

EASA CONFERENCE 2010 – Crisis and imagination
Maynooth, Ireland
24-27th August 2010

Workshop 48 – Violence, personhood and emotions

Paper: “All Against Pedophilia”
Representation, denunciation and sensitizing strategies

Laura Lowenkron¹

Against all evil, day and night we fight,
From harm freeing the sacred family.
(Excerpt from the federal police anthem)

On 20 December 2007, the Federal Police, in partnership with Interpol, started ‘Operation Carousel’ to combat child pornography on the web. This was the first international operation against “pedophilia on the Internet” planned and executed under the command of the Brazilian Federal Police. The operation is an appropriate starting point for the paper since it prompted the establishment of a **Parliamentary Inquiry Committee on Pedophilia (‘PIC Pedophilia’)**, in the Brazilian Senate, and for me, marked the beginning of my PhD project.

The general aim of my research is to build an understanding of the construction of “pedophilia” as a "social problem" and a “political cause” in recent years. At the very beginning of my PhD project, when I was searching for fruitful ethnographic strategies for this research, I came across a news item about Operation Carousel. Reading the article, I realized the importance of the work of the Federal Police since it is through police investigations that [the so-called] “networks of pedophilia on the Internet” are traced and unveiled to the public.

In the same period, the Brazilian Senator Magno Malta submitted a request to the senate for the creation of a Parliamentary Inquiry Committee “to investigate the use of Internet for ‘pedophilia’ crimes”. One of the legal requirements for the creation of a Parliamentary Inquiry Committee, in Brazil, is the existence of a “determined fact” (§ 3^o, art. 58, Brazilian Federal Constitution/1988). Operation Carousel in effect paved the way for the creation of the **PIC Pedophilia**, a fact made evident in the committee’s official justification:

¹ PhD student – Social Anthropology – Museu Nacional, Federal University of Rio de Janeiro (UFRJ), Brazil.

As a result of the referred operation, images and information will be made public and will, certainly, shock Brazilian society. These will, however, not only provide the necessary evidence to attract the attention of governmental agencies in order to improve legislation, but also the means to educate and forewarn society about the sordid practice of pedophilia.

The fact that a police operation into "pornography on the Internet" is the precondition for a committee of inquiry into pedophilia highlights a common overlap, or confusion, in public discourses between "pedophilia" and "child pornography". In order to understand the prevailing use of the label "pedophilia" to refer to child pornography on the Internet, it is important to place its use amongst a conjunction of enunciations and practices that construct the figure of an enemy to be pursued: the pedophile.

In this paper, I analyze part of the data collected during my fieldwork within the Brazilian senate's inquiry into Pedophilia, and in the Brazilian Federal Police Department. I aim to illustrate some of the mechanisms and effects of this 'anti-pedophilia crusade' (as it was defined by senator Magno Malta, one of the Evangelical Church's representatives in the Senate²) in the Brazilian political context.

The strategies of both organs will be analyzed insofar as they, together, produce a "cause" (by means of politicization and criminalization) and rally collective engagement around that "cause". The idea is account for both the specificity of each of these organs, and the ways they interconnect. And, in the process, to pay attention to the way denunciations are constructed and their unfolding, a dynamic that appears central to the making of a "cause" and collective engagement around it (Boltanski, 1984 e 1993).

The Parliamentary Inquiry Committee on Pedophilia: an emotive public arena

When I interviewed Senator Magno Malta, chairman of the **Parliamentary Inquiry Committee on Pedophilia**, he told me details of his lobbying support to guarantee the establishment of the commission, and I quote his words (here translated):

When I decided to set up this Committee and started to collect support signatures from other senators, many of them refused to sign on, they would say it (pedophilia) did not exist, or that it was rare, that a case was heard of now and then (...). But the Federal Office of Public Prosecutors had sent me images,

² Apart from party political affiliation, some Brazilian parliamentarians also form semi-formal alliances based on common agendas; for example the evangelical representatives together counter the legalization of abortion, civil unions between same sex persons and the criminalization of homophobia. Sharing this agenda, Magno Malta has also been active combatant of organized crime and drug trafficking. Indeed, in a former mandate - before heading up the committee on pedophilia - he was chairman of the parliamentary inquiry committee on drug trafficking, in 1991.

one of which, the last one, was particularly shocking, and it had helped me come to a definite decision. It showed a 70-year-old man having sexual intercourse with a 4-year-old child. So, I would go into my colleagues' offices, I would talk them into signing the request for the creation of the Committee, and whenever I heard a refusal, I would show them that image. They were despairing, because all of them are parents themselves. So it's a case of 'Out of sight, out of mind', but if you see it before your eyes, then you are moved. They would despair and I would say, 'I'll show you what a monster is'.

Throughout the interview, the Senator attributed his political engagement and endeavor to create the **Committee on Pedophilia** to the excruciating distress he experienced when he was exposed to the facts and, above all, to the images of children being sexually abused. Underscoring his emotional response as the determining factor for his commitment to the “struggle against pedophilia”, Magno Malta points out that such endeavor is motivated by neither personal nor political interests, but by his deep, sincere and generous compassion for all abused children.

It is not my intention here to evaluate the authenticity of the Senator's emotions or the motives for his political engagement with the “cause”. My aim is to introduce a question that seems to me to be fundamental to the consideration of political discussions about childhood in general, and sexual abuse against children, in particular: the fact that these discussions are situated in a political field in which the expression of feelings is a moral obligation (Mauss, 1980)³ and also the display of a “disinterested interest” (altruism), in Bourdieu's (1996) terms.

Frequently the chairman of the Committee restates this quality of disinterestedness as distinguishing this parliamentary inquiry, based on communal interests, from other ones which are based on specific and partisan political agendas. The **Committee on Pedophilia**, he emphasizes, is neither a one-party Parliamentary Inquiry Committee, nor a political dispute. Instead, it is demanded by society as a whole, by children and families. According to Senator Demóstenes Torres, a member of the **Parliamentary Inquiry into Pedophilia**, “Being an all-party committee, this Committee harnesses the goodwill of parliamentarians from all sides, it has no opposition, it does not speak on behalf of the Government, and it has no underlying political interests”.

Nonetheless, it cannot be ignored, (and politicians are sensible of this) that “childhood” and particularly, injustices perpetrated against children, constitute a fertile and profitable political field for those who succeed in emerging as legitimate

³ The author was a pioneer in drawing attention to the social and ritual dimensions of the expression of emotions which had been taken as merely natural and spontaneous.

representatives of the struggle against such injustices. However, displaying one's disinterest and altruism convincingly is the prerequisite to accessing such symbolic profit. It is also important to highlight that the awareness of profit does not devalue politician's engagement in a "cause". On the contrary, the fact that virtue breeds profit has been one of the foremost motors for virtue throughout history (Bourdieu, 1996:154).

So far, I have highlighted how important it was for Senator Magno Malta to display his emotions in order to construct the necessary disinterested and altruistic engagement to claim his position as the legitimate spokesperson of the "cause". Another fundamental element to vindicate such legitimacy was his capacity to mobilize other senators' interest⁴. No sooner had the request for the creation of the **Parliamentary Inquiry Committee on Pedophilia** been drafted than the necessary support signatures were collected. In order to achieve his goal, i.e. to harness massive support from other parliamentarians, the Senator had to ignite a process of "emotional contagion" (Boltanski, 1993: 123).

According to Magno Malta, having seen the image of a 70-year-old man having sexual intercourse with a 4-year-old child was crucial in his decision to find support to install the **Parliamentary Inquiry into Pedophilia**. The image had been a decisive factor for him to move from compassion to indignation, converting personal suffering into collective suffering, and thereafter, into public denunciation, a process described by Boltanski, in his book *La souffrance a distance: morale humanitaire, médias et politique* (1993). Indignation oriented towards the culprit develops into denunciation, originating an inquiry (Boltanski, 1993: 101). With this, the focus of attention shifts from the victim (the "abused child"), who arouses compassion, to the "pedophile", who provokes hatred. According to the senator:

Sometimes what you feel is not indignation, but actual hatred. I cannot hide that. I am a Christian. (...) but over the last 14 months I've been at odds with God because I don't believe in the recovery of this sort of person (...). They are compulsive, ignominious, insatiable. You know? One cannot deny what one feels. You cannot incite violence, but when you see the image of a father molesting a baby in its cradle, your desire is that he should die. (Senator Magno Malta, in an interview)

⁴ As suggested in Bourdieu (1991: 190), "The power of the ideas that he [the spokesperson] proposes is measured not, as in the domain of science, by their truth-value (even if they owe part of their power to his capacity to convince people that he is in possession of the truth), but by the power of mobilization that they contain, in other words, by the power of the group that recognizes them, even if only by its silence or the absence of any refutation - a power that the group can demonstrate by registering its different voices or assembling them all together in the same space".

The efficacy of ‘aesthetic sensitization’ – the capacity of an image to incite horror - increases the younger the child and the more violent the sex scene. Images of the rape of babies or of young children involved in sexual intercourse with adults are particularly efficacious tools, ones which the Senator frequently uses in his sensitizing strategy. Not only does the chairman describe the images (which cannot be shown in public) during the committee’s public hearings, but he also displays them to those he intends to mobilize: judges, representatives of Internet providers and telephone companies, senators, congressmen, and even the President of Brazil. The powerful impact of the images seems to enthuse the senator, reinforcing the efficacy of his sensitizing strategy:

*I went to São Paulo’s Court of Justice, and talked to about 50 Appellate Court Judges, all of them mature adults, many of them with grand-children, but when I displayed the third image, well I never thought I would see anything like it: 50 grown-ups literally crying, desperate. Suddenly one of them speaks up on behalf of the others, saying: ‘This Court of Appeal shall not issue Court Orders in favor of ‘pedophiles’, and that’s definite. (Magno Malta, at a public hearing, during the **PIC Pedophilia**, 06/17/08).*

He adds to this his determination to travel the whole of Brazil, talking to all Appellate Judges, including those of the Supreme Court.

The point I am trying to make is that the scene of 50 Appellate Judges crying, described by M. Malta, has a significant moral effect on the audience of the **PIC Pedophilia**’s public hearing, proving that the images are so shocking that they will make powerful, mature men drop into tears. In large part this impact draws from the fact that the image subverts social expectations concerning the display of emotions, in relation to the gender and social position of those moved to tears. The scene thus adds force to the politicized ‘pedagogy of emotions’ guided by the chairman of the **PIC Pedophilia**.

The Senator argues that the images not only work as a shock device, but also to raise people’s awareness of “the reality of pedophilia”. He says,

When one thinks about ‘pedophilia’, one imagines an adult man having sex with a 13 or 14-year-old girl. One will never conjure a scene with a one-year-old girl or a boy, or a 6-month baby, or a 3-year-old child having sex with two men. Or father doing that to his own child. Or a priest abusing a child or a pediatrician raping a 22-day-old baby with his own mouth. (Senator Magno Malta, in an interview)

The importance of the repertoire of monstrous aberrations constantly mentioned in the committee rests less on each of the individual cases the panel denounces, than on the

fact that those cases exemplify a more general problem, building the support for a political “cause” and a process of public denunciation (Boltanski, 1993: 27-28).

It is necessary to clarify in which terms the category “pedophilia” appears in the committee’s discourse, a definition that is not to be taken for granted. The committee mean pedophilia to be sexual crimes committed against children and adolescents (especially, those perpetrated through the Internet), and not, for example, the original medical-psychiatric sense of the term. Officially, in Brazil, the penal category “pedophilia” does not exist but the word is used in public discourse as an umbrella term to refer to various crimes (rape of “vulnerable”; production, circulation and possession of child pornography; sexual exploitation of children etc).

In their speeches the senators refer to “pedophilia” as a “crime”, an “aberration”, an “addiction”, or “blight”. As for the “pedophile”, he is described as a “compulsive”, “insatiable” “damned criminal”, and a “monster”. Explaining his pedophilia mathematics, Senator Magno Malta, says, ‘...to me, “pedophilia” is 5% disease and 95% filthiness’. He goes on to add, ‘an adult who abuses a child because of his lasciviousness, will not pass for insane. He is a criminal and should go to jail’. In other words, more than a sickness, by definition curable, “pedophilia” is seen as a permanent and irreversible abnormal condition. (Foucault, 2002)⁵.

Once confronted with this “reality of pedophilia”, built from cases and images, the observer of this “spectacle of suffering” seems to have no other alternative than to enlist in the “cause”, since, as suggested in Boltanski (1993: 38-39), by omitting to join up one might be accused of (or accuse oneself) of passive responsibility, indifference, or even, of leniency with the one who caused such pain to the “abused children”, in other words, complicity with the “pedophile”. In that respect, I was told in private that most parliamentarians feel morally coerced to approve the bills proposed by the committee, since they fear appearing opposed to the ‘cause’ should they propose any restriction to the projects.

The second sensitizing strategy implemented by M. Malta to mobilize followers was to connect with the senators’ “parenthood”. As a powerful ideological construct that prescribes and inscribes on subjects compulsory affects, the “family” works as an effective catalyst to emotion. The rhetoric of “parental feeling” comes into play over and over again, revealing the efficacy of the languages of kinship and love in this

⁵ The author does not refer to XXI century’s pedophiles, but to the XIX century’s degenerate.

particular field of political discussions. According to M.Malta, chairman of the **PIC Pedophilia**, “we need society to be with us, we need the media to be with us, we need them to share our feelings, and we need to put the hearts of fathers and mothers into it, the heart of those who have a family, who have children”.

The **Parliamentary Inquiry Committee on Pedophilia** is composed of seven senators and five deputy-senators, with their respective House assessors, who work together with a permanent team of technical assistants composed of Federal Police officers and forensic criminal experts, members of the Federal and State Offices of Public Prosecutors, and the president of a NGO, *Safernet*, which combats child pornography on the Internet.

The **PIC Pedophilia**'s network connections also include executives in the telecommunications sector (Internet providers and local telephone companies), who were invited to take part both in the public hearings and in the committee's meetings, and who signed 'conduct adjustment terms' (CATs), in which they commit to cooperating with the Brazilian public authorities to combat pedophilia on the Internet. The Senator also refers to the “media” as an important partner in the “crusade against pedophilia”.

Besides having investigative powers exclusive of judicial authorities (§ 3, Art. 58 of FC/88), one of the objectives of the **PIC Pedophilia** is to give visibility to issue, which has been quite successful. The committee's tremendous media appeal owes as much to the issue as it does to Senator M. Malta, chairman of the **PIC**. Together with the importance of mobilizing and gathering “All Against Pedophilia” – title of the nationwide campaign in connection with the **PIC Pedophilia** – the senators believe in the coercive effect of such visibility, as in the words of Senator Geraldo Mesquita, in the **PIC Pedophilia**'s first assembly, “This committee will accomplish, among others, the aim of becoming a huge display window into the fight against pedophilia. We aim to effectively constrain, to inhibit, above all, to constrain, to restrain and, in the near future, to punish (sexual crimes against children)”.

Through media exposure not only the issue of pedophilia, but all those committed to the “crusade” gain visibility, this helps in turn to attract political allies facilitating the approval of public policies and bills. In this way, as much media fascination to the issue as the skill and effort of the Chairman in attracting journalists attention, and thus rallying public opinion, inhibits potential opponents and guarantees the political success of the “cause” and, consequently, the success of his political leadership.

As I have showed, dramatic publicization is important to the political constitution of the PIC but it is nonetheless a dispositive of the legislature and therefore among its outcomes is the proposal of bills that will improve regulation. In this respect, an achievement of utmost importance was the approval of the Bill that altered the Brazilian Child and Adolescent Statute (ECA/90), criminalizing, among other acts, the possession and storage of pornographic material involving minors below the age of 18. It has also stiffened the penalties for crimes related to the production, commercialization and distribution of child pornography.

What enhanced the visibility and the political effects of the new Bill was the fact that it was a direct result of the **PIC Pedophilia**. In Brazil, the media plays an important role in the approval of Criminal Laws, which reveals that the “heat of collective emotion” works as a powerful agent in the legislative process. It is also worth mentioning the importance of the technical staff assisting the **PIC Pedophilia**, composed of police chiefs and prosecutors, whose expertise provide the projects with a solid legal base. Consequently, the projects were not rejected for technical reasons, even if some may disagree with the use of legislative means ultimately, that is, criminal law as a strategy for addressing the problem.

This invites us to look into one last aspect of this **PIC Pedophilia**, which is its focus on criminal law and its direct relationship with police investigations and operations. Back in the first meetings of the committee, Senator M. Malta would say, “we shall be instruments for those who act on the front line in this matter, those who are masters of the investigations, and we shall help them”, referring to the Federal Office of Public Prosecutors and the Federal Police.

As highlighted in the introduction of this work, the starting point for the creation of this **Parliamentary Inquiry Committee** was the Federal Police’s Operation Carousel. The police operation was in general the precondition for the submission by Brazilian Senator Magno Malta of a request to the Senate for the initial creation of the Inquiry Committee, as we saw. The relationship was also essential to define the strategies of the committee’s work. The police chiefs and prosecutors in charge of Operation Carousel were amongst those in a workgroup invited to assist the committee in solving the difficulties faced by both the police and the Federal Office of Public Prosecutors in their fight against child pornography on the Internet. These difficulties owned in large part to gaps in the legislation and to the lack of cooperation on part of Internet providers and telephone companies.

Besides criminalizing the acts of possession and storage of child pornographic material, the committee also made significant progress in relation to the cooperation of Internet providers and telephone companies who agreed to sign 'conduct adjustment terms' (CATs), which determined the duties of international telecommunication companies with branches in Brazil to submit to the demands of the Brazilian authorities, setting deadlines for these terms to be met. The main landmark was the signing by Google of this term, and the subsequent disclosure of the confidential contents of all denounced Orkut albums – an online social networking site [the most widely used in Brazil] linked to Google - which is, according to data provided by the NGO *Safernet*, the main locus of child pornography on the Internet in Brazil, i.e. the *site* with the greatest amount of denunciations.

The authorized breach of confidentiality of all denounced Orkut albums gave rise to a new operation by the federal police, "Operation Turko" (anagram of Orkut) involving 102 search warrants, in 20 states and in the capital city, Brasilia. Operation Turko was a direct consequence of the work of the **Parliamentary Inquiry into Pedophilia** and it was the first operation in which the Federal Police carried out 'red-handed arrests' ('in flagrante delicto') for the new offence of possession of child pornography material.

Once again, the interdependence of the actions of the **PIC Pedophilia** and those of the Federal Police in the combat of "pedophilia on the Internet" is notable. Despite their mutual influence, each of these spheres employs distinct strategies of legitimization and denunciation. So far, I have tried to analyze the strategies used by the **PIC Pedophilia** in terms of the way the issue was politicized, that is, effectively through the construction of public denunciation in order to promote the political "cause". I emphasized the importance of 'emotional contagion' in the production of collective engagement and mobilizing followers for the cause.

As in Boltanski (1984: 4), "the established causes are always associated with groups and we can show that a large number of groups gather around a cause". Therefore, harnessing "All Against Pedophilia" - politicians, state organs, civil organizations, entrepreneurs, the media, "public opinion" etc – the "cause" the committee claims to represent is introduced on behalf of "all good citizens", who gather together against a common enemy.

I will now approach another strategy to combat pedophilia on the Internet, which leads to another form of engagement and public denunciation: the analysis of the procedures of a police investigation.

Police Investigation: Identification of crimes and criminals

During the **PIC Pedophilia**, in Brasilia, I made contact with some of the Federal Police officers taking part in the Committee, who recognized the relevance of my project and who, once I had got permission from federal judges responsible for each relevant inquiry, recommended me to the Federal Police Department of Rio de Janeiro. I was therefore allowed access to the 'Nucleus for the Prevention and Combat of Crimes Against Human Rights on the Internet (NUNET)', where I have been doing my fieldwork since march 2009 alongside police officers who investigate child pornography on the Internet.

Unlike in the investigation undertaken by the **Committee on Pedophilia**, in which the press floodlights are always seen as allies, among the police, the confidentiality of all investigative procedures is considered paramount. The sense that I am circulating in a "secret society" with the risks and commitments that this involves (Simmel, 1974) has been repeatedly reinforced during fieldwork in the Department. Whenever I have any questions regarding police operations not yet reported, one of Federal Police agents at NUNET repeats, in a playful tone: "If I tell you, I'll have to kill you".

At the same time, the Police recognize the importance of publicizing the action of Federal Police through the press and through the **PIC Pedophilia** itself, especially by means of statistics which provide evidence that crime is being fought. "We work with suppression, not for the sole purpose of punishment, but for preventive purposes. We want to make criminals realize that this type of crime does not pay, that they will be identified and punished", sums up the head of the Unit for the Suppression of Cyber Crimes (URCC) in the Central Agency of the Federal Police, in Brasilia.

Another crucial difference between the inquiry conducted by the parliamentarians and the police investigations is that, while for the former, emotion is a core element, for the latter, emotions are detrimental to objective causes. If the political sphere, as we saw, focuses on the expression and the production of compassion and indignation, in

police investigations, attention is turned to the objective world so that the accusation may be firmly based on reality (Boltanski: 1993).

Such coolness can be noted in the reports of the agents who evaluate the images of child pornography about their own different emotional stages. Distressed by the images displayed on my first day of fieldwork, I asked the agents if they did not feel sick looking at those scenes. They said that in the beginning, there is a mixture of curiosity and shock. Then, comes sadness and anger. With time, one gets used to the images and they do not shock you like before, although they admit that this growing indifference is not completely positive. In the words of one of the agents at NUNET:

In the beginning, there is some curiosity. You want to see and then you say: 'my god, Look what they do. This actually exists ... In time everything becomes natural. Not natural, but part of the routine, part of the job. In the third stage, routine starts to make you insensitive; you start to find it natural. And this is bad. When I realized that, I stopped looking, I avoid looking.

Despite the necessary coolness to do their job, it is important for the agents to express some degree of repulsion or, at least, some kind of indifference towards the images, so that they are not accused of "pedophilia" themselves. The NUNET agents comment that they believe that there are a lot of undisclosed "pedophiles": "Many colleagues look at the photos and say. 'Oh, god, that's terrible', but they keep looking, and they seem curious, they seem to like what they see...". Nevertheless, during the investigative stage one must control one's emotions, and silence them to get to the evidence (Boltanski, 1993: 101). To understand the prioritization of facts in detriment of feelings, I now present the stages and procedures of the police investigations into the flow of child pornography on the web.

The purpose of the police inquiry is to investigate the "materiality" and the "authorship" of an alleged criminal act. In other words, collect evidence and identify the culprit. In Brazil, the Child and Adolescent Statute (ECA/1990) stated that crimes perpetrated against children and adolescents will be considered subject to "unconditional public criminal action", so any citizen can and must report to the public authorities any fact related to child pornography. In most cases, the crime is reported anonymously. In addition, the Federal Police may launch an investigation proactively, by monitoring sites on the Internet and online social networks.

Of course, not all denunciations will lead to a full inquiry. Selecting the denunciations worth investigating constitutes a painstaking and thorough task. This is the main role of the two Federal Police Agents that staff NUNET, here referred to as

FPA Alfredo and FPA Richard. It is important, therefore, to examine the criteria these agents use to classify the denouncer and the denunciation, as they evaluate the each case.

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

the expression "explicit or pornographic sex scenes" comprises any situation involving children or adolescents in explicit sexual intercourse, real or simulated, or the display of a child's or an adolescent's genitalia, for ends that are primarily sexual (art. 241-E, ECA/1990).

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

We work real hard on photos of "true abuse". For instance, in an "artistic" photo of a child, the guy can later argue that he finds seven or ten-year old kids' nudity beautiful. There are some stupid parents that do that; they take photos of their naked children and find it beautiful. (...) But the photo of a genitalia, well, that's different ... that is abusive. An "artistic" photo? Ah, a little girl without clothes, but with a hat on.... Okay, it can still be considered "artistic"... Now, when a girl is on her arms and knees, or when she's holding her arms back, or lying in a gynecological position, then we have something characterized as child abuse.

Another key element to characterize "materiality" is to determinate whether the individuals involved in porn scenes are minors, or not. It is important to stress that while the legal text stipulates minority as an objective criteria - "under 18"- it is extremely

difficult and rare to identify the individuals in internet pornography, i.e. there is no way to check their age. In practice therefore, it is not enough for the victims to be minors, they must uncontrovertibly be so. The *stylization*⁶ of bodies and acts is essential to the construction and substantialization of age categories, here in question.

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

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

In many denunciations there are webpages that display girls and young women with lean bodies, small breasts, few curves, fine or no pubic hair, wearing clothes and acting out childlike performances. According to the agent, a closer analysis will tell the difference between the simulated minority and the images that are unquestionably of minors, despite recognizing that it is not always possible to make sure that the young girls are minors or a little over 18 years old.

The aesthetic parameters used by the agents to characterize minors constitute a set of varied elements and require an expertise that comes with time and the practice of analyzing images. Despite that, some of the images are dubious and raise discussions about whether or not there are minors involved in the scene. Asian-descendent girls, for example, are considered by federal agents to be difficult to categorize according to Western age patterns, because they do not have breasts, curves or pubic hair. In case of doubt about the pornographic nature of the scene or the minor status of the people

⁶ Here, *stylization* is understood as in Judith Butler’s formulation: “Gender is the repeated stylization of the body, a set of repeated acts within a highly rigid regulatory frame that congeal over time to produce the appearance of substance, of a natural sort of being” (Butler, 1990: 33). Although the author refers to the performative dimension of gender and not age, their formulations may be appropriate here to consider the construction processes of age categories.

involved, an inquiry is not started. This selection criterion is based on a pragmatic, time saving decision, which leads to prioritize investigations that are more likely to succeed.

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

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

As proposed by Becker (1973), the public accusation is central to the passage of transgressive acts to deviant identities. Thus, as an instrument of prosecution, the police investigation is central to the process of social construction of a “pedophile” as a criminal who is legally responsible for acts that designate an unhealthy or abnormal condition.

Between Monsters and Saviors

In this paper, I analyzed two spaces in which “pedophilia” is constructed as a collective cause: the **PIC Pedophilia** in the Brazilian Federal Senate, and the investigations of the Federal Police of child pornography on the Internet. I tried to show the strategies and the unfolding of the denunciation in each of these spheres and their interconnections. I also tried to demonstrate that the social construction of “monstrosity” and “victimization” is an effect of an emotive discourse or an aesthetic sensitization that incites “pity”, “horror” and/or “hatred”.

As we have seen, while in the committee a denunciation is converted into a political “cause” that unites all against “pedophilia”, in the police investigation, the denunciation becomes a police “case” and aims to produce evidence so that the subject can be charged with a criminal offence. In the political arena, emotional engagement is crucial, whereas in the police investigation, the outraged denouncer must be sidelined to allow for an analysis of the facts and the identification of a culprit.

We have also seen that, in the process of politicization led by the committee, the “pedophile” emerges as a depersonalized figure, a common enemy against whom all “good men” come together. In the process of criminalization, on the other hand, the process is inverted, the generic figure of the “pedophile” is specified, by means of the identification of a “target”, in police jargon, whose acts are subject to prosecution and punishment.

It is also important to notice the differences between the **PIC Pedophilia** and the police inquiry with regard to whom they intend to mobilize. In the Committee, the “spectacle of suffering” is directed to the long-distance spectator: the citizen, the potential voter, thus requiring the mediation of the mass media. In the police inquiry, the denunciation is addressed to the court judge.

Since the methods of prosecution and engagement of the **PIC Pedophilia** and the Federal Police Department may be separated for analytical purposes, I have also tried to stress that, in practice, the strategies and their effects on the social construction of “pedophilia” overlap. Although the aims of the **Parliamentary Inquiry Committee on Pedophilia** go beyond sensitizing public opinion, the panel is also strongly marked by its accusatory accent due to its focus on enforcing and improving the laws relating to the criminalization of pedophilia, as well as for its partnership with the Federal Office of Public Prosecutors and the Federal Police Department described. And, on the other hand, Police investigations are not only based on objective facts, and thus depend on the subjective judgment of the police and of the judges. Moreover, in criminal charges, each individual sentence passed by judges aims at having a general exemplary deterrent and preventive effect.

This being the case, both the committee and Federal Police inquiries have accusatory and sensitizing purposes, and this draws our attention to a final aspect of the social construction of “pedophilia” in these two spheres. As highlighted by Boltanski (1993), the mobilization of public engagement by means of sensitizing strategies turns

the spectator's attention to those 'good men' who bring justice, while denunciation and accusation put the culprit (the "pedophile") in the spotlight.

According to Boltanski (1984: 6), denunciation introduces a system of relations involving four actants: the denouncer (for example, the chairman of the committee), the denounced (the pedophile), the one to whom the denunciation is addressed (the public or the court judge), and the one in whose favor the denunciation is made (the child, all parents, 'good men'). So far, I have analyzed the legitimization of the figure of the denouncer, the construction of a culprit, and the way the public is engaged. To close my analysis, It might be appropriate to ask how a denunciation might protect the one who is being is under threat, i.e. the child.

I pointed out above that it is hardly ever possible to identify the children and adolescents shown in pornographic images on the Internet, the first step to stopping the abuses and protecting the child. There must exist therefore a logic which links the behavior of those who collect and circulate child pornography – those who are the prime targets of the Anti-pedophilia Crusade (given that the abuser/producer is very rarely identified and convicted as a result of image analysis) – and the pain inflicted on the abused child, the subject to be protected by the law that criminalizes child pornography.

The logic used to associate the conduct of those who collect and circulate child pornography to the victim is the following: children are abused and pictures of this abuse are produced in large scale because there is a market for them i.e. people who are sexually aroused by them. My hypothesis is that these criminals are blamed not so much for what they do (share, distribute or acquire, possess, store pictures), but for what their behavior reveals about their desires and sexual fantasies and the dangers⁷ these represent. This perhaps accounts for the blur between the phenomenon of child pornography on the Internet and "pedophilia".

Children and adolescents of various ages (from infancy to puberty) appear in videos and photos in erotic scenes of various kinds: oral, vaginal and anal sex, underage girls doing erotic performances and masturbating, children being abused or raped by adults, several children together interacting sexually, adult men ejaculating on a child's

⁷ Ian Hacking's analysis helps us to understand some of the dangers associated to child pornography: "it is believed that pornography contributes to paedophile practices. Paedophiles buy material, are turned on by it, find their own predilections legitimated by it. They also leave it around when courting children, to give them ideas and get them to see that these acts are 'done'. Hence child pornography actively contributes to child abuse" (Hacking, 1992: 221-222).

face or in a child's genitals etc. Those images trigger mixed feelings, among them pity and horror, in non-pedophile viewers (denouncers and authorities, etc.).

I daresay that, if, on the one hand, pity assigns the status of victim to the child, the child also emerges from the 'horrific scene' somewhat monstrous. Having been dislocated to an erotic territory, the child participates, with the "pedophile", in the pollution of the concept of childhood. It follows that the "anti-pedophilia crusade" rather than protecting the individual victim (which is beyond its capability) protects the concept of childhood.

Both in the **Parliamentary Inquiry Committee on Pedophilia** and in the Federal Police inquiries into child pornography on the Internet there is a systematic obliteration of the victim in favor of the "cause". In both cases, the figure of the "abused child" appears not as a "person", but as an "image" that works as a powerful support for denunciation and sensitization out of which two figures emerge; on the one hand, the "pedophile", and, on the other, the representatives of all "good men," guardians of the ideal of childhood.

References:

BECKER, Howard. *Outsiders: studies in the sociology of deviance*. New York: The Free Press, 1973.

BOLTANSKI, Luc; DARRÉ, Yann; SCHILTZ, Marie-Ange. *La dénonciation*. In: Actes de la recherche en sciences sociales, n°51, mars 1984.

_____. *La Suffrance a Distance: Morale humanitaire, médias et politique*. Paris: Éditions Métailie, 1993.

BOURDIEU, Pierre. "Political Representation: Elements for a Theory of the Political Field." In: *Language and Symbolic Power*. John B Thompson (ed), translated by Gino Raymond and Matthew Adamson. Cambridge: Polity Press, 1991.

_____. "É possível um ato desinteressado?". In: *Razões Práticas: sobre a teoria da ação*. Campinas: Papyrus, 1996.

BUTLER, Judith. *Gender Trouble: Feminism and the Subversion of Identity*. New York, Routledge, 1990.

FOUCAULT, Michel (1975). *Os Anormais*. São Paulo: Martins Fontes, 2002.

HACKING, Ian. “World-making by kind-making: child abuse for example”. In: Mary Douglas & David Hull (ed.). *How classification work* (Essays in honour of Nelson Goodman), Edinburgh University press, 1992.

MAUSS, Marcel. “A expressão obrigatória dos sentimentos”. In: Figueira, Sérvulo (org). *Psicanálise e Ciências Sociais*. Rio de Janeiro: Francisco Alves, 1980.

SIMMEL, Georg. “The sociology of secrecy and of Secret Societies”. In: Tiryakian, E. A. (ed). *On the margin of the visible: sociology, the esoteric and the occult*. New York: John Wiley & Sons, 1974.

Internet sites:

www.senado.gov.br – Brazilian Federal Senate official Website

Legal references:

Brazilian Federal Constitution, 1988 (FC/88).

Brazilian Child and Adolescent Statute, 1990 (ECA/90).

Epigraph:

Federal Police Department (DPF) anthem, 1935.