

British Society of Criminology

The British Criminology Conference: Selected Proceedings. Volume 3. Papers from the British Society of Criminology Conference, Liverpool, July 1999. This volume published June 2000. Editors: George Mair and Roger Tarling. ISSN 1464-4088. See end of file for copyright and other information.

Masculinities, Sexualities and Child Sexual Abuse

Annie Cossins

Abstract

Empirical evidence shows that child sexual abuse is overwhelmingly a male activity in that the majority of child sex offenders are male irrespective of the sex of the children they abuse. This sex specificity raises both a sex and gender question, as well as the epistemological question of how to characterise the relationship between male offenders and this particular crime.

In attempting to answer these questions, this paper considers the usefulness of two different theoretical approaches for understanding the link between men and crime. First, the relationship between masculinities, sexualities and child sexual abuse is analysed to explain the predominantly male problem of child sex offending. This paper argues that in order to understand child sex offending as a gender specific practice, it is necessary to examine the role that sexual behaviour with children plays in offenders' lives as *men*.

Secondly, this paper considers the 'sexed bodies' approach to explain the 'maleness' of child sex offending behaviour (that is, the relationship between the (actively) sexed, male body and sexual behaviour with children) in light of criticisms that have been made of the usefulness of the concept of masculinity in explaining the relationship between men and crime. Finally, this paper examines the relationship between the concepts of masculinity and 'sexed bodies' in the context of child sexual abuse.

Introduction

This paper is divided into two parts in order to consider the analytic utility of the concepts of sex and gender for understanding why men sexually abuse children. The primary focus of the paper is to consider the questions raised by recent criticisms of the concept of gender to explain men's criminality and to think about how one could respond to such criticisms. Before considering these issues, I want to make a few introductory remarks about researching child sexual abuse.

The central question that has engaged many researchers in the social sciences in relation to the sexual abuse of children is what motivates men to engage in sexual activities with children, rather than with their adult peers? Implicit in this question is the belief that sex with adult peers is the norm, whereas sex with children is a deviation from that norm. For example, much of the psychological literature on child sex offenders^[1] contains studies which emphasise the non-sexual motivations behind child sexual abuse, the abnormality of sexual desire for children^[2] and the normality of sex with adult women (Cossins, 2000). In addition, because psychological studies on the behaviour of child sex offenders *begin* with the value judgement that sexual behaviour with children is abnormal, they have failed to assess its prevalence as a sexual practice, thus failing to distinguish between what is abnormal as

opposed to what is socially unacceptable. Psychological theories then attempt to prove the abnormality of offenders' behaviour through a deterministic analysis whereby particular psychological characteristics are held to be responsible for child sex offending. As Liddle (1993) recognises, 'even a brief perusal of the [psychological] literature suggests that 'masculine sexuality' is not widely regarded as having causal centrality in the genesis of child sexual abuse' (1993: 105).

Given the prevalence of child sexual abuse reported in victim report studies^[3], arguably a distinction needs to be made between what are considered to be socially unacceptable sexual practices and sexual practices that may be relatively common within the general community. In other words, it cannot be assumed that because child sex offending is socially unacceptable behaviour, it, therefore, occurs infrequently. With this in mind, I argue that a different approach, that is, one which eschews a judgement as to what is and is not 'normal', is necessary for examining the motivation of male child sex offenders' behaviour. This paper seeks to reconceptualise child sexual abuse by considering what sexual behaviour with children means for offenders' lives *as men*. In doing so, this paper challenges the dominant assumption found in the psychological literature that the reasons for child sexual abuse are to be found in the individual biological or psychological natures of offenders and that it is, therefore, possible to differentiate between the so-called dangerous paedophile and the so-called inadvertent incest offender. This means it is necessary to address the sexed specificity of child sexual abuse by considering why it is committed primarily by men and male adolescents against both male and female children^[4], unlike other types of child abuse.

At this point, I want to emphasise that nothing in this paper is intended to condone nor justify child sex offending nor to imply that sexual behaviour with children is something any man is capable of. Overall, the aim of this theoretical enterprise is to highlight the fact that the child sex offender profiles that find the greatest acceptance within the psychological literature are social constructs that bear little relationship to the reality of the men who sexually abuse children, in order to, in turn, highlight the possibility that many offenders are likely to remain undetected or not prosecuted because of a lack of conformity with the 'dangerous' paedophile construct (see, for example, Cossins, 1999).

The first part of this paper examines the analytic utility of the concept of gender for understanding the sexed specificity of child sexual abuse, whilst the second part addresses the relationship between sex and gender in light of recent criticisms of the sex/gender distinction. Criminology's recent and ongoing debate about the inadequacy of gender for explaining men's engagement with crime (see, for example, McMahon, 1993; Hearn, 1996; Collier, 1998; Hood-Williams, 1999) has involved, amongst other issues, the argument that a 'third stage thinking' on gender and crime is required - one that considers the psychoanalytic or psycho-social dimensions of criminal behaviour (Gadd, 1999; Hood-Williams, 1999; Jefferson, 1999). However, this paper does not address the psychoanalytic motivations of offenders for the reason that any such analysis, arguably, needs to be located within an appropriately theorised social context. In other words, before exploring the psychoanalytic histories of offenders, I believe it is essential to understand the social components of a men's criminal behaviours in order to locate psychoanalytic accounts within an appropriate social framework and to understand how the psyche is mediated through the social and how the social is mediated through the psyche.

Indeed, this paper challenges the methodology of disciplines, such as psychology and psychiatry, which have, in relation to child sex offenders, reduced an historically widespread and socially tolerated cultural practice to the individual characteristics of the offender, thus obscuring the historical context of child sexual abuse, the social context of the offender's life, the structures of power that constrain his life, the ongoing and dynamic impact of that context on the offender, the offender's *active* engagement with his social context and the implications of that engagement for understanding his sexual practices. For example, a focus on the psychoanalytic aspects of a male offender and a female offender might show that they both suffered disturbed and dysfunctional childhoods, thus leading to the conclusion that this type of childhood background is a predisposing factor for subsequent child sex offending. However, such a view ignores the different propensities of men and women to commit such a crime and thus obscures the two different observations that could be made about men and women who sexually abuse children: first, that the male offender is committing a crime that is *usually* committed by men and, secondly, that the female offender is committing a crime that is *rarely* committed by women. Since men and women are probably just as likely to be the products of dysfunctional families, why is it that more 'dysfunctional' women do not resort to

the types of criminal behaviours that many 'dysfunctional' men do? What explains the different *social* practices of men and women who might, on the face of things, have very similar psychoanalytic profiles?

For these reasons, this paper considers that it is necessary to understand the *social* context in which child sex offenders offend and the impact of that social context on individual behaviour.

The Relationship between Masculinities, Sexualities and Child Sexual Abuse

The aim of this part of the paper is to consider whether an explanation can be constructed that addresses the motivations of offenders from an entirely different perspective: that is, from the perspective of the role that child sex offending plays as a particular gender practice. This will involve analysing whether there is a link between an offender's sexual behaviour with children, his masculine social practices and the effects of other men's masculine social practices upon him.^[5] As such, this paper examines whether the social construction of gender is central to understanding male child sex offenders' behaviour, with the understanding that gender is considered to be constructed through active social practices (West and Zimmerman, 1991; West and Fenstermaker, 1993), is "not fixed in advance of social interaction" (Connell, 1995: 35) and symbolises particular relations of power.

In particular, can it be said that child sex offending, rather than being a deviant masculine sexual practice, is a particular gender practice that is related to normative masculine gender practices, that is, those that involve the construction of relations of power? In order to test the validity of this hypothesis, it is necessary to determine whether the social construction of gender is *central* to the sexual behaviour of offenders and to determine whether child sex offending plays a part in offenders' social development *as men*.

Arguably, when psychological analyses concentrate on the differences between apparently diverse types of offenders (such as, the 'dangerous' paedophile versus the inadvertent incestuous offender) and promote the view that child sexual abuse is committed by men who exhibit identifiable characteristics or suffer from a particular affliction, this obscures the fact that offenders are acting in a social context that is constituted by both dynamic and cyclical patterns of masculine social practices. But if the focus is switched from the choice of sexual 'partner' (that is, child or adult) and the exclusivity of that choice to the characteristics of the sexual behaviour, arguably child sex offending could be said to be as much a gender practice as socially acceptable forms of masculine sexual behaviour.

In other words, it is necessary to determine whether sexuality is an important practice for the accomplishment of masculinities.^[6] What I mean by that is, is sexuality an important practice for experiencing power for some men? When men's lives are examined in any detail (see, for example, the life history work of Connell (1995)) their lives can be said to be characterised by a combination of power and powerlessness, such that it could be said that experiences of powerlessness are as central to individual consciousness as are experiences of power. However, different men will experience power differently and will have different social and economic access to ways of accruing power and engaging with institutions of power. The question is, how do those men who are vulnerable to recurring or chronic experiences of powerlessness alleviate their vulnerability?

Various people have argued that sexuality is a key social practice for differentiating between men, as well as between women and men (see for example, Herek, 1987; Messerschmidt, 1993; Kimmel, 1994; Connell, 1995; Kaufman, 1995; Lehne, 1995; Epstein, 1996). For example, heterosexism and homophobia are key social practices for establishing relations of power between men and for the reproduction of masculine sexualities. Can the same be said of child sex offending, in that, for some men, the struggle for experiences of power takes place through sexual behaviour with children? Do child sex offenders "make a claim to power" (Connell, 1995: 111) through sex with a child, a less powerful sexual 'partner'?

In order to understand child sex offending as a gender practice, it is necessary to understand that the primary source of men's experiences of powerlessness is a result of their relations with *other men* in cultural contexts where, first, "the most virulent repudiators of femininity" (Kimmel, 1994: 138) will experience 'true manhood' and secondly, where, the dominance of certain types of masculinity is sustained through the construction of a Masculine Ideal (that is,

a dominant construction of manhood against which other forms are measured and evaluated) and the differentiation of subordinated and marginalised masculinities (Connell, 1987; 1995). Arguably, different men will practise different sexualities as a result of their relationships with both socially dominant men and men of their own social backgrounds which means that sexuality can be a site for the reproduction of power for both socially enfranchised and disenfranchised men.

However, Fracher and Kimmel (1995), for example, have shown that sexuality can be as much a site for experiences of powerlessness as experiences of power because of the centrality of potency to masculinities that are constructed by reference to the Masculine Ideal and the impact of lack of potency (a failure to live up to the masculine sexual ideal) on a man's self-esteem. For some men, it is arguable that sexual practices with sex workers, pornography or children can ensure a correspondence with the masculine sexual ideal; that is, experiences of potency are more likely to occur with those who are perceived to have less social power than the individual man in question. Therefore, should child sex offending be considered to be a deviation from those normative sexual practices that are considered to conform to the masculine sexual ideal, given the fact that the relationship of adult/child is a relationship of differential power *par excellence*? Whilst such a question may be, in some people's minds, unpalatable, the question appears to be particularly salient, given the prevalence of child sexual abuse in some Western countries (Cossins, 1999).

Such an argument is based on a recognition that there are similarities between different men's social practices. In other words, normative sexual elements can be affirmed in the reproduction of different masculinities through sexual behaviour that constructs a power differential between a man and the object of his desire. Thus, child sex offending can be understood as being consonant with normative masculine sexual practices that are structured by reference to the Masculine Ideal, since it allows some men to express a type of sexuality that is characterised by dominance and control. In other words, it could be said that the behaviour of child sex offenders is symptomatic of a broader cultural framework in which exploitative masculinity is normative (that is, culturally prescribed) and in which the lives of men are characterised by a combination of experiences of power and powerlessness. Nonetheless, it is necessary to point out that the creation of relations of power are not an inevitable result of all heterosexual or homosexual practices.

In this way, it can be said that sexual behaviour with children allows a man to accomplish masculinity and overcome experiences of powerlessness when his power is in jeopardy^[7] as a result of his relationship with other men, and may be related to his distinct position of power/powerlessness within the "socially structured circumstances" in which he lives (Messerschmidt, 1993: 83). However, does this analysis make it possible to predict when a man will choose sexual practices with children as a way of experiencing a sense of power? In a word, no. Even though there are "different forms of structural power and powerlessness among men" (Kaufman, 1994: 153), as a result of different social variables (such as race, class, ethnicity, sexual preference, religion), and although it can be expected that most men in cultures that are structured on relations of power will experience a combination of power and powerlessness to varying degrees, not all men engage in sexual behaviour with children. Is child sex offending, therefore, an indication of the *degree* of powerlessness experienced by men who sexually abuse children? For example, if men engage in repeated acts of sexual behaviour with children, can it be assumed their lives are in an almost permanent state of powerlessness, as suggested by Messerschmidt's (1993) analysis of the Central Park rape case which involved the violent rape of a white woman by four Afro-American male adolescents? Messerschmidt considers that "crime by men is a form of social practice invoked as a resource, when other resources are unavailable, for accomplishing masculinity" (1993: 85). Is child sex offending, therefore, a particular gender practice or resource "for accomplishing masculinity in a context of class and race disadvantage" (Jefferson, 1996: 340)?

Such a proposition would predict that the *least* socially powerful men use exploitative sexual practices to experience power (even if that power is illusory) because other material resources for accomplishing masculinity are closed to them and, in particular, that men from lower socioeconomic groups would commit more rape and child sexual abuse than men from higher socioeconomic groups. However, victim report studies show that child sexual abuse is not confined to particular classes, races or ethnicities (Cossins, 1999), that is, to those groups of men whose masculinities are marginalised because of their race, class or ethnicity. In other words, because child sexual abuse does not appear to have socioeconomic, cultural or racial

boundaries, it is difficult to sustain the argument that, in relation to child sex offending, "power relations among men determine the different types of crimes men may commit" (Messerschmidt, 1993: 84).

The fact that child sex offending is not confined to particular classes, races or ethnicities suggests that if child sex offending is to be thought of as a particular gender accomplishment for men, it is important to analyse it in terms of the complex relations of power and powerlessness that characterise men's lives and to recognise that child sex offending, as a gender practice, is likely to represent *different* issues of power for different men practising different masculinities. For example, sexually exploitative behaviour on the part of those who belong to a privileged group of men could be a particular gender enactment that serves to maintain their experience of being 'on top' by reference to their experiences of power and powerlessness with men of their own privileged backgrounds. On the other hand, men who are less privileged by virtue of their relationships with more privileged groups of men, may "symbolically displace their class antagonism onto the arena of gender relations" (Hondagneu-Sotelo and Messner, 1994: 208). Whilst a man 'on top' might not need to display the same exaggerated forms of masculine enactments as those displayed by more socially disempowered men, some degree of masculine control will be required because of the constantly competitive masculine environment in which his position at the top has been attained and because of the dynamic and changing features of masculine gender practices. Thus, women, other men and children may become the victims of some men's need to stay on top, or of some less privileged men's resistance to the oppression they face "within hierarchies of intermale dominance" (Hondagneu-Sotelo and Messner, 1994: 208).

The inability to make neat, concrete conclusions, such as only poor, socially disenfranchised men will sexually abuse children, can be best understood from Kaufman's (1994) warning that there is a tendency:

to add up categories of oppression as if they were separate units. Sometimes, such tallies are even used to decide who, supposedly, is the most oppressed. The problem can become absurd for two simple reasons: One is the impossibility of quantifying experiences of oppression; the other is that the sources of oppression do not come in discrete units. ... What is important ... is not to deny that men, as a group, have social power or even that men, within their subgroups, tend to have considerable power, but rather [to recognise] that *there are different forms of structural power and powerlessness among men* ... [and] that there is not a linear relationship between a structured system of power inequalities, the real and supposed benefits of power, and one's own experience of these relations of power (Kaufman, 1994: 152-153; emphasis added).

Arguably, therefore, if some men alleviate experiences of powerlessness by engaging in sexual practices with less socially powerful objects of desire, a man's particular *attachment* to the link between sexual prowess and manliness will be the key factor that determines *how* he does sex and whom he chooses as a sexual 'partner'.

Because child sexual abuse is not confined to particular races, classes or ethnicities, this analysis of child sex offending enables an understanding of the sexual behaviour of different types of offenders, from the socially empowered, white, middle-class father to the comparatively less socially powerful homosexual offender, black offender or working-class offender. In other words, although such offenders vary in terms of the *public* power they have access to, a man's access to public power (Arendt, 1970) will not necessarily equate with his experiences of *personal* power, such that different offenders may experience similar instances of powerlessness as a result of their relationships with other men. For these reasons, this analysis constitutes a significant departure from other analyses of the relationship between gender and crime, since, contrary to predictions by criminologists such as Messerschmidt (1993), it cannot be argued that men who experience significant structural and social disadvantage are *more* likely to engage in sexual behaviour with children. In other words, because victim report studies show that child sexual abuse does not have class, racial, or ethnic boundaries, this analysis has shown that it is necessary to analyse the complex array of relationships of power between men and the centrality of experiences of powerlessness for men who practise both hegemonic and subordinated forms of masculinity.

Reconceptualising the Relationship between Sex and Gender

The second part of this paper involves a reassessment of the analytic utility of the concept of masculinity in light of the 'emerging critique of the sex/gender distinction' (Collier, 1998: 158). The concept of masculinity and masculinities has been criticised on the grounds that it is premised on both a sex/gender and mind/body distinction and assumes that the body has no cultural or social significance (Gatens, 1996; Collier, 1998). This means that if the concept of gender is premised on a mind/body distinction, it assumes that the body is a biological pre-given upon which gender inscriptions are made.

However, rejection of the sex/gender distinction entails a recognition of the fact that the body cannot be separated from 'the social' and that the sexed body is both implicated in, and constituted through power relations (Collier, 1998). In other words, a reductive concept of masculinity must be abandoned because of its assignment of essential bodily differences to the possession of particular masculine characteristics.

The term 'sexing' recognises that male and female bodies have specific cultural meanings at both an individual and institutional level at the same time as it eschews an essentialist view of sexual differences.^[8] Thus, the term 'sexed' embraces the cultural meanings that are ascribed to the sexual characteristics of different bodies. Like gender, sexing is recognised as both an historical and cultural process and, as such, employs a social constructionist method (Lacey, 1997). This means that sexing and gender are different ways of conceptualising men and women as social subjects. In other words, both sex and gender are understood to be social constructs (Butler, 1990; 1993; Gatens, 1996; Lacey, 1997; 1998).^[9] More particularly, sexing attempts to describe '*what kinds of bodies* are ... 'normalised' in social discourses such as law' (Lacey, 1998: 107; emphasis in original).

But if, as Lacey argues, 'the normal body remains the male body, and ... the female body continues to be constructed in significant ways as abnormal, disruptive, problematic' (Lacey, 1998: 108), how do we understand the differentiation that is made between types of men in social discourse (such as, the 'family man' and the 'pervert') and how do we understand the differentiation made between women on the basis of race and class? What is the mechanism by which a man becomes a 'pervert' or a black woman becomes a more unbelievable rape complainant than a white woman?^[10] Is it sex or is it gender? For the child sex offender, is it his male body or is it his sexual practices that is the 'inspiration' behind the social construct of 'pervert'? Although gender differences are culturally associated with differently sexed bodies, there is another dimension to gender differences: that is, gender recognises the social construction of power relations (for example, those between men or those between women) on the basis of race, class, ethnicity, religion, sexuality and so on. The question is, can the concept of sexing explain the construction of different masculinities and femininities by reference to different races, classes and ethnicities, as well as specific social and sexual practices?

In considering the relationship between sex and gender, as I stated above, the concept of sexing recognises the cultural significance of the body; that is, the way the body is constructed in social discourse and how that construction (sexed male or female) affects the formation of individual consciousness. Gender, on the other hand, can be used to describe the social practices of *sexed* bodies; that is, the social practices of bodies *sexed* as either male or female, although it must be recognised that not all bodies sexed as male, for example, will engage in identical social practices: resistance, conformity and change will all be features of individual gender practices.

Thus, gender can be used to describe the *diversity* of experiences and practices of sexed bodies, as well as the relationship between a sexed body and its race, class, age, and ethnicity: in other words, somewhere along the way it is necessary to engage with the social significance of factors other than sex. For instance, how do we understand the 'raced' body as a social construct and the cultural beliefs that exist about the intelligence or sophistication of different races? In Australia, for example, there are frequent assertions by white supremacist groups, ordinary, everyday talkback radio DJs and politicians alike about the so-called 'primitive' nature of Aboriginal people. Arguably, the concept of sexing tells us very little about the association that is made between skin colour and so-called cultural sophistication.

The recognition of the sexed specificity of child sexual abuse means that it is necessary to ask whether offenders seek to constitute themselves as men through their sexual practices,

and whether the lived experience of a sexed male body is important to understanding their sexual behaviour. On the one hand, cultural assumptions of deviance in relation to child sex offenders (particularly the stranger who bundles a child into a car on an otherwise safe, suburban street) appear to obscure the sexed specificity of the crime and the element of desire associated with the sexual assault of a child. However, if child sexual abuse is re-framed as a *sexual* act, specifically a predominantly male sexual act, arguably it is possible to learn more about offenders and the social context of which they are a part and the reasons for the sexed specificity of child sexual abuse. In other words, it is necessary to reclaim the sexual behaviour of child sex offenders from discourses that seek to 'de-sex' their behaviour and to consider how an offender's body is related to concepts of sexuality and potency and how it is *ascribed meanings* by the individual offender and other men. What are the means by which a male body acquires specific cultural meanings? In other words, is the individual practice of sexuality a way of sexing the male body or is it the means by which an offender masculinises his body and is masculinised by other men?

Arguably, cultural descriptions of offenders as 'perverts', 'deviates' or 'monsters' have a specifically sexed dimension, since such terms are associated with a sexuality that is distinctly masculine and is contingent on the concept of so-called 'normal' masculine sexuality. Whilst such terms connote a deviation from normative masculine sexuality, it is implicit in such descriptions that the body committing the offence is male. But it is necessary to consider the significance of a man's sexual behaviour with children in a social context that is pervaded by, and which valorises, images of hypermasculine toughness and performance (that is, a particular type of sexed male body, the Masculine Ideal), and in which power and sexuality are inextricably linked. In this way, far from being a deviation from such sexual norms, child sex offending could be said to be a celebration of them.

Arguably, the cultural differentiation of child sex offending from normative masculine sexual practices cannot be made by reference to sex. In other words, the biological characteristics of the male child sex offender cannot be used to distinguish him from other men, since to do so is to invoke the spectre of essentialism (as psychological analyses tend to do). This means that the construct of the 'pervert' must be a social construct that is based on the offender's sexual practices which suggests that the concept of gender is necessary for understanding the distinction that is made between the offender and non-offending men. Such a construct has what can be called a cleansing effect^[11] in that the construct is a way of preserving the normality of normative masculinity at the same time as obscuring what the offender shares with other men in terms of his experiences as a man. As well, the construct of the pervert is contingent upon the sexed male body in that it is implicit in the construction that the body of the pervert is male. But the gendered dimension of the construct lies in the offender's differentiation from other men: that is, although the 'pervert' is, because of his sexual practices, defined as an aberration, gender helps us to focus on the *masculine* dimensions of the crime: that is, on what the offender shares with other men in terms of his sexual practices and in terms of his experiences of power and powerlessness. At the same time, the sexed dimensions of the crime can also be recognised.

What then is the relationship between the concepts of sexing and gender? For example, in terms of men's social relations with each other, can it be said that there is both a sexed dimension and a gendered dimension to those relations? In what way does the sexed body impinge on individual social practices and individual consciousness? In relation to the social practices that create relations of power between men, although contingent on a particular sexed construct (such as the Masculine Ideal), are not embraced by the concept of sexing unless those practices seek to differentiate between men on the basis of different sexual characteristics. Arguably, relations of power between men are more complex than that in that sexing does not fully explain the complexity of the lived experiences of a sexed male body nor the social practices that individuals engage in, either as an acceptance or rejection of the cultural significance of their sexed bodies. Whilst gender cannot be said to be independent of the social significance of the sexed body (since gender is contingent on a particular conceptualisation of the male body), gender encapsulates a layer or degree of complexity that precludes a finding that the sexed male body inevitably leads to the accumulation of social power.

In other words, the concept of gender embraces the view that the sexing of a particular body does not inevitably lead to specific social outcomes. Whilst arguments based on gender can no longer assume that the body is culturally neutral, and must recognise that gender practices are contingent on a body that has cultural significance, sexed bodies produce a wide and

complex variety of gender practices. Being sexed male does not tell us about the complexity of men's lived experiences as male in combination with race, age, class, ethnicity, religion and sexuality. For example, humiliation and violence may be gender practices that valorise a particular sexed male body type but they are not the only possible gender practices referable to the sexed male body. Nor does the the sexed female body preclude gender practices that take the form of humiliation and violence.

Rather than privileging the concept of gender over the concept of sexing, a reconceptualisation of the relationship between them appears to be necessary. In other words, social constructionist accounts of gender can no longer ignore the social significance of the body, the sexing process and sexed experiences. It is necessary to recognise that the sexed body influences the development of individual consciousness and that gender practices are, therefore, referable to the sexed body. This will entail a movement away from arguments that reproduce social constructionist accounts based on a distinction between sex and gender to accounts that recognise the significance of sexual difference and sexed experiences.^[12] In making such a move, however, it is necessary to bear in mind the limitations of the sexing concept and the complexity of individual consciousness as a result of not only the lived experiences of a sexed body, but a body whose cultural significance is also dependent on race, ethnicity, age, physical disabilities and so on. In particular, a focus solely on sexual difference, "on the division between only two genres of human being" (Lacey, 1997: 70) is problematic since it "accords a priority to sex as an axis of difference which is both insensitive to the influence of other hierarchical differences based on factors such as race and sexual orientation, and vulnerable to interpretation as essentialist" (Lacey, 1997: 70).^[13] More particularly, it assumes that the category of sex can and does operate independently of other factors, such as race, age, ethnicity and disability, which arguably create, together with sex, unique embodied experiences that cannot be attributed solely to sexual difference. In the end, can a sexed body ever exist independently of its race, age, ethnicity, sexuality and disability and do we need gender to explain the relationships that exist between people on the basis of those factors?

Notes

1 The terms 'paedophile' and 'paedophilia' are not generally used in this paper to refer to men's sexual activities with children, for five reasons. First, as Glaser (1997) observes, the problem with using the term 'paedophilia' is that "it is associated with crude caricatures which are often fostered by paedophiles themselves. 'I don't pounce on small children in public parks, I don't play around with choir boys and I don't kidnap babies in prams; therefore I can't be a paedophile,' they might say. Their partners and friends, and the general community willingly accept these protestations, without realising that there is no such thing as the typical paedophile and that paedophilic behaviours can occur in virtually any sort of circumstance" (1997: 6). Secondly, because the term 'paedophile' has a psychiatric definition (American Psychiatric Association, 1994), it implies that "paedophiles are psychiatrically abnormal in some way" (Glaser, 1997: 6) and that sexual arousal to children constitutes a 'deviant' form of sexual behaviour, compared to an assumed norm of sex with adults. Such views are contrary to the theoretical analysis that is undertaken in this paper and are not supported by a number of studies which document the characteristics of child sex offenders (Cossins, 2000). Thirdly, the psychiatric definition of paedophilia implies that it is restricted to those people who are *only* sexually aroused by children, thus ignoring a significant number of male child sex offenders who engage in sexual practices with both children and adults. Fourthly, as Kelly (1996) observes, the psychiatric definition of paedophilia, with its focus on 'deviant' sexual arousal, makes it more difficult to argue that men make a choice to engage in sexual activities with children. Lastly, the use of a psychiatric term, with its inevitable focus on the individual in isolation from his social context, is in direct contrast to the sociological focus that is taken in this paper to explain men's sexual behaviour with children. For these reasons, instead of paedophile and paedophilia, the terms child sex offender and child sex offending are used. In keeping with the definition of child sexual abuse, discussed above, child sex offender refers to a man or male adolescent who engages in contact or non-contact sexual activities with a child for the purposes of obtaining sexual gratification and who is: (i) at least five years older than the child; or (ii) younger, the same age as the child, or between one to four years older than a child in circumstances where the sexual activity was non-consensual.

2 In this paper, child refers to a person under the age of 16 years. This age accords with the age of consent for girls and heterosexual boys in all Australian jurisdictions. However, the age of consent for male homosexual relationships is 18 years in NSW and the Northern Territory and 21 years in Western Australia. Within the criminal law in Australia there is, however, no consistent definition of 'child' or 'children'. Any definition of 'child' raises the issue of consent, since the criminalisation of sexual behaviour with children is dependent on setting an 'age of consent' below which sexual activity with a child is criminalised, regardless of any willingness on the child's part to engage in the behaviour. Whilst it is certainly arguable that some children under the age of 16 years are capable of giving consent to sexual relations, because of children's economic dependency on parents and caregivers, generally speaking, up until at least the age of 16 years, it is accepted that that age, although to some extent arbitrary, constitutes a reasonable age for defining what constitutes a child and a child sex offence.

3 For a summary of these studies and prevalence rates in Australia, New Zealand, the UK and the USA, see Cossins, 1999: 52-53.

4 A number of victim report studies show that, although female children are at greater risk of being sexually abused than male children, when male children are victims of child sexual abuse, the vast majority of them are sexually abused by male offenders, not female (see Cossins, 2000).

5 Although the link between gender, masculinity and child sexual abuse has long been recognised (Herman and Hirschmann, 1977; Rush, 1980; Finkelhor, 1984; Ward, 1985; Russell, 1986), existing feminist theories are contradictory when it comes to explaining the behaviour of different types of child sex offenders.

6 In light of Collier's (1998) criticisms of the "conceptual 'limits' of masculinity (1998: 16) and the imprecision that is sometimes associated with the use of the terms masculinity and masculinities (see McMahon, 1993: 690-691; Hearn, 1996: 206-214 and Collier, 1998: 18-23), as well as Hearn's (1996) plea that "when masculinity/masculinities are referred to, they should be used more precisely and particularly" (1996: 214), in this paper, these terms are used to describe specific social relations of power as a result of active individual or institutional practices.

7 Using Arendt's (1970) work, Mason (1997) has argued in relation to physical attacks against gay men and lesbians that violence is not just a form of power but is used when power is in jeopardy, that is, some men resort to violence when they experience an *absence* of power. In this way, violence becomes an instrument of power for those who experience themselves as powerless (Mason, 1997) and, as a response to perceived powerlessness, violence is a method of aggregating power to the individual. A similar argument can be made in relation to coercive sexual behaviour in that it can be hypothesised that men will resort to rape and child sexual abuse when their power is in jeopardy and they experience an absence of power.

8 As Lacey (1998) recognises, "the feat which has to be accomplished ... is the reinsertion of the body without a return to an essentialist, fixed view of sexual (or other) differences. This entails that sex as much as gender must be understood as a social construct" (1998: 109).

9 A useful illustration of sex as a social construct is the association of female bodies with the concept of hysteria "which ties ... a condition of both pathology and irrationality to the physical possession of the womb" (Lacey, 1998: 108).

10 For example, a study of 111 adult sexual assault trials in New South Wales by the NSW Department for Women (1996) found that Aboriginal complainants were asked significantly more questions about their general drinking and drug use habits and were also asked on average a higher number of questions about drinking on the day of the sexual assault than non-Aboriginal complainants (NSW Department for Women, 1996: 99). In relation to cross-examination about whether the complainants were lying, the study found that non-Aboriginal women were asked, on average, seven questions about lying whereas, in two separate cases, the Aboriginal complainants were asked 70 and 29 questions respectively about lying

(NSW Department for Women, 1996: 100). Indeed, "[t]he longest cross-examination by the Defence in the entire study was of an Aboriginal woman (five hours and 20 minutes)" and "[a]lmost all of the cases studied ... which involved hung juries ... and retrials involved complainants who were Aboriginal women" (NSW Department for Women, 1996: 101). All in all, the study found that only 25 per cent of accused persons who pleaded not guilty to a charge of sexually assaulting an Aboriginal woman were found guilty (NSW Department for Women, 1996: 108) compared with a conviction rate of 31 per cent for all trials in which the accused pleaded not guilty or entered no plea (NSW Department for Women, 1996: 74).

11 I am grateful to Dirk Meure for this observation.

12 For example, Collier (1998) argues: "[t]he male subject represented both in criminology and within much of feminism remains within a grip of identity binarisms. This, in turn, has important implications for the ways in which feminism's political subject 'Woman' and feminist criminology's subject 'Man' have been constructed. Just as feminism's 'Woman' has purported to represent the experiences of 'real' women, so feminism's 'Man' has been seen as representing the experiences of 'real' men. However, ... this Man (and the (hegemonic) masculinity with which he has been associated (is a self which remains a phantasm, based on a distortion of the relationship between sex and gender" (1998: 179-180).

13 If the sexing project's focus is on the body, then to 'quarantine' the body's skin colour, facial features, age and disabilities from its sex is to create an illusion in relation to the significance of sex as the sole criterion by which difference is constructed. Indeed, the concept of sexing is open to charges of essentialism particularly in relation to the binary divide that the concept of sexing implies. As Lacey (1997) recognises, the concept of gender "remains less associated than is sex with the idea of a binary divide and hence lends itself more readily to the accommodation of the fluid and heterogeneous subjectivities evoked by much feminist thought" (Lacey, 1997: 74).

References

- American Psychiatric Association** (1994). *Diagnostic and Statistical Manual of Mental Disorders* (4th Ed.). Washington DC: American Psychiatric Association.
- Arendt, H.** (1970). *On Violence*. New York: Harcourt, Brace and World, Inc.
- Butler, J.** (1990). *Gender Trouble: Feminism and the Subversion of Identity*. London: Routledge.
- Butler, J.** (1993). *Bodies That Matter: On the Discursive Limits of Sex*. London: Routledge.
- Collier, R.** (1998). *Masculinities, Crime and Criminology*. London: Sage Publications.
- Connell, R. W.** (1987). *Gender and Power*. Sydney: Allen and Unwin.
- Connell, R. W.** (1995). *Masculinities*. Sydney: Allen and Unwin.
- Cornell, D.** (1995). *The Imaginary Domain: Abortion, Pornography, and Sexual Harassment*. New York: Routledge.
- Cossins, A.** (1999). 'A Reply to the NSW Royal Commission Inquiry into Paedophilia: Victim Report Studies and Child Sex Offender Profiles (A Bad Match?'. *The Australian and New Zealand Journal of Criminology*, 32: 42-60.
- Cossins, A.** (2000). *Masculinities, Sexualities and Child Sexual Abuse*. The Hague: Kluwer Law International.
- Epstein, D.** (1996). 'Keeping Them in Their Place: Hetero/sexist Harassment, Gender and the Enforcement of Heterosexuality'. In: J. Holland and L. Adkins (Eds.). *Sex, Sensibility and the Gendered Body*. London: MacMillan.
- Finkelhor, D.** (1984). *Child Sexual Abuse: New Theory and Research*. New York: The Free Press.
- Fracher, J.** and **Kimmel, M. S.** (1995). 'Hard Issues and Soft Spots: Counseling Men about Sexuality'. In: M. S. Kimmel and M. A. Messner (Eds.). *Men's Lives*. Boston: Allyn and Bacon.
- Gadd, D.** (1999). 'Masculinities, Violence and Change'. Paper presented at the British Criminology Conference, *Criminology Towards the Millennium*, Liverpool, 13-16 July 1999.
- Gatens, M.** (1996). *Imaginary Bodies: Ethics, Power and Corporeality*. London: Routledge.
- Glaser, W. F.** (1997). 'Paedophilia: The Public Health Problem of the Decade'. In: M. James (Ed.). *Paedophilia: Policy and Prevention*. Canberra: Australian Institute of Criminology.
- Hearn, J.** (1996). 'Is Masculinity Dead? A Critique of the Concept of Masculinity/Masculinities'. In: M. Mac an Ghaill (Ed.). *Understanding Masculinities: Social Relations and Cultural Arenas*. Buckingham: Open University Press.
- Herek, G. M.** (1987). 'On Heterosexual Masculinity: Some Psychological Consequences of the Social Construction of Gender and Sexuality'. In: M. S. Kimmel (Ed.). *Changing Men: New Directions in Research on Men and Masculinity*. Newbury Park, CA: Sage Publications.
- Herman, J.** and **Hirschmann, L.** (1977). 'Father-Daughter Incest'. *Signs: A Journal of Women in Culture and Society*, 2: 735-756.
- Hondagneu-Sotelo, P.** and **Messner, M. A.** (1994). 'Gender Displays and Men's Power: The 'New Man'

- and the Mexican Immigrant Man'. In: H. Brod and M. Kaufman (Eds.). *Theorizing Masculinities*. Thousand Oaks, CA: Sage Publications.
- Hood-Williams, J.** (1999). 'Gender, Masculinities and Crime: From Structures to Psyches'. Paper presented at the British Criminology Conference, *Criminology Towards the Millennium*, Liverpool, 13-16 July 1999.
- Jefferson, T.** (1999). 'Masculinity, Psycho-Social Subjects and Crime'. Paper presented at the British Criminology Conference, *Criminology Towards the Millennium*, Liverpool, 13-16 July 1999.
- Kaufman, M.** (1995). 'The Construction of Masculinity and the Triad of Men's Violence'. In: M. S. Kimmel and M. A. Messner (Eds.). *Mens' Lives*. Boston: Allyn and Bacon.
- Kelly, L.** (1996). 'Weasel Words: Paedophiles and the Cycle of Abuse'. *Trouble and Strife*, 33: 44-49.
- Kimmel, M. S.** (1994). 'Masculinity as Homophobia: Fear, Shame, and Silence in the Construction of Gender Identity'. In: H. Brod and M. Kaufman (Eds.). *Theorizing Masculinities*. Thousand Oaks, CA: Sage Publications.
- Lacey, N.** (1997). 'On the Subject of "Sexing" the Subject...'. In: N. Naffine and R. J. Owens (Eds.). *Sexing the Subject of Law*. Sydney: LBC Information Services; London: Sweet and Maxwell.
- Lacey, N.** (1998). *Unspeakable Subjects: Feminist Essays in Legal and Social Theory*. Oxford: Hart Publishing.
- Lehne, G. K.** (1995). 'Homophobia Among Men: Supporting and Defining the Male Role'. In: M. S. Kimmel and M. A. Messner (Eds.). *Mens' Lives*. Boston: Allyn and Bacon.
- Liddle, A. M.** (1993). 'Gender, Desire and Child Sexual Abuse: Accounting for the Male Majority'. *Theory, Culture and Society*, 10: 103-126.
- Mason, G.** (1997). '(Hetero)sexed Hostility and Violence Toward Lesbians'. In: S. Cook and J. Bessant (Eds.). *Women's Encounters with Violence: Australian Experiences*. Thousand Oaks, CA: Sage Publications.
- McMahon, A.** (1993). 'Male Readings of Feminist Theory: The Psychologisation of Sexual Politics in the Masculinity Literature'. *Theory and Society*, 22: 675-696.
- Messerschmidt, J.** (1993). *Masculinities and Crime: Critique and Reconceptualization of Theory*. Lanham, MD: Rowman and Littlefield.
- New South Wales Department for Women** (1996). *Heroines of Fortitude: The Experiences of Women in Court as Victims of Sexual Assault*. Sydney: New South Wales Government.
- Rush, F.** (1980). *The Best Kept Secret: Sexual Abuse of Children*. New York: McGraw-Hill.
- Russell, D. E. H.** (1986). *The Secret Trauma: Incest in the Lives of Girls and Women*. New York: Basic Books Inc.
- Ward, E.** (1985). *Father-Daughter Rape*. New York: Grove Press Inc.
- West, C. and Zimmerman, D. H.** (1991). 'Doing Gender'. In: J. Lorber and S. A. Farrell (Eds.). *The Social Construction of Gender*. Newbury park, CA: Sage Publications.
- West, C. and Fenstermaker, S.** (1993). 'Power, Inequality and the Accomplishment of Gender: An Ethnomethodological View'. In: P. England (Ed.). *Theory on Gender/Feminism on Theory*. New York: Aldine.

About the Author

[Annie Cossins](#) Annie Cossins is a Senior Lecturer in Law at the University of New South Wales. Her major research interests include feminist criminology, child sexual abuse, sexual assault law reform, the child sexual assault trial and evidence law. Her most recent book is *Masculinities, Sexualities and Child Sexual Abuse* (2000) Kluwer Law International: The Hague.

Citation Information

Cossins, A. (2000) 'Masculinities, Sexualities and Child Sexual Abuse', British Criminology Conference: Selected Proceedings. Volume 3, <<http://www.lboro.ac.uk/departments/ss/bsc/bccsp/vol03/cossins.html>>.

Copyright Information

Copyright this article © Annie Cossins 2000

Copyright this volume © The British Society of Criminology 2000

Pages of the journal may be downloaded, read, and printed. No material should be altered, reposted, distributed or sold without permission. Further enquiries should be made to the British Society of Criminology.

