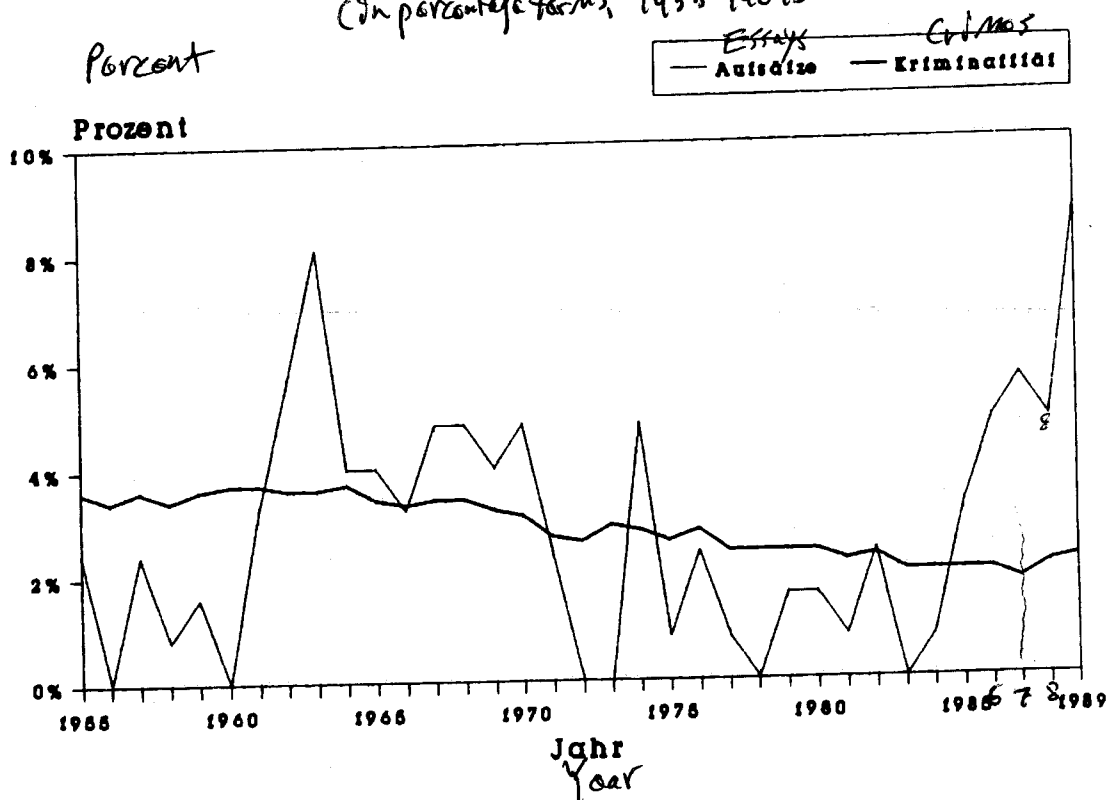
zeigt sich für den Zeitraum, für den entsprechende Zahlen vorliegen<sup>62</sup>, kein eindeutiges Bild.

## Crime Figures and Contact Essays

### Kriminalitätsziffer und Kontaktaufsätze

(prozentuiert 1955 bis 1989)

(in prozentuierter Form 1955-1989)



Wenn man die geringere Schwankungsbreite der Kriminalitätsziffer berücksichtigt, verlaufen die beiden Zeitreihen von der Mitte der fünfziger Jahre bis zur Mitte der achtziger Jahre tendenziell in ähnlicher Weise. Untersucht man einzelne Hoch- und Tiefpunkte, so findet sich, daß die Minima und Maxima der Diskurskonjunktur meist entweder ein Jahr vor oder ein Jahr nach den entsprechenden Punkten bei der Kriminalitätsziffer liegen - Zeiträume also, die zu kurz sind, als daß eine direkte kausale Verknüpfung der beiden Werte möglich erschiene (besonders, da die Statistiken über die angezeigten Fälle der Fachöffentlichkeit erst ein bis zwei Jahre später zur

62 In der Kriminalstatistik findet sich erst ab 1955 im Bereich des Sexualstrafrechts eine Aufschlüsselung nach einzelnen Tatbeständen - auf der anderen Seite lag die amtliche Bevölkerungsstatistik bei Beendigung dieser Arbeit (Juni 1992) erst bis 1989 vor. Die in der Graphik verwendeten Daten wurden entnommen bzw. errechnet aus der "Polizeilichen Kriminalstatistik" und dem "Statistischen Jahrbuch" (jeweils die entsprechenden Jahrgänge).

thematization amongst the specialist public evinces a high degree of intensity, both prior as well as subsequent to legislative proceedings, it cannot be claimed either that the discussions in the specialist journals alone were what drove changes in the law or that it was only the fact of legislative intentions becoming known that really got the (specialist) public discussion going in the first place. What we actually see here is a high degree of mutual interdependence (which can partially be explained by the fact that the relevant legal experts, as well as other officials in this field, also regularly contribute to these same publications). This inter-relationship once again leaves open -- assuming that one does not wish to characterize child-protection as a self-generating system [F66] -- the causes of the high- and low-phases of the thematization-economy **and** legislative activity.

The great degree of parallelism of the three different thematization-courses over large swathes of the period under study is not the only factor that militates against the notion of the discussion being dependent upon changes in the individual core phenomena. The finding of the content-examination in particular -- that up until the mid-1980s, the perception of danger in all three areas constitutes a uniform danger-model -- makes looking for uniform explanations for the **overall** discourse-economy necessary. My **fourth hypothesis** reads as follows: **Changes in the intensity of the discourse concerning the sexually at-risk child are primarily the result of social and political developments, as opposed to changes in the individual core phenomena.**

The graph on the following page shows the overall economy of the traditional endangerment model; it combines the yearly frequencies of essays on the [255] three types of danger (excluding the abuse-discourse).

<<<INSERT PG. 255 GRAPH HERE>>>

In my opinion, the ebb and flow of the discourse can be most plausibly explained if one divides the thematization-course into five 'evolutional phases': (1) a boom at the beginning of the Federal Republic, which pretty much abruptly ended in 1955 (following the successful institutionalization of youth media-protection), (2) an in-between phase of lesser discourse-intensity, which almost as suddenly turned into (3) a bifurcated, longer high-phase from 1961 until 1968, (4) a recessionary phase from 1969 to 1978, and (5) a concluding phase, in which the thematization practically comes to a standstill. With this fifth phase, the discourse based on the traditional endangerment model ended.

Using these five 'epochs' of the traditional endangerment model, I chronologically tracked what I have taken to be the causes of the evolution of the perception of danger. Moreover, my proposed explanation for this is of a sexual-political nature, and constitutes the **sixth hypothesis**: **Booms in the perception of danger are the consequence of [256] sexual-political 'pushes,' the**

targets of which are not only children, but also the 'bulk' of the population -- i.e., those regarded as adults.

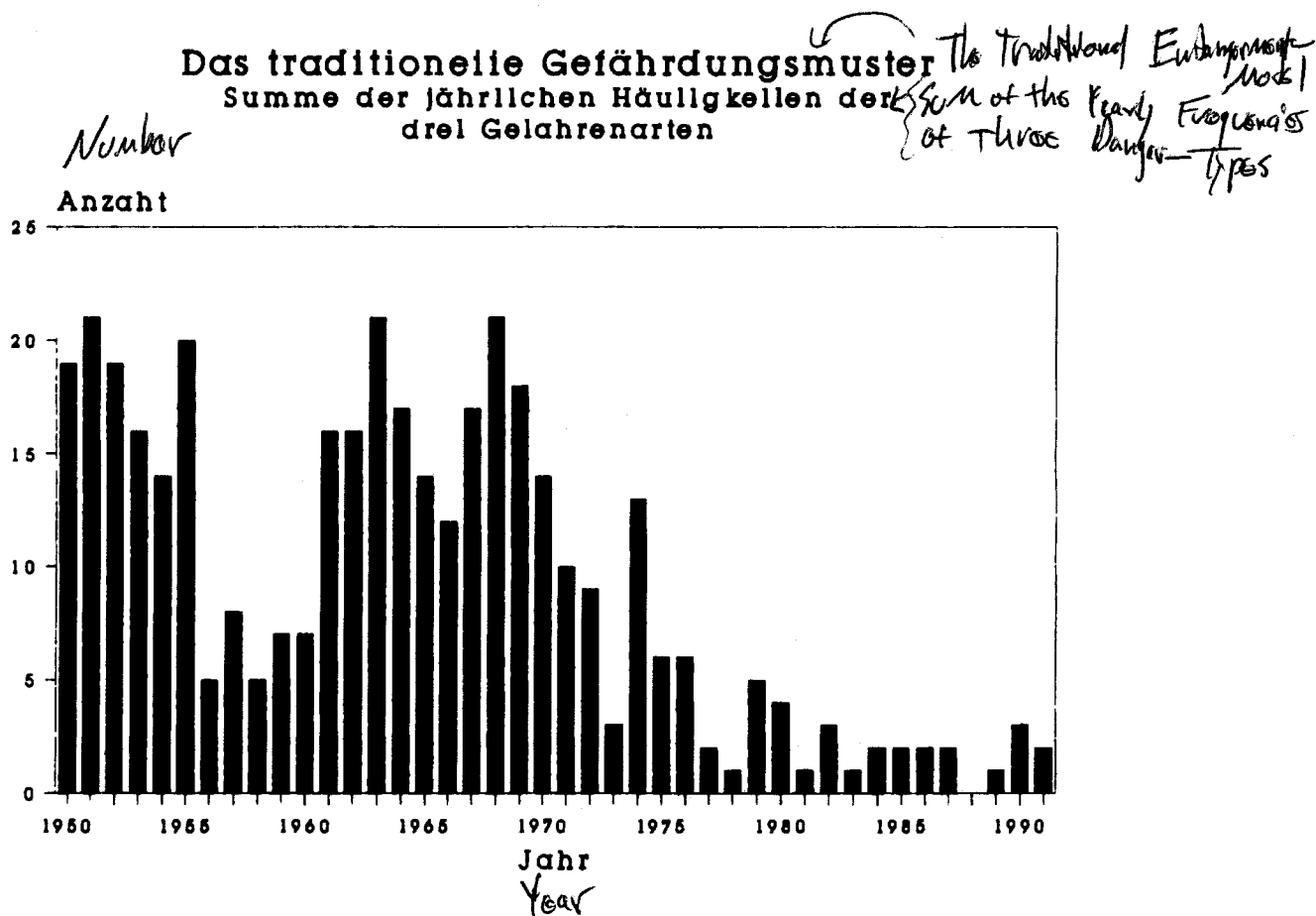
This hypothesis does not simply boil down to the (of course correct) observation that disseminators' proposals for combatting these dangers were transmitted to all adults, whom these texts were primarily geared towards, or even that adults -- particularly in the areas of 'the media' and 'contacts' -- were supposed to contribute to child-protection via the former's own behavior. Over and above that, it means that adults as well have always been a **primary** (or true) **object** of the thematization of these problems: Concluding that children face a multiplicity of sexual dangers **also** always serves as a means of forcing a particular morality and self-imposed limits in the sexual sphere upon the adult population. To them, the endangerment model meant: If you really don't want to be morally irreproachable and be able to control your urges as far as your spouse is concerned, at least show consideration to children. Therefore, the endangerment-model was -- in an era when it was not in accord with official state doctrine to identify "free citizens" as a target group of morality-improvement and compulsion-sublimation measures [F67] -- also an instrument for regulating the sexual morality of society as a whole. This dual orientation of the endangerment model -- towards the adult as well as the child -- stands at the center of the following reconstruction of the evolution of the traditional endangerment model in the Federal Republic.

#### **The Constituent Phase: The Restoration of the Christian-Conservative (Sexual) Order (1950-55)**

The visible course of the thematization economy between 1950 and 1955 which is depicted in the graph (pg. 255) is somewhat misleading. For the first six years of the period under examination, the tally of danger-contributions was based not on 90, but rather, on only 66 journal-volumes. [257] In addition to the fact that paper was scarce and expensive at the time, many of the specialist journals in this area only came into being in the course of the 1950s. If one were to project the thematization-economy onto the standard 'study population' of 15 journals, the danger-contributions prior to 1955 would still evince a pronounced 'high.' The discourse over the sexually at-risk child following the war really did begin with a bang. In order to account for this fast start right out of the gate, given the fact that people's 'materially'-related needs in particular were not insignificant, we must take a closer look at how the protagonists (most importantly: state, church, and child-protection associations [F68]) and their interests constituted themselves.

There did exist a certain need -- according to how the youth-protectors looked at things -- to step up their activities following the end of the Third Reich, particularly in the media arena. Subsequent to the abolition of the comprehensive media control laws that had been implemented by the National Socialists, youth media-protection had to be legally reorganized, if for no

der Aufsätze zu den drei Gefahrenarten (unter Ausschluß des Mißbrauchs-  
diskurses) zusammengefaßt.



Das An- und Abschwelen des Diskurses läßt sich m.E. am plausibelsten erklären, wenn man den Thematisierungsverlauf in fünf 'Entwicklungsphasen' aufteilt: (1) eine Hochkonjunktur zu Beginn der Bundesrepublik, die 1955 (nach der geglückten Institutionalisierung des Jugendmedienschutzes) ziemlich abrupt endet, (2) eine Zwischenphase geringer Diskursintensität, die fast ebenso plötzlich in eine (3) zweifache, längere Hochphase von 1961 bis 1968 übergeht, (4) einer Abschwungphase von 1969 bis 1978 und (5) eine abschließende Phase, in der die Thematisierung praktisch zum Erliegen gekommen ist. Mit dieser fünften Phase endet der Diskurs auf Basis des traditionellen Gefährdungsmusters.

Den von mir angenommenen Ursachen für die Entwicklung der Gefahrenwahrnehmung werde ich chronologisch anhand dieser fünf 'Epochen' des traditionellen Gefährdungsmusters nachgehen. Mein Erklärungsvorschlag geht dabei von einer sexualpolitischen, der **sechsten These** aus: **Hochkonjunktoren der Gefahrenwahrnehmung waren jeweils die**

other reason than simply to regain the level of control which had prevailed during the Weimar Republic. However, in my opinion, on the governmental as well as the religious-organizational side, there were **four goals** which clearly went beyond merely restoring the legal situation which had obtained prior to 1933.

**First Goal: The Restoration of the Moral Order.** A strict sexual morality prevailed under the Third Reich as well; an attempt was actually made to legally translate the danger-model which we have been discussing here into especially drastic punishments. At the beginning of the 1950s, however, **politicians and associations** assumed that the 'chaotic conditions' that prevailed in the years just before and after the end of the war (particularly due to the absence of 'proper' state authority) would have led to considerable moral 'carelessness' -- which was typically bemoaned in the texts as "laxity" or the "general spread of immorality" -- amongst a wide swath of the population. The vehement updating of the danger-model was intended to promote the rapid adoption of a sexual morality which was in accord with the views of the churches and Christian politicians. [258] Certainly, in my opinion, the activities of the parliamentary-administrative machinery along these lines cannot be viewed as a purely instrumental and calculated strategy. Their active engagement was as much a product of religious-conservative cultural criticism as it was actual concern over society's future development.

"The backdrop to child-protection considerations is a comprehensive critique of progress and (technological) civilization. As a counter-image to the family of the 1950s, the authors of youth-protection literature point to a vaguely-defined, earlier time in history in which the family and its 'proper upbringing of children' was still intact." (Heinritz 1985: 296, 304)

The critique of post-war society sprang not only from a fear of what were deemed to be negative cultural and psychosocial developments (sexual excesses especially), but also from anxiety over Germany getting culturally swamped by foreign influences -- or as one would say today: over cultural imperialism and the might of the victors, particularly that of the United States. [F69]

**Second Goal: The Recapitulation of the Phase of Collective Civilization.** The churches and federal and allied politicians shared a deep **distrust** of the masses. 'The Germans' had proven that they were capable, seemingly from the starting position of a 'nation with a great cultural history,' of jettisoning any and all inhibitions which had been in effect up until that point, systematically murdering millions of human beings in concentration camps, and lead the world into a war of extermination the likes of which it could never have heretofore imagined. [F70] It was assumed that

"the masses were destructive, because they were transfixed by sporting matches, and completely at the mercy of their own nervous systems... Given such a view of society, it was virtually a foregone conclusion that, for their own good -- but also [259] in the interests of the state and the elites -- they would have to be protected from themselves..." (Kienzle 1981: 20) [F71]

Therefore, moral and political authorities (which were, concededly, not authorities in any **other** sense, which they **had** been prior to 1945) imposed upon the populace a kind of replay of the phase of collective moral civilization. Simultaneously, a -- for an ostensibly liberal-democratic state -- quite rigid system of social and state control was set up, which was meant to shore up the dam that held impulses of any and every sort at bay. At the same time, in a process of dual substitution which was likely the result of collective repression, not only was the civilizing of the **destructive impulse** equated with impulse- and emotional-control in general; in the **sexual** arena, this was even moreso the case. Sexual stirrings were the primary target of the 'restoration; of impulse- and emotional-control among adults, as well as their engenderment in children.

### **Third Goal: The Strengthening of the Ethics of Sacrifice and Work.**

The focus on the sexual sphere is also explicable in terms of the (market-economy-oriented) **state leadership's** interest in promoting a work-ethic and an ethic of delayed gratification which were conducive to reconstruction and economic growth. The danger-essays' accounts of individuals' strong interest in sexual matters must not be regarded as merely figures of speech meant to justify the warnings contained therein: Given the privations of the war and subsequent economic situation, a lively interest in the sexual sphere (e.g., in pornographic stimuli) was to be expected. (See De Nuys-Henkelnmann 1990: 109.) Though it is true that the experience and memories of the war and mass-extinction took people's minds off of sex, it was also the case that sex was really the only 'diversion' that the great mass of the populace was able to afford. [F72] However, the lifting of all controls on the sexual impulse would have impeded the necessary concentration on economic redevelopment -- or at least, that was the presumption of Christian politicians. [260]

"Because sensations of bodily pleasure would only get in the way of reconstruction, what was promoted was the ideal of the sacrifice-oriented and hard-working citizen." (De Nuys-Henkelnmann 1990: 109)

It would appear that, for several years, 'light-hearted enjoyment' was supposed to only take the form of promised material consumption, as a reward for creating the 'economic miracle.'

**Fourth Goal: Ensuring that the Church Has a Say In How the Society Evolves.** The heavy involvement of the churches and their field organizations is also explicable in terms of a desire to make sure they exercised a large degree of influence over the new order, just as they had not only under the Third Reich, but the Weimar Republic as well. At the same time, the constitution of a social problem at a time of great material privation was not only a way of obtaining the new generation's allegiance to the preferred moral order, but also served as a means of disseminating the Christian ideological and moral system amongst the general population. This was meant to both replace the National Socialist weltanschauung, as well as pave the way for Germany's return to its former status as a 'nation with a great cultural history.' And beyond that, via public campaigns at a time of great political



uncertainty, the idea was to get the state leadership to swear allegiance to a Christian-conservative model of the new moral order.

In the context of all four of these interests, the primary target group -- the **general population** -- played a largely passive role in the sexual politics of the opening years of the Federal Republic. As early surveys showed [F73], at the end of the 1940s there was already a pronounced discrepancy -- thanks in part to the danger-model -- between the rigid sexual morality that was being promulgated, and the moral standards and conduct of a majority of the population. (See Holl 1986: 285.) The fact that, nevertheless, there was scarcely any public dissent as state and religious moral entrepreneurs (again) began prescribing to individuals what would take place and what would be allowed in the sexual sphere likely had two causes: **First**, it would appear that many people under the volatile political as well as economic conditions which had prevailed under the 'thousand-year' Reich had learned how to safely engage in certain behaviors; meaning that, rather than openly contradicting the state, it was best to make arrangements secretly and in private. **Second**, the major churches -- [261] following the downfall of the (certainty-promising) National Socialist weltanschauung (and the traumatic loss of the Führer -- see Mitscherlich/Mitscherlich 1968) -- were the institutions which most credibly [F74] promised to sweep away the whole mess, comfort those who were suffering, and help people to orient themselves amidst the recently-created ideological vacuum. Therefore, their sexual-moral indoctrination was not questioned, with the demanded renunciation of one's impulses perhaps even being (initially) accepted as an imposed atonement for political misbehavior.

### **The Contentedness Phase: When All Is Said and Done... (1956-60)**

The (for the personalities involved, surely fortuitous) high point -- and at the same time, the end of the gaining-acceptance phase -- of the danger-model was reached in the mid-1950s. It would appear that, at this point, following the conclusion of the political/moral coming-together of West Germany as a conservative-Christian society, no additional **state** measures, anyway, were needed to safeguard the sexual order. One major reason for de-thematization at this point in time was the fact that moral entrepreneurs had been able to quickly unite with the relevant authorities of the emergent CDU government behind a universal ideological program for the sexual protection of children (and adults). Not only was the quantitatively high level of the discourse up until 1955 aimed at achieving the rapid acceptance of the danger-model; it can also simultaneously be viewed as an indicator of a process of communication between, on one side, representatives of churches and associations, and on the other, political and legal decision-makers.

Moreover, what is striking is how swiftly this 'dialectic' ran its course, as well as how minor the differences of opinion were among

the various participants. Fundamentally, they likely 'reached an agreement' over something regarding which they had been of the same opinion from the very beginning anyway. Therefore, the reason why there were no bumps along the road to the danger-model's adoption in the early 1950s as the dominant way of looking at the relationship between childhood and sexuality was that all of the participants were able to appeal to a common *weltanschauung*. There [262] was broad agreement amongst religious moral entrepreneurs [F76], administrators [F76], and the executive [F77] and judicial [F78] branches regarding the mental model which was to guide society's moral order from this point forward: the "western Christian *weltanschauung*."

In the mid-1950s, the youth protection associations quietly determined that intensive action in the service of a Christian realignment of the sexual order was no longer necessary, given the undisputed interpretation of the Basic Law as a guarantor of Christian moral order, both within state institutions as well as among the general public. The moral and political orientation of the youth protectors was in line with the dominant ideology; they themselves had become a corporate component of the state. To use Althusser's (1977) term, in the 1950s, the youth protection movement functioned as an important ideological apparatus of the state.

"Following the establishment of the dominance of the Christian Union parties, it became a mainstay of conservative family and youth politics."  
(Dickfeldt 1976: 106)

In terms of thematization 'practice,' this meant that, following the adoption of nearly all of their legislation-related demands, youth-protectors were clearly able to ratchet down the intensity of the discourse. [263]

### **The Dissonance Phase: The Model Must Be Defended (1961-68)**

Therefore, at least according to the perceptions of the activists, the discourse likely also came to a near-standstill in the late 1950s because, particularly in the area of endangerment by the media, the statutory measures that were adopted appeared to have the desired effect: The majority of the "FKK- and sex-magazines" must have vanished from the kiosks, with sexually-oriented depictions being relegated to an emerging black market. It should be borne in mind, however, that this development also pointed to a fundamental problem with the state-oriented nature of the measures meant to combat them: Although the materials did indeed disappear from public view, they could still be purchased by adults (though perhaps at a higher price), and furthermore, certainly found their way into the hands of teenagers as well. [F79]

The outward acceptance of traditional sexual morality likely misled politicians as well as child-protectors regarding the individual moral views and behaviors amongst the populace. The fact that the reported 'victories on the child-protection front' were of a merely pyrrhic nature only became clear to moral entrepreneurs at the beginning of the 1960s, when actual social

attitudes vis-à-vis the sexual sphere became apparent. To this day, the changes which came about at that time are generally referred to as the 'sexual revolution.' The representatives of traditional sexual science have described the 'revolution' as being characterized by the following four developments:

an increasing thematization of sexual matters in the mass media;

changes in sexual behavior amongst the population in the direction of greater variance, permissiveness, and promiscuity;

the decline of gender-specific role-stereotypes, with female and male behavior becoming less heterogeneous;

an obligation to rationally and scientifically justify state sexual norms. (Schmidt/Schorsch 1976) [264]

Through the 1960s, actual social practice in the sexual sphere obviously diverged more and more from both Christian models as well as the government prescriptions that followed. During this time, the danger discourse actually appears to have -- at least in part -- reflected the 'objective' danger-situation: Increasingly more frank and sexually explicit depictions in the media indeed were followed by ever newer and -- initially -- also more stringent warnings about the dangers of such depictions to children and youth.

"Strict moral attitudes gradually gave way to a more permissive life-style -- and they [the youth-protectors] saw youth as being threatened by the aforementioned phenomena of that era." (Heinritz 1985: 317)

If one truly wishes to speak of a 'revolutionary' aspect to this development, it consists, in my opinion, less of attitudinal and behavioral changes among the masses than it does of removing the discrepancy between what is privately lived-out and what is publicly promulgated: Hitherto hidden differences between official moral views and corresponding state sexual norms on the one hand, and the morals and behavior of individuals on the other, became a glaring **contradiction**. (See Schetsche 1990.)

Politicians acknowledged the **moral-normative dissonance** which existed vis-à-vis questions of morality. [F80]

The moral entrepreneurs were somewhat more 'sensitive' than the professional politicians, insofar as the former had already warned, at the beginning of the 1960s, against the dissolution of traditional sexual morality and the retraction of state norms. The discourse concerning the sexually at-risk child that is depicted in the specialist journals of this era should really be regarded as an integral component of the larger societal debate over sex in general: A large portion of this high-phase runs parallel to the parliamentary and public discussion regarding the reform of the sexual criminal law, which began with the publication of the infamous draft [265] of 1962, and ended quite abruptly with the promulgation of the Fourth Criminal Law Reform

in November of 1973. (See Schetsche 1990.) Moral entrepreneurs' extreme fixation on the state vis-à-vis the question of the liberalization of the sexual criminal law, was one of the major things that had held the danger discourse together.

An additional reason for the 'uptick' in the discourse during this era was the fact that, in the context of this development (which we shall merely take note of here, rather than attempt to explain [F81]), the sexually-at-risk child model was also increasingly being called into question. At the same time, the debate over the 'new' sex education (initiated by the 1967 and 1970 works of Helmut Kentler in particular) came to play an important role. Beginning in the early 1970s, the dominant ideas in sexual pedagogy were no longer based on the notion of the child's development being endangered by sexual stimuli, but rather, quite the opposite: on the necessity of a learning process in this area as well. Instead of sexuality being seen as a dangerous force, its "positive sides" -- particularly its pleasure and communication aspects -- were emphasized. The question posed was, how to bring up children in such a way that they will be able to **enjoy their sexuality**. As a consequence of this change in the dominant paradigm within the specialist discipline, the traditional danger-model was declared to be "sexual oppression" by the very same pedagogy which had previously embraced it. [F82]

Consequently, the increase in warning essays during this era should be regarded primarily as a **reaction** by the representatives of traditional marital and procreative morality (and therefore also of the danger-model) to the spread and eventual adoption of a new, rather hedonistic sexual morality **amongst and by the general public**, which, among other things, really was associated with the societal sounding of an 'all-clear' signal with regard to the dangerousness of sexuality. [266] Consequently, in the 1960s, the conjuration of sexual danger represented an attempt to 'save' traditional sexual morality in the Federal Republic.

### **The Resignation Phase: The Child-Protectors Give Up (1969-78)**

The danger-model was closely associated with the sexual morality which dominated the Federal Republic of the 1950s. (The advocates of the former had, of course, also worked very hard to help bring the latter **about**.) When -- in accordance with the 'sexual revolution' -- society's renunciation of this morality was even carried out publicly, the central ideological components of child-protection disappeared. By the end of the 1970s, even the journals which previously had exclusively devoted themselves to the cultivation of the traditional danger-model had turned into critics of these very same positions. Here, the end of the danger-discourse was characterized not so much by articles critical of youth-protection tipping the **scales** as it was by the simple **disappearance** of contributions in support of the former theme.

"In the 1970s, youth-protection was scarcely a topic of (specialized-) public discussion at all." (Scheffold 1987: 117)

Parallel changes were also taking place in the indexing practices vis-à-vis the quantitatively dominant sectors of the media, though these were triggered less by the BPS than by a drop in applications: The SPD-governed states were the first to decline to engage in the traditional collaboration. [F83] When, in the end, even the top federal courts adapted themselves to the new dominant [267] sexual morality (this is mirrored by a rise in attacks by authors on court decisions during the 1970s), sex-centered child-protection ended up being socially marginalized.

However, in my opinion, what 'dealt the fatal blow' to the traditional danger-model was not the mounting rejection of it by specialists as well as the public (which possibly could have been neutralized by a modification of the danger-model), but rather, the end of the CDU government. This certainly was not because the new SPD-led governments at the federal level as well as in many of the states did not believe in the danger-model, or because, with their help, every single one of the pre-existing sexual-political interests had now fallen out of favor. [F84] Rather, the 'tragedy' of the child-protectors lay in the fact that not only had their express culture-critical fears (according to their own yardstick) been proven justified; the coming-true of these prophecies destroyed their political influence. The power which they had attained in the course of developing and stabilizing a conservative political hegemony was lost upon the latter's collapse. This had two causes:

**Firstly**, in both ideological as well as political terms, the coalition which the moral entrepreneurs had entered into with the so-called CDU-state during the 1950s was so close that, when the latter came to an end, the former were no longer able to extricate themselves from this partnership. Because of the moral entrepreneurs' strong personal and ideological connections to conservatism in the Federal Republic, there was simply no way that the SPD-led governments would have had the same interest as the CDU in this sort of media-protection. **Secondly**, by the yardstick of the Social Democrats, youth-protection had discredited itself because of its obsession with moral and spiritual (and in part, even metaphysical) problems. The reformist interregnum of the Bonn Republic made improving people's living conditions -- particularly those of society's lower classes -- [268] its primary political goal; therefore, youth-protection was merely understood to mean protection against material and social abuses (e.g., in the educational sector). As we have seen, notwithstanding their many statements to the contrary, in terms of their practical work (and in accordance with their ideological orientation) youth-protection associations had actually concentrated on sexual-moral issues from the very beginning. Consequently, because they lacked the competency to claim any jurisdiction over the problems that were now the focus of public interest, they had no interest in establishing contact with the new administration.

**Final Phase: The Traditional Danger-Model Is 'Dead' (post-1978)**

By the end of the 1970s, the thematization-economy had virtually vanished. In addition to the above-described social and political developments, this nadir of social relevance was also a result of the fact that the fundamental premises of the danger-model were simply untenable. The onanism-danger is a perfect example of this: Although, on the one hand, it did represent the **oldest** form of danger, on the other hand, all **three** of the risks examined herein had now largely disappeared from the specialist-public discourse.

In the sections on the self-endangerment of the child through onanism, we saw that 'anthropological' and 'psychosocial' interpretations competed with one another in this area. But it was the connection **between** these two seemingly contradictory theories that not only facilitated the rapid **success** [f85] of the anti-masturbation pedagogy, but also brought this portion of the discourse to an **end** in the Federal Republic. In the 1960s, with 'negative sexual ideology' being replaced by ideas in which sexuality is integrated into hedonistic-oriented life-concepts as a positive force, for individuals, it was [269] no longer immediately apparent why sexual acts would harm children, assuming it really were the case that -- as the **anthropological interpretation** said -- this mode of expression was, by nature, always 'on tap.' On the other hand, the **psychosocial interpretation** would be dubious because of its premise that the 'normal' child's sexual instincts should not be awakened: Due to both the widespread adoption of the Freudian drive-concept in the psychological sciences, as well as findings of empirical sex research in the '50s and '60s, this could simply no longer be maintained.

On top of that, not only did **sex research** show that, in a statistical sense, childhood masturbation was a 'normal' phenomenon [F86]; nearly every type of harm hypothesis was discarded as well. However, in my opinion, more important than the 'new data' was the breaking of the thought- and conversational-taboos surrounding this issue. Although it is true that the campaign against onanism did constitute a **public** discourse, it nevertheless had the effect of making childhood masturbation seem like something reprehensible; whether regarding their own or that of children, (male) adults were supposed to think about it as little as possible, and not discuss it at all. Ever since Kinsey, the potential realization that "what I did as a child was neither out of the ordinary nor morally reprehensible" was able to break down some of the shame-generated amnesia about puberty in this area, as well as feelings of guilt at having 'failed' during childhood. A sympathetic and normalizing public thematization, as opposed to the old reproachful and moralizing one, gave people permission to remember and discuss the phenomenon. This also enabled adults to know how to deal with onanism in their own children -- if not unreservedly, then at least, more leniently. [F87]

At the beginning of the 1980s, just as -- due to its loss of

credibility -- the theory of children's self-endangerment via onanism could no longer be revived, a new conservative cultural and political hegemony emerged; as a consequence of that, at least some of the conditions [270] which had led to the end of the danger-discourse had ceased to apply. However, even in the other two danger-spheres, traditional danger-model-based child-protection was unable to add to its journalistic and political-ideological successes of the '50s and '60s. [F88] But by the mid-1980s, it was as if 'modern' child-protection had, in fact, always been interested merely in social-material abuses, and had **themselves** shifted the orientation of society -- as the Federal Republic's founding father of youth-protection in the 1950s had actually feared -- from the moral-spiritual realm to the material one. That's why the new, monothematic upsurge that began in the mid-1980s is, at first, all the more surprising. However, our astonishment abates a bit when we take into consideration the fact that this **abuse discourse** is actually based on a new perceptual and interpretational model.

### The Abuse-Model

At a time when the traditional danger-model had already lost its social acceptance some ten years previously, there came a **renaissance in the perception of danger** -- in the form of the discourse over 'sexual abuse.' Between 1985 and 1991, the number of essays along these lines shot up from four to sixteen. By the end of the data-collection period, it still wasn't clear whether the pinnacle of this new debate had yet been reached.

A summary of the message-structure of this new conception of danger has already been provided, at the end of Part Three of the present work; therefore, at this point, I shall merely provide a brief reminder of its most salient aspects. In terms of its content, the abuse-model is essentially based on eight axioms:

1. For thousands of years, sexual abuse has been a systematic practice in all patriarchal societies. [271]
2. The reason why the true extent of (intrafamilial) sexual violence was only 'just now' being discovered was because abuse was subject to both social taboo and individual repression.
3. The perpetrators are 'normal' men, and the victims are 'normal' girls; the typical case is the abuse of a child by the father or other male relative.
4. Every interaction that is associated with sexual sensations in the adult constitutes abuse, and results in extensive and long-lasting harm to the victim.

[Axiom 5. is missing in the original German text.]

6. Children are never sexually interested in adults of their own accord.

7. Under no circumstances can a child consent to sexual contact with an adult; therefore, the latter always constitutes a violation of the child's right to sexual self-determination.
8. The central tasks of the battle against abuse are to identify and treat the victims, as well as, if necessary, to prevent further contacts.

### 5.1 On the 'History' of the Abuse-Model

The historical origin of what has been characterized as the abuse-model was -- as with so many things that either have -- or should be -- changed in our own country -- the United States of America of the mid-1970s. The abuse-discourse there grew out of the public debate (initiated by Kempe et al.'s 1962 paper <e> "The Battered Child Syndrome" </e>) over the issue of physical violence committed against children. This, in turn, led to the adoption of special laws (e.g., the <e> "Child Abuse Prevention and Treatment Act -- CAPTA," </e> 1974) and state programs to prevent the mistreatment of children (particularly by their parents). But ever since the end of the 1970s, specialist as well as public interest has shifted more and more in the direction of sexually-based forms of violence. (Schultz 1982: 28; Finkelhor 1984: 4; Nelson 1984: 12-16; Weisberg 1984; Wakefield/Underwager 1988: 398f., 404; Rutschky 1992: 23)

The fact that such a shift did take place is primarily attributable to the involvement of the American women's movement. As with the anti-pornography campaigns, initiatives and projects to draw attention to the problem of sexual violence against girls sprang up all over the country; in the context of evening self-declaration sessions, thousands of women revealed their [272] victim-status and formed self-help groups in order to 'process' their childhood experiences. Narrowing the focus of the <e> 'child abuse and neglect' </e> problem to the sexual sphere garnered strong support from conservative politicians, particularly the Reagan administration, which wanted to see society return to the notion of the sexual as dangerous. (Finkelhor 1984: 4; Fegert 1987: 164; Rutschky 1990: 71; Mebes 1991: 149)

In the Federal Republic as well, beginning in the mid-1970s, there were discussions among specialists as well as the general public as to how to better protect children against physical mistreatment within the family. At the beginning of the 1980s, however, the public debates over this problem were criticized by professional child- and youth-protectors due to the former's moralizing posture and narrower explanatory model. (See, e.g., Honig 1983 and Brinkmann 1984.) One of the reasons for this may have been that, unlike in the United States, the thematization of sexual abuse could not be directly tied into the general 'violence-against-children-debate' in the Federal Republic. The fact that the specialist journals in the Federal Republic only took up the 'abuse' theme once portions of the mass media were already filled with it is a further indication of the importation of this problem-perception: Experts had already completed the definitional and clarification processes in the American specialist and women's journals.



At the beginning of the 1980s, there was a virtually wholesale adoption -- by the **German Women's Movement** -- of the ideas, organizational forms, and strategies of the American **anti-abuse campaigns**. Beginning in 1981, contributions on this theme were a regular feature of the leading movement magazines "Emma" and "Courage." A year later -- so it is said -- the first self-help group for affected women was also founded in Germany. The problem garnered popular attention beyond the women's movement via a translation of the American 'standard work' by Florence Rush (<e>"The Best-Kept Secret" </e>) in 1982, the campaigns of the high-circulation illustrated women's magazine "Brigitte," and, last but not least, the 1984 national campaign based on the pithy slogan furnished by the duo of Kavemann/Lohstöter ("Father as Perpetrator"). In the mid-1980s, the number of reports in the mass media and independent publications began to increase dramatically. As the putative breaking of a taboo, the scandalization of sexual abuse became a popular topic not only of specialist and contemporary-issues reporting, but also of artistic [273] treatment. [F89] (Honig 1987a: 17; Gröning 1989: 201; Bernecker-Wolff/Wolff 1991; Kavemann/Lohstöter 1991: 130f.; Laudan 1991: 135)

Even to this day, the campaigns in the Federal Republic are strongly supported by the women's movement and its allied organizations. However, contrary to the frequent attestations as to its self-help character, a professionalization of "abuse work" soon ensued. To this day, the typical activist sees herself as being just one step removed from self-declared professional "helpers." On the other hand, the concept of family-oriented therapy, which had first emerged in the 1970s, had long ceased to play anything more than a sporadic role in the Federal Republic's child-protection movement. Even by the late 1980s, the leading theoreticians of this kind of child-protection still ranked this theme as just one component among the many other 'also-rans,' of a more extensive superstructure of familial violence (e.g., in Honig 1987b and Kupffer 1988). To this day, the rare hints of (specialist-) public criticism of the content as well as representational forms of this model also come predominantly from this direction. [F90]

The women's wing of the GREENS\*, on the other hand, has always been unwavering in its support of scandalization. As early as October of 1989 it was able, through its Bundestag caucus, to get the 'abuse' problem onto the parliamentary agenda. All of the essential characteristics of the abuse-model could be found in the 1984 Lower House Bill they sponsored, as well as their supplementary draft resolution of 1985. The discussion which these documents gave rise to -- the first of its kind in the Bundestag -- is typical of how the conservative political camps handled this theme in the early phases of the debate: Although there was general approval of the moralizing condemnation of such contacts, a large portion of the model's content-related messages were either rejected or simply ignored. [F91] [274]

[\* Translator's note: The Greens, or Green Party, which was founded in 1980, grew out of numerous citizen action groups operating at the time. Its focuses are environmental policy, economic justice, and disarmament.]

At the beginning of the 1990s, on the other hand, a quite different picture emerged: The problem-perception led to a whole series of statements and governmental action-plans. [F92] Each June, representatives of **every faction** would introduce a proposed resolution into the German parliament promoting extensive legal measures to combat child pornography and sexual abuse. In addition to the expansion of criminal act categories and sentencing enhancements under §§176 and 184 StGB, possibilities for intruding upon the privacy of the mails as well as mandating reporting by physicians were also suggested (1991 proposed resolution: 3-5). Both the proposal itself as well as the plenary debate (on 10/10/01) clearly showed a high degree of acceptance for the argumentation of the abuse-model by parliamentarians, including those of the conservative Christian parties. Now, even the Union parties' spokespersons were utilizing the greater part of the model's superstructure [F93] (including the father-as-perpetrator thesis). (This led to the novelty of the speeches made by the CSU representatives meeting with the ardent approval even of the "Bündnis 90/Grüne"\* and "PDS"\* factions. Similar phenomena were also observable in other governmental bodies. [F94]

[\* Translator's note: In 1993, the West German Green Party ('Die Grünen') joined forces with the East German grouping Bündnis 90, which had emerged from civil rights groups of the former DDR.]

[\*\*Translator's note: The PDS (Partei des Demokratischen Sozialismus) emerged in 1989/90 from the official ruling party of the former East Germany.] [The above party/acronym descriptions, as well as several others throughout this translation, were largely adapted from their respective citations in the Collins Unabridged German-English Dictionary.]

Even comparing how parliament dealt with the issue in 1991 as opposed to 1985 shows the high degree of social acceptance attained by the abuse-model in the intervening years. Many of its assumptions became official components of state sexual policy, supported by a de facto coalition that ran the gamut from the most extreme right on over to the left end of the political spectrum, breaking down the barriers which otherwise existed between the various parliamentary factions. [275]

## 5.2 Interest Groups and Their 'Desires'

The simple fact that the almost boundless dissemination of the abuse-model engendered a perception of danger -- both among the specialist public as well as the mass media and 'organs of the state' -- following a phase in which the sexual endangerment of children was no longer being treated as a relevant social problem cries out for some sort of explanation. (See Gröning 1989: 195

and Hegener 1992: 113.) This holds true even if one takes a more objectivistic position in terms of accounting for the emergence of the social problem, given the lack of indications as to any 'real' changes in either the extent or form of sexual interactions between adults and children over the last decade. The statistics for the number of cases reported under §176 StGB actually show (as we saw) a continuous **decrease** between 1976 and 1987; the only time that an increase was seen was immediately **following** the (specialist public) 'null-economy's' transition to an upswing-phase. Even the essays examined did not proceed based on the assumption that something about the abuse cases themselves had quantitatively or qualitatively changed during the 1980s. And finally, any notion that what we really have here is a knowledge-problem in the naive sense (i.e., that the existence of sexual contacts between children and their relatives just could not have become known prior to the '80s) may be regarded as having been disproved, based on the analysis of the older specialist essays in Part III of the present work.

Therefore, why would abuse only have been 'discovered' in the Federal Republic at the beginning of the 1980s? And even more importantly, what accounts for its almost unbelievable success amongst vastly-different audiences? These questions lead us to the obvious (because the discourse's advocates are the ones who disseminated it) hypothesis that the rapid success of scandalization was based on its taboo-breaking effect: For the first time, it was announced even in the mass media that a large number (if not the actual majority) of women in the Federal Republic had, in their childhood, been victims of sexual violence at the hands of those who were related to them. The public declarations on the part of some women broke the rule of silence and led to a sort of chain-reaction of recollections, as well as, eventually, to an avalanche of confessions. Although this explanatory model is initially plausible, in my opinion, it renders understandable neither the media saturation and swift adoption of this perceptual and interpretational matrix, nor its primary structural characteristics. In particular, it seems to me that what need to be explained here are:

- why the 'taboo-breaking phase' began when it did; [276]
- why thousand of affected women, who had remained silent about -- if not actually repressed -- such experiences for decades, were suddenly prepared to (in part, publicly) disclose them;
- why there was such a high degree of uniformity among the retrospective reports that were reproduced in the media, and why the assessments contained in the specialist essays were almost perfectly congruent;
- why there was such a great 'willingness to expose' the problem even among the male-dominated mass-media; and,
- why feminist interpretations were adopted by a society which was itself being criticized as patriarchal by these very same interpretations.

My **Seventh** (and final) **Hypothesis** deals with this question, and says that [F95]: **The rapid and nearly complete societal adoption of the abuse-model was also the result of its 'ability' to satisfy the acute psychological and ideological needs of a whole series of different social groups in the late 1980s.**

Moreover, in my opinion, in terms of both its form and its content [F96], the abuse-model fulfilled -- and continues to fulfill -- primarily the 'desires' to

- disavow the patriarchy,
- make the promised political arena a reality,
- reign in sexual permissiveness,
- account for widespread psychological disorders,
- set up work spaces for experts, and,
- have the media do its reporting in such a way as to get people 'stirred up.' [277]

### **First Desire: The Disavowal of the Patriarchy**

To this day, the initiator and indispensable supporter of the campaign -- including in the Federal Republic -- has been the women's movement. The abuse model -- like the virtually simultaneously-launched, though less successful, anti-pornography debate -- can also be regarded as a political strategy designed not only to gain acceptance of the feminist view of reality as the dominant weltanschauung among female intellectuals, but to also simultaneously gain greater overall social acceptance of it. Sexual abuse isn't just about its girl victims -- it is also an **effective way of calling public attention to the everyday violence perpetrated against women by men.**

"What is being conducted at the present time is no child-protection debate. In feminist discourse, the thematization of sexual violence against girls is a continuation of the theory that in a patriarchal society, women's identity is determined by the fact that they are structural victims of male violence." (Honig 1987a: 17)

Of the many campaigns against male violence in recent years, the one that adhered to the abuse-model was by far the most successful -- if success is measured by the approval of the media. Despite this, even in the early 1990s, the majority of the contributions began with the assertion that what we are dealing with here is a social taboo which just had to be broken.

"The huge number of disclosures -- and the evident willingness to disclose -- coexisted with the assertion that the conspiracy of silence which continued to cover up these crimes against children simply had to end." (Rutschky 1990: 71)

This contradiction resolves itself, however, when one considers the contribution of feminist sexual politics to scandalization. Whereas -- in the form of the abuse-model -- the women's movement primarily laments patriarchal power-relationships as well as the structural harmfulness to women and girls of the bourgeois nuclear family, although it is true that the mass media and conservative politicians have taken up the theme itself, they have not -- despite having adopted every aspect of the model's argumentational structure -- embraced the underlying feminist paradigm. Because the latter is **not** accepted along with the rest of it, the authors are quite correct when they point out that a [278] further taboo is in effect here -- certainly not vis-à-vis the actual abuse, but rather, the concept which underlies that weltanschauung. [F97]

The scandalization of sexual abuse was also meant to furnish moral arguments for the general demands of the women's movement. And so, one of the shorter essays, which was really concerned with the question of prevention, extolled the following **demands vis-à-vis the fight against abuse**:

"That the gender-specific distribution of work undergo critical examination, that the imbalance of power in working life be addressed through quotas, that compulsory training for girls be implemented, and, that the sexual criminal law be amended to work in girls' and women's favor."  
(Kellermann-Klein 1990: 260)

Actually, it appears that it was not only among the female portion of the population that agreement with the feminists' demands was attained more quickly and solidly when the discussion was thematisized in terms of patriarchal violence-structures surrounding children and the sexual sphere: Not only is media attention much greater here; this also makes it possible to appeal to people who actually hold conservative moral positions.

The abuse-model-thematisized feminist political goals explain not only the 'tabooization' hypothesis, but also, why the contributions adhere to the 'logic' of large numbers pulled out of thin air [F98], and have no interest in prevention measures: Every case 'uncovered' furnishes new evidence of how unbearable the conditions of patriarchal violence truly are. Meaning: Even if effective preventive measures were able to be found, their adoption by society would not at all be in the interests of this sexual-political thrust of the discourse. [279]

## **Second Desire: Making the Promised Political Arena a Reality**

The abuse-model triumphed at that particular time due in large part to the overall political and ideological developments that were taking place in the Federal Republic during the 1980s. By the beginning of that decade, the social-democratic governing-model had been broken down for such a long time, that its promise to 'dare to have more democracy' now seemed quite empty. The most significant demands of the politically-active younger generation (abandoning nuclear power, preventing the so-called modernization of weapons systems) were either politically ignored or, with the help of autocratic state measures, beaten back. The realization that they would not actually be able to change the country's

direction vis-à-vis the 'great issues of the time' led many of the activists in these movements (those who did not take refuge in the 'new inwardness' or esotericism) to **shift** their own particular commitments towards authorized **threat-detection**, and the seemingly more influenceable sphere of one's **immediate social surroundings**. Moreover, this gave them a way to get involved in the political arena -- which otherwise might be too risky at the level of the individual -- without having to completely ignore the overall social dimension. For women this meant -- probably also due to the tendency to allocate responsibilities based on tradition -- focusing on the conditions surrounding sex, gender, and the family.

In the struggle against sexual abuse, even those female political elites who did not see themselves as feminists in the strict sense of the word found a sphere of political activity which promised a greater chance of success (than, e.g., 'environmental destruction' and 'the risk of war'). This optimism largely sprang from a previous discovery that sympathy for 'progressive' causes could be engendered even among traditional conservative groups, provided that the social conditions critique focused on the sexual arena. Based on that, it was inferred -- quite correctly -- that the Christian parties would also be receptive to demands that norms be established in this area, even if the stated grounds for doing so did not coincide with the latter's core sexual-political beliefs. [F99] [280]

### **Third Desire: To Reign in Sexual Permissiveness**

In the context of a rather conservative prevailing mood in society, those who had an interest in exerting control over -- as well as intervening in -- the sexual sphere were actually able to achieve a large measure of success. Here, demands for new prohibitional norms converged with a desire for change on the part of certain (male as well as female) sectors of the population which -- e.g., on religious grounds -- had grave reservations about sexual permissiveness. These social groups (particularly from the traditionalist middle-class) who -- to this day -- see everything sexual as something dirty, obscene, and morally reprehensible had, since the 1970s, found themselves permanently confronted with phenomena that disgusted them, violated their sense of shame, and even made them fearful. It seemed to them that society had become "sexualized" to the maximum, that the "most disgraceful things imaginable" openly articulated their "abnormal" interests and had an absolute need to practice their lifestyle.

For this portion of the population (and the organizations they were affiliated with -- e.g., fundamentalist sects), the abuse-debate became a vehicle for calling sexual attitudes as a whole into question, and bringing about a 'change' to a 'cleaner' society. Therefore, the campaign against abuse was and is -- even much **more** clearly in the United States than in Germany -- also strongly supported by religious and conservative politicians. As

with the pornography debates of previous years, the public resonance of the abuse-debate **also** had its source in the conservative opposition to the consequences of the 'sexual revolution.'

"Finally, the regularity with which the theme of sexuality with children comes up in political denunciation campaigns leads one to suspect that, way beyond any concern over the extent of sexual violence against children, the real reason why sexual fears are being stoked here is -- in the sense of a neoconservative strategy -- in order to reverse the changes that have already taken place in terms of ways of living and lifestyles, in favor of a more traditional family model (...)." (Gröning 1989: 196)

#### **Fourth Wish: An Exculpatory Explanation for Psychological Suffering**

In the conflict-space between one's immediate environs and explosive political issues, the social problem of sexual violence against girls within the family does not constitute a merely theoretical political arena. The underlying perceptual and interpretational model also (because of the presumed-to-be large number of persons affected) [281] furnishes an **explanation** for almost any kind of personal problem that a woman might have, from disturbances in sexual function, to gender-role insecurities, alcohol and drug addiction, anorexia and eating disorders, depression, a general sense of meaninglessness and an inclination towards suicide, and lastly, professional and political failure. (See Rave 1991: 19-29 and Hegener 1992: 113.) Moreover, the very popularity of this explanatory model is based on the fact that it is presented to people in cases where the individual herself is **initially** unable to remember 'anything whatsoever.' When a woman who has not self-declared (as an abuse victim) comes into a psychosocial therapeutic setting, once the abuse-model has been presented to her, assistance is provided in the form of a search for what may be interpreted as relevant events, beginning in childhood. Particularly when the counselor/therapist promises to alleviate suffering, many women find such positions to be quite lucrative. (See Rutschky 1990: 71.) Under the axiom of the code of silence [F100], any woman can **come to believe** that she was a victim of such an act as a child -- and thereby find a **reason** for her pressing psychological problems which is both plausible, and, absolves her of any reproach or blame. [F101]

Therefore, the reason why this explanatory model had such great resonance was because, not only did it give individuals -- i.e., women -- a pass on all of the customary reproaches (such as deficits in character development, only having themselves to blame for failing to plan out a career, and stigmatizing them as mentally ill); it also simultaneously **absolved society** of the charge that it was the cause of women's psychological problems. Even when the model did ascribe responsibility to patriarchal structures themselves, the 'sexual abuse' explanation would of course -- following only minor, ideological adjustments -- find application in the form of 'individual destiny,' within the framework of a conservative political model: It was not about socially-/structurally-conditioned situations, but rather, simply a matter of **individual misfortune** to have been a victim of a

sexually violent offense as a child, and thus [282] to have turned into a psychologically ill woman. [F102] Therefore, in contrast to how things may have looked initially, because they wish to avoid any questions regarding the structural causes of psychological 'mass impoverishment,' even political groups and institutions have an interest in 'abuse' as an explanatory model.

### Fifth Desire: Work-Spaces for Experts

In times of across-the-board cuts in social services, the 'discovery' of child sexual abuse on a massive scale constitutes a real boon for those professions that are able to claim jurisdiction over identifying and treating it. Whereas -- beginning in the mid-1980s -- most of the psychosocial areas experienced cutbacks, here, there was a spike in the demand for qualified professionals. As a consequence of the abuse debate, there was a rapid -- this process was already much further along in the United States -- expansion of this field of work, along with the positions and the opportunities for promotion that go along with that. Because it was believed that the vast majority of the perpetrators were men, and the victims were girls, it 'naturally' followed that treating the victims (given that 'the girls' had already suffered enough at the hands of 'men') would be the **task of women exclusively**. This gave them a monopoly over this field's new workplace. An ever-growing expert-lobby [F103] of social workers, psychologists, and therapists had a vested interest in stoking alarmism, so as to then be able to demand public as well as private funds to continue and expand their work. Just how strong this impulse really was is demonstrated by the fact that one of the contributors examined claimed -- in all seriousness -- that:

"This type of counselling and care-giving of and for affected girls requires a wholistic approach by a qualified collaborator. Therefore, we see the need for a 1:1 arrangement (every girl gets her own, exclusive care-giver)." (Kellermann-Klein 1989: 45) [283]

What this would mean in practice is that, merely in order to 'process' the new cases coming in every year, based on the number of affected girls presumed by the model itself, a minimum of 250,000 new social worker and psychotherapist positions would need to be created.

The high level of interest in garnering funds for research projects and counselling positions was also made clear by a trend in the last couple of years (1991 and 1992) to broaden the danger-scenarios to include groups of persons who were not at all originally envisioned by the abuse-model (and also, did not correspond to the political interests of the political groups which initiated these campaigns):

"The participant group expanded appreciably: It was no longer just girls; now, boys too were included in scientific research projects, and seen in professional counselling settings; not just fathers and uncles were potential 'abusers,' but even mothers, and eventually, anyone and everyone." (Hegener 1992: 113)



The new female perpetrator group in particular would have evinced a 'dynamic of its own' in the evolution of this social problem, if only it had formed a professional lobby.

### **Sixth Desire: Get the Media to 'Stir People Up' With Its Sex-and-Crime Reporting**

In order to break the purported taboo and grab the public's attention, the advocates of the abuse-model employed every single one of the tried and true techniques of scandalization, from a sweeping-away of any and all distinctions, to dichotomizing victim-perpetrator logic, to the alchemy of huge numbers, and on up to the use of the usual dramatizing metaphors and traditional criminal-related myths. Therefore, the 'elegance' of the abuse model consists of the fact that it combines two of our society's simplifying and condensing metaphors: 'childhood' and 'sexual violence.' This directly ties into the dominant image of children as innocent and helpless creatures (which also means, in need of protection). This especially applies to girls who are -- according to the prevailing role-stereotype [F104] -- [284] passive and fearful, and are "because of their nature" simply unable to defend against encroachments. This notion of childhood is combined with the **summary-symbol** "violence," thereby shutting down any further inquiry into the motives for -- and/or the purportedly reprehensible nature of -- a given act. (See Broszat 1984: 46.)

The tying-together of the symbols "violence" and "child" results in a sort of <e> "common sense" </e> that is impervious to rational examination. If any social group or even political party dared to adopt a skeptical or distinction-drawing posture with regard to this issue, they would immediately be accused of collaborating with perpetrators, and thus become the focus of public ire:

<e> "Who can possibly vote against the protection of children from the vile sexual field and vote for that most reprehensible of all people, the sexual abuser?" </e> (Wakefield/Underwager 1988: 413; see Gusfield 1989: 434f.)

The dominant morality is just as much influenced **by** systematic moralizing as it is an influence **on** it. Contrary to the assertion that what we are dealing with here is some big taboo, the abuse-model (like the child-protection campaigns of the 1950s) actually appeals to the 'sentiments of the general public' which, in the Federal Republic in this area, typically take the form of mass-hysteria-driven punishment-fantasies. (One only need recall the lynch-law demands concerning the 'case' of Jurgen Bartsch.) (See Kaiser 1982: 194; Adorno 1963.)

The model's huge success in the mass media is not merely a result of the fact that it adheres to the classic <e> sex-and-crime </e> paradigm, and consequently, is well-suited to

the news-selection and editorial style that prevails in almost all mass media (from photo magazines, to the 'Spiegels' ['Mirrors'], on up to 'hard-hitting' television programs). The other major factor driving media interest here is that those who produce it know, based on many years' experience, that this topic [F105] meets its audiences' need for words and (particularly) images that will get them 'worked up' -- and this can also make all the difference in terms of circulation and viewership. The fact that the experts themselves have attested to the seriousness of the theme makes it possible for the public-law media to participate in what might otherwise appear to be 'yellow journalism.' [285]

It is not necessary to assume -- in a pathological sense -- the presence of 'voyeuristic' tendencies on a massive scale in order to accept the fact that there is, among a wide swath of the populace, a need that is met by the thematization of abuse. It matters not at all whether what constitutes the primary appeal here is sexual stimulation via barely blacked-out or riskily-cropped pornographic images of abused children in magazines and televisions programs, or, a profound abhorrence of the same; whether it be a desire to obtain pleasure or be horrified, the media has an incentive to focus on needs which -- one way or another -- are going to be met. The 'sexual abuse' theme is a winner for the mass media because it moves audiences, both male and female. Any "upstanding" adult can see right away how children could become victims of "wicked" adults, and yet, would sure like to find out -- even if he or she, at the bottom of his/her heart, was never going to do anything "bad" -- **precisely** what does go on.

## 6. Counter-Propositions

The examined specialist-public discourse constructed -- so says my first hypothesis -- the social problem of 'the sexually at-risk child.' In ideational terms, it was/is based on two different perceptual and interpretational matrices -- which are distinguishable chronologically as well as with regard to their content -- that I have characterized as the "traditional danger-model" and the "abuse-model." The fourth and final section of the present work bids adieu to the descriptive plane, and attempts to reconstruct the evolution of perceptions of danger as a "natural history" of this social problem. Moreover, the proposed paradigm considers social and sexual-political developments, as well as the genesis of underlying thought-forms and the interests of various social groups. The focus of attention will be the historical origin of the traditional danger-model, the course of the thematization economy in the Federal Republic which is based on it, and the public's rapid adoption of the new abuse-model in the mid-1980s.

In the following, the findings obtained are summarized in the

form of seven **counter-propositions** (a term which is intended to tie the different sections' fundamental propositions together in thoroughly ironic fashion). In turn, they set straight -- in a trenchant way -- a given 'misconception' regarding the danger-discourse. Moreover, whereas the first five counter-propositions explicitly refer to what has already been expounded upon in this section, [286] the last two round it out with two -- more basic -- sociological reflections.

**First Counter-Proposition:** The sexual endangerment of the child is not a consequence of civilization-conditioned sexualization, or the patriarchal structure of society, but rather, the result of the successful discursive emergence of a social problem. The primary generation and societal acceptance of the social problem of the 'sexually at-risk child' which the traditional danger-model is based on had its origin in the 18th century. They are the consequence of the convergence of various 'needs' on the part of a newly-emergent bourgeoisie: For social, economic, and religious reasons, children's 'unruly' behavior was no longer acceptable. Due to the adoption of a Calvinistic interpretation of children's behavior, the problem of general emotional- and impulse-control was reduced -- in terms of perception as well as proposed solutions -- to 'the question of sex.' The task of 'civilizing' the next generation turned into the problem of the sexually at-risk child. For reasons related to the professional politics of pedagogy versus medicine, the first line of attack was 'self-endangerment' through onanism; then, in the 19th and 20th centuries, contact- and media-endangerment were added.

We might go ahead and throw the danger-perception in the **Federal Republic** into this differentiated danger-matrix. Though the traditional model experienced several high- and low-phases in terms of public interest, by the mid-1970s, it had lost virtually all of its social currency. The mid-1980s renaissance in risk-ideas confined itself to the sphere of sexual contacts between children (primarily girls) and adults (mainly men). The now-dominant **abuse-model** was (like the campaign's organizational forms and strategies) imported from the United States by the women's movement in the early 1980s. The reason why the social problem was able to successfully (re-) constitute on this new basis within the span of only a few years was because the abuse-model promised to meet the interests of a whole range of social groups: the 'desire' of the women's movement for a disavowal of the patriarchy, that of the female political elites to make a promised political arena a reality, that of conservative Christian groups for an end to the sexual liberality phase, that of psychologically suffering women for an individually-absolving explanatory model, that of university graduates for places to work, and finally, that of [287] the media and a large percentage of its audience for 'muck-raking' and stimulating reporting on the conflict-area of sexuality and violence.

**Second Counter-Proposition:** The 'evolution' of sexual risks does not correspond to changes in the 'objective' danger-situation, but rather, constitutes a time-line of danger-perceptions based on changing social and sexual-political circumstances. The ebb and flow of the danger-discourse depends not on changes in the particular underlying core phenomena, but rather, on the respective interests of the various protagonists, within a context of changing social conditions. In the Federal Republic, booms in thematization based on the traditional danger-model occurred in the early 1950s and between the beginning of the 1960s and mid-1970s. Sounding the alarm about this social problem in the early years of the Federal Republic was intended to bring an end to the 'moral confusion' following the end of World War II. Moreover, the interests of various social groups converged which were primarily directed towards **adult individuals**: the restoration of the traditional social order, recapitulating the phase of collective civilization, and, safeguarding the political/moral influence of the churches. In summary, following the ethical and psychological vacuum left behind by the Third Reich and World War II, Christian moral entrepreneurs and conservative politicians attempted -- with the help of the danger-model -- to establish a conservative-Christian moral- and value-system (along with a corresponding moral order).

However, as a consequence of this, from the very beginning they found themselves fighting a rear-guard action against the new developments -- in the area of sexual norms and behaviors -- that went along with the restoration of capitalism and the establishment of a media sector based on the Western democratic model. The second high-phase of the discourse represented their attempt to stem these changes -- what is typically characterized as the 'sexual revolution' -- and protect children as well as adults from the purported consequences of moral decay. By the mid-1970s, this model for protecting the public from 'immorality' had obviously broken down, because: a) in the process of the sexual revolution, a discrepancy emerged between governmental and social norms on the one hand, and the moral attitudes and behavior of individuals on the other; b) in sexual science and pedagogy, a new sexuality-paradigm had been adopted; and, [288] c) with the end of the CDU-government, the youth-protection associations lost their influence with the executive branch and parliament.

The abuse-discourse represented not a reactivation of older, more all-encompassing danger-ideas, but rather, a new sexual-political practice that was confined to just one theme. The new moral entrepreneurs and their interests (described in the first counter-proposition) were sufficiently strong as to be able to induce a powerful perception of danger amongst the (specialist-) public. As was the case with the traditional model of the onanism-danger from nearly three centuries prior,

the abuse-debate also had knock-on effects on other areas. However, what has certainly not yet been answered is the question of whether what we are dealing with here is, once again, the childhood/sexuality arena, or, the emergence -- adapting the feminists' thrust -- of a new social problem: 'the sexually-dangerous man.'

**Third Counter-Proposition:** When a given perceptual and interpretational model achieves social dominance, this does not mean that its structure or its subsequent 'destiny' is set in stone; rather, the constant supply of 'discursive energy' that it needs to maintain its social acceptance mutates in numerous ways. Although the traditional danger-model was structured in such a way -- once it had come into being and caught on in the media discourse -- that, to a large extent, it would have to have been reproduced -- at least in an abbreviated form -- above and beyond mere familial socialization, it only partially achieved the status of a **social interpretive-model**. The permanent and continuous existence of the danger-discourse over a period of centuries is an indication that the notion of the 'sexually at-risk child' must have been constantly 'externally' cultivated in individuals' consciousnesses (by experts).

This (probably not least -- based on its own criteria -- because of its constant failures, **enforced**) keeping-alive of the public debate led, over the course of time, to the perceptions of danger being recombined, updated, and adapted in numerous ways to the contemporaneous needs of the discourse's supporters; new thematizations were coined, whereas others lost their salience. Therefore, the destiny of the traditional danger-model depended on neither its 'inventor's' intentions nor a completion of the tasks that he originally 'assigned': Over the course of three centuries, a task-oriented concept of impulse- and emotional-control vis-à-vis the child morphed into a comprehensive sexual-political program that was aimed at controlling the behavior of the adult population. [289] (With the abuse-model, the peculiar dynamics of such theories and forms of practice have already been evident for a couple of years now: At-risk populations were 'discovered' which were inconsistent with the initial version of the model, as well as the interests of the social movement that spawned it.

What this means is that, once they have been introduced into discursive circulation, ideational forms such as the danger-model 'fall victim' to all sorts of object-manipulations over the course of their 'lives.' They develop into autonomous forms of social reality, the courses of which can readily be historically traced, given that (and so long as) only a finite number of core premises continue to persist. With the traditional danger-model, these ideas relate to (1) children's sexual impulses developing within them naturally, (2) sexual endangerment disturbing the former, (3) there being a

'dialectic' between endogenous impulse-development and susceptibility to disturbance, (4) the necessity of both self-discipline and impulse-control generally, and, (6) unchecked impulses posing a threat to the social- and state-order.

**Fourth Counter-Proposition:** The interest-driven engagement of diverse social groups is based not on intentionally converting ideas about child protection into action, but rather, on sexual-political 'programs' which -- as "phenomena of the third kind" -- participating individuals are not necessarily conscious of. Participants' active involvement in getting the public to adopt particular danger-perceptions is based -- as the first counter-proposition explicitly emphasized -- primarily on their specific sexual-political interests at the time. However, this does not mean that the danger-model was merely an ideological 'disguise' for the constituting-agents' 'true intentions.' Both perceptual models' amazing ability to assert themselves was also a result of the fact that in their dominant forms they were -- to a great extent -- based on the conviction that 'the child' really was in great sexual peril (as well as a desire to protect as many 'real children' from harm as possible). But even when individuals do become aware that constituting-agents have interests which go beyond this, these are incorporated into the danger-model in such a way as to make them appear completely congruent with its premises and goals.

On top of that, as transference-forms of interpretational patterns among individuals, the two perceptual and interpretational models are also based on (not necessarily cognitively) available basal interpretations (e.g., the categories of 'childhood' and 'sexuality'), as they (re-) produce [290] interpretational patterns -- in their recipients -- in which the relationship between childhood and sexuality appears to be a dangerous one. The dissemination of the danger-model engenders the social hegemony of particular ways of looking at things and taking action, without participants necessarily being aware that they are contributing to a 'program' (e.g., impulse and emotional control or the abolition of the patriarchy and the bourgeois nuclear family). Because the processes of constituting a social problem in this way are "phenomena of the third kind," inquiring about ulterior or even inconsistent interests is not tantamount to a blanket condemnation of participating individuals (in accordance with a sort of "conspiracy theory").

**Fifth Counter-Proposition:** The use of scandalization techniques represents not a 'necessary adaptation' to the modern mass-media's customary mode of reporting, but rather, an attempt to short-circuit recipients' critical faculties via an emotional appeal. The primary reason why many of the characteristics of mass-media scandalization (dichotomization, the absence of any drawing of distinctions, the use of intensification-metaphors, etc.) turn up in both danger-models is not in order to get the attention of a public which just so happens to be so structured. First of all,

regardless how they are packaged, the media is always interested in topics related to sexuality and criminality, and their customary scandalization-machinery is always in operation; secondly, the specialist journals in which the examined contributions were published were not (at least directly) under pressure to increase circulation via scandalization.

The real reason why the warning essays use such methods is in order to bypass cognitive mechanisms by building an emotive buffer around the set of criteria professed by them, so as to insulate the latter from any further examination, and thereby render the message being conveyed (as per Luhmann) "unanswerable." Not only is no one able to contradict the danger-discourse without -- as far as the general public is concerned -- morally disqualifying himself; in view of all of the suffering presented, even having cognitive reservations about the premises or argumentation of the danger-model leads one to develop a guilty conscience. The surest way to avoid such guilt feelings is by not only accepting what the model professes, but also putting it into practice. The whole point of the danger-model is to foreclose any alternative ways of thinking or action on the part of those who fall under its emotional sway. [291]

Also part of the 'modus operandi' of both danger-models are misleading appeals to the media and 'public opinion.' Whereas the traditional model 'plays to' public anxiety, which the media both engenders and simultaneously verifies, the abuse-model plays to the alleged non-acknowledgment of the problem. The former 'conceals' the fact that the public's agitation is based on a perception of danger which it itself has helped to (re-) produce; the latter, that the indignation is actually directed against the 'tabooization' of the underlying feminist concepts. Both models' dealings with and references to the media and the public are manipulative in several respects. (This also applies to individuals who are active in this area: Although they are 'objectively' manipulative, they are not necessarily 'subjectively' so.)

**Sixth Counter-Proposition:** The abuse-model is not a modern, enlightened form of danger-perception; instead, like the traditional danger-model, it contains elements of every naturally-evolved social-problem thematization-model. If one adheres to Giesen's (1983: 237-242) classification system for how disturbances in the social order are dealt with, and interprets it in terms of a historical sequence [F106], with the traditional danger-model, we actually see an evolution from a moral [F107], to a medical-psychiatric, and finally, to a social-science approach to social problems. Whereas in the (historically oldest) sphere of onanism-danger the first two of these forms were employed in roughly equal measure, in the contact-danger essays the medical-psychiatric approach was dominant, and in the media-danger area, the social-science model prevailed.

In the -- still relevant today -- area of contact-danger, the dominance of the medical-psychiatric approach is evidenced by the impulse-perpetrator concept: Deviance among individual members of society [292] is regarded as the source of the disturbance. The assignment of blame is strongly relativized: It is directed less at behavior in individual cases than at an unwillingness to accept third-party intervention. Finally, a multitude of conditions are thought to facilitate deviance. (In addition to genetic factors, social ones are ascribed importance as well.) The explicit rejection of the impulse-perpetrator concept by the -- in historical terms -- very young abuse-model would initially appear to bolster the notion of the dominance of (as per Giesen) 'the most progressive' thematization-form. However, what one actually finds here is merely **one** feature of the social-science model: Social facts are seen as a central cause of the problem -- here, the patriarchal structure of society. Apart from that, however, the characteristics which dominate are precisely those that are classed with the two oldest forms: In accordance with the **magical form**, one looks outside of the group (here, that of female persons) for the source of the disturbance. Furthermore, with the obligation to confess, and the notion that suffering may be alleviated through confession, we have a sort of stage-managing of shamanistic pursuit and purification rituals. Additionally, the thematization is associated with a very high degree of emotionalization. However, at the same time, in keeping with the **moralistic position**, this disturbance of the social order is also understood to be the result of willful and conscious actions on the part of particular individuals. The causes of the (children's) distress are these persons' vices. Their culpable transgressions arouse indignation, thereby leading to the scapegoat's banishment from the community (in this case, a desire for the man's immediate expulsion from the family). Lastly -- particularly at the political level -- one finds, in the call for stricter criminal laws, the typical trust in institutionalized control-apparatuses, which are supposed to deal with the problem.

**Seventh Counter-Proposition:** In the form of both danger-models, the 'sexually at-risk child' is not about empirically-examined -- or even examinable -- social reality, but rather, a **childhood-sexuality mythos**. In terms of children being exposed to the sexual sphere, neither model makes any distinctions among the phenomenon's various manifestations (even when doing so is necessary for their moral assessment); at the same time, both leave unconsidered the actual qualities and capabilities of children and adults. Moreover, even the theoretical **possibility** of there being a difference between understanding something in a social-science sense, and excusing it in a moral one, is rejected out of hand. Both danger-models [293] have a troubled relationship with both the findings and methods of empirical research and the theoretical exploration of the social world. The nature of the danger-discourse is to collapse any and all distinctions, and use atypical individual cases as a proxy for



the totality of the phenomenon. Even the hypotheses of the universality of danger and the generality of harm are based not on the authors' own research findings, but rather, on the selective perception -- and, in part, manipulated accounts -- of research done by third parties. Both models' assumptions regarding extent and harm are beyond empirical verifiability, and have also -- via rhetorical devices -- been rendered immune to criticism.

These characteristics would appear to allow us to classify the danger-models as belonging to the category of **mythos**, as developed by Roland Barthes (1964):

Their history is one of "expanding ripples on a pond," whereby they "ripen" (139).

Latency in terms of content is neither possible nor necessary; "the mythos conceals nothing" (102).

Via an appeal to people's feelings, immediate effects are meant to be attained which "are stronger than rational explanations" (114).

Social reality is reduced to numbers: "By reducing every quality to a quantity, the mythos economizes intelligence: It grasps reality with little expenditure" (144).

They tolerate no dissent or reservations; rather, they give things "a clarity which is not an explanation, but an observation"; its form "is the maxim...a truth which brings all talking to a halt via autocratic command" (146).

Finally, they constitute a "secondary semiological system" which ties into what already exists (92): the socially widespread notions of the child as a defective being, and sexuality as a power which is just as dirty as it is dangerous. [F108]

Therefore, in my opinion, due to their content as well as form, the two perceptual and interpretational matrices should be regarded as different manifestations of a single **danger-mythos**. The fact that it does take this form is one of the primary reasons why it is virtually impossible to have a rational public discourse regarding ideas related to the sexually at-risk child. [295 (294 is blank)]

#### CONCLUDING REMARKS: THE SEXUALLY AT-RISK CHILD: A NEVERENDING STORY?

Last but not least, the mythic form of danger-ideas is important in terms of the question of the future of the 'sexually at-risk child.' In answering it, it is important that we draw a distinction between the fate of the danger-mythos itself and its current particular manifestation(s). As we have seen, after nearly three centuries, the traditional danger-model finally lost the social acceptance it had long enjoyed -- only to be

'replaced' by a new model just a decade later. Given a (progressive-optimistic) belief in the increasing adoption of ever more 'rational' and 'scientific' ways of looking at 'reality,' one might be tempted to assume that even this new form of mythos (as an admixture of magical, moralistic, and scientific thematizations) would not be able to hold on for long. In my opinion, however, an analysis of how this 'modern' form came to be adopted points in a rather different direction.

We saw that, in a charge that had primarily been levelled against the mass media of the 1960s and '70s [F1], even in the case of abuse-model scandalization, the thematization in the specialized journals has been criticized as a "distortion of reality" as well. [F2] That the origin of ever-expanding "waves" of reality-construction (Baudrillard 1991: 20) is, in fact, science (see Lamnek 1987: 227) is something which has always -- in a much more banal sense -- been accepted by scientific sociology, should become apparent upon the presentation of the following -- particularly obvious -- example: the trade in statistical-criminological figures. This example was not selected in order to 'refute' in any way a standard assumption [296] of the abuse-discourse, but rather, in order to show how, even as paragons of objectivity, **any and all** prevailing figures are constructed -- in fact, by breaking all sorts of 'rules of the (scientific) profession,' without fear of being contradicted by the scientific community.

Since almost the very beginning of the recent discourse (but at least since 1987), specialists as well as the media have been of one accord that, every year in the Federal Republic, at least 300,000 children become victims [F3] of sexual abuse. If one were to go by the number of reported cases and early 'dark-number' estimates in this area [F4], the above figure would appear to be remarkably high. What is striking is that, oftentimes, it remains unclear precisely which experts postulated the underlying 'light-/dark-number' ratio. All of the present author's attempts to trace back the sources referenced (including in essays which are outside the scope of the journals examined, as well as those appearing in books), the road always ended at the founding document of the Federal German campaign, "Father as Perpetrator," by Kavemann/Lohstöter, from the year 1984. [F5] It is true that this figure is first mentioned (and also subsequently repeated in the 1991 edition), with a reference to "estimates" 'verified' by the BKA [Bundeskriminalamt, or Federal Police Bureau].

"Moreover, a 'dark-number' ratio of **between 1:18 and 1:20 was arrived at**, which means that, out of every 18 to 20 sexually violent acts perpetrated against girls, only one is reported to the police. (Baurmann 1978, pg. 183)." (pg. 29 -- emphasis added)

However, when one verifies the details in the volume cited, it quickly becomes apparent that the 'magic number' resulted from combining a transcription error with obsolete crime statistic case numbers and a factual misrepresentation. In the essay in

the BKA volume "Advice from the Criminal Investigation Department," which is cited as the source for this, things initially look a lot more ambiguous:

"General surveys in the sphere of sexual research in the United States and in Germany **have, on occasion, intimated** that a larger proportion of adults questioned recalled crimino-legally relevant [297] sexual contacts having occurred during their childhoods. The 'dark-number' ratios for the sexual abuse of children that is derived from these lies **somewhere between** approximately 1:12 and 1:18." (Baurmann 1978: 183, FN 5 -- emphases added).

Even if one were to accept the 'rounding up' to 1:20 of a ratio that can never represent anything more than an estimate in any event, using the actual crime statistics from the early 1980s, one would still 'only' arrive at a figure of some 200,000 cases; meaning, approximately 220,000 affected children. [F6] But even this number -- as we already saw above -- is the product of a gross factual error (which, though admittedly somewhat less obvious, would nevertheless have to be noticeable to experts).

Specialist journals and books are merely the initial 'hotbed' of social problems; from there, they 'migrate' to the mass media -- taking the pre-made expert assessments along with them. Continuing, for the moment, with the above-selected example, in the research materials themselves, one finds texts which, upon a cursory reading, give the impression that the 300,000 figure actually refers to the number of cases which come to light, which would then be multiplied by double-digits to arrive at a 'dark number' estimate. [F7] Independent of the question of whether what we are dealing with here is merely a lack of linguistic competency or deliberately ambiguous statements, it was only logical that the mass-media would then have corresponding misconceptions. Thus reported "The Lunchtime Courier" (a radio broadcast on NDR II [North German Radio] on 9/19/91:

"Officially, 300,000 children are sexually abused every year in the Federal Republic -- 'officially,' because this is the figure provided by the Federal Criminal Police Bureau. The 'dark number' is many times that." [F8]

The fact that such 'truths' are the order of the day in the Bermuda Triangle formed by slipshod journalistic inquiry, media constraints, [298] and interest-driven manipulation of the mass-media was and is the subject of traditional media criticism. At the same time, however, what is usually overlooked is that the origin of these 'systematic misconceptions' might be the specialist scientific disciplines themselves. Mass-media distortions of the current status of scientific knowledge and ethical judgments are -- at least in our case -- a (predictable) consequence of the specialist-public itself employing the techniques of moralization and scandalization.

The ritualized deployment of these sorts of 'puffed-up' numbers in nearly all of the contributions is -- based on the

experts' above-described personal interests -- all too understandable. But it seems to me that, even more remarkable (and more alarming) than the existence of such strategies is that such a misconception (not the abuse model's only one, in my opinion) could become widely accepted as a 'fact' amongst the specialist public within a period of just a few years. To the best of my knowledge, this figure's putative intellectual 'father' (a scientific collaborator with the Federal Criminal Police Bureau) only corrected the underlying calculation error in 1991.

"However, as of this point, in the 'sexual abuse of children' sphere (§176 StGB), most publications use a faulty 'light-number' figure as their point of departure (...) and then multiply this by twenty. But the latter is actually based on the dark-number estimate for 'sexual abuse via the exploitation of a relationship of dependency.' Following that, these authors then assume that 300,000 sexually violent acts against children occur annually in the Federal Republic. Consequently, this figure is the product of numerous arithmetical as well as factual errors. A more accurate dark-number estimate for the sphere of §176 StGB would be something in the neighborhood of 50,000 cases of attempted as well as completed, violent as well as non-violent, cases." (Baurmann 1991: 236)

Therefore, even the **Federal Criminal Police Bureau** -- which, due to its relative independence, has neither a vested interest in scandalization, nor to directly reckon with one or another [299] interest group [F9] -- has, for years, allowed to circulate figures which are obviously inconsistent with its own level of knowledge. In fact, other institutions and specialists active in this field are similarly culpable: With few exceptions -- e.g., Lachmann 1988 -- criminologists (and representatives of related disciplines) have refrained from asking questions about and publicly declaring their misgivings concerning what they must have regarded -- based on their own studies and/or specific knowledge -- as, at the very least, the 'improbability' of this fictitious number. [F10]

The upshot of this is that, not only does the discourse among the specialist public -- due to, among other reasons, the interests of professional groups, which profit from the problem -- not unfold on the basis of 'scientifically-grounded findings,' but also, that there are no controls here on members of the corresponding scientific community who are less concerned about such matters. On the one hand, the abuse debate shows what immense power experts wield vis-à-vis the construction of social problems; but on the other hand, it also makes clear that this probably only holds true for those whose views are in harmony with the publicly-dominant humanitarian crusaders of the time. Holders of divergent opinions appear to be afraid of either losing their scientific reputations or of being publicly condemned, if they were to express [300] dissent regarding a topic which has become so strongly emotionalized, and is dominated by a form of myth. [F11]

Therefore, the opportune moment for objections may be when the mythos has just passed the peak of major media attention in

the relevant discourse. However, perhaps here as well, one might be inclined to agree with Roland Barthes's assessment that any hopes one may have had that the mythos could be curbed, via 'scientific counter-evidence,' are doomed to disappointment:

"The mythos can get to anything, corrupt everything, even efforts intended to get out from under it, so that, the more initial resistance achieved by the object language, the greater will be its eventual prostitution." (Barthes 1964: 171)

Luhmann's postulated "unanswerability" of a communication, in a society whose social facts are based on moralizing and scandalizing, would appear to apply to 'scientific discourse' as well. Admittedly, this begs the question as to precisely how it earned this reputation. That is to say, in borderline cases, any attempt to draw a distinction between mythical and scientific forms of knowledge is obsolete. The social problem of 'the sexually at-risk child' would then consist of nothing more than various layers of a discursively-generated cocoon, from which each of its own particular 'truths' is fashioned. Put together, they would have resulted in a media 'reality' which lacked even a kernel of truth, in which the

"real is eclipsed not by the imaginary, but rather, by that which is more real than real: the hyper-real. 'Realer than real': which is simulation." (Baudrillard 1991: 12)

Whether one chooses to view this simulacrum-sans-core-phenomenon as bad or good, not the least of those answerable for its coming into being is a scientific establishment which unreservedly devoted itself to the interests of moral entrepreneurs and the sexual-political zeitgeist. Certainly, it cannot [301] be expected to contribute to the de-constitution of the social problem of 'the sexually at-risk child.'

Now that, with the above observations, we have reached (or perhaps even gone beyond) the limits of the realm of moralization, it is high time that we break off our examination of the current abuse-model, and turn to the question of the future of the danger-mythos generally. A comparison of the traditional danger-model with the current one shows that all ideas viz children in particular being sexually at-risk are based on three premises, which themselves -- in turn -- take the form of myths:

**First Mythos: The Deficient Nature of the Child.** Children appear to have cognitive as well as moral deficits. [F12] They cannot control their impulses and emotions; nor are they in a position to be able to assess the potential consequences of their own activities, or to understand the actions of adults. Therefore, because children are not in a position to be able to decide what is good or bad for them, much less carry through with their decisions in the face of their own contrary impulses, as far as areas which have been deemed risky are concerned, they should not be granted any room to maneuver whatsoever. Precisely because it is in the child's **nature** to be at-risk of becoming a victim, it is the 'natural' task of adults to protect children against this.

**Second Mythos: Dangerous Sexuality.** The second prerequisite of any risk-idea is an interpretation of 'sexuality' as something which is accompanied by a driving force that is **fundamentally** dangerous to individuals as well as society (and therefore, must be strictly controlled). This universal verdict is probably the most momentous consequence of the compulsory process of increasing individual self-discipline within bourgeois society. The sexual sphere attained [302] its apex of dangerousness with Freud's postulate that the sexual impulse was only **seemingly** able to be controlled: As a 'dark force' from the mythical realm of the "id," its effects unfolded in seemingly downright magical (and therefore also apparently threatening) ways. This 'elucidation' amplified bourgeois individuals' anxieties about sexual matters even further, by transfiguring the 'repression' of the impulse into a trans-historical necessity. The child's sexuality is just as menacingly depicted by the traditional danger-model as 'male sexuality' is by the abuse-model.

**Third Mythos: Guilt-Laden Sexuality.** It is no accident that, in both danger-models, the argumentation is inextricably linked with moral reproaches against at least one of the parties involved. An association between sexuality and guilt, which dates back to old Judeo-Christian traditions, is (still) deeply embedded in the minds of modern-society individuals, as a mechanism for shoring up sexual prohibitions. What this means is that any and every human sexual thought, desire, and act -- on the part of children as well as adults -- is associated with guilt. In the older discourse, the child was saddled with guilt when he or she showed an interest in sex, whereas in the more recent one, he or she must be denied sexuality (in the adult sense) in order to be able to remain free of guilt. The contributions' authors and readers were only able to remain innocent if -- and so long as -- they rejected the incriminated sexuality themselves, and condemned it in others.

It is no accident that the emergence of the social problem of the 'sexually at-risk child' coincided with the ascendancy of these childhood- and sexuality-related myths. Danger-models are simultaneously both a result of tying these myths together, as well as one of the most important ways in which the latter are socially disseminated (or more precisely: pushed through). Therefore, one of the primary reasons why there is such a close connection between modern models of childhood and sexuality and the perception of danger is because the categories of 'childhood' and 'sexuality' emerged in the same way: from the creation of separate (adult) spheres of day-to-day life. The reason why the connection between them seems so laden with conflict and danger is because this splitting-off occurred in (apparently exclusively) **opposite** 'directions': While sexuality was being reduced to procreation, and the child was -- at the same time -- being defined as [303] one who was incapable of procreating, it seemed only **natural** that the two should be strictly segregated into separate spheres of human activity.

[F13]

Militating against a speedy end to the danger-mythos are the ongoing benefits it provides to the collective psyche. Tying together the above-mentioned childhood- and sexuality-related myths in the form of ideas about risk enables adults -- afresh each day -- to wall off their own insecurities and interpret them as 'wicked' acts of their own psyche, in which it is 'the other' [F14] that is to be rebuked and mastered: either the **wicked child**, or **wicked adults**.

Reproaching **other adults** makes it possible to offset any fears of hurting a child who has (more or less) been entrusted to one's own care. The danger-mythos provides the individual with the certain knowledge that any injury or harm he or she may have inflicted on (their) children was necessary, in order to protect them against the harmful actions of wicked adults. Because this person sees him/herself as the one to protect the child from dangers posed by others, this person could not possibly -- so goes the inverse of the argument -- have harmed or be harming the child him/herself. Thus, any self-blame concerning improper or inattentive child-rearing -- e.g., guilt over having failed as a parent, which is a particularly big issue for mothers -- could simply be shifted onto others.

Reproaching **the child** appears in the dual category of the endangered and dangerous child. (In the traditional model, it is directed at all children; however, in the abuse-model, it is gender-bifurcated -- i.e., directed only at boys.) The notion of the wicked child strengthens protections against morally disapproved-of desires in adults: Sexual impulses which adults -- due to their (successful) civilization -- are not entitled to, are combatted in children. The fact that this battle also involves the use of physical or psychological pressure (e.g., in the obligation to confess and with interpretations imposed by others) [304] not only points to the possibility that what we have here is a morally legitimized way of living out one's own desire for power over children -- because, for their own protection, the 'proper' definitions of sexuality, violence, and the forbidden must be imposed upon children -- but is also evidence of a fear that the example of the child could jeopardize one's own already shaky impulse-control. [F15] Consequently, children are dangerous because they are living proof that the high degree of self-control in our culture is not a natural thing, but rather, something which is socially manufactured. When impulse-control is not attained, the child becomes a 'reverse role-model' for adults, an indication that individuals are -- at the very least -- in fact able to live without strong self-discipline.

What this likely indissoluble connection between danger-mythos and the psycho-social order that underlies modern society means for the question of the latter's future evolution is this: The idea that the child is at particular risk from the sphere of the sexual will always be a social problem, in one form or another, so long as these childhood- and sexuality-related myths

continue to exist in the forms described. Therefore, the notion of the sexually at-risk child will be consigned to history only when the sexual sphere finally stops being 'the dangerous thing' and 'the morally reprehensible thing' in terms of social theory and practice, or, when -- in the context of fundamental changes in the ways that we live and work -- the modern category of childhood is, itself, done away with. [305]

## Sources and Bibliography

For better clarity, sources and secondary literature are grouped based on the chapter section in which they are cited. As far as the journals examined are concerned, only those articles which are quoted from or directly referenced are itemized. The following table, which also lists the abbreviations used, constitutes the entire corpus of the research material.

### Listing of Journals Examined (Source-Corpus)

- BW = Blätter der Wohlfartspflege [Journal of Social Work] [F1]: Vols. 97 (1950) through 138 (1991)
- DJ = Deutsche Jugend [German Youth]: Vols. 1 (1953) through 41 (1991)
- DPWV = DPWV-Nachrichten [DPWV-News] [F2]: Vols. 1 (1951) through 41 (1991) [Trans. note: DPWV may be the acronym for the German Public Welfare Association (Deutsche Publike Wohlfartsverein)]
- EE = Der evangelische Erzieher [The Protestant Educator]: Vols. 2 (1950) through 43 (1991)
- HK = Herderkorrespondenz [Shepherds' Correspondence]: Vols. 4 (1950) through 45 (1991)
- JS = Jugendschutz [Youth Protection] [F3]: Vols. 1 (1955) through 36 (1991)
- JW = Jugendwohl [Youth Welfare]: Vols. 31 (1950) through 72 (1991)
- KB = Katechetische Blätter [Catechist's Journal]: Vols. 75 (1950) through 116 (1991)
- PKK = Praxis der Kinderpsychologie und Kinderpsychiatrie [Child Psychology and Psychiatry Practice]: Vols. 1 (1952) through 40 (1991)
- RdJ = Recht der Jugend und des Bildungswesens [Youth Justice and the Educational System] [F4]: Vols. 1 (1954) through 38 (1991)
- SoA = Soziale Arbeit [Social Work]: Vols. 1 (1951/52) through 40 (1991)
- SP = Sozialpädagogik [Social Education]: Vols. 1 (1959) through 33 (1991)
- TP = Theorie und Praxis der sozialen Arbeit [Social Work Theory and Practice] [F5]: 1950 through Vol. 42 (1991)
- UJ = Unsere Jugend [Our Youth]: Vols. 2 (1950) through 43 (1991)



ZB = Zentralblatt für Jugendrecht [Journal of Youth Law] [F6]:  
Vols. 37 (1950) through 78 (1991)

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F1: Only the primary titles are provided; many of the journals' subtitles changed frequently over the course of the period studied.

F2: In 1990, the title was changed to "Nachrichten Parität [Equality News].

F3: In 1991, the title was changed to "Kind, Jugend, Gesellschaft" [Child, Youth, Society].

F4: In 1964, the title was changed to "Recht der Jugend" [Youth Law]; in 1967, it changed again to "Recht der Jugend vereint mit Recht und Wirtschaft der Schule" [Youth Law, combined with Educational Law and Economy].

F5: In the 1950s, the volume numberings changed; and in 1991, the title was changed to "Neues Beginnen" [New Beginnings].

F6: In 1983, the title was changed to "Zentralblatt<sup>für</sup> Jugendrecht und Jugendwohlfahrt" [Journal of Youth Law and Youth Welfare]. [306]

### Introduction: Of Seeking and Finding

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 [The following and subsequent footnotes appeared in their respective sections earlier in the text.]

F1: An additional note regarding word usage: Particularly striking to female readers who have 'experienced discrimination' is the fact that I have written some portions of this work in such a way as to make clear that I am referring to persons of both genders. When I deviate from this basic position, I do so not out of carelessness, but rather, because I believe that, in certain contexts, the use of all-encompassing formulations would blur the actual nature of the relationships between men and women. This is true especially when a particular portion of the discourse is clearly dominated by either certain male authors or certain female ones, or, when one group involved in the conversation is actually homogeneous in terms of gender -- e.g., 18th century 'doctors.'

F2: It should also be pointed out that objections and criticisms are aimed not at individuals, but rather, discourse-dominating positions; however, rules regarding scientific publications require -- in my opinion, for good reason -- that those who authored the text being analyzed be named. Correspondingly, what Landweer (1990: 76) established regarding the texts she studied also holds true here: "When moralizing legitimization strategies are the product of the discourse, they need to be ascribed to the positions of particular authors. [Trans. note: Because German is, linguistically, a 'gendered' language, meaning, e.g., that there are different words for male vs. female authors (Autoren vs. AutorInnen), a (hopefully fluid) **translation** of any given phrase will not always reveal the 'gendered' nature of the German original.]

F3: Developed in Glaser/Strauss 1968; see also Strauss 1991.

F4: "The Phenomenology of Sexual Contacts Between Adults and Children," under the leadership of Prof. Rüdiger Lautmann.

F5: In this context, the present study could be regarded as a kind of political science 'companion piece' to sociological interaction research on this complex theme.

F6: Just shortly before the completion of the present work, in early 1992, the first German book to have a critical look at the abuse debate came out (Katharina Rutschky: Agitated Enlightenment). Despite having a different approach, on numerous points the author comes to conclusions similar to those found in the present volume. This was true to such an extent that it was even possible to refer in the text to Rutschky's corresponding findings in the text.

F7: The original working title was: "The Social Regulation of the Relationship Between Childhood and Sexuality as <sup>the</sup> Result of

Social Interpretational Patterns."

F8: The hypothesis (explained in greater detail in Part Four) is that the public discourse (not only in this area) is, like the law, to a great extent 'pre-decided' by the 'para-scientific' knowledge produced by the various specialized disciplines.

F9: Because, in the first years of the Federal Republic [of Germany; i.e., after the Allied occupation following World War II], only a relatively small number of scientific journals came out, we also had to include those which were first published at some point during the 1950s. By 1950, eight of the journals studied already existed; by 1954 there were 13, with the corpus becoming complete only from 1959 on. All of the specialist journals selected were then published continuously through 1991 (albeit sometimes under different names).

F10: Obviously, on the basis of previous studies as well as theoretical preoccupation with this theme-complex, the presence of certain individual topics (e.g., sex education, pornography, masturbation) was expected; on the other hand, other thematic linkages were -- to the author -- new in the form in which they were found (e.g., fetishism among children or the consequences of a married couple's concubinage for their child's moral-sexual development).

F11: In analyzing the source texts as well as the secondary literature, there was the additional problem that, in some cases, it was not discernible whether they were talking about children of both genders, or primarily about boys. (Regarding this problem in document analysis generally, see Landweer 1990: 141-142.) To the extent that the texts permit it, they are correspondingly differentiated in the present volume.

F12: That there has probably never been a perfect solution to the problems involved in determining and delimiting in the last of these is already evident in the fact that even as of today sexual science -- as a responsible, appropriate, and relevant specialized discipline -- has still not managed to define the object of its research in a way that is generally accepted. (See Dannecker 1987: pp. 9-11.)

F13: With this graph, it should be borne in mind that a portion of the journals studied first came out only in the mid-'50s; therefore, the figures for the first five years are based on a sample which is smaller than those of other time periods. Consequently, we may proceed based on the assumption that the pre-1955 portion of the graph otherwise would have reached levels comparable to other periods.

F14: Consequently, in the journals examined, the sexually at-risk child represents a 'non-problematic' social problem; that is, one whose problematic character was not in dispute.

F15: By the same token, at this point, I do not wish to keep entirely mum about the **'other' viewpoints** on children and sex contained in these journals either. In the 135 problem- but not danger-oriented essays, there is clearly less of a variety of themes. Four-fifths of these articles deal with problems of (especially school) sexual education/upbringing, with the remainder problematizing child sexuality and sexual socialization, psychosexual illnesses in children, child competency in sex-related criminal proceedings (but not when their central theme was so-called secondary harm -- these were treated as danger essays), or, criticized the ascription to children of particular sexual dangers (thus, problematizing the danger discourse itself). The only real high-water mark for this was between the mid-'60s and the early '70s: Here, the intense societal debate over the introduction of sex education in the school died down a bit. Beginning in the mid-1980s, a new wave of thematization in this sphere seemed to emerge; however, this trend is still not clear enough for us to be able to make any definite statements about it here.

F16: As we will see later on, this dichotomy is actually not as clear-cut as it would appear at first glance.

F17: Continuing in decreasing order of importance, the remaining dangers consisted of society's overall moral mistakes, sex education in schools and co-ed classrooms, children's testimony in the sphere of the sexual criminal law, the activities of the FKK movement (aside from its publications), domestic living conditions/circumstances, and a handful of other, very rarely mentioned sources of danger.

F18: The percentages here are not -- unlike the one further above -- relative to all dangers mentioned, but rather, to the proportion of danger essays in which any given danger is to be found. Because a portion of essays do focus on two or even more dangers, the figures provided here would add up to more than 100%.

F19: A table of the yearly distribution of these essays is included at the end of the bibliography as an appendix.

F20: In terms of citations, two additional comments are in order: 1. To better differentiate between primary and secondary sources, in all citations from bodies of text which come from the specialized journals studied, the source is printed in Italics. 2. All of my own notations inserted into the cited texts are signified exclusively by brackets: []. [307]

## Part One: The Inner Chamber

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F1: Concerning this, see the extensive 1989 monograph by K.H. Bloch: "Masturbation and Sexual Upbringing, Past and Present."

F2: This preaching against the body was the spiritual legacy of the early Christian gnostic movements, which condemned physicality and viewed life as the prison of the soul, which must be overcome.

F3: The idea arose that sexual desire was a temptation from the devil. If we are to believe the theologians of this era, the celibate were incessantly tormented -- day and night -- by sexual temptations, which were sent by Satan.

F4: This notion still plays a role in the religiously-influenced texts of the Federal Republic: Due to this innocence, the moral culpability of the small child is -- e.g., by Angermair (1950) -- regarded as modest.

F5: Only centuries later would extra-theological (that is, population-policy) grounds for the masturbation prohibition turn up in Catholic moral theology. This theory of the natural-law permissiveness of masturbation (which said that masturbation would be ethically permissible, if God had not forbidden it) was

discarded only in 1679, by Pope Innocent XI, via the edict of the Holy Inquisition. At the beginning of the eighteenth century, the Jesuit Priest and professor of theology Domenico Viva furnished detailed justifications for this prohibition. The principal argument went as follows: "If masturbation were permitted, then 'only a small portion of the burden would be shouldered by the marriage'; instead, one's sexual needs would be met in more convenient ways." (Bloch 1989: 107) The masturbation prohibition was intended to force people to get married, and thereby fulfill sexuality's reproductive function. (See Ariès 1984: 193.)

F6: Also emerging here is the kernel of today's still dominant (modern) category of 'childhood': the child as an individual who is not yet capable of procreation.

F7: Especially the Oxford preacher Richard Capel. (See Lütkehaus 1992:20.)

F8: In contrast to the predominant view in the literature, Heinsohn/Steiger (1989: 248), following Honegger (1978: 120), held the view that the author of this was the Dutch theologian Balthasar Bekkers who, in this 1690 work "The Bewitched World," had made a substantial contribution to bringing an end to the persecution of witches. In support of this theory of identity, Heinsohn/Steiger point to the close connection between the end of the persecution of witches, and the beginning of the anti-masturbation campaigns. (See Part Four of the present work.)

F9: In addition to the volume by Bekkers, Weltley (1959: 8) mentions two further works in this tradition, which are regarded as having considerable importance in terms of the evolution of the idea of masturbation-danger in that era: <e> D.M. Robinson: "A New Method of Treating Consumption" (London 1727) and Lewis: "A Practical Essay Upon the Tabes Dorsalis" (London 1748). </e>

F10: The French title was: "L'Onanisme ou Dissertaion Physique sur Les Maladies Prduites par La Masturbation."

F11: Despite this emphasis on the medical aspect, he certainly did argue moralistically as well; masturbation remained a sin and a crime. (See Wettley 1959: 8.)

F12: In addition, at the peak of the moralistic campaigns, masturbation was declared to be the fundamental evil in the world. In his 1809 work "The Ruin of the World by Masturbation," the pedagogue J. Seiler writes: "The considerable, serious attention to this becomes ever stronger with each day, because it is indisputable that, in our time, the tendency towards this youthful sin is not only more predominant than it was in the past, but becomes more predominant day by day \* \* \* and in the generations to come, which are already being enervated because of it, it will attain unimaginable proportions. This is so true that, when an authority wishes to

depict the degree of this era's submersion into darkness, sin, and squalor, he only need mention the ruinations of masturbation." (Cited in Rutschky 1977: 322)

F13: Nagl (1988: 173) even believes that the anti-masturbation campaigns would have been an essential component of modern pedagogization of childhood.

F14: Because he himself absolutely did recall having had sexual longings as a young teenager, Rousseau was forced to declare that he was the exception -- that, unfortunately, he had been particularly compulsive. (See Bloch 1989: 181-183.)

F15: One of the founders of philanthropic pedagogy, Christian Salzmann, was the author of a large portion of their work on the question of combatting masturbation. "He was fanatical only vis-à-vis the fight against masturbation, which was the primary area of concern of their pedagogy. Their volume 'On the Secret Sin of Youth' is a collection of 'street-ballad-type' reports describing masturbation being punished by death, disease, feeble-mindedness, banishment from society, etc." (Hentze 1979: 162; see Lütkehaus 1992: 27)

F16: "Even in the fifteenth century, Gerson lamented the fact that adults were telling him they had never heard that masturbation was a sin..." (deMause 1978: 78)

F17: It was also used in legal contexts, where it might denote a large number of quite different acts as well as facts. Under Common German Law, "concubinage" and "whoring," for example, were subsumed under this category, whereas masturbation -- which was not punishable -- was not.

F18: Almost all present-day critics of anti-masturbation campaigns point out that this choice of terms apparently reflects a fundamental misinterpretation of the story of Onan. Admittedly, it seems to me very unlikely that the authors of the eighteenth century would not have realized what offense God was actually punishing Onan for in the biblical story. In my opinion, the derivation of the term from the story of Onan is based not on ignorance of the holy word, but rather, on the conscious formation of a new concept: The sin of Onan -- if one disregards the special Jewish rule concerning the fathering of children for one's dead brother -- was that Onan let his seed fall onto the ground, in order to prevent his fathering of a child. That is, he refused to obey the command to be fruitful and multiply. And this was exactly what constituted his sin: masturbation does not aid in the production of children -- it is **unproductive** sexuality.

F19: Probably derived from the Lat. "manu stupratio" = defilement by means of the hand (Landauer 1928: 115). In nineteenth century texts (this in: Bauer 1827: 399 and Jagemann 1854: 632), one finds the intermediate form "mastupratio."

F20: The "General Encyclopedia of Science and the Arts" (ed. by Ersch and Gruber) of 1832, in the article "Onanie," names as synonymous "self-defilement, self-enfeeblement, self-abuse, self-satisfaction, masturbatio" (cited in: Lütkehaus 1992: 183)

F21: "Why -- given their well-known predilection for coining ever-new technical terms -- didn't scholars manage to come up with more value-neutral terms than the deed of Onan, a crime worthy of death, as the bible says, 'abomination,' defilement, an offense? Just as clearly, the same well-worn word used in popular science: self-abuse; therefore, sully; at the very outset, a judgment." (Landauer 1928: 116)

F22: Whereas, in nineteenth century Prussia (and in the German Empire), the courts attempted to expand the elements of unnatural lewdness (§143 PrStGB and §175 StGB) to include "mutual masturbation" -- actually a contradiction in terms -- between men, masturbation -- in the self-satisfaction sense -- remained fundamentally lawful. Thus, in an 1863 proceeding (against "mutual masturbation" between men) before the Prussian Upper Tribunal, the chief public prosecutor argued: "Therefore, admittedly, self-abuse does not fall under the criminal law. The ground for this exclusion is not that self-abuse would not be unnatural satisfaction -- for this is indisputable -- but rather, the reason could lie in the judgment that someone who carries out acts upon his own body should not be hauled before an external forum..." (cited in GAS 11: 426)

F23: "Nevertheless, the medical discourse did not drown out the religious one; the latter continued to skid along its path of excommunication." (Aron/Kaempfe 1982: 119)

F24: Mechanical apparatuses were recommended as a means of preventing masturbation all the way up until the 1920s; e.g., in Fischer-Duckelmann (1920: 783).

F25: One of the first persons to contradict the traditional harm-theory was, in 1881, the french physician J. Christian. (Lütkehaus 1992: 48)

F26: "But it is possible -- as well as being a great boon to both individual and social hygiene -- for every healthy person to refrain entirely from sexual intercourse at least until the age of twenty; so long as the sex-drive isn't artificially awakened, even without masturbation and emission, the sexual impulse can still be kept in check and easily suppressed." (Bloch 1908: 740-741)

F27: Even in the concluding remarks for the compendium of the debates within the Vienna Psychoanalytic Union for the year 1912 (Freud 1969), in which he again stresses the connection between masturbation and neuroses in adults, he leaves open the question of the harmlessness and 'normality' of children's masturbation.



(See Heinsohn/Steiger 1989: 253f.)

F28: In the fifties, the term was occasionally used to refer to only children. [Trans. note: The above paragraph uses the term "einzigen Kindern," while this note uses the term "Einzelkinder." But there is little or no difference in the meanings of the two.]

F29: This is treated much more frequently as an error in upbringing than an unhealthy predisposition.

F30: The Jesuit Clemente Pereira is the author of the "most widely-disseminated Catholic educational writings" of the '50s and '60s. (Schwenger 1969: 11) Hundreds of thousands of copies of brochures such as "Who Will Tell Us the Truth -- A Frank Word with Maturing Boys" and "Between 13 and 17 -- A Word to Parents" were printed at the time.

F31: Another group which appeared in one text was all only children." (BR. 1951: 256)

F32: The concept can be traced back to an essay in a special issue on "Onanism" for the "Journal of Psychoanalytic Pedagogy" of 1928. It was developed there for onanism among severely psychologically neglected children in group homes. Interestingly enough, in the Federal Republic, this is precisely the concept or interpretation which is **not** applied to group-home and lower-class children.

F33: This also includes the 18th century notion which equated the child with nature. "The declaration of the child as **nature** becomes a lasting pattern for childhood in the bourgeois era." (Richter 1987: 249)

F34: Thus, in the Revelation of John (esp. Ch. 13).

F35: The separate case of religious measures, which was found only in one essay is, correspondingly, dealt with in the framework of religious interpretation.

F36: Even here, however, the act can be excused in younger children, when it results "from a lack of clarity in terms of moral recognition." (Ibid., 309)

F37: Admittedly, only in one text is the battle against onanism limited to the metaphysical strategy: "In order to preserve chastity, you must love Christ deeply, receive him often in holy communion, and have a sincere connection with Mary, his loving mother...Voluntarily practice self-control often...When temptation comes, immediately and resolutely turn away! Remember: 'When it presents itself now, I shall be protected as a courageous champion of Christ!' Offer a quick prayer, and occupy yourself with something else! Temptation alone is not a sin." (author not specified 1950: 407)

F38: At the beginning of the twentieth century, its initial jurisdiction over the scientific handling of the phenomenon was, to a great extent, ceded to the scientists of the psychological arena. By conceptualizing new strategies for combatting it, they were trying to once again 'get a piece of the action.' However, the reality that the claimed jurisdiction here was actually not even an issue in the second half of the twentieth century is shown by the fact that the medically-oriented contributions were not able to furnish any descriptions of either the problem itself or the harm feared. The claim of jurisdiction over the fight against onanism was based exclusively on the declaration that child masturbation was the result of an organically-conditioned disease. Because -- according to the prevailing notion of the social division of labor -- medicine did have jurisdiction over illnesses of this kind, original medical measures to combat onanism were also devised. In the short term, the mutilation craze of the nineteenth century was revived; then the chemical scalpel took the place of the mechanical one.

F39: Over and above that, what is striking is that most of the strategies to combat it come from the anti-masturbation campaigns of the 18th and 19th centuries. With the exception of -- thanks to the progress of medicine -- hormonal regulation, all of the recommendations made in the Federal Republic go back at least two hundred years; a finding which does not speak well of the capacity for innovation of the disciples concerned. The scientific status of the battle against masturbation in the Federal Republic was that of the 18th century.

F40: It is no accident that -- with just one exception -- re-training appears only in the texts from the 1950s. Later on, medications were available which promised to achieve the same results for less money.

F41: A more recent contribution within the repair-interest context could also be interpreted in such a way that the child's sexual impulses would only be of interest if they were not able to be concealed. Because the social order is disturbed by public masturbation, all that matters is that the onanism not be practiced out in the open. However, here, the original negation of the child's sex-drive is merely transmuted: A child has no sexual needs and interests -- but if he does, he should not be obvious about it. The demand to liquidate the urge is maintained in the form of a permanent threat to the child: You either keep your sexual desires invisible, or we'll take them away -- something one could interpret as a type of threat.

F42: Depending on one's philosophy of life/world-view and interpretation of the phenomenon, one is more likely to apply either moralistic worldly terms such as "vice" and "addiction," or, expressions with religious connotations such as "sin" and "far-from-God." These constructions usually also imply -- in

addition to the debasement of the solo-sexual act -- the so-called "onanistic act" -- an ethical condemnation of the subject child.

F43: In the Christian- and anthropologically-oriented contributions, the notion of an addiction to onanism means being subjected to an impulse which enslaves the individual. Admittedly, given that anyone who is a slave to his addictions is regarded as ill, and cannot be held fully responsible for his actions, with this way of looking at things, the addiction-concept also includes a component which morally excuses the affected child, although this would certainly be of little real comfort to him.

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## Part Two: The Siren Song

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F1: "Presumably, the language at the end of the 19th century also called for this term because, in the meantime, in the wake of photography, pornographic reproductions on a massive scale gave rise to an officially prohibited and persecuted market." (Nitzschke 1989a: 26)

F2: This legal prohibition represented an innovation: the traditional German criminal law (the so-called Common Law) had - for lack of a mass media -- no provisions which would apply to the dissemination of indecent writings.

F3: This is according to the relevant commentaries, e.g., Schwartz (1874: 324): "The term 'distribution' is not to be applied when a private party purchases an otherwise punishable printed work for his own entertainment etc...."

F4: Over and above that, the triumphant march of photography expanded indecent materials' potential clientele even further (see Gay 1986: 360; Koch 1989: 95-96), a fact which was also lamented during the parliamentary debates over pornography legislation around the turn of the century: "The dissemination of depictions of nudity through photography is precisely what is corrupting our morals." (Spahn 1898: 900)

F5: What is regarded as one of the fundamental reasons why things were allocated in this way is that the danger was originally perceived as emanating from the adults of the lower social classes. Because the (as a rule, drawn from the bourgeoisie) members of the morality associations did not believe that the former were capable of preserving even their own morals, how would they be in a position to ensure that their children were sexually protected? And so there arose -- from a distrust of the moral principles and child-rearing capabilities of the bulk of lower-class parents -- the idea that only the state had both the moral integrity, and the power, to meet the demand for a 'clean' media landscape.

F6: Due to the fact that these are inextricably tied together, the following description cannot help but be strongly oriented toward the historical evolution of the corresponding legal norms.

F7: The passage of the Trash- and Dirt-Law is interpreted by Gernert (1985: 67f.) as the struggle of a "mass movement" of youth protection organizations against sexually-oriented representatives in the media. After World War I, a large number of youth groups and youth associations were established, which were also concerned with protecting youth against the dangers posed by the media.

F8: Even in the Federal Republic, under the instructions of the

youth-protectors, burnings of "sexual filth" were still being carried out. Strikingly, among those affected were, as in the Third Reich, books by Eric Kästner and Albert Camus. (Köhler, 1966, reports -- with an approving tone -- on a burning in 1965 in Düsseldorf by the "Youth Alliance for a Resolute Christianity.")

F9: The following was given as the reason for its repeal: "The National-Socialist state fights against harmful writings of every kind, not only in order to protect youth, but to protect the entire nation; the Reich Chamber of Literature, established under the Reich Chamber of Culture Law, is a more effective means than the liberal state had with its review offices." (Repeal Law...1935: 541)

F10: Data and category characterization is by Geiger (1974: 228), which is itself based on the official comprehensive 1961 list of indexed writings.

F11: Although, based on how the coalition parties the SPD and F.D.P. looked at it, §184 was not a main focus of reform efforts (according to the F.D.P. member of parliament von Schoeler 1973: 2114), over the course of time, the question of limited deregulation of the dissemination of pornography became "an extremely controversial subject among the general public..." (Dreher 1974: 43) In particular, the changes that had been planned in this area were derailed by opposition from churches, who were acting with greater unity here.

F12: In contrast to the Social Democratic opposition of around the turn of the century, which had paid only scant attention to the question of youth protection, the '70s opposition SPD did not play second fiddle in terms of their (expressed) concern for German youth; it proceeded based on the principle "that youth are to be protected from pornography." (quoting With 1973: 2109 -- correspondingly, Müller-Emmert 1971: 6118 and Jahn 1973: 2176)

F13: To this day, this is understood to comprise depictions of sexual violence, sexual acts with children, and sexual acts between animals and persons.

F14: This thrust was already being emphasized as the official grounds in the draft of the law itself: "The criminal prosecution authorities, which today are overtaxed by §184's universal prohibition on dissemination, should then be in a position to concentrate on youth protection. With a rigorous implementation of the new §182 Sec. 2, many of the writings and pictures which today sit on kiosks or are displayed in stores will, in the future, be removed from there." (Draft bill 1970: 33) The Federal Minister of Justice also made a similar argument before the relevant parliamentary bodies. (Jahn 1970: 231 and 1971: 6105)

F15: For example, in 1984, for video-films alone, the proportion placed on the index due to depictions of violence was 65%; only 32% were indexed due to sexual content. (Figures from Stefen 1985b: 10)

F16: The draft GjS submitted to the parliament by the federal government was largely based on the formulations of the Catholic People's Service Alliance. (Kienzle 1981: 23-24)

F17: So writes his collaborator of many years standing, in her tribute to Becker on his 70th birthday: "And so these three men [besides Walter Becker, the prelate Heinrich Czelotz and Hans Seidel], among others, were already calling on parents, educators, and all responsible persons, not only to think of their own dire needs, but also, not to forget the young people, for whom the terrible awakening from the 'thousand-year Reich,' into hopeless misery and hunger, was especially hard." (Baumann 1975: 101)

F18: Because -- as we have already seen -- every form of nudity was regarded as sexual, the main focus, in the 1950s, was the fight against the FKK-movement and its publications: "In this era, the moral campaign against every form of nudity took on the aspect of a cultural struggle which is difficult to imagine today. Seen from the perspective of today, it is as if an unreconstructed political-moral National Socialism was having its last gasp in the form of a rigorous struggle against 'filth and trash.' Prior to 1945, they were still fighting against filth in human form, i.e., the 'lecherous' Jew; now, they were fighting against it on the kiosk, on the canvas, and even in the activities of the FKK." (König 1990: 207)

F19: A sort of precursor to the BAJ was the likewise church-dominated German High Office Against Dangerous Addictions (DHS) (see Steffen 1986: 359), which accounts for some of the youth-protectors' ways of thinking, especially in the BAJ's early years.

F20: The long-standing Chairman of the Federal Review Office emphasized its cooperation with the BAJ: "In all of the issues touched on by Youth Protection Action, we are certain to find understanding and active support..." (Schilling 1965: 118)

F21: Thus, again and again they call on the people to support government authorities in their fight against pornography. In 'Viewpoint on Written Material for Youth' (one of the youth protection journals put out by the Catholic People's Service Association), one finds, for example, the following appeal to teachers: "Therefore, colleagues in all school branches -- including vocational schools -- who run across a trashy book should make the modest effort -- even if it only appears to be dangerous to youth -- to submit a request to the appropriate youth authority in their state asking that they review it to see if it comports with the spirit of the law." (Herr 1955: 19)

F22: Not least of the reasons for this was the close connection between the youth-protection movement and a portion of the analyzed journals. One of them ("Youth Protection") was founded -- and is put out -- by the BAJ itself, with the goal of promoting concepts related to youth-protection; for many years its editor was the already-familiar 'father of youth-protection,' Walter Becker. At least two additional journals ("Our Youth" and "Youth Welfare") are loosely affiliated with the Association.

F23: As was already mentioned in a previous section, in the 1980s, there was a clear shift in interest, towards so-called violent media -- namely, video-films.

F24: Because this portion of the discourse in the examined media was led almost exclusively by **male** authors, in the following account, the masculine form is used throughout.

F25: The original significance of the oceanic imagery consists of the fact that "for a long time, the ocean constituted a world all its own, which lay outside the sphere of general experience. For thousands of years, the sea has been universally regarded -- with its ungainly size, strength, unpredicatability, depth, and darkness -- as an anti-element, as a per se negative dimension and place of damnation." (Delumeau 1985: 55)

F26: Nine years later, this term is already so common that, for the sake of brevity, 'sexual wave' became 'sex-wave'; this same author: "In the years 1967 and 1968, the sex-wave celebrated a triumph. At that time, it turned into a veritable invasion of pornographic writings from Denmark and Sweden..." (Becker 1974a: 276-277)

F27: At the end of the 1960s, Otto Muehl 'shocked' the respectable public with the carrying-out of his so-called <e>'Happenings' </e>, in which naked bodies, animal blood, and feces usually played a role. (See Gorsen 1977: 166-180)

F28: "Censorship (or indexing) is always directed particularly severely against the most popular and newest forms of media (...)." (Nagl 1988: 169)

F29: Even the rare attempts at an **abstract** characterization only serve to clarify the warnings' social-moral premises. It appears that what is dangerous to children is the "disparagement of marriage and the family, as well as depictions which give the impression that extramarital sexual intercourse and adultery are common and acceptable practices; depictions of the human body which offend one's sense of shame." (Stammler 1964: 201)

F30: This way of doing things is typical of the state's fight against youth-endangering writings. In his analysis of the BPS's decision-making, Barsch (1988) came to the following conclusion: "Because an empirical effects-analysis cannot be

carried out for every single media product, and also, for legal reasons, is not allowed to be carried out, in the assumption of dangerousness, one relies on general evidence...If the depicted contents appear to be obviously identical to one another, the adult reviewers will unanimously reject them." (12)

F31: A typical example of this is the Munich District Court's decision of 1/24/53 (which the source reproduced word-for-word); it ordered the confiscation of an FKK magazine as sexually endangering, on the grounds that it contained numerous reproductions of nude photographs showing adolescents and adults in every possible physical position. Some are internal shots of sports activities, holidays and vacations; others are images in which a certain degree of staging is apparent." (Riedel 1953 -- Decision: 86-87)

F32: The harm-thesis tried to partially immunize itself against doubts and criticism through special argumentation strategies: "As to the question of whether obscene and indecent writings and images are youth-endangering, among normal-thinking and feeling persons, no discussion is required." (Seipp 1955: 187)

F33: Also, due to the 'danger of contamination' in the group-home setting, demands must be placed on their reading material that go far beyond the criteria set out in statutory determinations. What is required is complete control over the media that gets into children's hands: "If those of us at the group-home merely went by the lists of youth-endangering writings, our youth would have stacks and stacks of undesirable written material. Therefore, group-home staff must establish criteria for reading material which is different from that laid down in the GjS. Staffers' examinations should also extend to photos, drawings, and illustrations. Steady and ongoing control is necessary..." (Kiehn 1961: 249)

F34: As a rule, due to the ways in which concepts are used, it remains unclear whether it is conceded that the child does have a sex-drive, which was merely overly stimulated by the materials, or, this was awakened prematurely by the reading materials. Terms such as "stimulate" and "awaken" are sometimes employed side-by-side. If a distinction truly is being drawn here, it would appear to be of no importance in terms of the evolution of the theory of harm.

F35: "The metaphors of ripening\* and zones of protection allow the political system to take on the air of a gardener who lavishes care and affection on his plants, protects them from weeds and insect infestations, thereby enabling them to reach full bloom and leave the greenhouse behind." (Barsch 1988: 10)  
[\* Trans. note: The German word 'Reife' can mean both 'maturing' as well as 'ripening.']

F36: Since it is safe to say that the underlying (not actually elaborated) learning-model fears that adolescents would



immediately assume that all sexual contacts depicted were morally tolerable, if not actually desirable, the more the depictions deviate from the strived-for sexual morality, the greater the anxiety and the more emotionally-charged the warnings would be. Therefore, depictions of group sex and homosexual practices would seem to be especially destructive.

F37: Besides school newspapers, especially subject to condemnation were 'handy examples' of pornography (as defined in the penal code), in which the sexual interactions shown involve unmarried partners almost exclusively, and in which -- according to their synopses -- love also plays no role.

F38: Rising crime rates, for example, are seen as a dangerous consequence of this socio-ethical disorientation: "It is a fact that the continuous consumption of this sort of material by unstable, susceptible, and impressionable youth can become a serious situation. For years now, in juvenile court, youth welfare, psychologist, and group-home circles, it has been pointed out that children and youth can be influenced by a certain type of printed material so strongly, that they can be driven to commit all sorts of crimes." (Kiehn 1961: 247)

F39: "Therefore, it is an issue of adults being endangered endangerers." (Baum 1986a: 330)

F40: When the assignment of blame is not expressed in the form of a direct accusation, these groups are denounced as opponents of youth-protection who are motivated by economic interests: "To be counted among the opponents of youth-protection is, naturally, anyone whose financial interests would be severely impacted by serious restrictions. This includes, in particular, retailers, company owners, artists, and publicists. Their opposition usually manifests itself in active resistance, or -- when they run out of arguments -- through disparaging those who collaborate with youth-protection." (Gernert 1976: 229)

F41: This was later -- on legal grounds -- declared to be under the FSK's purview.

F42: Such positive assessments predominate in the journals studied into the 1960s: "The work of the Federal Review Office is effective...With the passage of the law relating to the distribution of youth-endangering writings, unambiguously youth-endangering writings have practically disappeared from kiosks and bookstore display windows." (Filbinger 1966: 151)

F43: In fact, parallels are even explicitly drawn with the dangers of drug addiction: "Just as children nowadays are subject to the dangers of drugs, and can become drug-addicted, the less exemplary their upbringing, the more children will be undesirably influenced by dangerous literature and images." (Becker 1972a: 52)

F44: In October of 1968, following intensive discussions, the Conference of Education and Arts Ministers reached a binding agreement concerning the introduction of sex education in all of the German states.

F45: Already, if one were to take the noisy resolution of the Conference of Education and Arts Ministers at its word, sex education was conceived of not as an autonomous school subject, but rather, as an "interdisciplinary scholastic principle."

F46: So says -- quite vehemently -- Walter Becker (1970; 1971b; 1972b, and 1973).

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### Part Three: Big Subject to Little Subject

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F1: Prior to the Fourth Reform of the Criminal Law, §176 also covered situations in which children were not involved at all -- it bore the heading: "Sexual Lewdness"; today's §176 is entitled "Sexual Abuse of Children."

F2: It is fundamentally ahistorical to characterize the pre-modern law which covered such penetrations as the 'sexual criminal law,' given that the abstract category of 'the sexual' did not yet exist at the time. Nevertheless, this term will be retained to describe all criminal acts which today are characterized as 'sexual' -- but the problematic nature of this conceptual construction should be borne in mind.

F3: The age-limit is very difficult to pin down. Because the entire group consisted of abused 'immature' girls, marriageability was often adopted as the dividing line. But given the fact that scrutinizing this matter in individual cases would have been highly questionable, early on, the criminal law assumed that a particular age corresponded to the average onset of puberty." (Mittermaier 1906: 116)

F4: Admittedly, this conclusion does require a caveat: Under German (and especially Prussian) sexual criminal law, it was fundamentally a matter not of voluntariness, but rather, of a fixed authoritarian morality having been made the standard of the sexual criminal law. Although, in 19th century Prussia/Germany, sexual intercourse between unmarried persons in fact was not, in principle, a punishable offense, the courts attempted (with success) to use other factors to achieve the de facto criminalization of it. Therefore, it was not just children's wishes that were irrelevant; to a somewhat lesser extent, this was also true for adult subjects of the neo-absolutist state.

F5: In subsequent centuries this age-limit moved upwards, eventually reaching, in the mid-19th century, the limit of 14 that is still in force today. (See Mittermaier 1906: 116.)

F6: Likewise, it was only in the mid-19th century that the

notion that the child's wishes were irrelevant gained wide acceptance. Thus, for example, the 1840 criminal code for the Kingdom of Hannover says that: "A seducer who engages in intercourse with a non-marriageable girl, even when it is carried out in accordance with her wishes, is to be punished by imprisonment." (In: Stenglein 1858: 144)

F7: The form which was in effect up until the 4th Criminal Law Reform was only attained with the last draft bill of 1851, which also finally became law. Accordingly, "anyone who commits lewd acts with persons under fourteen years of age, or tempts or tolerates the same to perpetrate lewd acts," became punishable.

F8: Just to avoid any misunderstanding, it should be pointed out that §177 StGB's general prohibition against rape also applied - and still does apply -- to girls under fourteen in cases of forcible penetration; therefore, this same act would be a violation of both §176 and §177.

F9: In addition to the evolution of these characteristics, the following trends have also (according to Killias 1979: 117-122) become apparent in the last several centuries: 1. determinations which start out as offenses by private petition subsequently become offenses for which proceedings are brought directly by the public prosecutor; 2. older and already "despoiled girls" become protected as well; 3. making reference to factual error (with regard to the person's age) is made more difficult.

F10: At the same time, this third party must not be an adult; consequently, even "deciding," for example, that a child will engage in sexual play with similar-age peers is punishable.

F11: Criticism of this expansion may be found in Bockelmann 1972 ("The number of prosecutable cases is dangerously high" -- 396); for a critique of the principle of constructing punishable situations, see Lautmann 1980.

F12: This basically holds true for all situations where it is an issue of protecting youth.

F13: Since Finkelhor's (1979) groundbreaking essay, this thesis has achieved broad acceptance as the rationale for more condemnation in the non-legal discourse.

F14: Moreover, what is regarded as particularly problematic insofar as girls are concerned are the consequences of the loss of virginity; what is striking is that the author (at the beginning of the century!) does not identify it as a value in and of itself, but rather, as valuable on the basis of social norms: "What comes into play here is the notion that children below a certain age are not aware of the consequences of their actions; therefore, due to their lack of experience, one must protect their innocent honor from being offered up, from this good being sacrificed, the loss of which they would often have

to feel pain over later on, because its possession is so highly valued by popular morality." (Aaron 1910: 7)

F15: In the Middle Ages, legal competency began at sexual maturity. Also part of the equation were the provisions of canon law, which, for example, set -- to our understanding -- a very low age of marriageability; only in the late Middle Ages was it raised to twelve for girls and fourteen for boys. In the cities there emerged the notion of a separate competency vis-à-vis economic rights (as in the ability to possess property), which was put into effect much later -- in part, only in the mid-'20s. On the other hand, persons were usually regarded as being fit for work and capable of gainful employment beginning at about age seven; an age-limit which was still designated under Prussian state law at the end of the 18th century. (Winter 1984: 168-173; Honig 1988: 191)

F16: A note on terminology: For assessment purposes, because of the differences between the two conceptions, it is particularly important that -- so long as the examined texts themselves 'say' them -- we work with a concept which is encumbered by as few assumptions about the reality of the phenomenon as possible. Therefore, when characterizing the acts which are the subject of these texts, I shall use either the terms employed in the texts themselves (such as 'lewdness,' 'sex offenses,' 'morality crimes,' 'abuse,' and 'sexual violence'), or -- as in the meta-discourse -- descriptive sexual-sociological terms. Moreover, terms such as 'intergenerational sexual contacts,' 'sexual approaches,' or 'sexual interactions' contain -- in the way they are used -- neither empirically reviewable claims as to the reality of the phenomenon itself (because this is not the subject of the present study) nor moral assessments of it (because capturing such assessments is itself a component of the study).

F17: Prior to the 4th Criminal Law Reform, Section 13 of the StGB spoke -- as did its predecessor the PrStGB -- of "Crimes and Offenses Against Morality."

F18: Occasionally, "morality offense" or "moral assassination" were also mentioned.

F19: Indeed, prior to that, this term was used only occasionally. One example of this was Erika Geissler's 1959 book: "The Sexually Abused Child." Discussions in the Great Criminal Law Reform Commission of 1958 rejected using this term in the law itself, commenting that it would "not be workable" here. With a considerable flair for language, its appointed legal expert, Dr. Lackner (1958: 190), emphasized that the word "use" was just as easy to write, adding: "Although, in the context of lewdness, the term 'use' does have a markedly ordinary aftertaste..."

F20: One of these was the first killing of a boy by Jurgen

Bartsch, in March of 1962 -- (stoked by the media) this and a few other cases aroused public anger.

F21: A similar situation was observable in the U.S. between 1981 and 1985: `<e>` "More than any other social problem in recent memory, sexual abuse has risen precipitously in public awareness from virtual obscurity to extremely high visibility." `</e>` (Finkelhor 1984: 3) Wakefield/Underwager (1988: 405-406) speak of a `<e>` "media blitz." `</e>`

F22: Moreover, the word 'act' is not to be understood exclusively in terms of physical contact between persons -- visual contact (e.g., with so-called exhibitionism) is also sufficient.

F23: One of these essays (Hieber 1990) largely follows the older sex-crime concept; two contributions deal with the danger in (not comparable to the other contributions) more complex and -- relative to the general discourse -- in part more critical ways as well.

F24: One should not fail to mention the long debate in the 1950s concerning surely inconsistent statistical reports regarding the extent of the 'burden' on group homes. Following repeated hypotheses and counter-hypotheses concerning the particular risk in large cities, based on the evaluation of a large number of statistics, one came to the conclusion: "Therefore, a proper examination of the breakdown by crime location yields the following sequence, in descending order of importance: medium-size cities, large cities, small towns, rural areas." (Händel 1958: 309)

F25: Elisabeth Flitner is also the author of the widely-circulated brochure "Protect Children Against Sexual Enticement!" (Munich 1971)

F26: Kerscher made a similar determination in his own earlier analysis: "The clear tendency of the social-pedagogical educational publications that seek to warn parents about sex crimes against their children is the use of vague act-descriptions, often permeated with allusions to murder and violence." (1973: 154 f.)

F27: This tendency was also striking to Koch (1986: 82): "Present-day reports of adults' sexual acts with children also contain -- especially in the tabloids -- highly emotional components. They stir up sentimentality and anxious visions which, rather than serving the necessary purpose of education, often hinder it. This is also frequently the case where the reports are not intended to increase a tabloid's circulation, but rather, where parents and child-rearers are expressly being addressed in the name of pedagogy."

F28: "All of the brochures, pamphlets, etc. that were analyzed

neglected to inform the reader that there is one sexual murder for every 18,000 cases of 'child molestation.'" (Kerscher 1973: 155)

F29: This discourse's close connection to (forensic) medicine may play a role here: "For medicine, the corpse is the body of reference. Put another way, the corpse is the ideal condition of the body in terms of its relationship to the system of medicine." (Baudrillard 1982: 180)

F30: The facts of the case were certainly known to science by the time of the Weimar Republic. For example, in her 1924 study, Charlotte Meyer had already shown that more than half of all criminal proceedings during that era focused on familiar persons, fellow tenants, and relatives. (Ewert 1965: 93)

F31: "Father as perpetrator," which -- as we have yet to see -- is so central to Concept II, was only mentioned in two contributions prior to the 1980s (one time, as an excuse for what was believed to be the reason for this "mis-step," and the other, reporting on the child's enthusiastic participation): "The unsuitable home in question often sows the seeds for mis-steps, when, for example, the father shares a bed with his adolescent daughter." (Becker 1951: 282) "Eight-year-old Inge was being sexually abused by her father. Laughing and cheerful, she described to me her experiences with her father with no inhibitions whatsoever. She even went into how, in order to spice things up with her father, she would bring over other girls of around the same age; while the father was 'playing' with her friends, Inge would shriek with delight as she hopped into bed with them." (Wehner-Davin 1976: 448)

F33: Besides a few disorders resulting from specific background characteristics, the sole structural variable stressed in a portion of the texts was that sex offenders tended to "worm their way into educational occupations and similar positions." (Becker 1963: 32)

F34: An analysis and criticism of (a similar) pathologization in the assessment of non-sexual violence against children within the family may be found in Bujok-Hohenauer 1982.

F35: With just a single exception, attempts at differentiation - - as are particularly common in the English-language specialized literature of the 1980s (e.g., based on primary sexual object/pedophilic vs. substitute-object perpetrators) -- are completely absent in the essays assigned to Concept I. In Ullrich (1959), the category of the "true pedophile" is expounded.

F36: In the extreme case, the sharply criticized changes in social attitudes concerning sex is regarded as a consequence of the "propaganda" of sex research, which was said to have contributed to making children "fair game for sex offenders":

"During the public hearing of the Bundestag's Criminal Law Committee, we had to listen to a series of sexual scientists provide pure propaganda in favor of tearing down all barriers, and the removal of every protection for those under sixteen years of age!...Of course, it would also be the case that, be they reputable or otherwise, these sex researchers' materials can never justify imposing a quick and easy solution, as is presently occurring with the support of an extremely arrogant tabloid press." (Weber 1971: 207)

F37: From this point of view, sexual interactions among children are predominantly viewed as sex crimes (with an older child being the perpetrator, and a younger child, the victim): For the most part, the notion of consensual sexual play among children is foreign to these authors. Only in the 1970s was this view superseded by a greater tolerance of onanism and 'playing doctor.'

F38: Only in the very last essay classified as falling under this concept is this universal-harm hypothesis placed into question in light of recent empirical findings: "In fact, in about 48% of cases (see Baurmann 1985, pg. 19), there is no discernible harm to victims." (Hieber 1990: 111)

F39: Just as rarely answered is the question: Why, then, would "boys, as a rule, seem to be more psychologically vulnerable than girls?" (Schneider 1964: 318)

F40: Here, in striking ways, an arbitrary (and only explicable in legal-historical terms) age-limit is confused with a socially-recognized taboo. As is shown in the Third Historical Digression, in the two centuries prior to this, several different age-limits had been in effect -- therefore, it is nonsensical to speak of a taboo in this context.

F41: Which continues to be quite popular -- even this case was cited in Martin Furian's book: "Educating Against Sex Crimes: Practical Proposals for Kindergarten, School, and Adult Education," Essen 1969

F42: "It is not such a bad thing when a sinner against youth vanishes forever behind the walls of preventive detention, even if the theoretical possibility does exist that, left on the outside, he perhaps would not recidivate. It is far worse when the firmness that is required to avert those who have already destroyed lives by their crimes against youth are turned loose upon youth once again, following a more or less extended period of being prevented from doing so." (Freisler 1938: 98)

F43: Unfortunately, it says nothing here about how many of these men actually lived to see the year 1945.

F44: When it came to protecting children, even in many of the essays from the '50s and '60s, any reservations about sex

education were put to the side. Protective measures even had priority over moral considerations: "But can anyone explain the facts of life to a seven-year-old? Of course! Because, beginning in early childhood, naturally, precisely those questions which correspond to his/her maturity are always coming up; and these should be answered truthfully, in line with his/her level of comprehension. But don't give a detailed dissertation. Always answer only the precise question asked." (Henne 1952: 156)

F45: "There have been a whole series of attempt to impart, through more or less targeted 'public efforts,' broad swathes of information concerning the danger that sex offenses pose to children. Beginning with Fritz Lang's film 'M' in which a psychopath violates and murders children, on up to more recent educational films in which a well-dressed 'uncle' uses sweets to lure children away from the playground and towards disaster, the visual media runs the gamut: brochures educating and warning about the 'bad man' have even been distributed in kindergarten." (Ewart 1965: 92)

F46: This is redolent of the Third Reich's 'invention' of anti-semitic propaganda. At that time, coarse illustrations were supposed to help warn pre- and primary-school-age children against **Jewish sex-criminals**. (See Koch 1986: 83)

F47: Kerscher (1973: 178f.) pointed to additional films etc. that were used in the '50s and '60s.

F48: The efficacy of these materials certainly appeared to have been a matter of some controversy. For example, there is this objection: "Therefore, warnings against stranger 'uncles' are not very effective; indeed, they make many children long to -- just one time -- meet in person this man who's drawn on the blotting paper, or the clown who's appeared on stage." (Flitner 1969: 342)

F49: None of the contributions examined report on empirical studies of their own; quite a few, however, do refer to the authors' (as a rule, non-systematic) own experience with 'abuse work.'

F50: Here the metaphor is to be taken almost literally; just five titles dominate: Trube-Becker 1982, Baurmann 1983, Kavemann/Lohstöter 1984, Rush 1984, and Armstrong 1985.

F51: "The sexual abuse of children within the family or in the immediate vicinity of the family exists, and has existed, in all eras and in every social strata." (Dunand 1987: 438)

F52: As I have already indicated, the fact that the majority of these contacts probably take place within one's immediate circle has been generally acknowledged since the mid-1970s; it just didn't have any impact on the form of the warnings or prevention



recommendations.

F53: Despite the fact that, from the very beginning of the discourse in the Federal Republic, a whole series of empirical findings have been available not only from the English-speaking abroad but also vis-à-vis a comprehensive German study (Baurmann 1983), which is even cited in many of the contributions, here, only the roughest outlines are to be found. In contrast to the distinction-making and categorizing account in Baurmann itself as well as in more recent English-language works (esp. Conte 1985, Knight et al. 1985, Finkelhor/Araji 1986, and Kilpatrick 1987), in the 'epidemiological' statements, no distinctions whatsoever are made in terms of the nature and context of the contacts.

F54: The 300,000 figure is based -- as incredibly as it may seem -- on an obvious yet constantly reproduced error by Kavemann/Lohstöter (1984) in adopting Baurmann's 1978 proposed dark number for intra-familial contacts. This is spelled out in detail in the concluding chapter of the present work. A similar phenomenon has been observable in the sphere of non-sexual family violence since the 1960s. There, "referring to the anonymous 'opinion of many scientists,' a dark number for violence against children as high as 95% is assumed. Ever since then, this figure has haunted the abuse literature, and functions -- albeit untested -- as argument." (Brinkmann 1983: 37)

F55: Regarding the problems inherent in these studies' results, and carrying them over to the Federal Republic, see Lachmann 1988.

F56: Let us take, as an example, the crime statistic from nearest to the beginning of the discourse: Persons under seven years old, who constitute approx. 45% of children overall, constituted 8.3% of the victims of completed child sexual abuse. (Police Crime Statistics 1986: 95)

F57: An extreme case even by the standards of the Federal Republic statistics was reported abroad in 1987: "According to BKA [Bundeskriminalamt = Federal Police Bureau] estimates, 25% of abusers are the girls' fathers or step-/foster fathers. It was reported by children's clinics in London that as many as 75% of children who had been sexually abused there were abused by their fathers." (Kellermann-Klein/Kern 1987: 86) Three years later, these same authors appear to have turned this into a sad certainty for the Federal Republic as well: "75% of abusers are the biological father, stepfather, or those who have taken on the father role within the family." (Kellermann-Klein 1990: 255)

F58: One reason cited for always discussing this issue is the fact that, by both society as well as their own daughters, mothers are frequently accused of having known about the abuse, but doing nothing to stop it.

F59: A parallel to older portrayals is to be found in accusations against science. This time, it is **psychoanalysis** in particular that is held partly responsible for the abuse: Because of its heresies (the Oedipus complex being chief among them), girls' accounts of their abuse experiences are often not believed.

F60: In terms of determining which acts are to be interpreted as abuse, and identifying which ones amount to it, a large number of contributions explicitly refer to these remarks by Saller.

F61: Already hailed as a classic, Finkelhor's (1979) essay <e>"What's Wrong With Sex Between Adults and Children?" </e> characterizes the informed-consent theory as **the only acceptable rational basis** for rejecting intergenerational sexual contacts. These interactions are to be condemned because children <e>"(a) are ignorant about sex and sexual relationships" and "(b) Further, a child does not have the freedom to say yes or no." (695) </e> There is a lack of freedom in both the legal as well as the social sense of the word. What is striking is that, despite the fact that he is the most internationally renowned abuse researcher, he is rarely cited in the examined essays. This may have something to do with the fact that he has explicitly rejected the grounds upon which almost all of the abuse-concept contributions base their condemnation of sexual interactions between adults and children: that they cause harm. (Finkelhor 1979: 693)

F62: The notion of <e>informed consent </e> is not new -- and neither did it originate in the U.S. Under Middle Ages' canon law, it was already being used as the rationale for prohibiting child-marriage: "In a discussion of the impediments to marriage during that era, R. [Master Roland, subsequently Pope Alexander III -- born 1181] explains that the minimum age for marriage is 12 for females and 14 for males. Because a marriage is brought about through consent, the latter could not be present if both parties did not understand what weddings were all about, which, prior to a given age...is not possible." (Gillmann 1928: 559)

F63: As was already demonstrated further above, a lot of contributions following the older concept claimed precisely this: that sexual contacts of long standing can be traced back to the child's initiative. What the foregoing paragraph is really trying to say is: 'No one **should** seriously wish to claim...'

F64: In only one of the contributions is a model (the U.S.-developed <e>'Child Assault Prevention Project' </e>) presented which is supposed to teach children how to defend themselves against abuse.

F65: In one contribution, a new legal measure is discussed as well: "Therefore, we also support -- in accordance with

American law -- making it possible to remove the father from the family." (author not specified 1989: 465)

F66: This characterization would appear to be an apt one, given that many of these signs are also perceived as injuries. In other words: Abuse is detectable via the harm it causes. However this is only partially correct, given that these signs go beyond what are explicitly characterized as injuries.

F67: Unfortunately, the emphasis on the signalling function of sudden behavioral changes ignores the issue of precisely what would have brought about this suddenness, given of course that abuse -- as described -- usually escalates invidiously over the course of many years, often beginning even in infancy.

F68: From interpretations of children's drawings, it is apparent that those drawn by sexually exploited children more frequently show genitalia than the drawings of non-abused (...)" (Pischner 1991: 43)

F69: "Anatomical dolls make it possible to circumvent the code of secrecy. Without words, what the perpetrator did to the girl can be demonstrated." (Kellermann-Klein 1990: 257)

F70: Here it is presumed -- and even explicitly stated -- that children will always be able to intuitively distinguish between forbidden sexual acts, and permissible caresses on the part of adults.

F71: The above-cited text's clear annoyance at the fact that many girls stubbornly refuse to accept the interpretation handed to them could help explain why an awareness of their own abuse is an essential qualification for these experts: What motivates some caregivers is perhaps not so much a readiness to help child victims as it is an aspiration to 'process' their own childhood sexual experiences. If they agree with the rhetoric which the discourse itself employs, caregivers may feel compelled to verbally 'reenact' the violence done to them during their own childhoods over and over again in the counselling setting. Their indignation when the child does not describe the sexual contact in the way they had expected may explain why these counselors prefer recapitulating their own pain to allowing the child to relate his or her own experience.

F72: For categorizations of these contacts in terms of the various perpetrator- and act-types, see Conte 1985, Knight et al. 1985, Lanyon 1986, and Kilpatrick 1987.

F73: Not only is the act readily described using hunting and animal metaphors; also striking is the fact that the perpetrator often lures the child with the help of animals, which is associated with a certain relatedness of character.

F74: Which is not possible anyway: By definition, the 'dark

number' can only be estimated.

F75: With the dichotomization, however, this concept adheres to the logic of traditional criminal law more closely than the older model. "The criminal law requires that problems and conflicts be stylized in such a way that there are (guilty) 'perpetrators' over here, and (innocent) 'victims' over there. Otherwise, it would be unable to intervene. Along with the standards of what constitutes a real 'victim,' the 'perpetrator' was also redefined: unprovoked, malicious, inconsiderate, and provocative." (Pilgram/Steinert 1991: 3)

F76: This is the slogan on the German Child Protection Association's posters; it is meant to denounce abuse.

F77: In an analogy to the bodily harm caused by vaginal and anal penetration, in which the "child's far too small bodily orifices" are seemingly virtually torn to shreds by the penis, the child's psyche is represented as having been penetrated and destroyed by psychological violence.

F78: Rush 'refutes' one physician's hypothesis that incest experiences do not necessarily have to have negative consequences with the following comment: "This assertion is, to say the least, an absolute travesty. Dr. Suzanne M. Sgroi, the former director of an experimental program for the treatment of sexual trauma in Hartford, Connecticut, counters: 'I have never knowingly spoken to a happy, psychologically healthy, carefree incest victim.'"

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#### **Part Four: Myth-Busting**

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F1: On the other hand, from a political science perspective, it is just as naïve to assume that here it is 'merely' a question of scientific or epistemological differences. Ascertaining the constructedness of a social problem in terms of interest-conditioned definitional and ascriptive processes not only simultaneously delegitimizes -- whether intentionally or not -- calls by those concerned for improved living conditions, but also constitutes a strategy for defending against their demands. Given this context, it is not surprising that particularly radical-constructionist theories are widely popular, especially in countries with very 'free' market economies.

F2: He explicitly points out that: "My discussion is by no means intended to dispute the value of sociology's more conventional approaches to social problems. A recognition of the objective existence [!] of social problems...should be welcomed as a corrective to the ignorance of or false information concerning this objective existence." (Blumer 1975: 112)

F3: An analysis of the "natural history" of the social problem of <e>"sexual abuse"</e> in the U.S., based on the premises of Kitsuse/Spector, may be found in Weinberg 1984; an overall history of the problem of <e>"child abuse and neglect"</e> there -- with particular emphasis on the political interests involved, and on the basis of the <e>agenda-setting approach</e> -- may be found in Nelson 1984.

F4: This qualification is necessary because some authors, within the framework of the abuse-danger discourse, personally declare that they themselves were so effected.

F5: Giesen (1983) suggests a somewhat differently configured middle position, by assuming that social problems are dually determined by the "substantive objectiveness of the plight" and a "world-view-specific 'logic' in terms of explaining, reacting to, and dealing with problematic social situations." (231) In the following, Giesen's essay provides a point of departure for many of my own remarks.

F6: While not abandoning this theoretical classification, an argument could be made that Koch's (1986) comment about his own field of research also applies to the phenomenon of sexual abuse: "This area is tricky, because it assembles kernels of truth into a 'big picture' which drives the average citizen into a state of righteous indignation." (81)

F7: Certainly, as even an analysis of abuse patterns demonstrates, the very definition of 'sexual interaction' itself does not presume any additional (independent) attributes. Thus, it cannot be said that it is universally socially acknowledged that parents "showing themselves naked" constitutes approaching children sexually. However, this definitional molding via



perceptual patterns changes nothing in terms of the existence of generally accepted basic classifications. The boundaries of any given phenomenon are, as a rule, a matter of controversy (and therefore, are impacted by the enshrouding itself).

F8: Under this social science approach -- particularly in practical terms -- the question of whether or not these core phenomena are amenable to empirical inquiry via traditional (natural) science is equally philosophically meaningless. Cocoon-realities raise moral-normative issues, have material as well as symbolic effects on people (e.g., in the form of personally internalized legal norms), which are completely independent of the question of whether what we are dealing with here are 'objective' social problems, as per Merton, or 'merely' the consequences of successful scandalization campaigns, as per Kitsuse/Spector.

F9: <e> "If a man defines situations as real, they are real in their consequences." </e> (Thomas/Thomas 1928: 572)

F10: Hilgartner/Bosk (1988: 58) also emphasize that the dominant problem-perception among the public at any given time is only one of several potential points of view in society: <e> "Statements about social problems thus select a specific interpretation of reality from a plurality of possibilities." </e>

F11: Similar phase-models for social problems may also be found in Blumer (1975) and Kitsuse-Spector (1973). There, however, there is a greater focus on the actions of various institutions, in response to the acknowledgment of the existence of a social problem.

F12: <e> "Such occupations include counsellors, social workers, clinical psychologists, foundation administrators, operators of asylum-like centers, alcohol rehabilitation specialists, researchers, and the many jobs where the task is to bring people who are seen as trouble to themselves or to others..." </e> (Gusfield 1989: 432-433)

F13: The social problem is supposed to be converted into one's own professional "asset": <e> "That knowledge is the mandate for a profession's licence to 'own' their social problem. Insofar as it is accepted it constitutes the source of ownership of a problem...To 'own' a social problem is to possess the authority to name that condition a 'problem' and to suggest what might be done about it." </e> (Gusfield 1989: 433)

F14: Joseph R. Gusfield: <e> Symbolic Crusade: Politics and the American Temperance Movement. </e> Urbana: University of Illinois Press 1963

F15: Scheerer makes a distinction between moral entrepreneurs in the classical sense, and "atypical moral entrepreneurs."

Cremer-Schäfer/Stehr (1990b: 83-84) characterize these two groups as follows: "Analyses of 'classic' moral entrepreneurship have shown that the group attempts to make its way of life universally binding and estimable on a normative level, usually in the face of socio-structural changes. 'Atypical moral entrepreneurs' (Scheerer), on the other hand, are found in situations in which, only by referring to criminological prohibitions do they acquire a status where they are able to negotiate their own 'norms' and 'morality'." This distinction in terms of protagonist-plane could -- as will become clear later on -- absolutely be applied to the splitting-out of the abuse-model from the traditional endangerment model.

F16: To the best of my knowledge, only Laneck (1987) has systematically examined these questions, vis-à-vis the subject of 'crime reporting.'

F17: "On one side is 'us' -- victims and their advocates; on the other is the perpetrator, the murderer. The 'good people' are here, the 'bad' ones, over there. This one-dimensional and crudest of reality-models which, in the final analysis, has always shored up the ever-disastrous persecutor mentality, is the platform from which the world is viewed in Manichean terms." (Nitzschke 1989a: 23)

F18: "In the eyes of the moralist, the act-as-evil forms an integrated whole; it is this which needs to be explained. It follows from this that moralists should be asked not about the act itself, but rather, about their motives for regarding it as evil. To moralists, many of the circumstances surrounding it, which non-moralistic agents would regard as essential to understanding an act, would appear to be completely immaterial. The **true** cause of inherently evil acts is **evil**; everything else is irrelevant." (Strasser 1984: 32)

F19: "The figure itself is already frightening enough; but the horror is even further intensified by effectively introducing the notion that there is no upper limit, and much remains hidden." (Broszat 1984: 59)

F20: "A concrete, spectacular, and perhaps 'extreme' case is conceptualized as being just one component of a larger, more significant, and alarming underlying problem, as the 'tip of the iceberg'." (Cremer-Schäfer/Stehr 1990a: 30)

F21: Meanwhile, it would appear to be impossible to scandalize a social condition or particular situation using anything short of 'violence' and 'criminality.' The fact that the women's movement -- and even alternative child-protection -- speaks of 'violence against women' and 'violence against children' is a sign that they anticipate that the mass media will only publish and consensualize their indignation under this particular label." (Cremer-Schäfer / Stehr 1990a: 37)

F22: "From the outset, it must be explicitly emphasized that mythology is a communication- and message-system -- and because mythology is all about messages, the entire discourse is made up of myths. The mythos is defined not by the object of its own messages, but rather, by the ways in which the latter are delivered." (Barthes 1966: 85)

F23: The mythos does not deny the thing. Quite the contrary: Its very function is to talk about it. The mythos simply cleans it up, renders it innocent, sets it up as natural and eternal, and gives it a clarity which is in the form not of an explanation, but rather, an observation." (Barthes 1964: 131)

F24: <e> "Such modern myths serve to symbolize complex events, as ways to understand social problems in personal terms." (Gusfield 1989: 434)

F25: 'Interpretational models' constitute a sociology of knowledge category which accounts for social behavior, and therefore are said to take the form of a bridge between individual consciousness and socio-structural circumstances. Although the theoretical status as well as categorical organization of this concept continue to remain rather unclear, a series of properties could nevertheless be mentioned which, based on the nature of the smallest common denominator, could be regarded as characteristic of this category. The features which are widely recognized today may be found in Lüders (1991) and Meuser/Sackmann (1992).

F26: This is also the prevailing view today. (See Lüders 1991: 386; Meuser/Sackmann 1992: 19.)

F27: It is only on the basis of this classification that parents and other child-rearers will devote themselves to this 'problem,' as they respond to this now harmful and morally reprehensible act. This means that, before authors are able to give parents advice as to how to respond to children's onanism, the former must first gain the latter's cognitive and affective acceptance of (or, make relevant) the 'perceptual' model which they advocate.

F28: The latent content of messages would only reach a given recipient if there were, at the very least, fertile ground for receiving them within the individual's subconscious. Meaning-structures which remain hidden even from a recipient's subconscious are unable to make any contribution whatsoever to the dissemination of a given model. On top of that, as far as the present issue is concerned, the specialist journals have to not only explain existing interpretations of the model of the sexually-at-risk child; they also -- at the very least -- must possess some semblance of rationality. (This does not mean, however, that the endangerment-model is not partially deducible from the presuppositions and argumentational structure employed.)

F29: Following Günter Anders (1987), one could also -- considering the ways in which they are employed -- characterize them as 'perceptual and interpretational **matrices**, and thus, as a solid, contemporaneous corpus of content-based messages and representational forms, which are used as templates for reproducing a particular theme in the media. In the following, the term 'matrices' is used synonymously with that of 'models.'

F30: Although the process by which social problems constitute themselves are looked at as intentional campaigns whose success is impossible without the systematic deployment of the above-described strategies, we must not overlook the fact that, as a rule, perceptual matrices can only be credibly conveyed if they correspond with individuals' own convictions; i.e., are based on their own interpretational models.

F31: These sorts of reflections, which the specialist journal matrices regard as transitional forms or 'proto-interpretational-models', might even prevail -- at least from a political science point of view -- over the narrow (as well as apparently unsatisfactory) perspective of simply looking at individual cases, as well as provide answers to the two following (generally unasked) questions: 1) How, based on an individual case, can reconstructed consciousness-structures be identified as the collective interpretational pattern of a social group?; and, 2) How are interpretational patterns reproduced over and above individually passed-on familial socialization, and how are they 'evaluated' by the social groups which adhere to this model?

F32: Lamnek (1987) comes to a similar conclusion in his study of crime reporting in two specialist journals. For example, regarding the undue emphasis placed on more serious offenses, he says: "This result is analogous to findings regarding the general mass-media. With the latter, sensationalism and sales figures might appear to be a plausible motive; as far as the motives of specialized journals and their authors, one would have to ask them. In any event, the reason why scientists do not reproach journalists is because the two act in similar ways, and therefore, have similar impacts." (227)

F33: In 'practice,' all three endangerment ideas can also be thought of as being strongly mutually interdependent: As a result of the masturbating child reinforcing his sexual impulses, he then seeks out additional sexual stimulation; this, in turn, drives him toward certain media, and/or contact with adults. The media sexually stimulates the child, incites him to engage in masturbation, and arouses his sexual curiosity, which can also lead to interactions with adults. And, last but not least, adults' sexual approaches fuel his curiosity, and awaken his impulses: The child gets hold of sexually-oriented media and tries it out on himself (onanism), as well as other children (playing together). What we have here is a **stimulus-spiral**. Any one of these dangers could turn out to be the entry point --

impulses, curiosity, and interests are spurred on. Result: the affected child is also particularly at risk in the two other areas.

F34: "But when man is no longer understood in terms of his character, as a spiritual/ oral being, his high value is rooted in the fact that emphasis is placed on his physical and sexual aspects; therefore, this is a sign that a people has used up its cultural energies, and that a civilization is nearing its end." (Riedel 1953: 88)

F35: "Child-protection is interested in children's misery to the extent that it poses a threat to the social order. In order to counter this threat, it is necessary to invert this relationship: dangerous children become endangered children, who are to be protected from harm." (Honig 1984: 133)

F36: Well into the 1960s, even sexual intercourse between those who were engaged to be married was frowned upon: "It is precisely out of respect for one another, especially respect for the woman, who has more at stake and more to lose than the man, and even respect for the child and his or her future destiny, that the betrothed must adhere to the basic tenets of morality." (Becker 1965: 40)

F37: Even the 'statesmen' among these authors emphasize this connection. The most well-known participants in this discourse were the Federal Minister for Youth and Families, Wuermeling, and, later on, long-standing Baden-Württemberg Premier Filbinger: "Ideological neutrality does not, however, mean moral neutrality. A democracy whose citizenry uninhibitedly devotes itself to the pursuit of pleasure and lives in a world of impure ideas will not be able to fulfill its obligations; indeed, such a democracy would -- voluntarily and with eyes wide open -- simply throw in the towel." (Wuermeling 1959: 6)

F38: "This determination has already been explicitly incorporated -- in a more general form -- into Art. 6 of the Constitution: "(2) The care and upbringing of children are the natural right as well as the primary obligation of the parents. The state provides a supervisory role."

F39: In the following sections, the developments depicted in the 'historical digressions' (with the help of the secondary literature cited) are interpreted within the context of my own empirical findings; therefore, the independent proof contained in the sources and scientific works already mentioned in Parts I through III will largely be dispensed with.

F40: This is also, to a great extent, how I proceeded in the three historical digressions.

F41: Particularly in the context of debates over the institutionalization of sex education.

F42: More or less independent of the political debates at the time concerning the Reich renaissance in the Federal republic was the work of Wolfgang Hochheimer (esp. 1966, 1986a/b), who pursued the implications of the theories developed by Reich for children's psychosexual development.

F43: Kentler criticized this theory as early as 1970 (29).

F44: Somewhat ironically, one could say that: This is an attempt -- similar to the various epicycle models prior to the adoption of Copernican cosmology -- to 'somehow or other' bring the theory into line with empirical observations, in order not to have to abandon the underlying theory. Here as well, the 'attempt to rescue' the theory does not always foster clarity and comprehensibility. (For an analysis and critique of this essay, see Frickner/Lerch 1976: 131-141.)

F45: Even Reich's attempt to account for the 'collapse of compulsory sexual morality' (Reich 1981; orig. 1932) is of no help here, given that it actually refers to the genesis of sexual repression (i.e., the concededly fascinating example of inter-cousin marriage among the Trobriands), rather than the evolution of the authoritarian character of the bourgeois personality.

F46: Keller (1982) calls occurrences which are neither natural nor deliberately caused by human beings 'events.' They are a consequence of collective, non-intentional activity.

F47: At the same time, adults' struggles to discipline children also have a supportive function vis-à-vis the formers' own impulse- and emotional control here: "The civilized adult, who with great psychic expenditure keeps his impulses in check, has created the image of innocent childhood, in which desire does not make any anxiety-triggering demands. The fact that children, in terms of their actual behavior, are so often inconsistent with the norm of exalted asexuality gives child-rearers and educators the opportunity -- via discussions with children and teenagers -- to redouble their own defenses, while at the same time allowing themselves to actualize the very fantasies against which these defenses are directed." (Rutschky 1977: 299)

F48: A notion which (as we have seen) is also shared by the [female] advocates of the traditional risk-model -- which is also neither theoretically nor empirically grounded.

F49: Also in accord is Vowinckel's (1991b: 47) amendment: "We can only understand social change if we keep an eye on the interests which themselves, outside of the more or less fixed social structures, constitute and articulate them anew. Multiplied by the might that stands behind them, they alter the configuration of social power; in this way, sooner or later,

they effect institutional change."

F50: It would be particularly important here to establish precisely which institutions of the absolute principalities had initiated or even merely promoted the works of Bekkers, Tissot, etc.

F51: This perspective also makes it possible to investigate -- in the context of a historical analysis of these questions -- what would have given rise to the clearly observed course-economy in the Federal Republic, and how the traditional risk-model could have lost its social salience at the end of the 1970s. The following chapter is devoted to these questions.

F52: "Obviously, urban coexistence, simply due to its concentration of humanity, brought along with it the heretofore unknown, colossal problem of behavioral management." (Schroeter 1984: 168)

F53: Lütkehaus (1992: 33) describes this as the earliest form of a risk-model: "The anti-onanistic ethics and the spirit of capitalism as the Holy Ghost of an exclusively instrumental sexual sensibility -- the equally impressive economic manifestations of instrumental good sense."

F54: "Pursuing taxing, time-consuming, and long-term planned professional activities completely engrossed the citizens' minds and spirits. In order to be able to concentrate on their occupation, they had to be free of ties on the social front." (Vowinckel 1991a: 264)

F55: In order to 'rescue the honor' of Protestantism, it must be said that the ancient Jewish/Christian notion of sex as particularly dangerous was, in some ways, revived by Catholicism following the Council of Trent (1545-1563), and later on, during the counter-reformation; this did not differ all that much from what the Puritans etc. did.

F56: "As has been demonstrated, in accordance with the Calvinist predestination doctrine, the goal of the struggle against sin was no longer the attainment of salvation; rather, above all, it attained its paramount importance as an outward sign of chosenness." (Jacobs 1963: 60)

F57: A second 'exemplary' arena for learning impulse- and emotional-control was food. Thus, in the 17th and 18th centuries, many educational stories and poems directed at children and adults were used to warn them about the dire consequences of an uncontrolled 'craving for sweets.' It was also assumed that genital and oral stimulation were closely related. Many works of anti-masturbation pedagogy also warned against the consumption of confections. (See Richter 1987: 62-79.)

F58: As with almost everything else in Germany at the time, this was not a standardized unit of distance; as a rule, 3-4 miles corresponded to between seven and eight kilometers.

F59: In this context, Lütkehaus (1992: 27) refers to the example of the self-oriented structuring of the danger discourse: "However, when one takes a closer look at the letters written by those affected, one notices some rather peculiar things; for instance, that the actual onset of physical and emotional suffering occurs only after reading Tissot -- as if the letter writer already knew that these could also be 'iatrogenic' illnesses; they had been doing okay prior to that..."

F60: For the significance of crime statistics in the assessment of "criminal endangerment," see Rasch/Sassenberg 1983.

F61: For better comparability, the data for these two time-series are presented in percentage terms over the given time period.

F62: In the crime statistics for the sphere of the sexual criminal law, it is only after 1955 that things are broken down into individual acts -- on the other side, official population statistics exist only for the tail-end of the present work (1989 until June of 1992). The data utilized for the graph were, respectively, taken from or calculated based on the "Police Crime Statistics" and the "Statistical Yearbook" (the volume pertaining to the corresponding year).

F63: From the absolute low-point in the history of the Federal Republic from the year 1987 (10,085), over the following years, the figures rose to 11,404, 11,851, and finally, 12,741.

F64: Drawing a direct connection here is also problematic because, midway through the abuse discourse, intrafamilial contacts constituted only a fraction of the cases registered by the Criminal Police under §176.

F65: On the other hand, in earlier decades in the United States, there was no statistical connection between crime statistics and the frequency of reports in the mass media. Reisbeck (1985: 195-198) provides an overview of the studies that have been carried out in this area.

F66: See the critique of this model by Sieffner (1992: 478).

F67: "In the struggle against youth-endangering literature as well, youth-protection is fundamentally a pretext for the legitimization of a statutory literary censor, whereby the attempt is made to exercise influence over the moral convictions of the entire nation. This means that, for example, 'in the interest of our youth, as well as the mental and spiritual health of our nation' (A Call to the Nation, 1955, 11), every effort was



supposed to be undertaken to track down and ban morally dangerous writings." (Heinritz 1985: 312)

F68: Child protection had to reorganize itself following World War II. After 1945, nearly all of the associations active in this field were established as church field-organizations. Therefore, the two major churches and the youth protection organizations would have to be regarded as basically a single protagonist. On top of that, from the very beginning, in terms of both personnel as well as ideology, associations were closely connected with the parliamentary as well as administrative decision-makers who belonged to the CDU and CSU parties. [Trans. note: These are the Christian Democratic Union and Christian Social Union, which were and are closely affiliated with one another.]

F69: Thus, in the area of media dangers, in addition to matter with sexual themes, the first targets of the censors were adventure and crime novels as well as comics by American authors -- products which were viewed as 'un-German.'

F70: Even if these assumptions about National Socialism, mass extermination, and war (especially given the excision of rational interests, which did exist) were, all in all, too readily made, the shock at the scope of destructive impulses and the lack of effective impulse-control among the German populace is also perfectly comprehensible from the perspective of today.

F71: Moreover, it was typical of the elites of every sort to assume that 'simple folk' in particular were lacking in ethical judgment and self-control. However, for our part, we may presume that such ascriptions regarding 'the masses' were also associated with a lack of awareness regarding their own 'failings.'

F72: In connection with this, the uneven gender-distribution in the years following the war -- which the occupying forces only compensated for to a limited extent -- certainly constituted a problem as well.

F73: A 1949 study by Ludwig von Friedeburg (under the auspices of the Allensbach Institute for Public Opinion Research) found that the overwhelming majority of the German populace (90% of men and 70% of women) had engaged in premarital sexual intercourse. (Friedeburg 1953: 81, 89)

F74: Not only did both the Catholic as well as Protestant churches (once one disregards the quickly forgotten mumbled acknowledgments of complicity by evangelical Christians, which their colleagues and followers also subjectively shared) declare **themselves** to be untainted by National Socialism; this also appears to have been the view of the newly-emergent general public.

F75: "This [more effective youth-protection] can only be attained via maintaining and strengthening those natural roots and bonds which contribute to the preservation of our Western Christian culture." (Gehring 1950: 124)

F76: "Caring for and raising children without reference to the moral values that are basic to the Western Christian social order are inconceivable."

F77: "The prerequisite for it [morality] is a culture's ongoing currency -- what is referred to as 'Western Christian Culture'." (First BPS decision of 7/9/54, reprinted in: RdJ, Vol. 3, pg. 187)

F78: -- where this model was probably adhered to the longest: "In this sense, what the BGHSt. 8.80 (83) refers to as the model for how a child should be raised is understood to mean the 'Western Christian Weltanschauung' and the values which correspond to our governmental and social order..." (OLG Cologne 1970: 298)

F79: In a certain sense, this was also true of the two other areas: Just as state measures against pornography under the banner of youth-protection -- even if distribution was made more difficult -- were unable to do anything about the actual existence of such media, the threat of criminal punishment for lewdness with children did just as little to impede such sexual contacts as 'knowledge' of the dangerousness of onanism did on its practice.

F80: Even in the era of the Grand Coalition -- and thus, still under a CDU Chancellor -- the political-administrative system was forced to reconsider its position on the sexual criminal law, and, retreat from the norms it had promulgated: "Of course, in the late 1960s, measures against the consumption of sexually-oriented literature ceased to be effective. In the '1968 Families Report,' the Minister for Families (Heck) was already resigned to the prevailing trend of a dissolution of taboos surrounding sexuality, which censorship measures alone had ceased being successful in halting some time ago." (Keinzle 1981: 30)

F81: To my knowledge, we have yet to see a conclusive, empirically grounded theory concerning the causes of the 'sexual revolution.'

F82: The debate over such new sexual-pedagogical concepts took place in two different ways in the journals examined: first, in the form of a discussion about the content as well as the possibilities of sex education in the school (which was largely conducted free from the specter of the sexually at-risk-child!), and then as a 'counter-discourse,' which adhered to the hitherto dominant danger-model. As a rule, the two discourses did not directly reference one another in terms of their

content. The exceptions were the nearly twenty essays between 1965 and 1975 in the journals examined in which the school sex ed that was being promoted was itself regarded as a new danger dimension.

F83: "Now, though one would have expected the tidal wave of sexually-oriented materials to have resulted in a flurry of state petitions to the Federal Review Office [BPS], what actually occurred was precisely the opposite. Obviously, the general trend also gave rise to ever more permissive thinking on the part of potential applicants. However, the drop in state petitions was initially offset by the Federal Families Ministry, which made about 50% of all petitions in 1967 and 1968, and nearly 70% in 1969." (Becker 1974a: 277) As we have seen, in the end, the continued existence of the Federal Review office could only be preserved via an exponential increase in the number of offices accepting applications -- from 12 to over 600 (By an SPD-led government, no less). In this context, private as well as state youth-protection's shift in interest during the 1980s from sexually-oriented media to media with violent content is also understandable. With the sexual sphere no longer having priority, youth protection was responding (very belatedly) to the loss of its sexual-moral 'base.'

F84: Of course, the fact that even Willy Brandt's main campaign slogan of the late 1960s, "Dare to Have More Democracy," contained the presupposition that power to the people -- even within the context of a parliamentary system -- would be risky in Germany, showed that in the first twenty years of the Federal Republic's existence, even the SPD regarded it not so much as a democracy as a sort of benevolent dictatorship where politicians and moral authorities had to control the "beastly masses" (as they had shown themselves to be under the Third Reich), and get them to exercise self-mastery. Despite this risk-aversion, at the beginning of the 1970s, the SPD in fact did loosen its grip on the reins of sexual politics. However, given its emphasis on protecting children, as well as its acceptance of limits on adults, there were no fundamental differences between the CDU and the SPD at the time.

F85: The presumption that children were at the mercy of their own sexual impulses called into question both the notion of an epidemic as well as moral indignation over children being corrupted by the public and educators/child-rearers (in today's terms, they were sensitized to the problem); the theory of the perturbation of a dormant impulse provided a rational basis for intervention, made serious harm plausible, and gave hope that effective protection strategies could be developed. On its own, the first above idea would have rendered any campaign a lost cause; the second, taken in isolation, would have made extensive measures to combat the problem seem excessive.

F86: Rather than representing a "new finding," from the very beginning of the campaign (and even in the Federal Republic

texts examined), this actually constituted a central justification for the relevance of measures to combat onanism. In this respect, Kinsey & Co. no longer remembered Bekkers, Tissot, and their successors.

F87: And finally, the introduction of the concept of 'secondary psychological harm' at the beginning of the 20th century also weakened the arguments of the anti-onanism campaigners over the long-term. The notion of harm as a consequence of social stigmatization would serve as at least as strong a basis for demands to end anti-masturbation efforts.

F88: Consequently, this assessment, based on an analysis of the specialized-public discourse, must not be mistaken for the conclusion that in the Federal Republic, the traditional danger-model is 'dead' altogether. The specialist discourse only represents one (certainly influential, I believe) aspect of social reality. In both the mass media as well as in the day-to-day practices of the justice system and other authorities, many components of the traditional danger-model have been permitted to persist; to delve into *that*, however, would take us off track.

F89: The 1990 anthology with the blood-curdlingly beautiful title "I Was Tender, It Was Painful", ed. by Ursula Enders) was able to recommend to its readers seventeen novels and autobiographies and four plays on the theme from the German-speaking realm alone.

F90: Typical of this are critiques by Honig 1987a and Bernecker-Wolff/Wolff 1001.

F91: The thematization in the parliament was, instead, used by the ruling parties -- on the basis of the so-called child sex scandal (see Böllinger 1986) -- to denounce the sexually libertarian wing of the GREENS as "child molester-sympathizers."

F92: E.g. the 6/21/91 resolution by the Conference of Youth Ministers on guidelines for child protection work, in which the issue of sexual abuse plays an important role.

F93: This most certainly did not include those axioms which criticized the bourgeois nuclear family or the patriarchal structure of society.

F94: Thus, in 1991 in Bremen the (at the time, exclusively Social-Democrat-controlled) Senate, together with the "Silhouette Society," put together an informational brochure for parents and educators which largely copied the positions of the anti-abuse campaign. (The "Sexual Abuse of Children," 1991) In a Bremen City Parliament debate conducted on 2/11/92, everyone from the Greens on down to representatives of the radical-right, DVU agreed with the demands for harsher punishment of 'abusers.'

F95: This hypothesis is not meant to negate the above-stated explanation for the model's success, or even as an assertion that its advocates had by no means subjectively come to embrace it primarily out of a desire to protect children from the risk depicted. I merely maintain that the (specialist-) public discourse cannot be adequately explained without taking these additional grounds into consideration.

F96: Because we are speaking here of a process which had not yet completed itself by the end of the research period, the following 'desires' can only have the status of interest-hypotheses. Out of the large number of plausible needs of the various actors, the only ones mentioned herein are those for which there is evidence in the argumentational structure of the examined texts themselves, as well as those which are referred to in the (as of now, admittedly quite sparse) secondary literature.

F97: Therefore, what the complaint regarding this taboo really is is this: 'Using the example of sexual encroachments against girls, we have laid bare the underpinnings of patriarchal violence; and although it is true that society has taken note of the fact of abuse, it has not adopted the thesis that we wish to impose along with it.' Though, on an emotional level, the disappointment is quite understandable, it is not comprehensible in cognitive terms: Even if politicians and the public had accepted the underlying paradigm, the likely effect on the patriarchal social order being denounced would have been slim to none.

F98: Rutschky (1990: 72) calls it "an almost kabbalistic numbers-game."

F99: In my opinion, Bernecker-Wolff/Wolff (1991: 30) were too quick to criticize the abuse-model as just one component of a comprehensive sexual-political "rollback," a sort of conspiracy hatched by feminists, religious groups, and the New Right.

F100: Based on the hypothesis of the dual-tabooization of abuse, it is indeed almost typically the case that it is not only denied by those around the individual, but is also 'forgotten' by the individual herself -- and according to this model's presuppositions, the psychological burden on an adult woman is particularly great precisely when she cannot recall any abuse having occurred during her childhood.

F101: It must be explicitly emphasized that we are not talking here about how many individuals have been harmed by sexual contacts in childhood, or to what extent. All I am saying is that, in terms of the application of the abuse-model, the actual existence of a sexual encroachment is not a prerequisite for retrospectively declaring someone/one's self to be a victim.

F102: "A lot of thought has already been put into the question

of whether the sudden interest in child maltreatment and abuse in the United States, but also in Great Britain and West Germany, might have something to do with the fact that ambitious reform projects such as poverty programs and educational reforms have either failed, or shown themselves to be far too expensive and impractical." (Rutschky 1990: 72; see Wakefield/Underwager 1988: 409)

F103: "One must closely scrutinize the public debate over child maltreatment with regard to whether, in the struggle to attain acknowledgment of the problem in terms of public opinion and -- eventually -- policies, resources are then allocated all too hastily based on the lobbying interests of particular occupations, which have very specific biases with regard to suitable strategies for resolving the problem." (Rutschky 1990: 72)

F104: The abuse-model itself contributes to the maintenance of this stereotype, by appearing to only permit girls the role of helpless victim: "Although this victim-role may be particularly beneficial to the strategy of inciting public indignation, it also reinforces the very patriarchal, idealized image of women that is so strenuously complained about: the mater dolorosa [Lat.: mournful or plaintive mother]." (Gröning 1989: 203; see Honig 1987a: 19; Rave 1991: 57)

F105: <e> "Sensational and bizarre sexual abuse cases contain all the elements to arouse public interest." </e>  
(Wakefield/Underwager 1988: 413; see Gusfield 1989: 433)

F106: In terms of their natural evolution, Giesen distinguishes between (1) magical, (2) moral, (3) medical-psychiatric, and (4) social-science forms of thematisizing social problems: "If one adheres to these evolutionary models and applies them to the thematization-types presented, over the long-term, at the expense of the magical, moral, and medical models, the continued spread of the most 'progressive' thematization-form -- that of social-science -- is to be expected." (Giesen 1983: 241)

F107: If one interprets the Christian sort of metaphysical orientation as a 'magical form,' this was dominant even up to the time of Bekkers's 'Onania.'

F108: Over and above that, the abuse-model meets yet one more of Barthes's cited characteristics, **the withdrawal of history**: "The mythos removes any history regarding the object of which it speaks...or better yet: It can only date from eternity..."  
(141)

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**Concluding Remarks: The Sexually At-Risk Child: A Never-Ending Story?**

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F1: In addition to the work of Müller (1968), Hinz (1969), and Nuisal (1975), meriting particular mention here are the anthologies edited by Brokmeier (1969) and Zoll (1971), which contain a large number of contributions on this question.

F2: A corresponding critique in the 1980s concerning the portrayal of social problems may be found in Giesen (1983: 223): "Moreover, whereas the media-mediated public discussion assumes the posture of a rational discourse by members of society regarding political decisions, the institutionalized reality of media reporting only corresponds to the theoretical democratic ideal of an open, sensible, common-good-oriented discourse in very distorted ways."

F3: It should also be noted that, from an ethical perspective, the question as to whether 300,000, 200,000, or 'only' 100,000 children are sexually abused annually is unimportant. In terms of the **correctness** of the premises represented in the abuse-discourse, the approximately 11,000 cases that were being reported annually in the early 1980s would not have been socially acceptable to anyone.

F4: Thus, in the mid-1980s, a 'light-dark-number' ratio of between 1:6 and 1:9 was universally assumed (at least according to Pachmann 1984 and Trube-Becker 1984).

F5: Rutschky (1992: 38) also came to this conclusion as a result of her own inquiries.

F6: Because some 'cases' involve more than one child, on average, the number of actual child victims is approximately 10% higher than the number of cases listed in the crime statistics.

F7: Just one example of this: "According to Federal Criminal Police Office estimates, approximately 300,000 girls are sexually abused in the Federal Republic of Germany every year. Moreover, the 'dark-number' ratio is estimated to be 1:20."

(Kellermann/Klein/Kern 1987: 86)

F8: Even in the 'spacialist' media, such 'confusion' appears to be common. Thus, in a brief report on a new girls' home in the members' magazine of the Bremen GEW (!) [Gewerkschaft Erziehung und Wissenschaft -- Teacher's Union; it appears that Schetsche's inserted exclamation point here is a reference to the fact that, in British slang, "Gew" means "nut"], it says that: "Every year in Germany, more than 300,000 children and teenagers are sexually abused; over 90% are girls. The 'dark-number' is a great deal higher." (Emmenecker 1992: 25)

F9: Certainly, in principle, moralization, scandalization, and myth-building are probably also consistent with the interests of the organs of the state, because they render superfluous any consideration of individual cases, and minimize the ethical costs of performing assessments (e.g., in court proceedings). Scheerer (1978: 225) reports on the "political-journalistic one-upmanship" initiated by one of these sides in the area of the "drug problem." In the early 1970s, the federal government predicted -- based on no actual evidence -- that there would soon be a steep rise in the number of disabled drug addicts: "Rendered credible because it was utilized on a semi-official basis, the figure of 60,000 early retirees was disseminated in the media. In the end, the specialist literature, police brochures, and even general science publications were all abuzz about the issue."

F10: As has recently been demonstrated, number-corrections by the specialist public very quickly lead to revisions in the mass-media: Less than a year after the Federal Criminal Police Office's disavowal, numerous press reports (e.g., the Braunschweiger Zeitung of 3/18/92) were suddenly talking about just 80,000 to 100,000 cases annually. In the meantime, according to Rutschky (1992: 36), even the German Child Protection Association 'fell in line' with this figure.

F11: Even traditional sexual science shows a tendency to at least relativize the findings of many years of research work in this area under the emotional-appellative pressure of the abuse-model. Typical of this is the reaction of perhaps the most high-profile German sex researcher of the 1980s, the recently deceased Hamburg Professor Eberhard Schorsch, who was eventually compelled to remark that he was no longer able to publicly support his earlier views on this issue! (Schorsch 1989: 146)

F12: "Children are identified as being in need of training. Therefore, every potential connection between adults and children would appear to have been severed in advance by the segregation caused by this pedagogical distinction. When people are identified as being in need of training, that is tantamount to singling them out and devaluing them. Children are identified as deficient human beings. Thus the diminution of their legal status is sealed." (Kupffer 1977: 121) By regarding the child as a doubly-deficient being, the danger-model reproduces one of the central characteristics of the modern image of childhood; an image which assisted in consigning the child -- actually for the first time in history -- to the status of a discriminated-against inferior. Last but not least, as 'sexually at-risk,' children were and are denied

the dignity and liberty afforded to full-fledged persons (such as the right to sexual self-determination). Eventually, they even acquired a status pretty close to that of animals.

291

F13: The child was not made asexual at the beginning of the modern era; it was, rather, merely 'freed' from the sexual arena -- as was the case with gainful employment: This means that it was socially separated from the two spheres of life which, by now, had become synonymous with (male) adulthood: an active sex-life, and a just as active working life.

F14: This is especially apparent in the area of contact-danger: It is always **outsiders** who are pointed to as having a sexual interest in children. According to the traditional model, it is the deviant impulse-perpetrator (the stranger) who sexually assaults the child, whereas in the abuse-model, this position is held by men in general (the other gender).

F15: "Therefore, our children are deeply disquieting to us, not least because they make us aware of what yet stirs, unconquered, within ourselves." (Hochheimer 1966: 493) [329]

## Appendix: Dangers Mentioned, by Topic and Year

Year	Self-	Media- Endangerment	Contact-	Other	Totals
1950	8	8	3	1	20
1951	6	10	5	3	24
1952	6	9	4	2	21
1953	4	11	1	3	19
1954	4	8	2	4	18
1955	2	15	3	4	24
1956	1	4	0	2	7
1957	3	2	3	0	8
1958	2	2	1	1	6
1959	2	3	2	2	9
1960	2	5	0	1	8
1961	1	11	4	4	20
1962	2	7	7	3	19
1963	4	7	10	5	26
1964	3	9	5	4	21
1965	4	5	5	6	20
1966	3	5	4	8	20
1967	2	9	6	3	20
1968	5	10	6	5	26
1969	7	6	5	6	24
1970	3	5	6	3	17
1971	2	5	3	6	16
1972	2	7	0	4	13
1973	0	3	0	1	4
1974	0	7	6	3	16
1975	1	4	1	5	11
1976	1	2	3	3	9
1977	0	1	1	0	2
1978	0	1	0	1	2
1979	1	2	2	1	6
1980	1	1	2	2	6
1981	0	0	1	0	1
1982	0	0	3	0	3
1983	0	1	0	0	1
1984	0	1	1	0	2
1985	0	2	4	0	6
1986	0	2	6	0	8
1987	1	1	7	2	11
1988	0	0	6	1	7
1989	0	1	11	1	13
1990	0	2	10	0	12
1991	0	2	16	1	19
Totals	83	196	165	101	545

# Highlights from Schetsche's "Changes..." (selected by the translator)

[44] Interestingly enough, the degree of blame was based not so much on the frequency of the onanistic acts as on the (presumed) extent of a guilty conscience as well as the intensity of the child's "inner struggle" against the impulse. Those children who were deemed and condemned as morally "bad" were primarily those who did not put up a fight against the vice or sin...[45] [W]hat seems to be particularly frightening is the fact that many children don't take this struggle very seriously at all...

[55] We now...return to the social difficulties which the individual child can get into as a result of his onanistic acts. Interestingly enough, these problems are described as dangers **flowing from masturbation**. One could characterize them as 'secondary psychological harm,' because they result not from the onanistic acts per se, but rather, from the (negative) reactions from one's environment...Mind you, instead of leading to the insight that the problem of onanists is actually a problem of their environment, and that onanism -- because if society didn't stigmatize it, it would be harmless -- should be tolerated, the negative [56] reactions of the environment are declared to be an **additional** danger, because ending the practice of child masturbation is deemed to be necessary.

"Given the particular fear of 'disgrace' with which this sin is automatically associated, the fundamentally asocial attitude of the onanist will make itself known. He feels that, somehow or other, he is an unhealthy member of a society..." (Angermair 1950: 138)

What we have here is a circular self-fulfilling prophecy of harm: Onanism is harmful because society stigmatizes it, and the affected child becomes mentally ill because of this social rejection. But it must be socially stigmatized, because it could lead to the child being psychologically damaged. The social rejection of onanism which these essays contribute to is seen as a cause of its harmfulness: Consequently, these contributions to the self-endangerment discourse produce the very harm which they presume.

[66] If the attempt to protect oneself from sin using prayer fails, the child should at least develop feelings of guilt. If this is successful, and the onanist succumbs to...neurosis, the manifest tendency towards suicide is put down not to fear of looming eternal damnation, but rather, to despair resulting from the onanism itself.

[74] Over the course of years, a multitude of methods and techniques have been devised which were intended to prevent the child from disproving the asexuality theory through his own behavior. The increase in the intensity of the measures to

combat it that were recommended in the 19th century shows how difficult it is to try to make the real child conform to the ideal one. Despite the immense expenditure on control measures, shielding from external stimuli, and ever more brutal strategies, children's urge to masturbate had apparently not diminished...The goal... was to extinguish the child's sexual impulses, to liquidate the child as a sexual being, notwithstanding that, of course, this was not actually the stated aim of these essays.

[75] The grounds for the presumed harmfulness of onanism...is the [76] dogma of the harmfulness of children's solo-sexual acts. It is a matter of dogma because the large number of different harms which supposedly afflict the body, spirit, and mind...of the masturbating child exist independently of the question of empirical verification (and verifiability!)...The harm-dogma furnishes the legitimation for all of the measures designed to combat onanism, including those which are risky for the child.

[R]eally, the only 'good child' is one who does nothing sexual whatsoever.

Where onanism is concerned, otherwise pedagogically praised ways of making connections -- group-learning or emulating a field of activity -- are discredited as 'breeding grounds.' Terms borrowed from epidemiology once again underscore the [77] dangerousness of sexual acts, while simultaneously pointing to their (from the perspective of adults) uncontrollability.

[78] In the texts, human behavior is assessed from the standpoints of order and risk. Dominant are ideas about sexual, social, and metaphysical order which have no place for the masturbating child.

[136] [I]t was only in the course of the 18th and 19th centuries that 'lewdness with girls' **with their consent** was construed as an offense...This model...was still controversial in the jurisprudence of the first half of the 19th century...Under this new regime, the 'victim's **wishes** no longer mattered. Leaving the issue of consent out of legal proceedings certainly did not lead to any resolution of the ethical questions associated with it. To this day, the central legal, political, and philosophical problem in this area is how to deal with adults who assert that the child can consent to sexual interactions. (The existence of cases in which this assertion also corresponds to the 'actual course' of the interaction has been assumed in legal and political debates for centuries now -- even as opinions did change as to what quantitative significance this constellation would have in practice.) The normative-ethical 'trick' consisted (and still consists) of explaining why an empirical examination of [137] individual cases was not necessary here; i.e., why a person below a certain age-limit is fundamentally **unable** to consent to

such contact.

Particularly devoted to this question was Aaron's legal dissertation of the year 1910. There, the author came to the conclusion that the irrelevance of the child's wishes in this area would have been tied to 19th-century Prussian lawmakers' assumption of the existence of an age of "presumptive will-less-ness." (20) This premise is, however, criticized by Aaron as counterfactual:

"The young person's will, though crimino-legally irrelevant, does in fact exist; therefore, one cannot say that the child would be a will-less tool in the hands of the perpetrator, as, for example, would be the case if the perpetrator forcibly grabbed the child's head and placed it on his genitals."

Therefore, in his opinion, contacts would be punishable not because they are carried out **against** the child's wishes, but rather, **despite** the fact that they take place in accordance with the child's wishes. At the same time, the explicit negation of the child's right to self-determination was legitimated by a 'formula' that was thought up as early as the middle of the 19th century (apparently 'newly' imported from the U.S. under the label `<e>` "informed-consent `</e>` theory" ...), according to which children are unable to consent to sexual interactions because they cannot foresee the **consequences** of their actions...

[139] It is certainly striking that today's criminal law fixes the age of criminal responsibility [age 14] at the precise age below which children...are supposed to be categorically protected against being approached sexually...It is as if the very basis of childhood as a legal category is the irrelevance of any expression of one's will: Consequently, it is not that children's ability to markedly express their will is disputed, but rather, the exact inverse of that: persons who (based on age) are deprived of this competency are -- for that reason -- referred to as children.

[180] [Under the abuse-model], whether or not the child perceived that she was being addressed in a sexual manner is irrelevant; the sole criterion is the adult's sexual intent...The determination of one's **victim-status** is based not on the self-declaration of the child concerned, but rather, on the **declarations of experts**.

This logic would appear to contradict the sexual self-determination of the child, which this concept declares to be the central protected legal good...This inconsistency is resolved, however, when one takes into account what is meant here by the child's "self-determination."...[181] Constituting the core of this definition is the so-called **informed-consent thesis**...according to which a sexual contact is **consensual** -- and therefore, morally permissible -- only if the participating persons 1) understand what they are agreeing to...and 2) are

completely free to decide for or against the contact...Because children are always lacking both 'informed consent' to the contact and (due to their being embedded within relationships of authority, as well as having insufficient resources) the freedom to either agree to or decline it, children are **never** able to consent to sexual contacts with adults.

The final surprising thing one finds here is a 'solution' to the assessment-dilemma that had plagued German jurisprudence since the 19th century...: Because every [182] sexual interaction is by definition non-consensual...rather than being **violated** by preventing adults from carrying out sexual acts with...children in accordance with the latter's subjective wishes (however these may manifest themselves), the right to self-determination is actually **upheld**. Consequently, the child's right to self-determination simply consists of being unable to consent to sexual contact with an older person under any conditions. Therefore, because the child's expressed wishes are completely irrelevant to determining his or her victim-status, it logically follows that the right to self-determination is violated **only** when some third party says so.  
...

It is the concept of the child's **relative asexuality** which leads to the maxim that it is **impossible** for a child to be sexually interested in an adult. According to this model, although it is true that children do have feelings and interests which could be characterized as 'sexual' or 'erotic,' these are 'of an altogether different nature' than the sexuality of adult men. Sex is subdivided into the non-specific, non-genitally-centered sexuality of children (and possibly of women as well..), vs. the genital- and penetration-centered sexuality of male adults. At the same time, whereas - in a moral sense -- child/female sexuality is judged to be 'good' and 'pure,' that if the man is seen as 'bad' and 'dirty.' According to this way of divvying things up, the child can be regarded as an 'innocent creature' even if he or she should exhibit sexual curiosity, so long as this is in accordance with the 'form of sexuality appropriate to children.'

Due to the mutually exclusive ascription of these two different 'types' of sexuality, to the man on one side and the child on the other, the inference is made that, whereas the interests of the...child are limited to a desire for non-genital affection, the male adult is always striving for genital satisfaction through penetration. Therefore, sexual approaches by adults are not able to be adequately processed by children, let alone responded to. Due to this assumption of relative asexuality, any [183] possibility that a child might - of his or her own accord -- be interested in having sexual contact with an adult is automatically ruled out.

Because of that, when it is stated that the child accommodated



such an interaction, or even took the initiative, this is seen as the adult's sexual desires being projected onto the child, as a "seduction-myth" which serves to either legitimate the encroachment, or blame the [child] for the contact. ...

When such behavioral patterns actually are observable...this is always regarded as a psychological disturbance within the child which is due to earlier abuse... ..

[185] Although...most authors condemn sexual contacts between children and adults based on the premises of the informed-consent theory rather than the issue of harmfulness...depictions of the **harm caused by the abuse** nevertheless take up a considerable amount of space...Here, the primary premise is that -- regardless of act-type and context - - **every** intergenerational contact involving a child results in serious and long-term damage. ...

[191] [Children's] accounts are believed unreservedly only when they correspond to what the person advising them thinks about the abuse. On the other hand, if the child declares that he or she consented to the contact, showed interest in it, or even took the initiative, this is regarded as merely a consequence of the influence exercised by the adult involved. ...

[194] The warnings relate to sexual **crimes** against children...The contact is a violation not only in a moral, but also in a **legal** sense. This determination implies a great degree of casualness in the determination here, given that these warnings enjoy legitimating support in terms of state-imposed legal norms. Particularly because the legislator has declared it to be a crime, the harmfulness of such a contact would appear to be self-evident. Therefore, research into the genesis of harm, and the question of its frequency and duration is -- to a great extent -- superfluous...The harm hypothesis is based not on empirical evidence, but legal normativism. ...

[E]ven if actual harm is not done to a particular child, 'morals offenses' always denote crimes against the [195] **morality of the society itself**, which is distorted when adults and children interact with one another sexually. Thus, it is also a matter -- apart from the child him/herself -- of preserving the sexual order, which reserves sexual intercourse for (married) adults. ...

[196] At the same time that, in order to arrive at a high number of yearly offenses, the large number of superficial (e.g., exhibitionistic) acts is included, case descriptions of actually quite rare acts are more likely to be used to demonstrate the heinousness of these offenses: The worse the assault, the more likely it is to be depicted. Portraying the perpetrator as "brutal" and his actions as "animalistic" also serves to legitimize the massive intervention on the part of the state. Here, **punishment fantasies** can be lived out to

one's heart's content: The perpetrator should be taken out of circulation; he is to be eliminated -- if not actually as an individual, than at least as an abnormal personality. Firm measures to "**render perpetrators harmless**" are promoted (which is reminiscent of "parasites" and "pest control"). Moreover, most popular is the (fantasy-whetting?) method of surgical castration. ...

[203] According to the axiom which is usually denoted as the '**informed-consent theory**,' the child's right to self-determination can only be protected by categorically ignoring any expressions of his or her own will... Given the **asymmetries** in the sexual connection between the two parties, the existence of a **relationship of power**, and the **possibility** of undue influence, which is equated with the actual **use** of violence, no further examination of the act-course of the interactions of the participants is required in order to discern the violent nature of these contacts. And by calling something 'violent' - a primary symbol of intensification in our society -- one has a better shot at discrediting any unwelcome act or social relationship.

[217] [T]he fusing-together of the theme itself with the moral assessment of it takes place in numerous ways which render this message "impossible to respond to, and therefore, manipulative," because members of the target group see one another playing the role which is expected of them, [218]

"thereby tying their status to certain opinions. Even more unpleasantly, in the face of this unreasonable demand, one finds oneself engaged in a moral confrontation with one's opponent, thereby making it impossible for the former to discredit the latter with tact, prudence, or the need to remain calm. Like all manipulation, this too demands that no distinction be made between the topic itself and opinions regarding it: The institutionalization of the theme is fused with the moral implications of opinions to such a degree that one is compelled to accept the morality claim." (Luhmann, 1970: 8f.)

Moralizing becomes **scandalizing** when moral ascriptions and validity claims gain acceptance with the aid of more specific representational techniques; and attempts are made to immunize the former against any criticism. One typical **scandalization method** is to **dichotomize** social reality in terms of the perpetrator-victim schema [F17] in such a way that there is no longer (and indeed, perhaps no longer can be) a distinction between 'explaining' a given act in the social-scientific sense and 'excusing' it in a moral sense. [F18] In the sphere of punishable acts, there are additional methods: The highest possible dark-figures... are bandied about, and what are presumed to be particularly shocking cases are presented to the public as if they were typical...

[F17: "On one side is 'us' -- victims and their advocates; on the other is the perpetrator, the murderer. The 'good people' are here, the 'bad' ones, over there. This one-dimensional and crudest of reality-models which, in the final analysis, has always shored up the ever-disastrous persecutor mentality, is the platform from which the world is viewed in Manichean terms." (Nitschke: 23)

[F18: "In the eyes of the moralist, the act-as-evil forms an integrated whole; it is this which needs to be explained. It follows from this that moralists should be asked not about the act itself, but rather, about their motives for regarding it as evil. To moralists, many of the circumstances surrounding it, which non-moralistic agents would regard as essential to understanding an act, would appear to be completely immaterial. The **true** cause of inherently evil acts is **evil**; everything else is irrelevant." (Strasser: 32)

Scandalization is based on the principles of "collapsing any distinctions between divergent phenomena, emotionalization, and imparting messages." (Nitschke 1989a: 22...) An unbiased, scientific analysis of the topic is unwelcome because it is inconsistent [219] with the activists' interest in gaining acceptance of their own perspective on the problem:

"As a rule, those who engage in public condemnation regard non-moralizing responses to situations that call for moral indignation as dissent." (Cremer-Schafer: 29)

Linguistically speaking, scandalization is based on utilizing a certain class of concepts which might be termed **summary symbols** or **dramatization metaphors**. These are expressions which serve to

"condense very complex issues into a more specific, more society-based (as well as more unpleasant) problem; i.e., by papering over any differences, and collapsing everything into a single dimension." (Ibid., 23) ...

Less a plausible strategy than a (by its protagonists) hoped-for long-term consequence of moralization and scandalization is the transmutation of their perspective on -- as well as description of -- the problem to **mythological** status. The theory of this [220] form-category was developed by Roland Barthes (1966) for the sphere of mass-media communication. Myths provide

"a whole series of pre-selected pieces of information as well as attitudes vis-a-vis a particular phenomenon." They suggest "that the messages which they are conveying about a phenomenon also reflect how it actually exists in reality; that of course, that's just how it is. The mythology keeps mum about the fact that its own messages -- as well as the phenomenon itself -- are socially contrived, and also conceals its ulterior motives

for prompting this particular social construction of reality."  
(Hess: 26) ...

The '**crime**' mythos is employed particularly frequently in the texts examined. This signals to us that 'criminality' is a question of irresponsible, dangerous, and person-distorting acts, against which only the institutions of the criminal law offer effective protection. Morally condemnable 'evil' takes the form of crime; conversely, combatting it is always 'good.'...

[221] Once a social problem is 'mythologized' in this way...individuals' reactions are based not on the actual activities and participants involved, but rather, on the mythology under which actual cases are supposed to be subsumed. Therefore criminal sexual perpetrators are turned into "monsters, animals, un-persons."...The public and government institutions no longer treat them as real individuals, but instead, as personifications of such myths. These are the

"silhouettes of the scoundrel, the father-killer, the pederast, etc. that, from time to time, judges trot out, put into the dock, exploit, and condemn..." (Barthes: 142)

Psychology explains the victory of the use of the criminal mythos in terms of a 'strategy' for successfully dealing with problems in the sexual sphere in particular; it speaks to people's 'suppressed inner wickedness,' and allows those who keep it at bay to live out their lives with a 'clear conscience.' Via the mechanism of projection, outraged indignation liberates one from those sexual desires which are condemned by the norms of society (and in its internalized form, by one's own conscience), and which individuals cannot be permitted to exhibit openly.

"Such occasions provide a safety valve for disapproved-of impulses, because they appear to serve not one's own pleasure, but rather, the purposes of punishment, retaliation, the re-establishment of order, and the satisfaction of the collective conscience." (Schorsch: 16...) ...

[223] [I]nterpretational patterns...constitute the "deep structure" of consciousness, which is relatively accessible only on a limited basis: The individual interprets and deals with a situation based on the interpretational pattern which corresponds to it, without one even being aware this is occurring... ..

[239] At the very least, the history of all three of the risk-spheres examined would appear to also be a history of the utter failure of the measures employed to combat them. ....

[244] [A]t the beginning of the seventeenth century, the emerging bourgeoisie was faced with three questions vis-a-vis

children's behavior: First, for reasons relating to the economy and public order, children's unruliness and unproductivity were no longer acceptable; children had to exercise control over their [245] emotions -- i.e., be taught self-discipline, Second, they had to learn not to show overly intense sexual stirrings to anyone, and to abstain from a 'dissipated' pre-marital sex-life...And third, because the parents were increasingly preoccupied with other matters..., and the rising demands on them also meant that they were no longer able to engage in child-rearing 'in addition to' the former, authorities and professions which were themselves concerned with the rearing of children -- and this also meant training them in self-control -- attempted to look after them. ...

[247] [T]he idea of the sexually at-risk child also caught on in the course of the 18th and 19th centuries because professions emerged whose ideological, power-politics, and financial interests coincided with this concept. ...

[249] Because medicine and pedagogy defined the child's will as weak and in need of bolstering, jurists quickly ascertained the necessity of protecting children even against those sexual contacts which are effected with their 'apparent consent.' In other words, it was only when the notion of the sexually at-risk child became generally accepted by the bourgeois public, on the basis of the onanism-problem, that special measures to protect against sexual interactions between children and adults even developed. With the adoption of an 'age of consent' in the middle of the 19th century, the child was established as a subject of state protection. ...

[A]s the pedagogical campaign against masturbation did not appear to be meeting even with any longer-term success (children were continuing to masturbate), [250] the measures demanded and carried out grew ever riskier and more brutal; in the end, medicine even assumed the responsibility for combatting evil. ...

[255] [My] **sixth hypothesis** [is as follows]: Booms in the perception of danger are the consequence of [256] sexual-political 'pushes,' the targets of which are not only children, but also the 'bulk' of the population -- i.e., those regarded as adults.

This hypothesis does not simply boil down to the (of course correct) observation that disseminators' proposals for combatting these dangers were transmitted to all adults, whom these texts were primarily geared towards, or even that adults -- particularly in the areas of 'the media' and 'contacts' -- were supposed to contribute to child-protection via the former's own behavior. Over and above that, it means that adults as well have always been a **primary** (or true) **object** of the thematization of these problems: Concluding that children face a multiplicity of sexual dangers **also** always serves as a

means of forcing a particular morality and self-imposed limits in the sexual sphere upon the adult population. To them, the endangerment model meant: If you really don't want to be morally irreproachable and be able to control your urges as far as your spouse is concerned, at least show consideration to children. Therefore, the endangerment-model was -- in an era when it was not in accord with official state doctrine to identify "free citizens" as a target group of morality-improvement and compulsion-sublimation measures... -- also an instrument for regulating the sexual morality of society as a whole. ...

[276] My **Seventh...Hypothesis...**says that....: The rapid and nearly complete societal adoption of the abuse-model was also the result of its 'ability' to satisfy the acute psychological and ideological needs of a whole series of different social groups in the late 1980s.

Moreover, in my opinion, in terms of both its form and its content..., the abuse model fulfilled -- and continues to fulfill -- primarily the 'desires' to

- disavow the patriarchy,
- make the promised political arena a reality,
- reign in sexual permissiveness,
- account for widespread psychological disorders,
- set up workspaces for experts, and,
- have the media do its reporting in such a way as to get people 'stirred up.' ...

[277] Sexual abuse isn't just about its girl victims -- it is also an **effective way of calling public attention** to the everyday violence perpetrated against women by men.

"What is being conducted at the present time is no child-protection debate. In feminist discourse, the thematization of sexual violence against girls is a continuation of the theory that in a patriarchal society, women's identity is determined by the fact that they are structural victims of male violence." (Honig: 17)

...

[282] In times of across-the-board cuts in social services, the 'discovery' of child sexual abuse on a massive scale constitutes a real boon for those professions that are able to claim jurisdiction over identifying and treating it...As a consequence of the abuse debate, there was a rapid...expansion of this field of work, along with the positions and the opportunities for promotion that go along with that...An ever-

growing expert-lobby...of social workers, psychologists, and therapists had a vested interest in stoking alarmism, so as to then be able to demand public as well as private funds to continue and expand their work. Just how strong this impulse really was is demonstrated by the fact that one of the contributors examined claimed -- in all seriousness -- that:

"This type of counselling and care-giving of and for affected girls requires a wholistic approach by a qualified collaborator. Therefore, we see the need for a 1:1 arrangement (every girls gets her own, exclusive care-giver)." (Kellermann-Klein: 45)

What this would mean in practice is that, merely in order to 'process' the new cases coming in every year, based on the number of affected girls presumed by the model itself, a minimum of **250,000** new social worker and psychotherapeutic positions would need to be created. ...

[283] In order to break the purported taboo and grab the public's attention, the advocates of the abuse-model employed every single one of the tried and true techniques of scandalization, from a sweeping-away of any and all distinctions, to dichotomizing victim-perpetrator logic, to the alchemy of huge numbers, and on up to the use of the usual dramatizing metaphors and traditional criminal-related myths. Therefore, the 'elegance' of the abuse model consists of the fact that it combines two of our society's simplifying and condensing metaphors: 'childhood' and 'sexual violence.' This directly ties into the dominant image of children as innocent and helpless creatures (which also means, in need of protection). This especially applied to girls who are -- according to the prevailing role-stereotype... -- [284] passive and fearful, and are "because of their nature" simply unable to defend against encroachments. This notion of childhood is combined with the **summary-symbol** "violence," thereby shutting down any further inquiry into the motives for -- and/or the purportedly reprehensible nature of -- a given act. ...

The tying-together of the symbols "violence" and "child" results in a sort of <e> "common sense" </e> that is impervious to rational examination. If any social group or even political party dared to adopt a skeptical or distinction-drawing posture with regard to this issue, they would immediately be accused of collaborating with perpetrators, and thus become the focus of public ire... ..

The dominant morality is just as much influenced by systematic moralizing as it is an influence on it. Contrary to the assertion that what we are dealing with here is some big taboo, the abuse-model...actually appeals to the 'sentiments of the general public' which...typically take the form of mass-hysteria-driven punishment-fantasies. ...

The model's huge success in the mass media is not merely a result of the fact that it adheres to the classic <e> sex-and-crime </e> paradigm, and consequently, is well-suited to the news-selection and editorial style that prevails in almost all mass media...The other major factor driving media interest here is that those who produce it know, based on many years' experience, that this topic...meets its audiences' need for words and (particularly) images that will get them 'worked up' -- and this can make all the difference in terms of circulation and viewership. The fact that the experts themselves have attested to the seriousness of the theme makes it possible for the public-law media to participate in what might otherwise appear to be 'yellow journalism.' [285]

It is not necessary to assume -- in a pathological sense -- the presence of 'voyeuristic' tendencies on a massive scale in order to accept the fact that there is, among a wide swath of the populace, a need that is met by the thematization of abuse. It matters not at all whether what constitutes the primary appeal here is sexual stimulation via barely blacked-out or riskily-cropped pornographic images of abused children in magazines and television programs, or, a profound abhorrence of the same; whether it be a desire to obtain pleasure or be horrified, the media has an incentive to focus on needs which -- one way or another -- are going to be met. The 'sexual abuse' theme is a winner for the mass media because it moves audiences, both male and female. Any "upstanding" adult can see right away how children could become victims of "wicked" adults, and yet, would sure like to find out -- even if he or she, at the bottom of his/her heart, was never going to do anything "bad" -- **precisely** what does go on. ...

[290] The real reason why the warning essays use such methods [e.g., scandalization] is in order to bypass cognitive mechanisms by building an emotive buffer around the set of criteria professed by them, so as to insulate the latter from any further examination, and thereby render the message being conveyed... 'unanswerable.' Not only is no one able to contradict the danger-discourse without -- as far as the general public is concerned -- morally disqualifying himself; in view of all of the suffering presented, even having cognitive reservations about the premises or argumentation of the danger-model leads one to develop a guilty conscience. The surest way to avoid such guilt feelings is by not only accepting what the model professes, but also putting it into practice. The whole point of the danger-model is to foreclose any alternative ways of thinking or action on the part of those who fall under its sway. [291]

Also part of the 'modus operandi' of both danger-models are misleading appeals to the media and 'public opinion.' Whereas the traditional model 'plays to' public anxiety, which the media both engenders and simultaneously verifies, the abuse-model plays to the alleged non-acknowledgment of the problem.



The former 'conceals' the fact that the public's agitation is based on a perception of danger which it itself has helped to (re-) produce; the latter, that the indignation is actually directed against the 'tabooization' of the underlying feminist concepts. Both models' dealings with and references to the media and the public are manipulative in several respects. (This also applies to individuals who are active in this area: Although they are 'objectively' manipulative, they are not necessarily 'subjectively' so.)

[292] In the form of both danger-models, the 'sexually at-risk child' is not about empirically-examined -- or even examinable -- social reality, but rather, a childhood-sexuality mythos. In terms of children being exposed to the sexual sphere, neither model makes any distinctions among the phenomenon's various manifestations (even when doing so is necessary for their moral assessment); at the same time, both leave unconsidered the actual qualities and capabilities of children and adults. Moreover, even the theoretical possibility of there being a difference between understanding something in a social-science sense, and excusing it in a moral one, is rejected out of hand. Both danger-models [293] have a troubled relationship with both the findings and methods of empirical research and theoretical exploration of the social world. The nature of the danger-discourse is to collapse any and all distinctions, and use atypical individual cases as a proxy for the totality of the phenomenon. Even the hypotheses of the universality of danger and the generality of harm are based not on the authors' own research findings, but rather, on the selective perception -- and, in part, manipulated accounts -- of research done by third parties. Both models' assumptions regarding extent and harm are beyond empirical verifiability, and have also -- via rhetorical devices -- been rendered immune to criticism.

These characteristics would appear to allow us to classify the danger-models as belonging to the category of mythos, as developed by Roland Barthes (1964): ...

Via an appeal to people's feelings, immediate effects are meant to be attained which "are stronger than rational explanations." (114)

Social reality is reduced to numbers: "By reducing every quality to a quantity, the mythos economizes intelligence: It grasps reality with little expenditure" (144).

They tolerate no dissent or reservations; rather, they give things "a clarity which is not an explanation, but an observation"; its form "is the maxim...a truth which brings all talking to a halt via autocratic command" (146).

Finally, they constitute a "secondary semiological system" which ties into what already exists (92): the socially

widespread notions of the child as a defective being, and sexuality as a power which is just as dirty as it is dangerous. [F108]

[F108: Over and above that, the abuse-model meets yet one more of Barthes's cited characteristics, **the withdrawal of history**: "The mythos removes any history regarding the object of which it speaks...or better yet: It can only date from eternity..." (141)]

Therefore, in my opinion, due to their content as well as form, the two perceptual and interpretational matrices should be regarded as different manifestations of a single **danger-mythos**. The fact that it does take this form is one of the primary reasons why it is virtually impossible to have a rational discourse regarding ideas related to the sexually at-risk child. ...

[295] Last but not least, the mythic form of danger-ideas is important in terms of the question of the future of the 'sexually at-risk child.' In answering it, it is important that we draw a distinction between the fate of the danger-mythos itself and its current particular manifestation(s). As we have seen, after nearly three centuries, the traditional danger-model finally lost the social acceptance it had long enjoyed -- only to be 'replaced' by a new mode just a decade later. Given a (progressive-optimistic) belief in the increasing adoption of ever more 'rational' and 'scientific' ways of looking at 'reality,' one might be tempted to assume that even this new form of mythos (as an admixture of magical, moralistic, and scientific thematizations) would not be able to hold on for long. In my opinion, however, an analysis of how this 'modern' form came to be adopted points in a rather different direction. ...

[296] [E]ven as paragons of objectivity, **any and all** prevailing [statistical] figures are constructed...by breaking all sorts of 'rules of the (scientific) profession,' without fear of being contradicted by the scientific community. Since almost the very beginning of the recent discourse (but at least since 1987), specialists as well as the media have been of one accord that, every year in the Federal Republic, at least 300,000 children become victims...of sexual abuse. If one were to go by the number of reported cases and yearly 'dark-number' estimates in this area..., the above figure would appear to be remarkably high. What is striking is that, oftentimes, it remains unclear precisely which experts postulated the underlying 'light/dark-number' ratio. [In a]ll of the present author's attempts to trace back the sources referenced..., the road always ended at the founding document of the Federal German campaign, "Father as Perpetrator," by Kavemann/Lohstöter, from the year 1984...It is true that this figure is first mentioned...with reference to "estimates" 'verified' by the BKA.

"Moreover, a 'dark-number' ratio of **between 1:18 and 1:20 was arrived at**, which means that, out of every 18 to 20 sexually violent acts perpetrated against girls, only one is reported to the police. (Baurmann 1978, pg. 183)." (pg. 29 -- emphasis added)

However, when one verifies the details in the volume cited, it quickly becomes apparent that the 'magic number' resulted from combining a transcription error with obsolete crime statistic case numbers and a factual misrepresentation. In the essay in the BKA volume "Advice from the Criminal Investigation Department," which is cited as the source for this, things initially look a lot more ambiguous:

"General surveys in the sphere of sexual research in the United States and in Germany **have, on occasion, intimated** that a larger proportion of adults questioned recalled crimino-legally relevant [297] sexual contacts having occurred during their childhoods. The 'dark-number' ratio for the sexual abuse of children that is derived from these lies **somewhere between** approximately 1:12 and 1:18." (Baurmann 1978: 183, FN 5 -- emphases added).

Even if one were to accept the 'rounding up' of a ratio that can never represent anything more than an estimate in any event, using the actual crime statistics from the early 1980s, one would still 'only' arrive at a figure of some 200,000 cases; meaning, approximately 220,000 affected children...But even this number -- as we already saw above -- is the product of a gross factual error (which, admittedly somewhat less obvious, would nevertheless have to be noticeable to experts).

Specialist journals and books are merely the initial 'hotbed' of social problems; from there, they 'migrate' to the mass media -- taking the pre-made assessments along with them. Continuing, for the moment, with the above-selected example, in the research materials themselves, one finds texts which, upon a cursory reading, give the impression that the 300,000 figure actually refers to the number of cases which come to light, which would then be multiplied by double-digits to arrive at a 'dark number' estimate...Independent of the question of whether what we are dealing with here is merely a lack of linguistic competency or deliberately ambiguous statements, it was only logical that the mass-media would then have corresponding misconceptions. Thus reported "The Lunchtime Courier," (a radio broadcast on NDR II [Borth German Radio]) on 9/19/91:

"Officially, 300,000 children are sexually abused every year in the Federal Republic -- 'officially,' because this is the figure provided by the Federal Criminal Police Bureau. The 'dark number' is many times that." ...

The fact that such 'truths' are the order of the day in the Bermuda Triangle formed by slipshod journalistic inquiry, media

constraints, [298] and interest-driven manipulation of the mass-media was and is the subject of traditional media criticism. At the same time, however, what is usually overlooked is that the origin of these 'systematic misconceptions' might be the specialist scientific disciplines themselves. Mass-media distortions of the current status of scientific knowledge and ethical judgments are -- at least in our case -- a (predictable) consequence of the specialist-public itself employing the techniques of moralization and scandalization.

The ritualized deployment of these sorts of 'puffed-up' numbers in nearly all of the contributions is -- based on the experts' above-described personal interests -- all too understandable. But it seems to me that, even more remarkable (and more alarming) than the existence of such strategies is that such a misconception (not the abuse model's only one, in my opinion) could become widely accepted as a 'fact' amongst the specialist public within a period of just a few years. To the best of my knowledge, this figure's putative intellectual 'father' (a scientific collaborator with the Federal Criminal Police Bureau) only corrected the underlying calculation error in 1991.

"However, as of this point, in the 'sexual abuse of children' sphere (§176 StGB), most publications use a faulty 'light-number' figure as their point of departure (...) and then multiply this by twenty. But the latter is actually based on the dark-number estimate for 'sexual abuse via the exploitation of a relationship of dependency.' Following that, these authors then assume that 300,000 sexually violent acts against children occur annually in the Federal Republic. Consequently, this figure is the product of numerous arithmetical as well as factual errors. A more accurate dark-number estimate for the sphere of §176 StGB would be something in the neighborhood of 50,000 cases of attempted as well as completed, violent as well as non-violent, cases." (Baurmann (1991): 236)

Therefore, even the **Federal Criminal Police Bureau** -- which, due to its relative independence, has neither a vested interest in scandalization nor to directly reckon with one or another [299] interest group... -- has, for years, allowed to circulate figures which are obviously inconsistent with its own level of knowledge. In fact, other institutions and specialists active in this field are similarly culpable. With few exceptions...criminologists (and representatives of related disciplines) have refrained from asking questions about and publicly declaring their misgivings concerning what they must have regarded -- based on their own studies and/or specific knowledge -- as, at the very least, the 'improbability' of this fictitious number. ....

The upshot of this is that, not only does the discourse among the specialist public -- due to, among other things, the

interests of professional groups, which profit from the problem -- not unfold on the basis of 'scientifically-grounded findings,' but also, that there are no controls here on members of the corresponding scientific community who are less concerned about such matters. On the one hand, the abuse debate shows what immense power experts wield vis-à-vis the construction of social problems; but on the other hand, it also makes clear that this probably only holds true for those whose views are in harmony with the publicly-dominant humanitarian crusaders of the time. Holders of divergent opinions appear to be afraid of either losing their scientific reputations or of being publicly condemned, if they were to express [300] dissent regarding a topic which has become so strongly emotionalized, and is dominated by a form of myth. [F11]

[F11: Even traditional sexual science shows a tendency to at least relativize the findings of many years of research work in this area under the emotional-appellative pressure of the abuse-model. Typical of this is the reaction of perhaps the most high-profile German sex researcher of the 1980s, the recently deceased Hamburg Professor Eberhard Schorsch, who was eventually compelled to remark that he was no longer able to publicly support his earlier views on this issue! (Schorsch 1989: 146)

Therefore, the opportune moment for objections may be when the mythos has just passed the peak of major media attention in the relevant discourse. However, perhaps here as well, one might be inclined to agree with Roland Barthes's assessment that any hopes one may have had that the mythos could be curbed, via 'scientific counter-evidence,' are doomed to disappointment:

"The mythos can get to anything, corrupt everything, even efforts intended to get out from under it, so that, the more initial resistance achieved by the object language, the greater will be its eventual prostitution." (Barthes 1964: 171)

Luhmann's postulated "unanswerability" of a communication, in a society whose social facts are based on moralizing and scandalizing, would appear to apply to 'scientific discourse' as well...That is to say, in borderline cases, any attempt to draw a distinction between mythical and scientific forms of knowledge is obsolete. The social problem of 'the sexually at-risk child' would then consist of nothing more than various layers of a discursively-generated cocoon, from which each of its own particular 'truths' is fashioned. Put together, they would have resulted in a media 'reality' which lacked even a kernel of truth, in which the

"real is eclipsed not by the imaginary, but rather, by that which is more real than real: the hyper-real. 'Realer than real': which is simulation." (Baudrillard 1991: 12)

Whether one chooses to view this simulacrum-sans-core-

phenomenon as bad or good, not the least of those answerable for its coming into being is a scientific establishment which unreservedly devoted itself to the interests of moral entrepreneurs and the sexual-political zeitgeist. ...

[301] A comparison of the traditional danger-model with the current one shows that all ideas viz children in particular being sexually at-risk are based on three premises, which themselves -- in turn -- take the form of myths:

**First Mythos: The Deficient Nature of the Child.** Children appear to have cognitive as well as moral deficits. [F12]

[F12: "Children are identified as being in need of training. Therefore, every potential connection between adults and children would appear to have been severed in advance by the segregation caused by this pedagogical distinction. When people are identified as being in need of training, that is tantamount to singling them out and devaluing them. Children are identified as deficient human beings. Thus the diminution of their legal status is sealed." (Kuppfer: 121) By regarding the child as a doubly-deficient being, the danger-model reproduces one of the central characteristics of the modern image of childhood; an image which assisted in consigning the child -- actually for the first time in history -- to the status of a discriminated-against inferior. Last but not least, as 'sexually at-risk,' children were and are denied the dignity and liberty afforded to full-fledged persons (such as the right to sexual self-determination). Eventually, they even acquired a status pretty close to that of animals.]

They cannot control their impulses and emotions; nor are they in a position to be able to assess the potential consequences of their own activities, or to understand the actions of adults. Therefore, because children are not in a position to be able to decide what is good or bad for them, much less carry through with their decisions in the face of their own contrary impulses, as far as the areas which have been deemed risky are concerned, they should not be granted any room to maneuver whatsoever. Precisely because it is in the child's **nature** to be at-risk of becoming a victim, it is the 'natural' task of adults to protect children against this.

**Second Mythos: Dangerous Sexuality.** The second prerequisite of any risk-idea is an interpretation of 'sexuality' as something which is accompanied by a driving force that is **fundamentally** dangerous to individuals as well as society (and therefore, must be strictly controlled). ...

[302] **Third Mythos: Guilt-Laden Sexuality.** It is no accident that, in both danger-models, the argumentation is inextricably linked with moral reproaches against at least one of the parties involved. An association between sexuality and guilt, which dates back to the old Judeo-Christian traditions, is

(still) deeply embedded in the minds of modern-society individuals, as a mechanism for shoring up sexual prohibitions. What this means is that any and every human sexual thought, desire and act -- on the part of children as well as adults -- is associated with guilt. In the older discourse, the child was saddled with guilt when he or she showed an interest in sex, whereas in the more recent one, he or she must be denied sexuality (in the adult sense) in order to be able to remain free of guilt. The contributions' authors and readers were only able to remain innocent if -- and so long as -- they rejected the incriminated sexuality themselves, and condemned it in others. ....

[303] Militating against a speedy end to the danger-mythos are the ongoing benefits it provides to the collective psyche. Tying together the above-mentioned childhood- and sexuality-related myths in the form of ideas about risk enables adults -- afresh each day -- to wall off their own insecurities and interpret them as 'wicked' acts of their own psyche, in which it is 'the other'...that is to be rebuked and mastered: either the **wicked child**, or **wicked adults**.

Reproaching **other** adults makes it possible to offset any fears of hurting a child who has (more or less) been entrusted to one's own care. The danger-mythos provides the individual with certain knowledge that any injury or harm he or she may have inflicted on (their) children was necessary, in order to protect them against the harmful actions of wicked adults. Because this person sees him/herself as the one to protect the child from dangers posed by others, this person could not possibly -- so goes the inverse of the argument -- have harmed or be harming the child him/herself. Thus, any self-blame concerning improper or inattentive child-rearing -- e.g., guilt over having failed as a parent, which is a particularly big issue for mothers -- could simply be shifted onto others.

Reproaching **the child** appears in the dual category of the endangered and dangerous child. (In the traditional model, it is directed at all children; however, in the abuse-model, it is gender-bifurcated -- i.e., directed only at boys.) The notion of the wicked child strengthens protections against morally disapproved-of desires in adults: Sexual impulses which adults -- due to their (successful) civilization -- are not entitled to, are combatted in children. The fact that this battle also involves the use of physical or psychological pressure (e.g., in the obligation to confess and with interpretations imposed by others) [304] not only points to the possibility that what we have here is a morally legitimized way of living out one's own desire for power over children -- because, for their own protection, the 'proper' definitions of sexuality, violence, and the forbidden must be imposed upon children -- but is also evidence of a fear that the example of the child could jeopardize one's own already shaky impulse-control." [F15]

[F15: "Therefore, our children are deeply disquieting to us, not least because they make us aware of what yet stirs, unconquered, within ourselves." (Hochheimer: 493)]

Consequently, children are dangerous because they are living proof that the high degree of self-control in our culture is not a natural thing, but rather, something which is socially manufactured. When impulse-control is not attained, the child becomes a 'reverse role-model' for adults, an indication that individuals are -- at the very least -- in fact able to live without strong self-discipline.

What this likely indissoluble connection between danger-mythos and the psycho-social order that underlies modern society likely means for the question of the latter's future evolution is this: The idea that the child is at particular risk from the sphere of the sexual will always be a social problem, in one form or another, so long as these childhood- and sexuality-related myths continue to exist in the forms described. Therefore, the notion of the sexually at-risk child will be consigned to history only when the sexual sphere finally stops being 'the dangerous thing' and 'the morally reprehensible thing' in terms of social theory and practice, or, when -- in the context of fundamental changes in the ways that we live and work -- the modern category of childhood is, itself, done away with.

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#### Selected Footnotes

##### Part One (Masturbation)

F24: Mechanical apparatuses were recommended as a means of preventing masturbation all the way up until the 1920s; e.g., in Fischer-Duckelmann (1920: 783).

F41: [T]he child's sexual impulses would only be of interest if they were not able to be concealed. Because the social order is disturbed by public masturbation, all that matters is that onanism not be practiced out in the open. However, here, the original negation of the child's sex-drive is merely transmuted: A child has no sexual needs and interests -- but if he does, he should not be obvious about it. The demand to liquidate the urge is maintained in the form of a permanent threat to the child: You either keep your sexual desires invisible, or we'll take them away -- something one could only interpret as a type of threat.

##### Part Three (Adult-Child Sexuality)

F5: In subsequent centuries [the age of consent] moved upwards, eventually reaching, in the mid-19th century, the limit of 14 that is still in force today. ...



F6: [I]t was only in the mid-19th century that the notion that the child's wishes were irrelevant gained wide acceptance. ...

F28: "All of the brochures, pamphlets, etc. that were analyzed neglected to inform the reader that there is one sexual murder for every 18,000 cases of 'child molestation.'" (Kercher: 155)

F42: "It is not such a bad thing when a sinner against youth vanishes forever behind the walls of preventive detention, even if the theoretical possibility does exist that, left on the outside, he perhaps would not recidivate. It is far worse when the firmness that is required to avert those who have already destroyed lives by their crimes against youth are turned loose upon youth once again, following a more or less extended period of being prevented from doing so." (Freisler: 1938) [Note that this was written by an official organ of the Nazi regime, the same year in which 'Kristallnacht' occurred.]

[From pg. 168 in the text: A whole series of media...for children were available to assist child-rearers with their educational efforts. What were recommended are "vivid descriptions" on blotting sheets [F46] and in picture books and primers, with titles like "Helga and the Strange Man" or "Tutta and the Chocolate Uncle," or film strips such as "The Good Uncle," films like "Be Careful, Peter" or "The Candy Man"....]

F46: This is redolent of the Third Reich's 'invention' of anti-semitic propaganda. At that time, coarse illustrations were supposed to help warn pre- and primary-school-age children against Jewish sex-criminals. ...

F48: The efficacy of these materials certainly appeared to have been a matter of some controversy. For example, there is this objection: "Therefore, warnings against stranger 'uncles' are not very effective; indeed, they make many children long to -- just one time -- meet in person this man who's drawn on the blotting paper, or the clown who's appeared on stage." (Flitner 1969: 342)

F49: None of the contributions examined report on empirical studies of their own; quite a few, however, do refer to the authors' (as a rule, non-systematic) own experience with 'abuse work.'

[From pg. 191 of the text: "Girls make all sorts of excuses for their fathers, and even justify the abuse to us. Identifying with, excusing, and idealizing the perpetrator shows us that a girl sees herself not as an autonomous person, but as an object still under the sway of the perpetrator." (Kellermann-Klein 1990: 257)]

F71: The above-cited text's clear annoyance at the fact that many girls stubbornly refuse to accept the interpretation handed to them could help explain why an awareness of their own

abuse is an essential qualification for these experts: What motivates some caregivers is perhaps not so much a readiness to help child victims as it is an aspiration to 'process' their own childhood sexual experiences. If they agree with the rhetoric which the discourse itself employs, caregivers may feel compelled to verbally 'reenact' the violence done to them during their own childhoods over and over again in the counselling setting. Their indignation when the child does not describe the sexual contact in a way they had expected may explain why these counselors prefer recapitulating their own pain to allowing the child to relate his or her own experience.

#### Part Four (Myth-Busting)

F33: In 'practice,' all three endangerment ideas can also be thought of as being strongly mutually interdependent: As a result of the masturbating child reinforcing his sexual impulses, he then seeks out additional sexual stimulation; this, in turn, drives him toward certain media, and/or contact with adults. The media sexually stimulates the child, incites him to engage in masturbation, and arouses his sexual curiosity, which can also lead to interactions with adults. And, last but not least, adults' sexual approaches fuel his curiosity, and awaken his impulses: The child gets hold of sexually-oriented media and tries it out on himself (onanism), as well as other children (playing together). What we have here is a **stimulus-spiral**. Any one of these dangers could turn out to be the entry point -- impulses, curiosity, and interests are spurred on. Result: the affected child is also particularly at risk in two other areas.

F47: At the same time, adults' struggles to discipline children also have a supportive function vis-à-vis the formers' own impulse- and emotional control here: "The civilized adult, who with great psychic expenditure keeps his impulses in check, has created the image of innocent childhood, in which desire does not make any anxiety-triggering demands. The fact that children, in terms of their actual behavior, are so often inconsistent with the norm of exalted asexuality gives child-rearers and educators the opportunity -- via discussions with children and teenagers -- to redouble their own defenses, while at the same time allowing themselves to actualize the very fantasies against which these defenses are directed."  
(Rutschky: 299)

F59: ...Lutkehaus (1992: 27) refers to the example of the self-oriented structuring of the danger-discourse: "However, when one takes a closer look at the letters written by those afflicted [by 'onanism'], one notices some rather peculiar things; for instance, that the actual onset of physical and emotional suffering occurs only after reading Tissot -- as if the letter writer already knew that these could also be 'iatrogenic' illnesses; they had been doing okay prior to that..."

F79: ...Just as state measures against pornography under the banner of youth-protection -- even if distribution was made more difficult -- were unable to do anything about the actual existence of such media, the threat of criminal punishment for lewdness with children did just as little to impede such contacts as 'knowledge' of the dangerousness of onanism did on its practice.

F104: The abuse-model itself contributes to the maintenance of this stereotype [of girls being passive/fearful], by appearing to only permit girls the role of helpless victim: "Although this victim-role may be particularly beneficial to the strategy of inciting public indignation, it also reinforces the very patriarchal, idealized image of women that is so strenuously complained about: the mater dolorosa [Lat.: mournful or plaintive mother]." (Gröning: 203...)

#### Conclusion

F2: A corresponding critique in the 1980s concerning the portrayal of social problems may be found in Giesen (1983): "Moreover, whereas the media-mediated public discussion assumes the posture of a rational discourse by members of society regarding political decisions, the institutionalized reality of media reporting only corresponds to the theoretical democratic ideal of an open, sensible, common-good-oriented discourse in very distorted ways."