

PAIDIKA

The Journal of Paedophilia



Autumn 1987 Number 2

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Volume 1, Number 2

Autumn 1987

Published quarterly.

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Paidika

Postbus 22630

1100 DC Amsterdam-Z.O.

The Netherlands

Single copies: Hfl. 25,—.

Subscriptions: Hfl. 95,—, four issues. Payment by cheque or international money order. Overseas subscribers should add Hfl. 30,— for airmail.

Manuscripts, in typed form, with return postage, may be sent to the attention of the editors. The editors and publisher accept no responsibility for unsolicited manuscripts.

ISSN 0167-5907

Printed by Drukkerij Ten Brink Meppel, B.V.

Cover illustration: Head of Antinous (?),
Glyptothek, München

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INTERVIEW: RENÉ SCHÉRER

René Schérier is a philosopher connected with the Université VIII de Paris. He has published works dealing with German phenomenology and Charles Fourier. For the last ten years he has concerned himself with the status of youth, especially the relationship between children and adults. *Emile Perversi*, the best known of his works on youth and education, analyses the relationship between child-rearing and sexuality. In the book Schérier suggests that pedagogy has not advanced one step since Rousseau developed the basis for modern upbringing in his *Emile*. The protection of the 'innocent child' against potential perversions as well as the maintenance of an asexual distance remain, to this day, the central precept of pedagogy. In the book *Co-ire*, which he co-authored with Guy Hocquenghem, Schérier views the paedophile as "Abductor", someone who is prepared to take children away from their family, in order to establish an erotic and pedagogic relationship through which the child comes to realize his potential.

This is part of an interview conducted in Paris in May, 1982 by the Dutch psychologist, Thijs Maasen, lecturer in the Department of Psychology and Pedagogy, the Free University in Amsterdam, who is preparing his dissertation on Gustav Wyneken, and Leo Dullaart, a philosophy graduate teaching at the Protestantse Voortgezette Opleiding, Amsterdam. This is the first English translation of the text as it was published in Dutch in the journal *Comenius*, Vol. 2, nr. 8, December, 1982. We believe that it is among the best statements of French thinking on paedophilia at that time.

Four themes emerged in the course of the interview, and the published version has been structured around these four problems. The first theme deals with the relationship of paederasty to the pre-World War II youth movement. Schérier sees this as one area where the interaction between pedagogy and paederasty is clearly apparent. By reflecting on the youth movement, we can see paedophilia in a social context. Schérier discusses Gustav Wyneken and the alternative educational community of Wickersdorf. At Wickersdorf, Wyneken developed his own theory about eroticism and education, and his book *Eros* presented a compelling defense of man-boy friendships. Schérier attempts to take the interpretation of man-boy friendship a step further by discussing it in terms of paederastic pedagogy.

The second theme is the relationship between paederasty and pedagogy and the question of how pedagogy ironically both desexualizes education and yet supports paederastic elements as a principal aspect of child-rearing.

The relationship between paederasty and the children's rights

movement is the third theme. Schéerer asks the question of whether or not children's rights to their own sexuality encourage erotic association between children and adults. Both advocates and opponents of paedophilia defend their stand in the name of the rights of the child. But discussions about the rights of the child admit no more than the mere existence of children's sexuality. Schéerer objects to this, believing that the nature of the child is different from what this discussion makes it.

The fourth theme is the relationship between paederasty and homosexuality. Not all paederasts are homosexual, and not all homosexuals are paederasts, but paederasts are almost always seen as homosexual child abusers. The interview explores the reasons for this.

In October, 1982, René Schéerer was interrogated by the French police about his possible involvement in the "Coral Affair". (A summary of this case is given in English, with a listing of numerous French newspaper citations on which it is based, in *PAN*, Nr. 13, pp. 3-5; Nr. 14, p. 3; and Nr. 16, p. 9.) Schéerer had only twice visited Coral, a private school for handicapped children near Montpellier, in the south of France, about which allegations of sexual relations between teachers and students had arisen. His visits had been in connection with his interest in alternative education, as reflected in this interview. The police, fabricating accusations, without a warrant and with no charges ever being lodged against him, also entered Schéerer's home and seized all his documents, including letters from Mr. Maasen. No fact or formal charge, or even suggestion of any contact with a minor on Schéerer's part, emerged from the investigation, which had been provoked, it finally emerged, solely because the authorities had identified him as an "intellectual paedophile". The Coral Affair itself was finally shown to be part of a witch-hunt conducted against paedophiles by a fanatical prosecutor, Michael Saltzmann, who hoped to prove that an international ring of paedophiles existed, aided and abetted by the French left-wing political forces.

While Saltzmann was eventually dismissed, the "Coral Affair" marked a turning point in French legal thinking regarding the rights of minors. Alternative education was thoroughly discredited by press coverage, and the word "paedophile" is now registered as a legal term with perjorative meaning, as a description of a crime, not as a descriptive term or an indication of an affectional sensibility.

This situation remains unchanged in France today. For persons to identify themselves as a "paedophile" provokes the same kind of reactions as a self-identification as a murderer or thief: the risk of being descended upon by the police without warrant or charge, and of having one's property seized with no hope of return.

This being the case, we must remind our readers that no assumptions about the sexual orientation of any author published in *Paidika* can or should be made on the basis of the appearance of his or her work here.

Paederasty and the Youth Movement

Question: Your book *Emile Perversi*¹ contains an analysis of the pedagogic relationship in which you discuss the latent connection between pedagogy and paederasty. Is it possible to apply a similar analysis to the youth movement at the beginning of the 20th century, specifically to the relationship between youth leaders and boys?

René Schérer: In 1973, when I wrote *Emile Perversi*, my analysis was not concerned with the youth movement. I knew very little about it. I only became interested in the youth movement when I spoke with Guy Hocquenghem about the "Wandervogel" in Germany, specifically about Hans Blüher's book *Die deutsche Wandervogelbewegung als erotisches Phänomen*², as well as his similar study about "Männerbünde" ("male-bonding") and "Männergesellschaft" ("male societies").³ When I read the book *Eros*⁴ by Gustav Wyneken, I saw that he emphasized the connection between friendship and eros in his "Schulgemeinde" at Wickersdorf: that is, paederasty, eroticised, in a pedagogical setting. What interested me was not so much the pedagogical side as the strong bonds of friendship and eroticism with children. Such bonds, which cross over the boundaries of pedagogy and also divide it, are also discovered when you take a closer look at the early youth movement.

In *Emile Perversi*, it was my intention to sexualize the pedagogic relationship. I tried to do this by demonstrating the denial and repression of sexuality (just as Rousseau tried to reveal it in the pedagogic relationship in the upbringing of his Emile), and I also wanted to show the presence of emotional and erotic aspects which ultimately remain repressed in the relationship. This is a brief outline of my analysis, which I subsequently applied ironically to schools. Schools are diametrically opposed to sexuality, whereas the child is sexual. Pedagogy attempts to desexualize the child.

The book does not mean to infer, however, that there is no connection between a pedagogic relationship and an emotional and even sexual relationship. In *Emile Perversi* I wanted to ridicule this desexualization and show that

another point of view is possible. By reintroducing sexuality, new life can be infused into pedagogical relationships, and they can be made more fruitful. This perspective is not incompatible with that in *Emile Perversi*. One of my students has made a study of this in connection with a pedagogic experiment in an alternative school. He reveals the failures of teachers who maintained an air of remoteness or even antagonism toward the children. He succeeded, however, in forming a group in which affective relationships could grow, including sexual relationships.

Why was it Gustav Wyneken's intention to place eros at the heart of the pedagogical relationship? Was it to legitimize paederasty?

It is difficult to give an unequivocal answer to this question. Wyneken is someone who once again invokes the platonic tradition, that is, the tradition of pedagogical eros. He understands this eros to be sensuality without the expression of sexuality. Perhaps this was necessary, since the book was his defense in the legal proceedings which were brought against him because of the fact that he had had sexual contact with one of his students. In *Eros*, what he primarily defends is the nudity, caressing and affection in this school community. His ideology develops not from a typical sexuality but from the idea of physical and spiritual affection.

However, if we talk in contemporary terms about paederasty then we are talking primarily about sexuality. We want to know whether or not a sexual relationship exists. As a matter of fact, Blüher, who employs a more Freudian interpretation, describes relationships in a male society in terms of a paederastic hierarchy. For him, paedophilia is a form of initiation in the male world. For Wyneken this is not the case. He tried to create relationships between teacher and student that were a comradeship—"close" friendships in the sense of the German "freundschaftliche"—not meant as initiation. At the very least, then, you have to make a distinction between two forms of paederasty: that is, initiatory and pedagogical.

Does another form of paederasty exist other than pedagogic paederasty?

Yes, that is to say, outside a pedagogy in the Platonic sense. In the book *Le corps interdit*,⁵ George Lapassade and I present an analysis of the pedagogy of Socrates and Plato. Their pedagogy is characterized by eliminating the actual sexual aspect of paederasty while sustaining the eros in a spiritual sense. This theory of pedagogy contains the elements of paedophilia from which a direct sexuality is removed, at least in theory.

The problem is now for us to go beyond the theory of paederasty as initiation as well as paederasty in the Platonic sense, through a different interpretation of the eros. If you ask me if the pedagogic relationship is irreconcilable with paederastic relationships, I would deny this. However, for this we need a new kind of pedagogy which is non-authoritarian and not disciplinary, and which does more than just give lip service to equality. This differs from the classic teacher-student relationship. Even though Wyneken saw himself as a kind of teacher, I believe we can see something of this alternative approach to pedagogy in his ideas. To be sure, he was intellectually superior to and had authority over those he associated with, but holding to the principles of Wickersdorf meant for him an atmosphere of comradeship, equality and sensuality.

Wyneken developed a pedagogy based on eros, which broke with the notion of middle class family as well as with the traditional German ideas of school discipline. But wasn't it also true in the alternative approaches to youth culture based on "Geistliche Ernährung" ("spiritual nourishing"),⁶ that youths were susceptible to concepts of Arian culture or even to a fascist culture? Is this not a dangerous aspect of Wyneken's theories?

No, not at all for Wyneken! He was far ahead of his time, and his cultural vision was very different, a humanistic vision in the classic sense. He did not at all embrace any racist ideology.

Rather, I would call him an elitist, not a fascist. What is more, you have to remember that he spent a lot of time with the Marxist

philosopher and critic Walter Benjamin. What Wyneken started was a movement which was relatively independent of the youth movement. He defended his "Jugendkultur" as something new, separate from the "Wandervogel" subculture. He clearly saw the threat of the militarization of youth.⁷ He recognized the dangerous transformation of the youth movement into brigades through the domination of values by adults. The youth movement was originally formed by the youth for themselves. It is, in my opinion, an error of contemporary interpretation to find notions of fascism within the rules and principles of the early youth movement or youth culture. By early, I specifically mean the period before 1930 and not what occurred after that. Only after 1930 (except for a few small factions) was there talk of the total militarization of youth. You can say that Wyneken was, without a doubt, against this militarization; despite the fact that he chose in favour of the war in 1914, which also resulted in his split with Walter Benjamin.⁸ After 1920 he was not particularly nationalistic.

Wasn't Walter Benjamin's criticism of Wyneken the fact that he found his "Jugendkultur" too spiritual, in a Platonic sense, or within the idealist German tradition? According to Benjamin wasn't it because the youth movement was so spiritual that it was, therefore, unprepared for either a theoretical or physical resistance to Nazism?

Wyneken was definitely an idealist. But the spirit of renewal natural to youth can also be called idealistic, an idealism which relies on reality, on the vigour of youth and the development of new ideas. I tend to give the term Idealism a nuance not based on the distinction between idealism and materialism. Although Benjamin made a classic analysis of the proletarian and bourgeois youth, he remained sensitive to the idea that youth is not completely determined. Even though they belong to different classes, youth retain something which differs from adults. I maintain that one cannot define youth in terms of social class. This is apparent in the contemporary idea that youth is a whole, crossing all social class boundaries.

Youth has always been an important catalyst in social change, whether in Germany, Europe or America.

As a social phenomenon, youth movements are important because they rebel against school and family, against institutions which promote alienation and submission. What I am concerned with here is youth in its totality which, although steeped in social differences, forms a united front.

Paederasty and Children's Rights

Doesn't this mean, then, that there is a conflict of interests between youths and adults, since the young have something which always differs from the adult? Doesn't this present a problem for the defense of paedophile relations?

We must be cautious not to fall into a trap by approaching the problem in this way. Regarding the defense of paedophilia, there are two matters which are in conflict. On the one side, the young voice their demands in the spirit of or in the name of emancipation, meaning the right to recognition of their sexuality. We see this occurring repeatedly since the beginning of this century. On the other side there is the viewpoint paederasts and paedophiles take in defending their relationships. This defense evolves from the needs of the adult. These two demands, based on the needs of youths and the needs of paedophiles, are in conflict, since youths are the main issue.

It is obvious that these demands are not always in agreement. What youth wants does not always conform to what the paedophile wants; at times these desires are in total opposition. This is a delicate problem. It is often the case that those who defend the rights of the child as regards sexual freedom are themselves paederasts and paedophiles. This does not say that youth will therefore automatically defend paedophile relationships. They would rather strive for freedom for themselves.

You see currently in France that someone such as Tony Duvert⁹ defends the desires of the paederast from the point of view of the rights of the child, while Wyneken defends the sexual freedom of the young from a paederastic point of

view. Without doubt, a close tie exists between the two. In Germany paedophiles are now defending the rights of youths against the constraints of institutional coercion, which unifies the demands of youth and paedophiles alike.

Are there not two discours about paedophilia, the Platonic discours and the more recent which revolves around the rights of youths?

Yes, a new *discours* has arisen. Originally there was the classical *discours* which one finds in novels by André Gide for example. It is of an esthetic nature, invoking a cultural mythology based on the Greek notion of paederasty, whether it be Spartan or Platonic. This classical approach is also found in more theoretical works in which the paedophile speaks of the beauty of attraction to boys.

The new *discours* is based on the sexual freedom of boys themselves: the rights of the paedophile are claimed in the name of the freedom of the child. As I have said, this is not always a given, since the child does not always opt for the paedophile. There is a connection, however: if one says that a child cannot be completely free sexually, then this means that he is unable to approach adults—that he cannot choose an adult as a sexual partner. This is possible, of course, if he has sexual freedom. Inversely, it is impossible to defend paederasty or paedophilia without pleading sexual freedom for boys; otherwise there remains only the archaic notion that adults have the right to love youths.

How does this new approach focus primarily on the rights of boys?

In spite of everything, legislation and judicial processes remain basically repressive. Children are prevented from having sexual relationships with others. That the child has rights means that he must be dealt with as a free individual and as such that he is free to have relationships. The truth of the matter is rather that others (adults) may interfere with the child if they wish to do so since it is the child's 'right' to be protected. Adults therefore have the 'right' to protect children. This discussion yields nothing. One

cannot say that paedophiles have the right to sleep with children. The objection that children don't want this would be immediate. This is always the way in which the question is asked. This legal discussion is therefore the wrong way to approach the problem of paedophilia.

In theory everyone has equal rights, but in actuality these rights are affected by differences in status and age. Therefore adults feel they have a duty to protect children. What I oppose most of all is the extension of this idea of protecting the child into a prohibition against affective and sexual relationships with adults. You must understand that this point correlates closely with the problems surrounding the formation of paedophile organizations and how they view themselves.

Is the notion of the "Abduction" of children, which your book Co-ire¹⁰ is about, an attempt to present the problem from a novel point of view?

The idea of "Abduction" is very complex. One must understand it within the mythological context of the world of fairy tales. "Abduction" in *Co-ire* is placed within this context. When Hocquenghem and I wrote the book we argued that it is not a desire of the child to stay in the family, but rather to be taken away, to be 'abducted'. That is the desire which is buried deep within the imagination of the child, to be taken away, out of the family environment. "Abduction" makes the child realize his potential. It is not important whether it is an actual or metaphorical "Abduction". The myth itself leads the way: children are told fairy tales which revolve primarily around an abduction or around stealing. In them we see a world in which the child hides away, which is not the natural family environment where the child makes a place for himself between mother and father. Through this kind of provocative writing he and I were trying to evoke an image of a child's world in which the natural environment is not the family.

How do the references to fairy tales and myths in Co-ire relate to the new legal discourse about the rights of the child?

You must not think we were trying to archaize an argument in *Co-ire*. We wanted to take another path, not one involving law. In the legal representation of the child, the sexuality recognized as belonging to children may not interfere with other forms of sexuality.

We allowed such sexual interference to occur in *Co-ire*. We did not start from the premise that you have adults on one side and children on the other, children who are, as it were, isolated somewhere in order for them to have a free upbringing without the influence of adults. Various ambiguous relationships are enacted in *Co-ire* which are in constant interplay with each other. The image that our society has of modern youth (which is once again controlled and alienated from adults by legal codes) is quite the opposite. Neither do we wish to regress to paederastic relationships in which the adult is dominant. It is possible to abolish this form of domination through the interplay of sexual relationships. This interplay between the two social categories, youth and adults, is hindered by strict sexual segregation. Morality legislation only legitimizes this barrier.

Paederasty and Pedagogy

Even though you follow another path in your approach to paederasty, doesn't pedagogy retain an important role?

As far as masculine paederasty is concerned, a meaningful commitment between a man and a boy has elements of pedagogy, but in a broader sense. I cannot imagine that a boy would not learn anything or that he would remain uninfluenced by such a relationship. I define influence as being something more than what is called 'formative' in the pedagogical definition of the word. I am more concerned with an exchange of influence by both the man and the boy. Any analysis of man-boy relationships reveals that the influence is mutually educative. We can say that influence in paederastic or paedophile rela-

Not all rewarding relationships are pedagogic.

tionships is not a one-way street. From the moment a paederast has contact with a boy, he himself is changed. One cannot employ a superficial understanding of influence in a pedagogical sense.

A paedophile can make a positive contribution to the education of the boy even though he is not an 'educator'. It is possible to have healthy loving or sexual relationships of a non-pedagogic nature. Therefore it isn't necessary to criticize these relationships in pedagogic terms. The pedagogic argument is often used in court against the paedophile. I realize this is the case, but it doesn't eliminate the fact that it is an alibi when dealing with these emotional and sexual relationships. It is an alibi because, amongst themselves, adults do not need this defense. One does not say: you are convicted because your relationship with the woman you sleep with is not of a pedagogic nature, otherwise you would not have been convicted.

The fact that a paedophile relationship also has intellectual advantages does not in and of itself justify it. The issue is ultimately the pleasure shared between the child and the adult. We must be careful not to confuse the issues: that a man has a paedophile relationship with a boy, which does the boy good, is of course beautiful. There are also men who mean a lot to boys without having a paedophile relationship, because either the man or the boy doesn't like it. One must not pass judgment on a pleasurable relationship between a man and a boy because it is not pedagogic. Not all rewarding relationships are pedagogic.

On the other hand, if we ask if eroticism can enter into the pedagogic relationship, I would say yes. The problem is to find a common form of expression because of the individuality of eroticism. You can educate a group of boys in the classical sense, but it is difficult to create an erotic atmosphere in a group of ten boys. This is because education and eroticism do not evolve at the same rate, they are not in balance. It is because of this imbalance that the eros is sublimated in educational systems. Pedagogy deals with the eros by turning it into a principle which has nothing to do with the sexual aspect of eroticism. I do not believe, however, that ped-

From the moment a paederast has contact with a boy, he himself is changed.

agogy and eros are irreconcilable. Let me give an example. A student of mine, who has written about this subject, asserts that he can only become a good teacher and his students can only become their most productive when he is in love with one or two of the students. If this doesn't happen, he feels himself becoming a bore and his work is drudgery. Love causes things to flourish and the other students understand this as well. This doesn't mean that the other students are neglected. They actually become more interested and the lessons become a mutual joy.

I do not say that paedophiles are the best educators; or at the very least I would mean it ironically. It is obviously the case, however, that in order for the child not to suffer under the educational process, this process must go hand in hand with tenderness and affection. This is what I mean by paedophilia in the broader sense. Rousseau's book *Emile* is a strong example of this. The educator has a love relationship with Emile. In *Les Rêveries du Promeneur solitaire*,¹¹ Rousseau writes sensitively about relating with children. I suggest by this that those who have based modern education on repressed sexuality have laid the foundations for paedophilia in education.

Paederasty and Homosexuality

*What sort of historical analysis of paederasty could be made along the lines of what, for example, Foucault wrote about homosexuality in *La volonté de savoir*¹²? Does the history of paederasty differ from that of homosexuality?*

I haven't as yet read Foucault's sequel to *La volonté de savoir*. In the magazine *Masques* he expresses his opinion of the connection in relation to Greek homosexuality.¹³ One can analyse homosexuality in this classical context, but it is also possible to refer to the 19th century origins of the term.

It is different for paederasty. There was a time when paederasty and homosexuality were not

distinguished from one another. Homosexuality in this period, and I am thinking here of the Greeks, was necessarily paederastic. It did not deal with relationships between adults. Until recently, homosexuality had a paederastic character. It was not until the 19th century that the distinction was made—that of homosexuality as a perversion, something distinctly different from paedophilic relationships between adults and children. Previously, in the eyes of society, the adult in a paederastic relationship was not transformed into someone on the ‘wrong’ side. Society saw the adult as someone involved in a relationship with a more or less ‘feminine’ partner, a child. Homosexuality and paederasty are therefore on different tracks although there are cross references.

The foundations of the modern analysis of paederasty are other than those of homosexuality. Whatever is not defined in terms of perversion is then judged in terms of the defense of the child. Over a period of time, for example, we see that the age of consent, in relation to the protection of the child, has increased from 11 to 13 and from 13 to 16. The discussions about homosexuality are based on ideas of perversion and that which is unnatural, but the discussions about paederasty have been based on the concept of the protection of the child. Both these matters influence each other even though they have different bases. As homosexuality becomes more accepted in neighbouring countries we see that paederasty is judged less in homosexual terms than in terms specific to the protection of children.

It is interesting that paederasty is regarded as a self-evident result of the natural association between men and boys. One finds a suspicion of paederasty in regard to pedagogic institutions, especially in boarding schools. When paederasty is tolerated it often occurs in a pedagogic environment.

Foucault presents his historical analysis of homosexuality as within the constraints of “confession”.¹⁴ Is the distinction you make between the histories of homosexuality and paederasty that the latter distances itself from the notion of “confession”?

La volonté de savoir was directed against the sexual tendencies that categorized sexuality. This was a painful trend, in Foucault’s eyes. Foucault sees sexuality as complex and, historically speaking, inseparable from various other issues. In trials the goal is to discover exactly what has happened since the social discussion remains silent about the facts. A trial, by its very nature, compels classification. You see this in Wyneken’s case. In *Eros* he refused to classify himself as a paederast, stating rather that the community in which men were the educators of boys was, in fact, saturated by eroticism and sensuality. It is my opinion that this is all there is to be said about it. When the accusations against Gustav Wyneken erupted, his school community had no desire to define itself within the terminology of sexual categorization. Unfortunately they were forced to do this. The sensuality of the Wickersdorf community was taken totally out of context by forcing it to be defined in sexual terms. In the proceedings, the judiciary demanded specific descriptions of definite acts, thereby forcing a categorization of individuals. This interference with affective relationships by the law is fatal.

It is also possible to analyse the early 20th century youth movement in terms of homosexuality or paedophilia. But it is of the greatest importance to realize that the essence of the relationships within the youth movement was their spontaneity, that they as such were undefined. These relationships were not seen as paederastic, but at the same time, these relationships could only exist where there was a coherent strong emotional bond. Those who felt it necessary to define these relationships were usually those who were outsiders.

*Does your understanding of sexuality employ a psychoanalytic point of view? In contrast to Hocquenghem in *Le désir homosexuel*¹⁵, Foucault used the idea of “plaisir” instead of “désir”, which he finds too physiological. Must we discuss the desire of adults as opposed to the pleasure of children?*

Within your question there is, to some degree, a critical answer to the common understanding

of sexuality. Hocquenghem for example intends "desir" to be the result of wants. This means that desire was again made into something positive and was not reduced to a perversion. In Hocquenghem, homosexuality is no longer dishonoured specifically by a fixation on genital sexuality. As far as the pleasure of children is concerned, this pleasure is hard to express. It is because the nature of pleasure in children is unknown that people will not concede that it exists. I do not mean this only as far as the law goes, but also in the social behaviour between adults and children. The sexual pleasure of children is rejected as soon as it manifests itself because of notions of improper age or potential trauma. I make a plea for an affirmation of pleasure in its own right. When pleasure arises, one must respond to it and go with it. A child has a right to delight.

That parents and adults reject the notion of a child's pleasure is in fact a refusal to enjoy the delight of the child. This is perhaps a kind of jealousy of the child, against those who wish to share or arouse that pleasure in the child. A feeling of anxiety arises in the adult when they see or become a party to the sexual pleasure of a child. I have clearly seen this occur at a trial in which I was an expert witness. The experts reported that the children in the case had found a lot of pleasure in their contacts, that they were satisfied by it. The court concluded, however, that this could not be true, the paederast did not know what kind of damage he had done. Here we have an official rejection of the pleasure of the child, a social and judicial rejection.

It is because the nature of pleasure in children is unknown that people will not concede that it exists.

One can say that women are as absent in paederasty as men are in motherhood. There currently exists a feminist critique of the absence of women in the male world.¹⁶ When you seek a specific world of men and boys, isn't it necessary to legitimize such an exclusively male attempt?

With this question you broach various problems which are closely related. In the first place, the position of feminists concerning paederasty. It is quite apt to bring up these questions since some extreme criticisms of paederasty were published in France, which attacked paederasty on the basis that it was a form of domination if not rape of children.¹⁷ They claimed the paederast uses the pleasure of the child to satisfy his own lust. According to these critics only women, and specifically mothers, are capable of understanding children. This criticism of paedophilia is based on the defense of the position of women. I would like to get into this. I do not agree. There is a lively discussion of this subject in Tony Duvert's book, *L'enfant au masculin*. I wonder if it isn't possible to suggest that mothers, at the very least, themselves are 'paederasts' since it is not necessary for them to hide their attraction to children.

Promoting love exclusively between men and boys is now important because it is not allowed. The apparent growth of homosexual freedom through tolerance and publicity is only superficial and verbal, and in fact a misrepresentation. The fight for homosexual freedom is therefore as necessary as ever.

As for boys, the struggle is twice as hard because of the anti-homosexual atmosphere with which they find themselves surrounded. Tony Duvert terms this heterocratic power. This duplicity is verified by the fact that when boys talk about sex, they usually refer to sex with women. We live in a society which dictates that the only real sexual relationship is a heterosexual relationship. The homosexual relationship remains on the fringe of society, has not been integrated. It is therefore very difficult to reach a state of social integration that includes a multiplicity of sexual relationships. Boys who have homosexual relationships with adults inevitably have a difficult time. The paederast is in danger of criminal prosecution if such a relationship becomes known, but the boy also cannot experience such a relationship openly. It is somewhat easier between boys of the same age, but a relationship with an adult needs a motive in order to justify it. You see, paeder-

Promoting love exclusively between men and boys is now important because it is not allowed.

astic relationships usually remain hidden behind motives, not only now but in the last century as well. One thinks of the motive of protection of a child, coming to the help of the children of the poor, perhaps more then than now. I also refer to relationships in which paedophilia remained in the background, even though they had a paedophile character. It is actually because of this restraint that these relationships were accepted, even by the families of the boys. A curious example, which came into the news again because of a recent English publication, is the story of James Barrie, who wrote *Peter Pan*.¹⁸ The book is fascinating in that it reveals to us, within a Victorian context, Barrie's paederastic and paedophile relationships. Barrie was a writer from London who became part of an upper class family. He was in love with the children, his relationships with whom were not only pedagogical but were also extravagantly cultural. *Peter Pan* was based on these experiences. After the death of the parents he adopted the children. You cannot say that Barrie's relationships with the boys were purely paederastic. That isn't even interesting. What is, however, is the ambiguity which makes such relationships possible. It is an interesting example for a study of the interplay between pedagogy and paedophilia.

The children who played the role of Peter Pan (and who died only recently) were asked if it was about homosexual relationships, but they did not wish to talk about it. In any event, you can say that Barrie wrote for these children because he was crazy about them. This is why he created Peter Pan. This is one of the creative expressions of paedophilia.

I realize now that I have only indirectly answered your question....

If one was to ask you why you write only about boys and the male world and not about girls or women, how would you answer?

I am concerned as a philosopher, not as a novelist or as an autobiographer. The heterosexual paedophile is, generally speaking, seen as acting within the considered norms of sexual behaviour and is approached with a greater tolerance. A relationship between a boy of ten and a woman of thirty is seen as a premature heterosexual relationship. One says that the boy is precocious, something which is not a source of discredit. A relationship between a man and a boy presents a greater problem in that it challenges our culture and society, more than any other kind of relationship.

For me it is not a question of exclusivity but it is a theoretical choice. At the very least, it is not just a personal choice, but a choice rather to discover a masculine approach in the field of paederasty and pedagogy.

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THE HYSTERIA OVER CHILD PORNOGRAPHY AND PAEDOPHILIA

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It was during the mid-1970's, shortly after child pornography appeared on the shelves of adult bookstores in New York, Los Angeles, Chicago, Minneapolis and other major cities, that child pornography and child sexual abuse came to be perceived as serious and pervasive problems in American society. Almost immediately, self-appointed moral crusaders and some feminists began storming the country to decry the shameful exploitation of children by child pornographers and paedophiles, i.e. those relatively few individuals who desire children, to one degree or another, as their sexual partners. Articles and editorials appeared in most newspapers in the United States calling for a stop to child exploitation. Within a year or two, in the face of mounting public pressure, distributors and retailers of adult pornography began removing child pornography from their stocks and shelves. The federal government and state legislatures responded by enacting legislation proscribing the production and sale of child pornography and by funding law enforcement efforts to combat it. By the time the first federal child pornography law took effect on January 1, 1978, the production and commercial distribution of child pornography in the United States had been virtually eliminated.

Despite this fact, the child pornography issue continued to be exploited by law enforcement officials, moral crusaders, politicians and the media nationwide. What may have begun as a legitimate concern for the well-being of children quickly became a "moral panic" which swept the nation.¹ Through the 1980's, child pornography slide shows and "teach-ins" continue to be given by a number of law enforcement personnel, religious groups, feminists

against pornography, and others professing the danger child pornography poses to children. Thousands of news articles, exposés, editorials, books, and television programs warning parents and children about kidnappings or sexual advances from friendly strangers, neighbors, and, occasionally, relatives, still proliferate at an astonishing rate.² School programs aimed at teaching children about "good" touch and "bad" touch have been developed and implemented.³ Laws have been passed requiring psychiatrists, psychologists, psychotherapists, and other professionals to report any "suspicion" of sexual activity, regardless of the ethical constraints of client confidentiality. Poor grades, shyness and inability to relate to peers, as well as masturbation or other overt expressions of sexuality by a child are all perceived as signs of sexual abuse.⁴ In many jurisdictions, adults wishing to seek professional help for sexual attraction to or involvement with children must first be reported to the authorities for prosecution.⁵ Professionals and volunteers who work with children, particularly teachers of young children, day care workers, Big Brothers and scout leaders, are literally terrified of touching or being alone with a child, lest they be accused of abuse.

Claims of child sexual abuse have reached epidemic proportions. Many innocent individuals—parents and non-parents, teachers and day-care workers—have been falsely accused of child abuse, including participation in sex rings with dozens of children, animal sacrifices, satanic rituals, gang rapes, child pornography, child prostitution, and child murder.⁶ A number of the accused are convicted on little or no evidence. Many are acquitted, but are left

bankrupted by the costs of defending the charges against them, are unable to find jobs and are left socially and emotionally ruined.⁷ Several sources indicate that up to 65% of all child abuse reports in the United States today are false.⁸ Truth and fiction about child sexual abuse have become nearly indistinguishable.

The activities of law enforcement agencies have also grown exponentially during this time. U.S. Customs, the U.S. Postal Inspection Service, the FBI and state and local law enforcement agencies have established special units and interagency task forces to combat child pornography and paedophilia.⁹ Dozens of entrapment schemes aimed at enticing individuals into trading, selling, purchasing or receiving child pornography through the mail have been implemented and several hundred individuals have been arrested.

Some parents have been arrested and harassed by law enforcement authorities, under the guise of law enforcement, for taking the most innocent pictures of their children. Nudists and professional photographers who photograph children are particularly fearful of arrest. The number of depictions of nude children on the pages of art photography books and in American nudist publications has declined significantly since the mid-70's. Realistic sex education books, such as *Show Me* and *The Sex Atlas*, have similarly fallen to the censor's axe.

In spite of, or perhaps because of, the hysteria, the solution to child sexual abuse continues to elude American society. Child sexual abuse should not be blamed just on those few individuals who are paedophiles, but is a problem deeply ingrained in American culture.⁹ Child sexual abuse is symptomatic of the sexual sickness of American society, which socializes girls to become sex objects and grooms boys for positions of power, which keeps children in positions of subservience to adult wishes and needs, and which refuses to provide its children with age-appropriate, sex-positive sex education. The greatest sexual danger posed to children in the United States is not child pornography or paedophilia, but the anxiety and guilt which adults feel about sexuality in general, and child sexuality in particular. The hysteria

over child pornography and paedophilia conveniently diverts public attention away from the widespread social and sexual oppression of children.

Child Pornography and the Law

The Protection of Children Against Sexual Exploitation Act of 1977 proscribed the sale and commercial exchange of child pornography.¹⁰ Child pornography was defined under the Act as any photographic depiction of a person under the age of 16 which showed that person (a) engaged in any sexual activity, including masturbation and "sado-masochistic abuse", (b) in a state of sexual arousal, or (c) posed in such a way that the genitals or anal area of the minor were "lewdly" exhibited. A simple nude photograph of a minor was and still is not generally considered child pornography under U.S. federal law, unless it also happens to focus primarily on the minor's genitals, unless the minor is posed in a setting normally associated with sexual activity, unless the minor is dressed in inappropriate attire considering the age of the minor, or unless the minor is depicted as having sexual feelings. A crucial factor in determining whether a depiction of a minor is "child pornography" is, of course, whether or not it was photographed by a paedophile.¹¹

In essence, the 1978 law made it a federal crime, punishable by up to 10 years imprisonment and \$10,000 fine for a first offence, to produce or distribute child pornography for commercial consideration, if such production or distribution involved the use of the mails or the crossing of state lines. In 1984, the Act was amended, redefining child pornography to include depictions of minors between the ages of 16 and 18 years of age, broadening the standard for determining whether a depiction of a minor is salacious, and making it a crime—with or without commercial consideration—to receive, import, mail or exchange child pornography.¹² The 1984 amendments also raised the maximum penalty for a first offense to 10 years imprisonment and \$100,000 fine and added a provision providing for the forfeiture of certain personal belongings—automobiles, cameras

and videotape players, etc.—of convicted persons. In 1986, it became illegal to publish or cause the publication of any advertisement offering to sell or requesting to purchase child pornography.¹³

State child pornography laws vary widely from state to state, but they generally include a greater range of materials within their definitions than the federal law. Certain states, such as Ohio and Massachusetts, outlaw nudity *per se* where minors are involved, except under special circumstances.¹⁴ Some states look beyond the actual contents of the depiction in question to make a determination of whether it is child pornography. In California, for example, "child pornography" may include photographs which depict neither sexual activity nor "lascivious exhibition of the genitals", but which are "intended to appeal to the prurient interests of any persons."¹⁵ In Missouri, nudity is proscribed where it is "for the purpose of sexual stimulation or gratification of any individual who may view such depiction."¹⁶ A few states still follow the 1978 federal law and define the upper age limit of child pornography as 16.¹⁷

All materials depicting minors under the age of 18 engaged in sexual activity or posing "lasciviously", regardless of where the depictions are created or produced, are considered child pornography.¹⁸ This is true even where the activity depicted is legal in the country or state in which it is created or produced. Thus, a Dutch magazine depicting 16 and 17 year old girls or a Danish magazine depicting 15 and 16 year old boys is considered to be, and may be prosecuted as, child pornography in the United States.¹⁹ Similarly, a person who photographs, outside of the United States, a nude 17-year-old girl with her legs parted is guilty both of creating and importing child pornography if he or she brings the photographs or undeveloped film into the United States. It is interesting to note the anomaly created by including depictions of minors up to the age of 18 in the definition of "child pornography": in a great many jurisdictions, teenagers have the full legal right to consent to sexual intercourse, but may not legally consent to being photographed in a lascivious pose. Prosecutions for pornography depicting

older teenagers are no less vigorous than those for pornography depicting young children.²⁰

Under all child pornography laws—federal and state—"child pornography" constitutes a *per se* category of unprotected speech—that is, once an item fits the description, it is proscribed. This is so even if, taken as a whole, the item in question possesses "serious literary, artistic, political, or scientific value", depicts explicit sexual conduct unoffensively, and does not primarily appeal to what some consider a "shameful interest" in sexuality.²¹ Child pornography is thus completely distinguishable from "obscenity", which depicts adults and may not be proscribed if it passes this constitutional test. Art films, photographs, and sex education books containing photographs of nude minors who are engaged in sexual activity, appear sexually aroused, or are merely posing in erotic settings or postures may all be banned as "child pornography".

Most child pornography was created—that is, photographed or filmed—in the United States and Europe in the early and mid-1970's, although some of it was created in Northern Africa, Southeast Asia, and India. Very few child pornography magazines were actually printed in the United States and all domestic magazine production ceased by the time the Child Protection Act took effect in 1978. A few home-made films were produced for commercial sale in the United States between 1978 and 1980. Child pornography was produced throughout the 1970's in Denmark and Holland, and a few magazines and films were also produced in Sweden and West Germany. There is little evidence to support the oft-stated claim that child pornography was created primarily in the United States, as child pornography magazines and films were replete with European and Asian examples.

Child pornography magazines were usually digest-size, black-and-white or color magazines produced by fly-by-night operations. These magazines, generally consisting of somewhere between 24 and 64 pages, reproduced original photographs, antique photographs, and photographs taken from other magazines, together with drawings and fic-

tional and non-fictional written materials. Since few pornographers would ever have an opportunity to avail themselves of the copyright protection laws, pirating between magazines was the norm.

Production of child pornography magazines was always sporadic. This is largely due to the fact that the market for child pornography was relatively insignificant from a commercial point of view and also due to the fact that the production of all obscene materials, adult and child, was (and still is) illegal in the United States and most European countries. Accordingly, the supply of child pornography photographs and films, including the home-made variety, was extremely limited. Several magazines made regular appeals to their readers to contribute materials and the repetition of photographs from magazine to magazine is testimony to the fact that child pornography was a scarce item everywhere. Often, magazines purporting to be monthly produced only a few issues over a period of several years. These were then replaced by other magazines, which reprinted many of the same photographs. The photographs reproduced in the magazines originated in a few instances from professional pornographers. Most, however, were contributed by individuals who photographed children with whom they were acquainted.

Between 10% and 20% of the photographs in child pornography magazines were pirated from nudist magazines and depicted children at nudist camps engaged in innocent play. Many more magazines depicted erotic nudity than sexual activity.²² Some magazines which have been publicized in the U.S. press as child pornography actually contained no sexual activity or "lascivious exhibition of the genitals".²³

A number of experts who have observed the child pornography "industry" from its beginnings to its demise generally agree that the number of minors depicted in these magazines and films did not exceed between 5,000 and 7,000 worldwide.²⁴ The children who participated in child pornography were not generally runaways, prostitutes, or drug addicts. They were also not the victims of kidnapping. Most were from middle-class homes and well-ac-

quainted with the adult or adults for or with whom they posed. The children depicted were generally between the ages of 5 and 14, though the appearance of younger children has occasionally been noted. Instances of infants being "molested" and photographed are extremely rare, and should be discounted as sensationalism.²⁵ Other claims—child auctions in Amsterdam²⁶, toll-free numbers and mail-order houses for ordering child prostitutes²⁷, child "snuff" films²⁸, satanic molestation rituals in which animals are dismembered²⁹, "chains of [American] brothels and bordellos... where children are kept... under lock and key"³⁰, and motorcycle gang rapes³¹—are touted by law enforcement officers, prosecutors, politicians and others who lack any credible evidence of such occurrences. No children whose photographs appeared in child pornography magazines and films were ever known or even suspected to have been the victims of murder.³²

Child pornography never amounted to a lucrative business in the United States or elsewhere. Child pornography was cheaply produced for a very limited market, selling at most between 5,000 and 10,000 copies per issue worldwide. There is no commercial production of child pornography in the United States today. With the exception of nine issues of one 24-page publication featuring young boys, no child pornography magazines have been produced in Holland since 1982. (With respect to this publication, the material reproduced appears to predate the 1980's.) Child pornography does continue to be made much as it was prior to 1970: by a very few persons, on an amateur basis, and primarily for private viewing.

The hysteria over child pornography began shortly after a few well-publicized raids were made in 1975, and again in 1977, on several distributors and adult booksellers who handled child pornography magazines and films.³³ The raids were followed by a media blitz of misinformation by self-appointed experts, such as Sergeant Lloyd Martin of the Los Angeles Police Department and Judianne Densen-Gerber, the founder of the multi-national drug rehabilitation organization, Odyssey House. Martin testified in Congress that child pornography

was "worse than homicide" and reported that 30,000 children were the victims of child pornography in Los Angeles alone.³⁴ Barbara Pruitt, an investigator for the LAPD, claimed that "[t]he children who die, they are the lucky ones," as if to suggest there was evidence or suspicions of murder.³⁵ Densen-Gerber mailed child pornography to members of Congress and stormed the country with stories of forced prostitution and drug addiction, kidnapping and murder. Among the many lies perpetrated by Densen-Gerber was her claim that she personally had counted 264 child pornography magazines which were being produced monthly and sold in adult bookstores across the country.³⁶ These crusaders' socially irresponsible claims were sensationalized and further exaggerated in news reports and on the editorial pages of the country's major newspapers, in addition to Congressional and State hearings. Both Martin's and Densen-Gerber's crusading ended in 1982, but there were others to replace them.³⁷ By 1982, the moral panic had a momentum all its own.

Ever since the late seventies, public officials and various so-called "experts" have claimed that the creation, production, and distribution of child pornography is an enormous "industry", generating untold profits, exploiting an untold number of children under the age of 18, and involving a vast underground network of paedophiles. Estimates vary. The *Ladies' Home Journal*, one of the most popular magazines in America, reported that child pornography generated between \$500 million and \$1 billion annually, exploiting several million children.³⁸ The *Ann Landers Encyclopedia* contains similar distortions.³⁹ The *Albany Times Union* reported that child pornography is a "\$46 billion national industry—a loose network involving 2.4 million youngsters, according to federal statistics."⁴⁰ No such statistics exist on a federal level or anywhere else.

U.S. law enforcement and other experts in the field have known since the late 70's that there was never a large industry devoted to child pornography and that any industry that did exist had virtually disappeared by 1978. The Illinois Legislature was one of the first govern-

mental units to expose this fact publicly. Pursuant to a resolution adopted by the Illinois House of Representatives, the Illinois Legislative Investigating Committee (ILIC) was appointed in March, 1977 to investigate the domestic child pornography industry, focusing on Illinois, then thought to be a hotbed of child pornography. After an intensive three-year investigation—which involved interviewing convicted child molesters and pornographers, setting up its own entrapment schemes, and exchanging information with the FBI, the Los Angeles Police Department, the United States Postal Service, and United States Customs—ILIC issued its report.⁴¹

According to the ILIC report, the heyday of child pornography in the United States was 1976-78. The Committee noted that prior to the effective date of the Child Protection Act of 1977, public pressure and legal proceedings had already forced what little commercial production and distribution there was underground. ILIC found that after the effective date of the Act, child pornography had completely disappeared from the commercial chain of distribution in the United States and that there was little evidence of its even being underground.⁴²

Information provided to ILIC by the FBI was consistent with this conclusion. On April 14, 1980, the FBI concluded a 2-1/2 year sting operation in which child pornography was actively sought by investigators nationwide and in which simultaneous raids were staged on 60 warehouses where pornography was being stored pending distribution. In the FBI's 2-1/2 years of searching for child pornography on a commercial level, ILIC noted, "none was discovered. Furthermore, none of the 60 raids resulted in any seizures of child pornography, even though the raids were comprehensive and nationwide." While child pornography still appeared to be available by mail order through various sexually-oriented tabloids distributed in small numbers across the United States, ILIC found the overall scope of the industry to be unimpressive. ILIC concluded:

Pornography and other sex-related "industries" continue to be enormous operations in this country. However,

neither child pornography nor child prostitution has ever represented a significant portion of the industry. Individuals may have made significant amounts of money from their own child pornography operations... but these have not been organized activities. They should not be construed to be significant elements of the very real sex industry that exists in this country.⁴³

Despite the accurate assessments contained in the ILIC Report, reports of a massive underground industry and nationwide network of child molesters purchasing and exchanging child pornography and children persisted. In the early 1980's, as the hysteria over child pornography merged with the "missing children" scare, recently exposed in the U.S. press as a fraud, public hysteria reached new heights. Child pornography and the activities of paedophiles were claimed to be directly responsible for the disappearance of hundreds of thousands, if not millions of children per year, despite the fact that, according to the FBI, in mid-1985 there were only 67 cases of stranger abductions extant.⁴⁴ As the ILIC report noted in 1980, "the opinions of [the] 'experts' often were printed without corroboration, thus influencing the spread of stories and quotations that had little basis in fact."⁴⁵ That statement is still true today.

Indictment and conviction statistics for offenses under the federal child pornography laws are unimpressive and belie the fantastic claims of law enforcement officials and moral crusaders. Between January 1, 1978 and May 21, 1984, the respective effective dates of the Child Protection Act of 1977 and the Sexual Exploitation Act of 1984, only 69 defendants were indicted under all the federal statutes covering the creation, importation, mailing, production, receipt, and exchange of child pornography.⁴⁶ Many of those 69 indicted were guilty only of buying one or two child pornography magazines or films from Europe for personal viewing, while others were convicted for selling pre-existing, commercially-available materials to or exchanging them with Postal Inspectors and other under-

cover law enforcement personnel or informants. In most of the cases in which defendants were convicted of "producing" child pornography, only a handful of photographs were involved. The biggest case involved the homemade production of 10 short films intended for commercial sale.

Only one case—that of Catherine Stubblefield Wilson and her colleague, Richard Trolio—involved significant distribution of child pornography. The Wilson/Trolio case is extraordinary and very revealing. According to the Los Angeles Police Department, one of the most knowledgeable police units in the country on matters concerning child pornography, Wilson was responsible for the distribution of 80% of all commercial child pornography in the United States in the late 1970's and early 1980's. Kenneth Elsesser, an FBI agent who was instrumental in Wilson's arrest, said of the case "[d]istribution, be it commercial or non-commercial, of child pornography on the scale of Catherine Wilson will never again be seen in this country."⁴⁷

Various police agencies had suspected Wilson of selling child pornography since the mid-70's, but in 1976, when she was arrested on obscenity charges, police raided her home and found only adult, not child, pornography. The FBI and LAPD continued investigating her business. In late 1981, law enforcement personnel who were on Wilson's mailing list received advertisements for pornography depicting bestiality. Police officers ordered, and received, an 8-mm film depicting sexual conduct between an adult woman and a dog. Based on that test purchase and law enforcement officers' suspicions that Wilson was selling child pornography, Trolio was arrested.

Upon his arrest, Trolio immediately agreed to cooperate with the police in their efforts to arrest Wilson. While law enforcement officers had failed to purchase child pornography from Wilson or Trolio, they obtained, through electronic surveillance, evidence suggesting that Wilson and Trolio were selling child pornography films. A 15-count federal indictment against the "Mother of Kiddy Porn" was returned in December 1982.⁴⁸

Wilson's mode of operation was relatively simple. She placed advertisements in adult-oriented newspapers and magazines for pornography with a contact address in Denmark. All orders and correspondence were sent back to Wilson, and the money was funneled through a Swiss bank account. Wilson and Trolio mailed their orders from post offices throughout California and the South.⁴⁹

Prosecutors and law enforcement officers involved in the case claimed at the time of her arrest that Wilson was pulling in half a million dollars a year selling child pornography to 30,000 customers.⁵⁰ Her Swiss bank account records, however, did not support this allegation. In the ten year period between December 1973 and December 1983, only \$556,182 had passed through her account. Furthermore, a careful examination of testimony and press reports about the case reveals that the mailing list seized contained the names of 5,000 past, present, and potential customers from around the world, only some of whom had ordered child pornography from her.

It is not difficult to draw some conclusions from the Wilson case. First, if Wilson's activities constituted 80% of all child pornography activity, as law enforcement officials claim, then that "industry" generated well under a million dollars in the United States. Second, only several thousand individuals nationwide were involved in this "industry"—as consumers, not producers. Third, since the arrest and imprisonment of Wilson and Trolio in 1982, the sale and distribution of child pornography has been a completely insignificant activity.

Indictment and conviction statistics since May 21, 1984, the effective date of the 1984 amendments to the 1977 Act, are also unimpressive. Around 480 defendants nationwide have been arrested, most of these resulting in plea-bargained, probationary sentences.⁵¹ It must be stressed that this arrest rate was not the result of better law enforcement or an increase in "child pornography". The large majority were simply charged with purchasing a magazine or film from a government "sting" operation in which agents posed as child pornography distributors, or with receiving one or a few magazines of

child pornography from Europe. This period did see an expansion in prosecutions for the creation, distribution and receipt of "child pornography" depicting teenagers between the ages of 16 and 18 and of non-suggestive photographs depicting child nudity *per se*. The increase in arrests and convictions is also attributable to prosecutions for the non-commercial exchange of child pornography. Comprehensive figures of state prosecutions for child pornography are not available, but with the number of reported cases around 50 to date, it is likely that the number of state prosecutions is as insignificant as the number of federal ones.⁵²

Despite the low number of convictions for offenses involving child pornography, the activities of U.S. law enforcement agents have been impressive. Hundreds of law enforcement officers, Customs agents and postal inspectors throughout the United States devote their time to ferreting out child pornography and prosecuting defendants by creating phony businesses, newsletters and personae for purchasing, selling, and exchanging child pornography. These activities are aimed at individuals who receive pornography from abroad, homosexuals, paedophiles, nudists, and others whom law enforcement officials hope to be potential consumers or producers of "child pornography".

Organizations devised and operated by postal inspectors—with names such as "Candy's Love Club", "Ohio Valley Action League", "Research Facts", "Project SeaHawk", and "Heartland Institute for a New Tomorrow"—initiate correspondence with individuals by claiming to support first amendment rights "to read whatever we please", to support "sexual freedom" or to contact those with "similar interests"⁵³. Questionnaires are sent by these organizations to suspects under the pretense of doing media or other research. These provide personal information often used in targeting individuals for further investigation, in securing search warrants, and in obtaining convictions. Some of these organizations concoct newsletters, such as those of Chicago Postal Inspector John Ruberti's now-defunct "Crusaders for Sexual Freedom" ("CSF"), which encourage suspects to place ads soliciting or

offering to sell or buy child pornography. Others are crudely designed to document the correspondent's early sexual experiences, his opinions about childhood sexuality, and his sexual preferences.⁵⁴ In the CSF "newsletters", all advertisements other than the targeted suspect's were placed by police officers, so that any attempt of the suspect to exchange, sell, or buy child pornography would result in arrest.⁵⁵

Undercover officers also use phony names to send child pornography through the mail to suspects in the hopes that the suspect will reciprocate. If a suspect reciprocates, he is, of course, arrested. In addition, over the past 3 years, in an effort to inflate indictment and conviction statistics for child pornography, the U.S. government has simply been advertising and selling child pornography through various phony businesses, and arresting the individuals who order it. Two of these entrapment schemes—International Enterprises, S.A., operated by U.S. Customs using a Mexico City mailing address, and Euro-Arts International, operated by the United States Postal Service using a Virgin Islands mailing address—have resulted in over two dozen arrests and thus comprise a significant proportion of all child pornography arrests and convictions.⁵⁶ Law enforcement agencies and undercover officers have, to date, created over thirty phony organizations and used over a hundred pseudonyms to sell, send, exchange, and, on occasion, purchase child pornography.

Obviously, law enforcement officials must target certain individuals and exclude others if they are to operate such entrapment schemes effectively. In some cases, the individual might have been previously arrested or convicted on child molestation charges. The State of California, among other places, keeps a register of "sex offenders" and these lists are also circulated among law enforcement agencies. An individual's name might also be obtained from the address book of a person suspected of, or arrested for, selling, trading, or wanting to buy or trade child pornography or for engaging or wanting to engage in sexual activity with a minor. When a suspect is arrested on child pornography or molestation charges, it is a rou-

tine practice for local or federal agents to target each individual who may have corresponded with the suspect, regardless of the reason for such correspondence.⁵⁷ In other cases, names are obtained through advertisements placed by government agents in swinger, gay and other sexually-oriented magazines or by seizing the mailing lists of distributors of gay-related films and erotica without justifiable cause.⁵⁸

In early 1984, in order to aid government agents in identifying potential consumers of child pornography, the U.S. Customs Service began compiling "target lists" of thousands of individuals who have had pornographic materials sent to them from overseas.⁵⁹ Pornography of every type, not merely child pornography, is seized by U.S. Customs. Under federal law, any package larger than a conventional letter may be opened if pornography, contraband, or some other prohibited material is suspected to be inside.⁶⁰ U.S. Customs is quite vigorous in opening packages from Europe, particularly Denmark and Holland, in search of pornography.⁶¹ The majority of pornography seized, however, is of the adult heterosexual variety, followed by bestiality, s/m, and finally, child pornography. Out of hundreds of pornographic magazines seized by U.S. Customs between May 1, 1985 and May 1, 1986 in New York only about 25 were child pornography.⁶² New York is the major port of entry for mail coming into the United States.⁶³ The Illinois State Legislature came up with similar findings in 1980, when it stated that "[t]here is recent evidence to suggest that volume dissemination of commercial child pornography has been greatly reduced. ...[W]e have obtained a report from Customs for a two-month period early this year that indicates there were a total of 151 seizures of pornography [coming into] Chicago. Of these, 23 consisted of child pornography."⁶⁴ Regardless of what is seized, intended recipients of foreign pornography showing adults only thus become targets for child pornography investigations, particularly if they live near playgrounds, or if they are schoolteachers, day-care workers, or other professionals and volunteers who come into contact with children.⁶⁵ The target lists, which by now contain well over ten

thousand names, are distributed to local law enforcement agencies and shared with the Postal Inspection Service and regional task forces.⁶⁶

Entrapment schemes and lists compiled by Customs and other law enforcement agencies form a substantial body of data on individuals in the United States. Trash covers (where the suspect's trash is secretly inspected by police officers in search of incriminating evidence), visual surveillance, and wire tapping, are also employed in investigations.⁶⁷ This extensive and very expensive law enforcement activity generates the false impression of a large child pornography "underground" and, occasionally, these activities are even cited as "proof" that a large underground actually exists.⁶⁸ Today, a person seeking for that underground will find only a vast network of postal inspectors and police agents. There are no sexually oriented publications, above-ground or underground, published in the United States today which contain advertisements offering to sell, exchange, or purchase child pornography; there are no toll free numbers to order child prostitutes; and there are no large networks of individuals, other than public authorities, exchanging child pornography. There are no networks of individuals at all exchanging children. There is currently only one active "paedophile" organization—the North American Man/Boy Love Association—and NAMBLA operates wholly within the law as a lobbying and support organization. A recent report issued by the United States Senate cleared NAMBLA of any involvement in illegal activities.⁶⁹

Under the guise of "protecting children", millions of taxpayer dollars have been spent to investigate and prosecute would-be consumers of child pornography, many of them individuals who do not pose any immediate danger to children. Considering the very real incidence of physical, sexual, and emotional abuse which children endure each day, this represents a serious misuse of public monies and resources. The following cases are typical of "child pornography" arrests since May of 1984:

—Between September, 1985 and April, 1986, Tim Emerick, an individual from a mid-west-

ern U.S. city, received several solicitations from two scam operations created by Cleveland Postal Inspector Paul Hartman: "Research Facts", which claimed it was in the business of conducting consumer surveys, and the "Ohio Valley Action League", which purported to be "an organization founded to protect and promote sexual freedom and freedom of choice." Hartman claimed that Emerick became a target for investigation because his name was found on a "correspondent's list" of an individual who was suspected of selling child pornography, even though the individual was never convicted and it was unknown why he had Emerick's name.⁷⁰ Emerick ignored the enticing letters and surveys requesting various items of information, such as his sexual interests and what kind of pornography he purchased.

In April of 1986, Hartman sent Emerick another letter, this time from an organization calling itself "Euro-Arts International", with a mailing address in Fredericksted, Virgin Islands. Euro-Arts, also created by Hartman, had as its sole purpose the sale and distribution of child pornography. An order form for child pornography, with descriptions of the videotapes being offered by Hartman, was sent to Emerick, who promptly ordered one videotape at a cost of \$50. Purportedly, it depicted 2 boys, ages 11 and 14, engaged in masturbation and oral sex. Emerick sent his order and payment to Euro-Arts in the Virgin Islands. The U.S. Postal Service then forwarded it to Hartman in Cleveland, who filled Emerick's order by making a copy of the ordered videotape. When Emerick received the videotape in the mail on June 17, 1986, he was arrested and his house was searched.⁷¹ Seized by police officers from Emerick's home were 2 video players, one in VHS and the other in BETA, a polaroid camera, an 8mm movie camera, some non-pornographic videotapes, and 6 adult magazines depicting nude women.⁷² No child pornography was found, and Emerick never saw the ordered videotape. Emerick is currently awaiting sentencing on charges of "importation" and "receipt" of child pornography. The defense of entrapment was not available to Emerick, as it is not available to any individual who orders

child pornography from the government. Hartman has boasted that he has arrested and convicted over two dozen would-be consumers through Euro-Arts and other schemes selling and exchanging child pornography.⁷³

—Danny Lee Stokes, a 23-year-old construction worker from the south, fell victim to a scheme similar to the one in Emerick's case, this one run by the U.S. Customs Service out of Mexico City. Law enforcement officials claimed that Stokes' may have purchased "pornography and/or child pornography" prior to Autumn, 1984, but never clearly indicated why they suspected Stokes of illegal activity. In June of 1986, using a scam operation calling itself "International Enterprises, S.A." and purporting to be a distributor of "hard-to-find" pornography, U.S. Customs sent Stokes two solicitations. The first was a letter of introduction and questionnaire asking Stokes to indicate his preference for various types of pornography. The second was an order form for child pornography magazines. Stokes ordered one magazine at \$25 and sent his order to Mexico City. U.S. Customs packaged the designated magazine and delivered it to his post office box. When Stokes picked up the magazine, he was placed under surveillance.⁷⁴ Once he entered his home with the package, he was arrested. Police officers seized a large quantity of materials from Stokes' home, including hundreds of magazines such as *Time* and *Newsweek*, a few nudist magazines, a dozen or so adult pornography magazines, his wedding photo album, 3 cameras, a video recorder, 14 videotapes (3 of which were adult erotic videos and the remainder of which were Hollywood movies), three registered guns, and his pickup truck.⁷⁵ No child pornography was found, although Customs boasted at the time of Stokes' arrest that thousands of magazines and videotapes were seized.⁷⁶ Stokes was eventually sentenced to 5 years probation, ordered to pay a \$9,000 fine, and required to forfeit all of the items seized by the police. In addition, he was ordered to undergo psychiatric treatment on a weekly basis until such time as his psychiatrist saw fit.⁷⁷ The Customs operation which led to Stokes' arrest and conviction, "Operation Cameo", was

hailed by Customs as "the largest single anti-pornography operation in Customs Service history."⁷⁸ So far, it has netted nearly a dozen arrests.

—In late May of 1984, U.S. Customs intercepted an illustrated advertisement for child pornography addressed to John Cocco, an individual from Pennsylvania. Following customary procedure, Customs issued Cocco a forfeiture notice, which Cocco signed and returned to Customs. The form indicated Cocco's desire that the illustrated advertisement be destroyed. Rather than destroy the advertisement, however, Customs delivered it to Cocco. Thereafter, Cocco returned it with a letter stating that he did not want the advertisement. Once again, Customs delivered it. When Cocco kept the advertisement after it was delivered the second time, he was arrested. After his arrest, two child pornography magazines which Cocco also did not order were delivered to him. Cocco was sentenced to five years imprisonment on charges of receiving child pornography in the mail.⁷⁹

—James Smith, a Honolulu businessman, befriended three girls, ages 13 and 14, who lived in his neighborhood. After several months of being acquainted with the girls, the defendant asked them to model lingerie for him, while he photographed them. The photographs were not intended for commercial distribution. The girls were photographed mostly in lingerie, although a few of the photographs showed them nude. The nudes were found not to constitute child pornography. In three of the photographs, however, the girls were shown posing with a mink tail, which the prosecution called a "whip-like device".⁸⁰ In one of the three pictures, one girl was pretending, in fun, to "whip" the other girl.⁸¹ Smith was sentenced to 5 years in federal prison for creating child pornography depicting "sadistic and masochistic abuse of children" on the basis of that photograph.⁸² The testimony of the girls in court clearly showed that no such abuse had taken place, and that Smith had never even propositioned them, let alone touched them, during the course of their acquaintance.⁸³

—Leland Stevenson, a businessman from Arizona, regularly vacationed in Sri Lanka, where

he engaged in sex with a number of teenagers and young adults. In the fall of 1985, Stevenson returned from Sri Lanka to his home in Nevada with 30 rolls of 8mm film in his possession. The film showed the teenagers and Stevenson engaged in sexual activity. Stevenson drove to California with the film and deposited it with Yale Laboratories, a film processing outfit in Los Angeles. Only a few hours after Stevenson picked up his film from the laboratory, he was arrested.⁸⁴ Stevenson was sentenced to 5 years imprisonment.⁸⁵ There was no evidence that he ever engaged in illegal activity other than bringing the 8mm films into the United States and driving them from Nevada to California.

—In January 1986, a mid-western couple was arrested for creating and possessing “nudity-oriented material”, a form of child pornography under applicable state law, after the husband sent a roll of film to a local film processor. The film contained photographs of the couple’s daughter and two nieces sunbathing in the family’s backyard and running around the house nude. The couple had similar photographs and videotapes in their possession.⁸⁶ They were not consumers of any form of pornography, adult or child. The family had always treated nudity as natural, not as a subject of shame, and the photographs and home videos were evidence of this.

When the couple was arrested, their daughter was taken into custody by state child protection workers. She was placed in a foster home for nearly 7 months, and allowed to see her parents only on an approved visitation schedule with the supervision of the couple’s attorney or a social worker. She was severely frightened and disturbed by her treatment at the hands of the state. The couple is still awaiting trial, though the child has now been returned to their full custody.⁸⁷

—William Lerch and his wife were indicted in 1985 and charged with “photographing their 6-year-old child in the nude with her pubic area exposed” and with “knowingly permitting their child to be so exposed.”⁸⁸ The girl was playing with her mother on the living room floor before a bath, turning somersaults and running around, and the father photographed

them, as he had many times before. These photographs were discovered by the authorities after William Lerch took them to the local drug store for processing. Shortly after Christmas Day, 1985, when Lerch went back to the drugstore to pick up his pictures, he was arrested. His wife, unaware that there was any problem, was arrested at gunpoint by more than half a dozen police officers on the street in front of her house.⁸⁹ The 6-year-old was picked up at her day care center by child protection workers, who lied to the girl and to the day care center workers, saying that the girl had been sexually abused by her parents.

At 3 o’clock that morning, the 6-year-old [was] placed by the Illinois Department of Children and Family Services in a foster home. For five days, the child refused to eat. She just cried. At last, her parents convinced the judge to release their daughter to her grandparents, where she stayed six weeks before coming home.⁹⁰

William Lerch was given a one year suspended sentence for creating “child pornography.”⁹¹

The Protection of Children from Sexual Exploitation Act of 1977 was presumably passed to halt the exploitation of children via the creation, production, and sale of child pornography. This it succeeded in doing quite quickly. In the early 80’s, ideologically-motivated government officials—with the aid of the media, moral crusaders and other sexual conservatives—began an unfortunate and dangerous campaign aimed at expanding the scope of the “child pornography” laws, inventing criminal acts which otherwise would not exist, and breaking the law to enforce the law. The foregoing examples are the result. We can only hope that the American public will soon recognize the “child pornography” issue as false and begin to question the motives of those who perpetuate its existence.

The Child-Participant and the Child-Victim

It is widely believed in the United States that any involvement of a child in “child por-

nography", or any sexual encounter with an adult, is itself so traumatic that there is little chance the child will ever lead a normal life. Clinical observations and studies do not support this conclusion. It is true that a child victim of sexual abuse often feels powerless, having had little or no control over his or her encounter with an adult, or the events following it; may feel betrayed by the offending adult or by the person to whom the incident was revealed; may be concerned with or interested in sexuality in ways that most of society deems inappropriate for children; may suffer from a loss of self-esteem or feelings of guilt or shame; or may experience an undue fear of strangers, men or places.⁹² Some children may experience some or all of these negative effects of a sexual encounter to a greater or lesser degree, but many do not appear to have any negative reactions at all.⁹³ Furthermore, while a number of adult-child sexual encounters, including those involving child pornography, do have serious short- and long-term consequences, many experts agree that secondary effects—the reactions of parents, friends, and child protection workers and involvement in criminal proceedings—may have a far more devastating effect than the sexual encounter itself.⁹⁴ In each case, a sexual encounter "will have different effects on children depending on their prior adjustment" and "depending on how others respond".⁹⁵ For example, a child who was already a victim of physical or emotional abuse prior to the sexual encounter, or who lives in an unstable family environment, is more likely than a child who lives in a stable family environment and who has a strong sense of self, to experience negative reactions to a sexual encounter. For the latter child, the negative aspects of the experience "may have only a minor or transient effect."⁹⁶

For other children, a sexual encounter with an adult may be a positive experience, though U.S. researchers are often reluctant to discuss this aspect of adult-child sexual relationships. In a study funded by the Ford Foundation, researcher Gerald M. Caplan reports that "[m]any children enjoy [their sexual experiences with an adult], particularly when it involves no physical pain. They like to display

themselves to an admiring adult. They find the physical stimulation pleasurable."⁹⁷ Studies documenting the initial and long-term effects on children of sexual encounters with adults often reveal a significant percentage of children to be unaffected or to have reacted positively. (European studies reflect more positive reports than American studies, a phenomenon which may be attributable to a less sexually repressive environment in general, early, comprehensive sex education, and a more constructive response by parents, law enforcement, and social workers.⁹⁸) On the basis of the clinical evidence, "child-adult sexual experiences cannot ...be labeled as categorically negative or detrimental; neither are they necessarily positive and therefore to be advocated or recommended." The range of experiences vary from the "clearly traumatic experiences which appear to have caused serious social and psychological impairment, through experiences in which no negative effects are discernible, to instances where the early sexual encounters were experienced as positive or appear to have been beneficial."⁹⁹

Even if one were to accept the premise that all sexual encounters between adults and children are hopelessly traumatic for the child, this still would not justify most parental reactions and institutional responses to charges of sexual molestation of children. "By far the greatest potential damage to the child's personality is caused by society and the victim's parents as a result of, first, 'the need to use the victim to prosecute the offender; and second, the need of the parents to prove to themselves, family, neighborhood, and society that the victim was free of voluntary participation, and that they were not failures as parents.'¹⁰⁰ Bruce Gottlieb, a social worker at the National Center for the Prevention and Treatment of Child Abuse and Neglect, Denver, Colorado, similarly reports of the "trauma visited upon families by multiple interviews, 'overzealousness' on the part of those attempting to intervene and the inappropriate use of the courts."¹⁰¹ In his *Sourcebook on Child Sexual Abuse*, psychologist and researcher David Finkelhor notes that:

[M]uch of the stigmatization accom-

panying abuse may occur after the experience itself, as the child encounters family and societal reactions. A child who was relatively unstigmatized by the molestation itself may undergo serious stigmatization if friends later reject her, if her family blames her, or if the fact of her being abused remains a focus in her life for a long time ...If, for instance, a great many authorities become involved in the experience, the child is forced to testify, forced to leave home, forced to tell the story on repeated occasions, and subjected to a great deal of unwanted attention, this can also greatly increase the child's sense of powerlessness.¹⁰²

If the effects on a child of a sexual encounter with an adult vary, depending upon the circumstances of each case, the age of the child, the child's attitudes and beliefs regarding nudity and sexuality, and the reactions of parents and institutions to the discovery, so also the effects of participation in child pornography similarly vary. "Child pornography" is not necessarily child abuse, and may be as harmless as a candid nude photo taken of a child on a beach without the child's knowledge. Unquestionably, the child who is forced to submit sexually to an adult, or to assume sexual poses for a camera, is likely to suffer significantly. Furthermore, some children who have appeared in child pornography films or magazines have expressed some degree of distress at the prospect of their being seen by people around the world.¹⁰³ On the other hand, many children have enjoyed being nude before a camera, thinking little or nothing of such activity. The children in cases like that of the Lerch family were not victims of child pornography, but of overzealous and power-hungry police officers, prosecutors, and social workers who made sure that pleasurable and natural play was tainted with evil and sexual guilt.

The hysteria over child pornography and paedophilia in the United States has created a social environment in which adult-child sexual relationships are more taboo to adults than murder. In this inquisitorial climate, a child

who is discovered in a sexual relationship with an adult is usually treated harshly by parents, peers and authorities, especially where the child is unwilling, for whatever reason, to participate in the prosecution of the adult. In the prosecution of adults for child molestation, children are routinely coerced into recounting and even fabricating intimate details of their sexual encounters to parents, police, prosecutors, social workers, and defense counsel; forced to submit to intrusive physical examinations, during which their anuses and vaginas are probed with fingers and sophisticated instruments in the search for signs of sexual activity; and compelled to testify against adults, whether or not they want to. Because they are children, their desires are often ignored and they are threatened and punished when they do not willingly cooperate.

The mistreatment of children involved in adult-child sexual activities by law enforcement officers, social workers and the criminal justice system is well-documented. The case of "Amy", a 12-year-old girl from California, is one blatant example of this institutional abuse. Amy's family sought counseling in California after Amy and her stepfather revealed to the mother that he had fondled her on several occasions. The family therapist they consulted reported the incident, as required under California law, to the police, who filed felony child abuse charges against the stepfather. The stepfather pled not guilty when he was charged, and the girl refused to testify against him. Frustrated by Amy's will not to testify, child protection workers placed Amy in solitary confinement in a juvenile prison. For 9 days, she was confined to a four-by-eight foot room with only a bed and lamp, and for a few days, a television set. When the judge in the case saw that Amy's resolve not to testify could not be broken, the case was dismissed.¹⁰⁴

The vast majority of institutional abuse, however, is never made public. In the McMartin Pre-School case, the largest current child abuse prosecution fraud in the United States, hundreds of young children were subjected to repeated suggestive questioning by parents, police, and therapists at the Children's Institute

International, a publicly-funded organization hired by the prosecution to investigate the molestation charges. During the course of pretrial discovery in late-1986, it was revealed that Kee MacFarlane, the director of C.I.I. who did much of the initial interviewing, wore a clown costume during interviews and ridiculed children who denied they had been molested. Children were told by C.I.I. therapists, "We don't want any dummies here. We only want to talk to the smart ones. You're smart, aren't you? Your friends have all told us something. I don't want to hear you say no. If you say no, you're a dummy." Prior to being interviewed by C.I.I., every child who testified in the pre-trial hearings had denied being molested. Not surprisingly, after the abusive questioning by MacFarlane and other therapists, the children concocted stories of murders, grave diggings, child pornography, molestation by priests and nuns, helicopter and plane rides, underground tunnels, animal mutilation, and sexual activity of every sort. Most of the stories were so full of contradictions and inconsistencies that charges against all but two of the defendants have been dropped. The McMartin case has been so exploited by the prosecution and C.I.I., that parents will never know whether or not any children were molested.¹⁰⁵

Dr. Lee Coleman, a leading expert on the subject of child abuse and a witness for the defense, testified that it was an outrage that public and private money goes to C.I.I. "to train children to believe they've been molested, in the most manipulative, outrageous way that I have ever seen. I've seen interviews in these cases all over the country and this is the worst! *This is child abuse.*"¹⁰⁶ Coleman has documented, in professional publications, how therapists and law enforcement personnel across the country are unwittingly or purposefully indoctrinating children into believing that they have been molested, despite psychological and medical evidence to the contrary.¹⁰⁷

In the prosecution of a middle-aged man on Long Island, New York, for allegedly engaging in sexual activities with teenaged boys, a mother of two of the boys wrote the following plea to the prosecutor:

My family has suffered because of the large amount of questioning and pressure that has been placed upon them. I have to think of the health and welfare of my children and family first, and therefor feel it would be extremely damaging to allow them to be subjected to routine questioning at this point in time.

I am personally very worried and concerned over certain allegations and threats that have been made to me by various law enforcement agencies, that if I did not cooperate and allow my children to be subjected to this pressure, that they would either be taken away from me or that they would be taken away and "locked up" until the time that trials in Nassau County were concluded.

We did not ask to be part of this investigation, but were brought into it. The total effect on me and my family because of it has been harmful, and therefore all that we want to do is to be left alone at this point in time.¹⁰⁸

The teenagers had asked on numerous occasions that they not be harassed and intimidated by the police. In cases of this type, juveniles are commonly held and interrogated against their wills, often without the knowledge of their parents and in many instances for more than six hours at a time. Requests to speak with parents or an attorney are routinely refused. In the prosecution of a New Jersey man for allegedly engaging in sexual activities with minors, one 13-year-old boy was picked up from school by a police officer 2 or 3 times per week for several weeks and questioned for 5 hours at a time about his sexual activities with the man, even though he had repeatedly denied having had a sexual relationship or encounter. One officer who interrogated the boy placed a loaded gun, aimed at the boy, on the table at which the boy was sitting. During questioning, boys accused of being involved in sexual activities with adults are threatened that they will be beaten, that the officer will tell all their friends that they are "queer", or that they will be sent away

to juvenile prison where they will be gang-raped.¹⁰⁹

Protecting Children From Sexual Abuse

The question most people are concerned with regarding child pornography and paedophilia is how children can be most effectively protected from sexual exploitation. The answer to this question is by no means simple. The prevention of sexual abuse depends upon the sexual and social empowerment of children. Children are often abused because they are ignorant of sexual matters or because they have been taught to obey unquestioningly adult authority figures, especially male ones. Girls are more often the victims of sexual abuse because they are socialized to be dependent, yielding, passive, and compliant. Boys are socialized to be aggressive and independent, and to experiment sexually. Since, as most researchers agree, most sexual abuse occurs within the family, it is within the family that preventative measures must begin.

The first and most effective preventative measure for children is comprehensive, age-appropriate sex education. Young children, for example, do not need to learn about internal anatomy and reproduction, but do require rudimentary knowledge of their bodies. The girl who is thoroughly familiar with her body and its reactions—she has been taught that her clitoris is a source of healthy pleasure and she knows the adults in her life support her in that pleasure—is not likely to feel guilty or ashamed about sexuality and will develop a strong sense of herself and her feelings.¹¹⁰ In addition, if she is taught that only she may decide who touches her body and under what circumstances, she will most likely be capable of fending off a sexual assault by confronting the adult—parent, sibling, neighbor or stranger—who attempts to engage her. This holds true for boys as well. Very few adult-child sexual encounters involve overt force, and the child's refusal is nearly always effective in preventing molestation.¹¹¹ Children who are sexually knowledgeable and empowered will also be likely to report, not keep secret, any unpleasant experiences.

Children need consistency, however. Chil-

dren who have been taught to say "no" to an unwanted touching by another person, but whose cries of "no" are ignored by parents during spanking, will most likely experience a confusion of meaning. Such children may, for example, learn to say "no" to pleasurable touches, but perceive little or no choice concerning unpleasurable ones. Moreover, children who are taught only to say "no" and are not properly instructed about the positive nature of sexuality and sexual pleasure, will develop guilt and shame about their bodies and sexuality. The child who feels guilty or shameful may become overly concerned, fearful or worried about sexual matters, and may come to associate sexual pleasure with negative feelings. Guilt, shame and ignorance of sexual matters disempower children and make them vulnerable to sexual assault.

The second most important preventative measure is providing the child with physical affection. Children who do not receive physical affection from parents at home are more likely to seek it from adults outside the home. This, of course, increases vulnerability to sexual overtures. In any event, many professionals agree that children who receive loving, physical contact from their parents, who are sexually knowledgeable, and who have a strong sense of self are less likely to suffer trauma in the event of any unwanted sexual encounter.

Encouraging the child's independence is, of course, often frightening, or even threatening, to parents who believe that their only control over their child is the threat of violence. Parents who do not take advantage of their physical superiority over their children by hitting them or otherwise abusing them physically, are more likely to raise children who respect authority. These children are also more likely to question authorities if they become physically or emotionally abusive. Parents may also be worried that their child may become promiscuous, or may engage willingly in sexual activity with peers or even adults: the right to say "no" to an unpleasurable touch necessarily implies the right to say "yes" to a pleasurable one. Necessary to children's healthy sexual growth is the opportunity to experiment with their bodies,

and those of their peers, and to explore their sexuality. Parents simply must face the fact that children have sexual needs and desires, and prepare themselves for some of the difficult questions which their children are bound to ask.

Conclusion

Like the missing children campaign, the moral panic over child pornography and paedophilia feeds on misinformation and fear. Also like the missing children campaign, the moral panic is driven by greed for power and money. Law enforcement officers and social workers have exploited the child pornography issue for self-publicity and promotion. The media has capitalized on it to sell magazines, newspapers and television programs. Government officials and sexual conservatives have used it to exert greater control over families, to intrude upon first amendment rights and the rights of the accused, and to limit discourse and scientific inquiry regarding childhood sexuality.

The meaning of the hysteria over child pornography and paedophilia is found in examining the motives of those who perpetuate it. In the United States, the hysteria serves to avoid the real problems: the lack of healthy sexual education of children; the sexist socialization to which they are subjected; the glaring lack of children's rights within the nuclear family and in society; and the authoritarian domination of women and children within patriarchy. It also diverts our attention from society's failure to provide adequate food, housing, and education for its children. It is only by addressing these issues and meeting the real needs of children that child abuse, sexual or otherwise, can be prevented.

Editor's Note:

Lawrence A. Stanley is a practicing attorney in New York City, who has handled pornography entrapment cases. This article will appear as part of a forthcoming book to be published by Global Academic Publishers, New York, and is copyrighted by Lawrence A. Stanley, 1987.

NOTES

1. Nina Eliasoph, "Drive-In Morality, Child Abuse, and the Media", *Socialist Review*, No. 90 (1986), p. 29. The term, as Eliasoph points out, refers to the situation "in which a minor social problem expresses and preempts a deeper, related one."
2. See, e.g., Lori B. Andrews, "Are We Raising A Terrified Generation?", *Parents Magazine*, December, 1986, pp. 138-142, 228-232.
3. "Facing Up to Sex Abuse: Prevention Programs Proliferate in Classrooms Across the U.S.", *Time*, Nov. 12, 1984, pp. 91-2.
4. Shirley O'Brien, *Child Pornography* (Dubuque: Kendall/

Hunt Publishing Co., 1983), pp. 103-5.

5. Mandatory reporting laws such as these certainly have a deterrent effect on such individuals seeking out psychological counseling. See John Money and J. D. Weinrich, "Juvenile, Pedophile, Heterophile: Hermeneutics of Science, Medicine and Law in Two Outcome Studies", *Medicine & Law* (1983) 2: 39-54.
6. See, e.g., "Disturbing End of a Nightmare. The Scott County Sex-Abuse Cases Draw to a Confusing Close", *Time*, Feb. 25, 1985, p.22; and "Hollywood Tapes and Testimony. A Chilling Sexual Abuse Case Takes a Strange Turn", *Time*, Dec. 15, 1986, p. 64.
7. Paul & Shirley Eberle, *The*

Politics of Child Abuse (Secaucus: Lyle Stuart Inc., 1986), pp. 17-91. McMartin is one of many examples.

8. Douglas J. Besharov, "Unfounded allegations—a new child abuse problem", *The Public Interest*, No. 83 (Spring 1986).
9. Media phenomena such as the popularity of Brooke Shields, and the incidence of father-daughter incest demonstrate the pervasiveness of the problem.
10. "Protection of Children Against Child Exploitation Act of 1977", 18 U.S.C. Sections 2251, et. seq., effective date January 1, 1978.
11. *United States v. Dost*, 636 F. Supp. 828, 832.
12. The 1984 amendments are incorporated in the "Child

Protection Act of 1984", now 18 U.S.C. Section 2251 et. seq. Congress changed the phrase "lewd exhibition of the genitals" to read "lascivious exhibition of the genitals" with the intent of broadening the prescription.

13. *Cong. Rec.*, Sept. 29, 1986, pp. 8590-92. The "Child Sexual Abuse and Pornography Act of 1986" amended, inter alia, Sections 2251 and 2255 of Title 18.

14. Page's Ohio Revised Code Annotated, Section 2907.323; Massachusetts Criminal Code, 272 Sections 29A and 29B.

15. California Penal Code, Section 311.3(a)(5). Although a photograph may be found *not* to constitute child pornography, the adult may still be prosecuted under the California child protection laws. In 1983, a Riverside, California schoolteacher was convicted for child molestation after he asked several boys to pose for photographs without their shirts. Deputy District Attorney David Gunn said that although the defendant did not approach the boys sexually or fondle them, because he was a paedophile, "he violated the misdemeanor molestation law by asking them to pose shirtless." "Shirtless photos lead to misdemeanor molestation conviction", *Press-Enterprise*, Riverside, CA, Feb. 17, 1983.

16. Missouri Revised Statutes Section 568.060(1)(b)(1).

17. See, e.g. Montana Code Annotated, 1985, Section 45-5-625(e)(3); Indiana Penal Code, Section 35-42-4-4.

18. See, e.g. *United States v.*

Stevenson, No. 86-5102 (9th Cir., 1986).

19. Emilie Lounsberry, "Priest Given Probation; Got Child-Porn Journal", *Philadelphia Inquirer*, Nov. 14, 1986. The Catholic priest was convicted of receiving a magazine, legal in Denmark and most other European countries, featuring teenage boys.

20. See, e.g. "Surgeon sentenced to five years for child pornography", *UPI Wire Service*, March 7, 1987. The "children" were two minors, ages 16 and 17; also, "Teenage Porn Star's Agent Indicted On Exploitation Charges", *UPI Wire Service*, March 6, 1987. Adult pornography star Traci Lord's agent and two producers were indicted by a federal grand jury on child pornography charges. Lord was reportedly 16 at the time her first film was produced. The film was a popular adult film and, by all accounts, Lord appeared to be well over 18 years of age. See also, *State v. Steer*, 517 A2d. 797 (S.Ct. N.H. 1986).

21. *Miller v. California*, 413 U.S. 15 (1973).

22. According to confidential sources, the approximate total number of child pornography magazines produced worldwide between the late 60's and 1982 are: 415 different issues of magazines depicting children engaged in sexual activity with other children or adults (with slightly more magazines depicting boys than girls); 460 different issues of magazines depicting boys in naturist and erotic nude settings, including some photographs which qual-

ify as "lascivious exhibition of the genitals"; 65 different issues of magazines depicting girls in naturist and erotic nude settings, including some photographs which qualify as "lascivious exhibition of the genitals". Only magazines containing depictions of children who are apparently or actually under the age of 15 were included in this count. (That age is the legal age in Denmark.) Compared with the number of adult magazines, films, and videos, the total production of child pornography from inception to demise is minuscule. In the United States, in 1985 alone, over 1,700 adult-sex videotapes were produced and over 2,000 adult magazine titles were on display in only 16 adult bookstores visited by members of the Meese Commission. Source: U.S. Department of Justice, *Attorney General's Commission on Pornography, Final Report* ("Meese Commission Report"), U.S.G.P.O., July, 1986, pp. 1353-1406.

23. Daniel Tsang, "Mail that 'Can Be Officially Opened'—and Often Is", *Philadelphia Gay News*, Jan. 10, 1985, p. 1. See also, Meese Commission Report, p. 1364.

24. Some children appeared in only one or a few photographs, while other children were featured in dozens of photographs.

25. See, e.g. Don Gentile, "Tells of Babies in Porn", *New York Daily News*, July 28, 1982. Reports of this type are sensationalistic and based on fantasy or rumour. It is rare in com-

mercial child pornography for very young children—ages 3–5—to be portrayed at all, let alone engaged in any “sexual activity”. If “sexual activity” is depicted, it is of the masturbatory type, not penetrative. That is not to say that this kind of thing doesn’t happen, just that it was not depicted in child pornography magazines. Depictions of babies being molested don’t seem to exist at all. The frequently cited *Baby Sex* did not feature children at all, but an achondroplastic dwarf in his mid-30’s.

26. *Child Pornography and Paedophilia*, Hearings before the Permanent Subcommittee on Investigations of the Committee on Governmental Affairs, U.S. Senate, Part 1, November 29 and 30, 1984. Testimony of Kenneth Herman, pp. 23–24.

27. Clifford Linedecker, *Children in Chains* (New York: Everest House, 1981), p. 32; “Porno rings furnished youngsters to order”, *Las Vegas Sun*, March 28, 1983.

28. Linedecker, op. cit., p. 186.

29. Eberle, op. cit., p. 36.

30. *Child Victims of Exploitation*, Hearing before the Select Committee on Children, Youth, and Families, House of Representatives, 99th Congress, First Session, Washington, D.C., October 31, 1985, p. 28.

31. Linedecker, op. cit., p. 31.

32. In contrast, “Every year, a million children are physically abused or seriously neglected by their own parents. Many millions more are emotionally mistreated... And each day, five children are killed by their

parents.” Nina Eliasoph, “The Missing Children Myth”, *Propaganda Analysis Review*, Vol. 1, 3, August 1986.

33. Ann Burgess, *Child Pornography and Sex Rings* (Lexington: Lexington Books, 1984), p. 8.

34. *Sexual Exploitation of Children*, Hearings before the Subcommittee on Select Education of the Committee on Education and Labor, House of Representatives, May 27, 28 and 31, June 10, 1977. Testimony of Lloyd Martin, pp. 41–55.

35. Ibid. Testimony of Barbara Pruitt, p. 56.

36. Judianne Densen-Gerber and S.F. Hutchinson, “Medical-legal and Societal Problems Involving Children—Child Prostitution and Child Pornography, and Drug-Related Abuse: Recommended Legislation”, in Selwyn M. Smith, ed., *The Maltreatment of Children* (Baltimore: University Park Press, 1978), pp. 321–4. Densen-Gerber characterized herself best when she was quoted in a *Time* magazine article as saying, “I just found out about these magazines and films this summer [1976], and I’ve become a raving banshee over it.” “Child’s Garden of Perversity”, *Time*, April 4, 1977.

37. Densen-Gerber was accused in January, 1982 by New York State Attorney General Robert Abrams of misappropriating public monies for her own personal use. The money had been targeted for Odyssey House. Other charges of professional misconduct had also

been leveled at Densen-Gerber, including “that she forced an inmate to kneel and wash her feet; that she forced a black man to sit in a chair while white women spat on him; and that once when an inmate died at Odyssey House, she ordered other inmates to dance around the deceased while singing ‘Jingle Bells’”. Mitzel, “Financial Scandal Hits Anti-Kid Porn Crusader”, *Gay Community News*, January 23, 1982.

Martin resigned from the LAPD in 1982, psychologically “fatigued”. Police officials believed Martin “was a classic example of a police officer who crossed the line between dedication and obsession.” Martin was criticized by fellow police officers and public officials for failing to back up his claims with verifiable figures, for acting in an overzealous manner and for harassing members of the gay community without cause. One officer stated that Martin “was not above overstating the problem ... to gain support for his cause and fame for himself.” Keith Love, “Officer Finds Fame, Misfortune”, *Los Angeles Times*, April 28, 1982, p. 8; Mitzel, “LA Vice Cop Lloyd Martin Moved to Administrative Job”, *Gay Community News*, March 27, 1982.

38. Rita Rooney, “Innocence for Sale. A Special Report on Child Pornography”, *Ladies’ Home Journal*, April 1983.

39. *Ann Landers Encyclopedia*, p. 200. Landers and her sister are the two most popular advice columnists in America.

40. Ronald Kermani, “FBI

calls Syracuse firm nation's largest 'kid porn' developer. 'Kid porn': A billion-dollar scandal", *Albany Times Union*, April 25, 1982.

41. State of Illinois, *Sexual Exploitation of Children, A Report to the Illinois General Assembly by the Illinois Legislative Investigating Commission*, August, 1980, (hereinafter, "ILIC Report").

42. ILIC Report, pp. 6-64.

43. ILIC Report, p. 30.

44. For accounts of the "missing children" scare, see Diana Griego and Louis Kilzer, "The Truth About Missing Kids", *Denver Post*, May 12, 1985, and related stories; Joanne Ostrow, "Media Helped Publicize Inflated Data", *Denver Post*, May 13, 1985.

45. ILIC Report, p. 14.

46. *Child Pornography and Pedophilia*, Report made by the Permanent Subcommittee on Investigations of the Committee on Governmental Affairs, United States Senate, October 9, 1986, pp. 5-6.

47. Testimony of FBI Agent Kenneth Elsesser, United States Department of Justice, Attorney General's Commission on Pornography, *Public Hearings*, Miami, Florida, Thursday, Nov. 21, 1985, p. 148.

48. The appellation was given her by *Newsweek*. "The Mother of Kiddy Porn?", *Newsweek*, Jan. 23, 1984.

49. Elsesser, *Hearings*, pp. 136-148.

50. "Woman Charged in Child Pornography Operation", *New York Times*, Aug. 22, 1982, p. 28.

51. According to the Senate

Permanent Subcommittee on Investigations, between May 1984 and May 1986 there were 202 indictments. *Child Pornography and Pedophilia*, October 9, 1986, pp. 5-6; figures June 1986 to date obtained from the United States Postal Service. This means that between June 1986 and September 1987 there were 279 indictments, largely the result of government "sting" operations.

52. Based on computer search of reported state cases through March, 1986, and subsequent examination of state reporters.

53. Candy's Love Club (CLC), P.O. Box 2912, Norfolk, VA 23501; Ohio Valley Action League (OVAL), P.O. Box 361, Akron, OH 44309; Research Facts, P.O. Box 91971, Cleveland, OH 44101; Heartland Institute for a New Tomorrow (HINT), P.O. Box 3283, Omaha, NE 68103-0283; and Project SeaHawk, P.O. Box 6123, Falls Church, VA 22046. OVAL and Research Facts are operated by U.S. Postal Inspector Paul Hartman. CLC and Project SeaHawk are operated by U.S. Postal Inspector Robert Northrup. Heartland Institute for a New Tomorrow is the creation of U.S. Postal Inspector Calvin Comfort.

54. In *U.S. v. Stokes*, Case No. CR86-00146-AH, United States District Court, Southern District of Alabama, Postal Inspectors initiated correspondence with the suspect, who noted his interest "in sexual partners between the ages of 10 and 39." Affidavit of David

A. Evans, Sr., United States Customs Service, November 12, 1986.

55. *United States v. Thoma*, 726 F.2d 1191, 1194 (7th Cir. 1984).

56. Recently, U.S. law enforcement initiated another international scam. Letters sent to suspects, headed "Hello Lolita Collector", respectively sent from "L. Gagnon" and "Produit out Auois", P.O. Box 1457, Succ B, Hull, Quebec, Canada J8X 3X3. The latter offer consisted of a brochure in both English and French. Government deliveries of child pornography to suspects are being sent by DHL courier service rather than via the United States Postal Service.

57. The Affidavit of Paul Hartman, supporting a search warrant issued in *United States v. Emerick*, Case No. CR 86-190A, United States District Court, Northern District of Ohio, Eastern Division, is a case in point. Hartman uses innuendo in place of supporting fact. "The affidavit nowhere mentions why Defendant's name is on [the list], how many names and whose names were on the list... or any information concerning why [Defendant's] name was on [the list]." Motion to Suppress, pp. 5-6.

58. In or around May, 1985, Det. William Dworin of the LAPD, together with other law enforcement personnel, seized copies of the mailing list of Award Films, a film distribution company which distributes critically-acclaimed

domestic and foreign films, such as "Fanny and Alexander" (Bergman), "Small Change" (Truffaut), "You Are Not Alone" (Nielsen), "Suddenly Last Summer" (Mankiewicz), "Lianna" (Sayles) and "Taxi Zum Klo" (Ripplöh).^{*1} The films distributed by Award are films about growing up, coming-of-age or being gay. A few of the films, such as "Robby" (Blümke),^{*2} showed some non-suggestive child nudity. Award did not distribute any pornography, let alone child pornography, but the officers executing the groundless search warrant remarked that individual paedophiles whom they had arrested owned films distributed by Award. This, they felt, was reason enough for the seizure. The Award mailing list was distributed to law enforcement agencies throughout the United States. See Affidavit of Paul Hartman, *United States v. Emerick*, p. 4; Conversation with David Brown, Esq., Brown, Weston & Sarno, March 30, 1987; Award Films advertising brochures, *The Insider*, Vol. 1, Nos. 1, 2, 3, Vol. 2, No. 1.

59. Sam Medis, "Customs compiles porno mail lists", *USA Today*, April 13, 1984. According to Customs, every pornography seizure is noted in computer records. "Commissioner's Round Table: Pornography", *Customs Today*, Vol. 20, 4 (Summer 1985), p. 15.

60. Medis, loc. cit.

61. Dan Tsang, *Gay Community News*, Jan. 10, 1985, p. 1.

62. Independent review by the author of court documents relating to all pornography seizures during this period in the United States District Court, Eastern District of New York, the Court which handles seizures for U.S. Customs facility at Jamaica, New York.

63. According to Acting Chief Counsel, U.S. Customs, Michael T. Schmitz, New York seizures represent "the bulk of what comes in by mail." "Commissioner's Round Table: Pornography", *Customs Today*, p. 9.

64. ILIC Report, p. 27.

65. "Commissioner's Round Table", p. 35.

66. According to Medis, note 60, supra, by mid-1984 6,000 names had already been entered.

67. See, e.g., *U.S. v. Thoma*, supra, at 1194.

68. In testimony before Congress, R.P. Toby Tyler, a child pornography expert from the San Bernardino County, California Sheriff's Office, cited various solicitations for child erotica placed in the now-defunct publication, *Wonderland*. At least one of those advertisements was the creation of postal inspector John Ruberti. See "Child Pornography: Perpetuating the Sexual Victimization of Children", by Tyler and Lore E. Stone, paper and presentation in *Child Pornography and Pedophilia*, November 29-30, 1984, p. 99.

69. *Child Pornography and Pedophilia*, supra, Oct. 9, 1986, pp. 19-21.

70. *United States v. Emerick*, Case No. CR 86-190A, United

States District Court, Northern District of Ohio, Eastern Division, Affidavit of Postal Inspector Paul Hartman, June 16, 1986, p. 4.

71. *Ibid.* pp. 5-6.

72. *United States v. Emerick*, Motion to Suppress, Attachment A: Inventory of Seized Items, Sept. 26, 1986.

73. John Griffin, "Hunting child-porn traffickers", *Cleveland Plain Dealer*, July 22, 1985, pp. D6-7.

74. *United States v. Stokes*, supra, Affidavit of Evans.

75. *United States v. Stokes*, supra, Inventory, Federal Search Warrant 85-0050C.

76. George Werneth, "Child Porn Sting Nets 6 Suspects in 5 States", *Press Register*, Mobile, Alabama, Nov. 18, 1986.

77. *United States v. Stokes*, supra, Plea Agreement.

78. "Six arrested in kiddie porn sting", *UPI Wire Service*, Nov. 18, 1986.

79. Conversation with Joseph Sklarosky, attorney for defendant James Cocco, April 2, 1987.

80. *United States v. Smith*, No. CA-85-1216, 9th Circuit, 1986, Appellant's Opening Brief, p. 6.

81. Conversation with H. Dean Steward, Assistant Federal Public Defender, Honolulu, HA, attorney for defendant James Smith, March 24, 1987.

82. *United States v. Smith*, 795 F.2d 841, 845 (9th Cir. 1986).

83. Charles Memminger, "3 Teen Girls Tell of Nude Poses for 'Lonely Bachelor'", *Honolulu Star-Bulletin*, June 26, 1985, p. A9; conversation with H.

*¹ Ripplöh

*² Blümke

Dean Steward, March 24, 1987.

84. *United States v. Stevenson*, No. 86-5102, 9th Circuit, 1986, Appellee's Brief, Appeal from the United States District Court for the Central District of California, p. 6.

85. *United States v. Stevenson*, Opening Brief of Defendant-Appellant, p. 7.

86. *State v. Robinson*, Case Nos. 85 CA 47, 85 CA 48, Decision, Court of Appeals of Ohio, Greene County, May 1, 1986; conversation with Catherine Barber, Esq., Carretta, Cartwright & Barber Co., L.P.A., attorneys for defendants.

87. Conversation with Catherine Barber, Esq., Carretta, Cartwright & Barber Co., L.P.A., attorneys for defendant.

88. *People v. Lerch*, No. 83-1827, Appellate Court of Illinois, 1st Judicial District, Brief of Appellant. See also, *People v. Lerch*, 483 N.E.2d 888 (S.Ct.IL 1985).

89. Nat Hentof, "Is This Child Porn?", *Washington Post*, August 2, 1984.

90. Loc. cit.

91. Conversation with Harvey Grossman, American Civil Liberties Union, attorney for William Lerch on appeal.

92. David Finkelhor, *A Sourcebook on Child Sexual Abuse* (Beverly Hills: Sage Publications, Inc., 1986), p. 196.

93. L.L. Constantine, "Child sexuality: recent developments...", *Medical Law* 2(1):55-67 (1983), pp. 57-8.

94. Margaret Markham, "Trauma Said Severe for

Child in Porno Films", *Psychiatric News*, February 15, 1980.

95. Finkelhor, op. cit., p. 196.

96. Loc. cit.

97. Gerald M. Caplan, "Sexual Exploitation of Children: The Conspiracy of Silence", *Police Magazine*, January 1982, p. 50.

98. See, e.g., Michael C. Baurmann, *Sexualitaet, Gewalt und psychische Folgen. Eine Längsschnittuntersuchung bei Opfern sexueller Gewalt und sexuellen Normverletzungen anhand von angezeigten Sexualkontakten* [Sexuality, Violence and Psychological After-Effects. A Longitudinal Study of Cases of Sexual Assault which were Reported to the Police]; Bundeskriminalamt Wiesbaden, 1983. English summary, pp. 523-533.

99. Constantine, op. cit., pp. 57-8. Interestingly, Constantine observes that "[i]t is clear that one reason incest and child-child sex have been described in the past as so damaging is that the cases have been preselected in such a way that these findings are all but inevitable."

100. Markham, op. cit.

101. Saul Kapel, M.D., "Concerning Child Abuse", *New York Daily News*, Dec. 14, 1981.

102. Finkelhor, op. cit., pp. 196-7.

103. This raises serious ethical questions for police officers who routinely send child pornography to suspects through the mails, and for magazines and newspapers who print faces of children who appeared in child pornography magazines. See, for example, Rooney*, *Ladies' Home Journal*

104. "Defiance: solitary for a twelve-year-old", *Time*, Jan. 23, 1984, p. 35; "Amy's Story", *New York Times*, Jan. 15, 1984, page 23; David Thorstad, "The Case of Amy", *NAMBLA Bulletin*, May, 1984, Vol. 5, No. 4, p. 2. A more recent case in Massachusetts involves two youths, ages 14 and 15, who were confined in various locked facilities for at least a five month period—part of the time in Federal facilities—as "material witnesses" in the case of a Boston-area man with whom they had lived, who is accused of Mann Act violations, after they attempted to recant all or part of previous statements they had made concerning the man; "Victims' Jailed to Force Testimony in Boston Sex Case", *NAMBLA Bulletin*, September, 1987, Vol. 8, No. 7, pp. 2.

105. Eberle, op. cit., pp. 86-95. Conversation with Paul Eberle, April 7, 1987.

106. Eberle, op. cit., p. 93.

107. Loc. cit.

108. "Police Threaten New Jersey Family in Man/Boy Sex Case", *NAMBLA Bulletin*, May 1982, pp. 1-2, reprinting excerpts from a letter to District Attorney Denis Dillon, dated April 20, 1982, *People v. Swithinbank*, Nassau County, New York.

109. "Moms and Teens File \$200M Federal Suit Against Police and Bronx DAs for Physical and Mental Abuse", *NAMBLA Bulletin*, June 1985, p. 14.

110. See, generally, Alayne Yates, M.D., *Sex Without*

Shame (New York: Quill, 1978); Linda Tschirhart Sanford, *The Silent Children. A Parent's Guide to the Prevention of Child Sexual Abuse* (New York: McGraw-Hill, 1980); Hal M. Wells, Ph.D., *The Sensuous Child, Your Child's Birthright to Healthy Sexual Development* (New York: Stein and Day, 1978); Dennis Craig Smith and Dr. William Sparks, *Growing Up Without Shame* (Los Angeles: Elysium Growth Press, 1986).

111. Linda Sanford, op. cit., pp. 13-60, 254-262.

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THE DUTCH PAEDOPHILE EMANCIPATION MOVEMENT

Dr. Frits Bernard

Early History

When one describes the history of paedophile emancipation, one must draw on memory, certainly as far as the initial phase is concerned. For today's generation it is barely possible to imagine the circumstances under which paedophiles lived in the years before 1955. They were isolated from one another, and the notion of 'coming out' was not even being talked about. The laws were strictly enforced, and in the Netherlands article 248bis of the Penal Code, enacted in 1911 and abolished in 1971, which discriminated in favor of heterophiles, was still applicable.¹ Homosexual contacts and relationships between adults and individuals under the age of 21 were punishable, while the heterosexual age of consent was 16. Paedophilia was not yet an issue, and the term 'sexual minority' was not yet being used. There was very little literature on the subject, except for psychiatric papers dominated by an analysis of the pathological aspects of paedophilia.

Homosexuality was also a difficult matter in society; however, the work of the Wissenschaftlich-humanitäres Komitee, (founded at the turn of the century in Berlin by Dr. Magnus Hirschfeld²) had been a pioneer in this area. There was a Dutch branch represented by L.S.A.M. von Römer, a doctor from Amsterdam. Also influential in the homosexual movement in the first years of our century was the magazine *Der Eigene, ein Blatt für männliche Kultur*, published by Adolf Brand, as well as the writings of John Henry Mackay, published under the name "Sagitta".

The evolution of National Socialism in Germany meant the end of the contributions of Hirschfeld, and of sexology in general, in that

country. The Dutch branch of the Komitee was dissolved a few days after the German occupation began. By the end of World War II there remained very little of what had been started.

The Beginning

In 1940 I communicated by telephone with Jhr. Mr. J.A. Schorer, who at the time was the chairman of the Wetenschappelijk Humanitaire Comité in the Netherlands. Through him I came into contact with Dr. Benno Premela, who was one of the first sexologists in the Netherlands. These were the first concrete steps I took concerning the paedophile issue. However, the German invasion and the dissolution of the Comité prevented any further contacts until the next decade.

Human beings have the tendency not to make judgements based on facts, especially in sexual matters, but rather on simplified abstractions of reality. New facts, including scientific research, are generally not accepted or respected. This had long been the case with homosexuality. Misguided notions thrived, and there was active resistance to any revision of opinion. The question which occupied me was how to combat this attitude and bring paedophilia into the forum of discussion, and thus better the lot of those with paedophile feelings. I concluded that the giving of information and advice had to take precedence, but scholarly and scientific studies had to be initiated and a group of active people who would devote themselves to the integration of child sexuality and paedophilia into society would have to be organized. Up to this point in time, nothing of this kind had existed.

It was a totally new idea.

If one sees paedophilia as the loving of children, also in the erotic sense, and this can mean girls and/or boys, then it is clear that paedophilia does not fall under the category of homosexuality. Nevertheless, one of my first contacts was with a homosexual organization. I had my first conversation with Bob Anglelo (pseudonym for Niek Engelsman) in 1957. He was at that time chairman of the Cultuur en Ontspanningscentrum (COC, Culture and Leisure Center), an organization in the Netherlands which concerns itself with the interests of homosexuals. I wanted to build on my idea of creating a section which would focus on the interests of paedophiles within the COC. The COC, today called the Nederlandse Vereniging tot Integratie van Homosexualiteit COC (Netherlands Association for the Integration of Homosexuality), was ambivalent about the paedophile issue in the fifties. People felt threatened by it. Yet it was in fact the COC which between 1959 and 1964 published a series of articles about paedophilia, some long, some short, in its monthly magazine *Vriendschap* (Friendship).³ In 1962 an attempt was made by way of *Vriendschap* to raise interest within the COC for a positive and practical approach to the issue of paedophilia.⁴ In an article there I proposed that a center to deal with the problems surrounding the paedophile issue be formed within the COC. In the beginning this idea was well received, but later, as things actually began to take shape and a meeting of paedophiles within the COC was announced in The Hague, the association's directors became fearful and it was banned. Because of their anxiety the plans were torpedoed and the formation of a paedophile group within the homosexual organization was foiled. My plans had failed, because the time was not ripe. Another Dutch society, the Nederlandse Vereniging voor Sexuele Hervorming (NVSH; Netherlands Association for Sexual Reform), had also long expressed objections to the issue of paedophilia and everything connected with it. The NVSH was to change its attitudes in the early 1970's.

In the meantime my attempts to form the 'Enclave Kring' were taking shape. The name

Enclave was chosen because this reflected the fact that paedophiles live in isolation, in a kind of enclave. The start was difficult and by no means a bed of roses.

Although, from the very beginning, Enclave was meant for heterophile as well as homophile paedophiles, the group developed more in the homophile direction. Why is not clear. There did evolve, remarkably enough in Spain, the Lolita Club, a small club in which a number of heterosexual paedophiles had united. The members corresponded anonymously with each other and exchanged non-pornographic photographs through the mail. This organization dissolved without a trace. Nothing more was heard about the founder, a businessman from Barcelona. What exactly happened will most likely never come to light.

The first foundations of the 'Enclave Kring', which developed slowly into the International Enclave Movement, were laid at Mispelstraat 3, The Hague. It was there that the first meetings and discussions took place, albeit on a small scale. The first circulars were drafted and distributed. In 1960 Enclave moved to Rotterdam.

People from various countries joined; Enclave was in touch with a number of institutions and organizations. From the many letters which were received, the great psychological distress paedophiles everywhere were experiencing was revealed. Correspondence was conducted in no less than six languages. And yet Enclave remained, in part, an underground movement. The time for a real 'coming out' was years away.

The objectives of the International Enclave Movement were (among others) to break down prejudice about the issues of erotic contacts and relationships between minors and adults, and to provide information and advice as well as to initiate a direct assistance program. It goes without saying that efforts were made toward a revision of the penal code.

The background philosophy of the International Enclave Movement was to attempt to develop new moral views concerning paedophilia based upon scientific investigation of facts rather than upon traditional moral judgements which find paedophilia unacceptable. To

answer the question of whether the movement for the emancipation of paedophiles is justified and whether those with paedophile feelings should assert their rights, we must investigate what children think of paedophile contacts and what the psychological consequences of consensual paedophile contacts are for the children who are involved in them. Here we must rely on the results attained by the most objective scholarly/scientific research. Research done in the early 1970's confirmed that consensual sexual contact between children and adults is not *per se* negative, and in some cases can have a positive effect on the child.⁵ The aspirations of Enclave were therefore justifiable.

Ultimately the whole paedophile problem is a political problem. I have often argued that facts are the basis for constructive discussion in politics. In a discussion about paedophilia it is essential to lay the facts on the table before any discussion leading to a resolution can begin. It is only then that a debate about, for example, the lowering of the age of consent can bear fruit. Without a doubt, emotions will continue to play a role and on the whole can fulfill a positive role at that by revealing where the spheres of intolerance are. When those with paedophile feelings become angry, this can be taken as a signal and can show up the injustice of their situation. We should take these emotions very seriously and not reproach them. But listening to others will always be a difficult business.

In early 1958 I wrote the novella *Costa Brava* and the novel *Vervolgde Minderheid* (Persecuted Minority), which was accompanied by a scholarly afterword.⁶ The progressive press Storm, in Utrecht, was willing to print the books, something which was a bit difficult in those days. There was a delay in the finishing stages and the books therefore did not come out until 1960, and then on the same day. *Costa Brava* took place against the backdrop of the Spanish Civil War (1936-1939), and *Vervolgde Minderheid* in the Netherlands of the 1950's. They were published by Enclave in Rotterdam and were meant to reach a broad public with the intention of bringing the issue of sexuality between adults and children to light. In those days I could not have guessed that these works would, in later

years, be released in many countries in translation through established publishers.

It was also in 1960 that the three-part series "Ephebophilie en Wetenschap" appeared in *Vriendschap*. This series presented a closer investigation of the concepts of paedophilia and ephebophilia. In this article I proposed that paedophiles are primarily interested in the child who has not yet reached puberty and ephebophiles are principally interested in children during the age of puberty and after. The boundary between the two is not rigid as the one phenomenon flows into the other, but it is nevertheless important to keep them distinct. Authors such as Benedict Friedländer and John Henry Mackay put the accent on ephebophilia and not on paedophilia in its full sense of love for children. Inaccuracy in the descriptions of the two has led to much confusion and misunderstanding, before and now. Especially in America and England this difference is ignored, so that paedophilia is understood to mean all adult sexual contact with minors.

Enclave remained primarily an underground movement as the times dictated. The hostility toward paedophiles was too great. The only aspect of Enclave which was above ground was its publishing, which continued to put out books and brochures in various languages. From 1960 to 1964 no less than five books, literary and scholarly, were published⁷, as well as a whole series of brochures. This does not include articles in other publications in the Netherlands and abroad. They were years of great productivity.

There were also various magazines sympathetic with the goals of Enclave, among which were the German magazines *Der Weg zu Freundschaft und Toleranz*, published by Wolf H.F. Prien in Hamburg, *Amigo* from Denmark, and *Verstandig Ouderschap*, a monthly from the NVSH, in which very positive discussions appeared about Enclave publications. Among the personalities who sought contact with Enclave were authors such as Jef Last⁸, Cor Huisman⁹, Heinz Oelfke¹⁰, and scholars such as Willhart S. Schlegel and Albr. D. Dieckhoff, a lawyer in Hamburg and author of *Der Protestanten Bericht, nebst vollständiger Übersetzung des Griffin Report*.

In order to guarantee privacy Enclave did not maintain a list of members. It quickly became apparent from the letters from many paedophiles how important it was to have an address to which he or she could write about difficulties. Here is an excerpt from a letter written in 1961:

Although it is, as you yourself have written, not possible for you to find a solution for my problem, just your writing has done me a great deal of good. Good, especially since I finally have received a letter from someone who is not reproachful. Usually one hears nothing other than scandalously distorted tirades against paedophiles. Your letter makes no mention whatsoever of a sick aberration or of ways to cure deviant behaviour. In your letter I read only understanding and hopes for help.... It is impossible for me to continue to live as I now live, but I endure a deathly anxiety when I consider the possibility of another term in prison.... It does not surprise me in the least that you have received so many reactions to your books. This problem exists for a much larger number of people than most dare to imagine.

Many of the writers ended their letter with a request that it be destroyed, so we have lost an important body of historical documentation.

One letter of historical interest that was preserved came from Jan Hanlo, 14 September, 1962. He later became one of the most important contemporary Dutch writers, and his letters will soon be published by Van Oorschot:

Dear Sir: I recently read your brochure *On paedophilia*... It would be a great pleasure to make your acquaintance... Perhaps you might happen to have seen my poems, in the collection published by V. Oorschot, in which it will be apparent that this phenomenon lies close to my heart.¹¹

Here is one more excerpt from a letter written in 1965:

The changeover of the COC's *Vriend-*

schap to *Dialog* (apparently due to the changing situation in the Netherlands) is for me personally a great disappointment. Most of all I miss your literary survey which was of great interest to me. And I feel intuitively that in *Dialog* (and perhaps in *De Schakel* as well) that the phenomenon of paedophilia, due to public opinion, has been pushed into the background as much as possible, as if they wish to distance themselves from the issue. It is because of this trend that I have now subscribed to *Der Weg* and *Der Kreis* as well as *Amigo* from Scandinavia in order to keep up with current events. I would therefore be grateful to hear whether the paedophile magazine that Enclave intends to release on an international basis indeed will come out. Or, is there another way to get a list of new literature? I would be very disappointed to miss any paedophile publications.

In 1964 preparations for the release of an international journal were actually well underway. The first number was ready for press. At the last moment misgivings arose and it was not published. It was to take years before a journal would come out elsewhere. This was another one of Enclave's ideas which was premature.

Around 1960 I went to America where I made contacts with *prominent figures in the New York homosexual movement, my intention being to rally support for the goals of Enclave. I was received enthusiastically and the results of the trip were promising. In the meantime I made contacts with individuals in a great number of other countries. In 1960 I travelled to Japan, something unusual before the jet-age. In August of that year I lectured at the University of Nishinomiya within the framework of a congress organized by the Japanese Psychological Association (University of Tokyo).¹² Contacts in Kyoto, Yokohama and Tokyo were followed by discussions with those interested in Enclave. Other places I visited in the same year were the Philippines, Hong Kong, Singapore and India. Close contacts were maintained with a number

***prominent**

of European countries, especially Germany. A correspondence with paedophiles in a few African countries began as well.

Enclave has been cited in scholarly literature outside of the Netherlands, for example in Tom O'Carroll's book *Paedophilia: The Radical Case*. O'Carroll writes, "Work towards paedophile emancipation had started in Holland in the 1950's, with the growth of the Enclave Movement, which brought paedophiles into correspondence with each other, both inside and outside Holland. In 1958 Enclave became an international publishing house specifically oriented towards paedophile books."¹³

Between 1966 and 1969 the activities of Enclave diminished, not because the problems had become less urgent but because I was occupied by other matters at the time. The development of a second phase of emancipation would not take shape until the 1970's.

The Continuation

The NVSH had long objected to paedophilia. After the conference "De Staat als Zedenmeester" (The State as Keeper of Morals) in 1969, its attitude towards paedophilia slowly changed. The old structure of the existing organization disappeared, a process of democratization took place, and it was easier for a grass roots movement to spring up. The by-laws of the organization underwent change. Early in 1970 a number of prominent members came together in order to devise a program to deal with the issue of paedophilia. In actuality this was the start, in early January, of the paedophile workgroups. A number of resolutions were adopted which influenced all later developments. Among other things, the go-ahead was given for a book to be written about the subject which would throw light on many aspects of paedophilia. A commission was formed consisting of experts¹⁴ in various disciplines who immediately went to work. As early as the first half of 1972 there appeared *Sex met Kinderen* (Sex with Children), published by the NVSH. This book signalled the beginning of a new development.

Paedophile workgroups arose in a number of cities. They took care of paedophiles in distress,

as well as organized all kinds of activities: open forums, readings, etc. Information was made available to those outside the paedophile community, such as schools, the police and the press. This helped pave the way for a more open attitude about sexuality and paedophilia.

The book *Sex met Kinderen* had an effect throughout Europe and abroad. The historian Dr. E. Born underlines the effect of the book in the Netherlands in the foreword of his brochure *Paedophile Integration after 1959*:

The Dutch paedophiles feel as though they have survived a long seige. Some have ventured out, but most continue to exist in hiding and must endure the consequent hardships. Even today we can gauge the courage that must have been necessary to speak of paedophilia in the sixties, not to mention the courage needed less than ten years ago to oppose a murderous taboo, to stress the urgent need for assistance and understanding, and for an intelligent unprejudiced approach to the phenomenon of paedophilia. The integration of the paedophile into society started for the first time only last year. Attempts to do this can be dated back to the beginning of the sixties.¹⁵

The national paedophile workgroups attained official status in the form of the Hoofdbestuurscommissie Pedofilie, NVSH, on January 20, 1973. New local paedophile workgroups still continue to come into being.

In an information brochure from 1973 the goal of the workgroups was presented as follows:

The primary goal of the national and local workgroups is to provide the chance for paedophiles to meet each other and thereby help them to emerge from isolation. This opportunity in itself is a liberating experience.

Expert assistance for paedophiles who are in distress is being organized, and furthermore efforts are being made to relieve the plight of this oppressed group. The workgroups facilitate regular contact between paedo-

philes and non-paedophiles within as well as outside the workgroups. This is possible since non-paedophiles joined the workgroups as well as the administrative bodies of these workgroups. The NVSH board, active members of NVSH, form part of the national workgroup.

In their campaign of enlightenment the national and local workgroups also work outside of the group, by distributing information, by giving lectures, etc.

The workgroups compile documentation and data files about recent occurrences and about the history of paedophilia in the last decades.

The workgroups gather material for scholarly research projects as well.¹⁶

An aboveground organization had arisen from an underground movement. This could not have happened without the painstaking work done in the fifties and sixties.

Paedophilia became a topic outside of the NVSH too. The media gave the matter attention. Under the auspices of the Nationaal Centrum voor Geestelijke Volksgezondheid (NCGV; National Center for Mental Health) a special workgroup was formed in 1973 to deal with the possibilities of assistance for paedophiles. Already existing welfare programs could not handle this issue, as they were not adequately informed about paedophilia. This NCGV workgroup was made up of prominent authorities in various areas such as psychology, criminology, psychiatry, etc.¹⁷ This new group met for the first time on March 18, 1974, in Utrecht. Their objectives were thus outlined:

Given the shortcomings in aiding paedophiles with their relationships, contacts and needs that psycho-social aid programs revealed when they were consulted, it is necessary to:

- a) specify these shortcomings;
- b) review the social problems relevant to paedophilia;
- c) describe the possible connection between these shortcomings and the ex-

isting problems;

d) to indicate whether or not there is a connection between these shortcomings and problems on the one hand and socio-sexual attitudes about human relationships on the other, and to what extent;

e) to indicate ways in which the shortcomings revealed in aid programs can be quickly eliminated and thereby promote the prevention of problems in the future. The workgroup is also expected to make recommendations and suggestions practical to the relevant aid programs.¹⁸

The definitive report concerning the conclusions of the commission appeared in 1976, entitled *Pedofilie en Samenleving* (Paedophilia and Society). Here are several important conclusions from the voluminous report:

—“The most acute and usually also the most serious difficulties occur as soon as the police and/or the Prosecutor become involved in the problem. Many problems escalate unnecessarily if people neglect to ask what exactly the problem is and/or people don't think of approaching the parent involved or the child.”

—“The Workgroup is of the opinion that it is incorrect to regard sexual activities with children under 16 as punishable acts, and the Workgroup strongly recommends the repeal of all the sections of the law pertaining to this matter, or parts thereof, such as appear in Section XIV of the second book of the Penal Code. The Workgroup made this opinion known and argued it in a letter of 20 December, 1974, to the Advisory Committee on Morals Laws. We are, therefore, in agreement with similar ideas such as those which have already been made known to the Advisory Committee by a special advisory study group of the National Center for Mental Health; by the Rutgers Foundation; the Coornhert League; the Dutch Insti-

tute for Social Sexological Research; and the Free Rights Union.”

—“The child, just like everyone else, has the right to express his [sexual] feelings and needs.”¹⁹

In the report the words “paedophilia” and “paedophile” are defined as follows:

Paedophilia is the human quality characterized by an attraction to children, also in the physical sense, which is experienced as being so important that it dominates the person’s life. Every adult for whom this attraction is of fundamental importance is a paedophile as long as this attraction has importance for him or her.²⁰

At the end of the report there is an overview of the legal situation in various countries at the time it was written. It concludes:

The variations in the legal situation having to do with the sexuality of children and paedophilia in the various countries reflects great uncertainty about this phenomenon. The laws vary from country to country and from era to era, from no punishment at all, all the way to the death penalty.

Also people’s attitudes with respect to paedophilia and the sexuality of children can be vastly different in various countries and cultural periods. It is obvious from this that also elsewhere people don’t know what to do with this phenomenon.²¹

The report was clearly needed; extra copies had to be printed, and discussion on the subject began.

In the meantime the National Workgroup of the NVSH organized five international meetings in Breda between 1973 and 1975.²² This was the first real “coming out”! These meetings in Breda also resulted in the formation of workgroups abroad. The NVSH was the model.

Since 1976 the National Workgroup on Paedophilia has given itself the sub-title *Werkgroep tot Emancipatie van Oudere-Jongere-relaties* (Workgroup for the Emancipation of Intergenerational Relationships), indicating that they were concerned with a broader question

than just paedophilia. In 1979 the name was changed to *Landelijke Werkgroep Jeugdemancipatie* (National Workgroup for the Emancipation of Children). From that point the accent was placed on the child, and the emancipation of the child was of central importance. The right of children to have sexual contact, as well as their right not to have sexual contact, was included in the program. The lack of children’s rights to have sexual contacts or not have them was seen as a problem that needed a solution.

After the five international congresses in Breda the 1977 Congress “*Pedofilie en Samenleving*” (Paedophilia and Society), in the RAI building in Amsterdam, was a new peak in the history of paedophile emancipation, a coming out clearly directed to the outside world. The Congress was held under the auspices of the NVSH and the NCGV. Over 200 people from the fields of social work, the social sciences and the police took part. There was also a twelve-year-old boy as a youth representative at the committee table. The head of the Rotterdam police, Mr. B. Kalma, gave a positive speech on the topic. Various aspects of paedophilia were discussed by a number of experts, and the Chairman of the NVSH, Tom van der Loo, closed the meeting.

In connection with this we should also mention the second sex information exhibition “*Sexuality ’78*” (also called “*The Sex Fair*”), which was held from September 1 to 10, 1978, in the AHOY building in Rotterdam, and which drew many visitors. The National Paedophile Workgroup, NVSH, participated, along with four other NVSH national workgroups.²³ The COC also took part, as did the *Rutger Stichting*.

In the summer of 1980 the long expected *Eindrapport van de Adviescommissie Zedelijkheids-wetgeving* (Final Report of the Advisory Committee on the Morals Laws) appeared. The committee was led by A.L. Melai, Professor of Penology at the Rijksuniversiteit in Leiden. A number of recommendations were made in the report pertaining to the sexuality of children and paedophilia, among them that, if the initiative were taken by the child, sexual contacts with children between the ages of 12 and 16

should no longer be punishable. Although this has not been implemented, it indicates that the sexuality of children under 16 years of age is taken seriously here and accepted, and was definitely a positive development.

We should also make mention of the initiative taken in the 1970's by a small group in Tegelen (Limburg) under the leadership of Hardy Sigfrid Scheller in the area of heterosexual paedophilia. They published a German-language magazine called *Propäophile Informationsblätter*. Scheller also wrote two books, *Die Manipulierte Psyche, Betrachtungen über die heterosexuelle Pädophile* (Tegelen: Sandra Verlag, 1979), and *Die pädophilie Emanzipation, Motive und philosophische Grundlagen des Propäophilismus*, published by himself in 1980. The organization no longer exists.

Still active is "Stichting Martijn" (Amsterdam). They produce a high quality monthly magazine, *O.K.: Info-magazine over Ouderen-Kinderen-relaties*. It prints the latest news as well as background information and is illustrated with photos and sketches. In addition, it makes available a "Press Focus" to members—a monthly newspaper of clippings about sex and emancipation.²⁴

The Future

Looking back on the 1970's, we can see that they were years of initiative, emancipation, research, and above all optimism. The 1980's have proved otherwise. After 1982-1983 the deterioration has been rapid. In Holland resistance was mounted against the dearly won sexual freedoms, and foreign powers have tried more and more to influence Dutch moral attitudes.

The NVSH membership dropped drastically to under ten thousand in the 1980's, and it consequently faced a financial crisis.²⁵ The recovery has been slow.

Paedophile organizations in foreign countries have had great problems: the Swiss and French-speaking Belgian groups were destroyed by police action, and many people were arrested. Everywhere there has been an hysteria over paedophilia and child sexuality, often

degenerating into witch-hunts. The media deal with the phenomenon with complete lack of understanding. Phenomenologically distinct categories are mixed together: paedophilia and ephedophilia are not distinguished, and both are equated with child-abuse.

Reaction against progress might be expected; improvement is never steady. Religious fundamentalism and its judgmental morality is now again gaining ground. After this negative period, probably a more positive one will follow; how long that will last nobody can say.

The Dutch organizations stand in the breach. They are again needed now more than ever.²⁶

Evaluation and Conclusions

Paedophile emancipation in The Netherlands began about 30 years ago. An historical analysis reveals how this process has taken place up to the present time:

- a) Before about 1955 there were absolutely no developments in paedophile emancipation. Paedophiles lived in isolation. There was only a single, one-sided, and above all dubious psychiatric approach.
- b) Between about 1955 and 1965 Enclave began to challenge this view. Paedophiles came into contact with one another. Aid for paedophiles was started. A new vision of the phenomenon developed. Scientific research was set on the agenda. The COC played an important part in all of this through its monthly publication *Vriendschap*.
- c) The years between 1965 and 1970 were a period of consolidation. The COC rejected paedophilia; its new magazine *Dialog* was not sympathetic.
- d) The decade of the seventies saw a number of Enclave initiatives put into action. Within the NVSH the national paedophile workgroup was formed. The book *Sex met kinderen* appeared in 1972. Scientific research was carried out. Once again paedophiles came together, but this time under the aegis of a non-paedophile organization. There were congresses in Breda between 1973 and 1975, the first "coming out". The workgroup took on its own identity. There was an important symposium in Amsterdam in 1977.

The workgroup appeared more and more often in newspapers, on radio and television. At the end of the seventies there was a shift of emphasis: now, within the work group, the child was perceived as the most important element and emancipation of children the group's most important goal.

e) During the 1980's emancipation suffered reversals. People started to question whether the vision of sexual emancipation was correct.

According to C. Straver, the process of emancipation has three phases which, in my opinion, are roughly applicable to paedophilia. They are:

1.) An advance guard of the elite comes cautiously out in order to plead the interests of the group with the dominant forces of government and society with their prevailing opinions, appealing to and confident in their sense of justice and rejection of prejudice.

2.) Through mutual association the group forms its own identity and works toward an increase of self-awareness. The accent is upon self-knowledge, but there are a few outward initiatives.

3.) The group comes out, forges a strategy to have its wishes granted, confronts the dominant elements of society with its stands and the justice of its demands by means of education and provocative actions. The accent is on outward activities directed toward integration into society, being considered equal. Helping and caring for one another assume second place.²⁷

Through my psychotherapeutic practice, as advisor in forensic cases, through Enclave, COC and NVSH, and by means of personal contact, I have met more than a thousand people with paedophile feelings during the course

of the years. The number of children I met who had contacts with adults was over three thousand. When I review in my mind all these cases, I can only come to the following conclusions: —People with paedophile feelings are just like other people; the variability in paedophiles is probably as great as that in the general population. A child who is interested in sexual contacts with adults is as normal as the child who is not interested in such contacts.

—Paedophilia is, first and foremost, not a problem for the paedophile; it is apparently also not a problem for the child. Paedophilia is primarily a problem for the non-paedophile, for society.

—Our attitude towards paedophilia can very well be the touchstone for the way we can and dare feel about sexuality in general and that of children in particular.

—Heterosexuality, homosexuality, bisexuality and paedophilia should be considered equally valuable forms of human behavior.

—Paedophiles can enrich society by bringing into it new perspectives.

Editor's Note:

*Dr. Frits Bernard is a Clinical Psychologist, and was the founder of the International Enclave Movement. He is on the Board of Directors of the Association for the Advancement of Social Scientific Sex Research, Düsseldorf, and the Association for Human Sexuality, Berlin, and a member of the German Society for Sex Research,*Frankfurt, and the Association for Sexology, Utrecht. He has published numerous articles on paedophilia, a scholarly work on the subject which has appeared in three languages, and two novels. This article is copyrighted by Dr. Frits Bernard, 1987.*

NOTES

1. Still valid, however, is article 247 of the penal code: "A person who performs an indecent act or gives the opportunity for an indecent act to take place with someone whom he

knows to be unconscious or who is powerless, or with someone under 16 years of age, or, without participating himself, allows a third person to do such a thing, will be punished with imprisonment for no more than 6 years."

Also article 244 is relevant:

"A man who has sexual intercourse with a girl under the age of 12 will be punished with a prison sentence of not longer than 12 years"; as is article 245: "A man who has sex, without having actual sexual intercourse, with a girl over the age of 12 but under the age of 16,

will be punished with a maximum eight years of imprisonment. Prosecution of acts which do not fall within article 248 will not take place unless a complaint is lodged."

It should be noted that someone who seduces and has sexual intercourse with a girl between 12 and 16 years of age can only be punished if a complaint is lodged (article 245), while someone who does not have sexual intercourse with a girl of the same age range but performs indecent acts is punishable.

2. I can clearly recall the following incident. In May 1935, when I was 14, I was standing in the conservatory of our house in Spain after school leafing through the newspaper *La Vanguardia Española* or *El Noticiero Universal* (I think it was the latter). My eye fell upon a short article telling of the death of Magnus Hirschfeld (May 15, 1935) and the cause to which he had devoted his life. Until that time I had never heard of Hirschfeld, but that report sticks in my memory.

3. During this time, just as nearly everyone writing in *Vriendschap* used nom-de-plumes, the editors also used pseudonyms. This changed in January 1965 with the appearance of the new publication *Dialogo* (Dialogue). A new phase begun as the new magazine came out, bringing the discussion to the outside world.

4. See "Victor Servatius", *Over pedofilie—Een centrum voor pedofielen—Zin der pedofilie* (Rotterdam: Enclave 1962). This

also appeared previously in *Vriendschap*, Vol. 17, Nos. 2&4, 1962. *Over pedofilie* initiated a great deal of discussion. It also appeared in German in *Kontiki* No. 59 (Zurich), April 1983, under the title *Pädophilie 1962-1983*, and is presented in English in this issue of *Paidika*.

5. See, among others, "De gevolgen voor het kind," in *Sex met kinderen* (The Hague: NVSH, 1972); abstracts of this in English may be found in *Love and Attraction*, edited by Mark Cook and Glenn Wilson (Oxford and New York: Pergamon Press, 1979), pp. 499-501, and *Children and Sex*, edited by L.L. Constantine and F.M. Martinson (Boston: Little, Brown, 1981), pp. 189-199. And later see Theo Sandfort, *The Sexual Aspect of Paedophile Relations: the experience of twenty-five boys*, (Amsterdam: Pan/Spartacus, 1982).

6. During those years I used the pen-name "Victor Servatius".

7. The publications issued by Enclave are, in order of their appearance: "Victor Servatius" (Frits Bernard), *Vervolgde Minderheid, roman met een wetenschappelijk nawoord*, 1960; "Victor Servatius", *Costa Brava*, 1960; "Victor Servatius", *Ephebophilie en Wetenschap: Stand van Zaken*, 1960; "Victor Servatius", *Phenomenologische Beschouwingen over Bisexualiteit*, 1961; "Victor Servatius", *Schlegel's Analytisch Constitutie-onderzoek*, 1961; "Victor Servatius", *Wetgevingen en Sexueel Gedrag*, 1961; "Victor Servatius", *Over pedofilie—een centrum voor pedofielen—zin der pedofilie*, 1962; Jef Last, *De Jeugd van*

Judas, 1962; Cor Huisman, *De Legende van Magelang*, 1964; "O. Brunoz" (Edward Brongersma), *La Pédophilie—l'Amour des Garçons*, préface, "Victor Servatius", 1964; Frits Bernard, *Vervolgde Minderheid en Costa Brava*, one volume edition, illustrated, 1984; Frits Bernard, *Paedophilia—A Factual Report*, 1985.

8. Jef Last (Josephus Carel Franciscus), Dutch author, 1898-1972. He studied Sinology at Leiden and Hamburg (graduated 1957), and headed the film service of the Institute for Labor Development. He travelled to the Soviet Union and fought in 1936 in Spain. From 1950-1953 he was a teacher and governmental advisor for culture and art in Bali. From his youth on he was a committed socialist, for several years a communist. His literary work comprises some 65 volumes, including poetry, fiction and essays. He was one of the most important socialist writers of his generation, and certainly the best essayist. (Source: *Oosthoek's Encyclopedie*, fifth edition, Utrecht, 1962.) His *De Jeugd van Judas* was published by Enclave in 1962, with a design he himself provided for the cover. Last himself thought this was his best book.

9. Cor Huisma*, writer and journalist. He wrote particularly on North African and Middle Eastern affairs and personalities. His *De Legende van Magelang* (1964) was published by Enclave with a cover design by Mario de Graaf.

10. Heinz Oelfke, writer and

*Huisman

(see above, and *Paidika* 6, p.53)

poet. His latest book is *Hauptsache wir leben—Kindertage zwischen Kirchtum und Kanonen* (1987). Heinz Oelfke translated *Costa Brava* into German.

11. Jan Hanlo (Johannes Bernardus Maria Rafäel) Dutch poet and author, 1912-1969. His first poems were published in 1951; in 1954 his poem "Ote" created such a sensation that it was even disputed in the Dutch parliament. The original of this letter is in the Bernard Foundation, Inc.

12. The lecture was entitled "Athletic-Athenic and Andromorph-Gynaecomorph Variations".

13. Tom O'Carroll, *Paedophilia: A Radical Case* (London: Peter Owen, 1980), p. 251, note 16.

14. The members were F. Bernard, E. Brongersma, I. Haagsma, W.J. Sengers and P. van Eeten.

15. Dr. E. Born, "Pedofielie integratie nà 1959" (Utrecht,

1973), p. 3.

16. NVSH "Landelijke Werkgroep Pedofielie Brochure 1973".

17. The ad-hoc workgroup of the NCGV was made up of the following: S. de Batselier, F. Bernard, P. Blok, Mrs. H.M. ter Braak, C. Gutter, G.A.A.T. van der Heuvel, C.J. Huizinga, Mevr. W. van Rijsel, Mrs. L. Rouweler-Wuts, W.J. Sengers (Chairperson), J. van Ussel and Mrs. M.C. Verhulst-van der Lans.

18. *Maandblad Geestelijke Volksgezondheid*, March, 1974.

19. *Pedofilie en samenleving* (Utrecht: NCGV and Rotterdam: Instituut voor preventie en sociale psychiatrie, Erasmus Universiteit, 1976), p. 96, 97 and 100.

20. *Ibid.*, p. 7.

21. *Ibid.*, p. 185.

22. These meetings also provided an opportunity for scientific research about the paedophile participants: an inquiry

questionnaire, investigation of neurotic or psycho-somatic symptoms, and an assessment of personality aspects.

23. The additional groups from the NVSH were the Landelijke Werkgroep Travestie/Transsexualiteit, the Landelijke Werkgroep Vorming en Voorlichting, the Landelijke Werkgroep Emancipatie, and the Landelijke Werkgroep Gehandicapte Mens en Gemeenschap.

24. The Stichting Martijn can be contacted via P. O. Box 5478, 1007 AL Amsterdam.

25. This was a serious matter for a society which had been in existence for over 100 years and at its peak had almost 240,000 members.

26. The work groups can be reached via the central postal address of the NVSH: P. O. Box 64, 2501 CB The Hague.

27. C. Straver, "Homofilie in Nederland", *Intermediair*, 1972.



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ON PAEDOPHILIA:

I. A CENTER FOR PAEDOPHILES?

II. THE MEANING OF PAEDOPHILIA

Dr. Frits Bernard

I. A CENTER FOR PAEDOPHILES?

Introduction

In every society, including that of the Netherlands, there are paedophiles, that is, persons whose love and interest is exclusively directed toward girls and/or boys who have not yet reached the age of puberty, and for whom such children are of the utmost importance. They are not large in number—there are no statistics at present—but this group is nevertheless not insignificant. Strictly speaking, we should not consider paedophiles as a group, but rather as separate elements forming a collective. This minority is composed of individuals who are not really connected with each other, in contrast to other minorities which do form a kind of unit, such as, for example, the Jews. Nevertheless, individual paedophiles have one thing in common with each other, and that is their affective life—or, better, many facets of it. In our society they live under pressure and they are certainly a persecuted minority. However people might regard them, the above factors make up their reality.

For the most part, people know very little about their psychology—and this also holds true for professionals who are considered officially as experts in the field. The greatest difficulty resides in the fact that paedophiles do not easily reveal their sexual preference because, with good reason, they are afraid to do so.

Until now nobody has concerned themselves **with** the *reality* of the paedophile's world, despite the enormous increase and expansion in all directions which has taken place in our country since 1945 in social welfare and social work. Naturally, experts have from time to time given

their individual opinions, but these were isolated cases—and, in general, this happened on the whole only where the pressure from circumstances gave them no other choice.

The average citizen is acquainted with only the most negative aspects of paedophilia, based on what so often appears in the press, and on radio and television. As a consequence he has a totally distorted picture of paedophilia. Just imagine forbidding love between man and woman because occasionally a crime of passion is committed! That is precisely what people, consciously or unconsciously, do with respect to paedophilia.

The Consequences for the Child

In recent years there has been some research into the psychological consequences for the child of having sexual contact with an adult. The conclusion is that the overwhelming majority of seduced minors later develop normal heterosexual preferences, marry and raise children. Psychoanalysis also demonstrates this. Discovery of sexual contacts and the consequences of discovery, however, *can* be traumatizing.

A Few Phenomenological Aspects

Recent investigations have shown that paedophiles as a group are not less intelligent or ethical than heterosexuals. Their intelligence quotients can be higher or lower, just as is true of their achieved social status.

With respect to their affective preferences, paedophiles can be divided into the following groups:

- a) the heterosexual paedophile
- b) the homosexual paedophile, and
- c) the bisexual paedophile.

There are no statistics to show with any certainty the relative percentages of these groups.

With the bisexual paedophiles, a certain alternation can be observed: after a heterosexual phase a homosexual one follows, and vice versa.¹

What is the Solution?

Whatever standpoint one adopts, there is agreement that today we can not afford to ignore this phenomenon. Whether one considers paedophilia the result of a disturbed development or as a normal variant, one thing is clear: as things stand now, one can only consider the situation most unsatisfactory, both for society and the paedophiles themselves.

What is the solution? At the moment it is certainly not in sight, but it is very possible to try every avenue to improve the situation.

Experience has shown that no solutions are being offered by the spiritual, social or governmental resources in the Netherlands. Only in the most extreme circumstances (especially when it is too late) will the paedophile make his way to such institutions, and when he does nobody knows what advice to give him. This is the reality.

This lack, or gap, in our society must be filled by one means or another. We are thinking here of some kind of *center* for paedophiles. In the first place, it should have at its disposal a number of advisers and experts (for example, a psychologist, a lawyer, a social worker, etc.). Primarily it would exist to help the paedophile adjust as best he can, and achieve a feeling of self-acceptance. In addition, providing information about the phenomenon to larger groups of people (such as teachers, youth leaders, parents) should be a very important task. Obviously, too, scientific research should also be part of the program.

We are fully aware of all the difficulties

which would face the implementation of such a project, but we are convinced that something must be done, and that this would only be a first step along a very, very long path.

What has been written above is in large part applicable to the larger group of ephedophiles, i.e. adult homosexuals who love puberal boys, but a great deal has already been written about them so we will leave them outside this discussion.

Finally, we place before our readers the question of whether moving in the above-described direction is the task of the C.O.C. This organization is for the most part now a society of androphiles. What, readers, do you think?

1. See also Drs. Victor Servatius, "Phenomenologische beschouwingen over bisexualiteit" (Phenomenological Considerations in Bisexuality), *Vriendschap*, January, 1961.

II. THE MEANING OF PAEDOPHILIA

There is perhaps no phenomenon about which so many untruths have been written as paedophilia. This is the case in medical and psychological literature, as well as in *belles lettres*. Most people approach it with fear, fear of psychic contamination, distorted development or even worse. Of course there are dangers, great dangers; if a paedophile preference is labeled as something horrible, then an artificially nourished danger is created. For example, when a paedophile relationship comes to light and the police become involved, along with the local neighborhood and the probation department, those charged are put under extra psychic pressure and tension and, perhaps, develop feelings of guilt. These circumstances can certainly create a neurotic atmosphere and can distort development. The most important factor in this situation is the way paedophilia is considered and not paedophilia itself. It is, in and of itself, an interesting psychological phenomenon to note that in psychiatric textbooks all of the negative aspects of the situation are always laid to the paedophile preference itself. In this case psychiatry reflects the common morality, and this is why, when such literature is

critically read, the reasoning within it seems so unsatisfying and unconvincing. Moralistic science easily leads to contradictory results. Through it one will never succeed in penetrating the heart of the matter. The premises it starts from are of a dubious nature. People are led to believe that the negative aspects of paedophilia lie in the paedophile nature itself, not in the attitudes of society towards paedophilia.

What, really, do people understand by paedophilia? Nowhere is terminology as vague as here. What, for example, are the age boundaries? Penal codes play an important role by setting ages under which contacts can be punished. In a country where the age of consent is 18 years of age, an adult can be labeled a paedophile if he has relations with persons under 18; where the age of consent is 12, the limits of what is considered paedophile relations will be lower. Some people would even like to place the age limit at 21. It need not be said how flexible these boundaries are. Research is needed here. Relations between an adult and someone of 18 years of age are very different from relations with someone of 11 or 12! The biological maturation process alone makes this clear. In our opinion, the best *criterium is the onset of puberty, which usually occurs around the 12th year. On a biological basis, then, one can maintain that paedophile relations are only those between an adult and a child under the age of 12. Relations with youths of around 13 to 15 (puberty) should better be called ephebophile relations, or, as we have proposed, *puberfile* relations. There is a great deal of difference between the two—in any case, an evident biological difference.

In this discussion, however, we will not use this biological *criterium but will accept what people think of as paedophilia. We keep the age limits, then, as flexible as possible and place the emphasis here more on puberty.

We know nowadays that there are young people who can only fully develop by having a relationship with an adult. If this phase is not experienced (repressed) it can cause difficulties (neuroses) later. The general morality of our society rejects every sexual relationship of this kind. It must be realized that this rejection

makes such relationships extra difficult through fear of discovery, rejection, etc. It follows that these relationships cannot be wholly harmonious under the given circumstances. Modern psychiatry conforms in order to lessen the neurotic impact of the current taboos and attributes all difficulties to the sexual relations themselves. But how often do tensions and difficulties spring up just when a "case" is made of an affair? A closer examination once again reveals that it is mostly the attitude of society which does the damage.

The value of the paedophile relationship is two-fold. In the first place it is an individual one: that is, the relationship is important for the personal development of some individuals. Secondly, it is a collective, or social one: the paedophile is, so to speak, a bridge with youth. It is primarily he, through his very nature, who can and does have a true importance in everything which concerns youth. He is therefore in a position to do a great deal for the population of growing young people. It should be noted that society, by changing its attitudes, would be able to profit greatly by their paedophile fellow-men. Society is not, however, aware of this as yet, or perhaps is only becoming aware of it.

To stimulate this awareness was the aim of this discussion about the meaning of paedophilia.

Editor's Note:

This is the first English translation of a pamphlet by Dr. Frits Bernard, writing under the pseudonym of "Victor Servatius", that was published in 1962 by Enclave, Rotterdam. The Dutch title was Over pedofilie—Een centrum voor pedofielen—Zinder pedofilie. The sections had already appeared in February and April of that year in Vriendschap, the official publication of the COC, the Dutch sexual rights organization. It was, as Dr. Bernard describes it, "a deliberate attempt to rally support in the COC for the formation of local workgroups, and a national one as well." It was also Enclave's attempt to summarize in short form their thinking on paedophilia and make this view known to a wider public.

PAIDIKA BIBLIOGRAPHIES 1:

ALCIBIADES THE SCHOOLBOY

Louis Asoka

The first novel about paedophilia ever to appear was *Alcibiade fanciullo a scola* (*Alcibiades the Schoolboy*), the earliest editions known today having been published in Italian in 1652 in Orange, France.¹ For those who might be interested, this historical curiosity has always been difficult to find. Of the 1652 printings only a few copies have survived, including examples in the public libraries of Dresden and Grenoble, the Bibliothèque Nationale in Paris, and the British Museum, London.

The Bibliothèque Nationale owns one copy of each of the 1652 printings. According to the *Bibliographie instructive* by De Bure,² by 1765 the library had already acquired one copy; the second copy was purchased from the auction sale of the Duke de La Vallière in 1784.

In 1862 an edition of about 100 copies, still in Italian, was published in Paris by Jules Gay.³ The text of this edition is identical to the edition of 1652. This 1862 edition was ordered destroyed by the Ministère Public in 1863, and later was also banned by the "Tribunal Correctionnel de la Seine", 8 November 1865.^{*2} All copies were withdrawn from subscribers and destroyed. The copy of this edition in the Bibliothèque Nationale was also withdrawn by the Ministère Public, but the two copies of the 1652 edition still exist, having escaped destruction.

The first French translation appeared in 1866 in Brussels under the false imprint "Amsterdam, chez l'ancien Pierre Marteau", with a fifteen page foreword by M. Poulet-Malassis added.⁴ The edition size was 150 copies. The translation is a very clear one and gives an accurate rendering of the original. Two further printings are noted as being made in Brussels in the 1870's, both illustrated.⁵ The French translation was reissued again in 1891, without engravings.⁶ It was once again reprinted with engrav-

ings in Paris in 1936 by Marcel Scheur, the French erotica publisher.⁷

Despite the false Amsterdam imprint, the work evidently did not find its way into the Netherlands. No copies are to be found in any library, not even the Royal Library in The Hague. A copy of the French translation does exist in the Albert I Royal Library in Brussels, from which I obtained a photocopy for my own collection.

We can thank the German publisher, Mowig, for the fact that the interested reader can more easily obtain a copy today. They brought out a German translation from the French language edition in 1982 under the title *Der Schüler Alcibiades*, which is still available at a moderate price.⁸

To date there has been no English translation. In the mid-1960's such an effort was announced by the Oliver Layton Press of New York, but the book never appeared. Very recently, another attempt to issue the book in English has been announced.⁹

The Story

The novel is about a school master, Philotim, one of the leading citizens of old Athens and a member of the upper class. One day the beautiful young Alcibiades is entrusted as a student into his care. Immediately upon his introduction the author gives a lengthy description of the boy's physical beauty, written in lyrical prose and extending for several pages. Of all the students Philotim has had entrusted to him, Alcibiades is certainly the most special. The master is soon head over heels in love with him and is determined to lead the boy to worship at the shrine of the god Amor.

For the boy to get acquainted with his new

*¹ fanciullo*² Correctionnel

environment, Philotim has him come to school a day earlier in order to be alone with him. Here begins a humorous dialogue between Philotim and Alcibiades which fills the greater part of the book. It is clear that this dialogue is inspired by Plato's *Symposium*, and it has a more modern parallel in Gide's *Corydon*. The schoolmaster informs his student about the pleasures of erotic relations between a man and a boy, including anal intercourse. His arguments are ethical and philosophical, and the details of erotic-sexual relationships are very frankly described.

Obviously Alcibiades is not about to let himself be won over easily, and this insures that the necessary tension pervades the story. In order to set the young boy's doubts at rest, Philotim must bring to bear all of his talents of persuasion and experience—which happily he has in abundance.

It is noteworthy that the questions Alcibiades poses are still relevant today in such relationships: If this kind of love is as sublime as Philotim has portrayed it, why is it forbidden by law? Why does a boy who becomes sexually involved with a man run the risk of being considered a boy whore? What do you do about fathers who become angry when they learn that their sons are involved in such a relationship? Philotim finds appropriate philosophical answers to all these questions.

Finally Philotim makes clear to Alcibiades that there is only one way in which a boy can open himself up so as to attain the same level of spiritual development as his master. This is to enter through the "back-yard" of the boy. If the master's sperm flows into him this way, the boy's brain will be directly fertilized and impregnated with the best qualities of his master.

Alcibiades, upon being so informed, is completely convinced that only good can come to him by giving in. He undoes his cloak and gives himself, full of pleasure, to the avidly desiring master. The final pages describe the full pleasure of their love games.

In the last lines of the French translation (which are omitted in the German edition), the author promises that in a second volume the amorous pair will continue their adventures.

This sequel was also announced by the publisher Juann Wart in his edition of 1652, under the title *Il Triomfo d'Alcibiade*. It was to be more erotic than the first book, but there is no record that it ever appeared.

While the story certainly has an erotic cast to it, it is a relief that there is no trace at all of guilt feelings or mental anguish, so typical, if understandable, an element in later homoerotic literature. I might, lastly, note that there is also a total absence of force or coercion in the master's methods of achieving his purpose.

The Authorship

A great deal has been written about the authorship of *Alcibiade*. On the title page of the 1652 edition the author was given as "D.P.A.", and this was commonly understood to mean "Divini Petri Arteini". Pietro Aretino (1492-1556) was notorious as the author of obscene sonnets. In addition, many erotic works by others were attributed by publishers to Aretino in order to capitalize upon his large reputation. To suggest that *Alcibiade* was a posthumous work by Aretino, published about a hundred years after his death, would certainly have helped sales.

In the 19th century the view that Aretino was the author was rightfully discounted, and a tradition arose that attributed the book to Ferrante Pallavicini, sometimes also written as Pallavicino. This opinion was based on the research of the Italian scientist Giamb. Baseggio in a thesis published in 1850.¹⁰ This thesis was translated into French in 1861 by the state librarian of Bordeaux, Gustav Brunet.¹¹ From this period on, Pallavicini's name was cited in the standard bibliographies¹² and so this view perpetuated itself well into the twentieth century, when it was superceded by the research of Gershon Legman and Giovanni Dall'Orto.

The evidence cited by Baseggio rested upon comparisons with other works of Pallavicini. For example, the description of the beauty of Alcibiades was very similar to that of several ladies in his *Susanna* and his *Palicea*. Another passage from *Alcibiade* about young boys is to be found almost word for word in Pallavicini's

*Continuazione del corriere.*¹³

For information about the life of Pallavicini we can consult, among other sources, Wayland Young's *Eros Denied*.¹⁴ Pallavicini, we learn, was born in 1618 and made his living for a while as a political journalist in Venice. He was the author of several pornographic works of which the best known is *La retorica delle putane*, which appeared in 1642. In it he reveals how a whore (*putane*) might best meet her clients and how she should speak to them (*retorica*). This rhetorical format is obviously comparable to that of *Alcibiade*, and provides modest circumstantial evidence for the Pallavicini authorship.

Pallavicini, in a later work, criticized Pope Urban VIII and his family, the Barberinis. They sent a representative to him pretending to be from Cardinal Richelieu and who tried to trick him into going to Paris as the Cardinal's official historian. Pallavicini, young and naive, fell into the trap and departed with the messenger. He was arrested along the way in Avignon, was held for 20 months in prison, and finally in 1644, at the age of 26, he was beheaded.

After his death a group of admirers remained faithful to his writings and libertine ideas. One of them, the publisher Gregorio Leti, saw to it that several of his works were republished in Geneva.

In his thesis Baseggio also raised the question of the purpose the author had in writing *Alcibiade*. He cited one line of the foreword to the 1652 edition in which the editor (who is unnamed but was probably the same person as the author) warned the reader about certain teachers who corrupted youth and implied that it was the aim of the author to create a satire on the conduct of certain teachers in Venice. The warm, spiritual tone of the work itself provides the best evidence against this suggestion.

In a second dissertation of the period, by the Belgian author and diplomat Octave Delepierre, which appeared in Paris in 1861,¹⁵ another conclusion is reached about the purpose behind *Alcibiade*. Delepierre was convinced that the book was written by a man with a free spirit and a love of the classics.

In 1964, in an essay in *The Horn Book*,¹⁶ the American bibliographer Gershon Legman

stated that the ascription of authorship to Pallavicini, which first had appeared with the French translation of 1866, was incorrect. According to Legman two 17th century letters were written by Gian-Francesco Loredan, founder of the Accademia degle Incogniti, and addressed to Father Angelico Aproso. These letters are now preserved in the library of the University of Genoa.¹⁷ They state that the original edition (now lost) was actually published in Venice in early 1651 by Ginammi from a manuscript that had been in Loredan's possession for about twenty years, which means from about 1630. As Legman argues, Pallavicini was born in 1618, which would mean that he was only about 12 years old at the time that Loredan received the manuscript, and it would, therefore, be unlikely that he could be the author. The Loredan letters attribute the work to Antonio Rocco.

An article published in 1983 by the Italian scholar Giovanni Dall'Orto gives more complete facts about the true authorship of *Alcibiade*.¹⁸ He writes that Achille Neri, a 19th century Italian bibliographer, published an article in 1881¹⁹ containing excerpts from the two letters by Loredan in which the authorship of *Alcibiade* is definitely attributed to Rocco. To quote from Loredan's letter, "I sent you a Carnival booklet not so rude, I think, as to trouble the serenity of your spirit. It is given to Don Antonio Rocco. He might have written it when he was much younger, and I have been holding it in manuscript form for 20 years."

This opinion, also previously advocated by another Italian scholar, Giorgio Spini,²⁰ has now become the accepted opinion about the authorship of *Alcibiade*.

Who was Antonio Rocco? Born in 1586, he died in 1652. Like Pallavicini and Loredan (its founder), he was a member of the Accademia degli Incogniti. Like Philotim in the novel, he was a renowned teacher. He authored many Aristotelian philosophical works. He was also accused at the time of holding "libertine" ideas. Dall'Orto unearthed denunciations against Rocco in the National Archive in Venice. They describe him as a priest who "lives as an atheist" and who held the heretical belief that "the

grace of the Lord was the fleshly pleasure that men experience in a sexual act." He was in the habit of questioning his students about whether or not they had had sexual intercourse, and when they answered positively he would exclaim, "Well done! Since that tool was made by Nature for us to have from it our pleasures and delights."

Alcibiade seems, even to a modern sensibility, a rather radical work, but it nevertheless fits the spirit of the times in which it was written. In Renaissance Italy the writings of the Greeks and Romans were rediscovered, imitated and indeed plagiarized. Also, pornographic literature blossomed, and was recognized as a good business. There were homosexual as well as heterosexual themes, and boy-love was rediscovered as a literary theme. It was by no means unusual for an Italian scholar in that time to have works on this theme in his literary baggage. As Dall'Orto comments in his article, homosexual love as a theme in Renaissance literature had become a commonplace. Dozens of authors writing in Latin and Italian published hundreds of volumes on the theme. That is why

when speaking of homosexual love cultivated people like Antonio Rocco had in mind many mythological and historical examples. Though *Alcibiade* was written after the Renaissance period—in fact, during the Counter-Reformation when there was an attempt to repress libertine ideas—we can consider the book as a late comer, a survivor of this Renaissance mentality.

Historical research into the homosexual and paedophile theme in literature has only just begun. *Alcibiade*, as the first novel on the man-boy theme, is not just an historical landmark. In its radical ideas it was to have an influence on other works that followed. Dall'Orto has helped us greatly by confirming its authorship, but there are many more works to discover, and much more work to be done.

Editor's Note:

Louis Asoka has a degree in library science from the Frederik Muller Akademie, Amsterdam. He has written book reviews and bibliographical articles for various journals, some of his research based on his own extensive collection. He has been a librarian for the past twenty years.

NOTES

1. *Alcibiade fanciullo a scola*, di D.P.A. (Orange, France: Juann Wart, 1652). There were two printings in 1652. The first contained 102 pages, 8vo; the second contained 124 pages, 12mo. Both printings have four sonnets by "M.V.", of whose identity we know nothing, and about whom there has evidently been no research. It is today accepted that there was a now lost first edition printed in Venice in 1651; for the evidence about this see the third section of this article.

2. De Bure, *Bibliographie instructive* (1765), vol. II, p. 534.

3. *Alcibiade fanciullo a scola*, di D.P.A. (Paris: Imprimerie Racon, 1862). This reprint was limited and sources vary in their account of the exact number of copies printed. Gay himself, in his *Bibliographie des ouvrages relatifs à l'amour*, gives a total of 102 copies; the author of the foreword to the 1866 French translation published in Brussels states there were 100, of which two were on vellum. G. Dall'Orto, in his "Antonio Rocco and the background of his *Alcibiade fanciullo a scola*", published in *Among*

**Women, Among Men* (Amsterdam: University of Amsterdam, 1983), makes it 250 cop-

ies, while the afterword to the German translation fixes the number at 200. Whatever the original number, this edition, because of its legal destruction, is now very rare.

4. *Alcibiade Enfant à l'École* Traduit pour la première fois de l'Italien de Ferrante Pallavicini (Amsterdam [Brussels]: chez l'ancien Pierre Marteau, 1866). It is a small 8vo, title page printed in red and black, with 124 pages of text, with the addition of an Avant-Propos (pp. i-xv) and the four sonnets on unnumbered pages at the back. "Pisanus Fraxi" (H.S. Ashbee), in his *Index Librorum Prohibitorum*, adds the in-

***Among Men, Among Women
(see p.54, corroborated by other sources)**

formation that the edition contained 550 copies, and was priced at 10 francs. He also assigns the edition to Jules Gay, and states that the foreword was the work of M. Poulet-Malassis; Legman, in *The Horn Book*, gives the publication to Poulet-Malassis as well.

5. Gay, *Bibliographie des Ouvrages*, vol. I, p. 43, notes an edition "Oranges [Brussels, Vital-Puissant], 1652-1871", 18mo, with a frontispiece by "R★★★", edited and with an introduction by O. Delepierre (see note 15, below). Ashbee, in his *Centuria Librorum Absconditorum*, notes an edition in 1875 by Sacré-Duquesne in Brussels, 12mo, pp. xx+120, with an engraving after Coypel as a frontispiece, containing the Poulet-Malassis foreword, and with a title page identical to the 1866 printing. He also, in his *Catena Librorum Tacendorum*, notes a printing which he assigns to the year 1866, 18mo, pp. xx+120, "with an obscene frontispiece", and contents identical to the original 1866 French translation. The relation of these volumes to one another is confused, and the last, particularly, might be a mistake for one or both of the preceding two.

6. Gay, loc. cit., notes this as being identical to the 1866 edition but "sans gravures", implying that one of the printings he listed previously had contained them. As both Ashbee's and Gay's notices of the original printing of the French translation fail to mention any engravings, one assumes that

he is referring here to the "Oranges 1652-1871" printing.

7. G. Legman, *The Horn Book* (New York: University Books, 1964), p. 44. Legman notes that while the title page reproduces that of the earlier edition, the cover imprint "Amsterdam et Paris 1936" gives "at least the correct date". This printing contained a suite of five (?) illustrations.

8. F. Pallavicino, *Der Schüler Alcibiades* (München: Moewig, 1982).

9. A. Rocco, *Alcibiades at School*, translated, with commentary and an introduction, by Brian Williams, M.A. [Oxon.], to be published by Global Academic Publishers, New York, in 1988.

10. G. Baseggio (also spelled "Basseggio"), *Disquisizione intorno il rarissimo libro intitolato "Alcibiade fanciullo a scola"* (Bassano, 1850). Only 25 copies of this booklet were printed and it is now very rare.

11. Gustav Brunet, *Dissertation sur l'Alcibiade fanciullo a scola* (Paris: Jules Gay, 1861). Brunet adds to his translation of Baseggio's *Disquisizione* his translator's notes and an afterword in which he discusses other works in the same style as *Alcibiade*, other works by Pallavicini and other members of the Accademia degli Incogniti, a list of paederasts more or less well-known through history, a summary of legal attitudes about homosexuality from classical times to the present, and an argument whether or not Pallavicini was himself homosexual.

12. Timothy d'Arch Smith, *Love in Earnest* (London: Routledge & Kegan Paul, 1970); Vern L. Bullough (et. al.), *An Annotated Bibliography of Homosexuality* (New York: Garland, 1975); Ian Young, *The Male Homosexual in Literature: A Bibliography* (2nd ed.; Metuchen, N.J.: Scarecrow Press, 1982).

13. According to Gay, *Bibliographie des ouvrages*, these passages are not related to Pallavicini's *Continuazione del corriere* but to his *Il corriere svaligiato* (1644).

14. Wayland Young, *Eros Denied* (New York, Grove Press, 1964), p. 80.

15. Octave Delepierre, *Un point curieux des moeurs privées de la Grèce* (Paris: Jules Gay, 1861; reprinted Brussels: J. Blanche, 1870).

16. Legman, loc. cit.

17. Library, University of Genoa, (Cod. E. V. 19).

18. Dall'Orto, loc. cit. Dall'Orto is also the author of a bibliography of homosexuality in Italian literature, *Leggere omosessuale: bibliografia* (Torino: Edizioni Gruppo Abele, 1984).

19. Achille Neri, "Il vero autore dell' *Alcibiade fanciullo a scola*", *Giornale storico della letteratura italiana*, 1888 (XII), pp. 219-227. Later amplified in *Bollettino storico piacentino*, 1918 (XIII), pp. 25-29.

20. Giorgio Spini, *Ricerca dei libertini: la teoria dell' impostura delle religioni nel Seicento italiano* (Roma: Ed. Universale, 1950).

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Theo Sandfort

BOYS on their contacts with MEN

A study of sexually expressed friendships



In 1981 the research into intergenerational sex relations by Drs. Theo Sandfort started to become known in the United States. He had investigated in depth the experiential world of 25 boys between the ages of 10 and 16 who were currently involved in sexually expressed friendships with adult men and found that all of the boys regarded both the relationship and the sex positively. Established people in the social sciences like David Mrazek and David Finkelhor whose public reputations had been built on the burgeoning 'child sex abuse' issue, and even Masters and Johnson of *Human Sexual Response* fame, were either morally outraged or went to great trouble to misrepresent Sandfort's research. Obviously it touched some sensitive nerve in the American 'mind industry' which had all too long taken for granted that *everyone* was revolted by man-boy sex, including the 'child victims' themselves. With the publication of this book, Sandfort's study is made available for the first time to the general reader in English—minus most of the tables and charts and methodological details of the original reports, but enhanced by many actual quotes of the boys themselves. Dr. John Money of the Johns Hopkins Hospital in Baltimore and board member of the famed Kinsey Institute provides an appreciative introduction in which he says this "is a very important book, and a very positive one. It is must reading for all those interested in the development of sexuality in children."

Cloth-bound library edition: ISBN 1-55741-004-6
Soft-cover student edition: ISBN 1-55741-005-4

**GLOBAL
ACADEMIC
PUBLISHERS**

80-50 Baxter Avenue (Suite 500), Elmhurst NY 11373, USA
Europe: P.O. Box 22167, NL-1100 KD Amsterdam, The Netherlands

BOOK REVIEW

Benjamin Rossen

Boys on their Contacts with Men: A Study of Sexually Expressed Friendships

By Theo Sandfort. (New York: Global Academic Publishers, 1987). 175 pages.

Theo Sandfort's recent book, *Jongens over Vriendschappen Seks met Mannen*, is based on interviews with 25 boys who talk about their sexual experiences with men. It provides valuable original insights into the nature of paedophile relationships. The English translation is an important addition to sociological literature. Sandfort, a psychologist at the University of Utrecht,¹ is known and respected in the Netherlands. The research for this book was completed six years ago and published in a number of papers and a previous book.² Sandfort writes, "This [new] book is not intended as a scientific report."³ Nevertheless, he presents the evidence afresh and develops arguments relevant to social policy and law reform on the basis of the research findings. The material is presented in a style that is light and easy to read and the book remains informative throughout.

The book is divided into three sections. In the first,⁴ Sandfort presents a overview of recent and contemporary attitudes to sexuality. He de-

finer important terms and separates irrelevant issues. He argues that 'child pornography', 'sexual abuse', 'incest' and 'paedophilia' have, in this decade, become confounded into a single category, that religious/ethical and feminist ideological impetus has turned around the liberal spirit of the '60's and early '70's. Relationships, once thought of in terms of self-fulfillment, exploration and adventure, have been redefined in terms of power. The issue of 'liberation' has given way to the ostensibly more urgent consideration of 'protection'. He discusses the influence of the media on public perceptions. "Sex has become a controversial and frightening issue..." he writes.⁵

Part two⁶ is built around transcripts of interviews with 25 boys between the ages of 10 and 16 years who were involved in consensual sexual relationships with men at the time. Sandfort has chosen to leave out the statistical tables and detailed description of methodology, which can be found elsewhere.⁷ There is a clear demarcation between Sandfort's opinions and the facts of the research. Sandfort is cautious with his conclusions. For example, he points out that the voluntary recruitment procedure undoubtedly resulted

in a selection of better relationships. The men, he notes, were fairly advanced in the process of self-acceptance.⁸ He warns against generalizing from his data to all paedophile relationships. Sandfort makes it clear that sexual abuse of children does occur. His findings are important because they show that paedophile relationships which include sexual activity can be happy and free of abuse in the opinions of the boys involved.

Excerpts from the interviews are organized into sections. Each concentrates on one aspect of paedophile relationships. In the first section⁹ the boys talk about how they met their adult friends. A variety of circumstances are described. In some cases the boys were introduced through children who knew the adult or through prior paedophile acquaintances. Some meetings took place at swimming pools, youth and holiday camps. In some cases the contacts came through the children's parents.

Sandfort examines the reasons why boys seek contacts with adult males and why they maintain them.¹⁰ The replies give evidence of several motives. The boys enjoyed activities with their adult partners; sports, games, movies and holidays together, to name a few. Secondly, it is apparent that

the boys found their adult friends were people with whom they could 'really talk', feel understood and accepted. "Well, he understands kids better, boys better..."¹¹ explains one 13 year old.

The boys talked about things they had learned from their adult friends and, particularly in one case, how they had been helped in their personal development. Sandfort discusses the importance of the attention that the boys enjoyed. While he agrees that neglect and an unhappy home environment may contribute towards some boys' needs for such a relationship, it is clear that the majority in this sample had good relationships with their parents. This may come as a surprise to some readers as it has often been claimed that only deprivation drives boys into paedophile relationships.

The motives of attraction, friendship and love are discussed. Sandfort finds that sexual attraction is not an important motive for the boys. Status, prestige and material motives are also noted for their absence. Some of the literature, cited by Sandfort, claims that bribery with money or gifts is used by paedophiles to 'entice' children into having paedosexual contact. While this may occur in some cases, these motives were not mentioned by the boys in this sample.¹²

In the following chapter Sandfort discusses the sexual aspect of the relationships.¹³ Boys discuss the first sexual contact, which sometimes

took place on the first meeting between the boys and the adults. While it was usually the adult who took the initiative in the first sexual encounter, some boys made it clear that they initiated the continuing sexual aspect of the relationship. One boy couldn't remember who started the sexual activity and commented "...in the meantime I've had so much fun. I just don't know any more."¹⁴ The interviews also reveal that the boys took more initiative for subsequent sexual interactions. Sandfort finds a strong correlation between the accounts given independently by the adults and the boys. It is interesting to note that none of the boys gave any indication of having a homosexual orientation.

The kinds of sexual behaviour are discussed. Mutual masturbation was the most common behavior while anal penetration of the boy was rarely reported. The pattern indicated that the boys determined how far they wanted the sexual behavior to go and that the men let the boys set the limits. There follows an analysis of the way in which the boys experienced the sexual aspect of the relationship. When pressed further by Sandfort most of the boys reported some aspect of their relationship which they found problematic, but it appears that in relation to the positive feelings this played a relatively minor role in the way the sexual contacts were experienced. For example, "Nothing unpleas-

ant at all?" asked Sandfort a second time. "What could there be?"¹⁵ insisted the boy. Where problems existed, they usually revolved around the attitudes of people outside the relationship.

The issues of power and abuse are discussed.¹⁶ The opinions of the boys show that the men's behavior towards them was consistent in both the sexual relationship and in other matters. Generally, the men were considerate of the boys. In some cases it clearly emerges that the boys held the balance of power. The ability to stay away gave all the boys considerable leverage over the adult. Theo (13), aware of his power, reports "...and I'll say, 'If the T.V. stays off I'm going to sleep alone,' and then I get to watch the T.V. a little longer."¹⁷

Next the boys talk about the opinions of their parents and peers.¹⁸ The parents of some boys knew about the relationships and either approved or had decided not to intervene. In other cases fear of exposure and anxiety over possible parental reactions is evident. The opinions of the boys' peers seemed to create difficulties for some who, for example, were teased by schoolfriends. Finally¹⁹ the boys' opinions are reported and were, for the most part, unequivocally positive.

In part three²⁰ Sandfort discusses the significance of the boys' accounts. He asks: Were the children honest? In spite of what they said at the time of the interview, might they

change their minds about their behavior later? What are the long term consequences of these experiences? Although sexologists today agree that a sexually repressive upbringing leads to difficulties,²¹ what problems may arise because these boys engaged in behavior which is outside the norms of this society? What kinds of risks are the children subjected to should the sexual activity become the subject of angry parental response or a court case?

Since these questions cannot be answered by Sandfort's research he provides a scholarly discussion and review of the literature. Where the evidence is not clear he leaves the question open, as one would expect from a responsible scientist who is not promoting a personal ideology in lieu of evidence. He has his opinions, of course. For example, he concludes that the boys were honest. The tone of their replies, he says, doesn't suggest evasion. This is evidence which readers can judge for themselves.

In the last chapter²² Sandfort outlines the evolution of attitudes and the law in the Netherlands. He discusses the liberalizing trend of the '60's and '70's, during which time there was an increasing tendency to remove moral judgments from the law. Readers interested in the current political debate in the Netherlands will find this an informative chapter. The opinions of many prominent individuals and groups who have lobbied for

reform over the last two decades are outlined. The political process and the behavior of the media emerge, in contrast to the considered arguments and scientific evidence contained in Sandfort's book, as often irrational, opportunistic and out of step with social and sexual reality. It is a sad reflection to note that the Netherlands is, nevertheless, the most advanced country in the world in these matters. Finally, Sandfort concludes that, apart from the violation of moral standards, there appears to be little ground for criminalizing the kinds of relationships found in his sample.²³

The Dutch edition of this book, published a few months ago, received favorable reviews by the popular and professional press in this country. Radio, television and press interviews with Sandfort drew attention to his work. Sandfort's previous book had also been well received in the Netherlands.²⁴ This was not the case in the English speaking world, where it was largely ignored or scorned. The only American reviews I know of are vitriolic in their denunciation.

One of these, written by David Mrazek,²⁵ appeared in *Contemporary Psychology*.²⁶ Mrazek concludes, "To summarize, I am inclined to describe this book as a major effort by an organized paedophile group to justify its deviant sexual orientation. In my opinion, the scientific integrity of the work is in question..." Mrazek's criticism is, argua-

bly, the most serious accusation one scientist can level against another. The substance of Mrazek's criticisms warrant closer scrutiny.

To begin with, Mrazek claims that Sandfort's research was "designed to define the effects of adult homosexual contact on young boys", then proceeds to criticize the work because "the design of the research is insufficiently rigorous" to answer this question. However, Sandfort did not set out to answer that question. The research was designed to find out what an unrepresentative sample of boys each had to say about his ongoing relationship and sexual activity with an adult. Mrazek gains nothing and loses credibility by attacking straw dogs.

Mrazek criticizes Sandfort's execution of the research. "...the explicit demand characteristics of the interviews, and the bias of the interviewer are insufficiently addressed," he writes. It is not clear what Mrazek means by "explicit demand characteristics". The self confrontation method was chosen because it promotes spontaneity and the scoring method is objective and repeatable. The interviewer had an opportunity to put leading questions during the semi-structured interviews. However, perusal of the transcripts reveals a balanced professional approach by Sandfort.

Mrazek attacks Sandfort for his use of language. He writes, "The usual labels of victims and perpetrators are mil-

itantly avoided... The reader who believes that young children should be protected from the sexual advances of adults will find the language with which the researcher describes these relationships offensive. In these interviews the perpetrator and victim are always referred to as partners and homosexual acts... as making love."

Sandfort's choice of language was determined, in part, by the words of the children.²⁷ Where the boys referred to sexual activity with their adult partner as "making love" he reported it as such. The boys frequently used this phrase as a euphemism for having sex, a euphemism that works the same way in English and Dutch. Secondly, it seems clear that referring to a couple engaged in mutually consenting activity as 'partners' makes fewer assumptions than Mrazek's use of 'perpetrators' and 'victims'. Indeed, Sandfort should be commended for avoiding linguistic bias.

Mrazek's own use of language appears to be biased. For example, 'sexual advances' makes assumptions which, in the light of Sandfort's research, do not seem to be justified. It appears that Mrazek overlooked the finding that the boys in this sample acknowledged their role in initiating sexual activity. Furthermore, it is not clear what Mrazek means by "militantly avoided". How does one militantly avoid using a word? Perhaps this is gratuitous linguistic bias from Mrazek.

The personal innuendo directed by Mrazek against Sandfort is offensive. Scientific arguments should be judged on the merits of their logical and factual integrity. Argument by authority, whether for or against, ultimately proves nothing. The methodology, raw data and conclusions are the appropriate objects of scientific criticism. Where these have been set out clearly, as Sandfort has done, there is no valid reason to allude to the supposed sexual orientation of the researcher. Furthermore, science is an enterprise which seeks to discover and describe the way things are, not the way some people think they ought to be. Effective science requires one to set aside private moral views, religious ideologies, reactions to personalities and aesthetic judgments. These principles have generally been acknowledged in scientific circles since the time of Galileo's recantations. Nevertheless, Mrazek has spent a lot of words obliquely suggesting that Sandfort is a self-justifying paedophile. For example, Mrazek writes, "...one is confronted with the reality that the study sample are all men actively involved in the paedophile movement who have a strong self-interest in the results of the research. Their beliefs include '...it is important to realize that friendships between adults and children in which sex occurs are mostly good for both partners' (p.9) and that 'paedophiles often make the best ed-

ucators because of their warm interest in the child' (p. 9)."²⁸

Mrazek's manner of quoting from the book creates the impression that these are opinions expressed by the men in the sample or, perhaps, are Sandfort's words. Reference to the book will show that the first is an excerpt from an NVSH brochure and the second is a quote from Dr. Edward Brongersma. Who is Mrazek trying to fool? Furthermore, there were no men in the sample, which was comprised of boys between the ages of 10 and 16. The men, with whom the boys had relationships, had no influence on the outcome of the study.²⁹

Mrazek claims that "the work is in part being sponsored by an organized association of paedophiles..." This is simply not true. The research was undertaken under the auspice of the University of Utrecht, a distinguished institution which is not beholden to anyone. The NVSH, which contributed towards the research, is not an association of paedophiles. The Nederlandse Vereniging voor Sexuele Hervorming (Dutch Association for Sexual Reform) is a non-profit organization dedicated to sexual reform in all spheres, including the free and unprejudiced dissemination of information. It is, in many ways, analogous to the Family Planning Association and has existed for over a century, offering services in education, family planning, STD clinics and counselling, as well as sponsoring workgroups for

sexual minorities. It is a nation-wide, multi-faceted organization with about 8,500 members. The NVSH has a high profile and good public standing in the Netherlands. Mrazek imputes scientific infidelity to Sandfort without any justification and has offended many people in this country with his prejudicial allegations. Informed readers are likely to question Mrazek's scientific integrity.

Just as surprising is a review similarly flawed in fact and innuendo by Masters, Johnson and Kolodny.³⁰ They write, "To begin with his sample was completely unrepresentative since his 'recruiters' apparently deliberately sought out 'better' paedophile relationships. What does 'better' mean? Possibly these were relationships in which the boys were so intimidated by the paedophile that they were afraid to say anything against him."

The selection was not deliberately biased in the way suggested by these authors. Theo Sandfort approached the NVSH, which sponsors paedophile work groups in all major cities in the Netherlands, to solicit volunteers. Other men were contacted by word of mouth. The boys were then contacted through the men. Therefore, the sample was self-selected. The characteristics of the sample and the limitations imposed on the generality of the findings are dealt with by Sandfort. The unrepresentative nature of the sample, in view of Sandfort's

*principle research question, is not "a major methodological flaw" as suggested by the authors. The question, "Can a sexual contact with an adult be a positive experience for a child?", can be answered by interviewing a select population. Sandfort has been much more cautious than many others, whose unrepresentative samples have been drawn from rape crisis centers, psychiatric clinics and court rooms.

The sarcastic pretense by Masters, Johnson and Kolodny, not to understand the meaning of "better relationships" is astonishing, particularly as Sandfort discusses the notion. Furthermore, there is no evidence that the boys were intimidated as suggested by Masters, Johnson and Kolodny. The complete transcripts of interviews with three of the boys, where this fact can be seen clearly, are included in the appendices of Sandfort's most recent book. The strange comments by these authors seem to reflect a deliberate effort to misrepresent the research.

Masters, Johnson and Kolodny continue, "...each boy was interviewed in the home of 'his' paedophile with the paedophile present, without any apparent regard for the fact that the adult's presence would have almost assuredly prevented the boy from voicing complaints about the way he was treated because of fear of punishment." Sandfort gave thought to selection of a suitable venue for the interviews. Some of the interviews

were held in the boys' homes, although Sandfort felt that the parents' homes and his office at the university had drawbacks which could have restricted the spontaneity of the boys' responses. The paedophiles' homes were the points of initial contact and the most convenient and uncontrived choice. It is also untrue that the interviews were conducted in the presence of the paedophile. The boys were promised that the interviews would be treated as confidential. It is a fact that the boys did criticize their adult partners and these criticisms are reported by Sandfort.³¹ Why should Masters, Johnson and Kolodny invent such a falsehood?

The authors continue, "Finally, no follow-up of these boys and their relationships was attempted to discover what the long range impacts might be." Theo Sandfort, who is hoping to do a long term follow-up, lives in the present like the rest of us. The passage of time, takes time. If, however, circumstances intervene, and a follow-up becomes impossible, that fact cannot be used as a criticism of the present research.

Masters, Johnson and Kolodny cite Dr. Suzanne Sgroi with whom they agree. "The sexually abused child may not feel abused initially, but as the child learns what society thinks of what he has done, the child feels betrayed..." This looks like an unfalsifiable hypothesis. The logic of Sgroi's statement precludes the possibility of benign sexual expe-

***principal**

riences between children and adults. Scientific questions must be phrased so that the results of investigations are not presupposed. From an epistemological perspective, a priori insistence on the victim status of the child is, simply, bad science. In this case, there is danger that the assertion will become self-fulfilling. In other words, if the child is not traumatized by the sexual activity then we can traumatize him by the way we (and others) respond. People in positions of influence, like Masters, Johnson and Kolodny, can ensure that society as a whole will respond this way by insisting that the children are always victims.

This dynamic occurs in some incest counselling centers where a feminist ideological perspective dominates.³² In this view all children are regarded as 'victims'. To become 'survivors' they must acknowledge their status as 'victims'. The process of counselling ensures that the trauma is magnified for some children, and other children become 'victims'. In one case, a tough little girl who knew her mind better than most kept insisting, "But I liked it." "Oh dear!" said the counsellor with a look of pious despair, "You poor girl! You'll never be saved."³³

While there are more points in both reviews which could be responded to, it may be more profitable to turn attention to some of the differences between the Netherlands and the U.S.A. which have made this research possible here. Like

most of Europe, there exists in the Netherlands a much healthier and relaxed attitude towards sexuality in all its manifestations, including paedophilia. In part, mature understanding has come about through the efforts of people like Dr. Edward Brongersma, who, despite a conviction for a relationship with a teenage boy, continued a prominent career as a lawyer and a member of the Dutch Senate. He lobbied effectively for reform of the age of consent laws. In 1975 he was knighted by the Queen for his services to the nation.³⁴ Dr. Brongersma is not a lone voice in this country. The opinions of many people with tolerant perspectives, including psychologists, social workers, legislators and others are covered by Sandfort.³⁵

Mrazek accuses Sandfort of criminal complicity and "rationalizing criminal activity". He points out that such research could not be carried out in the United States and that "in the Netherlands homosexual contact between men and boys is illegal." However, the law in this country is tempered with an ample measure of good sense. Even the police have "testified that the law no longer conformed to reality."³⁶ In the event that the police are informed of a paedophile relationship their first instruction is to ascertain the wishes of the boy. This is usually done by a social worker. If the boy does not want to make a complaint the probability of further police action or prose-

cution is slight. Parents who press for charges are advised that damage is likely to result from over-reaction. As a result, the growing North American phenomenon of child abuse by heavy handed intervention is unlikely to occur in this country. Far from being a criminal for failing to report the paedophile contacts, Sandfort behaved in a responsible manner and, in this country, is seen to have done so.

There is a remarkable contrast between the attitude of police and welfare authorities in the U.S.A. and the Netherlands. Children have been threatened with death, jail and rape, and sometimes assaulted by police, in the U.S.A. in an effort to extract 'confessions'.³⁷ It seems that coercion is justified in that country if it will lead to the prosecution of another paedophile. Presumably this activity is undertaken in the interests of protecting children.

One of the functions of the intellectual community in any country is to set standards of reasonableness and restraint. When people like Mrazek, Masters, Johnson and Kolodny fail in this role it is not surprising to find police charging about like enraged bull elephants indiscriminately trampling underfoot the guilty and innocent alike. Does moral responsibility for the damage being done rest, in part, on these authors? I think the current child - sex - pornography - incest - paedophile witch hunt will, in another generation, be seen as analogous to the Red

Scare phenomenon, an outburst of exaggerated moral indignation which ultimately became responsible for far more damage than it prevented. It is a pity that a rational assessment of Sandfort's research in that country is so hard to find. The intellectual dishonesty and naked prejudice with which these authors have attacked Sandfort's work would seem to disqualify them from the right to participate further in rational debate.

The current American national hysteria includes outrageous rumor-mongering by the media. Amsterdammers were most amazed to read reports in American newspapers of auctions of children into sexual slavery which were alleged to occur in the Dam Square.³⁸ Of course, no such events ever took place. Nor is Holland the world supplier of child pornography. It is, however, a country where many

intelligent people refuse to see things in simple-minded categories, where tolerance is a national characteristic and extremism in any form is frowned upon. The Dutch also believe that children are protected by being informed as fully as possible. Comprehensive national sex education is available, starting in early primary school. In one instance, a balanced review of Sandfort's book, including excerpts from interviews with some of the boys, was published on the children's page of a prominent Dutch newspaper.³⁹

No equivalent book is available in English. This translation is a unique and important publication. Against the background of the child-sex-abuse witch hunt which has reached apoplectic proportions throughout most of the English speaking world, it provides some welcome balance.

In my opinion, no contemporary book on this subject deserves a stronger endorsement. John Money writes in his introduction, "It is a very important book and a very positive one. It provides sexological science and policy with information of great pertinence in helping to shape the future wisely... It is must reading for all those interested in the development of sexuality in childhood."

Editor's Note:

Benjamin Rossen holds a B.A. in Psychology, a B.Sc. in Human Biology, and a Dip.Ed. from the University of Western Australia, and completed his Masters Qualifying Examination in the Department of Obstetrics and Gynecology at Monash University, Victoria, Australia. He is engaged in research on human sexual development for his Ph.D. This review is copyrighted by Benjamin Rossen, 1987.

NOTES

1. Theo Sandfort, Vakgroep Klinische Psychologie, Faculteit der Sociale Wetenschappen, Rijksuniversiteit te Utrecht, Heidelberglaan 1, 3508 TC Utrecht, Nederland.
2. Theo Sandfort, *Het seksuele aspekt van pedofiele relaties: Ervaringen van jongens* (Utrecht: Sociological Institute, State University of Utrecht, 1981); English translation, *The Sexual Aspect of Paedophile Relations: The Experience of Twenty-five Boys* (Amsterdam: Pan/Spar-

tacus, 1982).

3. Theo Sandfort, *Boys on their Contacts with Men: A Study of Sexually Expressed Friendships* (New York: Global Academic Publishers, 1987), p. 35.

4. Ibid., "Changing Attention to and Evaluation of Sexuality".

5. Ibid., p. 27.

6. Ibid., "Friendships and Sex: What the Boys Said".

7. T. Sandfort, *The Sexual Aspect...*, Chapter 2, and Appendices 1-3.

8. T. Sandfort, *Boys on their Contacts...*, p. 38.

9. Ibid., "The Beginning of the Friendship", p. 43.

10. Ibid., "Paedophile Friendships", p. 51.

11. Ibid., p. 53.

12. Ibid., p. 60.

13. Ibid., "Sex in Paedophile Relationships", p. 63.

14. Ibid., p. 67.

15. Ibid., p. 80.

16. Ibid., "Power Difference and Abuse of Power", p. 90.

17. Ibid., p. 95.

18. Ibid., "The Opinions of Others", p. 97.

19. Ibid., "The Opinions of the Boys", p. 110.

20. Ibid., "The Significance of the Boy's Statements for the Law. The Importance of What the Boys Said", p. 115.

21. L.L. Constantine and F.M. Martinson, *Children and Sex: New Findings, New Perspectives* (Boston: Little, Brown and Co., 1981).

22. T. Sandfort, *Boys on their Contacts...*, "The Law", p. 120.

23. Ibid., p. 135.

24. Some skeptical opinions were voiced, but limited to questioning the generality of Sandfort's findings.

25. Director of pediatric psychiatry, National Jewish Hospital and Research Center, Denver, CO., U.S.A.

26. D.A. Mrazek, "Science, Politics and Ethics: Issues in the Study of the Sexual Use of Children", *Contemporary Psychology*, 1985, 30(1), p. 37-8.

27. Unpublished communication from Theo Sandfort.

28. Mrazek's quotations are from *The Sexual Aspect of Paedophile Relations*.

29. The men were interviewed by Sandfort as background to the study. The interviews were much shorter than those with the boys. The opinions, motives and experiences of the men were not the subject of the study.

30. "Research Spotlight: Is there a positive side to paedophilia?" In: W. Masters, V. Johnson, and R. Kolodny, eds., *Human Sexuality*, Second Edition, 1985.

31. T. Sandfort, *The Sexual Aspect...*, p. 29, clearly indicates both the locations of the interviews and the absence of the older partner.

32. In its most extreme form this doctrine holds that all daughters are raped by their fathers, if not physically then psychologically. In fatherless families, the 'patriarchy' performs this function. All women are counselled to express their rage, which is said to be repressed. In the process, some women come to feel that they really are victims, though by this stage they are calling themselves survivors. Denial of rage is taken to be evidence of repression. The dogma is unfalsifiable and self-fulfilling.

33. Personal observation, in Australia.

34. This is an honor comparable in many respects to the award of the National Medal for Merit. Conferring such an award on a politically outspoken paedophile would seem an unlikely event in the U.S.A.

35. T. Sandfort, *Boys on their Contacts...*, p. 120.

36. Ibid., p. 127.

37. Several documented examples of police brutality against children are cited by Lawrence A. Stanley in "The Hysteria Over Child Pornography" in this issue of *Paidika*. I have personal observations of Australian police imitating the methods of their American counterparts.

38. This fantastic story seems to have had its origin in the imagination of American child-protection crusader Kenneth Herman, Director of the U.S. chapter of Defense for Children International, and was part of his testimony be-

fore an American Congressional Hearing, on the authority of which it is now cited by parties whose interest in sensationalism is greater than their interest in truth.

39. "Pedofiel neemt geen snoep mee", *Het Parool*, Amsterdam, 23 October, 1986, p. 8. The page is directed towards children from 12 to 16.

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LETTERS

To the Editors:

Through absent-mindedness I omitted to inform your readers of Lewis Thompson's spiritual aims in my introduction to his journal extracts (*Paidika*, Nr. 1). As his attitude toward young boys formed an integral feature of his *sadhana* ("spiritual training"), perhaps you will allow me space to remedy the omission.

Thompson was inspired by the idea of *sahaja*, just about the most subtle and awesome challenge that any individual could try to live up to in an Indian context. Very briefly, *sahaja* means a yogically disciplined mode of love which is at the same time completely spontaneous, a dedication to love of God through an individual human being. According to normal Hindu moral standards the object of the sahajin's love is illicit. For example, the most articulate sahajin was the high-caste Bengali brahmin Chandidas, a great poet of the fifteenth century, who openly loved a low-caste washerwoman. Thompson, a man of unswervingly one-pointed spirituality, saw young boys as vehicles (*vigraha*) of the divine. A Westerner and a twentieth century poet, he came as close to making his love for boys an act of worship as it is humanly possible without pomposity or posturing.

He discussed this aspect of his spiritual quest at length with his guru, a distinguished figure of his day in South India. There was no disagreement

between them on this issue. Thompson was also influenced by Sufi attitudes towards love of boys as an integral feature of spiritual endeavour.

Both the Sufi and the Sahaja traditions are venerable and highly regarded in their respective cultures. The important and essential component, however, is that the *tension* between their conduct and the prevailing social mores is precisely the leverage which energises them: this tension is the spur to high attainment through impeccable conduct. It takes a poet to define what that conduct should be. A.K. Coomaraswamy, in his fine es-

say, "Sahaja", in his easily accessible book, *The Dance of Shiva*, says that sahajin lovers must refuse each other nothing, yet never fall by yielding to desire, or being shaken by pleasure or pain. Although the sahajin plays with the most dangerous passions, he must not be carried away. "In this restraint, or rather, in the temper that makes it possible, lies his salvation." And again: "Of the man, Chandidas says that to be a true lover he must be able to make a frog dance in the mouth of a snake, or bind an elephant with a spider's web."

RICHARD LANNOY

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