

Panic

A Guide to the Uses of Fear

[W]e are only episodic conductors of meaning, essentially. We form a mass, living most of the time in a state of panic or haphazardly, above and beyond any meaning.

—Jean Baudrillard, *In the Shadow of the Silent Majorities*

“Moral panic” can be defined broadly as any mass movement that emerges in response to a false, exaggerated, or ill-defined moral threat to society and proposes to address this threat through punitive measures: tougher enforcement, “zero tolerance,” new laws, communal vigilance, violent purges.¹ Witch hunts are classic examples of moral panics in small, tribal, or agrarian communities. McCarthyism is the obvious example of a moral panic fueled by the mass media and tethered to repressive governance.²

The manner in which moral panics operate is the stuff of both archaic and postmodern social forms. Moral panics bear some similarity to what anthropologists used to call “social revitalization movements”: they represent more or less deliberate attempts to reconstruct social relations in the face of some real or perceived threat or against some condition of moral decline and social disrepair.³ Central to the logic of moral panic is the machinery of taboo: nothing, it would seem, incites fear and loathing, and initiates collective censure, more rapidly than the commission of acts deemed forbidden, unclean, or sacrilegious.⁴ Another item from the anthropological curio cabinet seems germane: scapegoating is implicit in the full spectrum of panic’s forms.⁵ Sometimes the person designated as the scapegoat is said to embody the moral threat in some intrinsic fashion. Nineteenth- and early-twentieth-century theories

of degeneration held that some classes, races, or ethnic groups were biologically regressing or declining, and these notions formed the basis for the eugenics movement and ultimately Nazism.⁶ Alternatively, the actions of the designated scapegoat are said to constitute the moral threat—usually in pernicious, conspiratorial, or occult ways.

For as long as I can remember, unidentifiable evildoers, sometimes figured as satanists, supposedly have been spiking Halloween candy with razors or poison. Fear of candy tampering was present at a low level in the 1960s, grew in the 1970s, then exploded in the 1980s, along with other imagined threats to children's safety.⁷ Needless to say, such seldom seen, often imaginary folk devils inspire complicated forms of rage. Manufactured to be tracked, hounded, and pummeled, the scapegoat can also serve as a repository of secret desires, his or her extravagant evil a projection and condensation of widely distributed feelings.⁸

Moral panics generate certain well-known forms of political organization. Self-styled leaders of the movement—"moral entrepreneurs"—convince others that containment, punishment, banishment, or destruction of the person or persons designated as scapegoat will set things right. This is never the case. Moreover, the acute state of fear cultivated by the movement's leaders effaces meaningful distinctions between threats real and imaginary, significant and insignificant. Invariably, then, moral panics tend to escalate.

What Freudians call displacement is a recurring feature of moral panics: panics often express, in an irrational, spectral, or misguided way, other social anxieties. At the turn of the twentieth century, panics around "white slavery" crystallized pervasive anxieties about the economic decline of the Victorian middle class and white skilled workers who were native born. Social reformers fancifully imagined that white women and girls were being kidnapped and forced to sexually service black, brown, and yellow men.⁹ In the 1960s the British press anguished about the socialization of British youth—and thus the future of a Britain recently divested of empire and great power status—in sensationalist reportage on youth subcultures: the Mods versus the Rockers. (In his landmark study of this phenomenon Stanley Cohen popularized the indispensable term *moral panic*.)¹⁰

As these examples suggest, imagination plays a prominent role in panic mongering. The object of panic might be an imaginary threat (the devil, witches) or a real person or group portrayed in an imaginary manner (diabolized Jews, Negro satyrs, plotting homosexuals). And because alarmed social actors give fantasy free rein in the contemplation of so-

cial ills and moral threats, panics can encompass in a single movement any number of forms of dread and loathing. McCarthyism is generally remembered as the “red scare,” but the homosexual purges associated with it lasted longer and wrecked more lives than did the anticommunist witch hunts.¹¹ “Condensation”—the production of amalgamated, blurred, or composite figures in dream work or symptoms of a disturbance—is a perennial trait of moral panic. The objects of collective outbreaks of fear and loathing are complex entities: part real, part imagined; part one thing, part another.

MEDIA PANIC

Social theorists from Georg Simmel to Jean Baudrillard have suggested that panic is implicit in the structure of mass society. Writing at the turn of the last century, Simmel begins with the basic features of contemporary life: modern metropolitan subjects live among strangers and are constantly bombarded by stimulation. Of necessity, they adopt an indifferent, jaded sensibility, a “blasé attitude.” These cool, aloof people in turn crave excitement, intense sensation, and are thus primed for what Todd Gitlin would later call “the media torrent.” The mass media—newspapers, movies, and dime novels of Simmel’s period—provided the requisite sources of sensation. Now, as then, news that shocks, scandalizes, or evokes fear and dread brings temporary relief from the tedium of modern life. However, these stories also quickly lose their power to excite, reinforcing the blasé attitude and stoking the need for ever more extreme forms of stimulation. In the culture of modernity, then, periods of panic will alternate with periods of social rest, and journalism, especially yellow journalism, plays a key part in setting the rhythm.¹²

For Baudrillard, writing in the late twentieth century, panic is rooted in a different sort of paradox: the circuitry of mass communication itself creates a longing for scenes that disturb or frighten. Baudrillard plants his analysis in a late-modern media-saturated world where everyday experience has been rendered increasingly full of simulations such as television shows, video games, online worlds—virtual realities. “When the real is no longer what it used to be,” when reality threatens to disappear entirely behind its simulations, the postmodern subject responds with “an escalation of the true,” “a panic-stricken production of the real”—in no small part through news stories that shock, titillate, or horrify. Sensational news serves as evidence of the real. But this news

too enters the circle of simulation, which feeds more frantic longing, more frustrated desire—more panic—for the disappearing act of the real. Meaning is exhausted. The circle is closed.¹³

Under any scenario mass media are essential to the dynamics of modern moral panics, so much so that Thomas Shevory prefers the term *media panic*.¹⁴ But not all media panics are the same. Fear and confusion propagate faster through radio and television than by way of mass-produced broadsides or flyers; the Internet is a more efficient means of converting anecdote into evidence than was the Hearst newspaper chain. Paul Virilio succinctly describes the implications of the change-over from type to electronic image: “Following the standardization of opinion that came with the nineteenth century, we are now witnessing the sudden synchronization of emotions. . . . Public opinion is supposed to be built up through shared reflection, thanks to the freedom of the press but, equally, to the publishing of critical work. Public emotion, on the contrary, is triggered by reflex with impunity wherever the image holds sway over the word.”¹⁵

Today alarmist stories and sensational journalism play out in real time. As means of communication have speeded up and expanded, panics too have accelerated and intensified. Media conglomerates, institutional actors, and political factions all have a stake in the production and management of certain kinds of fear¹⁶; they provoke panic to sell newspapers, to forge “community,” to curb dissent, or to foster various kinds of social discipline. All these factors tend toward the production of panic as the normal condition in the contemporary United States. And just as mass media create “publics,” media panics tend to forge a certain kind of citizenship and a certain kind of state. When audience-communities become truly alarmed, they demand action, usually repressive action against a perceived enemy. So goes the logic of what Stuart Hall and colleagues have dubbed “authoritarian populism.”¹⁷ Panic, then, has become ever more intricately woven into the basic structure of politics and governance; it is a technique for running political campaigns, staging (in some cases contriving) and addressing social issues, and solving problems in a variety of communicative or administrative domains.

A great many—perhaps all—of the social reform movements since Jimmy Carter’s presidency have taken the form of moral panics. An obvious example is the victims’ rights movement, which promulgates true crime horror stories, advocates harsh criminal penalties, has become a quasi-official branch of law enforcement, and has reshaped judiciary practices across the board. A variant of this approach is em-

bodied in Mothers Against Drunk Driving, an organization founded in 1980 by Candice Lightner after her daughter Cari was killed by a drunk driver. A quick look at the group's methods and aims reveals something of how the logic of moral panic can be applied to genuine, statistically significant problems. MADD draws public attention to the problem of drunk driving by using a communication strategy that puts a human face on highway fatality statistics; the organization succeeded early on at winning passage of the 1984 National Minimum Drinking Age Act, which prodded states to set a legal drinking age of twenty-one. Advocates of this approach point to a decline in fatalities associated with drunk driving after passage of the act, but correlation alone does not establish causation, and statistics from the international Organization for Economic Cooperation and Development do not lend obvious support to the idea that higher legal drinking ages are associated with lower traffic fatalities overall. (In fact, OECD data show that per capita and per vehicle highway fatalities are declining almost everywhere, more rapidly and to much lower levels in many developed countries that have significantly lower drinking ages than the United States.)¹⁸ No doubt MADD's efforts have produced a greater public awareness of the risks involved in drinking and driving that has changed drivers' practices. But many alternative strategies might plausibly contribute to a reduction in traffic fatalities: improving the safety of automobiles, developing mass transit systems, requiring more extensive driver training (presumably to include modules on how alcohol affects driving), or raising the legal age for acquiring a driver's license. In practice, MADD emphasized an approach that played to themes of child imperilment and protection. And in the process what the organization unambiguously accomplished was the retrenchment of a temperance perspective in public life, a redefinition of the rights of adulthood, and an expansion of the domain of childhood.

Threats to child safety are a recurring theme in American public life.¹⁹ During the 2008 Democratic presidential primaries, Hillary Clinton gave her campaign a new lease on life with the "red phone" ad: "It's 3 A.M. and your children are safe and asleep. But there's a phone in the White House and it's ringing." The sociologist Orlando Patterson has suggested that the ad, with its images of "innocent sleeping children and a mother in the middle of the night at risk of mortal danger," has a racist subtext; he compares the ad with scenes of peril from D. W. Griffith's racist epic *Birth of a Nation*.²⁰ Anything that touches upon the protection or socialization of children can serve as the stuff of panic, of course. But

the logic of panic can also be instrumentalized in other, more subtle, ways. When the pharmaceutical giant Merck unveiled Gardasil, its vaccine against the human papilloma virus (HPV), the company was careful to present the new vaccine as a cancer prevention drug, not as a vaccine against a sexually transmitted disease. In the prevailing atmosphere the latter tack would have been tantamount to promoting sexual promiscuity. Instead, Merck's publicity campaign constantly invoked high levels of *male* HPV infection to trump the notion that marital fidelity offered women protection against HPV, which is associated with cervical cancer. In positioning the drug as a protector of girls and young women, Merck used an old story line: virtue, fallen to vice; vulnerable female innocence besmirched by male sexual diseases. Instead of opposing the vaccine, many religious and social conservatives embraced it.²¹

THE FOUCAULT EFFECT IN THE UNITED STATES

Because panics lead to new statutes, organizations, cultural templates, and various durable forms of social organization, their threads are woven into modern social life. Historians have suggested that white fear of violent slave uprisings contributed to the production of a durable culture of fear in the United States. During the eighteenth century, these anxieties were by no means restricted to the South. Fueled during the run-up to the Civil War, these anxieties laid the groundwork for a pervasive culture of *sexual* fear in the South, which was reinforced under Jim Crow.²² Sexual fears, moreover, have underwritten the development of major state institutions. Radical critics of policing have stressed the role that nineteenth-century moral panics around prostitution and vice played in the definition of crime and the development of modern policing.²³

Michel Foucault's *History of Sexuality* provides useful conceptual tools for thinking about moral panics in connection with race and class relations. To paint the picture in broad strokes, Foucault treats the role played by sex in class definitions and class struggles at the outset of European modernity. Aristocratic rulers of the old feudal regime had based their right to rule on kinship, descent, *blood*. In contrast, the rising bourgeoisie contested blood right and asserted its right to rule based on fitness, life force, *vitality*. The nascent class cultivated this vitality in myriad eighteenth- and nineteenth-century hygienic practices, and in those practices two methods repeatedly recur: one involves sexual abstention, prohibition—the repression of sex; the other involves the control, use, and productive disciplining of sex.²⁴

The entrenched bourgeoisie, whose power today derives from its ownership of capital and the domination of capital over every sphere of economic activity, no longer relies on these procedures, but not so the striving middle class. And when bourgeois values cross the Atlantic, they gain an especially durable purchase. Because the United States lacks both an aristocratic tradition and a strong socialist movement, bourgeois values and identities are stamped indelibly everywhere. The white middle class has repeatedly asserted its claim to be the universal class, the class whose values are life sustaining, by keeping vigil against moral lassitude and by undergoing periodic purifications, renewals, and moral renovations. In these undertakings it has occasionally tilted against the “bluebloods,” whose refined tastes and work-free money the middle class equates with sexual decadence, but the main adversaries of the middle class are the nonwhite lower classes (whose profligate sexuality and implicit criminality are held to threaten the social order from without) and white sexual deviants (who threaten the order from within).

The American Left has been no stranger to this middle-class sensibility, which is defined in part by sensitivity to moral and biological threats emanating from the lower classes. Missions of rescue and moral renovation thus have stamped various forms of patrician liberalism and middle-class progressivism. And because U.S. progressives, no less than conservatives, participate in an individualist tradition, liberal activists have tended to see social problems as being rooted in the bad thoughts or bad habits of individuals, not structurally embedded in economic or institutional arrangements. A recurring technique of liberal reformers, then, has been to sound alarms about graphically intense happenings that are statistically uncommon.²⁵

Understood this way, moral panic serves as a recurring form of mass mobilization that has shaped U.S. society in distinctive ways over time. Political responses to perceived moral peril—traditions of moral uplift, temperance movements, rescue missions—necessarily embody a different class orientation than do the sorts of movements that built social democracy in Europe or leftist populism in Latin America: trade unionism, farmer-labor alliances, and social-democratic parties based in these movements. Movements of the former type aim to improve the lower classes from without, to imbue the dangerous orders with middle-class virtues; these movements eschew structural analyses in favor of moral pieties or draconian penalties. In contrast, socialist movements, when they are truest to their aims, tilt not against moral but *economic* crisis. They aim not to rescue society’s most vulnerable from bad practices

but to bring a class to power and to change the logic of the social and economic system.

Control, containment, or betterment of the lower orders is a recurring feature of panic politics in the United States. Yet another option is always possible. Whenever a race/class group perceives itself as being in crisis or in decline, its members can seek to revitalize or renovate themselves by applying the reconstructive logic of moral panic within their own communities. This too has been a recurring feature of American social life, with its periodic rediscoveries of the devil, satanism, and witchcraft in our midst, its episodic waves of revival, awakening, and reform.²⁶ The white middle classes have repeatedly reinvented themselves in this manner.

SEX PANIC AND SOME PROBLEMS WITH THE CONCEPT

In a 1985 essay on moral panics around sex, the gay studies historian Jeffrey Weeks sums up crucial points: “Sexuality is a fertile source of moral panic, arousing intimate questions about personal identity, and touching on crucial social boundaries. The erotic acts as a crossover point for a number of tensions whose origins lie elsewhere: of class, gender, and racial location, of intergenerational conflict, moral acceptability and medical definition. This is what makes sex a particular site of ethical and political concern—and of fear and loathing.” Tracing the rise of the New Right and the explosion of the AIDS crisis, Weeks goes on to sketch how scientists, physicians, legislators, and religious authorities have stoked one kind of sexual anxiety or another to reshape social relations. “The history of the last two hundred years or so has been punctuated by a series of panics around sexuality—over childhood sexuality, prostitution, homosexuality, public decency, venereal diseases, genital herpes, pornography—which have often grown out of or merged into a generalized social anxiety.”²⁷

Problems no doubt arise with the concept of sex panic, as with any ideal type or heuristic device that attempts to frame disparate social happenings. Bruce Burgett has suggested that loose use of the term *sex panic* trades in a certain view of society as an “organic whole” that is subject to periodic perturbations and crises. The term tends to assume what actually needs to be demonstrated: the existence of a shared emotional response linking variously involved participants.²⁸ The point is well taken that a one-size-fits-all approach entails distortions. Some events associated with panic occur in the mass media (newspapers, television), others

among highly organized groups (specialists, watchdog groups, political organizations), yet others in communities of various sorts (neighborhoods, viewing or reading audiences, general publics). The linkages among these sectors take different shapes in different types of social agitations, and the intensity with which dread propagates is also variable.

But I want to underscore a different point: the notion of moral or sexual panic is not inherently more problematic than that of economic panic. In the sorts of events described by either term, acute anxieties need not be uniformly or universally distributed to make their effects widely felt; they need only be sufficiently distributed among relevant social actors or well-placed institutional actors. Acute anxieties need not even be the “trigger” of precipitous events. During an economic panic holders or managers of stocks, bank notes, debt, or other forms of property initiate a disorderly sell-off based on the belief (which might be panicked or calculated, accurate or inaccurate) that others have been spooked by market conditions and will act to rid themselves of properties whose values are in decline. Actions by some prod responses by others. The ensuing crisis might or might not involve members of the wider public in bank runs, stock dumping, or hoarding. Either way, what is most spectral or speculative about economic panics is also what is most real about them: recourse to a common body of assumptions—to playbooks for how economic actors make decisions under certain kinds of conditions.

Actors in sex panics similarly make suppositions about the responses of others to certain events, representations, or arguments. The crucial links here are not mysterious nor do they require elaborate psychological models to explain them. When politicians draft new laws in response to sensational sex crime reportage, they act on the belief that a broad public’s voting behavior either is or will be influenced by such and such events in such and such ways. Agitators, likewise, make certain assumptions about the reactions of others and attempt to reinforce the imagined reactions. In the give-and-take of action and reaction, the dynamics of moral panic are often less spontaneous than are outbursts of economic jitters. In her examination of local moral panics around sex education in U.S. schools, Janice M. Irvine shows how dire scenarios and inflammatory rhetoric serve to “heat up the climate, mobilize citizens, and draw attention to an issue”—that is, to pressure politicians, police, and others to respond to demands for action. In her reading, moral entrepreneurs work from a combination of set emotional scripts and conservative social norms to stage ritualized displays of anger and

disgust. Public emotionality in these events represents neither mindless chaos nor psychological meltdown; it is a communication strategy, a normative behavior, and a form of moral suasion.²⁹

The question is not whether an abstract, hypothetical “we” feel terror, either in individual or collective psyches. (Since panics reinforce only certain emotional patterns and social norms to the exclusion of others, it seems more accurate to say that a sense of community and its ways of feeling are the products rather than the sources of panic.) Nor is it a question of whether emotions on public display are authentic or contrived. (No doubt they represent a bit of both—with a certain energy produced by the rapid shuttling between the one mode and the other.) The point is that panic exists less within people than between them. Panic brings into being an organizational structure, a movement whose leaders grab headlines and build political clout by magnifying threats and advocating punitive measures. Not everyone need be involved in the production of panic narratives and the consumption of panic effects. All that is required is the interaction of various kinds of social and institutional actors to certain ends. Jeffrey Weeks describes the recurring elements, the general structure:

The mechanics of a moral panic are well known: the definition of a threat in [an] . . . event (a youthful “riot,” a sexual scandal); the stereotyping of the main characters in the mass media as particular species of monsters (the prostitute as “fallen woman,” the pedophile as “child molester”); a spiraling escalation of the perceived threat, leading to a taking up of absolutist positions and the manning of the moral barricades; the emergence of an imaginary solution—in tougher laws, moral isolation, a symbolic court action; followed by the subsidence of the anxiety, with its victims left to endure the new proscriptions, social climate or legal penalties.³⁰

SEX PANICS OF THE MID-TWENTIETH CENTURY

Estelle Freedman’s 1987 essay on the emergence of the “sexual psychopath” as a figure in American popular, psychiatric, and legal cultures aptly illustrates the multilateral relationships among the mass media, law enforcement, citizens’ groups, lawmakers, and established professions in moral panics around sex.³¹ Retracing some of the links she establishes is worthwhile, as these connect past forms to current trends.

Fritz Lang’s 1931 German film, *M*, in which Peter Lorre was cast as a compulsive child-murderer, stoked in the United States a popular interest in sensational reportage on sex crimes, especially murderous sex crimes against children. Thus was born the modern sex fiend. By 1937

the *New York Times*—whose writers were initially reluctant to wade into this journalistic swamp—had created a hitherto nonexistent index category, “sex crimes,” to cover the 143 articles it published on the subject that year. That same year, FBI director J. Edgar Hoover called for “war on the sex criminal,” asserting that “the sex fiend . . . has become a sinister threat to the safety of American childhood and womanhood.” During the 1930s and again after World War Two, newspapers and magazines fanned imaginary brush fires of sex crime. In 1947, Hoover asserted, “the most rapidly increasing type of crime is that perpetrated by degenerate sex offenders” and went on to call for public mobilization. “Should wild beasts break out of circus cages, the whole city would be mobilized instantly. But depraved human beings, more savage than beasts, are permitted to rove America almost at will.” Alarms were sounded in *American Magazine* (“Is Your Daughter Safe?” July 1947), *Colliers* (“The City That DOES Something about Sex Crimes,” January 21, 1950), *Parents’ Magazine* (“What Shall We Do about Sex Offenders?” August 1950), and many other sources.³²

Local newspapers intensified their coverage of sex crimes. In his account of a mid-1950s sex-crime panic in Iowa, the journalist Neil Miller describes how the “otherwise staid” *Sioux City Journal* “offered a drum-beat of headlines” that played on fears of child kidnappings and child murders: “Link Man Held in Hunt for Boy to Sex Cases” (September 11, 1954; Sioux City); “Whole Town Hunts Boy, 4” (October 19, 1954; Powers Lake, N.D.); “Girl Murdered by Sex Maniac” (November 6, 1954; Norwood, Mass.); “Find Missing Girl’s Blouse: Aunt Identifies Stained Garment; Uncle Mum” (November 21, 1954; Lebanon, Mo.); “Nab Suspect in Kidnapping of Youth . . . Jobless Man Admits Crime” (January 10, 1955; Freehold, N.J.); “Rapes and Kills Brother’s Wife and Baby” (July 13, 1955; Jamestown, N.Y.). The newspaper demanded a crackdown: “Sioux city must be made the most feared town in America for the sex deviate” (July 12, 1955). An editorial cartoon depicted a small boy and girl walking through a jungle labeled “Our Cities.” A threatening panther labeled “Human Depravity” and a giant snake labeled “Sex Perverts” obstructed their path. The cartoon’s caption read “Civilized Jungle.”³³

Publicity bred action: arrest rates undoubtedly rose—not for the horrendous acts given prominent media coverage but mostly for assorted sexual offenses of a consensual, nonviolent, or less violent nature.³⁴ Despite the skepticism of many psychiatrists, new statutes were passed, and the “sexual psychopath” became the shared province of law enforcement and psychiatry. The new sexual psychopath laws built on

Progressive era legislation, which had created separate facilities for “mentally defective” prisoners in some states. During the first wave of sex panics, between 1935 and 1939, five states passed sexual psychopath laws; during the second wave, between 1947 and 1955, twenty-one more states and the District of Columbia passed these statutes. By the 1960s thirty states had passed such laws.³⁵

Child rape and murder figured prominently in public discussions of sex offenses. These extreme events triggered mob attacks and the organization of citizens’ groups or children’s protective associations in a number of cities and towns.³⁶ They also stimulated wider preemptive measures. The rationale offered for sexual psychopath laws often stressed liberal aims: treatment, not punishment. But because every sex offender was viewed as posing the threat of violence, nonviolent offenders charged with sodomy and exhibitionism could also be incarcerated under sexual psychopath laws. Thus a connection between homosexuality and child murder was drawn; various psychiatric professionals, journalists, law enforcement officials, and popular writers explicitly equated homosexuality with sexual psychopathology and violence, either seizing upon isolated incidents or conjuring stereotypes about the seduction of innocents by oversexed perverts.³⁷ A *Newsweek* article began thus: “The sex pervert, whether a homosexual, an exhibitionist, or even a dangerous sadist, is too often regarded as merely a ‘queer’ person who never hurts anyone but himself. Then the mangled form of some victim focuses public attention on the degenerate’s work.” *Time*, in contrast, actually cautioned against conflation and urged calm, noting that statistics show that “progression from minor to major sex crimes is exceptional”; “only an estimated 5% of convicted sex offenders have committed crimes of violence.” Later, presenting the results of a California study, the magazine acknowledged the difficulty in determining the scope and prevalence of sex crimes, since “most sexual acts which violate California’s penal code are done in private by ‘mutually consenting’ adults.” But *Time* then ambiguously noted that offenders “rarely repeat their offenses” after treatment—“except for homosexuals.”³⁸

In some cities media stories about child molestation and sexual deviation prompted roundups of known homosexuals; Neil Miller recounts the 1955 roundup and “treatment” of twenty gay men in Sioux City and surrounding towns after the murder of two children. John Gerassi describes how a male prostitution scandal in Idaho ballooned into a full-scale moral panic that same year; none of the fifteen gay men convicted in the ensuing witch hunt had used force, and some had vio-

lated the law only with other consenting adults.³⁹ The stakes were high in these outbreaks of hysterical homophobia. Long-standing sodomy laws prescribed lengthy prison sentences for men convicted of homosexual intercourse with a consenting adult: up to a year in New York, twenty years or more in fifteen states, and a life sentence in Georgia and Nevada. And broad new sexual psychopath statutes allowed lifetime psychiatric commitment for consensual adult same-sex acts, if the offender's desires were deemed uncontrollable. Treatment for sex offenders included group therapy, drug regimens, electroshock, and frontal lobotomy.⁴⁰

Eventually, sex panics of the 1940s and 1950s subsided. McCarthyism ended, and the sexual and due process revolutions of the 1960s began. Catchall notions of sexual psychopathology were deemphasized or disaggregated, and some states retired the legal category of "criminal sexual psychopath." As part of a general revision of social boundaries around "normal" and "abnormal" sex, the slow process of decriminalizing consensual same-sex acts began. The Kinsey reports, first published in 1948 and 1953, served as important touchstones of this liberalization process, as did the American Law Institute's Model Penal Code, which was formally adopted by the institute in 1962. Sex, in a word, changed, and so did American culture.⁴¹

Still, sex panics of the mid-twentieth century left a lasting mark on American culture. First, they distilled an amorphous journalistic and legal category, "sex crime." Sex crimes can include such disparate acts as rape, child rape, statutory rape, fondling, a variety of noncoercive acts between adults and minors of various ages, public exposure, consensual sex between adults in a secluded section of a park, public urination, and—until recently—"sodomy." The vagueness of the concept, sex crime, which covers felonies and misdemeanors, facilitates the constant erasure of meaningful distinctions between violent and nonviolent acts, between acts that cause genuine harm and those that are merely socially disapproved.⁴²

Second, the timing of events is suggestive of a shift in moral hierarchies and modes of coercion. Sex panics of the new sort took off during the 1930s, 1940s, and 1950s, that is, at about the same time that southern lynch law—which often had been applied against African American men accused of raping white women—went into a decline. Should we say that one regime of repressive violence has been replaced by another? If so, it was not replaced just any old way. The citizens' and parents'

associations that came into being during sex panics of the Depression and McCarthy era were white and had vigilante functions, but they were not the lynch mobs of the Jim Crow South; these new mobilizations emerged in northern cities, midwestern and western towns, and along the West Coast. Sensational sex-crime stories of the new sort served to inflame the public to a state of rage, but their language bore only passing resemblance to traditions of racist incitement in southern newspapers. Something had remained the same, and something had changed. The relationship between old and new forms of fear mongering, policing, and vigilantism was—and remains—complex.

Third, then, and by extension, sexual psychopathology laws partially “de-raced” (or perhaps better yet “re-raced”) the predatory bogeyman. In her survey of the period’s crime studies and state commissioned reports, Freedman notes that sex offenders confined to mental institutions tended to be white men; they were often middle-class professionals. She thus marks the development of a racial double standard. Because black men were understood to be naturally or willfully violent, African Americans accused of rape were seldom held under sexual psychopath laws. They were sent to prisons or executed instead. White sex offenders, by contrast, were coded as “sick.” They were confined to mental institutions and subjected to a range of treatments.⁴³

This too is an old story with a new twist. In nineteenth- and early twentieth-century medicine, theories of “sexual degeneracy” purported to capture how a person might become “degenerate”—that is, how he might sink to a lower level, becoming unlike his own race or kind. These theories linked ideas about health to ideas about race and progress, and in these imaginings the sickness of the white sexual deviant was contrasted with the criminality of the black man: the former suffered from “too much” civilization, the latter from a “too little.”⁴⁴ Stephen Robertson shows how newer Freudian theories of psychosexual development allowed psychiatrists to sustain these notions during the Depression and McCarthy era sex panics. The (white) sexual psychopath might respond to treatment because he suffered from arrested development or had regressed to an infantile stage; however, the (black) bestial rapist could not respond to treatment because immature sexuality was a normal trait of African Americans.⁴⁵ Mid-twentieth-century sex panics thus intensified certain ideas about race and sex, and their class form recalls something of the dynamic Michel Foucault describes from an earlier era: when sexuality was “medicalized”—brought under the purview of medicine and psychiatry—during the nineteenth century, the new sexual disciplines

were applied first to upper and middle classes, then later extended to the lower orders.⁴⁶ Perhaps, then, the whiteness and middle-class status of the sexual psychopath suggests not merely that white convicts were treated more leniently than black ones but that a far-reaching redefinition of sexual mores and disciplinings was underway.

Fourth, mid-twentieth-century ideas about sickness and treatment took shape in a definite social context, and this context has proved replicable in many ways. Freedman's analysis suggests that three fears were overtly expressed in mid-twentieth-century sex panics:

- Fear of a roving, predatory, and violent male sexuality—which must be checked, kept in bounds, by new laws, new signposts against transgression—expressed social anxieties about the predations of rootless men during the economic disruptions of the 1930s. The resurgence of such fears in the 1940s signaled the curbing of women's wartime rights and freedoms and the reestablishment of “normal” gender relations.
- Fear of nonconformity in general was especially high during the second wave of sex panics, which occurred during the McCarthy era.
- Fear of homosexual contagion acquired a new salience in discussions of the sexual psychopath.

This last fear bears closer inspection.

Under the new theories of sexual development, with their ideas about normal “stages” and pathological “fixations,” the notion of homosexual contagion provided a seductively simple explanation for the occurrence of sex crimes. Thus, in 1938, a popularizer of the new theories wrote that if a boy “happens to be seduced by a homosexual . . . and finds the relationship satisfying, he may become fixated in that direction and it may be next to impossible to change the direction of his sexual drive after that.”⁴⁷ The authors of a 1948 article in the *American Journal of Psychiatry* claimed that when homosexual adults engaged in sexual relations with teenage minors, “the minors in turn corrupted other minors until the whole community was involved.” As evidence of the disastrous consequences of homosexual contagion, the authors cite the case of a boy who killed a younger boy for refusing to perform fellatio on him. Another author states flatly: “All too often we lose sight of the fact that the homosexual is an inveterate seducer of the young of both sexes, and that he presents a social problem because he is not content with being

degenerate himself; he must have degenerate companions and is ever seeking for younger victims.”⁴⁸ Associations of homosexuality with contagion and intimations of murder pile up in popular writings. A police psychiatrist wrote, “The homosexual will murder his victims during an act of sexual frenzy and afterwards rob him,” and Philip Jenkins describes how accounts of recruitment were eventually boiled down to what one journalist called “the vicious circle of proselytism”: yesterday’s young victims become today’s sex criminals.⁴⁹ The idea that homosexuals were “fixated” at a lower stage of sexual development had important consequences, then: it identified gay men as a variant of the violent sexual psychopath, and it fostered a recurring story line about seduction and recruitment. It thus played a key role in portraying homosexuals as a physical and psychic threat to children.

Mid-twentieth-century sex panics both perpetuated and revised long-standing ideas about race, sex, and vulnerability. They also refined and focused certain institutional mechanisms involving media, citizens, expressible demands, and the state. Sensationalist reportage of statistically uncommon occurrences triggered, as though by Pavlovian response, the formation of vigilant citizens’ organizations, demands for police protection, and the writing of laws that failed to discriminate between serious and minor offenses. Key institutional actors fanned the flames of fear: to sell newspapers, to build political careers, to expand the powers of the state. Panic, which is nothing new, attached to sex in a new way, acquired a certain salience, a certain institutional permanence.

In decline through the 1960s, all these elements would be taken up again in the mid-1970s.