

**Halperin, David M., and Trevor Hoppe, editors. *The War on Sex*. Duke UP, 2017.**

By Stephanie Selvick, University of Wisconsin-Whitewater

1 When I moved to Miami, Florida in 2008 as an eager anti-rape activist and academic-in-training, I was confronted by the “scene under the Julia Tuttle Causeway” that Roger Lancaster documents in his contribution to David M. Halperin and Trevor Hoppe’s necessary 2017 edited collection *The War on Sex* (Duke University Press, 92). Due to the now iconic 1,000 foot laws which still prohibit “all sex offenders from living within a thousand feet” from places “where children gather,” there was a “small camp of sex offenders [who] took up residency under the Miami bridge” (ibid.). What made this cohabitation even stranger was that the Miami authorities “charged with monitoring sex offenders allowed” the illegal squatting, “because they could find no other place for the men to live” (92-93). By 2009, “the camp had swelled to as many as 140 squatters” (92). This compelling, confusing scene of abjection was essential to forming my abolitionist politics and reorienting the way I thought and spoke out against sexual violence, sexual offence laws, and the carceral state.

2 *The War on Sex* is essential reading now—a fundamental addition to the 21<sup>st</sup> century abolitionist’s toolbox. Positioned at the intersection of queer theory and abolition, this collection builds on the call to dismantle the prison industrial complex that was established and popularized by Angela Davis’s groundbreaking 2005 *Are Prisons Obsolete?*, Michelle Alexander’s prescient 2012 *The New Jim Crow: Mass Incarceration in the Age of Colorblindness*, and of course the Black Lives Matter Movement (2013). All three are watershed ‘texts’ that blend academic and activist work and are designed to reach a wide audience of scholars, policy makers, community organizers, and people who are incarcerated. The public, political conversation generated by these thinkers makes clear that the prison system is designed to disenfranchise people of color. Duke University Press’s 2017 Lambda Literary Award Finalist, *The War on Sex*, rethinks mass incarceration by centering the identities, experiences, and unique vulnerabilities of sexual outsiders.

3 These academic and activist contributors bring into public view the egregious, avoidable harm done by the sexual offence registry, a tracking system that Beth E. Richie describes as a “prison nation without the prison” (129). In 1994, Congress voted to expand the sexual offence registry to all fifty states, and in 1996 they voted to make the registry public and added federal

tracking (261). Erica R. Meiners, who has worked with people exiting prisons in Chicago for sixteen years, argues that for “those convicted of sexual offences the requirement to register [...] ensures that finding a job and a place to live will be almost impossible” (177). The contributors meticulously research the impact that sexual offence laws, and the moral panics which propel them into public favor, have unjustly had on those who are most marginalized—including minors, queer people, people living with HIV, and sex workers. They argue that increased minimum sentences and lifetime federal tracking have not discouraged sex crimes—the majority of which *still* continue to occur by those whom we trust the most: partners, parents, co-workers, and other ‘loved’ ones (175, 259). Instead of preventing crime, *The War on Sex* demonstrates that sex offence laws respond to this crisis of coercion by deliberately scapegoating the behavior of sexual outsiders under the guise of keeping us safe.

4 Daniel-McCarter, Meiners, and Noll plainly acknowledge in their chapter the real ‘ask’ of this collection: the work of abolition for sexual outsiders requires us to build solidarity with sex offenders—a figure that has been cast in the public imaginary as “supposedly worst of the worst” (175). As a formal response, much of *The War on Sex* is filled with facts designed to deconstruct this monstrous figure. For instance, in 2000 the “single age with the greatest number of [sexual] offenders [...] was age 14” (153). By 2009, 35.6% of all documented sexual offenders were juveniles (180). These government statistics are public knowledge; and yet there is something unknowable about them—a horrifying truth kept far from public view. Meiners contextualizes that there is a new class of sex laws which now targets minors and their sexual expression, again, under the guise of keeping them safe. In Illinois, for instance, “a minor texting a nude selfie, an act done by one in five teenagers, is creating and circulating child pornography” (175). But Meiners contends that the problem goes beyond laws which criminalize youth desire, pointing out that the sexual expression of non-adults is highly regulated by parents, school, and institutions of faith (180). Since the contributors know that youth are especially vulnerable to sexual coercion, they argue we should inform and advocate for, rather than police, youth sexual empowerment. As Judith Levin says in her chapter: “if we are to end sexual violence by cracking down on sexual freedom, we are trading one oppression for another” (158).

5 Also spotlighted in this collection is the *unscientific* and political fear mongering that continues to cast people living with HIV as predators and their bodily fluids as weapons (365). Rather than providing HIV care, people living with HIV are criminalized—even in cases when the person is unaware of their HIV status, even when there is no chance of HIV transmission, and

even when laws already exist which police specific behaviors (357). The Nebraska legislature, for instance, passed statute 28-934, which specifically describes the act of “striking” a “public safety officer” with bodily fluids as assault. This is just one example of a cluster of redundant legal efforts which demonize people living with HIV. As Sean Strub points out, “an individual who demonstrates a premeditated malicious intent to harm another person can be prosecuted under existing assault statutes, whether they use a gun, a baseball bat, their fists, or a virus” (350). Gregory Tomso concludes that “[w]e are afraid of sexually active people with HIV” and persuasively legislate from this position of ignorance and fear (361).

6 Over and again, the collection asks why “the war on sex” isn’t on the radars of mainstream feminist and LGBTQ rights movements, especially when “it has had grave consequences for the autonomy and agency of women, young people, the disadvantaged, and the vulnerable” (Halperin 1). Meiners regrets that the “facts don’t sway people” (183). Elizabeth Bernstein argues that, what she calls, “protective feminism” has bought into the illusion of prison and punishment as protection, even when incarceration has shown no evidence of eliminating the problem of sexual violence (301). Hoppe begins the collection by honoring Gayle Rubin’s “now famous 1984” essay “Thinking Sex.” Rubin argues that “nineteenth-century morality crusades” solidified social norms through law and resulted in anti-obscenity and sodomy laws, as well as white slavery acts (144). Rubin argues that “the consequences” of these laws “are still with us” and make a “deep imprint,” on the social construction of sexuality and public perception of crime in the present (144). I see *The War on Sex* as taking up Rubin’s call for increased ethical analysis of “sex on its own terms” by filling in the gaps between 1984 and the Present. *The War on Sex* is an invaluable teaching tool for queer and feminist studies courses seeking to place Gayle Rubin’s foundational essay into a more contemporary, critical conversation. Written by both academics and activists, the collection adds an important, often overlooked thread to the wider, national conversation about prison abolition and the problem of mass incarceration. The contributors are deeply invested in addressing sexual violence prevention in ways that do not target, stigmatize, or criminalize sexual outsiders.

### Works Cited

Alexander, Michelle. *The New Jim Crow: Mass Incarceration in the Age of Colorblindness*.

NYC: The New Press, 2012.

Davis, Angela Y. *Are Prisons Obsolete?* NYC: Seven Stories Press, 2003.

Halperin, David M., and Trevor Hoppe, editors. *The War on Sex*. Duke UP, 2017.

Rubin, Gayle. "Thinking Sex: Notes for a Radical Theory of the Politics of Sexuality." In Carole S. Vance, ed. *Pleasure and Danger: Exploring Female Sexuality*. Boston: Routledge & K. Paul, 1984.