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Sexual Deviance in America

by

William E. Thompson

and

Alan J. Buttell

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The Emporia State Research Studies

EMPORIA STATE UNIVERSITY
EMPORIA, KANSAS

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I. TOWARD A DEFINITION

While virtually everyone has feelings about what is meant by the term sexual deviance, it is not easy to construct a definition of the concept which everyone might find satisfactory. As Gagnon and Simon (1967:4) pointed out, it is extremely difficult to define sexual deviance because, while there is a high correlation between what is considered illegal and what society considers "morally wrong," this is not always the case when it comes to sexual matters.

No sexual act is inherently deviant. Sexual deviance, like any form of deviant behavior, becomes deviant according to societal definitions; especially the definitions of those with power. According to Schur (1984:4187), "Deviance is not simply a function of a person's problematic behavior; rather it emerges as other people define and react to a behavior as being problematic." Oliver (1967) indicated that all societies develop their own sexual codes, and what is considered permissible in one society may be regarded as sexually taboo in another. Because of this, he broadly defined sexual deviance as any sexual behavior that offends a particular society (Oliver, 1967: 15-16).

While there are undoubtedly many differences of opinion about what is, or is not sexually deviant, there is little doubt that virtually every society attempts to regulate and control sexual behavior (Akers, 1977). Since our focus is on deviant sexual behavior in America, it is important to review several definitions that have been applied to sexual deviance in this country. Even though we have indicated that sexual deviance is difficult to define, it cannot be denied that there are general categories of sexual behavior which American society has historically considered deviant (see the Appendix for a glossary of these acts).

Gagnon and Simon (1967:8-11) divided **sexual deviance** into three basic categories:

- (1) Normal deviance- Acts that are generally disapproved, but that either serve a socially useful purpose and/ or occur so often within a population and with such a low visibility that only a small number are actually sanctioned for engaging in the behavior (e.g. masturbation, premarital coitus, and heterosexual mouth-genital contact);
- (2) Pathological deviance- Acts in which there is a high correlation between law, mores, and behavior (e.g. incest, sexual contact with children, exhibitionism, voyeurism, and aggressive or assaultive offenses; and
- (3) Structured deviance- Acts that generate specific forms of social structure (e.g. female prostitution and female homosexuality).

The above ideas seem to be in agreement with Clinard's (1968-346) view of sexual deviance. He stated, "What is sexually normal or deviant behavior in a given society can be looked at from the point of view of societal reaction." Clinard's (1968-343-344) analysis concentrated on Gagnon and Simon's second and third categories, which indicated that he considered the acts of sexual assault, forcible rape, statutory rape, incest, sexual relations with a minor, exhibitionism, bestiality, and homosexuality as sexually deviant in American society.

Clinard's definition removed the concept of sexual deviance from an abstract conceptualization to a specific realm of sexual behavior. But, to more clearly specify what is meant by sexual deviance in America, we might also include Akers' (1977) definition of deviance. Akers (1977) contended there are a number of ways in which social scientists can recognize deviant sexual behavior as defined by society. These include:

the existence of laws and the use of legal sanctions against it; public stigmatization even when the behavior is not illegal; when one performs the behavior he meets with gossip, ridicule, withdrawal of friendship, and sometimes loss of job or status; the existence of publicly or privately supported organizations and professionals whose job it is to deter, change, or deal with those believed to engage in the behavior; and expressed sentiments of disapproval in public even when many may not disapprove in private (Akers, 1977:175).

This definition, like Clinard's (1968), indicated that societal reaction to an act is the key factor in determining if an act is, or is not sexually deviant. Akers (1977:175) listed the following kinds of sexual behavior as being defined as deviant in American society (Akers, 1977:175):

- (1) Heterosexual deviations such as prostitution, incest, promiscuity, group orgies, violent and forcible sexual attacks like rape;
- (2) Adult homosexuality (both male and female);
- (3) Excessive autoeroticism;
- (4) Fetishism (including transvestism and voyeurism);
- (5) Publicly visible sexual indecencies and improprieties such as public nudity, exhibitionism, and sexual intimacy in public;
- (6) Pedophilia (whether homosexual or heterosexual, violent or non-violent); and
- (7) A range of perversions such as bestiality, necrophilia, and sado-masochism.

Again, the element of "social visibility" appears most important in definitions of sexual deviance. Society seems willing to tolerate cer-

tain types of unusual sexual acts, as long as they are not highly visible. The implications are strong in Akers (1977) treatment of sexual deviance that visibility plays the key role in the identification of deviance. In fact, he explicitly points out that most sexual acts between consenting adults are likely to be tolerated, if they occur behind closed doors; in contrast, the strongest disapproval of sexual behavior concerns those acts which cause pain to an unwilling victim, especially if the victim is considered an innocent party (as in child molestation) (Akers, 1977:175-176).

While there are many other possible definitions of sexual deviance that could be considered, those introduced in the preceding pages provide a relatively clear idea of what is meant by the term sexual deviance in the context of American society. The key to these definitions appears to center on two basic factors: society's reaction to the sexual act which in fact defines the act as deviant; and, the visibility of a sexual act. The first factor determines the act as either "deviant" or "normal" and the second determines, to a large extent, whether or not the act will be socially sanctioned, and if so, with what degree of severity.

Using the preceding definitions, virtually everyone in America has probably committed an act that could be deemed sexually deviant. This view of sexual deviance lends credence to Gagon and Simon's (1967:vii) statement that "the most extreme deviant still shares more in common with the rest of society than he holds as unique attributes." While we will focus on sexual deviance in America, it is useful to briefly review sexual taboos in a few non western societies in order to put American attitudes about sexual deviance in perspective.

II. A Cross-Cultural Comparison of Sexual Deviance

It is taken for granted that sex is a biological drive which is innate in the human animal; however, as Akers (1977:169) mentioned, ". . . the fact that sex is natural tells us little about actual customs and practices in society and what is natural or unnatural in what people think about and do with sex." There seems to be very few sexual acts universally accepted or rejected. According to Davis (1983:75):

Sex is an either/or phenomenon - appealing or appalling, rarely in between. Ambivalence toward sex occurs at every social level. An individual may like or dislike it at different times or even at the same time.

While sexual intercourse between partners in an acceptable mar-

riage or family system seems universally condoned, virtually every other form of sexual behavior seems to have been taboo at some time or place (Akers, 1977:169).

Incest has commonly been thought to be taboo in virtually every society. However, in Young's (1967:589) study of incest taboos, he concluded that despite widespread misuse of the word, the incest taboo is not universal. He indicated that for centuries the Incan, Egyptian, and Hawaiian aristocracies practiced incestuous marriages, and that in many Taiwanese villages it was common for parents to adopt a young girl to raise as a sibling with a son for the eventual purpose of marriage (Young, 1967:597-598).

While the visibility of the sexual act seems to have a high correlation with what is considered deviant in America, this apparently does not apply to all societies. Some Formosan tribes participate in sexual intercourse outside and in public as long as there are no children around (Oliver, 1967:16). Oliver (1967:16) also discovered that:

Trobriand Islanders practice premarital sexual intercourse with special huts provided for the unmarried couples; Eskimos, as a part of their custom, share their wives with overnight male guests; and the Japanese have public baths which are openly used by both males and females together.

While these customs would be labeled as sexually deviant in America, they are regarded as perfectly acceptable within the cultural context of the societies in which they occur. Davis (1966:331) indicated that, in certain social contexts, functional deviance would not only be tolerated but might even be given a certain degree of respectability. For instance, he pointed out that many peasant societies allow freedom of premarital sex as long as the couple agrees to marry should pregnancy occur. He also indicated that in ancient Greece, as well as more recently in Japan, prostitution was viewed with a certain amount of respectability because of the positive function it was believed to provide those societies (Davis, 1966:343-344).

While the definitions of what constitutes sexually deviant acts vary in different societies, there are threads of similarity that tend to weave these sexual codes together in certain ways. For instance, in every society there seems to be a relationship between the perceived importance of marriage and family and what is interpreted as deviant. Further, most of the world's people live in

societies that have double standards allowing more sexual promiscuity on the part of the male than the female.

While this treatment of cross-cultural attitudes toward sexual deviance is preliminary, it appears to support the contention made earlier that sexual acts in and of themselves are not deviant. It is society's interpretation and subsequent definition which makes them so. With these ideas in mind we redirect our attention to sexual deviance in America.

III. CHANGING ATTITUDES IN AMERICA TOWARD SEXUAL DEVIANCE

American history contains many examples of the influence of Puritan beliefs and attitudes upon American legal codes. To Puritans, almost any overt sexual expression was considered deviant. It was not until the turn of the century that changes in attitudes regarding sex began to be made. Dr. Lewis Ferman of Stanford University, in comparing sexual attitudes in the United States between 1890 and 1910, found a liberalizing trend particularly in attitudes about premarital sex (cited in Oliver, 1967:19).

Urbanization appears to be one important factor in the liberalization of American attitudes toward sex. Davis (1966) asserted that urbanization increased skepticism and dissent among individuals concerning sex rules. He cited the lowering of death rates and the mixing of individuals from different cultural and educational levels during the early 20th century. This, he believed, helped break down traditional sex mores in middle American society (Davis, 1966:327-328).

Prior to the first Kinsey report in 1948, writing on human sexuality was severely limited. Kinsey dared to conduct and publish research on one of America's most well kept secrets- its sexual behavior. Kinsey's works regarding sexual behavior (*Male*, in 1948 and *Female*, in 1953), not only were met with opposition from the general public, but the medical profession, politicians, academicians, clergy and others condemned them as well (Akers, 1977:172).

While many speculations may be advanced as to why American attitudes about sex have changed in the 20th century, there is no doubt that a radical change has indeed occurred. According to Bradley, et al. (1979:58), "The liberalization of sexual attitudes has allowed the darker passions and sexual desires to come into the open." There has emerged new attitudes toward behavior such as fellatio, cunnilingus and other so-called "kinky" practices.

Though still not openly accepted, these acts, and others, are increasingly becoming the rule rather than the exception in American society (Bradley, et al. 1979:58). Additionally, Shostak (1981:130) holds that these acts are becoming more widely accepted as a new form of intimacy between partners. Further evidence reveals that couples refusing to practice oral sex may be the "new breed of non-conformist" (Markowski, 1978:38-39). In an age of "see-through" clothing, increasing acceptance of homosexuality, transsexual marriages and exclusive transvestite shopping villages (Talamini, 1982:69-71) one might be misled into assuming America has abandoned its former sexual codes entirely. However, this is not the case. America has many norms and laws regarding sexual behavior that have been inherited from the past, and that appear to have changed little over time.

IV. SEXUAL DEVIANCE AND THE LAW

In looking at sexual deviance and the law, a few basic questions need to be addressed. Among these are: why do sex norms exist? What are considered illegal sex offenses? How are sex laws enforced? What is the extent of sexual deviance in the United States?; and finally, Who are sex offenders?

A. Why do Sex Norms Exist?

While numerous sociologists have attempted to explain the causes of sexual deviance, few have asked why sex norms exist at all. In discussing why sex norms exist in terms of legal statutes, Akers (1977) brought up the Judeo-Christian influence upon existing sex codes in this country. As he pointed out, in the Judeo-Christian legal system, homosexuality, masturbation, sodomy, incest, and a variety of other sexual acts were regarded as sins against nature and condemned by God (Akers, 1977:171). Given America's historical roots, it is not surprising that these moral indiscretions would be included within our legal codes.

As a functionalist, Davis (1966) saw the regulation of sexual behavior as beneficial to society as a whole, just as is the regulation of any other goods or services. According to this view, "sexual desirability" is a commodity and therefore, the distribution of sexual favors gets involved with the distribution of other political and economic goods. Within limits, rules governing the exchange of sexual favors resemble those governing any other human services. Following this line of reasoning, Davis (1966:320) contended that sex rules:

protect minors against sexual exploitations; prohibit the use of force of violence in gaining sexual favors; protect the public from nuisances and health hazards; condemn sexual blackmail; limit third parties from profiting from sexual relations; and hold individuals responsible for the consequences of their acts.

Davis (1966:321-322) further illustrated his point, by noting there is often a conflict between the primacy of marriage and the family, and the economic exchange of sex bargaining. This, in his view, explains the reason for sanctions against using sexual desirability to gain relationships with no intention of marriage. He further indicated that norms against premarital sex have existed in the past to avoid the problem of illegitimacy; he also mentioned that prostitution is often condemned in contemporary society because it fulfills no recognized goal; and homosexuality is disapproved primarily because it is in conflict with the valued family system (Davis, 1966).

By pointing out reasons why specific sex norms have persisted, one might argue that Davis did not explain the need for regulating behavior. However, he addressed this problem straightforwardly. Davis (1966:319) stated that sexual regulation is a necessary function for two basic reasons:

Sexual intercourse has the potential of creating a new human being; and a person's desirability as a sex object is a valuable but scarce and perishable good which needs a normative system to provide for orderly distribution of rights and obligations in the use of this good.

He went on to explain that conformity did not occur automatically, but had to be induced by rewards and punishments, and that the factors making for nonconformity were so powerful that the battle for social control was neverending (Davis, 1966:315)

While Davis' explanation for the existence of sexual codes may not completely explain all sex norms (e.g. those related to masturbation), it did provide some insight into the rationale behind certain sex norms. In Roby's (1969:103) comprehensive analysis of Articles 230 and 230.05 of the New York State Penal Law Code (involving prostitution and patronizing), he illustrated how a law involving sexual behavior is influenced by politics. He showed that in the development of both laws numerous political interest groups and individuals worked diligently to have the law written and enforced the way they wanted. This coincides with earlier assertions of the importance of "power to define" in determining what sexual acts are considered deviant.



An interactionist view takes a slightly different approach to sexual deviance. According to this perspective, what is defined as deviant is an ongoing process of interpretation and re-interpretation based upon the collective views of society. Traditionally, in America, the process has been dominated by certain Judeo-Christian groups who have interpreted Biblical traditions and established definitions and interpretations of sexual objects and behaviors in society. Norms, defined according to this tradition, have been imprinted on our cultural ethos. Ingrained, as they have become, there is still a waxing and waning of shared interpretations that reflect shifts in power among those more or less inclined to share traditional interpretations as "the truth."

B. What are Illegal Sex Offenses?

Identifying the laws regarding deviance is not as easy as one might expect. As noted earlier, there are a great many differences in the minds of people as to what constitutes sexual deviance. Logically, it follows, there is no "universal" law code in America which cites what is and what is not sexually illegal. Laws governing sexual conduct vary from state to state and definitions of what constitutes rape, adultery, fornication, and other sex crimes vary not only from state to state, but often even within the same state itself. (Oliver, 1967:205-212). The Kansas Criminal Code (21-3501-16) provides an example of sex related acts listed as sex offenses affecting family relationships and children:

*Rape; *Indecent liberties with a child; *Indecent liberties with a ward; Sodomy; *Aggravated sodomy (use of force); Adultery; Lewd and lascivious behavior; *Enticement of a child; indecent solicitation of a child; *Aggravated indecent solicitation of a child; Prostitution; Promoting prostitution; *Habitually promoting a prostitute; Patronizing a prostitute; *Bigamy; *Incest; *Aggravated incest.

*indicates a felony offense.

Using legal codes in the United States as criteria, there is prohibition against: all premarital and extramarital intercourse; mouth-genital and anal contacts; sexual contacts with animals; and public exhibition of any kind of sexual activity (Oliver, 1967:17). Legally, sex offenses, like other offenses, are usually classified as felonies or misdemeanors. Forcible rape, statutory rape, seduction, abduction, incest and carnal abuse generally fall into the category of felonies;

while the impairment of the morals of a minor, indecent exposure, voyeurism, fetishism, molestation of women, transvestism, and prostitution are often classified as misdemeanors (Oliver, 1967:22).

While there may be some consistency in this country's sexual codes, there are also a great many inconsistencies. According to Coleman (1978:37-39) private sex acts between adults have been decriminalized in nearly twenty states. However, this decriminalization does not reflect rapidly changing attitudes in these states as might be inferred. Rather, some of these laws have been changed by couching the decriminalizing statutes among bills containing scores of other considerations. California, in fact, has the only bill passed into law specifically drafted to decriminalize sexual behavior between adults. It is evident that what constitutes acceptable socially visible behavior is not necessarily consistent with behavior that is actually practiced. Rapidly shifting interpretations of acceptable sexual conduct often collide with tradition. An example of changes in behavior, deemed acceptable by society, and the problems the legal system has in coping with them is evident in the following:

In the case of *M.T. v. J.T.*, the New Jersey Supreme Court was faced with the question of determining a person's gender identity for purposes of marriage. A postoperative male-to-female transsexual had married the male defendant. Although the latter knew of the gender change prior to the marriage, the defendant attempted to avoid support when the couple separated. He alleged that the marriage was void because the plaintiff was 'really a man.' In upholding the validity of the marriage, the court stated that for marital purposes if the anatomical or genital features of a genuine transsexual are made to conform to the person's gender, psyche, or psychological sex, then identity by sex must be governed by the congruence of these standards (Coleman, 1978:39)

One interesting facet of sex laws is pointed out by Clinard (1979) regarding legal codes involving homosexuality. In the United States, it is not a crime to be homosexual; it is the homosexual acts such as sodomy, fellatio, and mutual masturbation which are crimes and may lead to the arrest of the homosexual (Clinard, 1969:358). Yet, since decriminalization of private sexual behavior among adults has become more common in recent years, the labeling of those engaging in homosexual acts as criminal is becoming increasingly difficult (Coleman, 1978:41). Decriminalization will be elaborated upon further in a later section of this paper.

While it is difficult to list all sexual offenses in the United States, the glossary of sexual acts listed in the Appendix includes

many acts that are held to be illegal and are sanctioned in at least one, and in some cases, all fifty states.

C. How are Sex Laws Enforced?

With many discrepancies in the sex laws of various states, it is no wonder that enforcement of those laws varies significantly, and in some cases, may be practically non-existent. Sex laws, in general, are among the least enforced of all statutes (Akers, 1977:208). According to Kinsey et al. (1953:20), current sex laws are unenforced and unenforcible, because they are "... too completely out of accord with the realities of human behavior."

They further indicated that such a high proportion of females and males in our society are involved in sexual activities which are prohibited by the laws of most states, that it is inconceivable that present laws could be enforced completely (Kinsey et al, 1953:20). More explicitly, Kinsey et al. asserted that at present eighty-five percent of the young male population could be convicted as sex offenders if law enforcement officials were as efficient as most people expect them to be (Kinsey et al., 1948:224). They estimated that only a minute fraction of one percent of the persons involved in illegal sexual behavior are ever apprehended, prosecuted, or convicted (Kinsey et al., 1953:18). In support of this contention, Kinsey et al. pointed out that there is only one published case in the United States court records of any legal action against females having sexual contact with animals, while their research indicated that, while it is not widespread, these sexual contacts have, in fact, occurred (Kinsey et al., 1953:509).

An example of the discrepancy between the law and its actual enforcement is provided in Roby's (1969:98) analysis of the prostitution and patronizing law of New York. In the months September through February after those articles were revised, there were 127 patrons and 3,357 prostitutes arrested. Of these, no patrons and only 110 prostitutes were convicted and none of either group were imprisoned. Selective enforcement is certainly implied by these statistics; it is difficult to understand how 3,357 prostitutes could be serving only 127 patrons. This illustrates the point that regardless of how a sex law is written, its ultimate utility is determined by those who decide how, when, and upon whom it will be enforced. As another example, Ploscowe (1982:138) indicated that five states in the union do not punish adultery (Tennessee, Nevada, Louisiana, New Mexico, and Arkansas).

Regarding enforcement of sex laws, Davis (1966:317) warned that given the characteristics of our sex drive, we should understand why it is difficult to enforce sex norms. He urged that sex regulation must be versatile in coverage and sanctions, and use every type of informal and formal rewards and punishments.

It might be contended that since current sex laws are not uniformly enforced, it would seem logical to revise those laws into a code that is enforceable. However, Akers (1977:209-211) pointed out that laws regulating sexual behavior (except those prohibiting sexual violence and sexual relations with children), served primarily symbolic rather than real functions, and were almost never rigidly enforced; historically, any attempt to amend them has met with great public resistance.

D. What is the Extent of Sexual Deviance in the United States?

Since Kinsey and his associates pioneered modern sexual research, it seems appropriate to examine information gained through their efforts in our attempt to determine the extent of sexual deviance in this country. Kinsey et al. (1948:549) found that most males had sexual intercourse prior to marriage. While that would not seem shocking in and of itself, it implied that many women were also engaging in premarital sexual intercourse—something that was shocking at the time of their report. Later, in fact, Kinsey et al. (1953:286) discovered that even though most states had laws against premarital coitus, approximately fifty percent of their female research sample had participated in coitus before they were married. While Americans were talking premarital chastity, they were obviously doing otherwise.

Kinsey's research team probed much deeper into the sexual habits of Americans than just premarital sex. In their investigation of extramarital sex, he and his associates found what had to be surprising to the American public of the 1950's. According to their study, approximately half of all married males had intercourse with women other than their wives at some time during their married lives (Kinsey, et. al., 1948:585). Correspondingly, they found that by age forty, twenty-six percent of their female sample had engaged in extramarital sex (Kinsey, et. al., 1953:416).

Kinsey and his associates also explored the areas of prostitution, patronization and homosexuality. Their data indicated that in the United States, the number of males who go to prostitutes is not as high as was generally believed, and the frequencies with which

men visit them was much less than anyone had realized prior to the studies. They found that approximately sixty-nine percent of the total white male population had some experience with prostitutes; but, not more than fifteen to twenty percent had such relations more than five times per year (Kinsey, et. al, 1948:597).

As for homosexuality, Kinsey et al (1948:623) defined homosexual contact for males as "physical contact with other males resulting in orgasm." In terms of that definition, they found that at least thirty-seven percent of the male population had some homosexual experience from the beginning of adolescence to the onset of old age (Kinsey, et. al., 1948:623). They further discovered that sixteen percent of males had at least as much homosexual experience as heterosexual, and that four percent were exclusively homosexual (Kinsey, et. al. 1948:650-651). In following up Kinsey's research on male homosexual behavior, it was found that "with few exceptions . . . later generations were more likely to be having sexual experiences with other men than were earlier ones" (Downey, 1980:303). In Downey's study, it was found, for example, that in the 1920-29 generation, homosexual activity accounted for approximately 5 percent of the total sexual outlet activity (Downey, 1980:303). In his research on females, Kinsey et. al. (1953) found much smaller percentages of the population involved in homosexual behavior, yet more than many would have thought. They found that by age forty, nineteen percent of females in the total sample (13% of white females), had engaged in overt homosexual acts, but they concluded that only one percent were strictly homosexual (Kinsey, et. al., 1953:453, 474-475).

In studying sexual behavior that is usually defined as "bizarre," Kinsey et al. (1953:502) noted:

Universally, human males have shown a considerable interest in unusual, rare, and sometimes fantastically impossible types of sexual activity. In consequence, there is a great deal more discussion and a more extensive literature about such things as incest, transvestism, necrophilia, extreme forms of fetishism, sado-masochism, and animal contacts than the actual occurrence of any of the phenomena would justify.

Additionally, they found that there is no other form of sexual deviance practiced by the male sample which accounts for a smaller proportion of the total sexual outlet than animal contact. (Kinsey, 1948:669). While they discovered that animal contacts were much more frequent for males who live on a farm, the amount of this contact was still extremely slight (Kinsey, et. al., 1948:670-677). Also,

in studying the human female, Kinsey and his associates found animal contact to be extremely rare. Of 5,940 females in their sample, only two had actually had coitus with an animal (Kinsey, et. al., 1953:505).

It is difficult utilizing percentages or other quantitative data to determine how much sexual deviance takes place in America. As previously mentioned, many sexually deviant acts are tolerated if they occur between consenting adults and out of the view of the public. While arrest records indicate numbers of sexual deviants handled by the police, it would be naive to believe that the total number of arrests approximates the actual number of deviant acts. Ploscowe (1962:23) estimated that six million homosexual acts of sodomy, fellatio, and mutual masturbation take place each year for every twenty arrests and convictions. In 1968 Clinard (1968:372) estimated that there were probably over 300,000 women who lived solely by prostitution in the United States. A 1971 study estimated that prostitution involved between 100,000 and 500,000 women in the United States and that they grossed over one billion dollars per year (Winick and Kinsie, 1971). Current estimates of active prostitutes range anywhere from 600,000 to 750,000 (Barlow, 1984). Evidently, a great deal of prostitution is being tolerated by enforcement agencies.

Regarding male homosexuality, Humphreys' *Tearoom Trade* (1970) shed light on the extent to which urban males participate in homosexual acts in public restrooms. Humphreys (1970) believes that the percentage of the male population participating in tearoom (public restroom) sex in the United States is significantly less than the sixteen percent that Kinsey discovered in his survey. Humphreys (1970:9) estimated that approximately five percent of adult males in a metropolitan area participate in this type of activity in a year's time. While the number of males involved in homosexual acts in public restrooms is not large, those participating seem to do so frequently. He was told by several participants that one fellator often handles ten men in one day (Humphreys, 1970:10). While Humphreys conducted his participant observation (he acted as "watch queen" or "lookout"); he personally witnessed one man fellate three others within the course of thirty minutes (1970:10).

Perhaps one reason it is difficult to discover the extent of sexual deviance in America, reverts back to the ideas, introduced earlier, concerning enforcement or non-enforcement of sex laws. Law enforcement officers are reluctant to arrest sex offenders, especially if the offenders are adolescents. Therefore, only the most socially

visible offenses and offenders come to the attention of the courts (Reiss, 1960:68). Reiss (1960:66) further explained that the reluctance on the part of officers to arrest adolescents for sexual deviance stemmed from the fact, that the majority of acts of sex deviation occurred only with other adolescents, or at least persons close to the same age; and only a small percentage of sex contacts that adolescents have with older persons may be viewed as acts of exploitation or seduction. Thus, the only thing making the sex deviant is the age of the participants.

Although it is difficult to determine the extent to which sexual deviance exists in this country, it seems safe to conclude that sex norms are violated at a much higher rate than is demonstrated by arrest rates. Prostitution is a crime in every state except Nevada. Yet, as Barlow (1984:384) noted the United States has the highest number of prostitutes of any nation in the world. It is apparent from these statistics that a large number of sexual deviants perform their illegal sexual behavior without penalty.

In light of the changing behavioral patterns and shifting norms and values in American society regarding sexual behavior, a relatively well-known, yet under-studied phenomenon exists that warrants mentioning. This is the maintenance of respectability in situationally deviant activities. Through covert methods aimed at disguising and keeping secret extramarital, pre-marital, co-marital or group heterosexual activities, participants seek to maintain their respectability (Lily and Ball, 1980:204-221). The actors in these otherwise stigmatizing activities seek to diffuse negative sanctions by controlling the information made "available to others in face to face interaction and through the channels of communication" (Ditton, 1980:84). For example, in his study on males who participated in covert homosexuality in public restrooms, Humphreys (1970) found that these men were not only concerned with avoiding trouble, but spent much time in promoting themselves as respectable members of society. According to Humphreys (1970:135), because the participant's behavior is discreditable, he develops a presentation of self that is "respectable to a fault," which he termed "the Breastplate of Righteousness." He further illustrated this by noting that the secret offender's exaggerated performance of his duties as husband, father, and neighbor were all geared to showing, that at least in his everyday life, the homosexual was perfectly normal.

In addition to presenting self (Goffman, 1959) to others in a controlled manner, sexual deviants may also utilize various techniques of "neutralization" (Sykes and Matza, 1957) in order to

minimize their guilt feelings and preserve self-esteem. Through various forms of denial (e.g. denial of harm, denial of victim, etc.) participants may justify the bending of social rules that serve to permit variations, justify questionable behavior or neutralize norms in certain situations" (Lily and Ball, 1980:210).

E. Who are the sex offenders?

In this section, we will examine the types of people that commit sex offenses that gain recognition by authorities, and who are subsequently labeled as sex offenders by society.

According to Dr. Benjamin Karpman:

The consensus is that sex offenders follow no set type, physically or mentally; that an immense variety of persons commit sex offenses. It has, however, been noted as a class they are not vicious but rather shy, timid, non-aggressive, and undersexed rather than oversexed (cited in Oliver, 1967:20).

This tends to support Gagnon and Simon's (1967) earlier statement that the sex offender has more in common with other humans than previously thought. Humphreys (1970:105) found that fifty-four percent of his research subjects who participated in homosexual acts in public restrooms were married men who lived with their wives in a typical middle-class lifestyle. In fact, through interviews, he found that most of the men did not consider themselves homosexual at all, at least when they began participation. They initially assumed the role of "insertor" (one who inserts his penis into the mouth or anus of another), justifying this act as simply being a needed sexual outlet. Later, as the participant grew older and became less sexually desirable, he found it necessary to assume the role of "insertee" (one who allows the penis of another to be inserted into his mouth or anus); at this point, he was forced to face the reality of his own homosexuality (Humphreys, 1970:107-109).

Despite the difficulty in identifying sex offenders, there are enough data to draw some conclusions about the characteristics of sex offenders. As early as 1950, the Commission on the Habitual Sex Offender was able to report:

- (1) There are not tens of thousands of homicidal sex fiends abroad in the land;
- (2) Sex offenders are usually not recidivists, at least according to police and other official records;
- (3) Sex offenders do not progress to more serious types of sex crimes;
- (4) Sex offenders are not oversexed; and
- (5) It is impossible at the present time to predict the danger of serious crimes being committed by sex deviants. (cited in Clinard, 1968:350).

Oliver (1967:27) noted that approximately ninety percent of all apprehended sex offenders are male. He further indicated: sex offenses involving force are generally committed by younger males, while child molestation usually involves older males; the typical female offenses are prostitution and contributing to the delinquency of a minor (usually related to prostitution) (Oliver, 1967:26-27). He also found that the age range for females involved in sex offenses is older than that of their male counterparts (Oliver, 1967:27). Oliver (1967:52) studied 202 sex offenders and their offenses and found that the majority of the offenders had average or above average I.Q.'s; most were married, were classified as "moderate drinkers," and less than forty percent of them had committed any previous sex offenses. It should be noted, that all of Oliver's subjects were adult males who had been convicted and imprisoned for serious sex crimes.

In attempting to establish and identify characteristics of sex offenders, Amir's (1971) research provided an interesting profile of the rapist. Unlike many sex offenses, the crime of rape is clearly an aggressive act against an unwilling victim. Therefore, forcible rape is one deviant sexual act that is most likely to be sanctioned by society. In his study of patterns in forcible rape, Amir (1971:317) pointed out that in almost all studies, rapists show the following characteristics:

- (1) They are psychiatrically normal, but anti-social, impulsive, and lacking of inner controls over their pent-up aggressive and sexual drives;
- (2) They tend to have a criminal record of offenses against the person, but not necessarily prior rapes;
- (3) They generally commit the offenses under special conditions which they consider provocative; and
- (4) They tend to be members of lower-class delinquent or criminal subcultures in which masculinity is expressed in general aggressiveness, including exploits of females in the form of sexual conquests.

Evidence indicates that the majority of sexual offenses do not involve the use of force (Storr, 1964:16). In sex offenses where violence is not involved, and even sometimes when it is, the recidivism rates for sexual offenders are much lower than those for other types of criminals. Statistics from several studies indicated that most sex offenders do not repeat sex offenses or violate parole (Clinard, 1968:351). In Oliver's (1967:52-53) study of 202 convicted sex criminals, seventy-four percent investigated in a follow-up study after parole, made behavioral changes judged to be from satisfactory to excellent, while only ten percent were judged to

have made inadequate adjustments to society. This is not meant to imply that all sex offenders are one-time offenders. Persistent sex offenders do exist, but according to statistics, they comprise only three percent of all those who are convicted on sexual charges (Storr, 1964:16).

There are persistent sex offenders, and even sexual psychopaths; yet, in attempting to identify the "typical" sex offender, it would probably be more realistic to look at one's next door neighbor than to picture an oversexed, psychopathic maniac. In light of these assertions, it is appropriate to turn to a more controversial issue connected with sexual deviance— that is, what causes it?

V. Causal Factors of Sexual Deviance

Our purpose is not only to present general theories of deviance, but, to provide a summary of some of the specific causal factors of sexual deviance, as suggested in the literature. This section is subdivided into five areas of causation. The categories presented should neither be considered exhaustive nor mutually exclusive since many of them overlap.

A. Socio-Psychological Factors

In his book, *Sexual Deviation*, Storr (1964:17-18) cited what he calls the social pathological cause of sexual deviance. He contended that all sexual deviations are forms of immaturity—childish attitudes which have not been outgrown. He concluded that "virtually all sexual deviance results from the persistence of childhood feelings of guilt and inferiority" (Storr, 1964:17-35). The idea of immaturity as a causal factor is also supported by Dr. Eric Berns. He stated, "Perversions are usually the result of not growing away from some infantile or childish way of obtaining sexual pleasure" (cited in Oliver, 1967:84). While these explanations of cause seem more psychological than sociological, they do infer that sexual deviance is related to the socialization of the individual. Causal factors related to socialization will be discussed later in this section.

B. Anomie, Conflict, and Functional Factors

Davis (1966) discussed what he considered to be causal factors of sexual deviance. According to his theory they included anomie, conflict, functionality of the deviance, and gratification from the deviant act itself. In discussing homosexuality, Davis leaned toward anomie (normlessness) as a primary cause. According to

Davis (1966:356), the few men who turn into "true homosexuals" are like the few drinkers who turn into confirmed alcoholics: they cannot make the normal adjustments to life. To Davis (1966:358), "the rise to heterosexual freedom is in part a function of social disorganization rather than reorganization; so, it gives rise to personal anomie and encourages retreat into homosexual relations, promiscuous as well as durable." Other factors help the homosexual maintain his homosexuality. According to Davis (1966) since homosexuality is held in contempt by many, some people find it "erotically stimulating" and they may openly flaunt their homosexuality as an expression of rebellion against the norms others preciously guard. He then inferred that once someone develops what he called the "homosexual habit," it became extremely difficult to break (Davis, 1966:356).

In looking at prostitution, Davis (1966) saw this area of sexual deviance as being caused by its functional properties. He believed the most important question is not why so many women become prostitutes, but why so few do. Davis (1966) believed the main answer to that question is simply the loss of social standing. He pointed out that commercial sex is extremely adaptable to different social conditions. He indicated that the syndicates of the 1920's and 1930's, labor unions of the 1950's and the drug culture of the 1960's all capitalized on prostitution (Davis, 1966:348-349). In citing economic causes of prostitution, Davis contended that upward social mobility can itself be a primary reason for a woman becoming a prostitute. He stated, "since the economic means are distributed unequally between classes but female attractiveness is not, some women of lower economic means can exploit their attractiveness for economic gain" (Davis, 1966:345). Overall, Davis saw the main cause of prostitution as being its functionality. According to him:

The most persistent form of prostitution is the pure commercial form. Whether in brothels or in the streets, under bridges or in automobiles, this form is practiced everywhere and remains at the bottom of the social scale. Although its scope may be reduced by sex freedom and amateur competition, the practice itself is not likely to be displaced. Not only will there always be a system of social dominance that gives a motive for selling sexual favors, and a scale of attractiveness that creates the need for buying them, but this form of prostitution is, in the last analysis, economical. Enabling a small number of women to take care of the needs of a large number of men, it is the most convenient sexual outlet for armies and for the legions of strangers, perverts, and physically repulsive in our midst. It performs a role which apparently no other institution fully performs (Davis, 1966:351).

In attempting to explain possible reasons for the increased incidence of premarital sex, Davis once again turned to anomie. He believed that the main reason for the increase comes from a "total breakdown of standards" and that until new ones emerge there is a situation of disorganization or anomie (Davis, 1966:334). He carried this one step further in analyzing what he considers the cause of sexual deviance among young people. Davis believed that the conflict in sex norms for youth is extremely intense. At the exact time the sex drive reaches its peak, young people are beginning to detach themselves from external authority. Davis (1966) believed that during this time, authority figures impose fewer behavioral guidelines, and by default, the operating sex norms for youth become those that spring up spontaneously among the young people themselves.

Reiss' (1960) view on causal factors pertaining to sexual deviance among adolescents is not identical to that of Davis', yet there is some commonality. Reiss (1960) believed that it is the marginal status of the adolescent which is the primary cause of their sexual deviance. He indicated that the mere fact that adolescence is a transitional status between child and adult causes sexual deviation. Adolescents are not expected to act as children, but they are also not allowed to participate in what are considered "normal" adult sexual activities (Reiss, 1960:43-47). In fact, because of their marginal status, adolescents who participate in any sexual act are violating juvenile statutes, and are considered delinquent. In concurrence with Davis' argument that young people often find themselves having to create their own sex norms, Reiss (1960, 48-57) explained that because society's sexual codes differ in regard to being a child, or being an adult, the marginal status of the adolescent leaves them no alternative but to create their own sexual standards based upon their social status, family, and peer group. Reiss (1960) believed that the concept of visibility is also important in defining adolescent sexual deviance. Reiss (1960, 57-58) supported his claim by noting that a young girl who participates in premarital sex will probably not be considered deviant—until she becomes pregnant. This contention can be readily observed in high schools throughout this country.

C. Labeling and Stigmatization Factors

Gagnon and Simon (1967) did extensive research in the field of sexual deviance. In their view, the attachment of the deviant label,

and the stigmatization which accompanies it, are extremely important as causal factors, particularly in regard to male homosexuality and lesbianism. They contended that the homosexual, like most significantly labeled persons, often has all his acts interpreted through the framework of his homosexuality. He becomes assigned a "master trait" as a result of having been labeled homosexual (Gagnon and Simon, 1967:343). According to Becker (1963:30), one of the major steps in becoming labeled deviant is when casual experimentation is replaced by a more permanent pattern of deviant activity, and the development of deviant motives and interests. He further noted that:

... many kinds of deviant activity spring from motives which are socially learned. Before engaging in the activity on a more or less regular basis, the person has no notion of the pleasures to be derived from it; he learns these in the course of interaction with more experienced deviants (Becker, 1963:31).

Thus, by being observed and identified publicly and subsequently labeled, even if only if by association, one obtains a status with a "generalized symbolic value" (Becker, 1963:33). This becomes the person's "master status" (Hughes, 1945:353-359). An example of a situation in which a master status may be assigned is provided by Goffman (1959, 209):

When an outsider accidentally enters a region in which a performance is being given, or when a member of the audience inadvertently enters the backstage, the intruder is likely to catch those present *flagrante delicto*. Through no one's intention, the persons present in the region may find that they have patently been witnessed in activity that is quite incompatible with the impression that they are, for wider social reasons, under obligation to maintain to the intruder.

When one's previous social self is compromised through revelations of incompatible behavior, as noted earlier, a more sustained pattern of deviant activity is likely to occur.

In their attempt to formulate a sociological perspective on homosexuality, Gagnon and Simon (1967:344) pointed out that most studies on homosexuality focus on the differences in the lifestyles of the homosexual and the heterosexual, rather than looking at their similarities e.g., earning a living, maintaining a residence, relations with family, etc. They further illustrated this point by comparing the homosexual "coming out" (public declaration of homosexuality) to the heterosexual honeymoon, in which

pent-up sexual energy is released legitimately (at least in the mind of the individual) for the first time (Gagnon and Simon, 1967:344-345). Gagnon (1967) also indicated that, while the homosexual community provides access to sexual partners, often the only significant trait its members have in common is their homosexuality. In terms of other behaviors, members of the gay community may differ significantly. Thus, the homosexual community rarely receives the broad support that one gets from an ethnic or occupational subculture. Gagnon and Simon (1967) suggested that in order to understand the homosexual, sociologists must discontinue their concern with the causes of homosexuality, and instead, look more closely at how homosexuals cope with being labeled deviant, bearing in mind that all other aspects of their lives are shaped by this master trait.

Simon and Gagnon (1969) also conducted research on the lesbian and the lesbian community. As with their research on homosexuals, they emphasized the need to look at the non-deviant aspects of lesbianism as well as those elements defined by American society as deviant. They indicated.

... much of the behavior of the lesbian can be "explained in terms of non-deviant sex role expectations. This analysis points to the need to consider the lesbian, as well as other deviant actors, in terms not only of the degree of failure of conventional socialization, but also the degree of success in conventional socialization (Simon and Gagnon, 1969:212).

They contended that the public generally fails to realize that most female homosexuals follow conventional feminine patterns in developing commitment to sexuality and to sex life, with the single exception of the gender selection of her sex object (Simon and Gagnon, 1969:214). They supported this contention with research data that showed (as did Kinsey et. al.) that the patterns of overt sexual behavior of lesbians resemble those of heterosexual females, and differ greatly from both homosexual and heterosexual males (Simon and Gagnon, 1969:215). This indicated that lesbian women have a lot more in common with heterosexual females than they do with homosexual males. Simon and Gagnon (1969) have noted that for most women, including most lesbians, sexual gratification is linked closely to emotional and romantic involvement. For lesbians, the gay community provides as much structure as it does for males (e.g. partners and social support), but, according to Simon and Gagnon (1969) lesbian participation in the gay community is much less frequent than that of males. There are, of course, many

possible explanations for this fact. The lesbian can hide her homosexuality much easier than can the male. For example, two women living together do not arouse the suspicion that is common when two males live together. In further support of their contention that the lesbian has more in common with the heterosexual female than she holds unique, Gagnon and Simon examined the lesbian "butch" role. They explained that "the role of 'butch' is generally a phase through which the lesbian passes in her attempt to make the transition from 'private' homosexual to 'public' homosexual" (Simon and Gagnon, 1969:218-220). Once the transition is made, she generally returns to her socialized feminine sex role.

D. Sexually Deviant Subcultural Factors

Many sociologists stress the importance of deviant subcultures in their explanations of sexually deviant behavior. In his study of rape, Amir (1971) concluded that his data indicated a strong correlation between certain subcultures and violent and sexually aggressive acts. According to his study, even forcible rape is learned in a socio-cultural framework. He noted that even in what he calls "victim-precipitated" crimes, in which rapists are said to detect cues given by potential victims which, according to the rapists, compels them to commit the rape, the true cause of the rape still seems to be related to the rapist's involvement in the aforementioned subculture (Amir, 1971:276).

Humphreys (1970) provided some excellent data on the homosexual subculture, its structure, and the relationship between social structure and deviance. Humphreys' (1970) data indicated that men of all racial, social, educational, and physical characteristics meet in public restrooms for sexual union. He explained that according to his observations homosexual acts in public restrooms were highly structured encounters in which certain specific norms had to be followed. Among other things, there were rules specifying that the act must be private. Further, not only is the isolation of the facility important, but during the homosexual act, silence is crucial. Humphrey's (1970:47) listed what he found to be the "rules for one night stands in public restrooms":

- (1) Avoid the exchange of biographical data;
- (2) Watch out for teenagers- they're dangerous;
- (3) Never force your intentions on anyone;
- (4) Don't criticize a trick- he may be someone's mother (homosexual mentor);

- (5) Never back down on trade agreements; and
 (6) Maintain silence!

Humphreys (1970:49) went on to identify the structured roles of this subculture: players (insertees and insertors); lookouts (masturbators and voyeurs-Humphreys assumed the role of voyeur); straights (those who do not participate); and agents of social control (vice-squad, park police, etc.). According to Humphreys (1970), these roles are highly structured each with clear-cut norms. Not only are the roles highly structured, but the activities of the various players are distinct and calculated. There are particular patterns that identify one as a participant that can usually be perceived only by other members of the homosexual subculture. These patterns of behavior are so distinct, that Humphreys (1970) insisted that there is only a small chance of a non-member of this subculture ever being approached.

Clearly, according to Humphreys' (1970) study, there exists a male homosexual subculture whose sexual playground is public restrooms. However, merely identifying that such a subculture exists does not explain why it exists. Humphreys (1970) offered the following suggestions as to why some men seek this type of sexual activity: First, he asserted that there is a great deal of excitement in such sexual encounters. There is also immediate sexual pleasure, and a constant fear of being caught, which may also be rewarding. Humphreys (1970) believed that the risks involved in restroom sex are actually part of what makes it exciting, and more sexually stimulating. Humphreys suggested there are other causal factors involved as well. He introduced the concept of "conditioning" to explain restroom behavior. According to him, the homosexual, like the heterosexual, has been conditioned by the family. He found that many of the participants were Roman Catholic, and he suggested that some of the more stringent religious tenets regarding sexuality, to which their wives adhered might cause some husbands to search for more exotic sex in places other than the home (Humphreys, 1970:115). Humphreys (1970:190) also suggested that having had a disinterested or threatening father might also "disrupt the normal process of sexual identity, thus later shaping one for deviant sexual behavior."

Overall, Humphreys (1970:151-157) cited three major causal factors in producing the homosexual behavior he observed:

- (1) Kicks as a "Come-On- He points to the widespread use of games of chance as come-on in society. The kicks of sex in a public facility pro-

- vide the reinforcement of a "game of chance." The risk taking nature of sexual action in public restrooms is one of its most important attractions;
- (2) Sex without commitment- Americans are socialized into a world of "disposable sex" which causes one to seek sex without further commitment; and
- (3) Neutralization- The homosexuals who participate in this type of sexual behavior rationalize it on the basis that it occurs between consenting adults and nobody else is offended.

Lee (1978) asserted that for homosexuals there is a degree of institutional completeness in cities of which most heterosexuals are totally unaware. According to his research, large cities contain what he called "homosocial environments" (Lee, 1978:179). Typically, the gay members of this homosocial environment are able to limit their social interaction almost exclusively to other gays. In a hypothetical description of moving into a gay, homosocial community, Lee (1979) described the process, which begins from the moment the homosexual contacts a realtor, also gay, through stages of moving and settling into a community. According to Lee (1979:179-180):

Having moved in, our gay citizen can clothe himself at gay-oriented clothing stores, have his hair cut by a gay stylist, his spectacles made by a gay optician. He can buy food at a gay bakery, records at a gay phonograph shop, and arrange his travel plans through gay travel agents. He can buy newspapers and books at a gay bookstore, worship in a gay church or synagogue, and eat at gay restaurants. Naturally he can drink at gay bars and dance at gay discotheques. He can obtain medical care from a gay physician or if he prefers, a gay chiropractor. If he wishes to remain entirely within the gay culture, he can seek work at many of these agencies and businesses, but he will have to bank his earnings at a nongay bank, though he may be able to deal with a gay credit union. He can contribute money to tax deductible gay foundations, participate in gay political groups, and enjoy gay-produced programs on cable television. To keep him up to date on everything happening in his gay community he can telephone the Gay Line, which is updated weekly. (Lee, 1978:179-180).

Clinard (1979) supported the assertion that the homosexual subculture plays a major role in creating and maintaining homosexuality when he stated, "The homosexual subculture provides a training ground for norms and values, social support, and an information media for its members" (Clinard, 1968:364-365). Weinberg (1970) believed that the importance of this subculture varies according to a person's stage in life. He found that as a homosexual

becomes older, he finds less need for the support of the homosexual community, and participates less in it (Weinberg, 1970:530). It is his contention, that younger homosexuals have less self-esteem and are more worried about being disclosed, while older homosexuals tend to accept their homosexuality more readily and need less support from the gay community (Weinberg, 1970:533-535).

Another interesting study concerning subculture and homosexuality is Reiss' (1964) "The Social Integration of Queers and Peers." This work dealt with delinquent boys who allow homosexual males to fellate them for a price. Reiss (1964) found that there clearly existed a delinquent subculture in which boys operated. While the boys in his study believed their acts to be delinquent, their gang norms neutralized the homosexual aspects of the act, and most did not consider themselves as sexually deviant. He found that most boys in his study had been approached by homosexuals and had refused such advances prior to joining a gang (Reiss, 1964). Reiss (1964) found that participation in sexually deviant behavior was a direct result of participation in a delinquent gang. He contended that the behavior of allowing homosexuals to fellate them is learned within the framework of differential association- the delinquent peer group socializes the boy in his first and subsequent experiences with fellators (Reiss, 1964:209). Reiss (1964:210) went on to explain that "within their group, boys hear stores of experiences with fellators which supply for the boy information on how to make contact, how to get the money, and what kind of behavior is acceptable (to his group) with the queer." In his final summation of what causes this type of sexual deviance among delinquent boys, Reiss (1964:213) stated:

... The lower class boy who is a member of a career oriented gang which positively sanctions instrumental relationships with adult male fellators and which initiates members into these practices, and a boy who at the same time perceives himself as needing the income which the transaction provides, is most likely to establish personal contact with adult male fellators on a continuing basis.

Reiss' evidence seems to indicate that associating with a delinquent gang, in which sexually deviant acts are taught and reinforced, "causes" participation in those acts.

Regarding prostitution, Hirschi (1962) challenged the sub-cultural thesis. In his study of professional prostitutes, Hirschi acknowledged the existence of a distinct subculture in which prostitutes "learn the norms of prostitution: such things as hours she

works and what bars she frequents are a part of the normative structure" (Hirschi, 1962:200). Hirschi (1962) disputed certain popular beliefs about prostitute society. For example, he contended that rather than being highly competitive and "loners," prostitutes actually spend a great deal of time with other prostitutes and even though they were competitors, often recommended customers to their co-workers (Hirschi, 1962:201). However, while he acknowledged the existence of the subculture, he does not believe that it is the cause of prostitution. Rather, Hirschi looked to family breakdown, improper socialization, and lack of a meaningful social bond as leading to prostitution.

A final look at the relationship between subculture and sexual deviance is examined in the work of McCaghy and Skipper (1969). They studied lesbian behavior in an institutional context (strip-tease palaces). When they asked strippers to estimate how many strippers they believed were lesbian, or at least bisexual, the strippers replied that fifty to seventy-five percent were (McCaghy and Skipper, 1953:452-453). If this estimate is correct, this would indicate that lesbiansim is more prevalent among strippers than the general population. They also found that strippers placed no stigma on either homosexuality or prostitution. They drew the following three conclusions as to why such a larger percentage of strippers were homosexuals: isolation from affective social relationships; unsatisfactory relationships with males; and an opportunity structure allowing a wide range of sexual behavior (McCaghy and Skipper, 1969:266).

E. Socially Learned Deviant Behavioral Factors

Those who propose a subcultural influence on sexual deviance imply that deviant behavior is socially learned within the context of that subculture. Subculturists tend to emphasize the deviant subculture rather than the socialization process through which deviant behavior is imparted. The role of social learning in sexual deviance must also be explored.

An interesting account as to the degree to which sexual behavior is socially learned can be found in Hampson's work on psychosexual orientation. Hampson's (1965) study involved hermaphrodites-individuals whose external sex organs give an outward appearance of a different sex than their chromatic pattern indicates. In a study of nineteen hermaphroditic individuals who had been assigned to and reared in a sex contrary to their chromosomes, every individual was living in a gender role in accordance with the

assigned sex rather than the chromosomal sex (Hampson, 1965:113). He concluded that it is convincingly clear that "gender role and orientation as a male or female does not automatically correspond with the chromosomal sex, but is more related to assigned sex, and rearing" (Hampson, 1965:113-114). Based on his study, Hampson further concluded that psychological sex is undifferentiated at birth. An individual learns to be masculine or feminine as a result of childhood experiences. In applying this to homosexuality, Hampson (1965:125) believed its major cause centers on an improper role model on the part of the father and often the encouragement by a very possessive mother to be feminine.

Another social learning theorist has proposed that one of the basic causes of sexual deviance is the feeling of being unloveable, which can often be attributed to a failure in the relationship between child and mother (Storr, 1964:29). Storr (1964) further asserted that in most cases of sexual deviation, the parent of the same sex failed to provide an adequate sex role model.

Oliver's (1967) research also demonstrates that deviant sexual behavior is learned. In his study of 202 male sex offenders, he found that many came from broken homes and some were raised in homes where parents themselves were sex offenders (Oliver, 1967:53). Overall, Oliver (1967:54) found that only one sex offender of 202 came from what he judged to be an "excellent home background."

Akers (1977) also contended that sexual behavior is learned, but through special conditioning which he termed "respondent and operant conditioning." According to Akers, (1977) the conditioning process is the same for both conforming and deviant sexual behavior. Respondent conditioning simply involves the elicitation of sexual response by a variety of stimuli. By operant conditioning, Akers (1977:178) contended:

... a variety of activities are rewarded by achieving sexual pleasure and/or social sanctions while other sexual activities are punished or not rewarded. If the past and present rewards attached to an individual's particular sex act offset both the punishment attached to it and the rewards and punishments attached to alternative behavior, then that is the one he is most likely to perform when a proper opportunity arises.

Akers (1977) viewed the improper sexual socialization of youngsters as the primary cause of sexual deviance (prostitution, homosexuality, and other deviant behavior). He explained how two kinds of childhood sex training can lead to deviance: parents may

provide direct reinforcement (wittingly or unwittingly) for deviant sexual acts; in the other, which is more common, parents may conduct the socialization in such a way that the individual is totally unprepared for normal sexual behavior (Akers, 1977:183). Both methods can result in an individual who cannot determine who is or is not an appropriate sex object.

Many people have argued that pornographic material causes sexual deviance and sex offenses. The 1970 study by the Commission on Obscenity and Pornography, however, found that while the use of explicitly erotic material was widespread, there were "no measurable negative effects on sexual behavior or on the development of criminal behavior" (cited in Akers, 1977:172-173).

Since Akers (1977) contended that all sexual behavior is learned, it is not surprising that he placed much of the blame for sexual deviance on parents who failed to provide adequate sexual education for their children. Akers (1977:185) also cited sex-segregated institutions (e.g. private boarding schools, delinquent institutions, etc.) as other possible promoters of sexual deviance-particularly since adolescents are placed in these institutions during that time in their lives when much of their sexual learning takes place.

While Akers saw most reinforcement coming from groups, especially the peer group, he suggested that deviant behavior can reinforce itself primarily through the gratification the individual receives (Akers, 1977:186). He supported this by noting that such acts as voyeurism, fetishism, exhibitionism, rape, and child molestation do not occur within a group context, and that the only reinforcement in these cases comes solely from the sexual gratification which the act itself provides (Akers, 1977:186).

Akers' (1977) theories on the relationship between socialization and deviance, were based in part on earlier studies by Bandura (1969). In his work, Bandura (1969:512-513) cited numerous cases in which parents rewarded and encouraged sexual deviation in their children. Bandura (1969:514) detailed three major social learning variables that appear to be related to sexually deviant behavior. These included: the degree to which parents act as deviant models; once deviant responses are elicited they are given positive reinforcement; and parents tend to maintain children's deviant sexual responses over a long period of time. Bandura (1969) also added, as did Akers (1977), that often, sexual activities reinforce themselves through the pleasure they bring the deviant.

In studying sibling incest, Fox (1962) found that incestuous behavior is also learned and reinforced through improper socializa-

tion. Fox (1962) discovered no clear cut familial responses to incest. While he discovered few positive sanctions for such behavior, he also discovered that in many cases it was not negatively sanctioned.

Fox's cross-cultural comparisons, showed that in households in which children of the opposite sex were sexually immature, the more intense bodily interaction that took place, the more likely they were to abstain from sexual relations with each other after puberty. Related to the above factor, Fox (1962) suggested that one cause of father-daughter incest may be the low level of interaction between the two during the latter's childhood.

In our examination of social learning and sexual deviance, two of Bryan's studies on prostitution must also be noted. Bryan (1965:290-296) discovered early in his study that there is a socialization process by which girls enter and learn the profession of prostitution. He indicated that most "call girls" served an apprenticeship under another prostitute or pimp, during which time they learned the norms and values of their trade (Bryan, 1965:290-283). He found that this rather well-defined apprenticeship period provided the prostitute with the opportunity to learn the profession through imitation and specific tutoring. Heyl (1977:545-555) noted that, in some cases, experienced "hookers" served as teachers to inexperienced "turnouts." Through a variety of techniques, the madam taught the turnouts the intricacies of the trade and how to rely on their new values which isolated them from their previous lifestyles and acquaintances (Heyl, 1977). Topics covered in a prostitute's training include "physical skills, work values, personal hygiene and grooming, role-playing . . . house rules . . . and guidelines for what to do during an arrest" (Heyl:1977). Once the prostitute is taught the necessary skills of the profession, she must receive the proper reinforcement to keep her in the profession. Of course, the financial gain acts as one reinforcement, but Bryan (1965) contended that prostitutes must also form a collective rational defense for their profession-for society does not approve of such activity. For example, he found that most prostitutes defend prostitution in terms of its positive function to society, with statements like: ". . . less murders and rapes would occur if it were legalized"; "Prostitution has held more marriages together than any marriage counselor"; and "I don't regret doing it, because I feel I help people" (Bryan, 1966:215).

With the evidence provided by various schools of thought, it seems reasonable to conclude that sexual deviance is caused by a multitude of factors rather than from any single variable. With so

many explanations for sexual deviance, it is not surprising that there are also a wide variety of methods of treating sex offenders and an equally large number of proposed solutions to the problem of sexual deviance.

VI. Strategies for Dealing with Sexual Deviance

Although there are almost as many proposed solutions to the problem of sexual deviance as there are proponents, much of the literature deals with only three basic strategies. They are: psychotherapy; behavior modification through aversion therapy; and the decriminalization of what are often referred to as "victimless" sex offenses.

A. Psychotherapy

For a time, psychotherapy was the dominant treatment for sex offenders. Those who adhere to the psychological causes of sexual deviance tend to prescribe psychoanalysis as the best method for the treatment of sexual deviance. Storr (1964:110-120) asserted that "since sexual deviance appears to be caused by the psychological stress and the emotional conditioning of childhood, it is reasonable to treat the adults that suffer from these disorders through analytical psychotherapy." He described psychotherapy treatment as an art which consists of frequent interviews over months and years in which the therapist attempts to help the patient reach a better understanding of himself and his problems (Storr, 1964:121). Oliver (1967) also supported the idea that psychotherapy is the best treatment for sex offenders. He firmly believed that most sex offenders would benefit more from hospitalization and psychotherapy than they would from confinement in jail. In an attempt to provide solutions to the problems sexual deviancy, Oliver (1967:225-231) listed a ten-point program to develop sexual mental health:

- (1) Develop constructive home sexual conditioning and a wholesome emotional atmosphere concerning sex;
- (2) Remove sexual incompatibility in marriage, creating a healthier environment for children;
- (3) Develop constructive sex education;
- (4) Eliminate pornographic materials;
- (5) Develop constructive attitude of society toward the sex offender;
- (6) Develop constructive sexual codes;
- (7) Change laws and develop constructive legal treatment of the sex offender;

- (8) Develop appropriate treatment for differing sex offenders;
- (9) Increase research on sex; and
- (10) Increase psychotherapy for sex offenders.

Behavior Modification through Aversive Conditioning

Many researchers in the field of sexual deviance would find Oliver's program unsatisfactory, particularly his recommendation for more psychotherapy. Akers (1977) contended that some type of behavior modification in deconditioning sexual deviance seems to offer more success than traditional psychotherapy treatments. He cited a few successful cases of aversion deconditioning, pointing out that behavior modification technique has shown more success than psychotherapy treatment, and he predicted it will become more successful in the future (Akers, 1977:215-218).

Akers is certainly not alone in recommending aversive conditioning for sexual deviance. Bandura (1969:511-512) has also supported this mode of treatment. Bandura (1969:514) explained that the application of aversive counter-conditioning for sexual disorders, is an attempt to "reverse the sexual arousal value of appropriate and inappropriate stimuli through differential conditioning procedures." Generally, this process involves administration of a nausea causing drug (usually apomorphine) which is injected at the time the patient is shown pictures of the inappropriate sexual stimuli. At other times, the patient is injected with drugs that do not cause nausea and appropriate stimuli are shown. Bandura (1969:515-520) reported several studies in which such techniques have been successful among transvestites, fetishists, voyeurs, exhibitionists and others who were successfully counter-conditioned through aversive conditioning. Bandura (1969) emphasized that the conditioning of sexual attraction to appropriate objects is only part of a broader treatment involving the development of new speech patterns, dress styles, courtship behaviors, modes of sexual stimuli associated with heterosexual coitus, and many other aspects of sex-role behavior. In short, Bandura (1968) seemed to demand the complete sexual resocialization of the deviant individual. While he is a strong advocate of aversive therapy, Bandura, (1969:522) warned that "it is only successful when ample sexual outlets (women) are made available to the patient during treatment, and most state laws prohibit this part of the treatment." Despite this, there are numerous reported successes involving this type of treatment.

Raymond reported the successful treatment by aversive training of a thirty-three year old man with a fetish for handbags (cited in Eysenck, 1960:303-310). Nineteen months after having been

treated by being injected with apomorphine while fondling handbags, the patient was still refraining from this type of behavior, and his wife reported "greatly improved" sexual relations (cited in Eysenck, 1960:303-310). Later, Raymond treated sixty-seven homosexual patients through the use of aversion therapy using a mixture of emetine and apomorphine to cause extreme nausea while patients viewed pictures of nude males. During the second phase of treatment, patients were injected with 10mg of "testosteronum propionicum" to create sexual arousal, and were shown pictures of nude and semi-nude women. In follow-up studies conducted three years later, he found that 12 of the 67 patients had adapted to hetero-sexual lifestyles totally. While this is not a large number, Raymond contended that his results were better than any previous psychoanalytic or psychotherapeutic treatment (cited in Eysenck, 1964:324-325). Other successful uses of aversion therapy cited in Eysenck's work included cases of: a homosexual treated by James (cited in Eysenck, 1964:159-163); a transvestite treated by Blynn and Harper (cited in Eysenck, 1964:164); and two transvestites treated by Blakemore (cited in Eysenck, 1964:165-175).

Rachman and Teasdale (1970) have also reported several successful cases in which aversion therapy was used. By using electrical aversion therapy, they claim a thirty-two year old bachelor with a fetish for women's buttocks and bloomers ceased having his former fantasies (Rachman and Teasdale, 1970). They also cited successful treatment of five of seven homosexuals treated with electrical aversion (Rachman and Teasdale, 1970:56-57). Rachman and Teasdale (1970) are at present reluctant to recommend the above treatment in all cases of deviance. They warn that while electrical aversion has been employed with some success in the treatment of transvestites, fetishists, homosexuals, masochists, and exhibitionists, the number of cases reported is still quite small. They suggest that much more research should be conducted in this area before it can be recommended as a general treatment for all disorders.

C. Decriminalization of "Victimless" Sex Offenses

While virtually all researchers in the field of sexual deviance recognize the need for the regulation of sex behavior, many believe that a partial or total revamping of America's sex codes is in order. One researcher suggested confining sexual prohibition laws to four leading areas (Ploscowe, 1962:262):

- (1) Heterosexual and homosexual acts in which force and violence are used;
- (2) Heterosexual and homosexual acts involving children and adolescents;
- (3) Heterosexual and homosexual acts which outrage public decency or give rise to public scandal; and
- (4) Heterosexual and homosexual prostitution.

Ellis and Brancale, who have studied the operation of sex laws, suggested a revision in which punishment should be applied to acts which include the first three areas mentioned above (cited in Clinard, 1968:346-347). But they would lower the age of statutory rape from eighteen to fifteen as it has been in most European countries (cited in Clinard, 1968:347). They did not address the issue of prostitution.

Kinsey et al. (1953) made a strong case for decriminalization of sex offenses in which there is no victim. They provided many examples of how the prosecution of sex offenders "often causes divorce, and children without parents. They suggested we must "discover more intelligent ways of protecting social interests without doing so much irreparable damage to so many individuals and to the total social organization to which they belong" (Kinsey et al., 1953:21).

Davis (1966:360) also recommended the decriminalization of homosexuality, contending that "if it was legalized and institutionalized with social rights and obligations, it would no longer be an avenue for neurotic escape and would not enjoy the stimulating status of being illicit." **Humphreys (1970)** wanted the decriminalization of homosexuality on the grounds that it did little, if any, social harm. He indicated that if homosexual acts in public washrooms posed any real threat to society, his data did not indicate it. He further asserted that the only harmful results of these encounters resulted from police activity which brought about blackmail, payoffs, and the destruction of reputations and families (Humphreys, 1970:163). Humphreys (1970) noted that his concern as a criminologist is to recommend that law enforcement manpower be used where it is needed most, in those areas where the welfare of individuals and society are at stake. The public restroom was not high on his list of areas to be protected. In his summary, Humphreys stated "if you want to alleviate the damaging side effects of covert homosexual behavior, ease up on it" (Humphreys, 1970:166). In fact, he asserted that nothing short of a total police state could erase this type of sexual activity (1970:172).

Reiss (1960) too called for the revision of laws concerning sexual behavior, especially those related to adolescents. Reiss offered evidence that "heterosexual behavior involving consent among adolescent participants cannot be adequately or justifiably controlled by legal action. He suggested that legal intervention should only occur when it involves institutional forms such as prostitution, or if there is clear exploitation or lack of consent on the part of the adolescent" (Reiss, 1960:75-76). He strongly suggested that adolescents be given a distinct status within the law; and that society must define acceptable behavior for adolescents in terms of culturally approved goals and appropriate means for reaching them (Reiss, 1960:62,77).

Schur (1964) leveled criticism at the agents of social control and formal processing functionaries. He contended that through the process of interpretation, instead of providing means for reducing, eliminating or controlling problematic behavior, the authorities perpetuate classifications of deviant behavior and a myriad of deviant slots in which individuals are placed; thus the helping professions often serve the opposite purpose for which they were originally hired (Schur, 1984:187).

In a final appeal for decriminalization, Akers (1977:214) stated, ". . . it is obvious that attaching criminal sanctions to sexual deviance does not make a person stop the behavior." One might ask if anything can possibly be done then? Akers answered yes,

. . . if the person is highly motivated to change, has not persisted in his deviant sexual pattern for many years, has conforming alternatives available to him, and can be insulated for a time from the circumstances which produced the deviancy in the first place, then the chances are good that he can change his behavior (Akers, 1977:214).

VII. Summary and Conclusions

Our review of the literature has shown that while there are many definitions as to what constitutes sexual deviance there are two major criteria: society's reaction to the act, and to a great extent, the social visibility of the act. Our cross-cultural review has also indicated that while all societies attempt to regulate sexual behavior, there is great variation in sexual taboos from culture to culture.

The literature suggests that American attitudes about sex and sexual deviance have changed over the past few decades and they continue to change. A review of how sex laws are enforced shows a great deal of variation from area to area and from offense to of-

fense. It is evident that law enforcement officials are willing to tolerate some types of sexual deviance, but not others. Overall, the literature indicates that sex laws are, for the most part, more symbolic than functional, and despite opinions to the contrary, are rarely enforced in a rigid manner.

In attempting to determine the extent of sexual deviance in America, most studies have suggested that virtually everyone at sometime in their life will indulge in some type of sex act that could be labeled as deviant. Despite this fact, sex offenses constitute an extremely small proportion of all criminal offenses. In describing who the sex offenders are, the literature indicates they are fairly typical people who are generally deviant only in the area of sexual behavior. The myth that most sex offenses are committed by sexual psychopaths is just that- a myth. One offense typically viewed as sexual in nature in which a clear cut criminal pattern exists, is that of forcible rape. Unlike other sexual deviants, it has been shown that the rapist is likely to have a criminal history and is not really satisfying his sexual needs as much as he is venting his aggression. Rape therefore, is a crime of violence and clearly assumes the characteristics of a crime against person rather than an illegal sexual act.

While research has provided some support for each of the various explanations of sexual deviance, none can stand alone and sufficiently explain why an individual becomes deviant. Most of the causal explanations cite cases in support of their theory, but few deal with exceptions found. While they offer possible explanations for an individual becoming deviant, they rarely explain why other individuals under the same circumstances do not become sexually deviant. The evidence presented seems to indicate that different types of deviant sexual acts are probably caused by different factors, and different acts are committed by different types of people. The juvenile who allows himself to be fellated for money appears to have little in common with the transvestite, for example, in terms of what motivated the act. Thus, the only thing that most sexual deviants seem to have in common is that each has committed some type of sexual act which society has deemed unacceptable and therefore has labeled it, and them, as being deviant.

We have dealt with some of the treatment methodologies recommended for sexual deviants, and possible solutions to the problem of sexual deviance in general. Again, no single method appears satisfactory in dealing with such complex phenomena as sexual deviance. At present the multiple causes of deviance suggest a

multi-treatment approach. In a few cases, psychotherapy and psychoanalytical counseling may be productive, while aversive counter-conditioning may be appropriate and more successful for others. Arguments for decriminalization of many sexually deviant acts have been explored and seem to be not only logical, but feasible and necessary. At the same time however, the application of uniform enforcement and treatment of offenders is also needed. There is a need for societal regulation of sexual behavior in which innocent people may be victimized. Forcible rape and child molestation are acts for which negative sanctions must be applied. This may not be necessary for other forms of deviance such as homosexuality, exhibitionism, voyeurism, transvestism, and others, commonly called "victimless crimes," the enforcement of which often cause more problems for society than do the sexual acts themselves.

Sexual deviance is a complex phenomenon with diverse theories of causation and methods of treatment. Perhaps, although scientifically disturbing, we may eventually reach the conclusion that there are no "real" causes of sexual deviance and thus there are no "foolproof" treatments. It may be that the spectrum of human sexuality is too broad to ever be contained within human normative structures. If this conclusion is found to be valid, society's efforts might be productively geared to expanding the social definitions, interpretations, and range of tolerance, to accommodate the broadest possible spectrum of human sexuality.

Appendix

Glossary of Terms Commonly Associated with Sexual Deviance

- Autoeroticism — Self-induced sexual pleasure such as masturbation.
- Coprolalia — The use of obscene language as a form of sexual stimulation.
- Coprophilia — Sexual gratification associated with an interest in the act of defecation.
- Exhibitionism — Ordinarily defined as exposure by an individual of his genital organs or other parts of his body publicly, willfully, and indecently.
- Fetishism — Sexual interest centered on the part of the body or inanimate object serving as a substitute for actual sexual relations.
- Flagellation — Sexual deviation associated with the act of whipping or being whipped.
- Frigidity — Sexual inadequacy of a woman.
- Frottage — Sexual deviation characterized by a compulsive desire of a person to rub himself against some part of the body of another person, generally of the opposite sex.
- Homosexuality — The sex relations with one of the same sex. The female homosexual is called a Lesbian.
- Impotence — Sexual inadequacy in the male.
- Incest — Sexual intercourse between blood relations within the degree of consanguinity wherein marriage is prohibited by law.
- Indecent Assault — Sexual contact under circumstances deemed to be indecent, such as a man putting his hand under a female's dress.
- Masochism — Sexual satisfaction obtained from suffering pain; involves the will to submission. Opposite of Sadism.
- Necrophilia — Sexual intercourse with a female corpse.
- Nymphomania — Excessive sexual desire on the part of a female.
- Obscenity — Consists in expression, representation, or display of something regarded as shocking or repugnant in the sexual realm.
- Partialism — Special affinity and preoccupation for certain parts of the female anatomy which are sexually more stimulating than anything else, so that coitus becomes secondary.
- Pedophilia — Erotic adult craving for children; sexual attraction to children, or gratification from sexual intimacy with children. This might include child molestation by exposure of genitals of and adult to children. Carnal abuse involves adult indecent or immoral practices with sexual parts or organs of child.

- Pluralism — Deviation in which groups of people participate in sexual orgies.
- Promiscuity — Indiscriminate sexual relations outside of marriage.
- Rape — May be of two types: forcible rape in which sexual intercourse is forced upon a female without her consent; and statutory rape is intercourse with a woman who is under the age of consent and it is immaterial that the girl was willing, although it may matter what her reputation is.
- Sadism — Sexual satisfaction obtained from the infliction of pain.
- Satyriasis — Excessive sexual desire on the part of a male.
- Scotophilia — Excessive interest in looking at the genitals, sexual acts, etc., as a sexual stimulus.
- Seduction — Sexual intercourse obtained under the promise of marriage or through fraudulent representation of marriage. (In some states it is not a crime.)
- Sexual Abduction — Taking or detaining a female unlawfully against her will with intent to marry or defile her, and also of enticing an unmarried female of previous chaste character into a house of prostitution or elsewhere for the purpose of prostitution.
- Sodomy — Usually includes all kinds of sex acts regarded as unnatural or abhorrent. It refers specifically to anal intercourse or oral copulation.
- Transvestism — Wearing clothes of the opposite sex for sexual purposes.
- Troilism — Sexual deviation in which three or more people participate in a series of sexual acts.
- Urolagnia — Sexual deviation in which sexual excitement is associated with the act of urination.
- Voyeurism — The desire to see an individual unclothed.
- Zoocasty — Referred to as bestiality; sex act between a human and an animal.
- Zoophilia — Sexual excitement experienced by the stroking or fondling of animals.

(Oliver, 1967: 232-233)

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