CHAPTER 8

Desiring Children

Vulnerability and the Sex Offender

Jisha Menon

In June 2019, the Almeida Theatre in London premiered an adaptation of *The Hunt* directed by Rupert Goold and adapted by David Farr from Thomas Vinterberg and Tobias Lindholm's Danish film, *Jagten* or *The Hunt*.[1] The stage version recreates the film's plot and focuses on the repercussions that befall kindergarten schoolteacher Lucas Bruun, falsely accused of sexual abuse by six-year-old Clara, the daughter of his best friend. Clara has a crush on Lucas and is upset when he rebuffs her affection. She subsequently suggests to her principal that Lucas had exposed himself to her. Her classmates corroborate her story by adding imaginative and salacious details of their own. The play examines how the accusation galvanizes the close-knit community in a small Danish town and targets the accused. Reversing our associations with predation and hunting, the play depicts how the force of sex panic stirs up primal hunting impulses and incites the townsfolk to mobilize against the threat of pedophilia.

The Hunt focuses on the hunting down of a man falsely accused of pedophilia, and highlights public reactivity to sex panics, especially in relation to children. In the wake of the accusation, Lucas's professional and personal life unravels: He loses his job, his friendship with the girl's father crumbles, and his burgeoning romance with a coworker comes to

[1] For his astute comments on this chapter, in addition to his formidable brilliance and critical generosity, I am indebted to Robert Weisberg. For generative conversations and insightful feedback, I thank Sarah Brophy, Estelle Freedman, Michael Rau, David Sklansky, and the editors of this volume. I am grateful to Westley Montgomery and Zoe Ryu for research assistance. The Violet Andrews Whittier Faculty Fellowship at the Stanford Humanities Center provided much appreciated research support.

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a standstill. The effects of this accusation radiate beyond Lucas; they upset his son who lives with his ex-wife. The community's punitive shaming goads vigilantes who assault him, vandalize his house, and even kill his dog. Eventually, Lucas is proven innocent and acquitted, and reintegrated within the community.

Es Devlin's scenic design amplifies the sense of confinement, ostracism, and fragility that ripples through the plot. An exquisitely minimalist and elegant glass house is mounted stage center, its base rotating and exposing the actors, trapped inside, from all sides. The glass carapace heightens an intense sense of exposure, even vulnerability. This glass house is the setting for the school, a church, a courtyard, and a lodge in the woods. Various rituals of masculinity play out within its precincts: Men drink and sing, hunt, and fight in ways that symbolically reinforce masculinist discourses of security regimes and protectionism. The lighting and sound design further enhance the sense of precariousness captured in the scenic design. The close bonds of community may well be imagined like the glass house – at once the work of beauty but also a stultifying enclosure. Carefully choreographed scenes display the increasingly belligerent community hunting down Lucas. An enigmatic antlered stag appears fleetingly within the glass box and reinforces a sense of hunted prey, while also conveying the machismo that undergirds vigilante justice. In *Hunt*, the prey is Lucas, and the hunter is the community.

The play provoked strong responses in the audience, coming on the heels of the #MeToo movement; some audience members were chafed that the play explores in great empathic complexity the horror experienced by someone falsely accused of sexual abuse, even as similarly compelling accounts of sexual survivors seemed scant.[2] For others, its

[2] See, for example, Ava Wong Davies, "Review: HUNTED at Almeida Theatre," *Exeunt Magazine*, March 16, 2022, https://exeuntmagazine.com/reviews/review-hunt-almeida-theatre. Thomas Vinterberg's 1998 film, *Festen* (*Celebration*) inspired by the Dogme 95 movement, enjoyed a highly successful stage adaptation and portrays the lingering trauma experienced by survivors of parental sexual assault. The film exposes powerfully the social denial and collective refusal to take accusations of sexual assault seriously. Turning now to the falsely accused in *The Hunt*, Vinterberg describes how they too are victimized, as are the children who begin to believe the truth of their accusations.

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taut storytelling and elegant visual design combined to make for a powerful evening of theatre. Critic Mark Shenton applauded the play for its "churning unease," and described it as a "gripping, unsettling evening – not easy to watch, but impossible to look away from."[3]

To an audience that never doubts the protagonist's innocence, *The Hunt* offers the moral certitudes of comfort, closure, and even catharsis. The townspeople recognize their folly. Innocence, it suggests, is not the exclusive property of children.[4] Lucas is vindicated and enfolded again in the warm, if stifling, embrace of community.[5] Indeed, the dramatic narrative of *The Hunt* unfolds along the lines of what anthropologist Victor Turner describes as "social drama": The false accusation of sexual abuse instigates a breach in the fabric of a tight-knit Danish community. The breach widens into a crisis, fueled by sex panic, which sets off vigilante justice. Ultimately, the police investigation concludes that the allegation is false, and the story

> Of course abuse happens – I made a film about that already. But I think that there's this other danger and it demands new sacrifices, new victims. These victims are not only the men – and sometimes women – who are accused of something they haven't done. But they are also the children who grow up believing they are victims. Those children operate under the grand illusion that something bad has happened to them; they grow up with similar experiences to the children who really did experience it . . . It's rotten, rotten territory.

See Xan Brooks, "Thomas Vinterberg: Back in The Hunt," *The Guardian*, November 22, 2012, www.theguardian.com/film/2012/nov/22/thomas-vinterberg-the-hunt-festen.

[3] Mark Shenton, "Review: *The Hunt* at Almeida Theatre," *London Theatre*, May 25, 2022, www.londontheatre.co.uk/reviews/review-the-hunt-at-the-almeida-theatre; Michael Billington, "*The Hunt* Review: False Accusation Unleashes Small-Town Savagery," *The Guardian*, June 27, 2019, www.theguardian.com/stage/2019/jun/27/the-hunt-review-almeida-thomas-vinterberg-rupert-goold.

[4] See Robin Bernstein's excellent account of the making of childhood innocence in nineteenth-century America in *Racial Innocence: Performing American Childhood from Slavery to Civil Rights* (New York: New York University Press, 2011).

[5] While violent sex offenders were surgically castrated in Denmark until the 1970s, today, they can be detained indefinitely, in addition to undergoing medical castration. Denmark views criminal offending as a social problem rather than a problem of individual pathology. As a result, the country boasts of robust social programs that enable formerly incarcerated people to reintegrate into society. See Nick Pearce, "Danish Prisons: Dinner for Wife and Kids," *New Statesman* 135, no. 4808 (April 9, 2006): 16.

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closes on the image of a reintegrated community, which appears, like the glass house, at once solid and fragile.[6] The breach is redressed but leaves its trace: In the final scene, a shooter takes aim at Lucas; the bullet misses him and grazes past his head. Still hunted, still prey, Lucas remains vulnerable to vigilantes unconvinced of his innocence.

In her authoritative study *Law as Performance*, Julie Stone Peters reminds us, "No one living in the age of late modern mass media – when moving images have taken over the public sphere and brought the courtroom into the palms of our hands – would now say that law takes '[n]ihil ex scenâ': "nothing from the theatre."[7] This is especially borne out in the cultural politics of criminal law. Political theatre saturates criminal law, and mainstream media play an integral role in relaying and consolidating pernicious narratives of heightened crime. The politicization of crime is mediated through culture, exaggerating fears over criminality and normalizing ever more draconian penalties. The media-fueled specter of sexual threats to children has resulted in the formation of some of the most severe laws against sex offenders. The repetition of this cultural imagery normalized state and public violence toward "sexual predators," repeatedly cast as nonhuman outlaws.

Evoking animal imagery, medieval English law casts the outlaw as "caput lupinum," a concept that signifies "the head of the wolf." In the famous thirteenth-century text of jurisprudence, *De Legibus et Consuetudinibus Anglioe*, Henry of Bracton writes, "An outlaw also forfeits everything connected with the peace, for from the time he is outlawed he bears the wolf 's head, so that he may be slain by anyone with impunity, especially if he resists or takes to fight so that his arrest is difficult."[8]

[6] While the police are portrayed as measured and reasonable investigators of crime in this film, new Danish sex offender laws have cast the police as punitive agents, required to surveil and strip sex offenders of their civil rights, inhibiting their reintegration into society. See Kasper Jorgensen, "The Police Monitoring of Sex Offenders in Denmark," Masters in Criminology Thesis, Aalborg University, 2021.

[7] Julie Stone Peters, *Law as Performance: Theatricality, Spectatorship, and the Making of Law in Ancient, Medieval, and Early Modern Europe* (Oxford: Oxford University Press, 2022), 301.

[8] Quoted in Desmond Manderson, "From Hunger to Love: Myths of the Source, Interpretation, and Constitution of Law in Children's Literature," *Law & Literature* 15, no. 1 (2003): 87–141.

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Decreed via legal fiat, the performative speech act singles out the felon as one who may be legally killed as if they were a predatory wolf. Developing this trope of the wolf-man or werewolf as the outlaw, Giorgio Agamben points out:

> What had to remain in the collective unconscious as a monstrous hybrid of human and animal, divided between the forest and the city – the werewolf – is, therefore, in its origin the figure of the man who has been banned from the city. That such a man is defined as a wolf-man and not simply as a wolf (the expression caput lupinum has the form of a juridical statute) is decisive here. The life of the bandit . . . is the life of the loup garou, the werewolf, who is precisely neither man nor beast, and who dwells paradoxically within both while belonging to neither . . . Only in this light does the Hobbesian mythologeme of the state of nature acquire its true sense . . . at issue is not simply fera bestia and natural life but rather a zone of indistinction between the human and the animal, a werewolf, a man who is transformed into a wolf and a wolf who is transformed into a man – in other words, a bandit, a homo sacer.[9]

Shuttling between animal and person, the sex offender is an exemplary outlaw figure, banned from the precincts of civility, consigned to the outskirts of the city and lurking in the shadows. Situating the felon outside the zone and protection of the law, such a decree sanctions community vengeance. As *homo sacer*, connoting bare life, the law exposes the felon to the wrath of the community. The sex offender stokes an imaginal reservoir and emerges as a hybrid beast, a felon bearing the head of a wolf, and a creature that may be killed with impunity. Jonathan Simon reminds us that "sex offenders are our modern-day monsters, producing tidal waves of public demand."[10] As if presaging a sense of unease and menace, the sex offender hovers between animality and monstrosity, itself a word that draws from "monstrum" for portents, and derives from the verb "monere," which suggests to warn or foretell.

[9] Giorgio Agamben, Homo Sacer*: Sovereign Power and Bare Life* (Stanford, CA: Stanford University Press, 1998), pp. 63–64.

[10] See Jonathan Simon, "Managing the Monstrous: Sex Offenders and the New Penology," *Psychology, Public Policy, and Law* 4, no. 1–2 (1998): 452–467, at 456.

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Viewed simultaneously as beast, monster, and specter, connoting an animal appetite and shadowy pervasiveness, the sex offender is imagined outside the bounds of personhood.[11]

On the other side of the spectrum, the performative force of "the victimized child" legitimates severe punitive sanctions. The white child is the exemplary figure of vulnerability and summons our protective impulses. As community members aver in *The Hunt*, "The happiness of our children is everything. Our hopes and dreams rest in these tiny souls."[12] If, for Lauren Berlant, the "infantile citizen" indexes the increasing privatization of civic life, then for Lee Edelman the child remains "the perpetual horizon of every acknowledged politics, the fantasmatic beneficiary of every political intervention."[13] Any notion of utopian political projects is securely fastened on the child, the paradigmatic figure of futurity. The vulnerability of the child marshals the guardian trope within national culture, while simultaneously legitimating harsh penalties for pedophiles and sex offenders.

While the discursive construction of vulnerable subjects enables paternalistic discourses and legitimizes brutal state reprisals, it is also critical to consider how the law itself exacerbates the vulnerability of those accused. How might thinking with vulnerability as a heuristic allow us to consider both the survivor's exposure to interpersonal and systemic violence as well as the sex offender's exposure to carceral state violence and their social abjection from society? The vulnerability of our social relations makes us susceptible to interpersonal, community, and state violence. Can avowing vulnerability as the shared social terrain that risks wounding

[11] Robert Werth argues that the anxiety about the pervasive and elusive danger of sex offenders has turned them from monsters to specters. He points out, "while monsters can be brandished (through sex offender registries), located (via GPS monitoring), and monitored (by parole personnel and concerned neighbors), ghosts tend to confound placement (both spatially and temporally) and resist containment efforts. As a result, they trouble confirmation and certainty – which means that they are equally adept at resisting refutation, even if and when they do not exist." See Robert Werth, "More Than Monsters: Penal Imaginaries and the Specter of the Dangerous Sex Offender," *Punishment and Society* 25, no. 4 (2022): 1–21.

[12] David Farr, *The Hunt* (London: Faber and Faber, 2019), 9.

[13] See Lauren Berlant, *The Queen of America Goes to Washington City: Essays on Sex and Citizenship* (Durham, NC: Duke University Press, 1997); Lee Edelman, *No Future: Queer Theory and the Death Drive* (Durham, NC: Duke University Press, 2004).

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unsettle the criminal law binarism that pits vulnerable victims against monstrous offenders? This chapter considers how shaming practices inflicted by the community and the state, in particular, expose and exacerbate the vulnerability of the offender. In the face of such harsh shaming practices, I examine the offender's strategies of psychic management, that range from self-loathing to internalized vigilantism. I consider how vulnerability is politicized but can also offer resources to reimagine the social contract and move us toward more just and humane models of accountability and redress.

The figure of the innocent child, the paradigmatic victim par excellence, evokes powerful protectionist impulses and summons all the resources of the masculinist state. Absorbing and refracting the contradictory discursive and symbolic functions of male social dominance, masculinist state power works through diffuse and multiple channels, drawing on and disseminating the ideologies of the heteronormative family unit. The emergent protectionist discourses acquired a new intensity in the 1980s and legitimated harsher penalties. In the wake of the disappearance of Etan Patz in 1979, and the subsequent emergence of moral panics that surrounded discourses around "missing children," the sex offender came under greater scrutiny.[14] The anxiety around the sex offender, of course, emerged much earlier and impacted shifting gender relations in the political and legal imaginary.

John D'Emilio and Estelle Freedman's pathbreaking scholarship has traced the historical shifts from the nineteenth century emphasis on policing female sexuality to concerns surrounding social and sexual hygiene to a modern preoccupation with controlling male violence.[15] Channeling male lust toward procreative sexuality maintained the ideal of female purity, while also upholding heterosexual patriarchy. However,

[14] Paul Renfro traces the conjuncture of bereaved parents, media sensationalism, and state legislation that propelled a narrative around threats to endangered children. See Paul Renfro, *Stranger Danger: Family Values, Childhood, and the American Carceral State* (Oxford: Oxford University Press, 2020). For the differential treatment given to black children missing during the same period, see Judith Levine and Erica Meiners, *The Feminist and the Sex Offender: Confronting Sexual Harm, Ending State Violence* (London: Verso, 2020).

[15] John D'Emilio and Estelle Freedman, *Intimate Matters: A History of Sexuality in America* (Chicago, IL: University of Chicago Press, 2012). See especially chapter 12.

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when sexual mores for women loosened, the sex regulators needed a new figure to police, and the sexual psychopath stepped into this vacuum, allowing a new site for the regulation of sexual behavior. The simultaneous emergence of the sexual psychopath in the 1930s in media, legal, and populist discourses offered a new rationale to crack down on sex offenders, a capacious category that included perverts, homosexuals, and minor offenders. In Freedman's words,

> The disruption of traditional family life during the depression, when record numbers of men lost their status as breadwinners, triggered concerns about masculinity … the male sexual deviant became the subject of special attention, particularly if he was inadequately masculine (the effeminate homosexual) or hypermasculine (the sexual psychopath). Both categories of deviant males were thought to attack children, thus simultaneously threatening sexual innocence, gender roles, and the social order. The psychopath neatly fit these concerns.[16]

The affective and political power of childhood vulnerability legitimated heightened criminal penalties for those accused of sex crimes. Roger Lancaster points out how sex panics are "less about the protection of children than about the preservation of adult fantasies of childhood as a time of sexual innocence[;] sex panics give rise to bloated imaginings of risk, inflated conceptions of harm, and loose definitions of sex."[17] Drawing on Freedman's work, Lancaster locates the emergence and circulation of sex panics in the 1930s just as the Southern lynch law went into decline. While execution or incarceration emerged as the primary solutions to contain rapacious black criminality, white sex offenders were deemed sick and confined to mental institutions under sexual psychopath laws. Lancaster points out that white and vigilante citizens' and parents' associations that came into being during the sex panics of the Depression and McCarthy era demonstrated the increasing ways in which citizen demands were articulated in a register of

[16] Estelle B. Freedman, "'Uncontrolled Desires': The Response to the Sexual Psychopath, 1920–1960," *Journal of American History* 74, no. 1 (June 1987): 83–106 at 89.

[17] Roger Lancaster, *Sex Panics and the Punitive State* (Berkeley: University of California Press, 2011).

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victimhood, thus normalizing and cementing the role of the state as the protector of vulnerable citizens.

It is no surprise then that laws too have been formed in the very names of children. The new laws since the 1990s imposed ever more punitive penalties and restrictions on sex offenders in prison and after release. These penalties often flow into the coffers of the police, court, and criminal legal system, thus offering incentives to continue to expand the scope of the carceral state. This victims' rights' movements coincide with what Malcolm Feeley and Jonathan Simon call the "new penology," which focuses on managing aggregates of dangerous groups and high-risk "populations" rather than rehabilitating individuals to community norms.[18] Chrysanthi Leon reinforces this point in her study where she argues that risk assessment and control, psychological and biological surveillance are increasingly the norms rather than treatment or prevention.[19] Meanwhile, numerous studies show that "sex offenders have among the lowest same crime recidivism rates of any category of

[18] Malcolm M. Feeley and Jonathan Simon, "The New Penology: Notes on the Emerging Strategy of Corrections and Its Implications," *Criminology* 449 (1992): 449–474.

[19] Chrysanthi Leon, *Sex Fiends, Perverts, and Pedophiles: Understanding Sex Crime Policy in America* (New York: New York University Press, 2011). Leon notes that Jessica's Law, in its California iteration, increased sentences for existing sex crimes, added lifetime GPS monitoring of sex offenders, dramatically expanded eligibility for the state's civil commitment, and restricted where released sex offenders may live. She also observes,

> Prison admissions for felony sex offenses remained flat until the 1960s despite extensive media attention to sensational sex cases, punitive public attitudes, and frequent passage of new laws aimed at sex crime. These contradict what we might have expected from accounts about "panics" surrounding sex fiends and psychopaths in the postwar period. It also contradicts penal theorists who consider sex offender punishment as exemplary as well: from 1940 to 1971, there was a 48% decrease in sex offender prison admissions, while the big period of expansion occurred from 1971 to 1984, when there was a 486% increase. After 1984, there were some fluctuations, but nothing comparable to the pre-1984 increase.

Also in 2006, coinciding with the twenty-fifth anniversary of the abduction of Adam Walsh, President Bush signed into law the AWA; the statute contained a plethora of new restrictions, sentences, and requirements for sex offenders. See Corey Rayburn Yung, "Sex Offender Exceptionalism and Preventative Detention," *Journal of Criminal Law and Criminology* 101, no. 3 (2011): 969–1003, at 978.

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offender."[20] Indeed, as Corey Rayburn Yung has pointed out, "particular myths of extremely high recidivism rates and 'stranger danger' have largely served to support various restrictions on sex offenders as well as substantiate court opinions upholding those restrictions."[21]

The sheer heterogeneity of criminal acts that the term "sex offender" encompasses itself is striking: It includes rape, indecent exposure, public urination, possession of child pornography, voyeurism, production or distribution of obscenity, bestiality, solicitation of a prostitute, statutory rape, distribution of child pornography, "sexting" by teenagers, incest, and lower degrees of sexual assault, including groping. Pointing out the "sex offender exceptionalism," Corey Rayburn Yung notes:

> While murderers, armed assailants, gang leaders, and spousal abusers return to the streets of America after their sentences are complete, sex offenders are treated differently. The distinction between those who commit sex offenses and other criminals is not so much substantive as it is political. America has begun what can only be described as a criminal war on sex offenders akin to the War on Drugs that has continued for nearly forty years. . . . A criminal war is marked by three elements: myth creation, exception-making, and a marshaling of resources.[22]

The image of the vulnerable child provides powerful grist for the mill, sutures "family values" onto the state, and perpetuates the trope of the family as the microcosm of the nation. In the process, the electorate itself is feminized, imagined as vulnerable, and requiring the masculinist

[20] Thomas Ward Frampton, "The Dangerous Few: Taking Seriously Prison Abolition and Its Skeptics," *Harvard Law Review* 135, no. 8 (June 2022): 2013–2052, at 2037. See also David Fiege, "The Supreme Court's Sex Offender Jurisprudence Is Based On A Lie," *Slate*, March 7, 2017, https://slate.com/news-and-politics/2017/03/sex-offender-bans-are-based-on-bad-science.html.

[21] Corey Rayburn Yung, "Sex Offender Exceptionalism and Preventative Detention," *Journal of Criminal Law and Criminology* 101, no. 3 (2011): 973.

[22] Yung, "Sex Offender," 997. He further argues that "In the case of sex offender civil commitment, the circumstances are no more dire than for other serious crimes, the danger is speculative based upon pseudo-science, and the net is far too broad. Because of these aspects of SVP laws, America should fundamentally reconsider its approach to fighting sexual violence. Laws like the federal SVP statute, premised on myths that allocate substantial resources in a never ending war, do not create a just or better society." Yung, "Sex Offender," 1003.

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protection of the state. The ever more stringent laws around sex offenders trigger a mimetic rivalry of muscular nationalism between liberals and conservatives. The feminized public that emerges as the beneficiary of law and order is not a prediscursive category; rather sex panics retroactively constitute this public. An addressable object is conjured into being in order to enable the very discourse that gives it existence.[23] Hence "the public" that is at the receiving end of information about endangered children is not a pregiven, a priori collective but rather a discursively constituted category that is constructed through cultural narratives around crime. This rhetorically constituted public then legitimates punitive policies and rewards politicians who politicize crime.

Turning the trope on its head, *The Hunt* focuses on the suffering and vulnerability of the accused. The play reveals how an accusation of sexual assault can devastate one's physical and mental well-being, while also exploring its repercussions on loved ones and its corrosive impact on community relations. In allowing the audience to empathize with someone falsely accused, the film solicits our compassion for Lucas. But how might our reaction shift if the accused was not innocent like Lucas, but indeed guilty of sex crimes against children? Would we be able to retain a sense of moral complexity when the certitudes offered in *The Hunt* are muddied? What if instead of the catharsis and closure that *The Hunt* provides we are left with feelings of ambiguity, or even disgust?

The structural antagonism of criminal law offers competing notions about who constitutes the victim in scenes of criminal offending: the individual harmed by a particular crime or the accused who may also be a victim of larger systemic marginalization and structural deprivation. For the prosecution, the accused is an autonomous, agential legal subject, who must take responsibility for their actions; for the defense, the victimization of the accused remains unacknowledged, subjected as they often

[23] See Michael Warner, *Publics and Counterpublics* (New York: Zone Books, 2002). This auto-telic circularity is a key feature of Warner's conception of the public. Moving away from an understanding of discourse as Habermasian communicative rationality, Warner explores the multigeneric, cross-citational heterogeneous social field of discourse, which projects for the public a concrete livable world and attempts to realize that world through its address.

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are to larger systemic disadvantages. These accounts provide images of the accused that oscillate between subjecthood and subjection, evoking earlier debates around individual agency versus social determinism. Eschewing these binary formulations allows us to consider how legal actors are constituted in and through relations of power: Social subjection is the ground for the emergence of legal subjecthood.

While studies have pointed out the victim/offender binary often overlaps or exists in a continuum, with those who harm likely to have been harmed themselves, prevailing criminal law continues to perpetuate a binary model.[24] The antagonism that structures criminal law saturates cultural responses, eclipsing other avenues for redress and repair. Addressing sexual violence does not require draconian penalties; conversely, addressing carceral expansion does not necessitate minimizing sexual violence: this is a false choice.[25] A more capacious notion of justice

[24] See Cynthia Godsoe, "The Victim/Offender Overlap and Criminal System Reform," *Brooklyn Law Review* 77, no. 3 (2012): 1053–1101.

[25] See, for instance, this exchange in Bruce Norris' new play, *Downstate*, where a survivor of child sex abuse, Andy, confronts a sex abuser:

> ANDY: I was assaulted, okay? It was an act of violence.
> DEE: Ya mean an old man sucked your dick.
> ANDY: I was raped by a serial predator. It was a criminal act.
> DEE: Oh honey. If suckin' dicks was a crime I'd be Al Capone.

While the play portrays powerfully the extreme social abjection that people released from jail for sexual offenses endure, it minimizes the traumatic repercussions of sexual violence. Bruce Norris, *Downstate* (London: Nick Hern Books, 2019). For an insightful analysis of this play, see Ryan Donovan, "'It Feels Like Being in Jail All Over Again': Staging the Criminalized Liminality of Sex Offenders," *Theatre Journal* 76, no. 3 (September 2024): 341–358. In legal scholarship, see Aya Gruber's "Sex Exceptionalism," which criticizes "sex exceptionalism" in criminal law and in society at large, and advocates that sex crimes be treated as ordinary assault. Gruber objects, "A simple assault that leaves no injuries is a misdemeanor or no crime at all, but a sexual assault without physical injury or intent to injure is often a serious felony" (770). "Sex crimes," however, is a malleable and differentiated category. Dismissing the specific delineation of *sexual* assault may misconstrue what precisely was injurious about the conduct. It may minimize the psychic injury of nonviolent sexual assaults; may exacerbate existing power imbalances, obscure questions of privilege, coercive control, and sexual entitlement; may neglect the constitutive, systemic force of misogyny in sexual assault, gender violence, and even nonsexual harassment; and may overlook the violation of sexual privacy. Such a move ironically exceptionalizes physical violence as paradigmatic of crimes worthy of punishment, invisibilizes

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that is committed to decarceration, while allowing a path toward accountability and healing can simultaneously dismantle the adversarial topology of criminal law.

Thinking with vulnerability as a heuristic moves us beyond the antinomies enshrined in criminal law. While tropes of vulnerability are mobilized to justify paternalistic state coercion of individuals and groups, vulnerability is also a powerful reminder of the interdependence and mutuality of humans. Centering vulnerability may allow us to rethink the foundations of our social contract in ways that acknowledge both our precariousness and the sovereign violence that holds us in its thrall. It allows us to highlight the lack of systemic and structural support that produces precarity in the first place. It provides a larger contextual framework where we can examine the socioeconomic environments of precarity that encourage risk-taking behaviors. It allows us to undo pernicious and pervasive social structures of racism and misogyny. Thinking with vulnerability affirms relational personhood.

Political theorists as early as Thomas Hobbes writing in 1651 emphasize that the corporeal vulnerability of the political subject necessitates a powerful state. The vulnerable political subject joins membership in a rationally devised political body, which grants protection through its awesome power. The threat to corporeal vulnerability is mitigated and overcome through recourse to a "common power" of the "body politique." By consenting to the sovereign power of the formidable state, the diffident subjects secure their mortal safety and material well-being. An overpowering Leviathan state restrains citizens in several ways: Diffident subjects would check their own capacity for criminal offending for fear of the consequences of an absolute sovereign power; the citizens would cede to the state their desire for vengeance and have the state act on their behalf.

The foundations of criminal law are inextricably entwined with the mobilization, circulation, and curation of fear of the Leviathan state. By instilling fear, the sovereign deters criminal behavior and fosters peace

variable injuries that may be sustained by sexual assault, and may end up recirculating the structure of disavowal that enables misogynist dismissiveness of rape. Aya Gruber, "Sex Exceptionalism in Criminal Law," *Stanford Law Review* 75 (April 2023): 755–846.

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and security. To regulate social relations within society, the sovereign defines what is socially acceptable behavior; such norms do not exist a priori in a state of nature. The state then enforces these artificial norms. Hobbes suggests that criminals who are punished by the state have consented to this punishment, indeed, "authorized" it. In this way, the state reinscribes the vulnerability of citizens.

If for Hobbes human vulnerability is the precondition that legitimates a powerful carceral state, for Emmanuel Levinas, vulnerability heightens our awareness of the intersubjective constitution of our subjectivity. Preceding our entry into language, this intersubjective, embodied encounter with others ensures that the trace of another is constitutive of the self. Levinasian intersubjectivity pervades the dynamic between actors in scenarios of sexual harm. The sensory flesh memory of another remains long past the event, reminding us that the event has not ended, but rather continues to exert its hold upon us in subtle and powerful ways. The malaise that arises from the scene of sexual harm leaves its lingering trace as a precognitive flesh memory, an intense and affective vulnerability. The face-to-face encounter with another opens us up to vulnerability, while also soliciting our sense of responsibility, as a prereflective opening of an embodied intersubjective self.

Contra the Leviathan state's invulnerable image that induces awe and diffidence in its citizens, the avowal of vulnerability amongst the citizens allows us to conceive of personhood itself as porous, susceptible to identification, and composed of the traces of our social relations. In the domain of legal theory, Martha Albertson Fineman reminds us that vulnerability is not "a substitute term for weakness or disadvantage, . . . but rather calls into focus what we share as human beings, what we should expect of the laws and the underlying social structures, and relationships that organize society and affect the lives of everyone within society."[26] Developing this insight into the arena of political assembly, Judith Butler has recuperated vulnerability as political action and explored its possibility to generate ethical obligations. Vulnerability is not only an invariable feature of social relations, but also gestures a broader condition of

[26] Martha Albertson Fineman, "Vulnerability and Social Justice," *Valparaiso University Law Review* 53 (2019): 341–370, at 342.

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interdependency, which changes the dominant ontological understanding of the embodied subject.[27] Rather than think of vulnerability and resistance as antonyms, or as a propensity that disables agency, Butler forwards vulnerability as an agentic mode of political action.[28] These scholars highlight that the analytical paradigm of vulnerability foregrounds our interdependency within social institutions and the need for a public response for our shared vulnerability, especially when increasingly neoliberal policies attenuate the role of social supports for individuals in society.

While cultural productions have played a large role in perpetuating and cementing binary models of good victims and evil perpetrators, a closer look at perpetrators reveals that many are themselves victims who have endured suffering. The prevailing binary models of criminal law fail to capture the complex and shifting subjective terrain of those who commit crimes. While much mainstream media reinforces these binaries, we do see some alternative depictions that bring us into proximity with criminalized people we may not otherwise encounter in life, and indeed, we may deliberately avoid. These more nuanced scenes of proximity with sex offenders portray their vulnerability and their subsequent strategies of psychic management as they grapple with the punitive shaming and "civil torture" from law enforcement and community members.[29]

Steven Fechter's play *The Woodsman*, which opened at The Actor's Studio in New York in 2000, provides an example of a more complex portrait of a sex offender. The play urges us to see the frailty of both survivors and perpetrators under sovereign power and centers vulnerability in the scenario of sexual harm. A modern-day allegory of the story of Little Red Riding Hood, *The Woodsman* portrays the protagonist,

[27] Judith Butler, *On Assembly* (New York: Oxford University Press, 2015).

[28] Bennett Capers has drawn attention to the limits of the analytical category of vulnerability, pointing out especially that its paternalism/maternalism shortchanges agency and entrenches existing inequities. See Bennett Capers, "On Violence against Women," *Ohio State Journal of Criminal Law* 13 (2015–16): 347–363, at 347.

[29] I am grateful to Bob Weisberg for suggesting the phrase "civil torture" as a way of capturing the social and state reprisals experienced by registered sex offenders. Thanks also to Peter Goodrich for pointing out that the Roman term *infamia* signified civil death or outlawry (*utlagarie*) and was a common outcome for sex offenders.

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Walter, as both the wolf and the huntsman. Activating the tropes of both animal and savior, the play explores Walter's struggle to reform his darkest impulses. The play draws on the symbolic and psychic reverberations of the medieval English legal concept of the "caput lupinum" or the felon with a wolf's head, an outlaw pariah whose exposure makes him vulnerable to attacks by anyone in the community. The play suggests both the permanent relegation of sex offenders to the category of the outlaw, while also illuminating social practices that prolong perpetual punishment and interminable reprisals.

Released on parole, after serving twelve years in prison for sexually molesting young girls, Walter struggles to cope with life after imprisonment. He is a skilled craftsman who makes furniture. Upon his release, he finds employment at a lumberyard, where he meets and befriends Vickie, a woman with her own experience of childhood sexual abuse at the hands of her brothers. The play unfurls the psychic tapestry of Walter's subjectivity and allows us to see the friction between his social identity as sex offender and his personal identification with the savior figure. The dramatic agon between his identity and his identification propels this narrative, and the audience is presented with a sympathetic and complex portrayal of a sex offender.

Nicole Kassell's 2004 film version casts Kevin Bacon in the lead role as Walter, and he portrays with acuity and depth the psychic turmoil of a self-loathing pedophile desperate to escape his own desires. Both play and film versions enable audience proximity to the character of a sex offender. In allowing us to get close, *The Woodsman* widens the aperture through which we typically view sex offenders. The play fosters an attentiveness that invites us to suspend censure, engender curiosity, and affirm the humanity and personhood of sex offenders, typically imagined as monsters, specters, or animals.

The Woodsman probes the deep and enduring impact of sexual violence and how it transfigures the lives of victims as well as perpetrators. It gestures toward the loss of agency and disorientation experienced by survivors, betrayed by those entrusted with their care. The play delineates the subjectivity of Walter in ways that exceed the bounded autonomous and individual subject of criminal law. By accentuating Walter's

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vulnerability, the play urges audiences to consider his complex, shifting, and processual subjectivity, and his struggle to change.

Walter's sexual subjectivity is shaped by the primal scene of taking afternoon naps with his sister when he was six and she was four years old. The memory of her fragrant hair both soothes and arouses him. He carries that tenderness and desire into his adult relationship with Vickie, but a darker impulse of that memory triggers his predation of young girls. His self-loathing prompts him to remake himself in the figure of the savior. In this endeavor, he switches between the roles of the police, the father figure, and the vigilante.

The Woodsman portrays Walter's subjectivity as composed of numerous traces: He is at once wolf and huntsman, perpetrator and police. When Carlos, his brother-in-law, talks about his fondness for his daughter, Walter discerns a remnant of his own pedophilic desire. Carlos reminisces about bathing his daughter, "I remember when she was a little thing and I'd give her baths. I'd hold her wet little body in my hands and think, can anything be more perfect? She's the light of my life." Walter warns and pleads simultaneously, "Don't love her too much, Carlos."[30] Walter sexualizes this interaction between father and daughter. Perhaps the description triggers some pedophilic desire in him. He shares his concerns regarding Carlos's behavior to the state-mandated psychotherapist, Rosen, "Carlos has a thing for his daughter, and if he isn't careful, he's going to suffer." Likewise, Walter identifies with the brothers of his girlfriend Vickie who confesses that she was "poked around … here and there." Frustrating Walter's and the audience's expectation of resentment or hostility, she says simply, "I love all of them. They are strong, gentle men with families of their own. And if you ask them about what they did to me, they'd call you a liar and then beat the shit out of you."[31] While Walter activates the stereotype of "stranger danger," the play suggests that sexual abuse is a far more familiar and familial occurrence, happening both within the home and beyond.[32] Walter also

[30] Steven Fechter, *The Woodsman* (New York: Dramatists Play Service, 2014): 16.

[31] Fechter, *The Woodsman*, 43–44.

[32] See Paul Renfro, *Stranger Danger: Family Values, Childhood, and the American Carceral State* (Oxford: Oxford University Press, 2020). The book examines how bereaved parents of missing and slain children mobilized their grief into a victims' rights

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identifies with "Candy," the man who hovers around shiftily outside a boys' school.[33] He recognizes something of his own rituals of seduction in the movements and patterns of Candy, a name he coins that serves as synecdoche for both person and thing, bait and lure. Acting as a vigilante, while exorcising his own demons, Walter suspects Candy of molesting schoolboys and eventually beats him up. Each of these identifications with real and imagined child molesters also gives rise to its obverse – the savior figure who wants to rescue his niece, his girlfriend, and the schoolboys.

If identity works through a logic of exclusion, demarcating boundaries between self and other, us and them, then identification blurs them.[34] In identifying with others, the porous self both projects onto others and assimilates others into the self. The substitutions and proxies that are set in motion through numerous identifications allow Walter to dodge and evade the fixity of the identity category of "sex offender," a fixity reinforced through shaming punishments such as parole and the sex offender registry.[35] Seeing himself in a plethora of other characters allows Walter to project onto others his "deviance" and normalize his

movement, which created new punitive policies that legitimized increasingly draconian carceral measures.

[33] In a deliberate contrivance, Walter defiantly chooses to live across a school but ensuring that he abides by legal regulations that prohibit sex offenders from residing within 100 feet of places where children congregate. His apartment is 105 feet away from the school. Walter reinforces to his parole officer the difficulty of finding places to live that are affordable. Jessica's Law is the informal name given to a 2005 Florida law that mandates a minimum twenty-five-year prison sentence and lifetime electronic monitoring for adults convicted of lewd and lascivious acts against a child. In 2006, California passed Proposition 83, which increased punishment for sex offenders and prohibited probation for some sex offenses, and required GPS monitoring. It also prohibits offenders from living within 2,000 feet of any school or park, but that was ruled unconstitutional in March 2015.

[34] See Elin Diamond, *Unmaking Mimesis: Essays on Feminism and Theatre* (New York: Routledge, 1997).

[35] Sex offense registration and notification laws, (SORN) a product of the "tough on crime" era, epitomize the lingering and persistent damage of collateral consequences. First established in the 1940s as a way to keep police informed about the locations of habitual sex offenders, the laws dwindled until 1990s when the Clinton Crime Bill brought them back with renewed force. The European Union along with some individual countries, including the United Kingdom, Canada, Australia, and New Zealand, makes registry information available to law enforcement, but not to the

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own sense of abjection. In doing so, he unsettles the coherence and stability of the punitive category of sex offender. His grasping stabs at vigilantism are attempts to flee himself, but tearing himself away from this identity proves difficult. Yearning for a self-sufficiency that eludes the stigmatized, Walter turns his self-loathing and vengeance toward Candy, his doppelganger.

Shame dramatizes the inescapable vulnerability of the self: Interlining the boundary between the body and society, shame exposes one's vulnerability.[36] *The Woodsman* explores the power and limits of shame as a technology of punishment, and especially of self-punishment.[37] Formal shaming exists as an ubiquitous tool in the arsenal of criminal sanctions, and "exploits, in a particularly dramatic and explicit fashion, the assumed link between people's sense of shame and their tendency to observe legal norms."[38] Moreover, shame sanctions function as a form of officially sponsored lynch justice that legitimate mob violence.[39] Not only do

general public. Poland is an exception. In the words of Judith Levine and Erica Meiners,

> SORN is based on a fear and a fantasy. The fear is that the outside world is perilous, full of morally corrupting strangers. The fantasy is that the family is a sanctuary, where sexuality is limited to the monogamous relationship of husband and wife, and where the asexual innocence of children, including adolescents, is guarded. But child protection cannot be based on irrational anxieties and saccharine dreams. Public registries and community notification are meant to enhance public safety. They do not. Nor do they help survivors reclaim their well-being. The only thing the registries accomplish is the registrant's social death. There is no reasonable defense for them. They should be abolished. (Judith Levine and Erica Meiners, *The Feminist and the Sex Offender: Confronting Sexual Harm, Ending State Violence* [London: Verso, 2020], 52)

[36] For a powerful and moving account of shame, sexual assault, and the law, see Maybell Romero, "Shamed," *Virginia Law Review* 111, no. 2 (2025): 325–377.

[37] See Dan Markel on the illiberality of shaming punishments that unsettles the presumption that shaming is compatible with retributive punishments. Dan Markel, "Are Shaming Punishments Beautifully Retributive? Retributivism and the Implications for the Alternative Sanctions Debate," *Vanderbilt Law Review* 52, no. 6 (November 2001): 2157–2241.

[38] Toni Massaro, "Shame, Culture, and American Criminal Law," *Michigan Law Review* 89, no. 7 (1991): 1880–1944.

[39] James Whitman, "What Is Wrong with Inflicting Shame Sanctions?" *Yale Law Journal* 107, no. 5 (1998): 1055–1092.

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shaming punishments harm the offender's dignity, they also incite demagogic politics, especially when imposed on sex offenders. The effect of these shaming punishments is to stigmatize incarcerated people, who begin to see themselves as damaged and incomplete persons.[40]

The Woodsman depicts the interpellative role of the police in installing a sense of shame and self-aversion in Walter. Sergeant Lucas thwarts Walter's attempts at reform and reinscribes his abject status as a social pariah. He lashes out at Walter:

> SERGEANT LUCAS: In my eyes, you are a piece of shit. Think anyone would miss you if I threw you out the window right now? I could say you jumped when I came in. Who are they going to believe? Not you because you'd be a dead piece of shit.
>
> WALTER: What's your badge number? I demand to know your badge number!
>
> SERGEANT LUCAS: My badge number is shut the fuck up! . . . I don't know why they keep letting scum like you return to the streets. It just means we got to catch you all over again.[41]

Rather than prohibiting his predation, the shaming revives the predator. Walter begins his hunt again. An unnerving scene in an urban park follows. Walter frequents the park and may be stalking a diligent eleven-year-old birdwatcher, Robin. It is a fragile scene. Robin is an alert, self-possessed, and thoughtful girl. Walter warms up to her, compliments her, and then asks if she would like to sit on his lap. She is startled, declines politely, then hesitates, not wanting to offend him. He touches her shoulder, then her hair. Her body registers her uneasiness: She closes her eyes, she shudders, she keeps up her nervous chatter. When Walter tries to convince her to go with him to a more secluded part of the park, she blurts out, "My daddy lets me sit on his lap." The words have an unsettling effect on Walter, as he hesitates and shuttles between his role as predator and protector.

[40] See Erving Goffman, who reminds us that stigmatized persons approach every encounter with "normals" not knowing whether others will recognize them as the whole person they experience themselves to be. Erving Goffman, *Stigma: Notes on the Management of Spoiled Identity* (New York: Simon & Schuster, 1963).

[41] Fechter, *The Woodsman*, 53–54.

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WALTER: Do you like it when he asks you?

ROBIN: No.

Walter intuits immediately that her father "asks" her to sit on her lap rather than "lets" her sit on his lap. There is a pause. According to the stage directions, "her answer has a strange effect on Walter, as if for a moment he lost his balance. Carefully, he sits down and stares at his hands."[42] The pause resounds in the auditorium, and the audience lingers in this suspended moment. Walter is thrown by her response and loses his sense of footing. Will the minor jolt interrupt Walter's seduction ritual, his programmed pattern of abuse? Walter follows up with an onslaught of questions: Are you two alone when he asks you? Does he touch you? Does he say strange things? Does he move his legs in a funny way? In response, Robin simply drops her head down and sobs quietly. Walter is increasingly more agitated, he fumbles, changes tack, and shifts from the role of predator to protector. In a breathless series of questions, he asks:

WALTER: Have you told your mother?

(She shakes her head.)

You don't want to tell your mother?

(She shakes her head.)

Is there anyone at home you can talk to?

(She is silent.)

Is there a teacher you like at school?

(She nods.)

What's her name?

ROBIN: Ms. Kramer.

WALTER: Tell Ms. Kramer what your daddy does.

ROBIN: I can't.

WALTER: Yes, you can, Robin. You said you couldn't make the sound of a solitary vireo. But you did. Beautifully.

. . .

[42] Fechter, *The Woodsman*, 53–54.

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ROBIN: I don't want to hurt my daddy. . . . You still want me to sit on your lap? I will. I don't mind.

WALTER: No.[43]

The narrative rupture begins with Robin's "No" to his sexual advances and ends with Walter's "No" to Robin's attempt to please him. The scene unfolds in this negative space as Robin deflects, skirts, and dodges Walter's advances. The compressed and stultifying mood initiated by the first "No" begins to unwind and soften with the second "No." The tense atmosphere lifts and the audience collectively experiences an affective shift, a surge of relief. This brief, unnerving scene traces Walter's shifting subject positions as he morphs from parolee to predator to protector, while also tracking Robin's tentative turn from a definitive "No" to Walter's advances to a coerced, less certain "Maybe." The scene tracks the displacement and unmooring of both characters. It suggests her acquiescing to please Walter by relenting to his demands.

Rather than pit perpetrator against victim in the stark binaries of criminal law, the tableau urges us to see what Levinas calls "the internal antagonism" within these characters.[44] Both characters struggle with their inner antagonism, and the scene is saturated with foreboding and a sense of shame. The loss of self-possession is acute in moments when the offender violates Robin's sense of safety in her own sexual subjectivity. This scene portrays the malleable and shifting subjectivity of the sex offender and the potential for change and transformation even in pedophiles, while also revealing the shifting contours of consent, revealing its internal contradictions where conciliation coincides with a desire for sexual autonomy.

Levinas suggests that shame is "the representation we form of ourselves as diminished beings with which we are pained to identify. Yet shame's whole intensity, everything it contains that stings us, consists precisely in our inability not to identify with this being who is already foreign to us and whose motives for acting we can no longer

[43] Fechter, *The Woodsman*, 62–63.

[44] Levinas writes, "The experience of pure being is at the same time the experience of its internal antagonism and of the escape that foists itself on us." Emmanuel Levinas, *On Escape* (Stanford, CA: Stanford University Press, 2003), 67.

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comprehend."[45] Shame transfixes Walter; its tentacles claw their way into his subjectivity. His stabs at vigilantism offer a way for him to overcome shame's intensity. His restless oscillation from his roles as parolee to predator to protector agitates against the stigmatizing category of the "sex offender." Yet "the necessity of fleeing, in order to hide oneself, is put in check by the impossibility of fleeing oneself," Levinas reminds us. "What appears in shame is thus precisely the fact of being riveted to oneself, the radical impossibility of fleeing oneself to hide from oneself, the unalterably binding presence of the I to itself."[46] It is at this conjuncture of fixity and fleeing, of attachment and escape that we need to locate the friction between identity and identification. The identity of "sex offender" is a permanent scarlet letter that interpellates Walter, and his grasping identifications with the role of the protector attempt to escape this label. Whereas identity is predicated on the logic of exclusion, differentiating the sex offender from the rest of society, and develops its self-concept through a process of negation and contrast, identification lays bare the vulnerability and openness of the self. Walter's shame grounds him, even as he attempts to flee that immobility by projecting and throwing himself on to other characters.

Although Fechter's focus is very much on Walter, the portrayal of Robin makes vivid her fortitude and vulnerability. She is in the woods to watch the birds. She arrives with her binoculars and notebook in hand, in which she has recorded the names of sixty-seven birds that she has identified. When she sees Walter there, her approach is direct and uninhibited. She rebuffs his cliché line about her being pretty but is drawn in when he analogizes that "Most people only notice birds with the brightest colors."[47] Robin's visceral uneasiness is palpable as Walter begins with verbal then physical overtures. Something is familiar in this scenario; the traumatic repetition returns her to the primal and sordid scene of filial disillusionment. Walter figures as a mimetic proxy, a site of potential attachment, but also a menacing trigger of traumatic memory. While Walter sees in Robin a beautiful solitary vireo, a singular and hardy bird that sings sweet, slow songs, she sees her father in Walter, both the promise of that figure and its betrayal.

[45] Levinas, *On Escape*, 63. See also Goffman, *Stigma*.
[46] Levinas, *On Escape*, 63.
[47] Fechter, *The Woodsman*, 59.

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Stimulated by that memory and its lingering hold on her present, Robin's self-possession and composure come undone. When pressed with Walter's insistent questions, she is wordless. How to shape into words, give form and coherence to an assault that left her unmoored, shaken, and dispossessed? How to escape this temporally layered scene of assault, its sedimented history, and its repeated incursions into memory? How to overcome this simultaneous impossibility of wanting to flee while remaining riveted to oneself? Robin begins to sob. The unsettling scene of malaise encloses and smothers in an ever-tightening circle that Robin both returns to and attempts to flee.

Robin's vulnerability in turn solicits something from Walter. He responds to her inaudible petition, switches from his sexual advances to more protective gestures. Her inarticulate address summons in him a guardian figure, and he instructs her on how to secure her own safety. Oscillating between uncertainty and suspicion, only partially in possession of their own motives and desires, infiltrated by the presence of real and spectral others, these characters elude the binary categories of criminal law. *The Woodsman* is replete with specters, doubles, and doppelgangers in scenes where characters waver, shuttle, and oscillate between subject positions. It offers images of shifting and shifty persons, *in media res*, still in various stages of arrested formation. The flat polarities of criminal law that divides into victims and perpetrators and elicits pity or vengeance cannot accommodate the internal antagonism of these characters. These scenes of desultory agency and displaced vigilantism layer disappointment over love, betrayal over affection and exceed the binary language of criminal law.

While in David Farr's *The Hunt* catharsis ensues from the vindication of an innocent man falsely accused of child molestation, *The Woodsman* does not offer any such sense of closure. The ending is not redemptive, but rather points to how shaming operates in scenarios of punitive sanction. Walter manages his psychic disquiet by internalizing the vigilante and receives social approval for it. He channels and redirects his sexual energies from predation to vigilantism and develops new techniques of self-governance. If *The Hunt* unfurls a Turneresque paradigm of social drama that culminates in reintegration, such cathartic closure eludes *The Woodsman*. Rather *The Woodsman* suggests that sex offenders inhabit a zone of indistinction between the human and the animal,

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between the city and its shadowy outskirts, making it impossible for them to reintegrate into society. The play urges us to look beyond the theatre and toward the larger social and legal contexts that continue to hunt down registered sex offenders as predatory wolves in society. Scorned as outlaws, and designated as unreformable, sex offenders bear a wolf-head that licenses carceral, legal, and social violence against them. They are *homo sacer*, decreed by law to exist outside the protections of law. The spatial and social abjection prevents them from reintegrating into society and ironically makes communities less safe.

While criminal law attempts to redress the vulnerability and harm experienced by survivors, it also inflicts penalties and exacerbates the vulnerability of those who cause harm. Thinking with vulnerability as an analytic category attunes our moral and political obligations to each other, and foregrounds the sense of exposure, injuriousness, and mutuality. These plays allow us to see the vulnerability of those who cause harm, while also highlighting the extreme reprisals from community and institutional retribution that dehumanizes sex offenders.

As restorative justice practitioner and assault survivor Danielle Sered reminds us, "We will not work our way out of violence if we continue to believe that solving violence is about managing monsters. Displacing our old stories will require allowing new ones – full stories, messy ones, ones that include wounds and rage and loss and sorrow and ambivalence and – sometimes, though not always – hope."[48] *The Hunt* and *The Woodsman* underline the relational dynamics of encounters that move us beyond the autonomous, boundaried liberal subject of rights that is enshrined in criminal law. Shining a light on real and imagined pedophiles, these plays allow us to see the vulnerability of offenders and their exposure to state and community harm. Moving away from the strident polarities of criminal law, these portrayals depict those harmed and those who harm not as fixed and immutable, but charting a shared social terrain of vulnerability. The arena of criminal law encompasses complex subjects, both acting and acted upon, oscillating between subjecthood and subjection, susceptible to interpersonal, community, and institutional violence.

[48] Danielle Sered, *Until We Reckon: Violence, Mass Incarceration and a Road to Repair* (New York: The New Press, 2019), Kindle edition, 14–15.

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