



The Palgrave Handbook of Sexual Ethics

Edited by
David Boonin

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Introduction: Sex, Ethics, and Philosophy

David Boonin

Sex raises some of the oldest of ethical questions. What is my body for? Who can I share it with and under what conditions? It also raises some of the newest. Is it wrong to swipe left on Tinder solely because of a person's race? What uses of sex robots, if any, are morally impermissible? Thinking about such questions with the clarity and rigor contemporary philosophers aspire to can be challenging for a number of reasons. For one thing, sex strikes most people as a distinctly intimate and personal matter. This can make it difficult for them to talk about it at all, let alone to talk about it frankly and openly. Sexual desire and sexual activity also tend to generate powerful and primitive emotions. These can interfere with the attempt to think about the moral problems associated with sex calmly and dispassionately. And many of the most pressing and important questions in sexual ethics can't be answered without delving into debates on further philosophical issues that are themselves difficult to grapple with because of their depth and complexity: the nature of human autonomy, for example, what it means to treat a person with respect, why consent sometimes makes the difference between an act being permissible and its being impermissible. The very reasons that make it valuable to bring together some of the latest philosophical thinking about a variety of issues in sexual ethics in the way this Handbook seeks to do also make the tasks involved in thinking philosophically about such issues a daunting one.

The contributors to this volume respond to this challenge in a variety of ways. Some turn for philosophical assistance, at least in part, to the work of historical figures from antiquity, like Aristotle (Chaps. 2 and 3), the modern

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period, like Kant (Chaps. 5 and 9), or the previous century, like Simone de Beauvoir (Chap. 4) and Hannah Arendt (Chap. 5). Others engage exclusively with more contemporary literature or with none at all. Some largely ground their arguments for a general thesis in the intuitive reactions they expect their readers to have about specific cases (e.g., Chaps. 11, 14, and 22). Others focus more substantially on arguing in the opposite direction: from a general principle to a more particular conclusion (e.g., Chap. 20). Some rely heavily on empirical claims (e.g., Chaps. 8 and 10). Others rely more on conceptual analysis (e.g., Chaps. 3 and 15). Some focus their attention on relatively narrow questions (e.g., Chaps. 21, 26, and 30). Others address issues that are considerably broader or more general (e.g., Chaps. 2, 3, and 4). Some aim to uphold traditional values (e.g., Chaps. 10 and 11), some aim to upend them (e.g., Chap. 14), and some aim to upset common assumptions about their implications (Chap. 13). What they all have in common is the philosopher's attempt to bring the tools of critical analysis and reason to bear on questions whose sexual nature can threaten to render them resistant to such treatment.

This book is divided into five parts. Part I follows this introductory chapter with a set of seven substantive chapters each of which engage, in one way or another, with basic questions about, or features of, human nature. The first three of these seven chapters emerge from quite general and metaphysical questions concerning reality, supervenience, and the subject/object distinction. The remaining four focus on more specific features of human beings and human existence: our susceptibility to temptation and to jealousy and our vulnerability to sour grapes thinking and to various forms of imprudent irrationality. All seven chapters connect these issues about human nature to some general or more specific issue in sexual ethics.

In Chap. 2, Edward Feser contrasts two fundamentally different perspectives we might take on human beings and thus on human nature. One views human beings from the point of view of everyday experience and common sense. The other views them, or perhaps I should say views us, from the vantage point of modern science. Feser argues that there is a strong correlation between viewing human nature through the first lens and endorsing the edicts of traditional sexual morality and between viewing human nature through the second lens and rejecting traditional sexual morality in favor of the more liberal fruits of the sexual revolution. Feser argues, moreover, that recognizing the relationship between each metaphysical view of human nature and the view of sexual ethics that corresponds to it can help us see how these two very different views of sexual ethics are both understandable, and even reasonable, given the general views of human nature they fit with best. This doesn't lead Feser to endorse a relativistic conclusion on which the two views of sexual ethics are equally valid, but it does lead him to conclude that the clash between the two runs much deeper than a mere competition between superficial intuitions about sex and to suggest some ways in which recognizing this feature of the debate might lead people to engage with those on the other side in a more intellectually productive manner.

In Chap. 3, Raja Halwani explores a general question about the nature of sexual desire and its relation to sexual activity and sexual pleasure. On one view, the object of sexual desire is sexual pleasure and one engages in sexual activity merely as a means of satisfying the desire for this kind of pleasure. On a second view, the object of sexual desire is the sexual activity itself. What one wants, most fundamentally, is to engage in the activity and the pleasure brought about by the activity is merely a foreseeable consequence of getting what one wants: more like the icing on the cake than like the cake itself. In this chapter, Halwani argues in favor of the first view over the second, both by marshaling considerations in favor of the first view and by identifying problems with the second, and he develops a more precise and refined version of this first view. The view itself is a metaphysical view about a part of human nature rather than an ethical view about sex itself. But, as Feser does in Chap. 2, Halwani argues that the metaphysical view can have significant moral implications. In particular, Halwani suggests that this view about the relationship between sexual desire and sexual pleasure can shed light on the question of whether it's morally wrong to take pleasure from mere simulations of wrongful sexual activities, a question closely connected to the subject of John Corvino's discussion in Chap. 31, and that it can be used to help to solve a dilemma for both liberal and traditional views of sexual ethics first posed in an earlier article by David Benatar, a dilemma that Benatar in part returns to in Chap. 13 of this volume.

Contemporary philosophical discussions of sexual ethics focus heavily on questions of autonomy, agency, and the morally transformative power of consent. In doing so, they stress the importance of respecting human beings as moral subjects in their own right and of not treating people merely as sexual objects or as a mere means to one's own ends. This approach to sexual ethics can seem to presuppose a kind of exclusive dichotomy about the locus of value in human nature: human beings ought to be subjects, not objects. But as Caleb Ward and Ellie Anderson point out in Chap. 4, people are both subject and object in their encounters with other people, and perhaps especially so in their sexual encounters. The authors therefore argue for a revision to this familiar approach to sexual ethics, one that broadens the focus to include questions about the moral significance of being an erotic object. Drawing from the phenomenological tradition in general, and from the work of Simone de Beauvoir in particular, Ward and Anderson develop an approach that gives more weight than is typically given to the ambiguous situation of being simultaneously erotic subject and object in intimate encounters. In doing so, they make the case for the view that important moral features of intimacy are revealed through the erotic experiences both of being an object and of perceiving another as an object, features that are easily overlooked if we focus too exclusively on issues of moral agency and autonomy. While acknowledging the moral significance of such autonomy and agency, Ward and Anderson aim to help develop a more complete account of sexual ethics, one that does justice to how human intimacy entails being both subject and object.

One familiar feature of the human condition is that having a good sexual life can be challenging while settling for a bad one can be tempting. In Chap. 5, Carol Hay and Helga Varden consider why this is. In doing so, they draw on and build from ideas from a wide variety of sources, including work in feminist philosophy and the literature on the philosophy of sex and love in general, as well as the work of two figures in particular who might seem unlikely sources for such an enterprise and an unlikely pairing, too: Immanuel Kant and Hannah Arendt. More specifically, Hay and Varden propose that Kant's account of human nature, including both the good and the bad, when combined with some of Arendt's ideas about the problems with the Western philosophical tradition's treatment of our animality, provides a good starting point for exploring the nature and value of good sexual love and for understanding the challenges that confront those who seek it. Some of the sources of these challenges, they suggest, lie in the difficulties involved in trying to transform, develop, or integrate certain unruly emotions. Others involve barriers generated by inherited oppressive behaviors and feelings that make emotionally healthy, morally responsible realizations of sexuality difficult. Despite these difficulties, Hay and Varden conclude that striving for a satisfying sexual life can nonetheless be a meaningful and exciting part of a good human life.

Another familiar fact about human beings is that they get jealous. This is perhaps especially so in the case of sex and romance. If Bob and Carol are in a close romantic and sexual relationship and Carol has sex with Ted, it's likely that her doing so will make Bob jealous. This is a commonly observed feature of human existence, but it raises some significant questions that are not commonly raised, let alone seriously addressed. What, precisely, does it mean to say that Bob is jealous? Is his jealousy valuable in any way? What, if anything, should Bob or Carol do about the fact that Carol's behavior has made Bob jealous? In Chap. 6, Natasha McKeever and Luke Brunning address these questions. They begin by asking what jealousy is and answer that it's best understood as an emotional response to the threatened loss to a rival of love or attention that one believes one deserves. They then consider the relationship between romantic love and jealousy and argue that it can be consistent to feel jealousy toward someone we love. They next address the question of jealousy's value, arguing that claims made about its positive value must be balanced against a variety of potential harms it can cause. And finally, they assess two potential ways of managing jealousy, one that involves a policy of monogamy and one that doesn't, and they argue that the second approach should be taken more seriously than it typically is.

A third familiar feature of human nature is our tendency to convince ourselves that we didn't really want something that we tried but failed to get. This phenomenon has been recognized at least since the time of Aesop and his fable of the fox and the grapes, and in recent years philosophers have tended to discuss it in the context of "adaptive preferences": preferences that, roughly speaking, a person forms to help them cope with their non-ideal circumstances and that lead them to settle for less than they would have preferred under

better conditions. In Chap. 7, Patricia Marino brings this feature of human nature to bear on an important question about the relationship between sexual consent and sexual objectification. It's plausible to suppose that it's wrong to treat a person merely as a sexual object, as nothing but a means to achieving sexual pleasure, and also plausible to suppose that this wrongness can be mitigated, and perhaps even eliminated entirely, if they consent to being treated in such a way. But what should we say if the person who consents to such treatment does so only because they've been conditioned into doing so by an unjust society? A sex worker, perhaps, or a porn starlet, who wants to have sex with men for money but who wouldn't have this desire if she lived in a less misogynistic and patriarchal society. In this chapter, Marino explores a variety of ways in which the ideas of social autonomy and adaptive preferences can be used to help us think more clearly about the choices people make that involve sexual objectification in different social contexts. Her discussion helps to illuminate some of the ways in which sexual objectification can be a positive thing for particular individuals in particular circumstances as well as some of the ways in which it can nonetheless represent a significant widespread social harm.

One final and distressingly familiar feature of human nature is the way it often leads people to do things that are self-destructive and harmful to others, perhaps especially so when it comes to sex. Michael Tooley addresses this topic in Chap. 8 and argues that, with the exception of sex that aims at reproduction, most human sexual activity is both irrational and immoral because it is dangerous to its participants in ways that can be easily avoided by pursuing sexual pleasure in other ways. In particular, Tooley argues that masturbation, either mutual or solo, can provide the same kind of pleasure as other forms of sexual activity without running any of the risks those other activities generate in terms of transmitting potentially serious diseases and producing unwelcome pregnancies. Tooley's claim that sexual intercourse is immoral unless it is aimed at procreation may be welcomed by sexual conservatives, but his robust defense of solo and mutual masturbation certainly won't be, nor will his rejection of much of the sexual morality associated with the Jewish and Christian traditions.

Part II gathers together six chapters under the heading of sex and traditional values. The first three can be read as offering a defense of some aspect of traditional sexual morality. The last three can be read as offering a critique. Three claims that are central to traditional views of sexual morality maintain that people should be sexually monogamous, that sexual partners should not live together before they get married, and that sex is special in a way that makes it importantly different from ordinary recreational activities. In Chap. 9, Dan Demetriou defends the first claim, in Chap. 10, Christopher Kaczor defends the second, and in Chap. 11, Francis Joseph Beckwith defends the third.

An "incel," as that term has come to be used, is an involuntarily celibate heterosexual man. Traditional sexual morality maintains that sexual relationships should be monogamous. If a hundred heterosexual men follow the traditional monogamous norm, they remove a hundred heterosexual women from the pool of women who might be available to have sexual relationships with

other heterosexual men. If a hundred heterosexual men are each involved in a sexual relationship with three heterosexual women while each of those women is involved only with that one particular man, then the hundred men instead remove three hundred women from the pool, making it harder for the other heterosexual men to find partners and increasing the number of incels. This has led some people, including perhaps most prominently Jordan Peterson, to recommend “enforced monogamy” as a solution to the “incel problem.” In Chap. 9, Dan Demetriou attempts to develop the strongest argument that can be made for this view and then subjects the argument to critical scrutiny. He concludes that, at least in some sense of the term, the argument may well succeed in justifying “enforced monogamy.” And even though he also concludes that there is a stronger sense of the term in which the argument probably doesn’t succeed, the result of the chapter as a whole nonetheless provides at least a partial defense of one fundamental component of traditional sexual morality.

In Chap. 10, Christopher Kaczor defends the claim that it’s immoral for sexual partners to live together before they get married. Much of the chapter is devoted to presenting empirical evidence for the claim that such cohabitation on average produces worse consequences for the people involved than does waiting until marriage to live together. These include claims about increasing the chances of infidelity and divorce once the couple is married and about increasing the risk of drug abuse, physical violence, and child abuse within the marriage. While the chapter largely focuses on factual claims, as distinct from moral claims, Kaczor argues that the factual claims can be used to ground a moral case against cohabitation before marriage by appealing to a moral principle on which it’s *prima facie* immoral to risk causing such harms. He also argues that cohabitation is morally objectionable on the grounds that it systematically disadvantages women who wish to marry because it typically leaves women worse off relative to their male cohabitators.

Chapter 11 defends a more general claim than those endorsed in Chaps. 9 and 10. In it, Francis Joseph Beckwith targets the popular contemporary view that sex is just like any other recreational activity and that, as with those other activities, it’s always okay for adults to engage in it as long as they have freely and competently consented to doing so. While Beckwith’s goal is to defend the very general and abstract claim that sex is special in the way that traditional sexual morality takes it to be, his approach to defending this claim largely takes place at a more particular level: he counts on the reader to agree that in specific, concrete cases, examples of sexual assault and of sexual harassment are, morally speaking, significantly worse than otherwise parallel examples of non-sexual assault and non-sexual harassment, and he argues that the traditional view of sex as special can easily account for these judgments while the competing contemporary view on which sex isn’t special cannot.

An argument can be at odds with traditional sexual morality in a variety of ways. At a minimum, it might aim to go beyond traditional views about sex in a way that reveals those views to be incomplete. More critically, it might aim to show that an argument typically made by proponents of traditional sexual

morality can be satisfactorily rebutted on grounds that proponents of those views already accept. And more critically still, it might aim to defend a conclusion that is diametrically opposed to a central tenet of traditional sexual morality. The last three chapters of Part II provide an example of each.

The scourge of sexual harassment in the workplace is old but the concept of sexual harassment is new. A victim or perpetrator would likely have had little understanding of the notion in the 1950s, let alone in earlier periods when most of our traditional beliefs about sexual morality were first generated and then refined. As a result, traditional approaches to sexual ethics have relatively little to teach us about what makes some forms of behavior forms of sexual harassment and what makes those forms of behavior morally wrong. In Chap. 12, Jessica Flanigan aims to fill this gap in our understanding by critically evaluating and rejecting three possible answers to this question and defending a fourth alternative. On the accounts that Flanigan rejects, sexual harassment violates the victim's rights because it causes them emotional distress, because it coerces them, or because it treats them unequally. On the account that she defends, sexual harassment violates the victim's rights because it involves a certain form of deception.

Traditional sexual morality maintains that sexual relationships between members of the same sex are morally wrong. A familiar argument for this view maintains that if same-sex sexual relationships (or same-sex marriages) are morally permissible then so is sex with (or marriage to) non-human animals as well as sex with corpses. On the assumption that it's clear that bestiality and necrophilia are immoral, this would show that homosexuality must be immoral, too. In Chap. 13, David Benatar argues that proponents of traditional sexual morality cannot consistently appeal to this argument because there are conceptual resources contained within their own tradition of thinking about sexual ethics that can help to show that same-sex sexual (and marital) relationships are relevantly different from those involving non-human animals and corpses. Benatar also argues that more liberal and permissive approaches to sexual ethics lack these conceptual resources and so his chapter can be seen as presenting one kind of challenge to sexual traditionalists and another kind to sexual liberals.

One of the most familiar tenets of traditional sexual morality maintains that it's wrong for people to have sex with each other before they get married. In Chap. 14, Alastair Norcross turns this piece of conventional thinking on its head, arguing not just that it isn't wrong for people to have sex with each other before they get married but that it's positively wrong for them not to have sex with each other before they get married. While the conclusion that Norcross defends in this chapter is as untraditional as any defended in this volume, however, the argument he offers in its defense is grounded in a quite traditional moral thought: that it's wrong to break a weighty promise and so wrong to make such a promise without first doing what one reasonably can to collect evidence about whether one will be able to keep the promise. Like the chapter by David Benatar that precedes it, then, Norcross's chapter can be read as

maintaining that a component of traditional ethical thinking has implications that traditional ethical thinkers may be surprised, or even dismayed, by.

Questions about consent play a central role in a great deal of thinking about sexual ethics. Indeed, on one common view of the matter, they play virtually the only role. It's permissible to engage in any form of sexual activity, on this account, if and only if all the participants have validly consented to it. Part III therefore devotes a significant amount of space to issues involving sex and consent. It begins with two chapters about the nature of sexual consent itself. These are followed by three chapters that engage in one way or another with the question of whether consent is really all that's required for sexual interactions to be morally acceptable. This part of the book then concludes with four chapters that consider a variety of issues that can arise when consent is given under imperfect conditions, including cases where the person giving the consent might be deemed less than fully competent to do so, cases where one person might be seen as having undue influence over the person giving consent to have sex with them, and cases where a person has been deceived into consenting to sex.

In Chap. 15, Shaun Miller considers a very general question: what is the relationship between sexual consent and personal autonomy? Philosophers have sometimes distinguished between "thin" and "thick" accounts of personal autonomy, and Miller applies these categories to sexual autonomy in particular to see what they imply about sexual choices. These "thin" and "thick" accounts of sexual autonomy correspond to a "thin" and "thick" account of sexual consent. He begins by examining the "thin" accounts, what he calls procedural sexual autonomy and consensual minimalism, and considers the advantages and disadvantages of this position. He then examines the "thick" accounts: substantive sexual autonomy and consensual idealism, again considering advantages and disadvantages of the view. Finally, Miller attempts to navigate a middle ground between the "thin" and "thick" accounts with what he calls weak substantive sexual autonomy and consensual realism and concludes that this account better represents what sexual autonomy looks like and what counts as sexual consent.

Chapter 16 also considers a question about sexual consent in general: must a person's consent to sex be enthusiastic in order for their partner not to wrong them by having sex with them? In addressing this question, Tom Dougherty defends three substantive claims. First, that it's not the case that a person's consent to sex is fully valid only if they are eager, have a settled motivation for having sex, or endorse their motivation for having sex. Second, that to responsibly have sex with a person, that person must clearly communicate their consent to having sex. And third, that a person's consent to sex is fully valid only if they are not motivated by certain reasons. In addition to these matters of substance, Dougherty also defends a terminological claim: that we should not express Dougherty's second or third substantive claims by saying that consent is fully valid only if the consent is enthusiastic.

Chapters 17, 18, and 19 turn to the question of whether valid consent is enough to make a form of sexual activity morally acceptable. In Chap. 17, Alan Soble defends the claim that it is. He begins by clarifying what he calls the Principle of Informed Consent and by distinguishing between its two components: that valid agreement to sexual activity must be knowledgeable and that it must be given freely. He then defends the thesis that this principle provides not just necessary conditions for the morality of sexual activity but sufficient conditions as well. Soble considers an objection that might be raised against this view. The objection maintains that it might be wrong to have sex with someone even if they gave free and informed consent to having sex if the person's motive for having sex with the consenter is itself morally objectionable, such as a desire to humiliate the consenter. Soble acknowledges the potential significance of bad motives but argues that the Principle of Informed Consent can account for it by treating such motives as one of the things that should be included in the "knowledgeable" component of the principle. Not knowing that one's potential partner has a bad motive for proposing sex can invalidate one's consent to having sex with them, on Soble's account, but as long as the bad motive is disclosed, the bad motive itself can't make the sexual act wrong.

In Chap. 18, Elise Woodard offers a strikingly different response to the question of whether valid consent is enough to make a form of sexual activity morally acceptable. Indeed, she argues that there exists a broad range of cases in which sex can be both consensual and morally problematic. Woodard refers to cases that fall into this category as cases of "bad sex." And rather than trying to reconfigure our understanding of the nature of consent so that we could justify viewing such cases as cases of sex without true consent, she urges us to reconsider our assumptions about how much work it is reasonable for us to expect the mere fact of consent to sex to do in the first place. In addition, Woodard develops a useful typology of such cases, distinguishing between examples of bad sex that involve what she refers to as psychological pressure, social coercion, and epistemic risk. Finally, Woodard considers an objection on which at least some cases of bad sex should actually be treated as cases of rape. She responds by arguing that the considerations raised in support of this objection ultimately count against it.

In Chap. 19, Jordan Pascoe examines a different way that sex with consent and morally acceptable sex might come apart by exploring the relationship between consent and respect. Focusing specifically on cases involving sex between a man and a woman that take place under general conditions of patriarchy and misogyny, Pascoe offers a critical response to the view that the moral requirement to "respect women" can be fully satisfied simply by respecting a woman's "yes" as a yes and her "no" as a no. Drawing both on some feminist thought since the 1970s in general and on some feminist interpretations and developments of the thought of the philosopher Immanuel Kant in particular, Pascoe rejects this view as simplistic and instead develops and defends a view of sexual respect as requiring that one know and share one's partner's concrete and communicated sexual ends.

When one person coerces another into consenting to sex, it's clear that their consent isn't valid. The fact that the consenter said yes to having sex with the coercer doesn't make it okay for the coercer to have sex with them. But coercion isn't the only thing that can undermine the validity of sexual consent and Chaps. 20, 21, 22, and 23 each consider cases where consent is given voluntarily but where it can still seem unclear what we should say about it. One such case occurs when the person who says yes to sex is not a competent adult. This can happen either because the person is not yet an adult or because they are an adult but suffer from some kind of impairment. Chapter 20 considers a case of the first sort and Chap. 21 considers a case of the second sort.

Statutory rape occurs when at least one of the participants in a sexual act is post-pubescent but under the statutory age of consent. In many parts of the United States, and in many other parts of the world, this is not just a crime but a felony that brings with it a potentially lengthy prison sentence. In Chap. 20, Stephen Kershnar focuses on cases where the minors in question are no younger than 15 and considers the question of whether statutory rape in such cases should be a crime at all. His answer is no. Kershnar's argument for this position appeals to the following general claim: the government should punish an activity only if (1) the activity violates a moral right, (2) punishing someone for engaging in the activity satisfies a cost-benefit analysis, and (3) doing so satisfies a standard of intermediate scrutiny, where intermediate scrutiny permits the state to punish a type of act only if doing so directly advances a legitimate and important state interest and is the least restrictive alternative available to advancing that interest. Kershnar then presents a variety of reasons to doubt or deny that the practice of punishing people for committing acts of statutory rape satisfies all three of these conditions and concludes that statutory rape should not be a crime.

Dementia is a general term for the condition, most commonly associated with Alzheimer's disease and the aftermath of strokes, that involves a significant loss of memory and significant decline in various forms of cognitive functioning. People with dementia who want to have sex may be unable to provide consent to sex that meets the standards for valid consent that we tend to apply in the cases of adults who don't have dementia. This poses a problem. In Chap. 21, Andria Bianchi addresses this problem and considers whether, and if so, under what circumstances, it may be ethically permissible for people with dementia to have sex. Rejecting the view that their cognitive impairments make it morally impermissible for people with dementia to have sex, Bianchi instead proposes that we should enable people with dementia to pursue activities that promote their well-being, including sexual acts, even in some cases when they cannot clearly consent. In doing so, she defends a framework to apply to cases of sex and dementia that involves prioritizing considerations of well-being.

Cases of sexual consent that don't involve coercion can still generate a variety of problems even when they're limited to competent adults, and Chaps. 22 and 23 address two examples of such issues. In Chap. 22, David Boonin considers cases involving competent adults who are in a situation of positional

inequality, focusing on a case where a psychologist asks her patient to have sex with her and where the patient says yes in response. In an important article called “Exploited Consent,” David Archard argued that the patient’s consent to sex in such cases should not be considered valid, appealing to the claim that patients are prone to develop feelings of deference, trust, and affection for their therapists, that these feelings would render them prone to say yes to their therapist’s proposals when they might not otherwise do so, and that treating their consent as valid in such cases would therefore involve their therapist taking unfair advantage of them. Boonin offers a critical response to Archard’s position, arguing that the considerations that Archard appeals to have unacceptable implications in other cases. He concludes that while there may well be good reason to prohibit sexual relationships between a psychologist and their patient, the claim that their professional relationship prevents the patient from giving valid consent to the sexual relationship is not among them.

Another kind of problem that can arise in cases of non-coerced consent among competent adults involves deception. In non-sexual contexts, it’s generally agreed that deception can invalidate consent. If a customer says they’ll only buy a used car if it has less than 20,000 miles on it and the salesman lies and says a particular car fits that description when it really doesn’t, it’s commonly accepted that if the customer is thereby tricked into agreeing to buy the car, they’d be entitled to get their money back because their agreement to buy the car wasn’t really valid. But in sexual contexts, cases in which one adult deceives another into having sex with them are rarely treated as sex without valid consent, let alone as cases that might be understood as a form of rape. But if rape involves sex without valid consent and deceiving someone into consenting to something invalidates their consent to it, then why shouldn’t sex that results from deception be viewed as on a par with, and perhaps simply a form of, rape? In Chap. 23, Laurie Shrage discusses this puzzle, sometimes referred to as “the problem of rape by fraud.” In it, she investigates two proposals for reconceiving the moral purpose of anti-rape statutes: that rape violates a person’s fundamental right to bodily possession or control and that rape violates a person’s fundamental right to be treated with dignity and respect. She also considers an argument that defends the current consensus about the purpose of anti-rape law—that rape violates a person’s fundamental right to sexual autonomy—but ultimately argues for a more pluralistic approach to anti-rape law, one that challenges the idea that there is just one basic human right that anti-rape statutes should protect.

Philosophers have become increasingly concerned in recent years with moral questions about discrimination and inclusion along such varying lines as race, gender, and disability status. While much of their work has focused on social and political issues, like those concerning police violence, racial gerrymandering, and access to health care, some has brought attention to concerns about discrimination and exclusion within the personal domain of sexual relationships. Part IV contains four chapters that provide examples of such work.

The first two chapters focus on race. In Chap. 24, Sonu Bedi extracts insights from Susan Okin's 1989 book *Justice, Gender and the Family* and uses them to help illuminate some fundamental questions about sexual racism. Unpacking the now familiar notion that "the personal is the political," Bedi first follows Okin in considering the various ways in which justice can be seen to apply not just to the public or political domain, but also within the more personal and intimate sphere of family relations. He then goes on to focus more specifically on the implications of racial justice, in particular, within the personal and intimate sphere of sexual relations in particular. Here Bedi distinguishes between two kinds of racial injustice that can arise—racial discrimination and racial stereotyping—and he shows how each corresponds to a distinct form of sexual racism. Drawing from and building on some of his previous work in this area, Bedi also considers the ways in which racism and sexism can intersect, making a suitably nuanced analysis of the various forms of injustice that can result from discrimination and stereotyping more complex and challenging.

Chapter 25 then dives more deeply into one particular question raised by the phenomenon of sexual racism: morally speaking, do people with racialized sexual preferences have the right to act on those preferences? Here, Cheryl Abbate considers an argument for the conclusion that the answer to this question is yes. The argument appeals to the claim that acting on such preferences doesn't harm other people and that even if it does, the harms can't count as wrongful harms because people can't really control what their sexual preferences are and they can't be held morally responsible for what they can't control. Abbate responds to this position by arguing that when white people act on anti-Black sexual preferences, they do in fact harm other people and that people can, at least to some degree, exert control over their sexual preferences. This leads Abbate to reject the argument under consideration and to conclude that white people have no moral right, not even a *prima facie* moral right, to act on anti-Black sexual preferences.

Chapter 26 also looks in detail at one particular question, but it's a question generated by a different form of sexual discrimination: the kind of discrimination against people with certain types of physical disabilities that leads them to have great difficulty in finding willing sexual partners and that is often referred to as sexual ableism. Some people have argued that hiring sex workers should be the primary means of mitigating the challenges posed by this form of discrimination. In this chapter, Kevin Mintz considers the advantages and limitations of the arguments for this view. He argues that sex workers can indeed play an important role in enabling some people with disabilities to have sex, but he concludes that focusing so heavily on access to sex work runs the risk of reinforcing sexual ableism. This is so, Mintz argues, because it can lead us to ignore important questions about how to empower people with impairments so that they can enjoy sexual freedoms that do not involve paying for sex.

This part of the book concludes with Chap. 27, which returns to a more general focus. In this chapter, Alida Liberman distinguishes between three kinds of sexual exclusion that are often conflated: (1) lack of access to sexual

gratification or pleasure, (2) lack of access to partnered sex, and (3) lack of the kind of social or psychological validation that comes from being seen by others as a sexual being. Liberman offers proposals about what our responses to these harms should be and weighs in on debates about whether there are rights to various kinds of sexual goods. She concludes that we ought to provide mechanical assistance to those who are incapable of self-stimulation, enhance access to sexual education for everyone, and engage in a systematic effort to change the harmful social norms, stereotypes, and cultural ideals that drive exclusion from partnered sex and that can lead to social invalidation.

Part V brings this collection to a close with four chapters that, to one degree or other, connect issues in sexual ethics with some of the latest developments in digital technology. At a general level, technology can be good for people's sex lives and sexual relationships in a variety of ways. It can enable people to form connections they could not otherwise have formed, to maintain these connections over long distances, and to have experiences that are qualitatively new and different from those that were previously available to them. But the same technology can also present risks. It can exacerbate social divisions and inequalities. And it is vulnerable to various forms of restriction, control, and surveillance. In Chap. 28, Neil McArthur argues that we should welcome the fact that sexual technology has become central to the intimate lives of many people, and that we should equally welcome the development of new sexual technologies, such as sex robots and sexually explicit virtual reality environments. Such technology, McArthur argues, on balance increases both the overall happiness and the autonomy of its users. At the same time, though, McArthur argues that we must take an active role in managing the environment in which this technology operates, to ensure that the benefits are fully realized and are equally distributed, and to ensure that the technology is not ultimately controlled by governments and large corporations.

Several features of a typical college party environment can render it difficult to obtain meaningful consent to sex: loud music, for example, and vast amounts of alcohol. The situation can be made even more challenging by the existence of gendered double standards on which women have their autonomy disrespected in ways that men typically don't. In a so-called stoplight party, participants are supposed to indicate consent through the color of their clothing. Green means advance consent to sex, red means no consent, and yellow allows for uncertainty. Because binding sexual consent can't really be given in advance, these stoplight parties highlight either a deep confusion on the part of their participants about what consent requires or an insufficient concern on their part about securing consent. In Chap. 29, James Rocha argues that morality requires both avoiding such problematic party practices and developing better practices for obtaining consent. Connecting the concerns of this chapter to the latest developments in digital technology, Rocha explores the possibility that a specialized phone app designed for this purpose might help with this important work.

Doxing involves the deliberate public release of personally identifying information on the Internet by a third party, typically with the intent to humiliate, threaten, intimidate, or punish that person for some form of wrongdoing. In Chap. 30, Peter Brian Barry focuses specifically on the use of doxing to secure justice for the victims of sexual wrongdoing. Such doxing is often rejected as morally objectionable, but Barry defends the thesis that doxing sexual transgressors is sometimes a morally permissible response to their sexual misconduct. In doing so, he considers several rationales for the view that doxing sexual transgressors can be justified. These include the possibility that that doxing sexual transgressors is justified in virtue of warning prospective victims of sexual misconduct, and the related possibilities that sexual transgressors are liable to be punished in virtue of their misconduct and that doxing them can realize some of the goods that can be achieved by just and deserved punishment. Throughout the chapter, Barry also considers and responds to a variety of objections that can be raised against his position, and he offers some guidelines for identifying the kinds of circumstances in which the case for the permissibility of doxing sexual transgressors is particularly strong.

In 2002, John Corvino published an article called “Naughty Fantasies.” In it, he considered the question of whether it’s morally wrong to deliberately indulge in sexual fantasies that involve imagining doing things that it would be wrong to do in real life, things like raping someone or whipping a slave. While acknowledging some objections that can be raised against answering this question in the affirmative, Corvino’s article tentatively endorsed the view that it’s wrong to eroticize activities that are themselves wrong to engage in, that what he called “naughty fantasies” do eroticize activities that are themselves wrong to engage in (and don’t, e.g., merely eroticize the simulation of such activities), and that it’s therefore wrong to indulge in such fantasies. While all the other chapters in this collection consist of previously unpublished material, the volume concludes with a new edition of this article, one that Corvino has slightly modified to improve clarity, along with a new postscript that appears here for the first time. In this postscript, among other things, Corvino helps to connect the argument of his original article with one of the most disturbing developments in the area of digital sexual technology that has occurred since the paper’s initial publication: sex robots with a so-called resistance setting that are specifically designed to help men act out the fantasy of raping a woman. The argument of Corvino’s chapter, formulated before the creation of such devices, can be used to raise a potentially powerful objection to the production, distribution, and use of such devices.

The field of sexual ethics is large and rapidly expanding. Because of this, no single collection can credibly claim to offer a fully comprehensive representation of the kind of work currently being done in the area. And any editor will have their own views and blind spots about which are the questions most worth asking, approaches most worth pursuing, and positions most worth representing. So no collection can credibly pretend to impartiality and objectivity in its coverage, either. But what I hope this Handbook can do is provide a helpful

and stimulating introduction to the field for those who are coming to it for the first time as well as a useful resource for those who have already been thinking in some detail about the questions it addresses. I hope you find the material contained in the chapters that follow to be provocative and challenging. And where you find gaps in the coverage, I hope the work contained here will inspire you to seek out equally strong work elsewhere that helps to fill those gaps or, even better, to create such work yourself. If this book can contribute something to the health and growth of the field in these ways, it will amply reward the efforts of the contributors whose thoughtful and dedicated work made it possible.

PART I

Sex and Human Nature