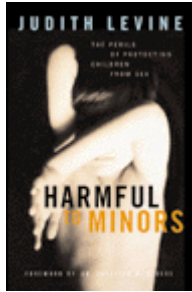


<http://www.upress.umn.edu/HarmfultoMinorsintro.html>



Excerpt from Judith Levine's *Harmful to Minors: The Perils of Protecting Children from Sex*

## INTRODUCTION

### Peril and Pleasure, Parenting and Childhood

Again, there is danger, the mother of morality-great danger-but this time displaced onto the individual, onto the nearest and dearest, onto the street, onto one's own child, one's own heart, one's own innermost secret recesses of wish and will.

– Nietzsche, *Beyond Good and Evil* (1886)

In America today, it is nearly impossible to publish a book that says children and teenagers can have sexual pleasure and be safe too.

Perhaps I should have gotten the hint five years ago, when my agent started sending around the proposal to commercial publishers. House after house declined. "Levine is an engaging writer, and her argument is strong and provocative," said one typical rejection. "But we don't see how this point of view will find the broad readership that would justify our commitment." They all closed with some version of the comradely editorial perennial "Good luck." I now hear that phrase as a snort of sarcasm.

When one of the most serious editors in commercial publishing did acquire the book, and I wrote a first draft, his comments were encouraging but sober. "It's a courageous book," he wrote me, "for which, as these chapters make abundantly and depressingly clear, the timing probably couldn't be worse." As it turned out, the timing could not have been worse, for him or for me. He was fired (not because of my book) and moved on to other enterprises, and my manuscript was passed to another senior editor. When she demurred (as the mother of a thirteen-year-old girl, she told me diplomatically, "I'm just not able to address some of the issues with enough objectivity to serve as your guide"), a new recruit at the house took the orphan in. That woman inaugurated a yearlong process by which the book would be rendered, as she put it, "more palatable to parents," who were now presumed to be the only interested readers. She asked for "comforting messages," mottled the manuscript with advisories, which begged for deletions: "This sentence will offend parents." "Many parents will find this hard to swallow." She suggested, in deference to parental anxiety, that I remove the word *pleasure* from the introduction.

In the end, the manuscript was not parent-friendly enough. It left that house and went to others, where it was also found commercially unviable. One editorial board called it "radioactive." The week I got that Geiger count, a full-page ad for John Gray's *Children Are from Heaven* ran in the *New York Times*. Its text seemed to promise parents that if they just read the book, their kids would become healthy, happy, obedient, and successful. The chubby cherubs floating around the margins implied that they might sprout wings, too.

To predict which books will sell, publishers try to keep their fingers on the collective pulse; they like to think their lists constitute a kind of EKG of the mainstream culture. The sensors through which this intelligence is derived are of two kinds: sales figures of similar books or the author's other books, and something less concrete – the acquiring editors' feelings, known in the trade as instinct.

Now, it is easy for writers to make excuses for rejection, and if I am doing so, well, kindly excuse me. But also allow me to offer this as explanation for what happened to *Harmful to Minors*: history happened. The "instinct" that moved those editors, who felt both as parents and as proxies for their imagined parent-readers, was shaped by particular cultural, economic, and political forces and events in the past and the present. The forces and feelings that almost ate *Harmful to Minors* are precisely what *Harmful to Minors* is about.

This book, at bottom, is about fear. America's fears about child sexuality are both peculiarly contemporary (I am certain I would not have had the same troubles twenty-five years ago) and forged deep in history. *Harmful to Minors* recounts how that fear got its claws into America in the late twentieth century and how, abetted by a sentimental, sometimes cynical, politics of child protectionism, it now dominates the ways we think and act about children's sexuality. The book investigates the policies and practices that affect children's and teens' quotidian sexual lives – censorship, psychology, sex education, family, criminal, and reproductive law, and the journalism and parenting advice that begs for "solutions" while exciting more terror, like those trick birthday candles that reignite each time you blow them out.

The architects and practitioners of all the above use the term *child protection* for what they do. But, as the stories of real children and families in this book show, they often accomplish the opposite. Indeed, the sexual politics of fear is harmful to minors.

### **Private Life**

If parents at the turn of the twenty-first century are fearful, there are many reasons they should be. As the economy globalizes, its newly created wealth provides only a provisional and selective security. Census Bureau data released in early 2000 revealed that the U.S. poverty rate has stuck stubbornly around 12 percent for a quarter of a century, and the income and assets of the lowest fifth of wage earners have actually fallen. Even for the boom's beneficiaries, the sense of giddy potential can turn fast to the vertigo of instability – exactly what many began to feel when the Nasdaq index of technology stocks started sliding in the spring of 2000, and layoffs began to come down the chute shortly thereafter. The latter was a nauseating reminder of the 1980s, when not even top executives were spared as their companies merged and shuttered, and the new broom of economic "flexibility" swept out job security as an anachronistic impediment to profit making.

The ticker-tape hieroglyphs of Wall Street, once of interest only to the rich and their brokers, have come to spell out everybody's fortunes, not only because more people own stock than ever before, but also because, increasingly, the private sector is all people have to count on. While cutting the taxes of the wealthiest Americans, politicians of both parties have whittled public support for the institutions that help and unite all citizens, such as schools and universities, libraries, mass transit, day care, and hospitals; the government has even gotten out of the "business" of running its own prisons. The resulting "surpluses," President George W. Bush declared as he signed a historically huge tax cut into law, should be returned in the form of more tax cuts to "the people," or at least the richest percentile thereof.

The social correlate of economic privatization is "family values" – the idea, as cultural theorist Lauren Berlant put it, that citizenship is a matter of intimate life, reserved "only for members of families." Aside from disenfranchising everyone who is not a card-carrying family member (singles, gays and lesbians, runaway youths, the neglected elderly) this new declaration of the United Families of America, coupled with the demand for economic self-sufficiency, has a paradoxical effect. It leaves the vaunted Family to tread water on its own.

Beleaguered parents have only the media and the marketplace as sources of advice and help. The parenting magazines indict a hazard of the month, providing fretful mothers and fathers with a ready list of names for their vaguest fears: television radiation, chlorine, medicine droppers, iron pills, automatic garage door openers, latex balloons, trampolines, drawstring sweatshirts. The newsweeklies chime in with perils of a less concrete, more moral nature. "How Can We Keep Our Children Safe?" asked the cover of *Life* magazine in the mid-1990s, ringing the vulnerable face of a blond-haired, blue-eyed girl with a boldfaced wreath of horrors: "sexual abuse, abduction, television, accidents, neglect, violence, drugs, vulgarity, alienation." The article, like the pieces on chlorine and sweatshirts, offered few solutions that were not purchasable, and private.

Parenting has become an escalating trial of tougher standards for success and surer penalties for failure, *personal* failure. In the late 1990s, a nineteen-year-old single mother, rebuffed and delayed in her efforts to get infant care from Medicaid, diligently kept up breast feeding, unaware her milk was insufficient. The baby wasted away, and the mother was convicted of starving him to death. Meanwhile, in the suburbs, middle-class parents are scrambling to meet the requirements of molding hardier, healthier, more computer-literate, "emotionally intelligent," and, since the Columbine High School shootings in Littleton, Colorado, nonhomicidal children. "As Chelsea gets ready to leave for college, Bill and I can't help reviewing the last 17 years," wrote the former First Mom in *Newsweek* when her nest was about to empty. "We wonder if we've made the most of every minute to prepare her for the challenges of adulthood." That's *every minute*, mind you.

### **Panic**

As the sense of social and economic precariousness has escalated in the last two decades, a panic about children's sexuality has mounted with it. The currency of anxiety in America is frequently the sexual; sex is viewed as both the sine qua non of personal fulfillment and the experience with the potential for wreaking the greatest personal and societal devastation. And popular sexual fears cluster around the most vulnerable: women and children. The political articulation of these fears in the late twentieth century came from two disparate sources. On one side were feminists, whose movement exposed widespread rape and domestic sexual violence against women and children and initiated a new body of law that would punish the perpetrator and cease to blame the victim. From the other side, the religious Right brought to sexual politics the belief that women and children need special protection because they are "naturally" averse to sex of any kind.

As we will see in these pages, the two streams came together in uneasy, though not historically unprecedented, alliances. Feminist sexual conservatives redefined explicit erotica as violence against women; the Right, gathered in a sort of summit with those feminists at the Meese commission on pornography in 1986, seized on their theory to legitimate a wholesale crackdown on adult porn and, eventually, on an alleged proliferation of "child pornography." The satanic-abuse witch-hunts (which dovetailed the pornography scare and later became a more general panic over child abuse) also alchemized feminist and right-wing fears. Feminist worries about children's vulnerability to adult sexual desire gradually reified in a therapy industry that taught itself to uncover abuse in every female patient's past. Religious conservatives, mostly middle-class women who felt their "traditional" families threatened by the social-sexual upheavals of the time, translated that concern into the language of their own apprehension. They saw profanity – in the form of abortion, divorce, homosexuality, premarital teen sex, and sex education – everywhere encroaching on sanctity. To them, it made sense that adults, with Satan as chief gangbanger, were conspiring in "rings" to rape innocent children.

Throughout the quarter century, in a complex social chemistry of deliberate political strategy, professional opportunism, and popular suspension of disbelief, sexual discomfort heated to alarm, which boiled to widespread panic; hysteria edged out rational discourse, even in the pressrooms of established news organizations and the chambers of the highest courts. The media reported that children faced sexual dangers more terrible than anything their parents had ever known. Along with lust-crazed Satanists, there were Internet tricksters, scout-leader pornographers, predatory priests – an army of sexual malefactors peopling the news, allegedly more wily and numerous than ever before. "'Don't talk to strangers' isn't good enough anymore," read the back cover of Carol Soret Cope's 1997 advice book, *Stranger Danger*. "What worked when we were children just isn't sufficient in today's world." Cops were brought in to instruct kindergartners in "good touch and bad touch," teachers catechized elementary school kids on sexual harassment, colleges rushed freshmen through date-rape seminars the first week they arrived on campus. And from the first sex-ed class on, children were drilled in the rigors of abstinence, the "refusal skills" to defend themselves against their peers' pressing desires, and their own.

The story behind these stories – one that was more plausible and therefore perhaps more frightening to baby boomer parents than tales of baby-rapists in black robes – was that of more teen sex, starting earlier and becoming more sophisticated sooner, with more dire consequences. In one sense, this is true. Earlier physical maturation coupled with later marriage meant that fifteen to twenty years elapse between physical sexual readiness and official sexual legitimacy. It is hardly surprising that 90 percent of heterosexual Americans have intercourse before

they wed, if they wed at all, and most do so before they exit the teen years. One in four of these adolescents contracts a sexually transmitted disease each year, with genital herpes, gonorrhea, and chlamydia leading the list. On the other hand, the fear that children are having intercourse in middle school is largely unfounded: only two in ten girls and three in ten boys do so by the age of fifteen, with African American teens more likely to do so than Hispanics, and Hispanics more likely than European Americans.

But looking at teens' sex lives in the 1990s and comparing them with their parents' in the 1970s and their grandparents' in the 1950s, we can see that rates of youthful activity are not galloping upward. At midcentury, 40 percent of teenagers reported having premarital sex, 25 percent of girls. During the 1970s those numbers increased substantially. But as Barbara Ehrenreich, Gloria Jacobs, and Deirdre English have pointed out, the "sexual revolution" was really a revolution for women only, who began to feel the license to behave more like men had always behaved; male sexual behavior didn't change much. By 1984, the proportion of sexually active unmarried fifteen- to nineteen-year-old women was just under half. Since then, increases in teen sex have been smaller, with a bit of a drop-off in the last few years. In 1990, 55 percent of girls fifteen to nineteen years old were sexually active. And by 1995, the percentage was back to 50 percent. Today it remains at 50 percent – right where it was in 1984. As for young teens, in the mid-1950s only three in one hundred girls had had sex before the age of fifteen; by the mid-1970s, one in ten had; today, that number is two in ten. Another factor: In the 1950s, plenty of teens had sex, but it wasn't considered troublesome because it wasn't premarital: in that decade, America had the highest rate of teen marriage in the Western world.

Furthermore, no matter how *many* teens are counted as "sexually active," meaning they've had intercourse at least once, that activity is various and, for a substantial number of kids, scant. In one typical study of sexually active boys ages fifteen to nineteen in the 1990s, more than half admitted they'd done it fewer than ten times in the previous year, and 10 percent had not had "sex," however they defined it, at all. As one public-health researcher told me, "Most sexually active teens are not very sexually active."

Despite the less-than-electrifying facts, almost every major report on teen sexuality is pitched with the staples of sensationalism – the shock of what the story will reveal and the reproachful dismay that the readers don't know it already. "Everything your kids already know about sex\* (\*bet you're afraid to ask)," shuddered a *Time* magazine cover in the mid-1990s. "Dozens of interviews with middle-school kids reveal a shocking world parents would prefer not to confront," promised a *Talk* blurb of an account by Lucinda Frank about sex and drugs among a handful of privileged New York youngsters. The article, which managed within two paragraphs both to brood that the kids were too young to deal with the emotional complications of sex and to object to their having sex without enough emotional investment, was hyperbolically and typically headlined "The Sex Lives of Your Children."

In almost every article or broadcast, experts are called in to catalogue the reasons that teens have sex, all of them bad: Their peers pressure them or pedophiles manipulate them; they drink or drug too much, listen to rap, or download porn; they are under too much pressure or aren't challenged enough; they are abused or abusive or feel immortal or suicidal; they're rich and spoiled or poor and demoralized, raised too strictly or too permissively; they are ignorant or oversophisticated.

Actually, these pundits are, for the most part, guessing. Demographers have run scores of sociological and biological developmental factors through their computers, thousands of times: race and ethnicity, urban or rural residency, family structure and closeness to mothers, drug taking, school performance, and immigration status, along with "outcomes" such as age and frequency of intercourse, type and frequency of contraception, abortions and live births, age difference between partners, number of partners, and, recently but still rarely, incidence of anal and oral sex. Still, the things these social scientists study cover a small corner of the territory of sexual experience. Conservative legislators have effectively shut down government-funded research on adults' sexual behavior, motives, or feelings. As for surveying minors about the same subjects, this is practically illegal. How do children and teens feel about sex? What do they actually do? Only a handful of researchers are asking, and few are likely to soon.

Squeamish or ignorant about the facts, parents appear willing to accept the pundits' worst conjectures about their children's sexual motives. It's as if they cannot imagine that their kids seek sex for the same reasons they do: They like or love the person they are having it with. It gives them a sense of beauty, worthiness, happiness, or power. And it feels good.

AIDS shadows these fears and exaggerations, and it feeds the fear mongers. It has become the symbol of all that is hidden and unknowable about sex – a fact exacerbated by public-health officials' and educators' reluctance to disseminate terror-quelling data and proven methods of containment to teens. Preventable, the disease has come to stand for the uncontrollable, which is the soul of terror. And if sex is the carrier of calamity, discussion of pleasure is unseemly, even rash.

Today, there's evidence that teens are learning to handle the dangers while enjoying the pleasures of sex (by the 1990s they were more consistent condom users than their elders), yet teen sex is still viewed as the most uncontrollable, the most calamitous. Commonly in the professional literature, sex among young people is referred to as a "risk factor," along with binge drinking and gun play, and the loss of virginity as the "onset" of intercourse, as if it were a disease. One of the journals that frequently reports on teen sexual behavior is called *Morbidity and Mortality*.

### **The Birth of the Child**

The wish to protect a child, while not natural or inevitable, is almost poignantly understandable to anyone who has ever known one. "It comes down to this," said Janet Jake, a forty-six-year-old San Francisco mother, as we watched her twelve-year-old son careen down the steep sidewalk on his skateboard and fly over a jury-rigged obstacle course of crates and planks. "You don't want your babies hurt." Mostly, Janet has given her kids a lot of room (she cringed, but did not prohibit, the skateboard daredevilry). But about sex, she's found herself "turning into an iron-clad conservative." Like many parents, Janet regards her sexual protectiveness as the way of all flesh.

But the idea that sex is the thing that can hurt your babies most of all is hardly the way of all flesh, not now and not in the past. Indeed, the concept that sex poses an almost existential peril to children, that it robs them of their very childhood, was born only about 150 years ago.

According to the influential French historian Philippe Ariès, European societies before the eighteenth century did not recognize what we now call childhood, defined as a long period of dependency and protection lasting into physical and social maturity. Until the mid-1700s, he wrote, not long after weaning, people "went straight into the great community of men, sharing in the work and play of their companies, old and young alike." At seven, a person might be sent off to become a scullery maid or a shoemaker's apprentice; by fourteen, he could be a soldier or a king, a spouse and a parent; by forty, more than likely, he'd be dead.

Ariès's invention-of-childhood theory has undergone furious debate and significant revision since he advanced it in 1960 (he can be thanked in large part for inaugurating the rich and active discipline of childhood history). While many historians accept his basic notion that the young moved more fluidly among their elders in centuries past, that they did not enjoy the special protections now extended them, and because of high early mortality adults did not become emotionally attached to them as quickly as they do today, there is general agreement that adults and children in the past did recognize a category of person, the Child. L. A. Pollack, for instance, studied 415 primary sources from 1500 to 1600 and concluded that Ariès's argument is "indefensible. . . . Even if children were regarded differently in the past, this does not mean that they were not regarded as children."

Concerning sexuality and its role in worldly corruption, however, children were regarded quite differently before the eighteenth century from how they are today: they were not necessarily "good," nor adults "bad," merely by virtue of the length of their tenure on earth. In Puritan America, in fact, the opposite was true. Infants were conceived and born in sin, but they were considered perfectible through religious guidance and socialization, which happened as they got older. Early colonial toys and children's furniture, wrote Karin Calvert in her marvelous history of the material culture of childhood in America, "pushed the child forward into contact with adults and the adult world. The sharing of beds with grown-ups, the use of leading strings and go-carts to place children in the

midst of adult activities, and other practices all derived from a world view that saw development from the imperfect infant to the civilized adult as a natural and desirable progression."

In the mid-eighteenth century, first in Europe, ideologies about this "progression" reversed. As the cultural critic James Kincaid has shown, the English and French philosophers of the Romantic Era conjured the Child as a radically distinct creature, endowed with purity and "innocence" – Rousseau's unspoiled nature boy, Locke's clean slate. This being, born outside history, was spoiled by entering it: the child's innocence was threatened by the very act of growing up in the world, which entailed partaking in adult rationality and politics. In the late nineteenth century, that innocence came to be figured as we see it today: the child was clean not just of adult political or social corruption, but ignorant specifically of sexual knowledge and desire. Ironically, as children's plight as workers worsened, adults sought to save them from sex.

European American ideas about the transition from prepubescence to adulthood have also undergone momentous transfiguration in recent decades. For most of recorded European history, there existed a vague period called youth, roughly consistent with what we call adolescence, but defined socially more than biologically. In colonial America as in its European home countries, young men (not women) gained economic independence gradually, in the form of inherited property, familial financial responsibility, and political rights. When their elders deemed them prepared to support a household, youth married and officially became adults.

Sexual knowledge came gradually too, and neither the sacredness of female virginity nor the prohibition on premarital sex was universal. On the American continent during the colonial period, among slaves from West Africa "marriage sanctioned motherhood, not sexual intercourse," and a woman usually married the father of her first child, after the fact. In the Chesapeake Bay Colony, because women and girls were scarce, they enjoyed a certain sexual liberty, as well as suffering considerable sexual exploitation. In Maryland, women wed as young as twelve, and extramarital sex, both wanted and unwanted, was common: before 1750 one in five maidservants gave birth to a bastard child, often the issue of rape by the master. As for the Puritans, their real lives did not always evince the stiff-backed moralism with which their name has become synonymous. Premarital intercourse, though interdicted, could be redeemed by marriage, and as many as a third of New England's brides were pregnant at the altar. Back in Europe, as the curtains opened on the twentieth century and Queen Victoria lay on her deathbed, the idealized child met a radical challenger: Freud. His *Interpretation of Dreams* posited a sexual "instinct" born in the child, incubated in the oedipal passions of family life, and eventually transformed into adult desire, ambition, and creativity, or, if inadequately worked through, into neurotic suffering. A few years later, the man who brought Freud to U.S. shores for the first time defined, and added an enduringly hellish reputation to, a chapter of Freudian sexual development whose biggest hurdle had been feminine: the transfer of clitoral eroticism to the vagina. In a huge eponymous tome, child psychologist G. Stanley Hall coined the term *adolescence* – the state of becoming adult – and it tested all comers. Adolescence was a "long viaticum of ascent," resembling nothing more than one of the hairy scenes from an Indiana Jones movie. "Because his environment is to be far more complex, there is more danger that the youth in his upward progress . . . will backslide," he wrote. "New dangers threaten all sides. It is the most critical stage of life, because failure to mount almost always means retrogression, degeneracy, or fall." Greatest among those dangers was sexual desire.

Freud's theory of the sexually roiling unconscious was a critique of Enlightenment rationality, but he also endorsed a certain rationality as the road to maturity and social order. In their embrace of sexuality as part of human relations at all stages of life, Freud and Hall were renegade Victorians. But they were still Victorians. The father of psychoanalysis normalized youthful sexuality, but he tucked it out of sight during most of the troubling neither-here-nor-there years of prepubescence, in "latency." And Hall, even more than Freud, painted "awakened" adolescent desire as inevitably a source of trouble and pain.

All this history lives on in us: zeitgeists do not displace each other like weather systems on a computerized map. We still invest the child with Romantic innocence: witness John Gray's cherub-bedecked *Children Are from Heaven*. The Victorian fear of the poisonous knowledge of worldly sexuality is still with us; lately it's reemerged in the demonic power we invest in the Internet. Hall's image of teen sexuality as a normal pathology informs child psychology, pedagogy, and parenting: think of "risk behaviors" and "raging hormones."

Since Freud, the sexuality of children and adolescents is officially "natural" and "normal," yet the meanings of these terms are ever in dispute, and the expert advice dispensed in self-help books and parenting columns serves only to lubricate anxiety: Is the child engaging in sex too soon, too much? Is it sex of the wrong kind, with the wrong person, the wrong meaning? Children and teens continue to live out their diverse heritages – African slave, Chesapeake Bay colonist, errant-but-forgiven Puritan. And the modern family is vexed by its Victorian-Freudian inheritance: the self-canceling task of inducting the child into the social world of sexuality and at the same time protecting her from it.

And just as the grimy, glittery realities of young people's lives in the industrialized cities of the nineteenth century clashed with the ideology of cloistered, innocent childhood and its enforcement, events in the twentieth century have tended to pull children and their sexuality in two directions at once. Beginning with the child-protectionist reforms of the Progressive Era, law and ideology have laid stone upon stone in the official wall between childhood and adulthood. At the same time, the century's cultural, political, and economic developments have been bashing away at that wall, most violently at its weakest point, the in-between stage of adolescence. The Depression and World War II pushed teens into the workforce, out on the road, to the battlefield, and into freer sexual arrangements. In the postwar years, the automobile gave them mobility; their newly flush parents and a booming economy gave them spending money. And the mass media gave them knowledge.

By the end of the twentieth century, the traditional landmarks of adult enfranchisement had been scattered into disorder. Marriage can now follow the establishment of a household, a career, and a credit history; the birth of a child can predate all of these. Preteens enroll in college; adults return to school at midlife; young surrogate mothers gestate babies for women who want to start families after their reproductive years are past. Many grown-ups live single and childless all their lives.

As the plots of late-modern life read more like postmodernist "texts" than like nineteenth-century novels, the characters of Child and Adult become harder to distinguish from one another. While remaining utterly dependent in many ways, children worldwide share in every aspect of the work and play of the great communities of adults – labor and commerce, entertainment, crime, warfare, marriage, and sex.

Though we locate them in a separate political category, a medical and psychological speciality, a social subculture, and a market niche, children in the twenty-first century may be more like adults than they have been since the seventeenth century.

### **Is Sex Harmful?**

The child is father to the man; the man, to the child. Our ambivalence about children and about our role in their lives is old and deep. "Christianity worships its god as a baby in a manger, but the Christian moral tradition also held, simultaneously, the inherent sinfulness of children," writes Marina Warner in her eloquent "Little Angels, Little Monsters."

Modern efforts to protect the idealized child while squashing the sinner, all to produce a decent adult, resemble in their solicitude and their cruelty the footbinder's techniques of enhancing the beauty of the woman by stunting the graceful foot of the girl. Current youth policy and parenting advice teeter between high-anxiety child protection and high-anger child punishment. It would appear that children are fragilely innocent until the moment they step over some line, at which point they become instantly, irredeemably wicked. One striking pair of contradictory trends: as we raise the age of consent for sex, we lower the age at which a wrongdoing child may be tried and sentenced as an adult criminal. Both, needless to say, are "in the best interests" of the child and society.

What are the best interests of the child? Politician and public-health doctor, pastor and pundit disagree on the practical strategies and tactics of ensuring those interests, because Americans disagree vastly at the question's heart: what is good, in its broadest definition, not only for children but for everyone? Childhood, as we've seen, is historical and cultural, which makes it ideological too: it is, in addition to being a physical phenomenon, an idea constructed on the spine of moral beliefs. Childhood is historical, cultural, and moral, just like sex. And so the questions of child sexuality are moral questions.

What questions regarding child and teen sex have preoccupied Americans over the past two centuries? Mainly, *whether* and *when*. And what are the answers? *No* and *later*, when they are married or at least "mature." The manifest popular support for abstinence masks discord below the pollsters' radars, though: even when the answers are similar, the moral underpinnings may not be. Most adults want to save young people the pain and possible harms of sex. But some feel that the risks outstrip almost all young people's abilities to contend with them; and others just think sex is wrong unless the person is of legal majority, heterosexual, and married.

In any case, *whether* and *when* are not the questions that this book engages, except insofar as it explores the meaning of Americans' obsession with these questions and the ways in which they delimit our understanding of sexuality and children's relationship to it. Lest you consider my approach peculiar or irresponsible, I remind you that in Western Europe *whether* and *when* aren't the burning questions either. Sex education in those countries begins with the assumption that young people will carry on a number of sexual relationships during their teen years and initiate sex play short of intercourse long before that (which they do) and that sexual expression is a healthy and happy part of growing up. The goal of sex ed, which grows out of a generally more relaxed attitude toward sexuality, is to make sure that this sexual expression is healthy and happy, by teaching children and teens the values of responsibility and the techniques of safety and even of pleasure. Abstinence is not emphasized in European classrooms, if it's discussed at all.

I don't mean to imply that if adults would just quit trying to suppress youthful sex, everything would be hunky-dory in American teens' bedrooms and automobile backseats. Homophobia and misogyny are as robust in the suburban middle-school hallway as in Jesse Helms's office or a gangsta' rap studio; dating violence is rampant. In part because of this youthful bigotry, anecdotal evidence indicates that many kids, especially girls, are having sex they don't want or do not enjoy. Four million teenagers are infected with sexually transmitted diseases each year, and half of the forty thousand new HIV infections a year are in people under twenty-five. And while AIDS deaths are dropping in general in the United States, since 1993 the disease has been the leading cause of death among people twenty-five to forty-four. Sex among America's youths, like sex among its adults, is too often neither gender-egalitarian, nor pleasurable, nor safe. This book will argue that current psychological, legal, and educational practices exacerbate rather than mitigate this depressing state of affairs.

*Harmful to Minors* says sex is not in itself harmful to minors. Rather, the real potential for harm lies in the circumstances under which some children and teens have sex, circumstances that predispose them to what the public-health people call "unwanted outcomes," such as unwanted pregnancy and sexually transmitted diseases, not to mention what I'd also consider an unwanted outcome: plain old bad sex.

Not surprisingly, these are the same conditions that set children up to suffer many other miseries. Some, such as the denial or degradation of female and gay desire, may express themselves differently in different economic classes and social locations, but they strike everywhere. Others are unequal-opportunity afflictors. More than 80 percent of teen mothers come from poor homes. A hugely disproportionate number of youngsters with AIDS are African Americans and Hispanics: Although these two groups make up only about a quarter of the general U.S. population, they account for 56 percent of adolescent males with the disease and 82 percent of females. And nearly a third of black, gay urban men in their twenties are HIV-positive. Even incest is correlated with poverty and the family chaos that is woven closely with it: a child whose parents bring in less than fifteen thousand dollars a year is eighteen times more likely to be sexually abused at home than one from a family with an income above thirty thousand dollars.

It is these unhappy conditions, and not the desire for physical intimacy, not child pornographers or abortions, not even the monstrous human immunodeficiency virus, that leave a young person with her defenses down, loitering in harm's way. Poor people aren't less moral than rich people. But poverty, like sex, is a phenomenon rooted in moral priorities, a result of deliberate fiscal and social policies that obstruct the fair distribution of health, education, and wealth in a wealthy country. The result, often, is an unfair distribution of sexual health and happiness, too.



Sex is a moral issue. But it is neither a different nor a greater moral issue than many other aspects of human interaction. Sex is not a separate category of life; it should not be regarded as a separate category of art, education, politics, or commerce, or of emotional harm or benefit. Child or teen sex can be moral or immoral. And so can our treatment of the children and teens who desire it and act on that desire.

*Harmful to Minors* launches from two negatives: sex is not ipso facto harmful to minors; and America's drive to protect kids from sex is protecting them from nothing. Instead, often it is harming them.

But the book aspires to the positive too. It is based on the premise that sex, meaning touching and talking and fantasizing for bodily pleasure, is a valuable and crucial part of growing up, from earliest childhood on. I'd even submit that the goodness of pleasure is an all-American value. Let's face it, a country that produced rock 'n' roll music and the double-fudge brownie is a pleasure-loving place. *Life, liberty, and the pursuit of happiness*: the founding fathers considered happiness so important, they made it a principle of Americanism. Part of that happiness is sexual happiness. Even Christian fundamentalists, who often seem intent on pooping everybody else's party, have produced a large, lively literature of sexual – or, as they call it, marital – advice.

For better or worse, American culture places a lot of value on sex – *a lot*. But if sexual expertise is expected of adults, the rudiments must be taught to children. If educators want to be credible about sexual responsibility, they have to be forthright about sexual joy. If parents want their kids to be happy now and later, it is their duty, and should be their delight, to help them learn to love well, which is to say respectfully of others and themselves, skillfully in body and heart, morally as lovers, friends, and citizens.

For our part, adults owe children not only protection and a schooling in safety but also the entitlement to pleasure.