

Care of the Sexual Self: Askesis As a Route to Sex Education

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CARE OF THE SEXUAL SELF: ÁSKĒSIS AS A ROUTE TO SEX EDUCATION

by
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ABSTRACT
**CARE OF THE SEXUAL SELF:
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TO SEX EDUCATION**

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Marquette University, 2019

In adolescent sex education, the contemporary debate has developed into two camps: the paternalistic view and the liberal view. I argue that both sides of the camp have been too focused on actions and behavior and are assuming a heteronormative background. This dissertation argues that the way to take care of the self is through exercises, techniques, self-discipline, and self-cultivation—what the ancient Greeks called *áskēsis*. By applying *áskēsis* to sex education, students will gain the character of taking care of the sexual self and have a robust outlook of themselves via sexuality.

After looking at countless syllabi, I reduce three different moral foundations that underlie existing sex education programs. The first are paternalistic sex education programs. However, empirical research shows that gender discrepancies and heteronormativity are presented as inevitable.

The second model is what I call liberal-consequentialist sex education, which emphasizes avoiding negative consequences such as unwanted pregnancies and STIs. This model is an improvement since it empowers students with essential knowledge such as anatomy and sexual mechanics. But this model is still limited because it fails to discuss many forms of sexuality and gender while embracing heteronormativity.

The third model is what I call liberal-deontological sex education, which teaches sexual consent. While this model definitely improves on the previous two models, there is still something lacking. Most importantly, this model fails to address the gender inequality at the root of the problematic power dynamics. For example, if to receive consent is to garner a yes, then all men have to do is manipulate woman to get that yes.

These three models focus on a person's behavior, but sexuality is much deeper. Therefore, we need another model that implements *áskēsis*. For simplicity, I analyze *áskēsis* to three components: the sexual emotions, the sexual mind, and the sexual body. A comprehensive sex education program helps students train the moral sexual character by disciplining whether those components are coming from their authentic character, or if these ideas were simply societal expectations. This model, thereby, helps students question their own social mores and help formulate their sexual subjectivity.

For those who are tirelessly yet constantly working on improving sex education to our students;

For those who face cultural and social obstacles and ostracization for giving students sexual information;

For those who courageously keep going to spread accurate sexual information despite the legal oppositions against them;

Keep fighting! You, sex educators, can help slowly turn the tide to help students form sexual subjectivity through a comprehensive sex education

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By Shaun D. Miller, B.A., B.A., M.A.

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I have talked to many colleagues and friends along the process. Two from Marquette have really stood out where they have not only heard my ideas time and time again, but they have solidly believed in my work and consider it vital not only for philosophy, but for social implications for public policy. Marisola Xhilili Ciaccio has met with me

numerous times over the years asking insightful questions, giving remarks of our social and cultural understandings of sexuality, and remarking that these issues are more complex than we thought. I will never forget her remark that men and women treat “bad” sex differently: men may regard it as no big deal; women, because of our social circumstances, may see it as truly bad sex or perhaps worse. The confusion is real.

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Safa Khairy has truly been the most patient person imaginable. لديك صبر أكثر مما هناك نجوم. She not only encourages my work, but she has consistently pushed me to keep working. She constantly asks me to explain, which forced me to analyze further so that I am not just assuming that the listener or reader knows what I take for granted in my

mind. Whenever I am stuck, she always listens and while she says she does not know how to approach it from a philosophical angle, our discussions were nevertheless fruitful and she has brought out how media has influenced our views of sexuality. And while I have known that, I have just taken it for granted. Our discussions brought to my consciousness the media such that I can analyze the issues distinctly. By focusing on those issues, she has helped me influence chapter six such that the media plays an important role in shaping people's ideas about sexuality and that beyond laws, the media should be part of a robust sex education. Her love, influence, and support has continually encouraged me to finish the dissertation. In many ways, she has not only encouraged and improved my work, but she has pushed me to become a better person. If anything, she is the *áskēsis* to my character by constantly pushing me to be a better me. I may not always meet the fullest potential, but the seed is planted and I plan to continually take care of myself and to consistently express my subjectivity. Her wit, dedication, and sense of adventure cannot be matched. She may have helped my thinking on these chapters; I cannot wait to see what other life chapters are in store for us. هذه الرسالة أفضل بكثير بفضل تشجيعك، وأنا شخص أفضل بكثير معك يا حياتي

Finally, to all of the hardworking, dedicated sex educators out there who tirelessly continue to educate everyone on sexuality: you have a difficult task due to the United States federal policy for abstinence-only sex education. Your fight against these laws is a slow journey and the monetary rewards are slim. To get more presence, you have to constantly reach out to others which uses up both physical, mental, and emotional labor. It is because of you, this dissertation has given me more insight in our laws and cultural boundaries we have. One in particular is Sallie Foley. She has been a big motivator when I asked for advice in my life plans. Her suggestion was to concentrate more in the sex education field if academia does not work out. Her last words to me were “please join our ranks. We need more ethicists like you to help fill in the gaps of sex education.” I still plan to fulfill that advice. Sex education is pushing everyone to converse about it and hopefully transform our cultural understanding of sexuality out of our taboo understanding. You truly are the heroes in this fight and it is this dissertation that I dedicate to you all.

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Introduction

As of this writing, there is no federal standard for sex education in the United States in public K12 schools. Of the 22 states that require mandated sex education, only 13 of those states require that the information be medically accurate.¹ Considering that sex education is also health education, these facts show that sex education in the United States is a travesty. One of the aims behind current sex education programs is to prevent unwanted consequences such as teenage pregnancies and STIs. However, with the United States leading teenage pregnancies in the world, current sex education programs do not adhere to this aim. A major problem is not only the incorrect education program, but also the cultural attitudes that people have regarding sexuality in general. My investigation will look at US cultural and social influences of peoples' beliefs regarding sexual norms, and how to improve our relationship to sexuality. Sexual norms influence the way people interact not only in sexual and relationship matters, but in daily living. Sexuality has intimate connections with our gender, our bodies, our looks, and portions of our identity. If we have the incorrect attitude toward sexual norms, then we will have incorrect interactions towards those that do not correspond to the sexual norms of gender, bodies, looks, and factors regarding our identity. What is the incorrect attitude toward sexual norms? This dissertation will defend the idea that sex education programs ought to undermine heteronormativity and uplift those with all genders, body types, identities, and sexual expressions as legitimate. Furthermore, sex education programs ought to develop

¹ "Sex and HIV Education." Guttmacher Institute. October 03, 2018. Accessed October 26, 2018. <https://www.guttmacher.org/state-policy/explore/sex-and-hiv-education>.

techniques and skills for students to regard their sexuality in a healthy way as well as fighting heteronormative attitudes. My overall goal in this dissertation is to provide an educational method that will not only attempt to undermine heteronormativity by educational means but also help students formulate a sense of their sexual subjectivity. Learning about and embracing sexuality can inform people about their own sexual subjectivity, which I take from Tolman: “a person’s experience of [oneself]² as a sexual being, who feels entitled to sexual pleasure and sexual safety, who makes active sexual choices, and who has an identity as a sexual being.”³ Without sexual subjectivity, people will be passive to social forces and could live heteronormatively where they could be taken advantage of or take advantage of others simply because they did not know any better or because it was expected of them.

1. The Problem of Heteronormativity

One major problem is heteronormativity—the belief that heterosexuality is the only proper sexual orientation, and that people ought to stay within prescribed gender roles because these roles are considered natural. It is a norm throughout the world that heterosexual practices are not just normal, but necessary for the moral health of society.⁴ It does *not* mean that heterosexuality, heterosexual relationships, or heterosexual practices should be disvalued. Rather, I am challenging the notion that heterosexuality is the centered norm and other expressions of sexuality and gender are perversions,

² Tolman discusses adolescent women. However, I find her classification of sexual subjectivity applicable to all genders.

³ Tolman, *Dilemmas of Desire*, 5-6.

⁴ Cf. Charles Lemert. *Social Things: An Introduction to the Sociological Life*. Third edition (Lanham, MD: Rowman & Littlefield, 2005), 193.

deviations or, at best, derivatives of heterosexuality. Heteronormativity is the idea that what is considered socially common regarding sexual and gender roles is the presumed universal rule. Heteronormativity is a way to “regulate youths’ bodies by forcing adherence to sexual expressions which have already been determined by the controllers...If individuals reject heterosexuality, in a heteronormative social setting, they can expect to be silenced and set aside.”⁵ These cultural expectations are so ingrained in young people that once they begin to think about sex and gender presentation, they are already doing so through the categories and concepts given to them by society. What follows from heteronormativity is that people ought to look, behave, think, value, know, and feel their presumed sex which includes what sort of gender, body, identity, and thoughts individuals ought to have. By growing up and participating in these cultural norms, people act and unconsciously impose these sexual norms and gender expressions onto themselves and others through rules, shame, appeals to various responsibilities, and praise- and blameworthiness. It may be true that same-sex relationships are slowly becoming acceptable in society. However, our gender presentations and expressions—even if lessened than the past—are still reigned in from heteronormativity. Indeed, using shame to attempt to get people to conform to the social norms is what philosopher Jason Stotts has called “shamenorming.”⁶ The ultimate goal is for individuals to internalize the beliefs where their own behavior is self-controlled through guilt if they do not follow the social conventions. The sexual expectations are already set in place before they start to have a sex life, and their sexual experiences are fed by these concepts, usually without

⁵ Pamela K. Smith, “The Prom as a Spectacle of Heteronormativity,” in *The Sexuality Curriculum and Youth Culture*, ed. Dennis Carlson and Donyell L. Roseboro (NY: Peter Lang Publishing, 2011), 158.

⁶ Cf. Jason Stotts. *Eros and Ethos: A New Theory of Sexual Ethics*. (Ontario: Erosophia Enterprises, 2018), 183-185.

the people realizing it. People often do not consciously think about the forces that shape their lives or their beliefs; rather, they live passively accepting these norms. Even though more expressions are starting to be acceptable (e.g. same-sex relationships, transgender people), people must still follow certain heteronormative ideas in order to be accepted in society. Assimilation to heteronormativity is part of the process for sexual minorities to fit in mainstream culture. Gender intensification, the pressure to conform to gender stereotypes, typically happens around ages 12-16.⁷

If heterosexuality is perceived as the norm where being a heterosexual *is* the default form of sexuality, what follows is that each gender must fall into certain “natural,” hierarchical roles, and that anything outside the convention and/or “natural” roles is deemed strange, perverse, or wrong. To be considered prescriptively “normal” (e.g., opposite-sex attraction) implies that those who are not part of the prescriptive norm are deemed abnormal by default (e.g., same-sex attraction). Going outside these conventional norms puts restrictions on people’s behavior to the point where they become—to use a Foucaultian term—“normalized,” i.e., they either practice heterosexuality or become a heterosexual to stay in line with the “natural” role. If people cannot be heterosexual, then they should at least perform and present themselves as heterosexual so that they can “pass” as heterosexual and cisgender. Anything outside the norms produces what is considered abnormal. Moreover, even if people follow the norms, their feelings may not be fully expressed because they may want to act or look a certain way, but must keep it secret for fear of being stigmatized. The norms our society holds tell us what we *should* do, and are strong enough where we have to change our

⁷ Cf. Andrew P. Smiler. *Dating and Sex: A Guide for the 21st Century Teen Boy*. (Washington, D.C.: Magination Press, 2016), 244-245.

selves to be part of the culture and fit in, even if it is as at odds with our self. We take the norms as the universal standard and they become so compelling that we not only take them for granted as the default, but we also live them out and feel as if this was what is true and real of our human sexual experience.⁸ Because there are certain roles that are considered more appropriate than others, a sexual hierarchy is formed.

To illustrate the sexual hierarchy, Gayle Rubin points out that certain sexual acts form a hierarchical system of sexual value: the first is marital, reproductive heterosexuals, followed by unmarried monogamous heterosexuals. Next would be the solitary heterosexual. It is possible that the promiscuous heterosexual would be next in this hierarchy. Stable, long-term lesbian and gay male couples are gaining respectability, but promiscuous lesbians and gays are barely above the bottom of the hierarchical pyramid. The bottom of these sexual castes are transsexuals, transvestites, fetishists, sadomasochists, porn models, and sex workers. As one goes upward on the hierarchy, people are considered more mentally, emotionally, and socially stable. They gain institutional support and reap in the benefits of such support. As one goes lower on the scale, there is a presumption of mental illness, crime, economic sanctions, and disreputability.⁹ These activities are considered self-destructive patterns, emotional aggression, or immaturity. This discourse forms the idea that sex within the confines of marriage, love, and reproduction is considered “good” and “normal” sexual activity. The higher people are on the scale, the more “complete” those people are. Any sex that is unmarried, promiscuous, nonprocreative is deemed “on the fringe,” “abnormal,” or

⁸ Cf. Deborah L. Tolman *Dilemmas of desire: Teenage girls talk about sexuality*. (Cambridge, MA: Harvard University Press, 2009), 14.

⁹ Cf. Gayle S. Rubin “Thinking Sex: Notes for a Radical Theory of the Politics of Sexuality.” In *America’s Feminist Thought at Century’s End: A Reader*. Edited by Linda S. Kauffman. (Cambridge, MA: Blackwell Publishers, 1993), 14-15.

“unnatural.” In today’s times, unmarried or nonprocreative sex may be permissible, but I would still contend that it is taken as “non-serious” or “not the final culmination of” sexual expressions.

We often think that after the sexual revolution in the past, people are free to pursue their sexual interests and desires without sanction. However, our sexuality is regulated even if we think we are free. These regulations can also filter into what is appropriate or inappropriate pleasures, actions, and identities. Nowadays, most of US society has accepted same-sex relationships, but if they “fit” more into the norm, the more they are accepted. Rachel Hills illustrates this perfectly in her qualitative research as she interviews numerous people for her project:

It is relatively easy to embrace a pair of conventionally attractive, conventionally masculine men who also happen to enjoy middle-class domestic pursuits like dinner parties, barbecues, monogamy, and the beach. But what about gay men who are naturally more effete, or lesbians who eschew the markers of conventionally femininity? What about the same-sex-attracted people who don’t want marriage or monogamy, or who build their families around the communities they choose rather than the people who raised them? *Same-sex relationships may be more accepted than they used to be, but the relationships that are embraced most are the ones that most closely mirror the old standards.*¹⁰

The standards that Hills refers to are the heteronormative standards. Even if relationships are accepted in society (both culturally and legally), the relationship is considered legitimate if it mirrors a heterosexual mold, and the more it does so, the more “successful” the relationship is. Heterosexual norms are still the standard, even if people are in same-sex relationships.

Being criticized for not following the heterosexual norms is harmful to everyone because one cannot fully express one’s identity, or one may develop feelings of guilt or

¹⁰ Rachel Hills. *The sex myth: the gap between our fantasies and reality*. (NY: Simon and Schuster, 2015), 75.

shame by having certain desires that are not part of the heterosexual norms.¹¹ Therefore, either falling outside the heterosexual norms is seen as a problem, or heteronormativity itself is a problem. I argue that heteronormativity itself is the problem for society. The harms and damage can range from people being stigmatized for not fitting in to bullying to death. Not only does heteronormativity cause harm, but it can stifle and restrict those who do not express their sexual potentials (outside of harm, of course).

Heteronormativity, in other words, restricts people's sexual expressions that go beyond the typical heteronormative paradigms which can stifle their well-being in general. And if people cannot achieve a sense of well-being, they are not going to lead a flourishing life.

Because heteronormativity is a problem, a solution is to undermine heteronormativity. The way to undermine it is to dismantle the assumption that heterosexuality is the only proper sexual orientation, and that people ought to stay within prescribed gender roles. To accomplish this task, one must educate society about the possible heterosexual norms they are holding and assuming. Since people learn about norms through their upbringing, a way to educate people about the problem of heteronormativity is through a rigorous sex education. Therefore, the aim of this project is to investigate various perspectives of sex education in the US and find an educational common ground where one learns not only sexual activity, hygiene, and avoiding negative consequences, but about sexuality and gender as a whole. In short, to undermine heteronormativity, one must teach the students that heteronormativity is incorrect. Again, undermining heteronormativity does not mean a criticism of heterosexuality, heterosexual acts, or heterosexual relationships. Undermining heteronormativity is to show why the

¹¹ I am focusing on heterosexual norms and not necessarily behaviors and acts. One basis for ethical sexual behavior is consent. Therefore, one implication is that any acts of pedophilia is morally wrong.

hegemonic value of heterosexuality—heterosexuality as the prescriptive norm—should be devalued. And to do that, one must give the students a rigorous sex education program that is very different from the programs that has been done and is currently in use. For simplicity, I will be focusing on public schools, but this discussion could easily transfer to private or alternative schooling.

Because I am focusing on public schools, my sex education program focuses on young students, particularly adolescents. I am defining adolescence as the World Health Organization (WHO) does: the stage from 10 to 19 years of age.¹² There has been a discussion as to whether this stage should be lengthened because of the decreasing age of puberty as well as adulthood being fully achieved by age 24. I will, however, stay with the WHO's definition since I am primarily focusing on sex education in the formative years. Ideally, sex education should not stop, even after adolescence. However, students need the basic tools and skills to understand sexuality in general so that they can apply it to themselves and others and the setting for this to work is in a formal school setting.

2. The Sex Education Debates

To provide context, we must look at the historical background of sex education in the US. Briefly, the history of sex education in the United States started after World War I. The major focus, at that time, was controlling STIs, especially for the soldiers fighting in the War, which made the federal government get involved in sex education. These programs were considered successful in controlling STIs and inspired the federal government to

¹² “World Health Organization, Adolescent Health and Development.” World Health Organization. July 13, 2017. Accessed October 26, 2018.
http://www.searo.who.int/entity/child_adolescent/topics/adolescent_health/en/.

expand sex education programs as a way to control STIs to secondary schools through the 1920-1960s. Over time, sex education evolved from preventative measures to understanding sexual mechanics and anatomy. By the 1960, the sexual revolution was in full swing and learning about sex helped people fulfill their sexual desires. In response to the sexual revolution of the late 1960s-early 1970s, sex education shifted from a health issue to a political issue where religious conservatives attacked sex education as lacking morals. In the 1980s, the AIDS and HIV epidemic propelled defenders of sex education. By the mid-90s to the present, every state passed mandates for AIDS education. As a result, opponents of sex education reformulated the curriculum to deal with the AIDS and HIV epidemic by reframing the issue from health to morality: abstinence education.

Throughout this development, sex education has focused on sexual activity, health, and reproduction. Over time, however, various assumptions and norms have crept in unquestionably through various discourses. There have been few philosophical studies about sex education,¹³ but most of them do not offer suggestions how to undermine

¹³ See Louisa Allen. *Young People and Sexuality Education: Rethinking Key Debates*. (NY: Palgrave Macmillan, 2011); Louisa Allen. *Sexual Subjects: Young People, Sexuality and Education*. (NY: Palgrave Macmillan, 2005); Robert P. George and Melissa Moschella, "Does Sex Ed Undermine Parental Rights?" *The New York Times*, October 18, 2011, accessed August 18, 2018, http://www.nytimes.com/2011/10/19/opinion/does-sex-ed-undermine-parental-rights.html?_r=0; Joshua Michael Heyes, "Towards a Virtue Ethical Approach to Relationships and Sex Education," *Journal of Moral Education*, 2018, doi:10.1080/03057240.2018.1450232; Janice M. Irvine. *Talk About Sex: The Battles over Sex Education in the United States*. (Berkeley, CA: University of California Press, 2002); Paula McAvoy. "The aims of sex education: Demoting autonomy and promoting mutuality," *Educational Theory* 63, no. 5 (2013): 483-496; Alexander McKay. *Sexual Ideology and Schooling: Towards Democratic Sexuality Education*. (Albany, NY: Suny Press, 1999); Jan Steutel and Doret J. De Ruyter. "What should be the moral aims of compulsory sex education?" *British journal of educational studies* 59, no. 1 (2011): 75-86; Jan Steutel. "Towards a Sexual Ethics for Adolescence," *Journal of Moral Education* 38.2 (2009): 185-98; Jason Stotts. *Eros and Ethos: A New Theory of Sexual Ethics*. (Ontario: Erosophia Enterprises, 2018); Agnes Tellings. "A Liberal Sexual Ethics for Adolescents? Jan Steutel's View as a Starting Point." *Journal of Moral Education* 38.2 (2009): 199-211; and Robert Van Wyk, "The Morality of Teenage Sex and Its Implications for Sex Education," in *Sex, Love, and Friendship: Studies of the Society for the Philosophy of Sex and Love: 1993-2003*, ed. Adrienne Leigh McEvoy, vol. 232, *Histories and Addresses of Philosophical Societies* (NY: Rodopi, 2011), 39-49.

heteronormativity through sex education.¹⁴ Since there are not many philosophers who have made arguments concerning sex education, I will also look into various proposals by politicians and policymakers. By investigating these perspectives and their philosophical underpinnings, I uncover what implications these educational programs have for forming sexual identities. Most philosophical discussions about sexuality deal with metaphysical, epistemological, conceptual, or ethical questions. In short, with a few exceptions, sex education has been a missing element in most philosophical literature. Those who make a claim about what sex education ought to be often do not rely on philosophical support for their justification. Therefore, this dissertation will investigate claims concerning sex education, and analyze what philosophical justifications they are presuming. By focusing on what proponents of sex education say, I can distinguish which arguments, and thereby which philosophical assumptions, they hold.

Currently in America, there are two types of models of teaching sex. The first type, which I call the paternalistic model, focuses on abstaining from sex until the right time; the right time usually being marriage. The reasoning behind this model is that awareness of one's sexuality begins around adolescence. Since this is the age where one is coming into adulthood, the stresses of life can be too much to handle. This discourse focuses on the idea that any form of sexual activity involves deeply embedded emotions and that young people cannot handle them. Thus, it is best for adolescents to withhold sex until the proper time.¹⁵ Moreover, any sexual activities are morally permissible for adults.

¹⁴ Only Allen, *Young People and Sexuality Education* and Allen, *Sexual Subjects* offer ways to undermine heteronormativity. Still, while she may incorporate philosophical terms in her analysis, she is not a philosopher.

¹⁵ Bay-Cheng, "The Trouble of Teen Sex," *passim*; Dennis L. Carlson. *The Education of Eros: A History of Education and the Problem of Adolescent Sexuality*. (NY: Routledge, 2012), 1-20.

Since adolescents are not yet adults, it is impermissible for them to engage in any sexual behavior.

The second model is what I call the liberal model, which focuses on abstinence as a choice, but not the only choice. Other choices include ways to prevent negative consequences (such as unintended pregnancies and STIs), which means the curriculum includes preventative measures, such as condoms or the birth control pill. The typical justification behind this model is that since adolescents are likely to engage in sexual activity, it is best to teach adolescents how to prevent unintended consequences so that they can continue their lives uninterrupted throughout their teenage years and live a successful adult life.¹⁶

These are just two broad discourses on how to view adolescents as sexual beings and how to teach sexuality.¹⁷ Nevertheless, these two discourses, I argue, have a narrow outlook on what it means to be a sexual being. Both discourses focus only on the sexual *act*, specifically how to *prevent* unintended acts, which is a very limiting approach. One's sexual attitude toward others and oneself is much more encompassing and richer than what one should *avoid* doing, and therefore should be taken into consideration when teaching a sexual education course. For example, most sex education programs in the US focus on the consequences of the sexual act, or on an agent who is value-neutral when it comes to sex. While these are important, there is an essential component that is missing: all of these qualities look toward an external feature about sex, meaning that they focus on the *behaviors*. With the focus away from the sexual self and toward sexual behaviors,

¹⁶ Carlson, 20-35.

¹⁷ Yet, see Tiffany Mary Jones. "Saving rhetorical children: Sexuality education discourses from conservative to post-modern." *Sex Education* 11, no. 4 (2011): 369-387—a sex researcher at the Australian Research Centre in Sex, Health, and Society—has described 28 different discourses pertaining to sex education.

consequences, or certain thoughts external to the agent, sex education has made the person into a being who is divorced from one's sexuality rather than a being who is a sexual subject.

By showing that both of these models are flawed, I open up a new avenue for my proposed ethics. Instead of focusing on behavior, I will argue that sex education should also focus on character and the self. Part of my project is to develop an ethic of sexuality and thereby speculate about what a sex education program would look like under a new ethics which I will call "care of the self." Why care of the self? Both the paternalistic and liberal models argue that one should not engage in sexual activity until one is ready, mature, or "feel it is the right moment." These features, to me, seem to be a central feature of being a sexual subject: knowing who one is as a sexual being gives insight on how to handle sex or what type of sexual activities to engage in. Many novices in sex start with a confused state of mind, which is partially because of lack of experience, but I argue that it is also because they are not sure what kind of sexual desires they have or could have. Thus, they partake in sexual practices mainly through external pressure or social expectations.¹⁸

Both the paternalistic and liberal models say that sexual activity is for those who are ready, but that issue is side-stepped quickly, as if it were a footnote in sex education. I suggest that by focusing on an ethic that concentrates on understanding the care of the self, the focal point would concentrate on the *subject* and thereby produce subjects taking care of their sexual selves. By developing this line of thought, care of the self would be a

¹⁸ See Hills; Peggy Orenstein. *Girls & sex: Navigating the complicated new landscape*. (NY: Harper, 2016), 7-75; Tolman, *Dilemmas of Desire*, especially 1-25; Alfred Vernacchio and Brooke Lea Foster. *For goodness sex: Changing the way we talk to teens about sexuality, values, and health*. (NY: HarperCollins Publishers, 2014); and Gail E. Wyatt and Monika H. Riederle. "Reconceptualizing Issues that Affect Women's Sexual Decision-Making and Sexual Functioning." *Psychology of Women Quarterly* 18, no. 4 (1994): 611-625.

new avenue in sex education, providing a new discourse on one's sexuality instead of teaching the *avoidance* of something in sexuality. Could teachers use the idea of a sexual being as the focus of sex education? What would sexual education look like if "care of the self" was the primary thing to teach? What if intersubjective sexual subjects were the main discourse rather than isolated subjects who just happened to be sexual?

Chapter one looks at educational paternalism as a philosophy. Since I am arguing against a paternalistic sex education program, one possible implication is that my proposed sex education has no paternalistic features. However, I am arguing against heteronormativity because—as it will be developed by the end of the dissertation—heteronormativity hinders well-being. Therefore, I have an account of at least one value that should be disvalued and that it should be taught as a disvalue. It seems that I have at least a type of paternalistic sex education: namely, that heteronormative values should be disvalued. How can I hold these two opposing ideas? The philosophy of paternalism is multifaceted so I can only focus on a few aspects of paternalism. I uphold what I call "thin" paternalism: giving students agency in their educational choices, and also to instill and realize values that will help them flourish. Since heteronormativity detracts from flourishing, heteronormativity is a value that will not be endorsed in sex education programs. After this, I will investigate various paternalistic reasons for abstinence-only sex education programs based on the immorality of adolescent sexual behavior. In the end, I argue these arguments fail and that there is nothing *essentially* wrong with adolescent sexual behavior.

Chapter two analyzes what I call the paternalistic model of sex education. This perspective typically endorses an abstinence-only-until-marriage sex education

framework. Within a paternalistic framework, I investigate possible arguments that proponents could use to support a paternalistic sex education (hereafter PSE). Various arguments come from deontological, consequentialist, and virtue theorist justifications. In the end, I argue that these justifications fail and show that this model also endorses heteronormativity.

Chapter three investigates a comprehensive sex education coming from a liberal and consequentialist tradition, what I call liberal-consequentialist sex education (hereafter LCSE). Proponents of LCSE find it more preferable than PSE because exercising freedom is better than not. The assumed premise behind LCSE is that exercising freedom means that one must presumably be autonomous, which requires, among other things, being competent in one's actions and behaviors. The question, then, is whether adolescents are competent or not. Legally, adolescents depend upon their adult guardians for economic, emotional, and existential support. Because of this dependence, adolescents are considered "extended children." Since children are not considered autonomous and competent, so too, are adolescents. Moreover, these adolescents, under this paradigm, are seen as constant risk-takers and sensation-seekers.

This chapter will rely on J.S. Mill's *On Liberty* to build a case for a philosophical position that combines liberalism and consequentialism in which LCSE is relying on to argue for their perspective. I will also consider objections to LCSE from proponents of PSE and defend LCSE. One major feature of this chapter will make the argument that, in general, adolescents are competent enough to make sexual decisions and the sex education will be a benefit to enhance their competency and decision-making. Finally, I will consider the advantages and disadvantages of LCSE and conclude that the

disadvantages outweigh the advantages and that another perspective of sex education is wanting.

Chapter four details a comprehensive sex education coming from a liberal and deontological ethical tradition, which I call liberal-deontological sex education (hereafter LDSE). This chapter will discuss the intricacies of autonomy and consent. I will look at the advantages and disadvantages of this perspective and conclude that this perspective is wanting. However, I consider consent and autonomy an essential component of sex education, but not the foundation. Therefore, I embrace a type of autonomy and consent whereby a virtue ethic is the foundation.¹⁹

In all three perspectives, there is not much emphasis on sexual identity. Knowing about oneself in terms of one's gender, race, ethnicity, religion, or national identity has gained prominence in terms of how these issues are integral to one's life. One may think that sexual orientation is only sexual identity, but sexual orientation means what sex one is attracted to, whereas sexual identity includes what sort of sexual attitudes one has toward others and oneself. Moreover, current sex education focuses on the mechanics of sex and how to avoid various sexual problems. However, sex education can be more than that. I attempt to offer a viable sex education that educates students about sexuality as a whole—what it means to be a sexual person, to own one's sexuality, and to foster and empower one's sexuality through one's identity, feelings, and attitudes. Thus, the project is to not only raise new questions concerning heteronormativity but to offers a theoretical perspective to adequately address and answer the problem of heteronormativity and to formulate a concept of sexual subjectivity, which leads me to chapter five.

¹⁹ I also suggest that virtue epistemology is also a foundation for my proposed ethic, but that is beyond the scope of this dissertation.

In chapter five, I focus on taking care of the sexual self. The way out of the problems of the previous models is to incorporate the advantages and expunge the disadvantages. The advantages from the previous perspectives incorporate ways of understanding the consequences of one's actions, taking responsibility for one's actions, and having self-determination and understanding consent. The students must be aware of how to reason ethically and justify their ethical behavior. Students are taught how to develop their own views of what is right and wrong. This does not entail relativism; rather, the ethics-based curriculum is to help the students develop a character that has certain virtues such as compassion, fairness, courage, responsibility, humility, loyalty, and generosity. This fourth perspective will also focus on the students' well-being and undermine the assumed heteronormativity in sex education. A key component of this perspective is to form a sexual subject. The philosophical foundation I use is *áskēsis*.

Antonuccio describes *áskēsis* best:

Askesis can refer to a wide range of practices that human beings undertake in order to form themselves in relation to an ideal good. In the history of Western thought, for example, *askesis* has been associated with practices related to education or intellectual formation, athletic and military training, spiritual formation (as in the famous exercises of Ignatius Loyola), and even the process of artistic creation. In each case, the root meaning of *askesis* denotes some sort of formation discipline, an attempt to shape or form the self according to an ideal of goodness or excellence.²⁰

To develop this, I will use three components of the self: emotions, the mind, and the body. Each of these three components will be investigated by incorporating *áskēsis*. A way to distinguish the moral foundations between the *áskēsis* model and previous models is that the latter focused on moral failures and overcoming those failures, as if one had lowered oneself morally so that the way out is get back to a normal stasis. Incorporating

²⁰ Maria Antonuccio. *A philosophy to live by: Engaging Iris Murdoch*. (NY: Oxford University Press, 2012), 9.

áskēsis, however, is to go further than simply staying at a normal stasis. Rather, being moral under *áskēsis* is to improve and better oneself.

In chapter six, I provide methods to apply *áskēsis* in sex education programs and offer examples of what an *áskēsis* model of sex education could offer that goes beyond preventing unwanted consequences and information about consent. My new model would focus on how to take care of the self—a comprehensive sex education program that helps students train the moral sexual character by disciplining whether their sexual mind, body, and emotions are coming from their authentic character or simply from societal expectations. This model, thereby, helps students question their own social mores and understand various forms of sexualities and genders. The upshot is to implement this into public policy where the ethical considerations are to not only focus on avoiding assaultive behavior, but also cultivating a character where they would not want to in the first place

Moreover, they will not challenge the sexual social conventions and possibly shame those who do not socially fit in the sexual norms. Learning about sexual subjectivity, however, will help students and embrace their sexuality and help undermine heteronormativity. For example, a study has shown that embracing one’s sexuality can make one more resistant to sexual double standards²¹ and have positive attitudes toward sexuality, which would be a great consequence of the *áskēsis* model.

To give an example of positive attitudes toward sexuality, the Netherlands has an excellent sex education program. The Dutch have a much more comprehensive sex education program than the United States in that the Dutch have a more open discussion

²¹ See Sharon Horne and Melanie J. Zimmer-Gembeck. “Female sexual subjectivity and well-being: Comparing late adolescents with different sexual experiences.” *Sexuality Research and Social Policy* 2, no. 3 (2005): 25-40, *passim*.

in the classroom. Sexuality is seen as a positive light and they focus not only on responsibility and encourage students to think about what they want in advance, but they also focus on pleasure and ways to communicate to potential partners how to achieve pleasure.²² Schalet has observed that many American adolescent women have a harder time integrating their sexual subjectivity than adolescent Dutch women. Moreover, American girls are bombarded with cultural messages that they cannot handle sexual activity, even within a relationship, but Dutch girls are assumed to be able to fall in love and form steady sexual relationships. By analogy, if a similar program were instituted in America, then Americans may have a better understanding of sexuality. By expanding on this observation, I propose that adolescent education fosters sexual subjectivity to not only be more self-reflective and integrate people's own sexuality into their identity, but to also understand the different forms of sexualities so that people will not be averse to possible sexual encounters with which they may not be familiar. Instead, the people involved can engage in a reflective dialogue to understand the behavior, or to query certain cultural practices that could endorse inequality. Respecting sexual and relationship practices in all of its different forms is key to living in a better society.

3. The Educational Background

Empirically, I will be using different sex education programs that I find helpful as either an example or portions of a foundation for such a program. First, I consider the sex education program in the Netherlands to be encouraging. Their program starts in kindergarten and it goes beyond the discourse of avoiding negative consequences.

²² Cf. Moira Carmody. *Sex, Ethics, and Young People*. (NY: Palgrave Macmillan, 2015), 79.

Effectively, their program seems to be working since they have the lowest teenage pregnancy rates in the world. My program would emulate the Netherland program in many ways. What I would like to contribute to the program is to offer philosophical justifications by emphasizing *áskēsis* as the source of shaping a sexual self.

One possible objection to my project is that sexuality is a mature subject, so the topic must be reserved for adults. My response is two-fold: one, formal education ends at the beginning of the adult years. If young people do not have a sexual education before then, they will not be prepared nor understand their own sexuality. They may be taken advantage of, or unknowingly take advantage of others. Considering that one aim of education is to prepare young minds for their adult life, sex education must be part of education. Second, it is nearly impossible to lack knowledge of sex before one becomes an adult. That is, sexuality is not something that merely “appears” in adulthood. Through media, peers, and especially the Internet, society is constantly being bombarded with different notions of sexuality. To sift through the information and figure out what is factual and what is not requires an education to distinguish fact and fiction. People learn about different genders, sexual orientations, sexual activities, consent and coercion, and various desires toward people as they grow older. To make sense of this content, sex education categorizes the content into meaningful discourse.

To understand the aim of sex education, I must include an aim of education in general. The foundation for education I will be using is John Dewey’s philosophy of education, with the focus on sex education as formulated by psychologist Sharon Lamb and sexuality educator Al Vernacchio. For Dewey, the educator is not just giving content to the student where the student passively retains the information; rather, there is an

engaged exchange among the students where they interact to learn the content which would open them up for new views, new experiences, and understanding new ideas. These experiences contribute to becoming a democratic citizen. For Dewey, then, the aim of education is to produce democratic citizens, which means that education and democracy are intimately connected. The student grows for the purpose of further growth. This insight makes education both a means and an ends. To achieve this aim, Dewey emphasizes experience—which comes from a mixture of continuity and interaction—as the key to education. Through students' experiences, they will not just obtain knowledgeable content, but also know how the content contributes to their well-being, and to the extent that they could contribute to the good of society.

To have certain knowledge about something is so that we can prepare ourselves and apply the knowledge if needed. However, having knowledge does not simply mean one is educated. One can memorize answers and even understand the reasoning behind the answers, but to be educated, one must also be part of a democratic society where one can engage with the rest of the community in an open way. Each individual student's experience, therefore, will be different. The educator's job is to take into account of these differences and provide the students with experiences that will help them access future experiences that would contribute to their own growth, which, in turn, would help them contribute to society.

Integrating these aims with sex education, Lamb argues that since citizenship cannot be separated from the particularities of the students life, so too, "sex ed curricula must not focus primarily on the individual student's health and decision making, but on his or her participation in a culture in which sex is had, seen experienced, and

represented.”²³ Lamb presents guiding principles for a democratic education that is in the spirit of Dewey, after which she uses these principles to formulate a sex education curriculum, which in turn will constitute a democratic sexual citizen. In short, a democratic education must be non-restrictive, non-dogmatic, inclusive, and dedicated to teaching deliberation rather than simply critiquing ideas.²⁴

The curriculum that Lamb demonstrates is a collaboration between her colleagues and students for five years, and it has been approved by the Association for Moral Education. I will highlight some features of her curriculum and either supplement or apply the features. Certain features for a sex education curriculum include lessons that contribute to a classroom atmosphere where there are joint discussions, respect for each other, and an openness to all moral questioning. Sex education is not simply a lesson in advice or a list of how-tos. Because the foundation is a democratic education, the setup is to let the students lead the class while the teacher is the facilitator, but the teacher makes sure that the students have understood what their education entails to make sure that everyone is included by querying the students to help the students realize potential harms, and honing in on what the students want to know. In relevance to Dewey, the teachers must start where the students are and know something about the students’ prior experiences in order to help them continue in their experiences by having open communication.

The next highlighted feature from Lamb is the need for an ethics-based curriculum. Being inclusive not only means having an open dialogue with those who do not share your ideas, but to fight oppression and the social injustices along with it. Doing

²³ Sharon Lamb. *Sex Ed for Caring Schools: Creating an Ethics-Based Curriculum*. (NY: Teachers College Press, Columbia University, 2013), 52.

²⁴ *Ibid.*, 52-53.

so means that the students will recognize that others may struggle with their own identity. Focusing on the guiding principle of being inclusive, a democratic education would discuss sexuality as it is expressed within the community, which includes but is not limited to students who identify as LGBTQ. However, the community is not limited to the classroom. A democratic education means that they may encounter other citizens that have different sexual identities that they may not currently experience in the classroom.

Vernacchio will be used as case studies and examples of what he does in the classroom to teach sexuality. He has the educational wisdom to make the students feel comfortable and open to discuss a sensitive topic like sex. I find Vernacchio's teaching style, subject matter, and healthy approach to sexuality refreshing and enriching. I will use Vernacchio's work as a launching pad to contribute to what a good sexuality education program looks like.

With the foundation of the aims of education in place, specifically geared toward sex education, I will proceed by investigating different perspectives of sex education, the assumed moralities behind them, investigate the advantages and disadvantages, and settle on a perspective which I find the most beneficial.

To discuss sex education from a K-12 education would require more than this dissertation requires. Indeed, it may require more than one book as many sex education curricula have divided their criteria and course requirements for different grades. Thus, for the purposes of this dissertation, I solely focus on sex education in high school though the various issues may be applied to different grades as well.

Chapter One: The Scope and Character of Paternalistic Sex Education

Abstinence-only sex education programs in the United States have greatly expanded since the 1980s. Although these programs are slowly being replaced, they still have a powerful influence and the remnants of their ideology still reverberates in our society.

The major piece of legislation that solidified abstinence-only sex education was the Social Security Act, Title V, Section 510 of 1996, which instituted federally funded abstinence-only sex programs. The relevant section in the Act states: “The purpose of an allotment under subsection (a) to a State is to enable the State to provide abstinence education, and at the option of the State, where appropriate, mentoring, counseling, and adult supervision to promote abstinence from sexual activity, with a focus on those groups which are most likely to bear children out-of-wedlock.” Furthermore, “abstinence education” means a sex education which:

- (A) has as its exclusive purpose, teaching the social, psychological, and health gains to be realized by abstaining from sexual activity;
- (B) teaches abstinence from sexual activity outside marriage as the expected standard for all school age children;
- (C) teaches that abstinence from sexual activity is the only certain way to avoid out-of-wedlock pregnancy, sexually transmitted diseases, and other associated health problems;
- (D) teaches that a mutually faithful monogamous relationship in context of marriage is the expected standard of human sexual activity;
- (E) teaches that sexual activity outside of the context of marriage is likely to have harmful psychological and physical effects;
- (F) teaches that bearing children out-of-wedlock is likely to have harmful consequences for the child, the child’s parents, and society;
- (G) teaches young people how to reject sexual advances and how alcohol and drug use increases vulnerability to sexual advances; and
- (H) teaches the importance of attaining self-sufficiency before engaging in sexual activity.

The goal of the Act was to help those on welfare to become more independent. Given that people rely on welfare to support their children, the supporters of the Act argued that there ought to be a reduction in the number of pregnancies so as to relieve poverty and hence dependence on welfare. The solution was to educate people about an abstinence-only sex education. Over time, the purpose of the bill evolved from the ends of the bill (viz. “helping those on welfare”) to the means of the bill (viz. the individual provisions from (A) to (H)) as ends in themselves.²⁵ The reason given was that there is too much risk of adolescents having sex due to potentially negative consequences, such as unwanted pregnancies and STIs. Thus, a sex education program should be formulated to advocate for abstinence until marriage as the key ethic. While inexperienced adolescents may have sexual urges and desires, it is best for them to wait until marriage. This claim has already formed two norms.

First, marriage is considered the ideal model to engage in sexual activities. In turn, marriage is seen as the ideal relationship where children can be raised properly, where an authentic relationship can grow, and where sexuality is considered more moral and ideal than any other type of relationship.²⁶

Second, a standard narrative has formed surrounding adolescent sexuality and this narrative has become ingrained in our culture as the truth about adolescent sexuality. The narrative suggests that since adolescents have had no prior experiences with hormones or

²⁵ The American Public Health Association is more forceful: “These program requirements [of the above mentioned Social Security Act Title V] have little to do with public health priorities; instead, they reflected the moral and ideological viewpoint of the majority of members of Congress at the time of the program’s authorization.” Quoted in American Public Health Association. “Abstinence and U.S. Abstinence Only Education Policies: Ethical and Human Rights Concerns.” November 8, 2006. Accessed October 14, 2018. <http://www.apha.org/policies-and-advocacy/public-health-policy-statements/policy-database/2014/07/18/14/05/abstinence-and-us-abstinence-only-education-policies-ethical-and-human-rights-concerns>.

²⁶ Kendall, 131. She notes that most abstinence-only-until-marriage sex education supporters view sex education as a response to a moral, and not a public health, crisis.

their sexual urges and because their biology is so powerful, they may need help sorting out their feelings. As psychologist Bay-Cheng puts it: “This biologically deterministic perspective saturates dominant theories of sexuality and presents sexuality as an intense, instinctual drive that is overpowering if left unchecked by civilizing social mediators such as laws and morality.”²⁷ The assumption from this narrative is that adolescents go through intense emotional upheaval, and they struggle by having an “inner war” with these new emotions.²⁸ Thus, adolescents are seen as mainly driven by their want, desires, and their hormones. Therefore, because adolescents are driven by these internal hormones, adolescents need to be controlled externally through specific values, even if the adolescent does not currently or temporarily hold those values at that time.

This view of trying to control adolescent sexual behavior based on the controller’s values is what I call paternalistic sex education. This view states that because adolescents are going through puberty without any experience of their hormones or increased sex drive, it is the parents’, schools’, or the state’s duty to determine what the right course of action is to help adolescents while they are going through a hormonal and stressful situation. The best course of action, according to paternalistic reasons, is to teach an abstinence-only program as it is the best option to prevent any negative consequences, such as preventing unwanted pregnancies, STIs, and possible harmful effects of sexual activity that do not fit the mold of a heterosexual, monogamous marriage. Anything

²⁷ Bay-Cheng, “The Trouble of Teen Sex,” 62.

²⁸ *Ibid.* It is important to note that not everyone agrees with this essentialist view of adolescents. For example, see Daniel Offer and Kimberly A. Schonert-Reichl, “Debunking the Myths of Adolescence: Findings from Recent Research,” in *Journal of the American Academy of Child & Adolescent Psychiatry* 31:6 (1992), 1003-1014. For an argument that hormones control adolescent behavior as a cultural narrative rather than a biological fact, especially for young men, see Amy T. Schalet. *Not Under my Roof*. (Chicago: University of Chicago Press, 2011) particularly page 195: “Not expected to exert internal control or to socialize such urges to meet the demands of social relationships, they [Americans] are inadvertently encouraged to experience their sexuality as a potentially exploitative, aggressive force which, when unchecked by external constraints, leads them to take risks.”

outside of that boundary is considered wrong. The result is paternalistic sex education (hereafter PSE).

In this chapter, I will investigate paternalism in connection with the purposes of sex education. In Section 1, I will first introduce paternalism as a philosophical theory and apply it to sex education. I bring up two notions of paternalism: “thick” and “thin” paternalism. I am critiquing “thick” paternalism as applied to sex education because I consider it infringing on adolescents’ right to sexual information whereby not getting the sexual information can cause damage to their sexuality. Moreover, the damage has informed and reinforced a system that endorses and privileges traditional gender roles, a hierarchy of loving relationships, and the restriction of other expressions of sexuality that are not the norm. I will thereby defend “thin” paternalism and accept “thin” paternalism throughout the rest of this dissertation. In Section 2, I will use a general definition of paternalism that will undergird the remainder of this chapter. In Section 3, I will investigate three popular foundations for PSE. Despite all of the problems PSE has, there are a few benefits. In Section 4, I will consider both the advantages and disadvantages of PSE, but I will in the end reject “thick” PSE because of the damage it does to the recipients.

1. Paternalism in Pedagogy

In all forms of education, there is bound to be some influence of the educator on the students. When I discuss paternalistic education, I mean educational paternalism, or paternalistic pedagogy, which is the idea that those in authority are expected to limit the choices and autonomy of the students so as to help the students achieve purported

educational goals. Fundamentally, paternalistic pedagogy occurs when the educators act in a way that is assumed to be in the best interest of the students, even if the students cannot (presently) see that it is in their best interest. Any sex education program endorses the idea that students must learn self-control, health consequences, and some form of morality in regards to sex. However, PSE does not teach students *how* to have self-control; it brings up health consequences in terms of scare tactics or at best risk management, and it holds a universal and strict form of morality that is heteronormative. My focus is on moral paternalism in sex education. Therefore, I am not focusing on state paternalism, otherwise known as legal paternalism, which holds that the government can limit the freedom of its citizens for the sake of the citizens' good.

1.1. "Thick" Paternalism

In terms of the scope of paternalism, there are two types: "thick" and "thin" paternalism. "Thick" paternalism involves an authoritative body interfering with the agent's autonomy for the sake of the agent.

The argument behind "thick" paternalism can be structured thus:

1. People's non-rational faculties (e.g. inclinations, emotions, drives, desires) have an extremely strong sway over one's life, particularly if one experiences such non-rational factors (e.g. sexual inclinations) at a particular time or occasion.
2. If people's non-rational faculties (e.g. inclinations, emotions, drives, desires) have an extremely strong sway over one's life, particularly if one experiences such non-rational factors (e.g. sexual inclinations) at a particular time or occasion, then the non-rationality controls people's life.

3. If the non-rational faculties controls people's life, then people lead a life that is not good.
4. Thus, if people's non-rational faculties (e.g. inclinations, emotions, drives, desires) have an extremely strong sway over one's life, particularly if one experiences such non-rational factors (e.g. sexual inclinations) at a particular time or occasion, then people lead a life that is not good.
5. In order to have a good life, people need direction so that they can become good humans later in life.
6. To give people direction so that they can become good humans later in life, their autonomy needs to be interfered with for their sake.
7. Thus, in order to have a good life, people's autonomy needs to be interfered with for their sake.
8. Interfering with someone's autonomy for their sake is "thick" paternalism.
9. Thus, in order to have a good life, we must apply "thick" paternalism.

The argument behind "thick" paternalism starts with the first premise that the agent's non-rationality (e.g. inclinations, emotions, drives, desires) has an extremely strong sway over one's life, particularly if one is younger or experiences a mode of non-rationality (e.g. sexual inclinations) as a novice. Because non-rational factors could very well control one's life, one could consistently follow them until they become habits. These habits would inform people which would make them live a life that is not good. Children cannot, for example, do whatever they want. They need guidance so that they can be good humans later in life as adults. As an analogy, parents are naturally "thick" paternalists about their children's food habits when the children are very young. While

many children would like to pursue sweet things, the parents limit their choices so that the children will eat whatever the parents make or purchase for them. The parents do not give the children options to determine what to eat. Rather, the parents make the choice for the child. The children's choices are whether or not to eat the food, otherwise the child goes hungry. They have to eat healthy food so that they can gain the habit of eating healthily, which will thereby encourage them to have healthy eating habits as adults.

Applying this premise to education, a "thick" paternalist would require the student to learn certain things for the sake of the student. The student may be required to learn about various information because in the eyes of the school knowing the material will benefit the student in the long run. Applying this to sex education, the student is a novice when it comes to these new sexual inclinations, desires, and emotions. Acting on them without fully understanding them can lead a life that is not good. In the same way as a child consistently wanting sweets is not healthy, so too, constantly following or even demanding that one's sexual desires be fulfilled is not healthy, and it contributes to a life that is not good.

Is this argument sound? I argue that it is not by bringing up three objections. First, specifically with the sixth premise, while it may be true that constantly following our desires is not healthy, the proper response is not to have an external authoritative figure constantly interfering to stop ourselves. Rather, we are able to self-regulate ourselves, which is done through educating ourselves about how to control our desires. It is true that children do need more regulation because of their youth, but as they get older, they should receive more responsibility so that when they become adults, they are not consumed by their desires and instead know how to control their inclinations. We may

have non-rational moments, but the best way to combat them is through emotional training, to have internal regulation, rather than an external will leading our lives.

The second objection with “thick” paternalism is that we do not know what “good” means here. “Thick” paternalism claims that if one is not living a *good* life, then interference is justified. Exactly what do “thick” paternalists mean by “good”? In the context of sex education, “good” specifically means a heterosexual, monogamous marriage that should apply to everyone universally once they get married. In other words, “thick” paternalists presume a universal ethical norm when it comes to sex education. I will discuss the problems with identifying “good” with a heterosexual marriage later in the chapter, but for now, I want to critique the notion that this ethic can be applied universally.

Considering that the world is becoming more secular, more globalized, and more focused on rights and autonomy, pluralistic views of the good are simply inevitable. Holding onto one idea without being exposed to other ideas could possibly mean one is holding onto either a false belief or beliefs that can be detrimental to the self or others. Moreover, holding onto an idea and declaring it to be the correct view closes off other possibilities to other values that could also be deemed good. And to restrict other good values is to limit goodness. It may work in an isolated community where the people can have insulated community values. However, through technology, we can travel the world more easily, we can access information simply at our fingertips, and the secularization of the world makes it virtually impossible for a community to be closed off. John Lachs puts it nicely: “In the United States the pluralism of values, religions, lifestyles, characters, customs, and preferences is a fact to be dealt with, not a choice to be made. It makes no

sense to ask if we should opt for a homogeneous or a widely diversified society; pluralism is simply unavoidable.”²⁹ Since pluralism is unavoidable, it would therefore be wise to adopt pluralism within sex education. Trying to push conformity to a single value or just a handful of values would undermine not only what many people might value, but their autonomy would also be undermined since the hallmark of autonomy is that people pursue their own good in how they see fit. We must, as John Lachs puts it, learn to leave people alone.³⁰ With pluralism in place, it would be best not to push for a monolithic ethic but simply let people develop their own good based on their autonomy, which leads to my third objection.

A third objection with “thick” paternalism is that it is too strong to say that people’s autonomy needs to be managed. The “thick” paternalists focuses on interference for the sake of the agent. While the agent could be advised to avoid an action, why not offer some guidance, slight pushes, nudges, etc. to help the agent decide what to do rather than simply restrict the agent’s options? Autonomy is one of the hallmarks of being human and flourishing. Undermining one’s autonomy would undermine one’s potential to flourish, which would undermine one’s humanity. At the same time, guiding or helping someone is not undermining their autonomy as long as the guidance is based on the agent’s terms, not on the paternalist. For example, if the student wants to know how to avoid unwanted pregnancies or STIs, the educator would give all of the relevant information and help the student develop skills based on the student’s values and desire. The educator overreaches by only giving the student information on abstinence and only

²⁹ John Lachs. *Meddling: On the Virtue of Leaving Others Alone*. (Bloomington, Indiana: Indiana University Press, 2014), 7.

³⁰ Cf. Lachs, 7.

by informing the student on how to say “no” instead of giving the students skills on how to communicate effectively to one’s partner.

Moreover, one of the benchmarks to be autonomous is to have the right information. Deceiving someone is one way to make sure that people do not get the right information. If Corey lies to Rania about his HIV status, Corey has manipulated Rania’s autonomy by not giving her true information such that she can make a decision on her own accord. Withholding information is also another way to manipulate autonomy. If Raphael secretly records Juliet, Raphael has manipulated Juliet's autonomy because her privacy is violated and she may not have consented to being recorded had she known that was happening. I claim that “thick” paternalism is withholding information such that even when students are outside of the classroom, they may not be under the supervision of the school, but they still may not know what to do sexually because they lack the right information. Hence, the school has still violated the students’ autonomy by withholding relevant information.

1.2. Open Education

Before I bring up “thin” paternalism, I want to bring up another form of education that is the opposite of paternalism in general and one that is entirely free of paternalism. Let us call this a loose guidance or open forms of education.³¹ This loose guidance lets the students choose whatever topics they would like to learn. The argument for this position states that if there should be interference with what the students want to learn, then it could interfere with their motivation to learn about something in particular. Moreover, if

³¹ As far as I am aware, there are no schools that follow a completely loose guidance approach to education, there are some schools that are less strict than traditional educational models.

there are interferences with their motivation to learn about something in particular, their desire to learn may diminish and they will not want to learn in general. To give an example, take a biology class. If the students desire to learn about cells, the teacher teaches them about cells. If the students want to learn about blood circulation, the teachers teach the students blood circulation. The students decide the curricula and the teacher teaches based on what the students want. If the teacher takes away the students' choices, then the students may not be motivated to learn because the education is not based on their terms, but on the educator's terms. Continuing with the argument, then, if there are interferences with their motivation to learn about something in particular, meaning that they are learning about things that they may not have much interest, they are restricted in an education based on their terms. The proponents of a loose guidance of education would claim that there are indeed interferences with students' motivations to learn about something in particular if the curriculum is based on an external figure rather than based on the students' own terms. Therefore, there should not be interferences with what the students want to learn.

This argument is not sound, however. I bring up four objections. First as there is no structure in a loose guidance of education, students may not know what to do with this information. If I simply learn Einstein's famous equation $E = mc^2$, I do not know what the equation means, what it entails, why it is important, or how useful it is. A structure helps the students see what the equation does and why they are learning the equation. Moreover, having a structure means that the educator has to guide the student to help reveal the meaning behind the equation rather than letting the students figure that out on

their own. In other words, the students need a context for learning, which leads me to my second objection.

The second objection is that having knowledge about something is not just an isolated piece of data. There is always a context in where the data fits and where it can lead. For example, one simply does not learn $E = mc^2$. There is a context for that equation, and so one must learn about mass, energy, and speeds at high velocities. One will benefit by learning about the history as to why physicists at the time had trouble explaining the physics of light and how Einstein's equation was a culmination of that history. Learning about this works under a structured format where the educator can frame the context into a certain light and direct the students to a general picture. Without the structure and context, the students will just see certain trees but miss the forest.

The third objection questions the idea that providing any structure means some sort of interference. We can certainly have structure without interference. A good educator will make sure that students receive the relevant information, but a slight structure is necessary to make sure that the students receive the education. If the students are off track, for example, the teacher must reign the students in so that the students gain the proper information, learn how to be a proper listener to fellow students, or help the students reveal more about the information by prodding the students to discover what they may have missed if they learned it on their own accord. The structure is beneficial to the students, and they can still have the motivations to learn about the material.

The way to help students see what the issues are can come from the educator, which leads to my final, and most important, objection: sometimes people become interested in a topic after the teacher brings it up as part of the discussion, and the student

may not even realize that the issue could be categorized in thought unless it was given a name. For example, when one is learning about different sexual orientations or about different relationship preferences, one may get a clearer picture of who one is because the teacher has brought up the topic. Someone can now say to oneself, “Oh, these feelings and desires I have make sense because I am homosexual,” or “the feelings of ethical non-monogamy have a personal connection to me because I learned what polyamory was.” They may not even be aware or realize other possible ways of living without the teacher mentioning other sexual or relationship values.

If people have inclinations to perform an activity, or their thoughts drift toward a persistent desire, and these inclinations and desires are not part of the norm, then people may immediately try to suppress or ignore them. Other times, people try to adhere to an activity, but they do not feel at ease doing the activity because it does not feel right to them, or they may feel restricted in their pleasures. They try to fit the mold of social conventions and norms, but they do not feel comfortable doing so. If the cultural norms restrict a group of people from doing a certain practice, but if they still have an inclination to do the practice, then various people may have an inner conflict within and they may not be able to express why. One example is same-sex relationships. PSE displays heterosexual relationships as the defaulted norm and those who have same-sex inclinations may feel left out of the conversation. They may feel like they do not fit in with the rest of the group. Sometimes, the educators may stigmatize homosexuality, which can make adolescents who are beginning to discover their homosexuality alienated.³²

³² At other times, people may try to fit into the standard mold of sexual and gender norms and expectations, but they may not feel like themselves, yet they cannot explain why because they do not have

1.3. “Thin” Paternalism

There is a middle ground between “thick” paternalism and a loose guidance of education. This middle ground is what I call “thin” paternalism. “Thin” paternalism values adolescents having a sense of agency, thus giving them responsibility. And yet, they must have a foundational structure to account for the social/political injustices that they are missing since they may parrot heteronormative claims. A good sexuality education program is not just learning about the theoretical content, but to also about learning the practical skills. Agency is important here. After all, if young people want to learn about how to avoid unwanted pregnancies and STIs, to properly break up with a person, or to receive and give pleasure, then adolescents need to learn about and have a sense of agency. To suggest that adolescents cannot give an account of what they want or prefer suggests that their agency is limited. “Thick” paternalism does not value the agency of the person. “Thin” paternalism has three features: first, the paternalism guides the student to the directed goal of becoming a more educated person by being more aware of the proper information, by learning how to be a proper listener to fellow students by accepting and respecting various viewpoints, or by helping the students reveal what being

the language or terms to describe what they are feeling. The cultural and social environment is set up in such a way where various activities and identities can readily be named and described. Various topics and questions are not brought up because the norms of society have categorized various ideas but not others, or at least legitimated some ideas but not others. “Homosexuality,” “heterosexuality,” and “bisexuality” are terms that were invented in the late 1800s, and now these terms are readily used by virtually everyone in the United States to describe their sexual orientation and their sexual identity. Other terms, however, are fairly new and most people have not heard of these terms such as “polyamory” or “queer identity.” By hearing these terms “in the open,” students may not even realize that a certain subject had a name, even if students had various feelings that they did not fit in with the social circumstances. They may not even be *aware* of the practice because society may favor various institutions over others (e.g. monogamy, marriage, gender binaries), and the favored institutions are ingrained in the culture and social discourse that any deviation from these favored institutions are either suppressed, not thought of, or felt as if they were deviant for having non-favored desires. Without being familiar with the other topics, students may simply acquiesce to the cultural norm: monogamous, heterosexual marriage-like relationships are the norm and questioning those norms are either taboo or unthought of. In both cases, non-traditional inclinations and ideas are silenced.

healthy and overall well-being is rather than simply following their inclinations. In terms of sex education, “thin” paternalism will help the students accept and respect various sexual or relationship orientations and styles, or help the students reveal what a healthy lifestyle is rather than simply following their inclinations. Therefore, sex education should be a required class in public education to help the students reach this directed goal. What makes this paternalism “thin,” however, is that the educator is not forcing the students to have particular values, but is helping to guide the students discover what sort of values the students have, honing in why the students already have the values they have, or assisting them to change their values. While the students are required to take a sex education class to have a fuller understanding of sexuality in a healthy way, it will ultimately be the student’s choice to determine which values correspond to that student’s identity.

There is a directed goal for sex education: the ideal is that students should be taking care of the sexual self and students should best approach this ideal, which will be explained in the fifth chapter. However, there are multiple ways to reach that goal based on individual preferences, inclinations, fulfillment of needs, and desires. For example, each individual may have different preferences for food but presumably individuals aim to be healthy and different foods can objectively help achieve that goal.³³ Moreover,

³³ In a way, my suggestion for sex education could be applied to other different kinds of classes. For example, a university may require their students to take a philosophy class. The educator, however, can structure the class where the students pick the various topics. Students may choose the topic based on an initial idea of what the topic is. Subsequently, the educator designs the course based on what the students wanted, but also makes sure that the students fulfill the requirements and course objectives in the syllabus. If there happens to be a time where the student does not desire the rigorous work, the student effectively can be reprimanded or have the grade lowered. Or if the student is making an invalid argument, the teacher will intervene and correct the student, even if intervention is not comfortable. The goal, in this example, is to help the student become a student, philosopher, and thinker and achieve the end of being a bit wiser. What makes my example different than sex education is that students may not initially know what topics there are in philosophy, so they may need more guidance. In contrast, students typically have many

students may parrot social expectations and only say they have values when they really feel otherwise. Therefore, a good instructor will not only help the students develop their values, but also challenge their values as well.

This leads me to my second feature: when it comes to required classes which include values, the values are going to vary from student to student. These different values can still be good values to have, even if particular students do not personally endorse them. And yet, the students can still acknowledge those values and understand why particular people would hold specific values. With a plurality of values encouraged, students may gain more insight into what they value, and also respect those who have different values. A plurality of values, however, does not mean that anyone can hold *any* value. The ultimate goal is for the students to take care of their sexual self which will include autonomy, listening to others' sexual and relationship needs and preferences, and avoiding risky behavior. Thus, students must respect other students' autonomy, critically engage with other students, be aware of their desires and how acting on them can affect others, avoid risky behavior (such as unwanted pregnancies or STIs), and also care for the sexual self. Teachers, therefore, can still intervene, but this would not be interference where the presumption is that there is only one good to achieve. Interference is not acceptable; intervention is fine. Interference is when authoritative figures purposely direct the agent toward a specific goal because the authoritative figure does so to benefit the student irrespective of the students' determination of their good. If the student has a specific goal to aim toward that counters what the authoritative figure wants, then the authoritative figure obstructs the student's goals (either by saying the goal is wrong,

questions regarding sexuality because they have some idea of what sex and relationships are, but they want more information.

misguided, or unnecessary). Intervention, on the other hand, is when someone constructively gets involved with a conflict or to enhance another to help that person reach a goal *of the one who is intervened*. The educator may see many goals that the student has, and if the student has trouble reaching the goal or may not realize what to do with this information, the educator can guide the student by bringing up some ideas, helping the student coming to terms with various feelings, and encouraging each student to listen to other students' concerns and values. Each student will have their own idea of what their good is, even in a rudimentary form. The intervention is to help the students hone in on what is considered a good sexual subject starting with their values, rather than imposing values. This becomes important since students may not know what their values are, but they might be found once they learn the material. Certain values can be reshaped, however, or even critiqued if those values interfere with other's autonomy, or diminishes students' flourishing for example. If students are not clear about their goals, or realize what sort of goals to have, or changes goals in the process of being educated, the educator can teach the basics of what a good sexual being ought to do: respect consent, take responsibilities for their own actions, and respect other's sexual values. Once the student has these basics, then students may hone in and have specific values and aims. If they change their mind, then the educator can accommodate that and even give the students tools on how to deal with a change in their sexual values later in life.

The third feature of "thin" paternalism is to encourage the development of autonomy. As children get older, they may obtain more responsibilities and more leeway for making their own decisions. When they become adolescents, they may be given more autonomy than when they were children. Applied to sex education, students ought to

develop sexual autonomy, which has two features. The first is to understand that one can self-determine what one does in the sexual realm, which not only means to follow one's sexual desires, but to understand that there are other self-determining beings in the world and that these self-determining beings must also be respected. We can base this idea simply on the Kantian notion that violating people's autonomy is morally wrong.

Individuals cannot infringe on another's sexual autonomy, meaning that all people involved must consent to the sexual activities because that would be a moral violation.

The second feature of sexual autonomy is to not only recognize that one cannot infringe on another person's sexual autonomy, but to also give a positive account in which the person(s) involved shows some sense of care and mutual respect for the other. For example, instead of solely focusing on one's own pleasure, one takes into account of the other's pleasure and mutually helps the other achieve this pleasure. If one person values abstinence until marriage, then others ought to critically respect that decision. Likewise, if one wants to avoid sexual infections, then one also makes sure to tell the other if one has sexual infections so that one does not infect the other person. There are many more examples, but the point is that the development of sexual autonomy and sexual selfhood feeds into sexual flourishing, which in turn feeds into the development of sexual autonomy and sexual flourishing. From here, we can see that the moral hard boundary is consent. Infringing other people's consent would be immoral.

The upshot is the teacher gives the course a structure. By doing so, the teacher helps mold and shape the student. However, the key issue is in the way the course is shaped. The teacher helps the students develop an understanding of sexual flourishing, which includes risk assessment (discussed in chapter three), sexual autonomy (discussed

in chapter four), and care for the sexual self (discussed in chapter five). Other than that, the teacher does not give students specific values, but helps the students hone in on what type of values they have and to recognize that other students may not share the same values. “Thin” paternalism will be developed throughout the dissertation. As I progress through these chapters, I endorse the benefits and eschew the problems of “thin” paternalism. I will explain what these benefits and problems are as I discuss them in the chapters, but for now, “thin” paternalism applied to sex education will endorse risk assessment, developing autonomy, and enrichment of care for the sexual self. Beyond these ethical prescriptions, however, the students’ values will vary.

In this dissertation, I am assuming and accepting “thin” paternalism as applied to sex education. In this chapter and chapter two specifically, I reject and argue against “thick” paternalism as applied to sex education. For simplicity, when I discuss PSE, I mean to say “thick” PSE, and when I discuss paternalism, I mean to say “thick” paternalism.

2. Characterizing Paternalism

There are many definitions of paternalism.³⁴ Here are a few characteristics:

- i. X regards Y as incapable of making good decisions for herself.
- ii. X limits options as to what Y can do or sets up obstacles so that doing Z is harder to obtain.

³⁴ For a good overview of many definitions of paternalism, see Gerald Dworkin. “Defining Paternalism,” in *Paternalism: Theory and Practice*. Ed. by Christian Coons and Michael Weber, 25-38. Cambridge, UK: Cambridge University Press, 2013.

- iii. X acts paternalistically for the sake of Y, meaning that the paternalistic act somehow improves Y or it does not diminish Y.

Because autonomy is the default of human interaction, paternalism typically needs to be justified to limit Y's options. Applying these characteristics to sex education, what are the justifications for paternalism?

For characteristic i: X may consider Y too immature to make decisions which bear a lot of responsibility or where one should not make rash and risky behaviors. One possibility is that X may have a broader view of what an adult life is like, whereas Y has only a limited view. Thus, X believes she has a better grasp than Y of Y's ends, values, and/or interests. Keeping this in mind, X believes she is justified in being paternalistic towards Y because X has some expertise in determining which actions to take and Y lacks life experiences, which may contribute to making mistaken choices. The expertise can be about the topic (in this case, sex) or on about deliberation (i.e., X's superior deliberative powers).

For characteristic ii: X may inhibit Y from doing certain activities by using legal means, revoking privileges, restricting Y's space to move about, or restricting information that Y could potentially obtain.

For characteristic iii: X acts paternalistically presumably for benevolent purposes, to help Y. But what does it mean to "improve" Y? There are three possibilities: (1) improving Y could mean to restrict Y to make sure does not engage in immoral behavior, which usually means that Y does not go against traditional norms of society, such as sexual, gender, and relational norms. (2) acting paternalistically toward Y could mean to improve Y's moral well-being. If Y were to engage in the risky activity, there is a

possibility that Y's well-being would be diminished or Y's moral character could be corrupted. Finally, (3) improving Y could mean improving Y's circumstances and making sure that the risky activity does not hinder Y's opportunities. The next section will go over (1). The next chapter will talk about (2) and (3) by looking at paternalistic reasons through various ethical theories.

3. Paternalistic Grounds for the Immorality of Adolescent Sexuality Based on Breaking Social Norms

The proponent of PSE may defend PSE by arguing why any other form of sexuality would be wrong. Different forms of sexuality would be wrong simply because they break social norms such as being in a monogamous, heterosexual, two-parent married household. Therefore, any premarital, same-sex, or single-parent or multiple-parent sexuality or relationship framework is wrong. Because same-sex relations are becoming more and more acceptable and are now legal in the United States, I will not focus on that issue. Rather, there are three issues that proponents of PSE consider threatening if adolescent sexuality were to become prevalent which will have a subsection for each issue: non-traditional families, poverty, and premarital sex.

3.1. Adolescent sexuality threatens to undermine an important social institution: the traditional, nuclear family

For our purposes, the traditional nuclear family is defined as a heterosexual, legally married couple plus their dependent children. The starting point is that gender differences are natural and that traditional gender norms are essential to have healthy individuals,

families, communities, and states.³⁵ These traditional gender roles mean that men are meant to be leaders, active, aggressive, and strong. Females are meant to be passive, quiet, sexualized, and weak. In a religious context, the norms give forth a basis in which the man is the leader of the household and the woman is meant to be his subordinate helpmate. The children are under control of the parents.³⁶

The community is supposed to follow these standards because without them the foundation of the community is lost and, hence, the foundation of society would be lost. Familialism is designed to keep social order without which there will be chaos; and civilization will be, at best, regressed, or at worst, fallen. If these features are the goal of PSE, then one entailment is that PSE endorses the nuclear family as the normative family. Thus, proponents claim that the basis of sexual education is that the traditional family is an institution of major importance to the well-being of society. Therefore, the school has a responsibility to import the value of a traditional model of the family, and upholding this model means teaching that one should not engage in sex until marriage. Proponents of PSE argue that any sexuality that does not fall into these norms is not only deviant, but socially destructive. If this destruction becomes widespread, it can befall not only to the wrong-doer, but to society and the nation. Sex education, through this argument, is meant to preserve social stability. Anything less than familialism is seen as a promiscuous lifestyle that goes against the familial foundation.³⁷ The way out of this problem is to teach young people correct values and morals—which is what PSE offers—in order to

³⁵ Cf. Kendall, 152.

³⁶ Cf. Kendall, 153.

³⁷ “Traditional” gender norms do not seem to reflect how the majority of Americans experience how gender norms ought to be. For example, 40 percent of men and women agreed that it was better “if the man earns the money and the woman takes care of the home and children” in 2009. In 1977, 74 percent of men and 52 percent of women agreed with this statement (Cf. Kendall, 153). It is as if PSE is trying to reinvigorate or re-normalize the “traditional” gender norms and values.

restore the social framework and to cure “social ills.” The intention, then, of the paternalistic model is not primarily to offer public education on health, but a moral education.

We can see these ideas being promulgated in various sex educational teaching curricula such as *Choosing the Best JOURNEY* which promotes one type of relationship: marriage. In one example, the curriculum presents a story of Jerome and Ashley, two young adults who had known each other in high school and had ran into each other “after taking jobs in the same city.” Eventually, they started having “a whirlwind of romantic weekends together” and “sexual involvement.” Two months later, they decided to get engaged. Eventually, they get married but Ashley is disappointed because Jerome would rather go to sports bars and hang out with his friends rather than “cultural stuff” like museums and plays, things that Ashley likes.

The point of this story suggests that Ashley and Jerome’s particulars in the relationship came about in the wrong order. Their order was attraction, hanging out, first dates, sex, get married, discover compatibility, then discover character. The author suggests that the appropriate order would have been attraction, hanging out, having their first date, discovering compatibility, discovering character, getting married, then engaging in sex. Moreover, the curriculum suggests that the sex distracted the people in the relationship so as to not realize that they were actually incompatible. Moreover, they could have been compatible in all kinds of ways and fundamentally sexually incompatible which they would not have discovered until after they got married.³⁸

Choosing the Best JOURNEY also references sexual activity and relationships as male-female couples. A particular lesson on “Developing the Best Relationships” starts

³⁸ I thank Dr. Jones for bringing this to my attention.

with videos about heterosexual couples. The lesson then asks students “what qualities were these young people looking for in relationships with the opposite sex?” Students are then divided into separate groups of guys and girls and the instructor is told to “Ask the guy group to write down the top five qualities they are looking for in a girl and what they think the girls are coming up with [top five qualities they are looking for in a boy].”³⁹ There is no room for those who are attracted to member of the same sex, or those who may be bisexual. By not being inclusive, the curriculum has a bias against those who are attracted to members of the same-sex.

The curriculum only sponsors one type of relationship and values only one route to get there. Many people, however, form different types of relationships and different routes to get there. Some people do want to get married, others want to remain single. Some people want to date around until they finally settle on someone, others simply want to date simply for the sake of dating. The ways on how people have relationships are multifaceted and do not reflect what is given in *Choose the Best JOURNEY*. There are many ways to achieve a relationship and the nuclear-family norms should not be endorsed as the only legitimate type of relationship.

Is there any merit that other alternative familial structures do not work? This question is analogous to Mill’s question in *The Subjection of Women*. In that work, a possible rebuttal against Mill is that social patriarchy is the best out of alternative options. Here is Mill’s response:

the opinion in favour of the present system, which entirely subordinates the weaker sex to the stronger, rests upon theory only; for there never has been trial made of any other: so that experience, in the sense in which it is vulgarly opposed to theory, cannot be pretended to have pronounced any verdict. And in the second

³⁹ Bruce Cook. *Choosing the BEST Journey*. (Atlanta, GA: Choosing the Best Publishing, LLC, 2006), 34-35.

place, the adoption of this system of inequality never was the result of deliberation, or forethought, or any social ideas, or any notion whatever of what conduced to the benefit of humanity or the good order of society.⁴⁰

In other words, how can we know that social patriarchy is the best unless we have tried the alternatives? If we say that out of all the theories, we pick the social patriarchal theory, then we must have looked at other theories to compare it with. Mill points out, however, that no alternative social hierarchies, such as placing women above men, have been tried to see which organization of society maximizes the happiness of society. We have never had these options in history so we cannot say that other options are wrong if they have never been tried.⁴¹

Likewise, we cannot know which familial structure is the best unless we have looked at the other options. Indeed, there may not simply be “the best” for that implies a hierarchy of which familial structures are deemed worthy and valuable which are not. The proponents of PSE may be thinking that sex outside of marriage could result in unwanted pregnancies, which could increase the abortion rate or single parentage. Since a child is more successful if raised by two parents, being raised by a single parent will be more challenging for the child. Indeed, the child will have more obstacles and burdens because the single parent may not have the time or dedication toward the child. This can have a psychological effect on the child which could make adulthood unsuccessful. However, we would have to investigate the other options and then we can determine which is the best, and look at the psychological effects it has on the child. Luckily, we have some empirical data to investigate alternative familial structures.

⁴⁰ John Stuart Mill. “The Subjection of Women.” Edited by John Gray. In *On Liberty and Other Essays* by John Stuart Mill. (NY: Oxford University Press, 1998), 475.

⁴¹ Mill may have been incorrect in that there were no other options in history. After all, there were matriarchal societies in history. However, my argument does not rely on the accuracy of history. I use this example to demonstrate the argument that Mill makes: if we have never tried out the other forms of social structures, then how can we know that the default or current social structure is the best one? I apply this argument to familial structures. Moreover, if we have properly misunderstood or simply rejected other forms of social structures, how can we know that the current social structure is the best one?

While single parenting has many challenges, sociologist Bella DePaulo has analyzed the arguments regarding single parenthood and finds them flawed. Rather than putting the blame of social ills on single parents, one should look for families that are filled with aggression, conflict and unsupportive, cold, and neglectful relationships.⁴² The strain can be debilitating in families, but the problem stems from poverty, not from the fact that a child was raised in a single household. As DePaulo puts it, “[i]f you really want to help children, go after poverty, not single parenting.”⁴³ Thus, she regards the blame on single parents as an unfounded stigma. It is as if proponents of PSE are taking the traditional family as the default normative family. But why is the traditional family considered so important for proponents of PSE? Is it holding onto a nostalgic form of the family? Is it because the traditional family is considered the best type of family and the alternatives fall short? DePaulo argues that holding onto the traditional nuclear family is simply holding onto the structure of the family without considering what is taking place within that structure. She notes that with everything being equal, a study of thirty-nine nations found that children were emotionally better off if they were raised by a single mother rather than staying in a home with two married parents who were constantly fighting. Children also did better if they were raised by a divorced parent rather than being raised remarried parents, even if there were no major conflicts between the remarried parents.⁴⁴ Contrary to what proponents of PSE state, there can be stability in single parent homes or homes that do not have the traditional familial structure.

⁴² Cf. Bella M. DePaulo. *Singled out: How singles are stereotyped, stigmatized, and ignored, and still live happily ever after*. (NY: Macmillan, 2007), 183.

⁴³ DePaulo, 183.

⁴⁴ Cf. DePaulo, 181.

Overall, holding onto the traditional nuclear family and embracing traditional gender roles feeds into a main problem that been a thread through this dissertation: heteronormativity. Embracing traditional gender roles is an essential component of heteronormativity. By embracing the ideals of the nuclear family, the norms include holding onto traditional gender norms. Holding onto traditional norms feeds into heteronormativity. Thus, embracing the ideals of the nuclear family would not only feed into heteronormativity, but heteronormativity would also embrace the ideals of the nuclear family. The two ideas are part of the structure to keep both ideals in place.

We can see this expressed in many PSE curricula. In *Choosing the Best JOURNEY*, the curriculum presents the stereotypical view that men desire casual sex from any woman whereas women only agree to sexual activity to obtain love. In a section entitled, “Avoiding Relational Traps,” one young woman remarks: “I thought sex equaled love...so if we had sex, then we must be in love. I had the emotional tie, but he didn’t.”⁴⁵ Later in the curriculum, a story of Ashanta and Terrell, a high school couple, had a relationship where at the beginning “the dates were fun and innocent. They went to the movies, walked around the mall and he even took her on a picnic. However, by the fourth date it was clear that Terrell had other things on his mind.”⁴⁶ There is no challenge to this stereotype, nor a way to show how these stereotypes can affect all types of relationships. These stereotypes make the presumption that this is the only way to interact with different genders. If it is the only way, then it is the normal way. Those who do not fit within the gender binary will be left out of the discourse; the stereotypes can limit and

⁴⁵ Cook, 36.

⁴⁶ Cook, 63.

influence people's behavior by displaying behavior that they think is appropriate, or they may expect certain behavior from others.

So why is the nuclear family the best type of family according to the paternalists?

Their answer seems to be negative: because the alternative frameworks are immoral.⁴⁷

The traditional roles are what is best according to this line of thinking. However, is there any justification for these traditional roles as exclusive, or is it because that is simply what they value? Luker answers this question nicely:

the debate over sex education is really a debate about sex and marriage, and that debates about sex and marriage are also debates about gender, about how men and women (and boys and girls) should relate to one another, sexually and otherwise. This brings me to my immodest proposal, bound to offend both sides. Since the debate about sex education gets its passion from deeply felt ideas about gender, and women's roles in particular, *why not tell young people that?* Why not put the hidden agenda on the table and tell young people and their parents that Americans today hold two very different views about sexuality, views rooted in very different notions of the relationship of sexuality to marriage? Bringing marriage back into the conversation means addressing views about the nature of gender and about women's roles...the debate about sex education is a debate about whether the gender and sexual revolutions of the 1960s and 1970s have not entirely fulfilled their promises or were based on empty promises to begin with. Where you stand on this issue marks you as what I have called a sexual liberal or a sexual conservative.⁴⁸

As Luker notes, embracing traditional gender roles may not be about what gender naturally is (which I will cover in the next chapter), but about what people think gender ought to be. In that sense, if embracing traditional gender roles simply comes down to what people value, then it is another way of uncritically embracing heteronormativity.

⁴⁷ There are many talking points from many political conservatives to make this claim, but the philosopher who argues for this position comes from the familialist-philosopher Louis de Bonald. This is taken from Lynne Allison and Lisa Pollard. *Families of a new world: gender, politics, and state development in a global context*. (NY: Routledge, 2003), 11.

⁴⁸ Kristin Luker. *When Sex Goes to School: Warring Views on Sex—and Sex Education—Since the Sixties*. NY: W.W. Norton & Co., 2007), 258-259.

3.2. Having out-of-wedlock babies is correlated with poverty

There is another unwanted consequence that proponents of PSE have to offer: poverty. Proponents of PSE point out that more out of wedlock babies will lead more people into poverty.⁴⁹ Since adolescents are usually unmarried, proponents of PSE argue that it is best for adolescents not to be engaged in sexual activity.

It is true that there is a correlation between teen births and poverty.⁵⁰ Worse still, children raised in impoverished conditions have a higher likelihood of getting pregnant as teens themselves. However, this correlation does not mean that we know whether premarital sex is the cause or the effect. Proponents of PSE would argue that teenage births would cause poverty. Yet, how do we know it is not the other way around? Indeed, there is some evidence suggesting that poverty is not the effect but the cause. “Rather than teen pregnancy leading to a life of poverty, the evidence shows that poverty comes first.”⁵¹ Poor adolescents who bear a child are poor before, rather than because of, the pregnancy. Early childbearing in poor communities may not be abandonment of the values of responsible parenting but an expression of them under adverse conditions.⁵² Indeed, recent data from the National Longitudinal Survey of Youth also showed that a teen mother is no more likely to participate in welfare programs, have her labor market earnings reduced, or experience significant losses in spousal earnings than if she was not

⁴⁹ For example, see Robert Rector. “Marriage: America’s Greatest Weapon Against Child Poverty.” *The Heritage Foundation*. Accessed Oct. 14, 2018. <https://www.heritage.org/poverty-and-inequality/report/marriage-americas-greatest-weapon-against-child-poverty>.

⁵⁰ See “Unintended Pregnancy in the United States.” Guttmacher Institute. September 20, 2017. Accessed October 14, 2018. <https://www.guttmacher.org/fact-sheet/unintended-pregnancy-united-states>.

⁵¹ Tamera Young et al., “Examining External and Internal Poverty as Antecedents of Teen Pregnancy,” *American Journal of Health Behavior* 28, no. 4 (2004): 364.

⁵² Cf. Arline T. Geronimus, “Teenage Childbearing and Personal Responsibility: An Alternative View.” *Political Science Quarterly* 112:3 (1997), 424.

to get pregnant.⁵³ It is possible that their participation and earnings may have been greater if they did not get pregnant, but the argument from the proponents of PSE claim that adolescents who bear a child causes poverty whereas the evidence suggests otherwise. Having higher earnings may help them somewhat to get out of poverty but the route to do that is to fix the social inequalities of society and not simply teach young people to remain abstinent.

The proponents of PSE could respond by saying that if we allow adolescents to engage in sex, this will increase the likelihood of out-of-wedlock pregnancy which could result in single mothers having children. This, in turn, will lead to poverty because single mothers will use up their resources faster than her peers in order to keep the new infant somewhat stable and alive. However, studies have shown that single-motherhood does not lead to poverty. In fact, single-parenting did not have a huge negative effect on children. Rather, growing up in a low-income household had a larger negative impact.⁵⁴

Perhaps the proponent of PSE is worried that an adolescent having a baby while in school will inhibit her chances of graduating, and thereby make her likely to drop out. However, sociological evidence shows that a female student already at high risk of

⁵³ *Ibid.*, 412.

⁵⁴ Kendall, 202. Kendall also cites to give further credence to her claim. See also DePaulo, 183. Melissa Kearney and Phillip Levine, "Why Is the Teen Birth Rate in the United States so High and Why Does It Matter?" *Journal of Economic Perspectives* 26, no. 2 (2012): 157: "Among teens with high socioeconomic status whose mothers attended college, we observe no difference in the likelihood of giving birth as a teen across these states, despite the reasonably large number of these women who do so. Among teens with lower socioeconomic status, though, there is a clear pattern of teen fertility across inequality categories. Teens in the highest-inequality states are roughly 5 percentage points more likely to give birth as a teen than teens in the lowest-inequality states." They conclude that women with low socioeconomic status have more teen, nonmarital births when they live in higher-inequality locations, all else equal" and that "income inequality can explain a sizable share of the geographic variation observed in the teen childbearing rate, on the order of 10 to 50 percent. We believe these results are consistent with the large body of work in other social science disciplines arguing that social marginalization and hopelessness are to blame for young, nonmarital childbearing. To the extent that greater levels of inequality are associated with a heightened sense of economic despair and marginalization, our empirical findings support this claim" (157-158).

dropping out is more likely to become pregnant. Indeed, “the majority of girls who give birth while still in school are at the bottom academic quartile of their class *before* they become pregnant.”⁵⁵ From an economic point of view, economists Melissa S. Kearney and Phillip B. Levine have suggested that income inequality is a major component as to why many teens become pregnant. The reasoning is that “income inequality is associated with a lack of economic opportunity and heightened social marginalization.”⁵⁶ Moreover, poor outcomes are a continuation of a low economic trajectory. Indeed, being in an environment where there is limited economic and social advancement can lead young women having babies outside of marriage.⁵⁷ Sociologists Mary Patrice Erdman and

⁵⁵ Jeffrey P. Moran. *Teaching Sex: The Shaping of Adolescence in the 20th Century*. (Cambridge, MA: Harvard University Press, 2000), 225. See also Kristin Luker *Dubious Conceptions: The Politics of Teenage Pregnancy*. (Harvard University Press, 1997), 195-201. Luker’s argument is that teenage pregnancy is a symptom, and not the cause, of poverty.

Mike Males “Adult Partners and Adult Contexts of ‘Teenage Sex,’” in *Education and Urban Society* Vol. 30, No. 2 (1998): 194 also affirms the conclusion with sociological data: “in any given year, the rate of child poverty predicts more than 90% of the teenage childbearing rate 9 years later and about 25% of that same year’s teenage childbearing rate. However, the reverse is not the case: *Teenage childbearing does not predict future levels of child poverty*” (my emphasis). See also Mike Males, “School-Age Pregnancy: Why hasn’t Prevention Worked?” in *Journal of School Health*, Vol. 63, No. 10 (1993), 431.

Kearney and Levine, 159, offer data from the 2003 Panel Study of Income Dynamics where they report that “in a sample of women age 20 to 35, 24 percent give birth before age 20; but among the subsample of those women who were born into poverty, 29 percent give birth before age 20.”

⁵⁶ Kearney and Levine, 142. They add: “Moreover, no silver bullet such as expanding access to contraception or abstinence education will solve this particular social problem. Our view is that teen childbearing is so high in the United States because of underlying social and economic problems.” They suggest that “to address teen childbearing in America will require addressing some difficult social problems: in particular, the perceived and actual lack of economic opportunity among those at the bottom of the economic ladder.”

In an interesting study, Joseph Hertz and his colleagues tried to answer the question “What would be the adolescent mother’s (behavioral) outcomes if she were to delay her childbearing until she was older but nothing else changed in the wider social context?” They compared educational outcomes of teens who became pregnant and carried the child to term with teens who became pregnant but had a miscarriage, who on average delayed having a child by three or four years. What they found was that by controlling the conditions of socioeconomic status and family status, delaying childbirth did not significantly improve graduation rates. See Mary Patrice Erdmans and Timothy Black. *On becoming a teen mom: Life before pregnancy*. (Berkeley, CA: University of California Press, 2015), 153. Furthermore, many scholars are now suggesting that failing out of school is a consequence of social and economic disadvantages and not from early childbirth (See also 265n10 to see the studies they cite).

⁵⁷ Cf. Kearney and Levine, 156.

Timothy Black concur that the assumption of gaining social mobility and acquire resources to raise children only if they postpone having children is false:

In the past 30 years, however, the so-called opportunity structure has been torn asunder by dramatic increases in economic inequality, the redistribution of income and wealth upward, the retrenchment in public expenditures and social welfare, and the restructuring of the tax burden away from the wealthy and corporations. Recent mobility studies indicate that movement across income groups, particularly at the higher and lower ends, has become more stagnant in the United States.⁵⁸

Indeed, their qualitative research focuses on young teen's life and their experiences before they became pregnant and they all were victims of structural inequality that manifest through gender, class, and racial hierarchies.

“Those embracing the ‘up and out’ model of poverty ignore the ‘stickiness’ of being located at the bottom of the income ladder” and that “large numbers of people at the bottom of the class structure cannot and will not ever achieve economic stability. If poor women have little chance of going to college, getting married, and securing a well-paying job, then the proscription to wait is a de facto statement to stop reproducing.”⁵⁹ Sex educators rarely talk about the issues of choice and social context. To fight teenage pregnancy, closing the income gap seems to be the appropriate action according to the latest studies.⁶⁰ This is not to say there are no negative consequences of having a child so

⁵⁸ Here, Erdmans and Black cite many studies. One study to note is that “[c]ontrary to popular opinion, the United States does not fare well on mobility measures compared to other peer countries. For instance, Germany is 1.5 times more mobile, our neighbor Canada is nearly 2.5 times more mobile, while Denmark is 3 times more mobile. Only the United Kingdom is slightly less mobile than the United States” (245n88).

⁵⁹ Erdmans and Black, 28. To say that young people should not have children until they can afford to have them ignores the social and economic context which is based on middle-class lifestyles.

⁶⁰ See Mike Males. *Teenage sex and pregnancy: Modern myths, unsexy realities*. Santa Barbara, CA: Praeger, 2010, and DePaulo, 183-184.

young, but many scholars now admit that the age of the young mother is not the most significant factor.⁶¹ Ermans and Black contend that

[Teen mothers'] opportunities were cut short by child sexual abuse, impoverished neighborhoods, undiagnosed illnesses, and inadequately funded schools—all of which preceded the early births. Every one of the costs of early childbirth to the mother, the child, and the taxpayer corresponds to the costs of an economic and social system that creates and exacerbates inequality. And while researchers point out that our teen birth rates, while declining, are still significantly higher than they are in comparable countries, it is also the case that the level of inequality in the United States is greater than in those countries. *The focus on adolescent mothers serves merely to distract us from more systemic problems that will not be solved by a campaign to prevent teen pregnancy.*⁶²

To solve the cycle of teenage pregnancy in impoverished circumstances, we must change and dissolve those that keep the structures of poverty in place.

3.3. There is a problem with adolescent sexuality

Finally, we come across an argument that suggests that adolescent sexuality is a problem itself. In other words, the proponents might argue that there is something inherently wrong with adolescent sexuality. However, I argue there is nothing inherently wrong with adolescent sexuality, rather the problem is socially and culturally informed; it is not in the nature of adolescent sexuality as proponents claim.

Looking at three countries specifically (the Netherlands, Germany, and France), researchers found that these countries looked at adolescent sexuality from a health angle rather than as a moral issue.⁶³ These other countries also saw adolescents as responsible

⁶¹ Cf. Earmans and Black, 31. For a list of studies, see 246n102.

⁶² Erdmans and Black, 31-32. My emphasis.

⁶³ Debbie Mabray and Bill J. Labauve. "A Multidimensional Approach to Sex Education." *Sex Education* Vol. 2, No. 1 (2002): 32. Moreover, comparing adolescent pregnancies in the US with other countries, studies show that the US teenage pregnancy rate is much higher than in Great Britain, France, Germany, the Netherlands, or Japan. The lower rates suggest that not only do these other countries give a better outlook of sex education, but they do not view adolescent sexuality as a problem to be solved.

and expected adolescents to behave responsibly, that is, adults viewed these adolescents not as overgrown children, but as emerging adults who are expected to take on more responsibilities as they mature.⁶⁴ They are empowered to have information about sexuality to make better decisions. Thus, these other countries view adolescent sexuality as part of life, not as a problem.

If we look at the Netherlands specifically, sociologist Amy T. Schalet provides a cross-cultural study between American and Dutch adolescents. The common narrative surrounding American adolescents is that adolescent sexuality is seen as hormonal, impulsive, and irrational where there is a noted external peer pressure, especially from males to females. This discourse is not the case in Dutch culture. The Dutch culture emphasizes that sexuality is normal—*gewoon*, a Dutch word that means “normal” “ordinary,” “acceptable,” and especially in the context of sexuality, without any notion of shame or discomfort. Instead of sexuality being seen as impulsive and hormone-filled, the Dutch culture sees adolescent sexuality as a result of a romantic connection, where adolescent sexuality is already relationship-based. Americans, by contrast, are typically skeptical of adolescents falling in love because the construction of the adolescent is seen as “dangerous, conflicted, and deeply polarized.”⁶⁵

Finally, American adults typically do not see others—especially adolescents—as proper sexual beings unless they are fully autonomous, meaning having less parental control and being mature, which would also entail having less parental control in the first place.⁶⁶ Autonomy, therefore, entails that one is legitimately sexual. The more authority one has over an adolescent, the less autonomy—and therefore, the less sexuality—the

⁶⁴ *Ibid.*

⁶⁵ Schalet, 77.

⁶⁶ Cf. Schalet, 82-84.

adolescent has. Since adolescents are not legitimately sexual, their sexuality is regulated by the parents. The Dutch culture, however, sees adolescents as self-regulating sexual actors. Dutch adolescents engage in sexual activity when they feel that they are ready and that they are aware of potential risks and taking precautions to mitigate those risks. Thus, Dutch culture emphasizes sexual self-knowledge through sex education, and give adolescents the opportunity to plan ahead and to be responsible. The culture encourages adolescents to be prepared by offering them readily stigma-free contraception and encouraging them to visit their family doctors, who also provides contraception to adolescents.⁶⁷

From what was stated above, the problem of how one treats adolescent sexuality is cultural. There really is no *a priori* “problem” with adolescents; the problem is how one *views* adolescents, which suggests that the narrative of impulsive sexuality is a cultural phenomenon and not simply a biological explanation. The hormonal discourse makes parents and schools restrict adolescent sexuality rather than acknowledge or normalize adolescent sexuality. With this discourse comes the idea that adolescents may engage in sex out of irrational desire or external pressure. In situations where one treats adolescents as having no full competence or autonomy, where one sees adolescents as inferior in order to have an unfair advantage over them, such a view is what Flasher has termed “adultism.”⁶⁸ Adultism is the view that because adults have authority over children, their power gives them an unfair advantage, which results in the adults considering themselves superior in skills, virtues, and talents. Any minor is seen as inferior until she reaches adult age and not as a unique, competent being. Typically,

⁶⁷ Cf. Schalet, 39-40.

⁶⁸ Jack Flasher. “Adultism,” *Adolescence* 13.51 (1978): 517-23.

adultist behavior results in overprotecting the adolescent where the adolescent is not encouraged to think, act, or talk on her own. If adolescents are seen as more autonomous and in control of their own sexuality, then a culture is produced where adolescent sexuality is something that is a given and not a problem to be solved. The comparison of American and Dutch culture point out the idea, as Schalet points out, that “teenage sexuality...is the product of our cultural constructs and institutions.”⁶⁹ Of course, adultism can take many modes.

PSE discourses deny access and information to youths about contraception, sexual diversity, or sexual pleasure and they are replaced with inaccuracies.⁷⁰ If they cannot have access to sexual information, they may not be able to think critically in an informed way, or they may be taken advantage of.

When it comes to sexuality, the PSE position looks questionable as I have shown throughout this chapter. If, however, proponents still support PSE but cannot offer any justification for it, I suggest they are being adultist with regards to adolescent sexual behavior and will not allow the adolescent to gain autonomy as they develop. “While they [the adults] might best constructively help a child modify his or her potentials and directions when indicated, it is adultist when they use that extra power to mold a child

⁶⁹ Schalet, 3.

⁷⁰ Some of the examples of the inaccuracies taken from Laurie Mintz. “Abstinence-Only Sex Ed: Harmful? Unethical?” *Psychology Today*. September 5, 2017. (Accessed February 14, 2019.) <https://www.psychologytoday.com/us/blog/stress-and-sex/201709/abstinence-only-sex-ed-harmful-unethical>:

- Programs are scientifically flawed.
- Programs are ineffective in achieving their goals.
- There is little public and professional support for these programs.
- The programs harm sexual minority youth.
- The programs reinforce gender stereotypes such as female passivity and male aggression.
- The programs ignore adolescents who are already sexually active.
- The programs ignore the realities of adolescents who have been sexually abused.

with whom they come into contact in their own image.”⁷¹ This argument is not saying that adults should not take charge over children; rather, adults should not abuse their power even if they take charge. There is a difference between being authoritative and being authoritarian. The former means to take charge and to direct, yet allowing those being charged to have responsibilities and duties for self-direction (what I would call “thin” paternalism); the latter means to have full charge and direction where those being charged have no say in the matter (what I could call “thick” paternalism). In other words, the adultist is authoritarian by abusing their power. PSE, in the way I have defined it, has an authoritarian streak. But to teach adolescents properly, the adults in charge of the class must be authoritative in that they must correct the students on misinformation, but the adults should not withhold information.

To put a limit on a really strict, authoritarian style, we would have to show some reasons why strict, authoritarian parenting could inhibit the children. One study shows children who have parents that are authoritative, meaning that they have certain guidelines but these are communicated to the children and the children are able to give input with the decision-making process, reported more positive outcomes through their adolescence than if parents were authoritarian. If the parents have a more authoritarian style of parenting, meaning that the parents set strict rules and boundaries without any input or negotiation from the children, then this leads to more developmental problems for the children, including risky sex.⁷²

How adults treat their children could be seen in the different cultural views between the US and Europe. Even if parents still have authority over the adolescents, the

⁷¹ Flasher, 518.

⁷² Young, et. al., 364.

adolescents have the right to be heard if they feel that the parents do not have good justification for their paternalism. Both parents and adolescents will benefit by listening to each other and understanding what interests the other has.

4. Advantages and Disadvantages of PSE

By looking at various arguments for PSE, I have shown that PSE has many flaws and should be rejected. PSE instills a top-down approach of instilling values into the students, which does not completely work because the students are not critically engaged in what sort of values they want or have. The discourse involved in the thick paternalistic model of PSE is to inculcate certain sexual values, beliefs, and practices into the students, and prepare them to fit the social and civic sexual conventions of society. Moreover, the assumption behind PSE is that sex and gender are fixed polar opposites of male and female, and these fixed genders are natural where certain gender norms are essential for a healthy couple. Anything different than the “traditional” gender norm is considered a pathology or a mistake. The teachings of PSE are always located within a heterosexual, reproductive model and within marriage. In other words, PSE is monogamous and heteronormative. Any sexual desire is only appropriate expressed within marriage. Pleasure and eroticism are ignored, and the main focus is abstinence until marriage, otherwise people are harming themselves or society.

Despite all this, there are two benefits to gain from the paternalistic model: the people involved in sexual practices are viewed as *relational* in that there is a mutual reciprocated shared self rather than atomistic individuals where they are solely looking at

their own egoistic ends. The second benefit of the model is adolescents need to have guidance in their sexual education. I will go over them in each subsection.

4.1. Paternalistic View of the Self

Instead of seeing people as just purely isolated individuals, we can see that our actions do affect other people. Unless we are living like hermits, we are connected with other people, especially in a sexual context. If we start with the idea that we are in a *relationship*⁷³ with others, then we can see that the sexual partner is not just there to have sex with, but is part of a mutual and reciprocal shared experience, whatever the sexual experience may be. One benefit of PSE is that it emphasizes a relationship with another person as *relational* rather than as interactions between two atomistic individuals. This view of seeing two separate individuals, usually called the “atomistic” view, states that individuals are like atoms: individual beings who are completely autonomous from one another. The self is like an atom: it is self-contained and independent of other atoms. It is an autonomous individual with its own unique inner qualities. The things I go through, the people I meet, and things I witness can touch and move me. They can also injure and hurt me. But the real me, the core of my self, can always rise above these and remain independent and different from all that it meets.

According to this view, then, the real me is internally self-contained and independent of externalities. I can discover this self by thinking and looking within. I am the only one who can judge who and what I am. And most importantly, I do not need others to be who I really am. We look at other people as “everyone else,” as an “abstract

⁷³ By relationship, I mean the way how people regard and behave toward one another and not necessarily an emotional and sexual bond between the people.

other.” People define themselves in terms of “internal” characteristics: features of individual personality, private beliefs, desires, and aspirations. Our conception of a self is both internal and individualistic: the modern individual is defined in terms of the interior self.

The overall problem with this theory is how one interacts with others. The atomistic self implies that we have to deal with “abstract others.” Yet, we do not concern ourselves with “abstract others.” The “others” are not just “everyone else.” Rather, they are actual people for whom we have actual feelings and have real ties. Thus, we cannot just be individuals atomistically; we are people who have ties to our parents, our families, and our friends. When we think about our relationships, we do not think of them as a one separate individual that may merely interact with me. Rather, there is a mutual relationship, a dynamic self-development. The self, then, is social, not individualistic. Our sociable experience tells us that when we engage with others, our interactions form a connection that may last even when we are no longer interacting with each other. We are not just simply part of a world where we happen to see others and we form contracts. Rather, we are part of a social world where we have social roles, institutions, and various systems in place. The social world can enhance the people, or unfortunately they can be oppressive. They can range from friends, sexual encounters, acquaintances, enemies, or even people we have briefly met. It is not as if when we see them again, we just merely pick up where we left off. The history that we have formed with other people creates an interactive mutual subject, an intersubjectivity.⁷⁴ It is a relationship of mutuality in which

⁷⁴ I am not prescribing to a specific philosopher, but we can see many instances such as Aristotle’s notion of friendship and how that is the basis of a political community. We can see it in the phenomenologists where Heidegger calls it *Mitsein* or Sartre simply calls it Being-with. What makes it interesting is that Sartre’s phenomenology considers this intersubjectivity as “hell” and filled with either

self and other both express intersubjectivity. So rather than a closed self, such as the atomistic view where there are autonomous boundaries, the self is open and the boundaries form a connection with others.

Since the self is relational rather than an isolated atom, we can easily explain how the self is the center of a vast web of relationships with family, community, nation, and the world. One's moral duties shift as one adopts various roles in life, of which there will always be several in accordance with one's various relationships with different people. I am who I am because of my relationships with other people. Thus, to see who I am, I do not merely engage in introspection, but I see who I am through my dependence on my relationships with other people.

Applying this to the sexual domain, most of our emotional and psychological needs can only be met through relationships. For the most part, we do not learn how to care for others through rules or rewards and punishments. Instead, we care by actively participating in caring relationships. The same should be true with sexual relationships. Notice that with the atomistic self, we view others as an independent atomistic individual: I surmise that this person is similar to me because I use myself as the standard of what the self is. However, I do not see any fundamental connection between myself and another person. This could be disastrous in some sexual relationships. If the feelings mismatch, the atomistic self would try to investigate (by looking within) and surmise that one's own feelings are correct and that the other is misguided. If there is any connection between the people involved, the connection is where the sexual partners try to show some sort of concern for the other's sexual interests and attending to the other's desires.

sadism, masochism, indifference, or hate. Nevertheless, he cannot deny that there is still an intersubjectivity even if it is negative. In terms of interacting with others, forming an intersubjective identity can be fruitful (such as Aristotle or Heidegger), but it can also be detrimental and become "hell" (as Sartre mentions).

On the other hand, viewing the self as relational instead of atomistic gives important notions of engaging with someone sexually so that one can be in tune with the sexual partner, rather than simply surmising what the other wants. One would get a feel of the other by not looking from within, but by being with the other person. In the atomistic view, there is no connection; there is, instead, a person alongside another person. Ann Cahill describes how sexual interactions are intersubjective and that sexual agency emerges from interactions with others:

A robustly intersubjective sexual interaction is imbued with each person's sexual agency, while at the same time it constructs that sexual agency (not from scratch, of course; but the interaction makes a contribution, whether slight or substantial, to the ongoing becoming of that agency). A sexual subject does not merely have sexual agency prior to any given sexual interaction, as a kind of freestanding capacity or resource; rather, both the existence and the quality of that sexual agency emanates from sexual (and other) interactions....For me, agency in general is both deeply embodied (and thus profoundly affected by bodily interactions with other subjects, specific environments, objects, and discourses of inequality) and fundamentally, not peripherally, intersubjective. Agency, then, always occurs in the context of overlapping relationships with a wide range of entities.⁷⁵

Cahill's description suggests that our subjectivity is not a given, but socially informed. To give a case study of this, Schalet gives varying differences on how American and Dutch culture view "individualism"—another way in which to describe autonomy—which, in turn, plays a role in how they regard sexuality. For example, Americans regard individuality as adversarial: the way to gain full self-sufficiency is to live on one's own, which many adolescents and adults endorse. Therefore, parents regard their adolescent children as needing external control since most adolescents live with their adult parents. Dutch culture, on the other hand, regards individuality as interdependent: they presume a mutual dependence of individual and relationships, which makes fostering autonomy a

⁷⁵ Ann J. Cahill "Unjust Sex vs. Rape." *Hypatia* 31, no. 4 (2016): 754.

matter of encouraging self-determination and self-regulation within ongoing but changing relationships of interdependence, maintained through consultation.

How do these different ideas of individuality play a role with decision-making and being an adult? In American culture, parents see their adolescent children as not having self-control of their inner passions and external peer pressure can be overwhelming.⁷⁶ Thus, external control from the parents is necessary. Becoming an adult requires attaining economic and emotional self-sufficiency, which is measured by making one's parents superfluous. Dutch parents, however, assume that young people can and will control their alcohol intake and that drinking is within the context of participating in social conventions. Dutch parents measure adulthood for financial and emotional self-regulation to hold one's own and express oneself within a sociality.⁷⁷ With this case study, the Dutch community has a stronger sense of relational autonomy than American culture, which suggests that the Dutch has a healthier view of sexuality and the mutual interdependence than our American counterparts.

4.2. Guiding the Sexual Adolescent

The second benefit of PSE suggests that students need guidance in their sex education. While the paternalists' intentions are in the right place, the aim is misguided. First, they offer ways to help the adolescents improve their well-being. However, the reach is going too far. Adolescents need the tools to understand what it means to be a healthy individual for the sake of being healthy. Adolescents do need direction because they are experiencing complex emotions and pressures from their culture, but rather than shutting

⁷⁶ Cf. Schalet, 82.

⁷⁷ Cf. Schalet, 82-83.

down those emotions, the proper guidance is to help them understand their emotions. At the very least, people can be aware of the emotion and see what this emotion means. If people learn that simply *having* this emotion is bad, then adolescents may learn that having this emotion makes them a bad person. Thus, people should start with investigating the emotions and see what having that emotions means, which does not mean that they should act on their emotions, but by the same token, this also does not mean to suppress the emotion either. Whatever the case may be, investigating the emotions is a starting point on the sexual development of adolescents. By allowing adolescents to be aware of their emotions and not shutting them down, they will slowly understand what it is like to be a sexual subject without sexual activity and that these feelings do have legitimacy.

These are only some small advantages to the paternalistic model. However, there are many flaws such that it starts with the assumption that all forms of adolescent sexual behavior and premarital sex are morally suspect. Of course, there are many ways the paternalist could suggest how we could improve the adolescent's welfare through other means. In the next chapter, I will investigate what these other means are by looking at various ethical theories and how the proponent of PSE could use these ethical theories to justify PSE.

Chapter Two: Theoretical Paternalistic Sex Education

In the previous chapter, I framed paternalism through a certain scope and principle. The scope was distinguishing between “thick” and “thin” paternalism and I framed PSE as “thick” paternalism while embracing “thin” paternalism. The principle of paternalism was to improve Y’s moral well-being by making sure Y follows the traditional societal norms. In this chapter, I continue to argue that PSE is a flawed sex education program by looking at various ethical theories proponents of PSE could use as justification: new natural law, deontological, consequentialist, and virtue ethics. Each of these justifications are flawed because PSE not only intrinsically denies adolescents accurate sexual information but also because it socially governs and endorses heteronormativity.

Additionally, I analyze “thick” paternalism and offer a charitable reconstruction of various arguments for it as applied to sex education in PSE-type programs. To evaluate this, I look at the states with the highest rates of teen pregnancy:⁷⁸ New Mexico, Texas, Mississippi, Arkansas, and Oklahoma.⁷⁹ These states all use an abstinence-only program supplemented with various curricula for their particular PSE program. By going through their curricula, I extract a moral theory from their PSE program and argue that these ethical considerations to formulate PSE are not adequate.

⁷⁸ I understand that teen pregnancies do not necessarily lead to a non-flourishing life either for the child or for the teenaged parents. However, many studies show that most teenage parents have to put a hold on their education, which can limit their options in the future. Moreover, the child is more likely to have hindrances and limited options since the parents have limited options to take care of their child.

⁷⁹ “Pregnancies, Births and Abortions Among Adolescents and Young Women in the United States, 2013: National and State Trends by Age, Race and Ethnicity.” Guttmacher Institute. September 07, 2017. (Accessed October 31, 2018.) <https://www.guttmacher.org/report/us-adolescent-pregnancy-trends-2013>.

In section 1, I will analyze New Natural Law arguments for PSE. What makes New Natural Law arguments complex is that it shares many features with “thick” and “thin” paternalism. What makes New Natural Law arguments “new” is that they amend and somewhat depart from previous natural law theorists, such as St. Thomas Aquinas.⁸⁰ I will refute the “thickness” in section 1 by refuting specific New Natural Law’s arguments for PSE by showing why they fail. Next, I will investigate deontological considerations for PSE and argue that they are inadequate in section 2. Then in section 3, I will investigate consequentialist considerations for PSE and argue that they are inadequate, too. Finally, I will investigate virtue ethical considerations for PSE and argue they are inadequate as well in section 4. In order for me to adequately extract the moral theories from PSE, I use case studies of various PSE programs in the United States.

1. New Natural Law Considerations

Among other applications, New Natural Law (NNL) theorists like Robert P. George and Pope Francis have argued that sex outside of a heterosexual marriage is wrong since sex does not fulfill their notion of the basic good of marriage, which is a complementary union.⁸¹ Thus, any expression of sexual desire outside of marriage is only an illusory

⁸⁰ Cf. Raja Halwani. *Philosophy of Love, Sex, and Marriage: An Introduction*. Second Edition. (NY: Routledge, 2018), 330.

⁸¹ This is not to say that there are philosophers and thinkers who argue for a strict sexual ethic. For example, Immanuel Kant and the New Natural Law theorists argue that sexual behavior is only morally proper when (1) it is done within the confines of marriage, and (2) it is procreative. However, the focus of this dissertation will not be on when sexual behavior is morally proper—although that will be a peripheral issue; rather, the focus is on what type of sexual *education* is proper. Indeed, John Finnis, a New Natural Law theorist, allows sexual behavior within the two conditions mentioned above, but not through the law. Governments should maintain a society “conducive to virtue” but governments may not coerce virtue or punish vice through criminal law. Furthermore, in 1996, Finnis argued that the United States Supreme Court should overturn criminal prosecutions of private homosexual acts in *Bowers v. Hardwick*, distinguishing these private acts from public promotions of homosexual activity. In a way, Finnis has a stance that is similar to the “don’t ask, don’t tell” stance adopted by the military in the United States until it

good. However, my concern is what proponents of NNL say about sex education. In the first subsection (1.1), I examine the curriculum of different schools using New Natural Law Theory as their foundation for sex education classes in order to investigate their learning outcomes, the values the educators presume, and the reasons behind their claims. In the second subsection (1.2), I look at various philosophers who sponsor sex education from New Natural Law Theory and analyze their claims. In the end, I argue their justifications fail.

1.1. Case Study: Curricula from New York, Fort-Wayne-South Bend, Lincoln, and Pittsburgh

Several Roman Catholic schools throughout the United States have roughly the same sex education curriculum in what they teach, their learning outcomes, and the reasoning behind their claims. They all presume New Natural Law Theory as their assumed ethic. Indeed, Fort Wayne-South Bend in Indiana explicitly stated their foundation is on the natural law, since it dictates morality. Perhaps the first thing to notice at these schools is their description of chastity. All of the curricula describe chastity to mean all forms of sexual activity must be open to new life, meaning that all sexual acts must be oriented toward the good of procreation. This norm entails that homosexual acts and artificial birth control are inherently wrong.⁸² Additionally, under this definition of chastity, fornication

was repealed in 2010. See John Finnis. "Is Natural Law Theory Compatible with Limited Government?" Edited by Robert P. George. In *Natural Law, Liberalism, and Morality*, (NY: Oxford University Press, 1996), 1-26. See especially pages 6-9.

⁸² For example, Pittsburg went so far as to say that "safe sex" is a myth as part of their eighth grade curriculum. See Diocese of Pittsburgh. *The Catholic Vision of Love*. (Pittsburgh, PA: Roman Catholic Diocese of Pittsburgh, 2011), 76. (Accessed Aug. 18, 2018.) <https://diopitt.org/documents/2017/9/CVOL%208%202012.pdf>

New York stated that chastity entails that masturbation is wrong. See Archdiocese of New York. *Guidelines for Catechesis: Grade Seven and Eight*. (NY: Archdiocese of NY, 1998), 48. (Accessed Aug. 17, 2018). <https://nyfaithformation.org/documents/2014/12/Guidelines7-8.pdf>

would not be permissible. Most curricula, however, did not offer reasons to support this view except to claim that God would not approve of such relations, which tends to be a fideistic response rather than the argued response from a consideration of human nature which one would expect from a NNL view. New York was the only Catholic education program that offered reasons suggesting sex outside of marriage is morally wrong and fundamentally dishonest since sex is meant to be within the confines of marriage. Furthermore, since marriage is considered a public commitment, sex outside of marriage denies public commitment to total self-giving.⁸³

Another common feature of NNL is biological essentialism. Most of the curricula suggested it by saying that God made humanity in His image and it was good. Though the sexes are different, they are meant to complement one another. Because of this, NNL claims we should accept our biology as it is. New York curriculum has gone so far as to add a prayer portion for the students after learning about the biological sex unit in which they thank God that they were made male or female.⁸⁴ The curriculum in Lincoln, Nebraska has further stated biological sex and socio-cultural gender roles are not clear cut distinctions, but intimately intertwined.⁸⁵ However, if transgender, queer, intersex students are taught binary biological sex and gender roles are natural, these students may perceive themselves as outside the norm and therefore not natural. Moreover, biological essentialism reinforces stereotypical gender roles where biological males must act in masculine ways and biological females must act in feminine ways.

⁸³ Archdiocese of New York, 47.

⁸⁴ Archdiocese of New York, 48.

⁸⁵ Sean P. Kilcawley, *Freshman Chastity Education Curriculum*. (Lincoln, NE: Catholic Diocese of Lincoln, 2013), 5. (Accessed Oct. 31, 2018.)

Yet, there are some features of NNL with which I agree. One feature is stated explicitly in the New York curriculum, although all of them implicitly suggest it: understanding bodily integrity and dignity. The Catholic curriculum of New York states that people have the right to refuse sexual advances. We are being immoral by treating people as mere objects—pressuring them into sex disregarding the consequences of our actions.⁸⁶ In other words, students must consider the other person's sexual desires and feelings.

This leads to the other feature that I agree with: understanding our sexual feelings are normal. Despite the importance of learning how to control our internal sexual urges, NNL programs only offer solutions which seem to focus exclusively on external behaviors and distractions: be modest in our dress and speech and engage in sports, volunteerism, or other hobbies and interests to avoid temptation. While these solutions are possible, there are multiple ways to control sexual urges other than just external behavioral distractions which are typically meant to provide a space in which people can get over the hump of temptation. Once the temptation has passed, then the distractions are no longer necessary.

However, I want to suggest that a better solution is not just distractions, but a change of attitude so that people can function without a disrupted temptation. One possible change in attitude is for the parents to play a role in shaping their children's values, including sexual values. In fact, this aspect features in the curricula from Pittsburgh which places the primary responsibility of teaching sex education on the parents.⁸⁷ From this perspective, the schools are simply meant to assist the parents and

⁸⁶ Archdiocese of New York, 46.

⁸⁷ Diocese of Pittsburgh, 8.

not be a substitute for their teachings. This reasoning is the major foundation for the arguments of philosophers Robert P. George and Melissa Moschella's argument.

1.2. New Natural Law Theory and the Parents as the Foundation for Educating Students

George and Moschella argue that the responsibility for educating values solely belongs to the parents. "They [the parents] are ultimately responsible for their children's intellectual and moral maturity, so within broad limits they must be free to educate their children, especially on the deepest matters, as they judge best."⁸⁸ We can start with this premise: Parents are responsible for teaching their children the deepest values which they judge best (within broad limits). Indeed, they have the right to teach whatever values they judge best (with the exception of abuse or neglect). That is, to George and Moschella, the right of parents as to which "deepest values" to teach are religious and moral rights. Since the parent has the full moral space to teach whatever values they wish to their children, any interference in this teaching is considered wrong. Therefore, if the state intervenes by introducing different or opposing values, such as introducing contraceptives, masturbation, or homosexuality, then the state has undermined the teachings of the parents, which is akin to taking away the right to parent. Thus, George and Moschella are opposed to teens being introduced to different values from what they learned from their parents when it comes to sexuality. Moreover, if the school teaches something that is contrary to the parents' professed values, the parents have the right to object.⁸⁹ Therefore, George and Moschella consider public sex education violating the right to parent because

⁸⁸ George and Moschella.

⁸⁹ *Ibid.*

sex education may violate and undermine the values that the parents have given to their children.

Though it may be true sex education programs can conflict with parents' values, even George and Moschella admit that the state has legitimate interests in curbing unwanted teen pregnancies and STIs. However, it seems difficult to teach students how to protect themselves without discussing sexual acts, contraception, or STI testing. The most practically responsible and best way to curb unwanted teen pregnancy and STIs is to teach the students sexual health, and reproduction. Moreover, teaching students sexual autonomy and consent could empower students with the ability to make sexual decisions once they engage in sexual activity. For example, suppose there is a student who is ignorant of sexuality. She could be exploited if she does not know how to prevent any sexual coercion. Thus, it would be fruitful and practically useful to teach students the details of consent. In the end, however, George and Moschella conclude that it is the parents' job to teach values to their children, and that includes all aspects of sexuality.

One significant problem with this approach, however, is that several studies show that many parents generally have a hard time communicating about sex—whether educational or informal—to their children, particularly fathers toward their daughters.⁹⁰ If the parents did get involved, most of the talking was done by the mother.⁹¹ Additionally, a study showed half of adolescents felt uncomfortable talking to their parents about sexuality. Indeed, some young people and many parents do not communicate about

⁹⁰ Cf. Meredith Temple-Smith, Susan Moore, and Doreen Rosenthal. *Sexuality in Adolescence: The digital generation*. (NY: Routledge, 2015), 82.

⁹¹ Cf. Temple-Smith *et. al.*, 83.

sexual matters at all because both groups believe that the other group does not want to discuss the issues.⁹² As Shrage and Stewart explain:

One reason why schools may need to do part of the job of sex education is that many parents are not sufficiently informed about sexual health and policy to educate their children properly. Also, many parents may feel uncomfortable discussing sex with their children, and therefore they may avoid the topic. In addition, there is the important issue of parental bias. For example, because racist parents might teach their children that people who look different from them are inferior, formal schooling is needed to challenge such biases and ignorance. Similarly, formal schooling is needed to address irrational social prejudices and ignorance about sexual behavior.⁹³

Not only do many parents lack knowledge about sexuality, but both parents and children are uncomfortable talking about sexuality. Now there are many informative sex education websites, such as scarlateen.com, that are helpful for young people since they can get the information they need without any awkwardness. Moreover, parents generally repeat what their culture has given them, which could simply reinforce the exclusive heterosexual norms and the problems therein. Compounding these problems, a study shows that the messages that children hear from their parents are somewhat different for daughters than for sons.⁹⁴ Indeed, both sons and daughters heard cautionary messages from their parents regarding sex, but messages for daughters usually stress their sexual vulnerability and emphasize the dangers of sex more whereas sons get more leeway. For example, when parents discuss sexuality with their adolescent children, men are typically portrayed as potentially dangerous and sexually predatory once they find someone sexually attractive. Interestingly, parents also saw their own children as sexually

⁹² Cf. Temple-Smith *et. al.*, 73.

⁹³ Laurie J. Shrage and Robert Scott Stewart. *Philosophizing about sex*. (Peterborough, Canada: Broadview Press, 2015), 138.

⁹⁴ Cf. Temple-Smith *et. al.* 82-84.

innocent, even asexual, and the rest of the teens as hypersexual.⁹⁵ Thus, as Shrage and Stewart point out, formal schooling is needed to address and challenge various biases; simply looking at sex progressive or sex positive websites is usually a lone enterprise. Challenging social biases may need an authoritative figure (like a teacher) to challenge a whole group of students. The group dynamic would help overcome or at least question these biases rather than doing so by oneself. For these reasons, most adolescents report that they could discuss any concern about sex with their friends as opposed to their parents. Indeed, many studies show that adolescents get most of their (mis)information about sexuality from their peers.⁹⁶

Finally, there is a major flaw in the discussion of rights from George and Moschella. While they mention the rights of the parents, they ignore the rights of the students. Corinne Packer, a researcher at the University of Ottawa's Institute of Population Health, has noted that "[a] number of provisions in international and regional human rights instruments both directly and indirectly guarantee children the right to seek and obtain information" in which some provisions "can be interpreted to include the right to children to freedom to education about sex." Moreover, "a number of provisions clearly illustrate that information and health are two sides of the same coin and cannot be separated one from the other."⁹⁷ Moreover, the United Nations (UN) Convention on the Rights of the Child states:

Effective HIV/AIDS prevention requires States to refrain from censoring, withholding or intentionally misrepresenting health-related information, including sexual education information, and that, consistent with their obligations to ensure

⁹⁵ Cf. Elliot, cited in Temple-Smith *et. al.*, 83-84. Here are some limitations to this study: there were 47 parents as part of this study.

⁹⁶ Cf. Temple-Smith *et. al.*, 86-90.

⁹⁷ Corrine Packer. "Sex education: child's right, parent's choice or state's obligation." *Of Innocence and Autonomy: Children, Sex and Human Rights*. Aldershot: Ashgate (2000): 166.

the right to life, survival and development of the child (article 6), States parties must ensure children have the ability to acquire the knowledge and skills to protect themselves and others as they begin to express the sexuality.⁹⁸

There is also an advocacy movement at the global level within the UN which states comprehensive sexuality information and education is a basic human right.⁹⁹

Based on NNL Theory, people have a positive human right to an education since this human right is based on natural law.¹⁰⁰ Moreover, people have a natural right to be healthy, which includes ways of understanding their identity. Therefore, people have the natural right to health education, which includes easy access to the education. Sex education is an element of health education where one does not just learn about the mechanics of sex but also about gender identity, healthy relationships, and an enriched understanding of one's own sexual desires. Taken together, appropriate sexual information and education informs people how to be sexually healthy. *Contra* George and Moschella, if the students have a right to information which pertains to their overall health, identity, and well-being,¹⁰¹ access to sexual information could indirectly be a

⁹⁸ Child Rights International Network. "Gender and Sexuality: Sexual Orientation, Gender Identity, and Sex Education." March 20, 2009. (Accessed August 11, 2018.) <https://www.crin.org/en/library/publications/gender-and-sexuality-sexual-orientation-gender-identity-and-sex-education>.

⁹⁹ See United Nations, General Assembly, Report of the United Nations Special Rapporteur on the right to education, A/65/162. July 23, 2010. (Accessed November 18, 2018.) http://www.right-to-education.org/sites/right-to-education.org/files/resource-attachments/UNSR_Sexual_Education_2010.pdf

¹⁰⁰ Melissa Moschella and Robert P. George. "Natural Law." Edited by James D. Wright. In *The International Encyclopedia of Social and Behavioral Sciences*, 322-23. 2nd ed. Vol. 16. Amsterdam: Elsevier, 2015.

¹⁰¹ "Disproportionate restrictions on children's access to information not only ignite and fuel discrimination, but deny children information which can help them to make informed choices and play a role in their own protection. In short, access to information is the basis for all children's other rights including to life, health and protection." Quoted in Child Rights International Network (CRIN). "The Problem." (Accessed November 05, 2018.) <https://www.crin.org/en/home/campaigns/protect-children-end-censorship/problem>.

Also, "misunderstandings over sex education, particularly the misplaced view that it teaches children promiscuity or encourages them to be sexually active at a young age, can mean children do not get the preparation they require in order to have safe and healthy sex lives, whether as older children or as adults." Quoted in Child Rights International Network. "Gender and Sexuality: Sexual Orientation, Gender Identity, and Sex Education."

natural right. Therefore, having access to sex information and a sex education is a natural right, at least indirectly.

Does this right to sex education interfere with the parents' right to guide and educate their child in the way they see fit, as George and Moschella argue? Packer who appeals to the Convention on the Rights of the Child that "gives ultimate weight to the child," would disagree since the rights of the parents with regard to upbringing their child has limits.¹⁰² I would go further and suggest since adolescents have the moral right to health information for the sake of their well-being, having sexual health information is also a moral right too. Prohibiting children's access to sexual information based on "protection" is dubious. Indeed, George and Moschella may not realize that their argument leads to that conclusion as well: if the state has a legitimate interest in preventing unwanted sexual consequences, and since the studies and data support the

Likewise, the APHA (American Public Health Association) holds that "individuals have rights to accurate and complete information from their health care professionals, and that health care providers and health educators have ethical obligations to provide accurate health information. While good patient care is built upon notions of informed consent and free choice, APHA holds that AOE [Abstinence-Only Education] programs are inherently coercive by withholding information needed to make informed choices." Indeed, this dissertation agrees with the guidelines provided by APHA but also adds to it which will be shown in chapter five. Taken from American Public Health Association.

Human Rights Watch also states: "Federally funded abstinence-only programs, in keeping with their federal mandate, deny children basic information that could protect them from HIV/AIDS infection and discriminate against gay and lesbian children. In so doing, these programs not only interfere with fundamental rights to information, to health and to equal protection under the law. They also place children at unnecessary risk of HIV infection and premature death. In the case of HIV/AIDS, what they don't know may kill them." Quoted from Human Rights Watch. "Conclusion." 2002. (Accessed November 05, 2018.) https://www.hrw.org/reports/2002/usa0902/USA0902-08.htm#P796_199849.

¹⁰² Packer cites article 18.1: "States Parties shall use their best efforts to ensure recognition of the principle that both parents have common responsibilities for the upbringing and development of the child. Parents or, as the case may be, legal guardians, have the primary responsibility for the upbringing and development of the child. *The best interests of the child will be their basic concern*" (her emphasis) And article 12.1 where "the views of the child being given due weight in accordance with the age and maturity of the child." The Convention on the Elimination of all Forms of Discrimination against Women acknowledges the parents' rights and responsibilities in upbringing their children, the interests of the children, however, "shall be paramount" in all cases (Article 16.1. (d)). See page 168-169 for a table that Packer presents showing provisions supporting Children's Right to Sex Education.

view of comprehensive sex education as the better option, then the conclusion must support a comprehensive sex education.¹⁰³

In order for the state to achieve its goal of preventing unwanted sexual consequences, the state needs to give its citizens the necessary tools, skills, and education. This is not to say that this is the state's *only* goal when it comes to sex education but, without the correct sexual information, people's education is incomplete at best. Not only do adolescents have the right to sexual information, but it must be sound and based on fact to prevent the prevalence of negative consequences

However, if one is serious about endorsing sexual health to students, one cannot simply discuss how to avoid consequences like STIs and unwanted pregnancies. It is also imperative that positive aspects be discussed as well. The World Health Organization (WHO) provides a description of sexual health that not only discusses avoiding undesirable consequences but also takes into account of healthy sexual relationships and access to pleasure:

Sexual health is a state of physical, emotional, mental and social well-being related to sexuality; it is not merely the absence of disease, dysfunction or infirmity. Sexual health requires a positive and respectful approach to sexuality and sexual relationships, as well as the possibility of having pleasurable and safe sexual experiences, free of coercion, discrimination and violence. For sexual health to be attained and maintained, the sexual rights of all persons must be respected, protected and fulfilled.¹⁰⁴

Therefore, to really protect students, they must be informed so they can make healthy and critical choices in their lives as they become adults as well as understand other people's sexual choices and values that are different.

¹⁰³ See footnote 100.

¹⁰⁴ WHO. Quoted in Temple-Smith *et. al.*, 5.

Notice the teacher does not need to *endorse* these values. One can talk about slavery or totalitarian regimes in history without *endorsing* these institutions. So too, one can gain information—about contraceptives, for example—even though one may choose not to use them because it may go against one’s values. However, students will nevertheless be informed. Sex education is a way to *prevent* the risks that George and Moschella want to avoid. More importantly, denying students information may not prepare them for negotiating sexual relationships and leave them vulnerable to contraction of an STI or exploitation. Therefore, students need to be educated on many aspects of sexuality which includes different perspectives, determining when an act is consensual, and the responsibilities entailed by sexual relationships.¹⁰⁵

A common idea in support of PSE presupposes adolescents should not even have the knowledge because the knowledge could encourage them to engage in sexual activity. The idea, I presume, is that if students having knowledge about x, then they will do x. The fault in this logic, however, is the entailment. Just because one knows about x does not mean one will do x. At best, it means one has the necessary tools and skills to engage in x when the appropriate time arises. People may know how to use weapons, but that does not mean that people will use weapons. The skills and tools people learn help them engage in the activity by ensuring they are prepared if and when they need to execute the skills and tools they learned. In general, people should not fully engage in any activity for which they may not feel ready or have the necessary knowledge or skills to do the activity. People need knowledge and skills in order to make an educated decision on their own readiness. This is a matter of prudence and not a matter of morality. The solution is not to forbid the adolescent from *knowing* about the activity.

¹⁰⁵ Cf. Shrage and Stewart, 142.

A good sex education produces some practical guidance on determining what it means to be ready, which is what abstinence-only sex education fails to do. One slowly develops sexual preparedness over time. When sexual preparedness is developed, people have a better understanding of what they are doing sexually, which can enhance their pleasure, cause them to be more in tune with the sexual engagement, provide a better sense of who they are sexually, and understand the associated risks such as possibly conceiving a child. Having the knowledge can empower students to make informed choices, even if the information is not relevant to what the student values. Moreover, comprehensive sex education does not mean it replaces the family context or familial values. Rather, it is a way to open up a conversation about values and the issues regarding sexuality. The teacher can provide the impetus for the conversation by bringing up different values and issues to give the students an opportunity to discuss as well as an opportunity for the students to investigate their own values.

Another theorist in the NNL tradition to consider is Pope Francis, who in April 2016 released an apostolic exhortation, *Amoris Laetitia*, which addresses sex education for children and adolescents. Here, Pope Francis offers two arguments against “safe sex” education. The first claims it undermines natural law; the second claim is it denies our humanity. Regarding this first argument, Pope Francis states:

Frequently, sex education deals primarily with “protection” through the practice of “safe sex”. Such expressions convey a negative attitude towards the natural procreative finality of sexuality, as if an eventual child were an enemy to be protected against. This way of thinking promotes narcissism and aggressivity in place of acceptance. It is always irresponsible to invite adolescents to toy with their bodies and their desires, as if they possessed the maturity, values, mutual commitment and goals proper to marriage. They end up being blithely encouraged to use other persons as an [sic] means of fulfilling their needs or limitations. The important thing is to teach them sensitivity to different expressions of love, mutual concern and care, loving respect and deeply meaningful communication.

All of these prepare them for an integral and generous gift of self that will be expressed, following a public commitment, in the gift of their bodies. Sexual union in marriage will thus appear as a sign of an all-inclusive commitment, enriched by everything that has preceded it.¹⁰⁶

The Pope's position is that sexuality has a natural finality. Procreation and the notion of "safe sex" undermine this finality. According to NNL theory, if anything undermines a natural finality, that activity is unnatural. Therefore, "safe sex" is unnatural. Specifically, what makes "safe sex" unnatural is how it focuses more on people's desires and needs in relation to the activity rather than the finality of the activity. The Pope further argues by taking the focus away from the "natural procreative finality" of sexual activity, "safe sex" education "promotes narcissism and aggressivity in place of acceptance." If "safe sex" will make people narcissistic on their designated desires, then—by using the other person as a means—they will only focus on their desires and not another's, thereby "safe sex" is unnatural because the teachings of "safe sex" programs will inevitably promote the practice of using another as a means to reach one's personal end.

I find this argument flawed since focusing on one's own needs and desires does not necessarily mean one will ignore the partner's needs and desires. It is true that treating someone as a mere means is unethical, but what the Pope misses is the *mere* in his argument. Just because people have sex as a way to fulfill bodily desires does not mean that people will focus *solely* on their own desires. Though I agree with the Pope's charge to teach students "sensitivity to different expressions of love, mutual concern and care, loving respect and deeply meaningful communication," I would also add that this

¹⁰⁶ Pope Francis, *Amoris Laetitia of The Holy Father Francis to Bishops, Priests and Deacons Consecrated Persons Christian Married Couples and All the Lay Faithful on Love in the Family*. [Apostolic Exhortation on The Joy of Love], Vatican Website, March 19, 2016. (Accessed April 20, 2016.) https://w2.vatican.va/content/dam/francesco/pdf/apost_exhortations/documents/papa-francesco_esortazione-ap_20160319_amoris-laetitia_en.pdf, 212-213.

message is equally important to teach to those who do not want to procreate. Instead, it is important to teach students not to solely focus on simply their own pleasures in sexual engagement, but that sexual activity is a mutually pleasurable experience, which would mitigate the Pope's worry that people would "blithely [...] use other persons as an [sic] means of fulfilling their needs or limitations."

While this first argument is problematic, there are some benefits to Pope Francis's exhortation that a sex education should offer information, provided the information comes at the proper time,¹⁰⁷ and that sex education should include respecting differences, accepting others, and accepting one's body. Yet, Pope Francis holds an essentialist view of gender and sex differences as demonstrated by the second argument in which he states:

Sex education should also include respect and appreciation for differences, as a way of helping the young to overcome their self-absorption and to be open and accepting of others. Beyond the understandable difficulties which individuals may experience, *the young need to be helped to accept their own body as it was created*, for 'thinking that we enjoy absolute power over our own bodies turns, often subtly, into thinking that we enjoy absolute power over creation... An appreciation of our body as male or female is also necessary for our own self-awareness in an encounter with others different from ourselves. In this way we can joyfully accept the specific gifts of another man or woman, the work of God the Creator, and find mutual enrichment. Only by losing the fear of being different, can we be freed of self-centredness and self-absorption. Sex education should help young people to accept their own bodies and to avoid the pretension "to cancel out sexual difference because one no longer knows how to deal with it."¹⁰⁸

So far, Pope Francis is saying sex education should include teachings to respect and appreciate the differences between males and females and accept their bodies as it was created. As a self-esteem issue, this type of teaching is a good educational tool, yet the Pope suggests it is necessary for people to accept their biological body even if they perceive themselves as having the wrong biological body to fit with their gender identity.

¹⁰⁷ Cf. Pope Francis, 211.

¹⁰⁸ Pope Francis, 214.

In short, this philosophy is heteronormative in that it presumes cisgender people as the norm.¹⁰⁹

Indeed, earlier in the exhortation Pope Francis brings up an ideology of gender—a variation of which is included in “safe sex” education—which he believes

denies the difference and reciprocity in nature of a man and a woman and envisages a society without sexual differences, thereby eliminating the anthropological basis of the family. This ideology leads to educational programmes and legislative enactments that promote a personal identity and emotional intimacy radically separated from the biological difference between male and female. Consequently, human identity becomes the choice of the individual, one which can also change over time ... It needs to be emphasized that “biological sex and the socio-cultural role of sex (gender) can be distinguished but not separated”[...] It is one thing to be understanding of human weakness and the complexities of life, and another to accept ideologies that attempt to sunder what are inseparable aspects of reality. Let us not fall into the sin of trying to replace the Creator. We are creatures, and not omnipotent. Creation is prior to us and must be received as a gift. At the same time, we are called to protect our humanity, and this means, in the first place, accepting it and respecting it as it was created.¹¹⁰

Expanding on this argument, we can say a good sex education¹¹¹ would not endorse an ideology which “denies the difference and reciprocity in nature of a man and a woman and envisages a society without sexual differences.” If sex education includes or endorses this ideology, then there is a promotion of personal identity and emotional intimacy that radically separates the biological differences between males and females. In other words, a good education would uphold the view that the sexes are biologically and essentially different, yet complementary to each other.

However, the Pope argues that if there is a promotion of personal identity and emotional intimacy which does not radically separate the biological differences between

¹⁰⁹ Someone could feel like she was a woman but they are in a man’s body. This person may nevertheless be heterosexual. Heteronormativity does not just mean sexual expressions or sexual orientations, but also gender expressions as well.

¹¹⁰ Pope Francis, 44-46.

¹¹¹ Meaning not a “safe sex” education, as the Pope sees it.

males and females, then human identity becomes the choice of the individual, which can change over time. Because biological sex and socio-cultural roles of gender cannot be separated in reality, we must accept our biology otherwise we would not accept our created bodies, which is, in a way, a denial of our humanity. And since “safe sex” education “denies the difference and reciprocity in nature of a man and a woman and envisages a society without sexual differences,” it entails “safe sex” education denies our humanity since we are seen to be choosing what identity to have rather than accepting our biological bodies. According to this belief system, it is important to accept our humanity, which means accepting our biological bodies as they are.

I find two problems with this argument. First, it seems very unlikely that we can simply choose our identities in regards to our sexuality and our gender voluntarily. Second, there is a complicated explanation of the biological sexes, and by looking at the science, we can see the sexes are not fully demarcated as the male/female binary as we have been taught. In addressing the first problem, we can look to more recent scientific reports indicating people do not choose to be homosexual, asexual, or transgender, for example.¹¹² Instead, many of those who experience gender dysphoria are cognizant of their gender identity conflicting with their biological body. Frequently, this culminates

¹¹² Coming from the American Academy of Pediatrics:

Homosexuality is not a mental disorder. All of the major medical organizations, including The American Psychiatric Association, The American Psychological Association, and the American Academy of Pediatrics agree that homosexuality is not an illness or disorder, but a form of sexual expression.

No one knows what causes a person to be gay, bisexual, or straight. There probably are a number of factors. Some may be biological. Others may be psychological. The reasons can vary from one person to another. The fact is, you do not choose to be gay, bisexual, or straight. Taken from American Academy of Pediatrics. “Gay, Lesbian, and Bisexual Teens: Facts for Teens and Their Parents.” March 2, 2012. (Accessed November 05, 2018.) <https://healthychildren.org/English/ages-stages/teen/dating-sex/Pages/Gay-Lesbian-and-Bisexual-Teens-Facts-for-Teens-and-Their-Parents.aspx>.

with some sort of change to their body, whether superficial or surgical, to fit with their gender identity.¹¹³

Yet if it came down to choice, why not choose to simply have the body one already has, or choose to engage in various activities to be heterosexual? Many of those who are gay or asexual claim that they did not choose to be attracted to those of the same sex or not to be attracted to any sex.¹¹⁴ They simply have this predisposition and therefore cannot help having these desires. Thus, human identity does not seem to be something people choose; rather, we have labels and terms to describe experiences and feelings we already have. In most cases, we cannot help having these desires; it is as if they were just “part of the person’s identity” which is invariable, meaning a person does not choose what identity to have; rather, they choose to accept their identity by accepting their sexual attractions or by changing their body to fit their identity. This is not to say that we *have* to act on these predispositions. A biological disposition is not a license to perform that disposed action. For instance, suppose pedophilia is a condition which is not chosen but experienced nonetheless.¹¹⁵ From a moral point of view, they ought not act on these

¹¹³ Taken from Sex, Etc. website, a national organization dedicated to answer questions regarding sexuality, relationships, and gender funded and endorsed by Rutgers University: Sex, Etc. “Do People Choose to Be Trans?” (Accessed November 05, 2018.) <https://sexetc.org/info-center/post/do-people-choose-to-be-trans/>

¹¹⁴ American Psychological Association. “Sexual Orientation and Homosexuality.” (Accessed Aug. 18, 2018.) <http://www.apa.org/topics/lgbt/orientation.aspx>

¹¹⁵ There is some possible evidence that pedophilia has a biological cause. See, for example, James M. Cantor, Ray Blanchard, Bruce K. Christensen, Robert Dickey, Philip E. Klassen, A. Lee Beckstead, Thomas Blak, and Michael E. Kuban. “Intelligence, memory, and handedness in pedophilia.” *Neuropsychology* 18, no. 1 (2004): 3; James M. Cantor, Noor Kabani, Bruce K. Christensen, Robert B. Zipursky, Howard E. Barbaree, Robert Dickey, Philip E. Klassen et al. “Cerebral white matter deficiencies in pedophilic men.” *Journal of psychiatric research* 42, no. 3 (2008): 167-183; James M. Cantor, Michael E. Kuban, Thomas Blak, Philip E. Klassen, Robert Dickey, and Ray Blanchard. “Physical height in pedophilic and hebephilic sexual offenders.” *Sexual abuse: a journal of research and treatment* 19, no. 4 (2007): 395-407; Boris Schiffer, Thomas Peschel, Thomas Paul, Elke Gizewski, Michael Forsting, Norbert Leygraf, Manfred Schedlowski, and Tillmann HC Krueger. “Structural brain abnormalities in the frontostriatal system and cerebellum in pedophilia.” *Journal of psychiatric research* 41, no. 9 (2007): 753-762; Boris Schiffer, Thomas Paul, Elke Gizewski, Michael Forsting, Norbert Leygraf, Manfred Schedlowski, and Tillmann HC Krueger. “Functional brain correlates of heterosexual paedophilia.”

desires since children are unable to consent to sexual activity. Here we see there are certain parameters which restrict us from acting, even if we desire to act, with the hard boundary being the consent of the other person involved. With consent being the hard boundary, pedophilia actions are morally impermissible, but same-sex acts are morally permissible.

As for the second problem, our biological sexes are complicated meaning they cannot simply imply biological essentialism as Pope Francis suggests.¹¹⁶ From a biological point of view, the genitals of both sexes are biological homologues—“traits that have the same biological origins, though they may have different functions.”¹¹⁷ In the fetal stage, males and females have the same proto-organs—undeveloped genitalia—and protogonads—gonads that could develop into ovaries or testes. How these are developed depends on the hormones that the blastocyst receives during the gestation period. If the blastocyst receives masculine hormones, the blastocyst responds by transforming the proto-organs into standard recognized male genitalia—penis, scrotum, and testicles. If

Neuroimage 41, no. 1 (2008): 80-91; Kolja Schiltz, Joachim Witzel, Georg Northoff, Kathrin Zierhut, Udo Gubka, Hermann Fellmann, Jörn Kaufmann, Claus Tempelmann, Christine Wiebking, and Bernhard Bogerts. “Brain pathology in pedophilic offenders: evidence of volume reduction in the right amygdala and related diencephalic structures.” *Archives of General Psychiatry* 64, no. 6 (2007): 737-746; and Christian C. Joyal, Jolyane Beaulieu-Plante, and Antoine de Chantérac. “The neuropsychology of sex offenders: a meta-analysis.” *Sexual Abuse* 26, no. 2 (2014): 149-177.

¹¹⁶ I am indebted to Emily Nagoski’s book to help me explain the biology. Emily Nagoski. *Come as You Are: The Surprising New Science That Will Transform Your Sex Life*. (NY: Simon & Schuster Paperbacks, 2015). (Hereafter *CAYA*). Moreover, many activists prefer to use the term “Disorders of Sex Development” (DSD) to replace the politically charged “intersex” or “hermaphrodite.” However, some activists consider DSD as problematic since they do not see their condition as a disorder. I will use the term “intersex” throughout.

I will also include data that will provide biological and philosophical data to supplement Nagoski throughout this section. See Alice Dreger. “Sex Beyond the Karyotype,” in *Controversies in Science and Technology 2: From Chromosomes to the Cosmos*. Edited by Daniel Lee Kleinman. (New Rochelle, NY: Mary Ann Liebert, Inc., 2007), 481-492. Laurence B. McCullough “Intersexuality,” in *Sex from Plato to Paglia: A Philosophical Encyclopedia*. Edited by Alan Soble. (Westport, Connecticut: Greenwood Press, 2006), 496-502; Katrina Karkazis and Georgiann Davis. “Intersex: socio-cultural perspectives,” in *The International Encyclopedia of Human Sexuality*. Ed. by Patricia Whelehan and Anne Bolin. (Oxford: Wiley Blackwell, 2015), 609-613; and Georgia Warnke. *Debating Sex and Gender*. (NY: Oxford University Press, 2010).

¹¹⁷ Nagoski, *CAYA*, 20.

not, then the proto-organs develop into the default standard recognized female genitalia—clitoris, vaginal lips, and ovaries.¹¹⁸ The genitals are developed from the same fetal tissue, but the presence of the masculine hormones transforms the proto-organs into recognizable male genitalia. “Each embryo has bipotential, which is defined as the ability to develop either male or female external and internal sex organs.”¹¹⁹ In short, “[e]very body’s genitals are the same until six weeks into gestation, when the universal genital hardware [i.e. proto-organs] begins to organize itself into either the female configuration or the male configuration.”¹²⁰ For the most part, everyone’s genitals developed either into the female or male configuration.

Intersex individuals, however, are people whose genitals are not obviously male or female at birth. They have proto-organs, but the genitals are developed and organized in such a way that is not recognizable as standard male or female genitalia. Somehow along the gestation period, there was “some slight variation in the hugely complex cascade of biochemical events involved in the growth of the fetus.”¹²¹ However, these variations do not mean that there is anything wrong with their genitals; they just happened to develop differently though they have all the same tissue. There is a wide range of variety and modern medicine has considered thinking of sex dimorphically inadequate.¹²²

¹¹⁸ Nagoski, *CAYA*, 19-20.

¹¹⁹ Erica R. Koepsel “The power in pleasure: Practical implementation of pleasure in sex education classrooms.” *American Journal of Sexuality Education* 11, no. 3 (2016): 253.

¹²⁰ Nagoski, *CAYA*, 19.

¹²¹ Nagoski, *CAYA*, 32.

¹²² “At the chromosomal level, it does appear that there are only two sexes, female (XX) and male (XY). However, recent discoveries have shown that at the level of the genome (the gene sequence that constitute the chromosomes) there is considerable variation; for example, multiple crossovers of gene sequences between the X and Y chromosomes. A dimorphic concept of sex is unable to map this variation or capture its structural and functional significance. At this level of analysis, there are no ‘intersex’ conditions. That term presupposes that there are two and only two sexes into which all normal human beings are sorted, with a third group between male and female, *intersex* persons, who are abnormal and

I argue there is nothing normatively wrong with the genitals being developed in a different way, even if they are very different than the recognizable standards of male and female, and “[a]s long as the genitals don’t cause pain and aren’t prone to infection or other medical issues, they’re already healthy and don’t require any kind of medical intervention.”¹²³ In general, all genital configurations are biologically unproblematic, particularly when it is understood all genitals are like fingerprints in that they are unique to each individual. We start with the same proto-organs and there is no differentiation until about the seventh week of gestation. If we all started with proto-organs, and the development varies depending on the biochemical events happening in the gestation period, then there are no essential characteristics that can fully differentiate between male and female except for what we socially recognize as the standard male and female.¹²⁴ The standard notions of male and female are not biological essences, but part of a spectrum of a male/female division. There are those that fall into the standards male configuration and those that fall into the standards of female configuration. What is uncommon are those in the middle whose genital makeup does not fit the standards of either. But this is not evidence of a defect or a problem that needs to be fixed; rather, it is a statistical infrequency. But just because something is statistically infrequent does not mean that there is a defect. Einstein’s genius is a statistical infrequent phenomenon, but there is nothing defective about Einstein’s genius. Much like Einstein’s genius is at the edge of the intellectual bell curve, intersexuals are in the middle of a sexual inverted bell curve.

hence must be assigned to one of them. Ethical issues in the management of intersex conditions came about, in part, because the discredited dimorphic conception of sex persisted” (McCullough, 497-498).

¹²³ Nagoski, *CAYA*, 32.

¹²⁴ One might think that sex differentiation may come down to sex chromosomes. However, Dreger has shown that the story is much more complicated in that it really depends if a cascade of genes is functional or not besides those on the sex chromosomes contribute to development. See Dreger, “Sex Beyond the Karyotype.”

There is no definitive mark where one side is definitively and essentially male and the other side definitively and essentially female. Therefore, if there are no essential differences, then biological essentialism is faulty. If we are all biological homologues to each other—where we have the same proto-organs but just configured differently—then what really matters are how our *individual* bodies work, which includes the way we think about our *particular* sexuality, our *particular* relationship style, our *particular* gender, and our *particular* desires. This means people’s sexual classifications exist on a continuum along which there are those who have typical male characteristics and typical female characteristics, as well as those who are intersex, indicating they have elements of both. In fact, it is estimated that .02 to 1.7 percent of the population are intersex.¹²⁵ For comparison, it is possible that there are more intersex folks than there are redheads.¹²⁶

Genital variation is benign unless it impedes some underlying health problem. Sex atypical bodies are construed as abnormal and need treatment. We often think that because genitals do not look like standard, typically recognizable male or female, then we must intervene and “fix” the genitalia to form into typical sex characteristics not only for the sake of health, but also for the sake of psychological well-being for those who are intersex. However, *looking different* does not equate being unhealthy. Yet, defenders of corrective surgery will often say that non-conforming genitals that do not form into the standard typical male or female characteristics will not function normally, specifically in the sexual way. However, these defenders are coming at this from a heteronormative

¹²⁵ Shannon Dea. *Beyond the Binary: Thinking about Sex and Gender*. (Ontario: Broadview Press, 2016), 89.

¹²⁶ Hannah Barnes. “How Many Redheads Are There in the World?” BBC News. October 02, 2013. (Accessed August 11, 2018.) <https://www.bbc.com/news/magazine-24331615>.

point of view. Just because a feature is uncommon does not mean there is something problematic:

The bio-medical treatment paradigm has long presumed a connection between being male or female and the ‘correct’ form of erotic behavior, namely penile-vaginal intercourse between a man and a woman. As a consequence, decisions about sex assignment and genital surgery have drawn on normative cultural frameworks about sex, gender, and sexuality—and their relationships—to produce norm-abiding gendered subjects. For example, when a child is born with a phallus that is considered too small for vaginal penetration, physicians have made a female sex assignment owing to the assumption that penile-vaginal intercourse is required to sexually function as a man. Similarly, reducing what is perceived as a too large clitoris for enlarging what is deemed a too-short vagina has seemed appropriate although for different reasons: whereas the former is used as too similar to a penis to be left on a female, the latter is deemed necessary for sexual coupling (with males via penile-vaginal intercourse). As another example, girls born with testes can undergo gonadectomy early in childhood to make their bodies more female typical. In so doing, doctors have often unwittingly sterilize these girls because they have failed to consider that their testes may allow them to reproduce. Socio-cultural perspective have challenged the notion that sex is naturally dimorphic, that genitals are the essential sign of gender, that gender and sexuality derived from biology, and that physical sex traits, gender identity, and gender roles in an individual should align to either masculine or feminine norms.¹²⁷

This raises the question, are there inherent psychological problems that intersex people have? I argue not.¹²⁸ As an analogy, many people have been worried that having gay children would be problematic because of the social stigma against them. Thus, they would not want to have gay children. However, the problem is not the homosexuality, but the social stigma against homosexuality. The same could be said with intersex individuals. Instead of “fixing” them, critics of corrective genital surgery advocate peer support for intersex individuals and their families to adjust and accept their intersex condition. “[R]ather than change bodies to fit social norms, social norms should shift to

¹²⁷ Karkazis and Davis, 610-611.

¹²⁸ Here, I am only focusing on sexual identity. Gender identity and transgender people would be another issue.

accommodate sex and gender variance.”¹²⁹ Intervening before the child can consent is mainly done for cosmetic reasons but it does not ameliorate feelings of shame, stigma, or abnormality. Indeed, it could exacerbate it.¹³⁰ As Warnke states:

Because we have insisted that there are two and only two sexes, we have either reclassified intersexed individuals as really males or really females and/or have surgically eliminated them completely. Because we have insisted that there are two and only two genders, we have had a difficult time acknowledging the variations in how people experience their own genders and the unique uses people make of them. We erect phobias against possibilities of transgenderism, gawk at it, and/or medically treat it as a disease or “dysphoria.” Worse, we often deny legal and medical protection.¹³¹

Warnke notes that maybe it would be best to conceive of both sex and gender as a bell curve rather than as absolutes.

One question we can ask is why should students learn about intersexuality in a sexuality education class? After all, if, at most, intersexuals make up at most 1.7 percent of the population, why discuss the issue at all? There are two main reasons why we should teach intersexuality. One, just because they are a small minority, their experiences are nevertheless important. By leaving out their experiences, there is a worry that the default sexuality education program may become heteronormative by focusing on a male/female division. There has been a strict association between sexual identity and gender identity. If the male/female division is assumed and not questioned, then it may form gender roles and identities as rigid too. By including intersex people in sexuality education, it helps students see that biological sex is not entirely natural, but that it is also a social construct which will help decouple sexual identity with gender identity. I will

¹²⁹ Karkazis and Davis, 610.

¹³⁰ Cf. Karkazis and Davis, 610. “For example, adults with intersex traits who underwent genital surgery as children often express feelings of grave physical and emotional harm including severe struggles in intimate relationships. Some also feel violated by the medical community and betrayed by parents who consented to their medical interventions, however well-meaning these decisions might have been.”

¹³¹ Warnke, 51.

discuss why having gender identity on a spectrum is beneficial in a following point, but let me get to my second point.

Second, discussing intersexuals may intrigue students because intersexuals have ambiguous genitalia. But students may make the mistake that the appearance of intersexual genitalia are uncommon, the standard male and female genitalia are common. And yet, the appearance, shape, and size of many male and female genitalia do not fit the standard look. Thus, students may get a sense that if their own genitals do not fit into the standard, then they are also not part of the standard of what genitalia are “supposed” to look like. The students may even accept intersex people and not see them as abnormal. And yet, the notion of trying to look normal and fitting in with social expectations especially among peers is strong. If, however, educators teach intersexuality, then students may benefit to understand that the appearance of their own genitalia is not something to be ashamed of, even it does not fit into the norm of what it is “supposed” to look like.

The take away message is that we all started with proto-organs, and through the gestation period, we start to develop our own particular genitalia. Now males may develop into standard male genitalia (i.e. penis and scrotum) and females may develop into standard female genitalia (i.e. vulva). Their own particular development will have their own particular shape and size. And if they do not fit into the standard appearance of what they are “supposed” to look like, then the students will begin to see that the appearance of their own genitals is not the problem, rather the problem is the notion of the standard of what genitals are “supposed” to look like.¹³² With these two reasons,

¹³² What is at stake by not following the standard? On the male side, many are obsessed with penis size and that the larger the penis, the more they fit into the standard of masculinity or being male. Anything

discussing intersexuals is important not only to normalize them, but also to show the development of intersexuals so that those who are not intersexual will also feel normal based on the appearance of their genitals. Our culture is bombarded with messages that intersex individuals—as well as transgender people—have bodies that are atypical or that they have bodies that are “not normal.” These messages can be harmful to intersex and transgender people because not only will they experience negative sexual experience based on experiencing negative body and genital images, but their well-being will be diminished since they will see themselves as not normal and that there is something wrong with their body and their genitals. If, however, sex education classes normalized different bodily variations, the students can see that a standard of what the sexual body and genitals should look like is questioned. The students may then see their own body as something that they are comfortable with and that different bodies are not considered deviant or wrong. One way to do this is that teachers can embrace and show different variations of bodies having different sizes and shapes of vulvas and penises as well as showing different races of these bodies.¹³³

short of that exemplifies that really being male. Thus, those with micropenises are usually the brunt of jokes. For example, despite what the reader may think of his politics, there were many statues of Donald Trump displaying a micropenis and tourists can pose with the statue making fun of the size of the micropenis. See Brittany Vonow. “Donald Trump Micropenis Statues Are Erected All over America to Prove He Isn’t Well-equipped.” *The Sun*. August 19, 2016. (Accessed November 05, 2018.) <https://www.thesun.co.uk/news/1638408/donald-trump-micropenis-statues-are-erected-all-over-america-in-attempt-to-prove-he-isnt-well-equipped-to-run-the-country/>

On the female side, the standard appearance is what is usually known as the “porn star” look: not having large labia minora, the color is either fleshy or pink, and the pubic hair cannot be around the vaginal lips. Any look that does not fall into this standard is considered not feminine enough.

¹³³ Cf. Seattle and King County Public Health. *Family Life and Sexual health*, 3rd ed. Seattle, WA: Seattle & King County Public Health, 2013. Koessel also points out that health textbooks for sex education classes show vulvas as white, pale pink, hairless, and symmetrical which are quite often not the real representation of what vulvas look like which can contribute to a lack of self-confidence if they see think of what vulvas are “supposed” to look like in a health textbook. Koessel suggests instead of “using one image to portray an idealized depiction of genitals,” sex education classes would improve if they could show a variety by displaying a multitude of vulvas and penises to acknowledge their differences which is what the FLASH curriculum does by displaying “an array of genital images including erect and flaccid penises,

Pope Francis makes the assumption that biological sex and gender are tightly knit and that they not only go hand-in-hand, but that they are parallel and naturally do so. The only argument he offers in this regard is that our humanity was created in a specific way and we must accept this: “Creation is prior to us and must be received as a gift. At the same time, we are called to protect our humanity, and this means, in the first place, accepting it and respecting it as it was created.”¹³⁴ Again, any separation is not natural and that it is important to accept our humanity, which means accepting our biological bodies as they are including our gender. This position is known as gender essentialism: the idea that if one is male, one ought to be masculine; if one is female, one ought to be feminine. The problem with the Pope’s argument is that his argument for gender essentialism is similar to his argument for biological essentialism. Since I have mentioned before the flaws of biological essentialism with my discussion on intersex folks where sex dimorphic traits can vary, the same is true for gender traits thereby showing flaws with gender essentialism. The various gender traits (e.g. masculinity and femininity) are traits that we learn through our culture and environment. For sex, it is a collection of sex dimorphic traits such as chromosomes, genitalia, secondary sexual characteristics. The same is true with gender. Gender identity is the internal feeling that someone is a man or a woman, or somewhere in between. Moreover, if men and women ought to fit together, then masculinity and femininity ought to fit together. But why should we accept that gender essentialism is true?

extended and petite labia minora, various pubic hair arrangements, asymmetrical labia and testicles, racially diverse skin colors, and generally different sized penises, clitorises, and vulvas. (Cf. Koepsel, 230).

¹³⁴ Pope Francis, 46.

To get a better understanding of this phenomenon, we can devise a test.¹³⁵ Think about who you are. What gender are you? At first, the answer seems simple. Perhaps we think of our gender identity (i.e. what makes you think you are a man or a woman) is because of the physical anatomy. However, let us say there is an unfortunate accident where your sex organs are now gone. Would you still identify as either a man or a woman? Perhaps we would say that it has to do with the amount of testosterone levels in your body. Men traditionally have more testosterone than females. But what if tomorrow your testosterone levels dropped significantly and never reached back to its original point? What if you met a woman who had more testosterone than an average male? Chromosomes also do not seem to be the essential deciding factor either since intersex people may have different chromosomes than the standard male and female. It seems, then, that identifying as a certain gender is not completely reliant on biology. Rather, gender identification is not just biological but also in that person's mind as affected by social categories of what constitutes gender, gender, masculinity, femininity, etc.¹³⁶ People may identify as a certain gender: they have an internal sense of who they are in terms of gender. People may also express as a certain gender: externally representing their gender identity which is usually through masculine or feminine behaviors. The traditional view sees sex and gender and parallel:

¹³⁵ I am indebted to Nicholas Teich. *Transgender 101: A simple guide to a complex issue*. (Columbia University Press, 2012), 1-28 from which most of this information comes from.

¹³⁶ Could someone be wrong about their gender identity? This gets into controversial territory which is beyond the scope of this dissertation. But the short answer is that there are some theorists of gender who suggest that if gender has some metaphysical basis, such as Barnes and McKinnon, then people may be wrong about their gender identity: people may *think* that they are one gender, but they are *actually* another gender, depending on the metaphysical picture.

It may also be possible that first-person authority gender identity has limitations. See Burkey Ozturk, "The Negotiation Theory of Gender Identity and the Limits of First-Person Authority in *The Philosophy of Sex: Contemporary Readings*. Seventh Edition ed. by Raja Halwani, Alan Soble, Sarah Hoffman, and Jacob M. Held, 139-160, (Lanham, Maryland: Rowman & Littlefield, 2017), 139-160.

Table 1.1: Traditional View of Sex and Gender

Sex (Labeled at Birth)	Gender Identity	Gender Expression
Female	Woman	Feminine
Male	Man	Masculine

Now it is possible to have a different combination of sex, gender identity, and gender expression. For example, Teich mentions that we may see someone with a short haircut with a shirt and tie and men's dress pants. Since the short haircut and the clothing typically are signs of masculine gender expression, we automatically assume that the person is male and identifies as a man. But what if this person is holding onto a secret for many years? This person may be born as male, but has felt like a woman for many years and just cannot express it. Thus, this person may have this configuration:

Table 1.2: Transgender View of Sex and Gender

Sex (Labeled at Birth)	Gender Identity	Gender Expression
Male	Woman	Masculine

In table 1.2, this person's sex and gender are opposite of the standard that we see in table 1.1. Suppose there is a female who identifies as a woman but usually wears men's clothing on a daily basis. This person may have this configuration:

Table 1.3: Gender Expression

Sex (Labeled at Birth)	Gender Identity	Gender Expression
Female	Woman	Masculine

With these possibilities (and numerous others), to say that someone is “really a man” or that “he is really a woman” are false statements because we can separate sex and gender. Thus, those that are transgender, genderqueer, or those who do not fall into what is known as the gender binary spectrum can easily be explained through the charts above and by separating gender and biological sex. To say that they are not separable entities is either ignoring the vast amount of data where many people do not fall into the gender binary categories, or they are holding onto an ideology that sex and gender must be completely essentially together in kind.

There are a number of routes to take to respond to the Pope. I cannot dedicate too much on this issue since it is beyond the scope of my project, but briefly I can mention two.¹³⁷ One strategy is to say that if we get the metaphysics of gender right, then the accounts that the Pope give are inaccurate. In other words, we would have to show that the Pope’s metaphysical views of gender are wrong. Elizabeth Barnes and Rachel McKinnon take this route. Barnes, for example, says that if our theory of gender relies only on ethical and political theories but we are missing a metaphysical picture to explain the world, then we have failed in an important way: “A successful account of gender ought to say that trans women are women; it would be unjust not to classify trans women as women. But at least part of that injustice, on most accounts, consists in failing to treat trans women as what they are. That is, it’s unjust to say that trans women aren’t women because trans women really are women.”¹³⁸ Likewise, McKinnon states that when we misgender someone, it is not just disrespecting that person (which it is), but also metaphysically false:

¹³⁷ Thanks to Eloy LaBrada for bringing this to my attention.

¹³⁸ Elizabeth Barnes. “Realism and social structure.” *Philosophical Studies*, Oct. 2017, Vol. 174, Issue. 10, 2420.

It's not a matter of respecting someone's sincere self-identification—insofar as this connotes that we're doing this person a favor, or that it's a righteous act on our part. Rather, I'm increasingly preferring that we talk about what gender the person is: that is, it's not about respecting their self-identification, but about getting it right when we attribute a gender to someone. So when we misgender a trans woman (and call her a man, for example), the issue isn't one of respect/disrespect (although it's certainly disrespectful!): it's that we're getting something wrong about who she is. So not only do I “identify as a woman,” I am a woman, dammit. When someone says otherwise, they're not simply disrespecting my “self-identification,” but they're getting something wrong about who I am. That is, they're getting the truth wrong: they say something false, not just disrespectful. So, for example, trans women are not those who “identify as women” but were assigned a male gender at birth; rather, they're women who were assigned a male gender at birth.¹³⁹

As mentioned with the thought experiment earlier, sex/gender terms are not reduced to genitalia, but to worldviews and practices (e.g. how people take up, live as, and embody genders) that define sex/gender and transgender identity.

It seems from an empirical perspective that our bodies do not give us gender, at least in the strict sense that the Pope suggests. Rather our gender traits are acquired or learned. The nurturing care, which is considered a feminine trait, does not seem to come naturally to women because of their biology. Likewise, the lack of nurturing care in men does not seem to a natural phenomenon due to their male bodies. Rather it seems that we are in a culture that endorses and reinforces various traits as either masculine or feminine and that these traits are instilled in us throughout our lives. We therefore accept and partake of these roles partially because that is what is expected of us, but also because we desire to have a social standing without scrutiny or stigma, which entails that we act out our gender so that we can fit in with our group.

¹³⁹ Rachel McKinnon. January 27, 2016 (10:06 am), comment on “Ethics Discussions at PEA Soup: Katharine Jenkins’ ‘Amelioration and Inclusion: Gender Identity and the Concept of Woman,’ with précis by Talia Bettcher,” *PEA Soup: Philosophy, Ethics, Academia* (blog), January 27, 2016, <http://peasoup.us/2016/01/ethics-discussions-at-pea-soup-katharine-jenkins-amelioration-and-inclusion-gender-identity-and-the/#comment-14487>

Finally, the second strategy is a medical argument that suggests that being transgender is not problematic. For example, the *Kaplan and Sadock's Synopsis of Psychiatry*, which is considered a main resource for many psychiatrists states that “No drug treatment has been shown to be effective in reducing cross-gender desires per se. When patient gender dysphoria is severe and intractable, sex reassignment may be the best solution.” If this medical resource considers sex reassignment as the best solution, that is a clue that being transgender is not an illness.¹⁴⁰ And yet, Gender Identity Disorder is considered a real diagnosis based on a misalignment of sex and gender: those who were assigned a sex at birth but the individuals identify as the contrary gender are said to be suffering Gender Identity Disorder. This disorder, however, reflects the heteronormative attitude that there is a natural and tight relationship between sex and gender. Indeed, Seidman considers the disorder having the “social effect of enforcing a gender order that renders heterosexuality a normal expression of what is generally known as human nature.”¹⁴¹

To defend the gender binary thesis endorses and reinforces heteronormativity. “There can be no norm of heterosexuality, indeed no notion of heterosexuality, without assuming two genders that are coherent as a relationship of opposition and unity.” ... “heterosexuality is anchored by maintaining a gender order through either celebrating and idealizing gender or by stigmatizing and polluting gender nonconformity.”¹⁴²

Before I leave this section, I must mention one final problem with NNL theory overall: its notion of striving to realize the good of sex and that this good is universal in

¹⁴⁰ Cf. Teich, 86-87.

¹⁴¹ Steven Seidman. *The Social Construction of Sexuality*. Third Edition. (NY: W.W. Norton & Company, 2014), 222.

¹⁴² Seidman, 222-223.

everyone. The good of sex, as they theorize, is procreation because it fulfills the specific function of the genitals. If people are not fulfilling this function correctly, then they—or at least their genitals—fall short of their proper aim. This notion assumes, however, there is one *and only one* function to fulfill. However, I take sexuality to be multiply realized:¹⁴³ there are multiple ways to obtain sexual pleasure, experience sexual arousal, identify as a sexual being, or desire different relationship styles (which are mental states) when implemented by different physical bodies. What may be pleasurable, desirable, or sexually arousing for one person can be totally different for another.

Let us recall when I discussed people who are intersex. Nagoski explained that we all have the same genitalia but organized and developed differently. As an analogy, we can say that men's and women's sexualities are the same and different. We may see obvious differences *between* male and female bodies. But there is at least as much variation *within* male bodies and *within* female bodies. Nagoski offers an analogy to explain how: an adult woman's average height is five feet four. An adult man's average height is five feet ten. So the average difference *between* these groups' averages is six inches. Now consider the variation in within these groups. Suppose we randomly measured a thousand people—five hundred men and five hundred women. Nearly all the women would be between five feet and five feet eight, which is an eight-inch difference *within* the group. Nearly all the men would be between five feet four and six feet four, which is a twelve-inch difference *within* the group. The point of this analogy is to demonstrate there is more of a difference *within* each group (eight or twelve inches) than

¹⁴³ In philosophy of mind, there is the idea of multiple realizability, which recognizes there are many ways of describing the mental state through different physical states. Eventually, this led to what is known as Functionalism: different physical states could lead to the same mental state. I suggest the same could be true for sexuality.

between the two groups (six inches).¹⁴⁴ Nagoski explains the same is true for sexuality. “Within each group we find a vast range of diversity—and I don’t mean just anatomically. I mean in sexual orientation, sexual preferences, gender identity, and expression, and ...sexual functioning: arousal, desire, and orgasm. We also find overlap between the two groups, and we find folks who vary wildly from the ‘average’ while still being perfectly normal and healthy.”¹⁴⁵ “From our bodies to our desires to our behaviors, there are as many ‘sexualities’ as there are humans alive on Earth. No two are alike.”¹⁴⁶

Indeed, variety may be the one and only truly universal characteristic of human sexuality. If sexuality is multiple realizable, then there are multiple ways to flourish via sexuality, which I call taking care of the sexual self. When it comes to sexuality, there is a plurality of sexual values, desires, preferences, and arousals, and these values are varied among individuals; yet, we can all understand, in general, what arousal, desire, and preferences *are* even if these *specific* activities or thoughts are not personally causing arousal, desires, or preferences to a specific individual. By doing so, we universally all have bodies, but because they are all developed differently, we each have specificities in how the universal body functions for each individual to obtain well-being via sexuality.

New Natural Law theory, on the other hand, excludes other approaches by suggesting there is only *one* value to fulfill only *one* function. Yet, one can fulfill one’s particular function by honing in what sort of sexual values one has based on one’s own individual preferences and taking care of the sexual self, as long as the activities are consensual and non-exploitive. In the next section, I will see what deontological arguments there could be to justify PSE.

¹⁴⁴ Cf. Nagoski, *CAYA*, 35.

¹⁴⁵ Cf. Nagoski, *CAYA*, 35-37.

¹⁴⁶ Nagoski, *CAYA*, 36.

2. Deontological Considerations

Deontological views of paternalism focus on the autonomy or consent of the adolescent.

The paternalist argument is that one ought to be paternalistic toward adolescents regarding sex education because adolescents cannot fully consent to sexual activities.

However, it is believed if they had the right information, they would not consent to engage in sexual activity. Moreover, since adolescents are not yet adults, they do not have full autonomy which means, since consent is based on autonomy, they cannot fully consent to sex.¹⁴⁷ There are two possible justifications for PSE under deontological considerations: (a) protecting those who cannot consent, and (b) Y could either be exploited or take advantage of someone as a result of not understanding the full ramifications of sex. I will take up these topics in turn.

¹⁴⁷ Psychological consent is different than the age of consent, which is legal consent. Since PSE programs focus on psychological consent, I will follow suit. An interesting question is why PSE argues for abstinence until marriage but the laws suggest that one can consent to sex from ages 16-18, depending on the state. Age of consent was formulated by the early 20th century; abstinence-only programs did not come about until the 1970s and became prominent in the 1980s onward. It could be that those who endorse PSE may say that just because sexual activity is legal once the people involved reach the age of consent, it does not mean that it would be a good idea to do the activity. Some who endorse PSE would like to raise the age of consent to 29, the average age when women get married. Wade Horn, assistant secretary for children and families at the Department of Health and Human Services under G. W. Bush's administration, said the revision of abstinence-until-marriage sex education is aimed at 19- to 29-year-olds because more unmarried women in that age group are having children. Therefore, to fix the problem of children out of wedlock, Horn advises to push for abstinence-until-marriage programs until the age of 29. See Sharon Jayson. "Abstinence Message Goes beyond Teens." *USA Today*, October 31, 2006. (Accessed August 8, 2018.) http://usatoday30.usatoday.com/news/washington/2006-10-30-abstinence-message_x.htm.

On the other hand, the focus of PSE may be outcomes: unwed mothers having children. Therefore, they may legally consent, and they may even psychologically consent, but there are social ramifications if one has children before marriage. These are consequentialist considerations which I will touch upon in section 3.

2.1. Protecting Those Who Cannot Consent

First, we must define our terms. Jan Steutal makes a distinction between children, adolescents, and adults. The distinctions are complex considering we can look at them biologically, psychologically, cognitively, socially, or culturally. To reduce the complexity, he focuses on the *status* of childhood, adolescence, and adulthood. By saying someone has a certain status term, we are implicitly saying this person does or does not have certain duties and responsibilities. For example, if we say someone has the status of a parent, we are not just talking about how the parent is biologically related to the child, but insinuating the parent has certain duties and responsibilities toward the child such as raising it and taking care of it.¹⁴⁸

Moreover, “someone with the status of an adult has certain rights and duties that cannot be ascribed to or imposed on someone with the status of a child, and the other way round.”¹⁴⁹ How do adults gain the status of adulthood in the sexual realm? Steutal remarks that they have two features: self-determination and competence. Self-determination is the ability to act autonomously. Competence means to have “capacities that are needed for exercising rights of self-determination in a proper or sensible way (including the capacity for judging and acting prudently in the sexual sphere of life).”¹⁵⁰ In short, Steutal’s argument equates being an adult in the sexual realm with having self-determination, for which sexual competence is the foundation. Children and adolescents do not have sexual competence. Therefore, they do not have the ability for sexual self-

¹⁴⁸ Cf. Steutal, 188.

¹⁴⁹ Steutal, 188.

¹⁵⁰ Steutal, 197n9. Steutal calls this “psychological autonomy,” and that it is the foundation for ethical autonomy. In the next section, he states that competence is the foundation for self-determination.

determination.¹⁵¹ This broad definition will lead to some problems, specifically ascribing adolescents the status of children, which Steutel admits.

Next, in order to ethically engage with another person sexually, a necessary condition to consider is consent. Only adults can consent to sexual activity and children cannot. Why is that? The heart of consent requires three conditions:¹⁵² (1) voluntariness (consent cannot come from coercion or intimidation), (2) information (consent does not come from being misled or manipulated), and (3) competence (consent is not possible if someone lacks capacities to make decisions and understand the ramifications, results, and the responsibilities those decisions entail). Children are not considered competent for sexual activity because they lack capacities to make higher-order decisions. If competency means the capacity to make decisions in light of evidence, knowledge, experience, or retrospection, and only adults have the capacity to make these type of decisions, then only adults are competent. Therefore, only adults can consent to sexual activity. Since children are not adults, children therefore cannot consent to sexual activity.

The problem is how to categorize adolescents. Proponents of PSE suggest adolescents are not adults. Since only adults can consent to sexual activity, adolescents cannot therefore consent to sexual activity. Steutel takes this position exactly since he

¹⁵¹ “The claim that a person should be regarded as an adult, in the status meaning of that term, implies the claim that this individual should have the right of sexual self-determination and is based on the claim that this person has acquired the capacity to judge and act prudently in the sexual sphere of life. Given the upper limit of the stage of adolescence that I pointed out, these claims are by definition not applicable to adolescents. Notwithstanding their remarkable bodily changes, adolescents still have the status of a child. And the claim that someone still is a child, implies the claim that this person is not yet eligible to be accorded the right of self-determination and is based on the claim that this person’s capacity to judge and act prudently in matters of sexuality is still underdeveloped” (Steutel, 190).

¹⁵² Steutel, 186-187.

claims that adolescents have the status of children.¹⁵³ Steutel remarks: “[s]ince their [adolescents] capacity for acting and judging prudently is still underdeveloped, their consent cannot meet the criterion of consent.”¹⁵⁴ Steutel’s position posits adolescents have competency similar to children: they are incapable of making prudent judgments about their interests. Thus, authoritative figures must look over their interests and help them achieve those interests in the right way. This responsibility lies primarily with the parents, who have at least two responsibilities. First, since the parents ought to look out for their children’s interests, “parents have the duty to intervene in the child’s life, or to abstain from intervening in the child’s life, if they believe that such interventions or intentional non-interventions are required in view of the child’s interests.”¹⁵⁵ The second responsibility—which informs the first since the parent could be mistaken on whether these interventions would be for their child’s interest—involves “the duty to make sure, to the best of their ability, that these beliefs are accurate or at least well-justified.”¹⁵⁶

However, these arguments would be detrimental to the interests of adolescents. Steutel finds a way where adolescents can engage in sexual contact but with restrictions. Adolescents may fulfill the first two conditions of consent—voluntariness and being informed. However, because Steutel considers adolescents having the same status as children,¹⁵⁷ adolescents cannot fulfill the third condition—competence. For adolescents

¹⁵³ I should note that Steutel does allow adolescents to experiment sexually as long as the parents agree to their adolescent’s willingness to engage in sexual behavior. Thus, he accepts a liberal-consequentialist sexual *ethic* in that one does not need to be married to ethically engage in sexual behavior, yet he does argue that parents have the ultimate say in determining when their adolescent teens can engage in sex. While Steutel properly belongs in the liberal-consequentialist camp, which I discuss in the next chapter, I include him in PSE because his reasoning for restricting adolescent sexuality have been used by paternalists: namely that they are incompetent.

¹⁵⁴ Steutel, 190-191.

¹⁵⁵ Steutel, 194.

¹⁵⁶ Steutel, 194.

¹⁵⁷ Steutel, 188: “[T]he term ‘child’ is used to refer to every individual who is not yet an adult. According to this much broader meaning of ‘childhood’, an adolescent is by definition still a child. To

to fulfill this third condition, an added feature helps compensate for their lack of prudence. Steutel states that “the third condition of morally permissible sexual contacts of adolescents can be specified as follows: *the parents have given their consent to the sexual contact on the basis of their considered belief that the sex will not harm the welfare interests of the adolescents involved.*”¹⁵⁸ This third condition involves two problems. First, why is it determined adolescents cannot have the mental capacity to engage in sex? One could say it is because of a lack of experience, but Steutel’s view is different. Throughout the article, he claims that adolescents have the same status as children. By comparing adolescents with children, who it is generally agreed cannot consent to sex because of their mental immaturity, Steutel’s view suggests adolescents must also be unable to consent because of their mental immaturity. This view grossly underestimates adolescent mental capacities by lumping adolescents with children. Obviously, adolescents still need to be protected and have some of their interests looked after by their parents because they are still developing. However, as children get older and enter adolescence, we can begin to allow them more rights, responsibilities, and autonomy than children, though not as much as adults. Indeed, the fact we even have the term “adolescence” where we designate them as a different category from children and adults indicates this separation.¹⁵⁹ We must then ask at what point one gains mental maturity to have the capacity to judge prudently whether or not to engage in sexual activities. What age would be appropriate for one to be mature enough to engage in sexual activity?

mark off childhood, in this comprehensive meaning, from adulthood, I introduced a status criterion: someone with the status of an adult has certain rights and duties that cannot be ascribed to or imposed on someone with the status of a child, and the other way round.”

¹⁵⁸ Steutel, 194. My emphasis.

¹⁵⁹ Another way to tackle the argument is to show that adolescents can fulfill (3): they could be competent to engage in sex. I will present this argument in chapter three.

Steutel suggests that sixteen years of age is a good number,¹⁶⁰ but this is only giving us a legal definition of adulthood and not a moral one. Moreover, it seems odd that from Steutel's view one is (legally) a child until the age of sixteen, at least sexually. This view suggests there is no gradual movement from childhood, to adolescence, to adulthood. To categorize adolescents as children because of their mental or mature status as not adult-like is too restrictive. If education is meant to help young people become autonomous adults, then part of the educational process is to teach them the gradual steps toward competency and maturity.

The second problem has to do with Steutel's view that parents should have the authority about whether their adolescent children should have sexual engagement, and that the parents ought to have good reasons to do so. By this standard, as long as the parents have good justifications to interfere with their adolescent children's sexual life, then paternalism is justified. I understand parents do have the legal authority to take their children's interests into consideration, but suppose we hear some of the parents' justifications, and we are able to argue they are not good reasons. What then? Would Steutel still allow the parents to have authority, or would the lack of justification be enough to justify the parents losing their paternalistic authority over their child's sexual life? He does not say. It seems, if justifications are important, we should go straight to the justifications themselves instead of waiting to see what the parents would say. As Tellings suggests, "if Steutel's criterion were to be preserved perhaps there should be defined criteria for when parents are considered to be able to judge the competence of their children."¹⁶¹ What sort of justifications could parents give? Would their adolescent

¹⁶⁰ Steutel is using this from Dutch criminal law, which is where he resides.

¹⁶¹ Tellings, 207.

children stay within the bounds of parental rules?¹⁶² Again, Steutel does not say but, as suggested above, Steutel is in a bind either way he answers.

2.2. Protecting the Adolescent from Sexual Exploitation

The paternalist could argue that adolescents must be protected because they could be potentially sexually exploited or coerced. Of course, the paternalist must consider that this could happen at *any* age, not just to adolescents.

Sexual assault has a detrimental effect on one's well-being. Studies suggest that someone will be sexually assaulted every 98 seconds.¹⁶³ Most of these encounters are from someone they have known, loved, or have previously been involved with sexually. The paternalist presumably could suggest the younger adolescent is immature and naive and, because of this naïveté, another person could take advantage of them. Robert Van Wyk argues for this position and suggests implementing sexual abstinence programs, claiming all teenagers (especially boys) violate Kant's principle of respecting another person's autonomy, thereby exploiting that person. Let us take a look at his argument that he offers:

1. Most acts of sexual intercourse between teenagers are morally bad.¹⁶⁴

¹⁶² Tellings is dubious about a parental ban: "I think, first, that this [Steutel's] guideline works better in a framework of advice to the adolescent than under the wider framework of either a moral ban or consent. I feel that for the many young people who are not inclined to do any of these forbidden things [sexual activities that parents forbid] the parental ban is immaterial, whereas for those young people who are inclined to do these things it is questionable whether a parental ban will prevent them from doing them," 205. Presumably, it seems very unlikely that adolescents would ask for their parents' permission to engage in sexual activity. They usually do it secretly and without regard to the law.

¹⁶³ Rape, Abuse & Incest National Network (RAINN). "Statistics." (Accessed November 14, 2018.) <https://www.rainn.org/statistics>.

¹⁶⁴ One thing to note is that Van Wyk should make premise one say "Most acts of *heterosexual* intercourse..." if his argument is to critique heterosexual adolescent sexual relations.

2. Therefore, any particular act of sexual intercourse between teenagers is morally bad unless there is some good reason to believe it is the exceptional case.
3. It is highly unlikely that any particular teenager has good evidence that his or her situation is exceptional, or, given the strengths of sexual desires, lack of maturity, and the general track record of teenagers, that he or she is in a good position to make such a judgement.
4. Therefore, this particular act is probably morally bad.
5. A morally bad act is also morally wrong and a policy approving such acts is morally wrong, unless there is some powerful consideration on the other side which would outweigh its badness (e.g., that refraining would involve some great deprivation or sacrifice, or some harm to another person).
6. A policy of postponing sexual intercourse while one is a teenager does not involve any great deprivation or sacrifice or harm to another person.
7. If a person has good reasons to believe that an act or a policy he or she is considering is probably morally wrong (in the objective sense), then it would be wrong (in the subjective sense) for that person to perform the act or adopt the policy.
8. Therefore sexual acts between teenagers are morally wrong and very permissive policies of sexual behavior for teenagers are undesirable.

The entire argument hinges on premise one. Why is premise one true? Van Wyk argues that people who are in the first or second stages of psychosexual maturation violate Kant's categorical imperative of respecting persons.¹⁶⁵ He also states that most high

¹⁶⁵ Van Wyk is relying on Viktor Frankl's four stages of psychosexual maturation. The first stage is to reduce tension. The second stage is where one searches for a partner, but an interchangeable partner

school boys are in the first or second stages of psychosexual maturation. Therefore, most acts of sexual intercourse between teenagers are morally bad, which is what premise one states. First, we can ask about the truth claim about whether high school boys are in the first or second stages. He offers “pieces of evidence” for his case:

One recent study discovered that approximately 70 percent of older teens believed that it was morally permissible to have sexual intercourse with a woman who was too drunk to have much of an idea what she was doing. Another study discovered that 70 percent of high school boys thought there was nothing wrong with a boy lying to a girl and telling her that he was in love with her when he was not, if that would get the girl to have sexual relations with him.¹⁶⁶

This is a very telling about how young teenage boys treat teenage women whereby the women are treated as mere sex objects. However, teaching abstinence-only does not solve the problem. After all, if these young men have these same attitudes now, why would they change just because they abstained from sex? Suppose that they were to abstain from sex until after high school. These same young men may still have these same attitudes toward women. Simply getting older and refraining from sex does not fix a faulty mindset. Rather than fixing the problem by telling them to abstain, their attitudes must change. Admittedly, this is harder, but an abstinence-only program hardly talks about attitude changes regarding a healthy sexuality, meaning to not see people as mere sex objects. Moreover, abstinence-only programs ignore the complexities of how culture informs one’s attitudes about sexuality, which includes permissiveness and restrictions. Young boys have a more lenient attitude when it comes to sexuality, but is this part of

where the partner is used as an object. The third stage is where the sex partner is not seen as an object, but as a human being. The fourth stage is when the sex partner is seen as a unique human being and loved for his or her uniqueness.

Frankl offered a sketch of his four stages to connect love and meaning. I have not found any professional sources to determine whether Frankl’s ideas are accepted or contestable. There has not been any traction with Frankl’s sketch. But even if it were accepted, Wan Wyk’s position is suspect as I show in the rest of this section.

¹⁶⁶ Van Wyk, 45-46. Unfortunately, Van Wyk never cites where he got these sources.

their nature and their psychosexual development, or is it a reflection of how culture informs young men about how they ought to behave sexually? Our society reflects various sexual/gender norms and these current norms predominantly reflect heteronormative attitudes: men are the sexual aggressors, women are the sexual gatekeepers, masculinity presents dominant and powerful features, femininity presents passive and timid features. If these features are reflective of what society considers the norm, then the attitudes of young men (and women) are not inborn, but instilled. Thus, Van Wyk's explanation speaks about how boys treat and view women. Contrary to what he argues, his argument does not suggest that there is something intrinsically wrong with adolescent sex. In short, Van Wyk is speaking about a cultural phenomenon, not a natural or inherent psychosexual one.¹⁶⁷

As an example, there is still a double standard when it comes to men and women as sexual beings, especially as teenagers. There is a tension between the idea that a majority of people find no problem with premarital sex,¹⁶⁸ yet our culture still shames people—especially women—for being sexual before marriage. Young women have to be “the good girl” whereas there is no such equivalent for men. “Sexuality and the desire to be attractive as a dating partner present conflicting ideals for women. Girls learn to look sexy but say no, to be feminine but not sexual, and to attract boys’ desire but not to

¹⁶⁷ Schalet points out that American adolescent women rather than Dutch adolescent women experience “a conflict between their role as good daughters and their sexual selves” (p. 112). Indeed, the cultural presumptions are so strong that “for American girls, it can be difficult to reconcile sexual maturation with parents’ expectations of them as ‘good girls,’ while American boys confront the expectation that they will be ‘bad’” (p. 155).

¹⁶⁸ Jean Calterone Williams. “Battling a ‘sex-saturated society’: The Abstinence Movement and the Politics of Sex Education,” in *Sexualities*. vol. 14 no. 4 (August 2011): 422. See also Pamela C. Regan *The Mating Game: A Primer on Love, Sex, and Marriage*. 3rd Edition. (London: Sage Publications, Ltd., 2017), 239-240 where she cites many studies.

satisfy their own.”¹⁶⁹ To give empirical data, polls show people’s full acceptance of premarital sex has moved from 26.5 percent in 1972 to 56 percent in 2012. When asked if premarital sex is “always wrong,” the numbers show 34.2 percent believed it was in 1972 while only 21.3 percent believed that in 2012.¹⁷⁰ However, the double sexual standard is still present in that premarital sex is no longer a taboo, but men and women may be judged differently if they engage in various sexual activities.¹⁷¹ Perhaps people may accept premarital sex in the abstract, but deep down, they reveal their moral tendencies when they apply it to different genders. As an example, an abstinence-only-until-marriage sex education program in Florida—which has slowly gained prominence in its “It’s Great to Wait” campaign—claims:

[w]hen it comes to sex, men are microwaves and women are Crock-pots. Unlike women, men can be ready to have sex in just seconds, without any of the ‘slow heating’ that women need for their emotions to become engaged. Men do not need emotions to have sex. We are visual, and visual stimulus is all it takes for us to be there, ready to go. Women cannot enjoy sex without emotions, though, because it’s through their emotions that they become stimulated. For men, the emotional follows the physical. For women, it’s the other way around.¹⁷²

By following this norm, men and women have certain expectations that one must follow and if women seem interested in emotionless sex or if men want emotional sex, something is wrong.

¹⁶⁹ Crawford, Mary Crawford and Danielle Popp. “Sexual double standards: A review and methodological critique of two decades of research,” in *The Journal of Sex Research*, 40:1, 2003, 24.

¹⁷⁰ Tom W. Smith and Jaesok Son. “Final Report: Trends in Public Attitudes About Sexual Morality,” (NORC at the University of Chicago: April, 2013), 9.

¹⁷¹ “Currently, premarital sex and sexual intercourse outside of committed relationships are more widely accepted for women and men. Nevertheless, evaluations of other sexual behaviors and situations—such as being active in the expression of sexuality and having nontraditional relationships or partners—continue to be based on different criteria for men and women,” Gabriela Sagebin Bordini and Tania Mara Sperb. “Sexual double standard: A review of the literature between 2001 and 2010.” *Sexuality & Culture* 17.4 (2013): 702.

¹⁷² Kendall, 156.

Moreover, assuming this narrative means that if men cannot control their sexual passions, then anything can trigger their sexual impulses which seems to undermine one's autonomy. From here it follows, to keep one's autonomy in check, there ought not be any triggers which could stimulate men's sexual arousal. If women are the cause of this sexual arousal, then women's sexual expression ought to be contained and controlled in order to reduce a man's temptations. These controls could include the way women dress, the way women act, the way women talk, the way women drink, the way women walk, or simply the way women see other people. If she falls into *his* temptation, then she is to blame because she lost the power. Her responsibility is to maintain these relationships and make them stable. Thus, teen pregnancy, rape, and sexual abuse become more female failures, which is why there are still young women who blame themselves after being raped or sexually assaulted. Therefore, even by teaching autonomy alone, gender roles may not be challenged which could thereby suggest the responsibility lies on women to dress and behave in permissible ways so as to not arouse men. This narrative also silences men and denigrates their choices and capacities. He is an animal and unaccountable. Boys' ultimate decision is to find and search for a potential partner; girls' ultimate decision is to make sure that boys make better decisions later in life.¹⁷³

Finally, the hidden assumption in Van Wyk's argument is that teenage boys will never think beyond the first or second stages, perhaps because they are teens. As mentioned before, this problem is not an inherent psychosexual one but a cultural one. The solution is to break out of this cultural background. What this means is a shift in how one treats others, and also oneself, and people deserving dignity and respect regardless of sex/gender. As a potential way out, education is the key, but not of the PSE kind. PSE

¹⁷³ Cf. Kendall, 165.

ensures that the status quo continues, which means the culture of exploitation is still upheld, including purity culture and victim-blaming as I will show in section 4. Changing the culture of exploitation would be the solution but to do so, adolescents must have information regarding sex and relationships. They must be taught about sexual consent and realize anything less than a “yes” is not consent. Changing the cultural expectations requires an educational process. The solution, however, is not to restrict information about sexuality. For one, adolescents need the proper tools to know what is considered consensual sex as opposed to coerced or manipulated sex. Therefore, teaching consent and how to give and receive consent is a better educational route than simply teaching to abstain from sex. A fuller discussion of consent-based sex will be taken up in chapter four.

3. Consequentialist Considerations

Paternalists could use consequentialist considerations to justify paternalism in PSE, which would improve the welfare of the adolescent. To start, Dworkin gives some conditions of paternalism which I consider from a consequentialist perspective:

X acts paternalistically towards Y by doing (or omitting) Z:

1. Z (or its omission) interferes with the liberty or autonomy of Y.
2. X does so without the consent of Y.

3. X does so just because doing [or omitting] Z will improve the welfare of Y (where this includes preventing his welfare from diminishing), or in some way promote the interests, values, or good of Y.¹⁷⁴

This argument states paternalism is justified if it improves the welfare of the recipient.

Let us apply this definition to PSE. For condition one, X interferes with the liberty or autonomy of Y (typically the adolescent) by withholding sexual information. However, I have argued that the adolescent has the right to have sexual information, as explained in section one. For condition two, X acts paternalistically towards Y without Y's consent.

My main focus will be on the premise that discusses consequences: condition three.

Applying this principle to sex education, how does PSE improve the welfare of Y? There are two ways to answer this question: (a) ensuring a form of protection because Y is not emotionally mature enough to handle sexual encounters and could therefore be emotionally harmed if Y did engage in sexual encounters, or (b) imposing a specific value onto Y to improve Y's behavior. I will take each of these in turn.

3.1. Ensuring a Form of Protection

This justification stems from the fact that Y ostensibly does not have the rational or mature capacities to have sexual encounters. Thus, X does Y a favor by encouraging Y not to engage in these sexual encounters for the benefit of Y, or at least discouraging Y from engaging in sexual activities. For this to work, we must ask what is X protecting Y *from*? Presumably, protection means one is averted from harm. Obvious harms from sexual activity are unwanted pregnancies and STIs. If protection is a way to avoid

¹⁷⁴ Gerald Dworkin. "Paternalism." *Stanford Encyclopedia of Philosophy*. February 12, 2017. (Accessed November 14, 2018.) <https://plato.stanford.edu/entries/paternalism/>.

unwanted pregnancies and STIs, and the best way to ensure protection is to encourage abstinence (PSE), then PSE is justified. Thus, as a way to ensure protection from risky-yet-protected sex such as a comprehensive model would provide, the PSE plan would promote abstinence as the only way to prevent STIs and unplanned pregnancies.¹⁷⁵

¹⁷⁵ See Office of Disease Prevention and Health Promotion. “Family Planning.” (Accessed November 14, 2018.) <http://www.healthypeople.gov/2020/topicsobjectives2020/overview.aspx?topicid=13>. Most PSE curriculum focus on being abstinent for avoiding unwanted consequences. There is a notable exception: *Sex Can Wait* curriculum. *Sex Can Wait* is a different type of abstinence-only curriculum. They do not follow the ideology of faith-based programs. The book comes from the Center of Evidence-Based Programming. The curriculum has won the US Department of Health and Human Services Award five times for outstanding work in Community Health Promotion. The Waxman Report on Abstinence Education gave a devastating critique to thirteen most frequently used in federal grants, major abstinence-based programs in 2004, (See US House of Representatives Committee on Government Reform-Minority Staff. (2004). “The content of federally funded abstinence-only education programs.” Dec. 2004. (Accessed Nov. 23, 2018.) <http://spot.colorado.edu/~tooley/HenryWaxman.pdf>). There were only two programs that did not contain major errors and distortions of public health information. *Sex Can Wait* was one of those two programs. The curriculum frequently adapted with permission curricula from another sex education book from Pamela Wilson and Douglas Kirby. Wilson has later written *Our Whole Lives* curricula based on Unitarian Universalist values, which is based on comprehensive sex education. Kirby is a major researcher who has evaluated sex education programs and mainly endorses comprehensive over abstinence-only sex education programs.

The authors plan on updating their textbook, which will include contraception. The book’s message will be abstinence is the best value. By doing so, the curriculum may no longer be considered abstinence-only, but abstinence-plus. One of the authors has stated that most people on the right do not consider this abstinence enough (personal conversation). University of Arkansas health science professor Michael Young, co-author the “Sex Can Wait” curriculum, has been targeted by conservatives because he argues that abstinence education be medically accurate and neutral on religion and abortion. Young was vilified by Focus on the Family and the Abstinence Clearinghouse for conducting a university-approved survey asking state abstinence coordinators how they define “sexual activity.” “I’ve been involved in controversy forever,” said Young, a Southern Baptist deacon, “but I never before felt I could lose my job” (Lara Riscoll. “Sex, Lies and Politics.” *The Nation*. June 29, 2015. (Accessed November 14, 2018.) <https://www.thenation.com/article/sex-lies-and-politics>).

Here are some other examples to make this curriculum stand out compared to other PSE curriculum:

- They do not endorse gender stereotypes and challenge double standards. They challenge the notion that women are the gatekeepers of sexuality (it is the woman’s job to say “no”) and that men must test these limits.
- Both sexes will experience pressures. Men will have the pressure to “prove” masculinity and keep their feelings inside. Females will have the pressure to have children one day and to be sexy but nonsexual. The educator’s job is to examine these pressures but also maintain the social value of abstaining from sexual activity until they are in a marital relationship.
- The emotional expenditures they consider is when a teenager has a baby, through extra responsibilities and being overwhelmed. There was no mention of emotional loss from simply have sex without marriage.
- The curriculum focuses on decision-making, building self-esteem, and understanding their values. When it comes to sexual decision-making, the authors argue that abstinence is the best choice because of the overall benefits and consequences.

Undoubtedly, unplanned pregnancies can have a detrimental effect on a young person's life. Eighty-seven percent of female teens report they would either be very upset or a little upset if they became pregnant. Yet each year, almost 750,000 young women from the US become pregnant (ages 15-19). Eighty-two percent of teenage pregnancies are unplanned, and fifty-nine percent of teenage pregnancies end in birth. In 2011, there were 31 births per 1000 women aged 15-19.¹⁷⁶ Besides taking on new responsibilities, one's goals and life aspirations may be shortened or eliminated because one must now take care of another. Likewise, having STIs can have a detrimental effect on one's life as well. Most STIs can be treated with antibiotics. However, depending on the infection, the severity could be lifelong and have a debilitating effect on Y's life such as HIV. Again, in this scenario, X intervenes for the welfare of Y's life.

Since I am focusing on adolescents, I will argue there are better ways to prevent these unwanted consequences for this age group. To start, I offer empirical research findings showing the best way to prevent these unwanted consequences is a more approachable sex education. Many of these studies indicate that a non-PSE has reduced unwanted pregnancies and STIs, which indicates that a more comprehensive program has *decreased* these unwanted consequences.¹⁷⁷ In fact, if states endorsing abstinence-only

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- They offer different theories as to how people make sexual decisions such as poverty, expectancy of achieving their goals, and learned helplessness. These discussions can help students achieve a sense that simply choosing to be abstinent is already assuming a type of person.

Despite these great benefits, they do not include contraception in the current edition.

¹⁷⁶ Guttmacher Institute. "American Teens' Sexual and Reproductive Health." May 2014, 1-4. (Accessed November 13, 2018.) <https://www.guttmacher.org/sites/default/files/pdfs/pubs/FB-ATSRH.pdf>.

¹⁷⁷ Williams, 418; Mabray and Labauve, 35-36; Temple-Smith *et. al.*, 26. And Christopher Trenholm, Barbara Devaney, Ken Fortson, Lisa Quay, Justin Wheeler, and Melissa Clark. "Impacts of Four Title V, Section 510 Abstinence Education Programs." Mathematica Policy Research. April 30, 2007. (Accessed November 18, 2018.) <https://www.mathematica-mpr.com/our-publications-and-findings/publications/impacts-of-four-title-v-section-510-abstinence-education-programs> are more specific by focusing on Title V of the Social Security Act of 1996 that was mentioned in the last chapter. They argue that "youth in the [abstinence-only] program group were no more likely than control group youth to have abstained from sex and, among those who reported having had sex, they had similar numbers of

sex education resulted in adolescents becoming abstinent, then the obvious result would be those same states having lower teenage pregnancy or unwanted pregnancy. This is not the case, however. Stanger-Hall and Hall show that “[t]he level of abstinence education... was positively correlated with both teen pregnancy indicating that abstinence education in the U.S. does not cause abstinence behavior. To the contrary, teens in states that prescribe more abstinence education are actually *more likely* to become pregnant.”¹⁷⁸

Part of the reason is because students in an abstinence-only program are taught abstinence is the only way to prevent unwanted consequences and that common preventative measures, such as contraceptives, have exaggerated high failure rates. Thus, students get the impression these methods do not work that well and end up not using them, nor do they know how to use them. However, if adolescents do not learn about contraceptives, then they will not know how to use them when they will be sexually active. Therefore, a good sex education ought to teach about multiple forms of contraception and how to use them properly. If education is all about abstinence, then students will not know how to use contraceptives, which could have disastrous consequences, such as unwanted pregnancies and STIs—things that proponents of PSE want to avoid in the first place.

sexual partners and had initiated sex at the same mean age. Contrary to concerns raised by some critics of the Title V, Section 510 abstinence funding, however, program group youth were no more likely to have engaged in unprotected sex than control group youth” (p. xvii). Indeed, the report also showed that the students in the abstinence program and the control group had the same rates of unprotected sex. On average, the students had their first sexual intercourse at 14.9 in the program and control group, as well as having the same number of sexual partners. They both had the same level of knowledge of STDs, however the program showed that the students thought that condoms were *less* effective at preventing STDs than the control group.

¹⁷⁸ Stanger-Hall, Kathrin F. Stanger-Hall, and David W. Hall. “Abstinence-only education and teen pregnancy rates: why we need comprehensive sex education in the US.” *PloS one* 6, no. 10 (2011): 4. My emphasis. Moreover, Trenholm *et. al.* concluded that “the programs had no effect on the sexual abstinence of youth. But it also finds that youth in these programs were no more likely to have unprotected sex, a concern that has been raised by some critics of these programs.”

Moreover, if the focus is on abstinence because of the worry of pregnancy primarily, then the discussion sets an assumption of heterosexual interactions which excludes LGBTQIA issues. There are no discussions of LGBTQIA identities and any discussion of pregnancy is heteronormative, where the default is that sexuality is all about heterosexuals.¹⁷⁹ A good comprehensive program must be sure to not endorse heterosexual or gender norms, which makes any sexual diversity invisible. However, as of this present writing, twelve states require discussion of sexual orientation, nine states require that discussion of sexual orientation be inclusive, and three states require only negative information on sexual orientation.¹⁸⁰

3.1.1. Protecting the Adolescent from Emotional Harm

X could also aim to protect Y from emotional harm. Since Y cannot fully comprehend the ramifications of some sort of sexual engagement, Y will eventually experience emotional harms or, worse, Y could be taken advantage of by sexual exploitation if Y experiences sexual engagement. Thus, X must protect Y for Y's welfare. Is this the right action for X to do? I argue no. X's paternalistic overreach goes too far.

To get federal funding, sex educators are required to teach that nonmarital sex "is likely to have harmful psychological and physical effects" as suggested by the Social Security Act of 1996.¹⁸¹ Thus, the starting premise is that if nonmarital sex "is likely to

¹⁷⁹ Another thing to note is that there is no discussion of pleasure, masturbation, or intimacy. If the paternalistic model suggests that adolescents are hypersexual beings that need to control their instincts, perhaps a better way to help them release some of this sexual tension is to help them engage in a sexual activity that is free of unwanted consequences: masturbation. This would be consistent with PSE's goals. Yet, this is hardly ever discussed in PSE, which makes sexuality centered around male pleasure. See Peggy Orenstein. "When Did Porn Become Sex Ed?" *New York Times*, March 19, 2016.

¹⁸⁰ "Sex and HIV Education"

¹⁸¹ Social Security Act, Title V, Section 510. Maternal and Child Health Bureau, U.S. Department of Health and Human Services, 1997.

have harmful psychological and physical effects,” then PSE is justified to protect adolescents from harmful psychological or physical effects. As evidence for the antecedent, the paternalist would cite research which has indicated a correlation between teenagers being sexually active and emotional harm, such as depression,¹⁸² shame, or guilt. Because these feelings could affect Y’s well-being, X needs to intervene in order to protect Y.

A person who specifically focuses on these negative consequences is Robert Rector, a senior research fellow at The Heritage Foundation who drafted the definition of abstinence included in the Social Security Act of 1996. He claims to have shown a correlation between adolescent sexuality and depression,¹⁸³ and the solution, therefore, is abstinence-only sex education. Johnson et. al. argues that “[t]eens should be told that sexual activity *in teen years* is clearly linked to reduced personal happiness. Teens who are depressed should be informed that sexual activity is likely to exacerbate, rather than alleviate, their depression. Teens who are not depressed should be told that sexual activity *in teen years* is likely to substantially reduce their happiness and personal well-being.”¹⁸⁴ But why? Johnson *et. al.* do not say, but to be generous to their argument, we could say it is because teens are not fully emotionally mature for sexual activity and engaging in sex while they are not emotionally ready leads to emotional problems like

¹⁸² Kirk Johnson, Lauren Noyes, and Robert Rector. “Sexually Active Teenagers Are More Likely to Be Depressed and to Attempt Suicide.” The Heritage Foundation. June 3, 2003. (Accessed November 16, 2018.) <https://www.heritage.org/education/report/sexually-active-teenagers-are-more-likely-be-depressed-and-attempt-suicide>. The study also took into account of gender, race, income, and age as control variables. Regnerus & Uecker also mention this on page 148-149: “emerging adults who engage in shorter and more frequent sexual relationships exhibit lower self-esteem and more guilt than those who are either abstinent or sexually active only within the confines of a sustained romantic relationship.” (See Mark Regnerus and Jeremy Uecker. *Premarital Sex in America: How Young Americans Meet, Mate, and Think about Marrying*. (NY: Oxford University Press, 2011).)

¹⁸³ Johnson, *et al.*

¹⁸⁴ Johnson, *et al.* My emphasis. Evert and Butler also repeats the study, 69-70. See Jason Evert & Crystalina and Brian Butler. *Theology of the Body for Teens*. (West Chester, PN: Ascension Press, 2006).

anxiety, guilt, shame, or depression which could come about because of shame and/or guilt, because the adolescent is not ready for sexual encounters or may feel pressured to have sex.

The curriculum, *Choose the Best JOURNEY*, also agrees implying “sexually active teens will never have a happy future, and implies that only teens with low self-esteem and poor judgment become sexually active.”¹⁸⁵ The consequences of non-marital sex include “guilt, disappointment, worry, depression, sadness, loneliness, and loss of self-esteem.”¹⁸⁶

The main problem with this line of reasoning is that it begs the question when it comes to emotional harms. Exactly *why* does teenage sex lead to depression, guilt, and lack of self-esteem? It cannot be simply because teens are unmarried. If so, we would see a substantial number of depressed adults who have engaged in premarital sex, but this does not seem to be case.¹⁸⁷ Indeed, the majority of adults in the US have nonmarital sex and there is no scientific evidence to support the claim that premarital sex causes depression.¹⁸⁸ Johnson *et. al.* assume that depression comes *after* one engages in sex. They would need to construct an argument for that. After all, the adolescent could have already had depressive symptoms such that engaging in sex was a way to unsuccessfully cope with the depression. Moreover, to say that *all* types of adolescent sex causes

¹⁸⁵ SIECUS Public Policy Office. “State Profile: Georgia.” SIECUS. (Accessed November 15, 2018.) <https://siecus.org/wp-content/uploads/2015/03/GEORGIA06.pdf>. It should be noted that *Choose the Best JOURNEY* has been really popular in Texas, Arkansas, Louisiana, and Mississippi, four of the top five states that have the highest teen pregnancy rate.

¹⁸⁶ SIECUS Public Policy Office

¹⁸⁷ Cf. Aubrey L. Spriggs and Carolyn Tucker Halpern. “Sexual debut timing and depressive symptoms in emerging adulthood.” *Journal of Youth and Adolescence* 37, no. 9 (2008): 1092-1093.

¹⁸⁸ See Kathryn Ganong and Erik Larson. “Intimacy and belonging: The association between sexual activity and depression among older adults.” *Society and Mental Health* 1, no. 3 (2011): 153-172. Indeed, the authors conclude sexual activity that incorporates other physical intimacy may lower depression.

depression is too universal of a claim without looking at the context of the relationship in which sex occurs.¹⁸⁹

If the reason why adolescents should not engage in sex is because they may not be emotionally ready, what about adolescents who *are* emotionally ready? As Grello *et al.* indicate, sex in a committed relationship—a relationship that is emotionally and romantically invested where the partners involved can declare they are each other’s boyfriend or girlfriend—was not associated with problematic functioning, such as depression, delinquent behavior, or exposure to physical violence. Moreover, any problematic behavior (such as depression) could have existed *before* the adolescent engages in sexual intercourse.¹⁹⁰

A better solution to alleviate depressive adolescents engaging in sexual activity would be to make them aware of what it means to be emotionally ready so they can reach readiness on their own terms. Moreover, if depression leads to engaging in risky sexual

¹⁸⁹ There is a connection between depression and the type of sexual relationship. Grello, *et. al* note:

sexual intercourse in the context of an emotionally committed relationship was not found to be associated with problematic behavior or functioning, but *casual sex was associated with problematic functioning* [depressive symptoms, delinquent behaviors, and victimization], *and the problems existed before the adolescents ever engaged in sexual intercourse*. Sexual behaviors have been strongly linked with depression, especially in younger females; accordingly, depressive symptoms may be a salient factor, especially for females who engage in casual sex (256-257, my emphasis).

They also note that there is a link between early initiation of sexual intercourse and depression in females in regards to casual sex, but no causal connection is to be found. If there is a correlation, the depression could be found not in the nature of casual or premarital sex, but the way society treats those who engage in casual or premarital sex, especially toward females.

¹⁹⁰ Catherine M. Grello, Deborah P. Welsh, and Melinda S. Harper. “No strings attached: The nature of casual sex in college students.” *Journal of sex research* 43, no. 3 (2006): 255-267. See Joseph J. Sabia and Daniel I. Rees. “The Effect of Adolescent Virginity Status on Psychological Well-Being,” in *Journal of Health Economics* Vol. 27, No. 5, 2008 (1368-1381); and Monahan, Kathryn C. Monahan and Joanna M. Lee. “Adolescent sexual activity: Links between relational context and depressive symptoms.” *Journal of Youth and Adolescence* 37, no. 8 (2008): 917-927. where they both conclude that adolescent sex does not lead to depressive symptoms. Jamieson and Wade go further and suggest that the reverse relationship is also not true, meaning that high levels of depressive symptomatology did not predict early debut of adolescent sexual behavior. See Luanne K. Jamieson and Terrance J. Wade. “Early age of first sexual intercourse and depressive symptomatology among adolescents.” *Journal of sex research* 48, no. 5 (2011): 450-460.

activity, the solution is to get to the root of the problem and help the adolescent with the depression. To simply discourage the adolescent from engaging in sex or forbid them to have sexual information does not address the problem, but only a symptom of the problem.

What about other negative emotions that proponents of PSE declare many adolescents may experience if they engage in premarital sex, such as anxiety, shame, or guilt? Empirically, the data is mixed as to who is receiving the negative emotions, and at what stage one has the negative emotions. For example, a study shows both men and women became more anxious after the first instance of intercourse in a serious relationship rather than a casual encounter.¹⁹¹ On the other hand, guilt was experienced by both sexes when there was a casual sexual encounter rather than in a serious relationship. Moreover, the longer the relationship, the less one felt guilt after the first sexual encounter.¹⁹² In terms of pleasure, both sexes experienced more pleasure when they waited until the age of seventeen.¹⁹³

What causes these emotions? Shame is attributed to the belief one did something wrong in the eyes of society or some social standard. Guilt comes about because one internalizes and realizes one did something wrong. One can ask, however, why one *does* feel guilt or shame from the sexual act? Perhaps this is because there is already a stigma attached to adolescent sexuality. If adolescents engage in sex and they are aware of the stigma, they will feel ashamed if others know about the sexual behavior. Moreover, they may feel guilt by internalizing the shame or from the associated stigma. As an example,

¹⁹¹ Susan Sprecher, Anita Barbee, and Pepper Schwartz. ““Was it Good for you Too?”: Gender Differences in First Sexual Intercourse Experiences,” in *The Journal of Sex Research*, Vol. 32, No. 1 (1995): 10.

¹⁹² Sprecher *et. al.*, 11.

¹⁹³ Sprecher *et. al.*, 11-12.

Choosing the Best JOURNEY had a video where a young woman, Sarah, explains “[e]very time I had sex I was giving away a piece of my heart. I was giving away something I could never get back...”¹⁹⁴ Each character in the vignettes had different variations, but students were asked what sort of emotion (e.g. worry, guilt, depression, feeling used, lower self-esteem) a character would have due to premarital sex. The curriculum is set up where sex is shameful, and those who engage in it should be ashamed of not only the act, but of themselves. It may be true that adolescents having sex may lead to depression; it does not follow, however, that adolescent sexuality is the source of this depression. If anything, the correlation could be a function of society’s treatment of adolescent sexuality, such as the unfounded stigma attached to adolescent sexuality.¹⁹⁵ Arguments from Johnson *et. al.* and curricula such as *Choosing the Best JOURNEY* reinforce the stigma of adolescent sexuality and that if they express their sexual desires, they would feel shame and guilt. In other words, their arguments that premarital sex leads to shame, guilt, or depression is a self-fulfilling prophecy: depression could be because of the *consequences* of our sexual culture and not the *activity* of sex itself. Furthermore, Regnerus and Uecker show sex is not the culprit in causing depression: “Nonvirgin women’s emotional health is better when they are in a

¹⁹⁴ Cook, 43.

¹⁹⁵ Orenstein remarks: “it may be the shaming of sexually active teens rather than sex itself that is the problem. It may also be that teens who are already depressed are more likely to engage in and subsequently regret sexual activity” (*Girls & Sex*, 86).

Sabia and Rees have done more extensive research about adolescent sexuality and depression and concluded that “[a]lthough previous research has found that sexually active teens are more likely to suffer from depression, it is not clear whether this association is causal or spurious in nature” (Sabia and Rees, 1368). Their research indicates that there was little evidence that sex had causal effect on males’ well-being. However, their research also indicates that there was an increased risk of displaying depression among females if they were sexually active as opposed to their non-sexually active counterparts. Given that we live in a culture where females are heavily scrutinized for being a virgin or not, it is understandable why they would be at a higher risk for depression. The fault, however, does not lie in the activity of sex. Rather, it is how our culture views women and their status as virgins. Indeed, Sabia and Rees conclude that young women who take contraception seem to have ameliorated the possibility of depression, but not completely eliminated it.

relationship than when they are not.”¹⁹⁶ Indeed, their research shows that it does not matter how many partners one had. As long as they are in a relationship, they typically exhibit better emotional health. “The story, then, is not so much about avoiding sexual relationships but *sustaining* a relationship rather than cycling in and out of them.”¹⁹⁷ Premarital sex, then, is not always the problem. If someone does engage in sexual activity with the latent guilt already within, one will eventually feel depressed and ashamed. In order to escape the shame, adolescents sometimes engage in the same behavior to escape the shame, but then feel even more ashamed. The cycle can repeat itself falling into what clinical psychologist Gershen Kaufman has called “the shame spiral.”¹⁹⁸ Thus, there is a possibility that the shame and guilt caused the sexual activity, and not the other way around. Rector et al. do not mention the possibility of this shame spiral.

What are the reasons why sex and depression are linked, especially for adolescents? Grello et. al. note that one possible explanation is that already depressed females may seek validation and sex is a way to get the validation.¹⁹⁹ There is a double standard when it comes to sexuality, especially at the expense of females:

social norms and expectations continue to define casual sex encounters as acceptable for males and objectionable for females...and females have been found to be less tolerant of other females who participate in such relationships...Males have been found to experience more pleasure and less guilt than females when they engage in sexual behavior with partners who are casual...Guilt, regret, and the violation of societal expectations may contribute to female psychological distress.²⁰⁰

¹⁹⁶ Regnerus & Uecker, 152.

¹⁹⁷ Regnerus & Uecker, 152.

¹⁹⁸ Gershen Kaufman. *Shame: The Power of Caring*. Third Edition. (Rochester, VT: Schenkman Books, 1992).

¹⁹⁹ Cf. Grello et. al., 265.

²⁰⁰ Grello et. al., 265. Usually, the motivations of PSE are from religious backgrounds. I will not commit myself at looking through biblical or other religious texts to justify what sort of sexual engagement one ought to have. On a philosophical note, one would be committed to epistemological suppositions about not only God’s existence, or whether morality depends on such a being. Without getting too bogged into religious metaphysics, the proponents who argue for this value are mainly those on the Christian Right in

In short, while paternalists draw the conclusion is that being sexually active at a young, undeveloped age leads to depression, the story is more complicated as suggested by the studies mentioned by Grello *et. al.*, Regnerus & Uecker, Sabia and Rees, and Sprecher *et. al.*: depression does not necessarily stem from being sexually active. Rather, depression could have been the consequences of a culture that already stigmatizes against adolescent sexuality. Thus, *it is the cultural effect of adolescent sexuality, the stigma against adolescent sexuality—particularly on young women—and not sexual activity itself that could lead to depression.* If, as these studies suggest, depression leads to casual sex,²⁰¹ then the solution is to target the depression. To target casual sex does not focus on the problem, and casual sex may be morally permissible. Some parents, however, would be against this because it goes against their values. As part of our liberal democracy, we do allow the parents to have a say in what values they can teach the child. However, what if certain values do not help Y? This then leads us to the last possibility of how PSE is for the welfare of Y: imposing values on to Y.

3.2. Imposing a Specific Value Onto Y to Improve Y’s Behavior.

One way to protect the welfare of people is to make sure they act in such a way on their own. To do so, they would have the value (whatever that value may be) instilled in their

America (Williams, *passim*). Their arguments stem from the fallen state of society led by secular values and the loss of “family tradition.” Part of bringing back these values is to enforce abstinence-only sex education. It is instructive to see how people view this issue, especially those within the religious tradition. 81 percent of Evangelicals say that premarital sex is immoral while only 33 percent of the general population agrees (Williams, 422). Moreover, 78 percent of Evangelicals believe that premarital sex can lead to emotional or psychological distress while 46 percent of the general population agrees (*Ibid.*).

This view explains how proponents of PSE view sexuality within this religious context. Premarital sex is “a temptation,” something that can entice the spiritually or mentally weak, which is a sin. By associating premarital sex with other sins, premarital sex becomes perceived as something worse and worse.

²⁰¹ Regnerus & Uecker suggest that this is one possibility, 160-162.

character so that they would act from self-determination. On the surface, it seems that it is for good consequences: protection from unwanted consequences and to have the value for their own benefit. While teaching students to remain abstinent has good consequences, the major problem is that even if we have good consequences and even if Y is avoiding Z because of X's interference, Y's character is not changed. Y may still have the disposition to do Z. VanDeVeer makes an analogy:

in cases of affecting third parties, we might prevent the protorapist from raping by forcing him to take anti-androgen treatments, or by castrating him, but his consequent nonviolation of the duty not to rape is hardly a basis for attribution of moral worth or merit. Hence, there seems little reason, if any, to assume that we can succeed, from some paternalistic concern for a person's moral good, in preserving or increasing a person's moral good by presumptively wrong and nonconsensual interferences.²⁰²

In other words, we may succeed in making sure that Y avoids Z, but there is something inauthentic if Y cannot internalize the value X has imposed upon her. X may prevent Y from doing Z, but Y may still *prefer* to do Z. Y may not understand why refraining from Z is for her own good. Furthermore, Y may not have the value(s) of X, which was one possible justification for being paternalistic toward Y in the first place. This is where paternalism does not fully help Y, but only teaches Y to adhere to a value which Y may not hold, or at least does not give Y the opportunity to express a value that X considers negative. The motivation not to do Z is really from X, and not from Y. However, the goal was to have Y's motives coming from within, rather than coming from without. In other words, why have this value in the first place? What makes this value valuable?

Sher has an interesting response to this. Governments can promote a valuable form of life by non-rationally causing the citizens to acquire a preference for it. "[I]f C's

²⁰² Donald VanDeVeer. *Paternalistic Intervention*. (Princeton, NJ: Princeton University Press, 1986), 147.

[citizen] preference for W [way of life] is not *grounded* in a good reason to adopt W, that preference itself may *provide* C with such a reason.”²⁰³ The initial choice may be nonautonomous, but further choices may be autonomous. He offers an example: students are influenced by teachers, which may make their studying a part of their life’s work. Another example is how children start acting truthfully and fairly to avoid punishment from parents but, as they develop, they continue to act truthfully on their own. Thus, by analogy, justification for PSE is permissible so that the citizens will have a preference for it. As an example of this program, professor of educational policy studies Nancy Kendall reports an abstinence-only-until-marriage sex education in Florida where they focused on physical outcomes (STIs and teenage pregnancies) not as unhealthy or irrational choices, but *immoral* ones.²⁰⁴ Thus, to change these outcomes, the sex education curriculum would include ways to change the adolescents’ values concerning sex outside of marriage. Proponents of PSE state that premarital sex, especially among adolescents, is simply immoral. Thus, any comprehensive program, even if effective, would legitimate immorality. Because of the immorality, adolescents should be told what to think and what to do by being given strong messages about behavior with adequate moral support for what type of behavior is appropriate.

My response is that proponents may argue premarital sex is wrong, but they do not give any reason *why* it is wrong. To determine the immorality of any activity, there must be a justification for it. Simply saying in general that Z is immoral is not sufficient. So the question still remains: why is avoiding Z moral, or alternatively, why is engaging

²⁰³ George Sher. “Government and Good Lives,” in *Social and Political Philosophy: Contemporary Readings*. Edited by George Sher and Baruch A. Brody. (Orlando, FL: Harcourt Brace College Publishers, 1999), 148.

²⁰⁴ Cf. Kendall, 131.

in Z immoral? Kendall suggests that one answer is that sex before marriage is inherently immoral:

Reduction of STI and pregnancy rates is not a reasonable concept to AOUME [abstinence-only-until-marriage education] supporters, because it is the *sex act itself that is immoral*. All sex before marriage is *inherently* dangerous and wrong, and the moral risk can never be reduced. In contrast, all talk of sex after marriage was glowing and full of pleasure; no AOUME program presented any information about the risks of STI transmission or unwanted pregnancy after marriage because such discussion would be ideologically flawed. Since sex within marriage is morally acceptable, *these unwanted health outcomes are not in and of themselves a problem*.²⁰⁵

Hence, if sex before marriage is *inherently* wrong, the paternalist appeals to reasons that are not consequentialist as proponents of PSE thought: simply having the value of abstaining sex before marriage is itself good. These values help one as a *person* rather than focusing on certain actions that one would do. As a thought experiment, suppose that birth control was 100% effective and that STIs were completely eradicated. Still, as Kendall has shown, proponents of PSE would argue that sex before marriage is wrong and that abstinence before marriage is the value to uphold. This argument, then, appeals to traits or qualities that a person *must* have rather than simply having them for better behavior. These values are good for Y as a moral being and it would help one's *character*. This leads me to a greater category, and another form of paternalism: PSE based on virtue ethics.

4. Virtue Ethical Considerations

Suppose we had perfected technology for preventing unwanted pregnancies and STIs, and even devised some test where we could instantly see whether adolescents were

²⁰⁵ Kendall, 132. (My emphasis)

mentally mature, rational agents. Would those who support PSE be satisfied of ridding “thick” paternalism in sex education? If not, the issue of adolescent sexuality ultimately comes down to how proponents of PSE value sex and the possibility of any moral harms. These moral harms, however, would not come down to empirical consequences or through the immature rationality the adolescent. The only possible reason is that premarital sex results some moral taint to a person’s character. This is where virtue ethics can come into play where the focus is improving the person rather than just improving behavior. Put it another way, “we are not trying to make the person’s life go better for her. What we are trying to do is make *her* life morally *better*,”²⁰⁶ or we are trying to make her a better person.

Virtue ethics has gained credence as an alternative ethical theory. The virtue ethicist bases ethics on good character and how to live the good life. Traditionally, the way to do this is by forming habits. How could the proponent of PSE use virtue ethics as a way to justify PSE? There are two possibilities: (a) instilling the character trait of purity, and (b) instilling basic character traits through abstinence. I will investigate each of these justifications.

4.1. Instilling the Character Trait of Purity

Have a particular character trait (namely purity) explains one’s sexual worth. If not, then one’s worth and value as a person diminished. Most of these programs compare a person who has had premarital sex with a used product, such as gum, tape, or a toothbrush, such that one would not want to use the product because a previous person had used it. No one

²⁰⁶ Gerald Dworkin. “Moral Paternalism,” in *Law and Philosophy*, Vol. 24, No. 3 (2005): 319.

wants a chewed up piece of gum, a used piece of tape, or a used toothbrush. By analogy, people who have premarital sex are used, and the next person will be using the used product. Thus, one ought to stay pure so that one is not used—and thus, having value—on their wedding night. There is a lot of appeal to fear and shame in this argument, but let us see if we can genuinely form an argument, which I will extract mainly from the *Choose the Best* series, but could easily be extracted from any PSE curriculum that uses this same analogy.²⁰⁷ Here is the argument that I have extracted:

1. If people are sexually impure, society deems them as morally tainted.
2. One way that people are sexually impure is by having sex before marriage.
3. Therefore, if students have sex before marriage, they are deemed as morally tainted.
4. No one wants to be deemed morally tainted.
5. If no one wants to be deemed morally tainted, then students ought to remain pure (unsexed, unused) before marriage.
6. Therefore, students ought to remain pure (unsexed, unused) before marriage.
7. Remaining pure is a virtuous character trait.
8. PSE is the way for students to know that remaining pure is a virtuous character trait. In other words, without PSE, students do not learn that remaining pure is a virtuous character trait.
9. If students do not learn that remaining pure is a virtuous character trait, then they may not realize that they will be deemed morally tainted if they engage in premarital sex.

²⁰⁷ As an example, here is a sex education curriculum from Utah that presents these analogies: Utah Education Network. “Responsible Sexual Behavior, Teen Pregnancy & STIs.” February 2, 2018. (Accessed August 16, 2018.) <https://www.uen.org/lessonplan/view/28922>.

10. If they may not realize that they will be deemed worthless and valueless if they engage in premarital sex, then PSE is justified in training students to have these character traits (remaining pure).

11. Therefore, PSE is justified in training students to have these character traits.

Let us investigate each premise. Premise 1 is a descriptive claim and it seems true just based on how our society is structured. We can therefore say that it is true. Normatively, however, it is problematic in that calling someone sexually impure is used to irrationally shame people.

How do proponents of PSE argue for premise 2? In a video segment from *Choose the Best*, a person who has had premarital sex is compared to pre-chewed gum, and that no husband would want that wad of gum.²⁰⁸ The teachers then must explain that “Gum that has already been chewed isn’t as appealing as when it is unwrapped and new.” In two counties in Mississippi, a sex education curriculum includes a mock wedding ceremony with a bride, groom, and “guests.” All of the students performed their respective roles. During the wedding, the bride and groom exchange rings. Moreover, the bride presents the groom with a dirty sneaker as a wedding gift, which signifies “a lifestyle of impurity” and that no sock (representing a condom) could ever fully protect the foot from “dirt and diseases.” The groom, on the other hand, gives the bride a clean sneaker, which represents his “purity up until marriage.” The whole ceremony represents

²⁰⁸ In the segment, it is saying that the *husband* would not a wad of gum. No mention about what the wife would want.

the bride as being spoiled and if she does not abstain, then she is “dirty,” “impure,” and not worthy of being a long-term partner.²⁰⁹

This message is so damaging that it can have harmful consequences not just in terms of emotional connections between fear/shame and sex, but also about how to evaluate one’s life if one had premarital sex. As an example, Elizabeth Smart, a woman from Utah who was kidnapped from her home, said she was taught abstinence-only sex education growing up and was taught a person who was not a virgin before marriage was considered worthless. Smart remarks on a teacher who compared women who had sex before marriage to chewing gum:

“I thought, ‘Oh my gosh, I’m that chewed up piece of gum, nobody re-chews a piece of gum. You throw it away.’ And that’s how easy it is to feel like you no longer have worth, you no longer have value. Why would it even be worth screaming out? Why would it even make a difference if you are rescued? Your life still has no value.”²¹⁰

Smart’s comments are telling in that her culture was comparing her with food. However, there is a huge disanalogy between food and a human person. Food is to be chewed up; a human person always has dignity and is never “used up.” Why is it that sex is the way by which someone becomes “used up?” Perhaps one good example of this is losing one’s reputation. However, as mentioned before in section 3.1, losing one’s reputation based on perceived sexuality seems to be the fault of the culture who blames people (especially

²⁰⁹ Sexuality Information and Education Council of the United States (SIECUS). “Sex Education in Mississippi: Why ‘Just Wait’ Just Doesn’t Work.” SIECUS. (Accessed November 17, 2018.) <https://siecus.org/wp-content/uploads/2018/07/Sex-Education-in-Mississippi-Why-Just-Wait-Just-Doesnt-Work.pdf>, 25.

²¹⁰ Aliyah Frumin. “Elizabeth Smart: Abstinence-only Education Can Make Rape Survivors Feel ‘dirty,’ ‘filthy’.” MSNBC. September 13, 2013. (Accessed November 17, 2018.) <http://www.msnbc.com/hardball/elizabeth-smart-abstinence-only-education-ca>.

women) for having sex, not the sex itself. This relates to slut-shaming which I will focus on in chapter three.

To clarify premise 4, the curriculum thereby shifts and starts focusing on character and having various character traits such as honesty, self-control, respect, responsibility, and caring. Not only does abstinence provide relief from unwanted consequences such as pregnancy, STIs, and emotional consequences, but abstinence also “establishes a focus on *character* and compatibility in an atmosphere of trust and respect.”²¹¹ These ideas set up a false dichotomy between those who have good character traits (e.g., honesty, responsible, self-control) with being abstinent and those who have bad character traits (e.g., lacking self-respect, worth, value, lacking responsibility) with being sexually active. In *Sex and Character*, the authors relay a story of a young woman who loses her self-respect because she started having sex without getting married. The consequence of this is when the couple breaks up, she tries to make herself feel better by having sex with other boys. She therefore loses more respect for herself.²¹² We must take into account what the curriculum is saying and what is actually happening. In 2017, 39.5 percent of high school students reported having sexual intercourse.²¹³ Not only is the curriculum being ideological in its abstinence message, but it is damaging to almost more than a third of high school students to say they lack value and worth. I will remark more on this when I get to premise 8.

²¹¹ Cook, 44.

²¹² Cf. Deborah D. Cole, and Maureen Gallagher Duran. *Sex and character*. (Houghton Publishing Company, 1998), 122.

²¹³ Laura Kann, Tim McManus, William A. Harris, Shari L. Shanklin, Katherine H. Flint, Barbara Queen, Richard Lowry, David Chyen, Lisa Wittle, Jemekia Thornton, Connie Lim, Denise Bradford, Yoshimi Yamakawa, Michelle Leon, Nancy Brener, and Kathleen A. Ethier. “Youth Risk Behavior Surveillance — United States, 2017.” Centers for Disease Control and Prevention. June 15, 2018. (Accessed November 17, 2018.)

https://www.cdc.gov/mmwr/volumes/67/ss/ss6708a1.htm?s_cid=ss6708a1_w.

For premise 5, what is the connection between being morally tainted and being abstinent until marriage? The thinking relates to the notion having more sexual partners equates to being more sexually impure. Conversely, having fewer sexual partners equates to not being as sexually impure. However, adding marriage into the equation complicates things. After all, suppose there were two people who were virgins, had sex with each other before marriage, and then later got married. Under PSE's framework, they should technically be safe because they were not "used up." However, the ideology suggests they are indeed still used since they were not married at their first sexual encounter, even if they only had sex with each other and no one else. The ideology of many PSE's curriculum points to marriage as the only worthy goal of engaging in sex, regardless if people had only one sexual partner before marriage and they married each other.

I will be spending more time on Premise 7 because it has a numerous social and cultural implications, perhaps more than what the proponents of PSE had in mind.²¹⁴ These implications leads to purity culture, victim blaming, and STI stigmatization. Purity culture is the idea that people—particularly adolescents and women—ought to refrain from sex. Otherwise, they have been tainted. The concept and discourse are structured in a way where adolescents must refrain from sex and it is a shameful act if they do otherwise, which can cause shame and guilt to those who engage in sex, even if they are married. Women experience more guilt than men, possibly because women may feel that there is something wrong losing their virginity, or had exceptionally high expectations for her first sexual encounter which, when those expectations were not met, resulted in

²¹⁴ The notion of purity may be derived from the Roman Catholic virtue of chastity, which may have derived from Aristotle's virtue of temperance. I will not go into the history or the nuances of the differences between temperance, chastity, or purity. Briefly, I will say that remaining abstinent is the behavioral portion of remaining chaste. Chastity is a sexual subset of temperance.

feelings of failure, thus leading to guilt.²¹⁵ Proponents of PSE argue that because of the guilt, adolescents—particularly women—ought to remain abstinent until marriage. The problem, however, is not necessarily the activity of adolescents having sex; rather, it is the culture and the systemic pressure for keeping adolescents away from having sex.

Suppose a proponent of PSE accepts the view that having sexual feelings is a normal process in life and that sexuality is a positive thing, but that one ought to express them in a pure way (i.e., being married). Adolescents, however, have sexual feelings and may want to express their sexual feelings through sexual activities. What is the way out of this conflict? One solution is to lower the legal marrying age.²¹⁶ This, however, is not a viable option. Virtually everyone in the sex education debate would be against it. Moreover, if people are younger when they are married, the many people worry they are not competent to understand the full ramifications of relationships or sexuality.

It seems, then, there is only one option left: change the discourse about adolescent sexual feelings and behavior. The proper education is to let adolescents know that having these feelings is a natural part of life and that it is normal to have these feelings. Expressing these feelings to someone is normal and having sexual experiences before marriage is also an activity that many people do. Notice the teacher is not promoting sex before marriage, but simply acknowledges having these sexual feelings is something many people have over the course of their lives and different people have different values on whether to express those feelings or not. To change the discourse revolving around purity culture means to help the adolescents make their own choices regarding sexuality.

²¹⁵ Sprecher, et. al., 12.

²¹⁶ The legal marrying age in the USA is 18. With parental consent, it ranges from 12-16 depending on the state. However, some states allow marriage if the woman becomes pregnant regardless of the parents' consent.

One should not decide to have sex based on what some authoritative figure has said. Rather, one must make one's own choices and decide because one is willing, ready, and fully consents to the act. Of course, to do this properly, adolescents must have a right to the information they need such as accurate information regarding sexual health, birth control, healthy relationship development, and sexual preparedness.

This is not to say the paternalist is incorrect that engaging in sex could cause depression or feelings of shame and guilt, but one needs to see what the source of the problem causing depression, shame, and guilt due to sex is rather than stating the symptoms of the problem. It is a truism that people ought not to engage in any kind of sexual activity if they are not emotionally ready, but this is far different than saying *no* adolescents are emotionally ready. If proponents of PSE simply want to teach young students to simply say “no” to all forms of sexual behavior until marriage, students still need information about *when* they are ready and how to tell when they are ready. Saying marriage is the point when they are ready may not match their emotions or values.²¹⁷

Furthermore, PSE does not help prepare students about what to do when they do not say “no.” There is more to sex education than saying “no” until marriage. Students must, at least have the knowledge of sexual mechanics including protection and prevention, have an awareness of healthy relationships whereby there is mutual pleasure, and have the recognition of the social and cultural assumptions of relationships and sexuality so as to be more reflective in participating in various relationships. If saying “no” until marriage is the goal to lead a good sexual life with good relationships, then adolescents will not be prepared for their sexual lives or their intimate relationships. If

²¹⁷ Anecdotally, the author has known some people who married for the purpose of having sex. Their marriage did not last long.

young people just “wing it” when it comes to sexuality and relationships, there will be many who will miss the target of ethical sexual behavior, engaged sexual subjectivity, and enhanced intimate relationships. A comprehensive sex education may guide them in an ethical direction.

As an example, in *Theology of the Body for Students*, the authors present a way to live modestly, but the advice feeds into purity culture. In the text, the authors state that if women are tired of being treated like sex objects, then they should dress, dance, and speak like ladies. Men would very likely want to satisfy their sexual desires than do what is best for women (respect them). To mitigate this, women ought to dress modestly (do not wear clothes that are too tight or too short). The only advice for men is to not talk trashy.²¹⁸ This advice sets up different standards for men and women to the point where it encourages and reinforces traditional sexual norms and gender inequalities. If people do not follow these gender and sexual scripts, then they are to be blamed. All of this can lead to victim blaming, which is focusing on and blaming the victim for breaking the gender or sexual norms. If a woman, for example, wears short or tight clothing, then she is not dressed modestly. Indeed, she may be dressed in a sexual way where she purportedly is “asking for it,” meaning to be sexually pursued. Any sexual assault that follows from this is not the fault of the man since he saw the clothing as a sign that she was sexually available. In *Sex and Character*, the authors give advice on how to avoid acquaintance rape. The advice toward young men seem good (e.g., do not get into the mindset in which sex is the expected goal in a date; the way the date is dressed is not an invitation; and being aware of one’s emotions before they get out of hand). But the advice toward young women are much longer. One such example is to “avoid actions that are sexually

²¹⁸ Evert and Butler, 175.

stimulating” such as how one is dressing or even *acting*. One ought to “dress with respect” so as to not intentionally “arouse your date” because “Men are more likely to assume that friendliness implies sexual attraction.”²¹⁹

This leads to the second entailment: focusing on the victim for any sexual discretions perpetuates victim blaming. The discourse has the presumption that the victim (usually female) is going to be the passive participant in the exploitation and that the perpetrator (usually male) is the assumed norm.²²⁰ If males are seen as “naturally” aggressive toward women, this limits the scope of movement that the female could do, and classifies them as victims. However, the onus is now on the potential *victim* to try and be careful, which, thereby, pushes the perpetrator out of the picture and brings the potential victim into focus. Fear of being a victim prompts women to protect their bodies by restricting the scope of movement, and this is a posture of submission. They can become hyper aware of their surroundings, which can cause anxiety. Internalizing this submission can teach women to have this mentality, which limits one’s autonomy. These prevention strategies actually restrict choice formation: choices such as where to go, when to go, whom to go with and in general how to move about in the world are limited by the threat of violence. Cahill notes that in a patriarchal society, a woman’s mobility is limited:

²¹⁹ Cole and Gallahar Duran, 63-64.

²²⁰ See Talcott Parson and Robert F. Bales. *Family, Socialization and the Interaction Process*. (Glencoe, IL: Free Press, 1955). This discourse is based on a sociological theory called structural-functionalism, or systems theory, which states that society is organized into parts (or structures), each of which had a special function to fulfill. When each was performing smoothly, the system would run smoothly. With regard to families, men were supposed to be wage earners and women were supposed to be caretakers. Society and families function best when each person knew his or her role and stuck with it. Regarding sexuality, the man’s role is “naturally” to be the aggressor and the woman’s role is “naturally” be submissive. Cf. Denise Donnelly, Elisabeth O. Burgess, and Wendy Simonds. “Sexuality and Social Theorizing,” in *Sex Matters: The Sexuality & Society Reader* ed. by Mindy Stompler, Dawn M. Baunach, Wendy Simonds, Elroi J. Windsor, and Elisabeth O. Burgess, Fourth Edition. (NY: W. W. Norton & Company, Inc., 2014), 90.

Within the invisible wall she throws up around her, a woman may consider her space safe; in this space, she has increased control over her body. To go beyond that space is to enter an arena where her body is in danger of being violated. This limited, individual safety zone which determines the smallness of a women's step, the gathering in of her sitting body, and the daintiness of her gestures mirrors in fact the larger hampering of her mobility. For a woman, the travellable [sic] world is a small place. Entire portions of each 24-hour are deemed unsafe, and unless accompanied by a man (or, alternatively, many women), these hours should be spent in the safety of one's home. Geographical areas which may be completely accessible to men are, for women, sites of possible (or likely) harassment, molestation, or rape.²²¹

A woman may want to go somewhere, or simply move about around her neighborhood, but the threat of exploitation restricts her from making that choice. It is not as if all men are rapists, but rather all women are potential rape victims,²²² as if violence against women was the expected norm.

Focusing on women as a potential sexual victim perpetuates the status quo that victims need to be on the lookout for potential sexual exploiters. However, we do not do this for any other crime. Many women cannot walk on the streets by themselves, especially at night, for fear of being attacked or harmed. Most men do not have this experience. Women have to carry pepper spray, mace, or are taught to carry their keys a certain way just in case they do get attacked. Men typically do not need to do this. Women usually take extra precautions because of the threat of an imminent attack or harm. Men, on the other hand, do not need to take these extra precautions because it is significantly less likely they will be attacked or harmed by women. If men do get attacked, it is most often because someone was provoked and not simply because of his gender whereas women frequently get attacked simply because of her gender. The genders are therefore being educated differently.

²²¹ Ann J. Cahill "Foucault, rape, and the construction of the feminine body." *Hypatia* 15, no. 1(2000): 54-55.

²²² Cf. *Ibid.*, 56.

Under PSE, the education does not question this gender dynamic. Because this has been the norm for a long time, the institution of these gender roles is unquestioned and the gender roles are therefore thought of as natural. Indeed, it seems odd every time people go out, they would have to prepare themselves to potentially meet someone who could harm them. To tell them they should have extra precautions and be ready for people who could possibly harm them shifts the burden onto them rather than onto the problem. If they somehow get, for example, robbed while shopping, the patrons could blame them for not being fully prepared to act against potential exploiters. Yet women are blamed for not preparing to defend themselves, or dressing provocatively causing speculation about whether they “asked for it.” By ensuring that women are part of the problem, the focus is still on them²²³ because women “should know better.” PSE’s motivation to protect Y (which, in this context, are usually women) is indirectly a way to keep women in their place which can cause further exploitation. Thus, PSE’s motivation to protect Y from exploitation could implicitly *encourage* exploitation since the focus is not on exploitation as a whole, but only on the exploited. As Temple-Smith et. al. put it, “[f]ocusing on the male as predator (seeking only pleasure) and female as victim (seeking romance and intimacy) perpetuates gender inequalities and traditional sexual scripts.”²²⁴ Likewise, a society where women are blamed for not preparing themselves and then told it is their fault for being attacked is one which embraces victim blaming.

Finally, premise 7 encourages STI stigmatization. The information in most PSE curricula is usually presented as the worst case scenario of contracting an STI, but which easily be treated if caught early enough and tested regularly. In *Worth the Wait*

²²³ This is not to say that one should therefore not be cautious in a bad neighborhood, or just to be safe in general. The problem is how the different genders are treated after an attack.

²²⁴ Temple-Smith, *et. al.*, 143.

curriculum, the lesson points out that people who have an STI do not know it and can still infect their partners. They then conclude that the best choice is for teens not to have sex.²²⁵ Never in these options is there an opportunity to show how to get rid of most STIs. From Mississippi, they have rapper Carlos “Los-1” Ramirez who uses hip hop to appeal to young students. Each lesson has a song in which the students answer questions about the song. However, the lyrics are based on inaccurate information and shame-based techniques. For example, the song, “Be Easy,” contains the lyrics: “Little Johnny’s smart so he wraps it up/ Saw the commercial on tv [sic] and he wised up/Put his life in the hands of a condom/ Hit that thing and now he has Syphilis.”²²⁶ One lyric mentions to look up cdc.gov, but the CDC actually reports that “[c]onsistent and correct use of latex condoms reduces the risk of genital herpes, syphilis, and chancroid only when the infected area or site of potential exposure is protected.”²²⁷

Again, many curricula use food analogies to make their point. In a curriculum in Mississippi, there is a cookie exercise teachers use to show students how STIs are easily transmitted. Five volunteers go to the front of the classroom and are each handed a cup of water. Four of the five are given an Oreo cookie. The four who have the cookie are instructed to bite off a piece, chew it without swallowing, and then spit up the cookie bits into the cup of water. They then swap cups with the other volunteers and are asked to drink the water. The chewed-up cookie in the water represents “sexual activity” while the

²²⁵ Scott & White Sex Education Program. *Worth the Wait*. (Temple, Texas: Worth the Wait, Inc., 2001), Lesson 4.8.

²²⁶ Sexuality Information and Education Council of the United States. "SIECUS State Profile: Florida." SIECUS. (Accessed November 17, 2018.) <https://siecus.org/wp-content/uploads/2015/03/FLORIDA08.pdf>

²²⁷ Centers for Disease Control and Prevention. “Condom Effectiveness.” Centers for Disease Control and Prevention. March 25, 2013. (Accessed November 17, 2018.) <https://www.cdc.gov/condomeffectiveness/latex.html>.

fifth volunteer with the clean cup of water “represents purity.”²²⁸ The class then chooses which cup they prefer. Not only does this teach how STIs could be transmitted, but it also teaches that those who have sex and have sex with multiple partners are seen as dirty. Furthermore, those who contract an STI are stigmatized as “dirty” whereas those who do not have sex and are STI free are seen as “pure” and “clean.” If people contracted an STI, they are no longer pure, but “dirty” and since abstaining is the only way to not contract an STI, they must have deserved to contract the STI since they did not abstain. In *Sex and Character*, the authors state that guilt, embarrassment, worry, and shame can come about due to contracting an STI. They ask whether you would want all of your friends to know about an STI you have contracted, and that contracting an STI could result in guilt because they see themselves as dirty and unclean. The guilt can result into shame that came from contracting an STI.²²⁹

There is no information on how to prevent, test for, or treat STIs.²³⁰ While having an STI can be serious and life-threatening, most STI’s can be treated with antibiotics and antivirals and cured if caught early. Yet, our society demonizes those who have these infections. If someone had a flu and spread it (usually unknowingly and without malice), we may blame that person, but that person is more or less forgivable. The person *herself* is still judged independently of the infection. When it comes to someone having an STI and that person spread it (unknowingly and without malice), we demonize that person to the point where that person *herself* is judged *because* of the STI. The same is true with

²²⁸ Anette Nibe. “No Hanky Panky! Sexual Abstinence: The No. 1 Solution to America's Teen Pregnancies.” *American Studies in Scandinavia* 38, no. 2 (2006): 3-21.

²²⁹ Cole and Gallahar Duran, 88.

²³⁰ Cf. SIECUS. “Sex Education in Mississippi: Why ‘Just Wait’ Just Doesn’t Work.” 20-21.

the person who contracted the infection. Contracting an STI evolved from a health issue to a moral issue, where the person is seen as having a sick moral defect.

Instead, we should—as Ella Dawson has titled her TEDTalk—see STIs not as a consequence, but as inevitable, which just happens to be the title of her TEDTalk.

Dawson contracted herpes in May 2013 and she discovered that two out of three people in the world have the strain of herpes that she does. Rather than stigmatizing the infection, she embraced it, has made this a part of her life, and refuses to be ashamed of it. She writes and speaks on STIs and proclaims that the stigmatization is not part of her ideal world:

in the world that I want, and in the world that I'm hoping all of you help me build, telling someone that you have an STI should not be brave or shocking. It should be normal, and kind of boring. Because I do not care how you got herpes. I don't care if you got it because you had a ton of fun your freshman year of college—more power to you. I don't care if you got herpes because your aunt who always had cold sores kissed you on the mouth when you were a little kid (which is actually how a lot of herpes is spread, it's in family moments like that). And I really don't care if you lost your virginity to a woman who lived a life before she met you. Because an STI, especially herpes, is *not a reflection of your character or a consequence of a bad decision*. It is an inevitability of being a human being on this planet who comes into skin contact with other human beings. Period, end of discussion.²³¹

Dawson's remarks normalize STI discussions. Doing so will lessen the stigma and help people discuss their status as a regular health feature. Without the stigma, people will have a better understanding of their partners' situation and have better care to take care of themselves and others without a sense of demonizing or demoralizing themselves and others.

STI status has transformed—and I would say relegated—from a health issue and a moral one which explain why many people regard STI status as riskier and judged more

²³¹ Ella Dawson. "STIs Aren't a Consequence. They're Inevitable." YouTube. May 11, 2016. (Accessed November 17, 2018.) <https://www.youtube.com/watch?v=YcII-hclrLI>, my emphasis.

harshly than other diseases that are transmitted non-sexually. A study by Conley and her team gave vignettes to a large number of participants. The vignettes gave examples of someone transmitting a disease sexually to a partner. The disease could be “mild” (the example was chlamydia) or “serious” (the example was H1N1, otherwise known as swine flu). Each participant read the vignette and they had to say what they thought about the person transmitting the disease and rate transmitter on how risky and selfish each participant was, as well as how dirty, dumb, bad, and immoral their behavior was. The results showed that the participants who read the vignette about someone transmitting chlamydia was judged more harshly than participants who read about H1N1.²³²

4.2. Instilling Basic Character Traits Through Abstinence.

Besides instilling the virtue of purity, there are other virtues which are worthy such as self-discipline, respecting others, care, and courage. Abstinence is a way to develop these virtues. Therefore, abstinence-education ought to be promoted so that people will have these basic character traits. This line of reasoning comes from developmental psychologist Thomas Lickona.²³³ He argues that if teens become sexually active, they may begin to ignore other aspects of their lives. To clarify, he argues instead of devoting their time to sex, teens should make friends, join sports teams or service clubs, develop their hobbies and talents, and take civic responsibilities. If they ignore other aspects of their lives, they will stunt their personal development. In other words, they may miss out

²³² See Terri D. Conley, Amy C. Moors, Jes L. Matsick, and Ali Ziegler. “Sexuality-Related Risks are Judged more Harshly than Comparable Health Risks.” *International Journal of Sexual Health* 27, no. 4 (2015): 508-521.

²³³ Everything in this subsection is in Thomas Lickona. “Talk to Kids about Sex, Love, and Character.” In *Character Matters: How to Help Our Children Develop Good Judgment, Integrity, and Other Essential Virtues*, 83-108. New York, NY: Touchstone, 2004. (Accessed November 17, 2018.) <https://www.catholiceducation.org/en/marriage-and-family/sexuality/talk-to-kids-about-sex-love-and-character.html>.

on experiences important for personal development which may cause them to never develop their potential. People's individuality may be thwarted. Therefore, Lickona concludes, if teens become sexually active, they will stunt their personal growth. To prevent a stunt in their personal growth, teens need to remain abstinent: "[w]aiting until marriage to have sex is an excellent way to develop self-discipline, respect for others, caring, courage, and other important qualities of character." Since PSE is the program that teaches to remain abstinent, PSE needs to be implemented to prevent a stunt in adolescents' personal growth.

The quote given above is the striking feature of this argument. Not that there is anything wrong with remaining abstinent in itself, but it seems odd that abstinence itself develops any of those virtues. Indeed, it seems that one could be sexually active and have those virtues. Conversely, it also seems true that one could be abstinent and not have those virtues. Unfortunately, Lickona does not explain further what he means. To be generous, he could mean that being abstinent may help develop those character traits over time. But again, there is no necessary connection between remaining abstinent and developing the virtues that Lickona describes. It seems that the moral harm, then, is the devaluing of marriage by allowing sex outside of marriage. But again, he needs to argue for this position.

Conclusion

I have looked at paternalism applied to sex education and found them wanting. Proponents of paternalism (the theory itself, not applied to sex education) justify intervention when:

1. the subject is prevented serious harm and
2. the subject is unaware of the relevant circumstances (because the subject lacks relevant information), OR
if the choices were not substantially voluntary (because the subject was coerced or heavily pressured, or because the decision-making skills were diminished).

In all of these reasons, I have argued against paternalism when applied to sex education because the subject can—and *needs*—to be informed about sexuality and the decision-making skills need to be honed and crafted. The discourse surrounding PSE gives rise to unjustified reasons for instilling a stifling morality of shame and guilt into adolescents, which unjustly endorses heteronormativity, purity culture, and gender norms. Moreover, we need to have a transformation of our social perceptions to see young people as sexual agents and that their sexual activity is a normal part of growing up, which brings with it responsibilities to them and to others. An education must also be aware of this. Without it, young people cannot make an informed decision about sexual activities. In the next chapter, I will investigate another model—the liberal-consequentialist model—and argue that it has better features than the paternalistic model of sex education.

Chapter Three: The Liberal-Consequentialist Model

With the paternalistic sex education²³⁴ model rejected, I will now focus on models that are more centered on the individual. This chapter will focus on what I call the “liberal-consequentialist” model. As the name suggests, it is liberal (as opposed to paternalistic) in that the focus of the action is based on the agent’s choice rather than someone else making the choice for that agent. Moreover, liberality denotes the idea that the agent makes the choice because the choice reflects the agent’s desires, needs, and values. The model is also consequentialist in that actions are considered good if and only if there are overall good consequences from that action. Of course, we may need to further define “good” to see exactly what “good” consequences could come about. For our purposes, we can say “good” is characterized benefiting or promoting well-being, or at least does not lower well-being, for those who are affected from an action. Liberal-consequentialism does not necessarily equate utilitarianism, but is compatible with it.

Combining liberalism and consequentialism entails that the best society is where the people are educated to independently choose good actions which produce good overall consequences for everyone affected from an action. Since these choices reflect the desires, needs, and values of people, the education does not intend to change the desires, needs, and values of people, but that their choices may need to be trained or focused so that the actions would produce the best overall consequences. They cannot just simply get the knowledge once they reach adulthood, nor should they wait until they are adults. For

²³⁴ Specifically, this was “thick” paternalism that I rejected, not “thin” paternalism. I went into detail of these differences in Chapter 1, Section 1.

example, many times we learn as children that certain actions are wrong because it does not produce the best overall consequences for everyone involved.

In terms of sex education, the liberal-consequentialist model focuses on a comprehensive program where abstinence is a positive choice, but this model also focuses on ways to prevent negative consequences *when* one engages in sexual activity as adolescents need to learn how to protect themselves from abuse, to have proper sexual relations, and to be sexually healthy including how to take preventative measures such as using birth control and avoiding risky behavior. Because the model is liberal, the shift is focused more on people's choices—as opposed to an authoritative figure imposed choices—where one obtains information through all avenues, yet it is up to people to make their own choice based on personal preferences, stances towards pleasure and desires, readiness, engagement in the type of relationships one wants, and values. And yet, the choices should still produce overall good consequences for everyone involved.

Because of these liberal features, I will argue that the liberal-consequentialist model is a better model than the paternalistic model since the liberal-consequentialist model is more permissive than the paternalistic model. However, while the latter has a false understanding behind the purpose of sex education, the focus of the former is misguided. In section 1, I will begin with the foundation of liberal-consequentialism, which mainly comes from the work of John Stuart Mill's *On Liberty*. Other philosophers could have been used, but I use Mill because I consider him a paradigmatic figure representing liberal-consequentialism and he represents a classic representation of both liberalism and consequentialism. However, I do not fully embrace his philosophy in this chapter. I am using his ideas to show what various reasons there are to justify liberal-

consequentialism. In other words, section 1 is a foundational explanation of liberal-consequentialism using Mill, but liberal-consequentialism is not necessarily the Millian type. In section 2 I will apply liberal-consequentialism to sex education and the justifications for this application from a liberal-consequentialist framework. I will also introduce various sex education curricula offered in the United States which take on a liberal-consequentialist model from states with the least negative consequences (e.g. unwanted pregnancies and STIs): New Hampshire, Vermont, Minnesota, Massachusetts, Maine, and Utah.²³⁵ They may have something in common to avoid negative consequences.

Considering the main debate is between PSE and liberal-consequentialist sex education (hereafter LCSE), the paternalist could offer some flaws to LCSE. In section 3, I will show how the liberal-consequentialist could respond to these counterclaims to strengthen LCSE and thereby dispel the potential clout of the paternalist. However, since LCSE does have many commonalities with PSE, which I will demonstrate in section 4, LCSE must also be abandoned because the latter follows the same rubric and pattern as the former such as ignoring internal aspects of people's sexuality, and keeping the heteronormative structures in place. Furthermore, I recommend abandoning LCSE due to additional assumptions and flaws within the model itself, which I will show in section 5. In the end, I argue in section 6 that although LCSE is better than PSE, neither model is appropriate for a holistic adolescent sex education program.

²³⁵ Kathryn Kost, Isaac Maddow-Zimet, and Alex Arpaia. "Pregnancies, Births and Abortions Among Adolescents and Young Women in the United States, 2013: National and State Trends by Age, Race and Ethnicity." Guttmacher Institute. September 07, 2017. (Accessed November 18, 2018.) <https://www.guttmacher.org/report/us-adolescent-pregnancy-trends-2013>.

1. Overview of Liberal-Consequentialism

Descriptively, liberalism is the idea that people choose what sort of life they want based on their desire, needs, values, goals, and preferences. The main foundation behind liberalism is autonomy, which shapes what people are to become based on their autonomous decisions. Hence, the formation of the individual's ability to make choices has primary importance rather than focusing on how the individual should act based on some ideology. Moreover, the education and formation of the individual is primary rather than focusing on how an individual is subsumed to a social collective. Normatively, liberalism is the idea that people ought to lead their lives based on their values as long as they, at minimum, respect other people's rights to lead their lives according to their values.

Consequentialism is the idea that one ought to produce actions that produce the best overall consequences. In other words, consequentialism holds that the consequences of an action carry the moral weight to create outcomes such as happiness, freedom, preferences, or needs. Thus, we ought to pay attention to what sort of consequences would happen based on what sort of actions we do, with an ultimate goal of producing positive consequences; conversely, we ought to avoid negative consequences.

The best representative promoting liberal-consequentialism is John Stuart Mill's *On Liberty*. I will focus on five aspects of Mill's and how they can be used as modes of a liberal-consequentialist sex education program.

1.1. Freedom to Live Our Lives However We Wish as Long as Our Actions are Self-Regarding.

For Mill, the only justification for interfering with liberty, whether individually or collectively, is self-protection. Otherwise, we are free to live our own lives based on our own plan to do what we want. Moreover, Mill outlines justification for collective interference with an individual's actions:

That the only purpose for which power can be rightfully exercised over any member of a civilized community, against his will, is to prevent harm to others. His own good, either physical or moral, is not a sufficient warrant. He cannot rightfully be compelled to do or forbear because it will be better for him to do so, because it will make him happier, because, in the opinions of others, to do so would be wise, or even right. These are good reasons for remonstrating with him, or reasoning with him, or persuading him, or entreating him, but not for compelling him, or visiting him with any evil, in case he do otherwise.²³⁶

For Mill, the only justification to interfere with people's liberty is for self-protection. Otherwise, we can *choose* what sort of life plan we want to pursue based on our personal values and ideals rather than on some authoritative figure as long as we are not harming others. Nevertheless, we can still influence others to have certain values, though we cannot *force* them to internalize those values because: "in each person's own concerns, his individual spontaneity is entitled to free exercise. Considerations to aid his judgment, exhortations to strengthen his will, may be offered to him, even obtruded on him, by others; but he, himself, is the final judge."²³⁷ Even if someone's life plan could be deemed to not have much worth in other people's eyes, we can try our best to educate and reason with that person, but we cannot compel, coerce, or force that person to get rid of that life plan. Mill writes: "If he displeases us, we may express our distaste, and we may

²³⁶ John Stuart Mill. "On Liberty." Edited by John Gray. In *On Liberty and Other Essays* by John Stuart Mill. (NY: Oxford University Press, 1998), 14.

²³⁷ Mill, *On Liberty*, 85.

stand aloof from a person as well as from a thing that displeases us; but we shall not therefore feel called on to make his life uncomfortable.”²³⁸ This Harm Principle, or Liberty Principle amounts to the idea that self-regarding actions, meaning actions that concerned with only the individual or group of people, are free from interference.²³⁹ However, society may interfere with other-regarding actions. Because individuals are primary in dictating their own life, the individual is the basic unit of society.²⁴⁰ This leads me to my second aspect.

1.2. Individuals are Prior to Society in Liberalism.

Since the individual is the basic unit of society—and not the family nor society itself as the paternalistic model has it—each autonomous individual should be as free as possible so that they can make choices that pertain to their own values and make decisions in accordance with those values within the limits of Harm Principle. These individuals define who they are by making decisions about how they want to live their lives, no matter how eccentric, as long as the action is self-regarding. Mill writes: “[t]he only part

²³⁸ Mill, *On Liberty*, 88.

²³⁹ In terms of self-regarding actions, Mill argues that there are three necessary conditions for a society to have liberty. These are: (1) liberty of thought and opinion, (2) liberty of tastes and pursuits (the freedom to plan out your own life), and (3) liberty to join other like-minded individuals for a common purpose that does not hurt anyone. With these three necessary conditions, to have liberty means that people are free to have an inward domain of thoughts, feelings, conscience, opinions that cannot be touched by the law. People are free to think on what they like, what to read, what to reflect on and wonder about. Moreover as long as people do not harm others, then they are free to do whatever they like, even if others believe it is foolish, perverse, or wrong. For the third condition, people can join with others to assemble for a common purpose, even if others find the purpose having low worth.

²⁴⁰ It must be noted that even though Mill regards the individual in high importance, he does so based on utilitarian grounds. Since utilitarianism prioritizes the good over the right, and that the many should have more moral weight than the individual, how can Mill maintain both utilitarianism and that the individual is sovereign? The issue is raised in the next section (1.2.): how can one consistently hold onto both ideas of individuals as prior to society and a social theory of utilitarianism? While this is an interesting question, it is beyond the scope of this dissertation. For a discussion on the issue, see David Brink. “Mill’s Moral and Political Philosophy.” *Stanford Encyclopedia of Philosophy*. August 21, 2018. (Accessed November 18, 2018.) <https://plato.stanford.edu/entries/mill-moral-political/#UtiRigLib>.

of the conduct of any one, for which he is amenable to society, is that which concerns others. In the part which merely concerns himself, his independence is, of right, *absolute*. Over himself, over his own body and mind, *the individual is sovereign*.”²⁴¹ Each of us is entitled to govern the domains of our own minds and bodies, free from coercive intrusion. We are entitled to determine what takes place in our minds, what happens to and in our bodies, and how to use our minds and bodies for own benefit. Indeed, de Marneffe expounds further, “We are entitled to determine what to put into our bodies and how to use our bodies for health, work, and pleasure, to determine what to eat, how to exercise, how to care for personal hygiene, what positions to sleep in, what sexual acts to consent to, and whether to have sex at all.”²⁴²

Because the individual is sovereign, the best person who knows what interests I have is me. Even if I am mistaken about this, it is more preferable for me to live out my life rather than someone else forcing me to have a different good life. Since the Harm Principle applies to all individuals, everyone ought to have the liberty of tastes and pursuits so they can plan and frame their life that suits them. Mill writes: “The only freedom which deserves the name, is that of pursuing our own good in our own way, so long as we do not attempt to deprive others of theirs, or impede their efforts to obtain it. Each is the proper guardian of his own health, whether bodily, or mental and spiritual.”²⁴³ Everyone lives out their lives how they see fit would benefit society since we would all learn from each other different ways of living and gaining happiness, and also people will

²⁴¹ Mill, *On Liberty*, 14. My emphasis.

²⁴² Peter De Marneffe. “Self-Sovereignty and Paternalism.” In *Paternalism: Theory and Practice*. Ed. by Christian Coons and Michael Veber. (NY: Cambridge University Press, 2013), 56.

²⁴³ Mill, *On Liberty*, 17.

be happier living how they want to live instead of a constructed external plan given to them from the outside.

Moreover, as long we do not harm anyone else, we should live our lives based on our needs and desires: “[I]f [the individual] refrains from molesting others in what concerns them, and merely acts according to his own inclination and judgment in things which concern himself, the same reasons which show that opinion should be free, prove also that he should be allowed, without molestation, to carry his opinions into practice at his own cost.”²⁴⁴ Harm to others, though, does not mean merely offending another. For example, if I live a certain lifestyle or if I am doing a certain activity which I enjoy and you are offended by that, that does not constitute as harm. And yet, it does not mean you have to approve of it either. You can educate me if you want. However, your disgust at what others do is not justification to force them to behave differently. You may judge me, or think of me as a fool or perverse, and perhaps even warn me on what my actions are doing regarding myself. You can exercise your opinion that you do not approve of such behavior. You are entitled to be disgusted. Still you cannot prevent me from living my lifestyle.

For offensive behavior, social pressure is permitted but only persuasion is permitted in matters of taste. We have the right to tell people to avoid others, we have the right to avoid such places. We can say various people are mean, ill-natured, anti-social, insincere, annoying, prideful, selfish, egotistical, having a bad moral character; however, we do not have the right to stop their actions regarding themselves. More than that, we cannot even treat that person as an enemy of society. We cannot make that person suffer. I live my own life, and each individual lives their own life. The reason we live our

²⁴⁴ Mill, *On Liberty*, 62-63.

own lives in our own particular way is because each of us value certain activities that help each of us flourish and achieve well-being. Otherwise, I am conforming to society's standards. This leads me to the third aspect.

1.3. Forming genuine opinions rather than “following the crowd.”

Another condition of liberal-consequentialism is cultivating self-development, an ideal of what one could be. Mill mentions that we live based on our own choices as the key to self-development instead of passively living, or because certain actions and behaviors are what is expected of us:

though the customs be both good as customs, and suitable to him, yet to conform to custom, merely *as* custom, does not educate or develop in him any of the qualities which are the distinctive endowment of a human being. The human faculties of perception, judgment, discriminative feeling, mental activity, and even moral preferences, are exercised only in making a choice. *He who does anything because it is the custom, makes no choice.* He gains no practice either in discerning or in desiring what is best. The mental and moral, like the muscular powers, are improved only by being used. The faculties are called into no exercise by doing a thing merely because others do it, no more than by believing a thing only because others believe it.²⁴⁵

In a way, custom has been social censorship. Society can also tyrannize without using political means as the power of *public opinion* can be more stifling to individuality and dissent than any law could be. Although it does not occur to people to have any inclination except for what is customary or traditional, doing something just because it is tradition or custom is not really making a choice. The tyranny of custom has captured individuality such that one may *believe* that one is doing an activity he or she likes. However, one may simply do it in order to fit in since people are subject to the standards and customs of society which pressure them to conform. Rather than blindly follow the

²⁴⁵ Mill, *On Liberty*, 65. My emphasis.

customs of the majority, without any inclination to consider and experiment with alternatives, people should desire to make up their own mind and choose for themselves, at least when harm to others is not involved. Reason is not strengthened if people do not *use* their reason.

Mill contends that the Harm Principle and expression of individual's well-being is based on utility: "I regard utility as the ultimate appeal on all ethical questions; but it must be utility in the largest sense, grounded on the permanent interests of man as a progressive being."²⁴⁶ Thus, it is essential for different people to lead different lives because of social utility. Free expression of individuality is not just for the individual's happiness but for *everyone's* happiness by helping each person gain self-development, which will bring forth greater utility. By creating individuality, people will form their own opinions through reason instead of following the crowd. By choosing a life-plan, people would be using their own faculties. The escape from tyranny by forming one's own opinions needs to be paramount in order to have a flourishing life. If more utility is created by encouraging "expressions of living" and creative individuality, then there is a social obligation to create individuality. This leads me to the fourth aspect.

1.4. Expression of Individuality Improves Well-Being.

In chapter three of *On Liberty*, Mill discusses individuality specifically by discussing how individuals' well-being would be improved—and, vicariously, society's well-being—if everyone lived unique lives: "[a]s it is useful that while mankind are imperfect there should be different opinions, so is it that there should be *different experiments of*

²⁴⁶ Mill, *On Liberty*, 15.

living; that free scope should be given to varieties of character, short of injury to others”²⁴⁷ Therefore, full expressions of individuality means all members of the community should be allowed to develop their individuality to the fullest without interference in whatever they do, no matter how eccentric, unless it violates the harm principle. If I do an activity and it does not concern other people, then my individuality should assert itself. Furthermore, choosing your life-plan means people are using their own faculties rather than someone from the outside implanting those values in them. Anything that happens in the private realm of people’s lives is their own private business and the government is overstepping its bounds when they encroach on the private affairs of people’s lives. Thus, we are never legitimized to interfere in the private sphere of others so long as people are not harming others.

Furthermore, different people require different conditions for growth rather than a universal value meant for everyone. There is no single best pattern for how to live life. If people are sufficiently developed, then their choices on how to live their life are best precisely because their choices are in accordance with their own unique tastes, pursuits, goals, and values rather than being dictated by custom. Additionally, people require different atmospheres in order to develop and reach their potentials and a healthy society must make it possible for people to follow more than one pattern. Diversity is better than forced uniformity. We simply have a negative obligation not to interfere.

These five aspects from Mill will provide the foundation for liberal-consequentialism. The next step is to apply this to sex education.

²⁴⁷ Mill, *On Liberty*, 63. My emphasis.

2. Applying Liberal-Consequentialism to Sex Education

As a way to sum up liberal-consequentialism applied to sex education, Jan Steutel writes:

John Stuart Mill argued convincingly that having the freedom to lead our life in accordance with our own beliefs about what is valuable in life, serves our own well-being. This view, I think, holds true for our sexual life in particular. Regarding the sexual domain, we ourselves know best what our preferences, aspirations, values and ideals are, perhaps even better than with respect to other spheres of life. Because of this, we are in the best position to determine whether or not particular sexual contacts will promote our own good. Consequently, the general practice of reciprocal respect for each other's right of sexual self-determination, tends to be in the interest of all those concerned.²⁴⁸

So how does liberal-consequentialism apply toward sex education? There are four features of LCSE program that I see. I will outline them briefly in the following sections.

2.1. LCSE Shifts the Authoritative Figure onto the Individual.

First, a consequentialist view would want to get the facts correct about the topic at hand to ensure the best overall consequences. If there any falsehoods or biases, then individuals and society as a whole would be led astray: individuals would not be able to self-develop in the right way and society could not be happy. To get the facts straight about a topic, therefore, one would have to use empirical methods, research, argumentation, and studies to gain reliable information. The shift to a factual-based sex education would move from morality to that of health. The motivation for the shift away from discussions the morality of a topic is to focus on the facts of the matter instead of teaching an encompassing value system. An encompassing value system is risky and difficult with a pluralistic view of values. The process of gaining facts also includes being as objective as possible where one should not bring one's presupposed ideology into the

²⁴⁸ Steutel, 189.

picture. Therefore, LCSE typically approaches sex education “value-free.”²⁴⁹ The sexual information in this model can be wide-ranging as opposed to a myopic message of abstaining from sex as the only proper choice seen in the paternalistic model.

Sexual anatomy and the mechanics of sex would be covered in LCSE. Moreover, other topics such as contraception, sexual communication, masturbation, homosexuality, and relationship development may also be covered. The reason is because the purpose of sexuality is more than procreation; it includes pleasure, commitment, intimacy, and expressions greater consequences. For an example of using facts for greater consequences, consider unwanted pregnancies. Numerous studies show that using some form of contraceptive is a good preventative for pregnancies. This fact could be presented to the students who can then use this information based on their values. If students choose to become sexually active, they could use this information to practice such sexual behaviors that would ensure lower risks of unwanted pregnancies. The facts are presented and the students *choose* what to do with this information based on the students’ values, beliefs, goals, and desires. Thus, there is a shift of responsibility onto the students to make their own sexual decisions as opposed to an authoritative figure making decisions for them.²⁵⁰

With the students making their own decisions, there is a higher certainty the students make the decision because this choice fits with other values that each individual

²⁴⁹ Carlson, 21-22.

²⁵⁰ What to do about unwanted pregnancies? On the one hand, LCSE endorses avoiding unwanted pregnancies and teaches students how to reduce the chances. On the other hand, out of the syllabi that I have looked at (see section 2.4), none of them offer recommendations of what to do with an unwanted pregnancy. This is an unfortunate consequence to overlook. However, with students making their own sexual decisions, LCSE may endorse students coming up with their own decisions of what to do with their unwanted pregnancies. And yet, LCSE does not endorse which is the correct or moral choice. It is up to the students. Critics complain that LCSE has value-free foundation. Because LCSE has no recommendations, the critics may have a point.

has. If the values come from an authoritative figure, as the paternalistic model has it, then the students may act in a way that is not genuinely themselves. Any sort of abstinence-only education aims to restrict the choices of students and confines their decisions because the students would be choosing abstinence-only not because the choice is based on *their* own values, but because it was a value instilled into them. For a genuine decision, remaining abstinent must come from the students' choices themselves. Being educated gives the students the tools they need when faced with their new hormonal feelings, and how to make informed choices.

The teacher, therefore, acts more like a facilitator and presents different possibilities in which the students choose what to value. In this way, the students are treated as educational consumers of sexuality and this brand of sex education is a way for the students to be better sexual consumers. Thus, LCSE teaches not only that the individual has autonomy, but that various features of sexuality should be taught as packets of factual information even though it seems that the educator still has the choice in what sort of materials are presented to these students to consume. While the students learn about various ideas from a variety of media including science, sexology, anatomy, the culture in which they are living, and the religious/moral teachings in which they were brought up, it is up to each individual to consider what they find valuable when making their own sexual choices. The thinking behind this shift is that more knowledge given to the students is beneficial. By promoting sexual knowledge, students can develop their own style of what they want based on their desires and wants²⁵¹ which could in turn enhance their subjective well-being.

²⁵¹ Cf. Jones, 144.

In the class or in daily life, the students can express their opinion that reflects their values, preferences, and desires. Even if various issues within sexuality could have social or political ramifications, individual preferences win out because “sexuality is part of the process of self-actualization; the aim is the weighing of values, possible outcomes and responsibilities so as to encourage the development of a consistent code of personal sexuality. Where social issues and structures are critiqued (such as marriage, abortion, and same-sex relationship status), such consideration reflects an individualistic rather than a social process”²⁵² provided it is consistent with the Harm Principle. In the end, however, LCSE has a consequential outlook in that one should learn the facts of sexuality in order to avoid negative outcomes (such as unwanted pregnancies or STIs).

2.2. Abstinence is not the Default Choice, but Simply *a* Choice.

Under LCSE criteria, abstinence is a preferred choice but not the sole choice. One such sex education program, *Reducing the Risk*—which was mainly used in Vermont—had the goal of reducing risk of unwanted consequences. This program presented both abstinence and contraceptives as options. Even when the program had a component on using contraceptives and even an assignment on where to find contraceptive products,²⁵³ the curriculum still focused on abstinence and stated that abstinence was a better option so as to assure the reduction of risk. Another sex education program called *Teen Health Project* focuses on teaching about abstinence or condom usage to urban, low-income youth.

²⁵² Jones, 144.

²⁵³ Nicole Lezin, Lori A. Rolleri, Mary Martha Wilson, Taleria R. Fuller, Regina Ferpo-Triplett, Richard P. Barth. *Reducing the Risk: Adaptation Kit*. Scotts Valley, CA: ETR Associates, 2011. Access Aug. 18, 2018. http://recapp.etr.org/recapp/documents/programs/RTR_Adaptation_Kit.pdf

Indeed, most LSCE programs present two alternatives in order to reduce unwanted consequences: remain abstinent or use contraceptives, especially condoms to reduce STIs.

2.3. Incorporating Negotiation Skills for Better Consequences.

All of the programs that I have researched within LCSE want to teach negotiation skills to the students so as to convince and persuade their partners to use condoms, to abstain from risky sexual behavior, or simply learn how to refuse. I would contend that all negotiation is persuasion—which is not to say that all persuasion is negotiation. In order to persuade people to do something, we must convince them either by argument or by emotion. To negotiate with someone is to persuade them to do something, whether that is a change in perspective or behavior. The educator, however, can only give the students the tools to negotiate and persuade the other partner to collaborate with what the student wants. Even though the educator can point out what sort of consequences could happen given a risky action, it is ultimately up to the students to decide what sort of actions and ways of living they want. Notice that the purpose of LCSE programs are not meant to have a discussion, dialogue, or simply communicate sexual wants and desires. Rather, it is to negotiate or refuse.

Mill points out “society has no business, *as society*, to decide anything to be wrong which concerns only the individual; that it cannot go beyond dissuasion, and that one person should be as free to persuade, as another to dissuade.”²⁵⁴ Thus, while students are taught how to negotiate, the negotiation is based on what the students want. If the

²⁵⁴ Mill, *On Liberty*, 110.

participants are negotiating from what they want, then they will either try to persuade the other or meet in the middle based on what the participants want. As an example, 22 states have what are known as “refusal skills” education.²⁵⁵ The basis of this education is to teach students how to refuse sexual advances. There is no discussion of a pure dialogue in determining what people want or how to express their desires positively. Moreover, since there is no direct critique of social structures, but only reflecting the values that the students have, the refusal skills are placed on the those who does not want to engage (which would typically be women) and the advancer (which are typically men) remain in the status quo that advancing, even aggressively, and manipulate their refusal into a “yes” is still in place. This will prove to be problematic as I will show later in this chapter.

2.4. Sex Education is for the Purpose of Risk Assessment.

Finally, and most importantly, LCSE is for the purpose of risk assessment, which means that sex education is meant to mitigate negative consequences such as unwanted pregnancies and STIs. By focusing on the consequences of people’s sexual actions, LCSE is similar to PSE in that it is a method to change people’s sexual behavior; however, it differs in the way in which it makes the students more aware of the possible risks that could come about from sexual activity rather than proposing a complete avoidance of sexual activity altogether such as PSE would have it.

²⁵⁵ See Maile Marriott. “These New Utah Sex Ed Changes Could Help Prevent Sexual Harassment. Here's How.” *DeseretNews.com*. July 27, 2018. (Accessed November 18, 2018.) <https://www.deseretnews.com/article/900026035/this-new-utah-sex-ed-bill-could-help-prevent-sexual-harassment-heres-how.html>.

The common method of LCSE is to teach students to avoid sexual risk by either remaining abstinent or how to use contraceptives. Here are some examples to capture LCSE goals. These curricula come from states that have the lowest teen pregnancy rates:

- the *Reducing the Risk* curriculum had eight course assessments of what they were teaching, but the health goal was the same in all eight assessments: “To prevent teen pregnancy, HIV and other STDs.”²⁵⁶
- *Teen Outreach Program*’s goal is to also mitigate risky behaviors and develop into healthy adults²⁵⁷ by integrating good life decision skills and volunteering in the community. The audience is meant for those who have academic problems or at risk youth and those who need to develop their competence skills such as communication skills, assertiveness, decision-making, clarifying values.
- *Safer Sex* is meant for high risk female adolescents who have been diagnosed with an STI. One of the benefits is that it involves a one-on-one session with a female clinician in which the student learns how to administer condoms and have the opportunity to ask questions. The students also come back for a follow-up. The goal is to change female adolescents’ behavior in order to reach the health goal of “[p]reventing STI recurrence and unintended pregnancy among adolescent girls and young women.”²⁵⁸
- *Making Proud Choices* is meant for adolescents in middle school. Their curriculum is the same as the previous curricula assessed in that their goal is to

²⁵⁶ Lezin *et. al.*, 14-27.

²⁵⁷See “Teen Outreach Program” Teen Outreach Program (TOP). 2017. (Accessed November 18, 2018.) <http://teenoutreachprogram.com/>. Even though pregnancy prevention is a main consequence of this program, less than 15% is considered comprehensive sex education.

²⁵⁸ Regina Ferpo-Triplett, Pat Rex, Lydia A. Shrier. *Safer Sex Intervention: Adaptation Kit*. Scotts Valley, CA: ETR Associates, 2011. (Accessed Aug. 19, 2018.) http://recapp.etr.org/recapp/documents/programs/SSI_Adaptation_Kit.pdf, 20-27.

change students' behavior so as to reduce their risk of an unwanted pregnancy or contracting an STI. This program teaches that the best way to reduce the risk—if students should choose to have sex—is to use condoms. The program tries to empower students in order to change their behavior to reduce sexual risk. The exercises in the classroom are to “increase comfort with practicing condom use, address concerns about negative effects of practicing safer sex, and build skills in condom use and negotiation.”²⁵⁹

- *Becoming a Responsible Teen* had eight sessions in their curriculum. The sessions each had multiple activities. In all of these sessions, they had one (health) goal in mind: “Decrease HIV infection among African-American adolescents ages 14–18,” which is done by focusing on abstinence and condom usage.²⁶⁰
- *All4You!* has a curriculum which focuses on students in alternative high schools. The aim of this program is to reduce the frequency of unprotected sex among participants. Like the rest of the curricula, it explicitly states that the goal is “[p]reventing HIV, other STDs, and pregnancy among young people in alternative education settings” and the way to do this is to change the students' behavior by “reducing the frequency of unprotected intercourse” and “using contraception.”²⁶¹
- *Be Proud! Be Responsible! Be Protective!* targets those who are already pregnant and parenting teens and helps them make healthy sexual decisions and decrease

²⁵⁹ See “Making Proud Choices! Overview of the Curriculum.” ReCAPP: Theories & Approaches: Health Belief Model (HBM). (Accessed November 18, 2018.)
<http://recapp.etr.org/recapp/index.cfm?fuseaction=pages.ebpDetail&PageID=128>.

²⁶⁰ Lori Rolleri, Nicole Lezin, Julie Taylor, Claire Moore, Mary Martha Wilson, Taleria R. Fuller, Regina Ferpo-Triplett, Janet S. St. Lawrence. *Becoming a Responsible Teen: Adaptation Kit*. Scotts Valley, CA: ETR Associates, 2011. (Accessed Aug. 19, 2018.)
http://recapp.etr.org/recapp/documents/programs/BART_Adaptation_Kit.pdf, 14-35.

²⁶¹ Karin Coyle, Pat Rex, and Julie Taylor. *All4You!: Adaptation Kit*. Scotts Valley, CA: ETR Associates, 2011. (Accessed Aug. 19, 2018.)
http://recapp.etr.org/recapp/documents/programs/All4You_Adaptation_Kit.pdf, 17-61.

risky sexual behavior. To change behavior, adolescents need information about how risky unprotected sexual activity can be, but also ways to develop skills and confidence to act safely.

- *Be Proud! Be Responsible!* is similar to *Be Proud! Be Responsible! Be Protective!* except this program is meant for students in general and not just for those who are already pregnant or parenting teens. The goals and curriculum are virtually the same.
- *Teen Health Project* focuses on urban, low-income youth by teaching them to increase abstinence or condom usage.
- Perhaps the most involved program is *FOCUS: Preventing Sexually Transmitted Infections and Unwanted Pregnancies among Young Women*, which targets young women so as to encourage them to practice healthy behavior and responsible decision making. The program is mostly used in New Hampshire, the state with the lowest teen pregnancy rate in the USA. Since the program contains much mature graphic content, it may not be recommended for those under the age of 16. What makes the program unique is there is no cost for participating in the program, and upon completion of the program, each participant receives \$50 gift card. Thereafter, participants can receive another \$50 gift card to complete follow-up surveys at four months and 12 months after their completion of the program. The *FOCUS* curriculum grant was written in collaboration with Miami University's Department of nursing, which utilizes third year nursing students as "peer educators." They teach the program and are role models for the students that they teach. Moreover, the nursing students will receive credit for their service

learning requirement and also gain information which will be helpful for their professional careers.²⁶² Notice the goal of these programs is to change students' choices such that they have to freedom to choose their preferences. But if they make wrong choices—meaning choosing an unwanted consequence—then they ought to be (re-)educated according to LCSE standards.

3. Objections to LCSE and Replies

There are a few potential objections with the LCSE model. I will address them and offer possible rebuttals from the LCSE perspective.

Objection 1: Teaching Sex cannot be Value-Free. The Facts are still Loaded with Values.

A paternalistic contention against LCSE is that sex has been so filled with emotions, traditions, culture, sociological and psychological conditioning, and values that it seems impossible to simply teach sex without considering the values that sex has had been given. With a sexual education based on facts, the education would seem “raw” and emotionless. Even if we could make sex as value free as possible, this would not necessarily be ideal. Therefore, to properly teach sex, the educator must instill some sort of values into the student. One who argues for this position is William J. Bennett, former U.S. Secretary of Education under President Ronald Reagan, who states that sex is a

²⁶² Cf. “FOCUS: Preventing Sexually Transmitted Infections and Unwanted Pregnancies among Young Women Overview of the Curriculum.” ReCAPP: Theories & Approaches: Health Belief Model (HBM). (Accessed November 18, 2018.) <http://recapp.etr.org/recapp/index.cfm?fuseaction=pages.ebpDetail&PageID=608>.

quintessentially moral activity and thus cannot be value-neutral because sex is one of the most value-loaded of human activities.²⁶³

From another side, discussing sexuality is not just about the mechanics of sexual intercourse, but also about identity, relationships, gender norms, and the family.

Discussing the issues means that some of the components will be stressed, skipped over, or left to the students to figure out on their own. Corngold explains further:

The design and implementation of such a curriculum inevitably involves decisions about coverage and emphasis—decisions about which facts and bits of information to stress, which to mention in passing, and which to set aside altogether. These decisions, in turn, convey value-laden messages to those who are exposed to the curriculum: they leave students with the impression that certain questions pertaining to sexuality are worthy of careful consideration while others are not, that certain behaviors and practices are normal while others are deviant, that certain identities are privileged while others are subordinate, and so on.²⁶⁴

Corngold also mentions Lamb's assertion that facts of the arousal response, even with all of the scientific data, focus mainly on the genital area and neglect other sites or means of sexual arousal, thereby giving a bias toward reproductive heterosexual intercourse.²⁶⁵

In one sense, this objection is correct. The lack of teaching values in this form of sex education is problematic, and I will show why later in the chapter by showing that the *content* of the sex education program may be problematic in LCSE. However, the objection is missing the point when it comes to just teaching the facts. On a consequentialist model, if one looks at the evidence and sees that a comprehensive sex education brings forth better consequences than an abstinence-only sex education, then one should implement the comprehensive program. If the abstinence-only program brings

²⁶³ William J. Bennett. "Truth in Sex: Why Johnny Can't Abstain," in *Education* Vol. 108, No. 2 (1987): 146.

²⁶⁴ Josh Corngold. "Moral pluralism and sex education." *Educational Theory* 63, no. 5 (2013): 464-465.

²⁶⁵ Corngold, "Moral Pluralism and sex education," 465n11.

forth better consequences than the comprehensive program, then one should implement the abstinence-only program. The *should* pertains to a normative claim leading to something valuable. Thus, the liberal-consequentialist *does* have a value: good consequences and the lowering of bad consequences for those involved. Therefore, the *substance* of a LCSE program does hold onto values (namely the precise criteria of determining good and bad consequences) even if one just looks at the facts. The liberal-consequentialist does not hold on to a view dogmatically or because of ideological purposes, but looking at the facts will reveal which program we ought to use because of what liberal-consequentialists value. Thus, the *substance* of the model does have value, but the values come from the framework that liberal-consequentialism assumes. The *content* of sex education, however, does need to have more than “just the facts” but not the values of abstinence-only. Rather, simply having the value of just focusing on the good consequences is not enough as I will show why later in this chapter.

Objection 2: Applying the Principle of Liberalism Applies Only To Adults.

This objection argues that when it comes to respecting other people’s decisions, behaviors, and lifestyles, we should leave them alone in self-regarding ways because they are adults. Adults have reached their maturity in their mental faculties and there is less risk of them making mistakes. They can see long-term goals and have established what they want out of life and how to achieve those goals. Anyone younger is still mentally immature and any major decision, especially bad ones, will affect them, perhaps permanently. Mill even argues that the Harm Principle applies only to human beings “in the maturity of their faculties. We are not speaking of children, or of young persons

below the age which the law may fix as that of manhood or womanhood. Those who are still in a state to require being taken care of others, must be protected against their own action as well as against external injury.”²⁶⁶

Applying this to sex, adults in general can choose what sort of sexual behaviors to engage in without an external authority figure. Children obviously cannot engage in sexual behavior because they are not physically nor mentally mature to understand the ramifications of sex. Thus, liberal-consequentialism applies to adults but not to children. The situation becomes complicated when this is applied to adolescents however. At what point can people direct their own lives without an authoritative figure? There is no specific point since humans attain maturity gradually for each individual. Yet, Mill offers a clue: “as soon as mankind have attained the capacity of being guided to their own improvement by conviction or persuasion, ... compulsion, either in the direct form or in that of pains and penalties for non-compliance, is no longer admissible as a means to their own good, and justifiable only for the security of others.”²⁶⁷

There is a minimum that people reach where they are considered mature in certain activities, where one is “guided to their own improvement by conviction or persuasion.” In the USA, we have an arbitrary age where people are mature enough to drive at the age of sixteen, to purchase and partake in tobacco products (in many states) at the age of eighteen, and to drink alcohol at the age of 21. When it comes to sexuality, what is the minimum where one is considered mature? Many states set a minimum age of consent that can range from 16-18. However, legal permission to do something does not mean that one is mature enough to understand the activity. Being mature entails one is not only

²⁶⁶ Mill, *On Liberty*, 14.

²⁶⁷ Mill, *On Liberty*, 15.

educated in the activity, but can understand the consequences of the activity and take the responsibilities of that activity. When we educate children, we expect them to mature over time. There is no point when one *is* mature; one rather *becomes* mature over time by developing their mental faculties. David O. Brink argues that educating children does not mean that children will remain in a status of immaturity:

Consider the case of children. Presumably, transitional justice requires that we provide them with an education—in the broadest sense—that develops their normative competence. To do so, we really need to recognize both their potential competence and the scalar character of actual competence. We should not treat children or other potentially competent individuals the way we would treat the permanently childlike. We need to try to teach them skills and allow them to acquire varied experiences safely. Children need to play an active part in their own development and education. In particular, they need to be given various sorts of deliberative opportunities and responsibilities, including the freedom to make and learn from their own mistakes in certain circumscribed ways, which prevent or minimize the chance of catastrophic outcomes. As they get older and their competence grows, they need to be given more freedom, opportunities, and responsibilities. Only in this way will the potentially competent develop actual competence.²⁶⁸

With children slowly developing the mental faculties, they will slowly gain a sense of maturity and autonomy. As they age, we give children more challenges, responsibilities, and opportunities that are appropriate for their age. We do not expect to teach someone trigonometry until they have gained the mental understanding of the prerequisites such as geometry, algebra, and mathematics using variables. People must develop certain prerequisites before they move on to the next level. The same could be said within sex education. The difference, however, is not just learning new information, but it is also incorporating the information so as to use the information in their lives not only in terms of practical action, but of understanding themselves in terms of their sexual identity. One may not need to teach sexual preventative measures to five-year olds, for

²⁶⁸ David O. Brink. *Mill's Progressive Principles*. (NY: Oxford University Press, 2013), 272.

example, but one should teach them information as a prerequisite that is appropriate for their lack of sexual maturity, but this information would serve them to gain maturity over time.²⁶⁹

Thus, there is a way for sex education to be congruent with Mill's notion of liberty. To gain a sense of maturity is to develop one's own autonomy and freedom which means that children and eventually adolescents need to be given various opportunities and responsibilities in order to develop their maturity.

Different responsibilities and opportunities are appropriate for them at different stages of normative development. Adolescents need to be given various sorts of deliberative opportunities and responsibilities, including the freedom to make and learn from their own mistakes in certain circumscribed ways, which prevent or minimize the chance of catastrophic outcomes. As they get older and their competence grows, they need to be given more freedom, opportunities, and responsibilities. Only in this way will the potentially competent develop normal adult competence.²⁷⁰

The minimal standard would not be a quantifiable demarcating point, but a gradual process where one gains more knowledge as it is appropriate for one's maturity level.

The same could be said within sex education. The education they need is a gradual process so that they can become functioning adults later in life.

Empirically speaking, there was a "quasi-experimental evaluation" from the Guttmacher Institute of condom distribution in schools. The study revealed that access to condoms from schools did not increase rates of sexual activity, and that students who are sexually active are more likely to use condoms.²⁷¹ One could say that a comprehensive

²⁶⁹ As an example, Chicago Public Schools have considered teaching sex education to kindergartners that is age-appropriate. The information given to kindergartners, for example, will be about anatomy, health relationships, and personal safety. See Chicago Public Schools. "Student Health and Wellness." October 31, 2018. (Accessed November 19, 2018.) <https://cps.edu/oshw/Pages/HealthEducation.aspx>.

²⁷⁰ Brink, *Mill's Progressive Principles*, 195.

²⁷¹ Michelle Fine and Sara McClelland. "Sexuality Education and Desire: Still Missing After All These Years," in *Harvard Educational Review*, 76 (2006): 312-313.

sex education and health resources will not initiate or increase sexual activity, and it may help those practice healthy sexual practices for those who are already sexually active. It seems that the education is helping students becoming more responsible in determining the sexuality.

Objection 3: Adolescent Sexuality is Unsafe.

The proponent of PSE could have this general argument:

1. One can plan out one's life as long as they are self-regarding actions. (Claim from Mill)
2. However, adolescent sexuality (such as premarital sex) does harm others. (Paternalist claim)
3. Therefore, we ought to stop it.

This argument hinges on premise two. How would the paternalist justify premise two?

After all, the liberal-consequentialist could reply that the other-regarding actions—doing harm to others—must be measurable harm. The paternalist must show that this is harmful and measurable. At this point, the paternalist could respond by using Mill against liberal-consequentialist views. Mill mentions that if a person is trying to cross a bridge which was ascertained to be unsafe and there was not enough time to explain to the person the unsafety of the bridge, then we are justified to seize that person without any infringement of that person's liberty.²⁷² Using this as an analogy, the paternalist could say that adolescents engaging in sex is like the person attempting to cross a bridge which had been ascertained to be unsafe. There is no infringement of liberty, for as Mill says, "liberty consists in doing what one desires, and he does not desire to fall into the river" when it comes to the unsafe bridge. Likewise, stopping the adolescent from engaging in

²⁷² Cf. Mill, *On Liberty*, 107.

sex is not a really threat to her liberty either because the adolescent does not desire to be unsafe or be a victim of unsafe practices.

This objection does not fully capture what Mill says however. Mill says “when there is not a certainty, but only a danger of mischief, no one but the person himself can judge of the sufficiency of the motive which may prompt him to incur the risk.”²⁷³ Mill suggests that even if the person is warned about the bridge, we cannot force the person to get off the bridge after warning her.²⁷⁴ Likewise, since sex does carry some risks, we ought to warn people about sex and also potential risks. Nevertheless, the point is that people themselves decide whether to continue the activity or to abstain.

It is obvious that adolescents engage in risky behavior and this risk may *cause* the lack of safety, but here the paternalist is at a dilemma: If adolescent sexuality is unsafe because of the consequences, the solution is to increase the safety, not take away adolescent engagement in sexuality. However, if adolescent sexuality is *in itself* unsafe—which focuses on adolescent sexuality rather than on the lack of safety, then the paternalist must show why. Otherwise the paternalist is begging the question and we are back to the starting point of this objection. If it is because of the consequences, then we are back to the first horn of the dilemma.

Thus, if the problem is that adolescent sexuality is unsafe, the solution is not to simply move the adolescents away from engaging in sex. After all, they will become adults some day and many of them will engage in sexual behavior. Rather, the solution is to make it safe and the way to do that, as Mill points out, is to educate them on potential risks and ways to minimize those risks. PSE would not try to take away knowledge for

²⁷³ Mill, *On Liberty*, 107.

²⁷⁴ Mill, *On Liberty*, 107.

adults who want to engage in sex because it is for the safety of those involved. Likewise, the same could be said with adolescents. LCSE is fully compatible with Mill's view of liberty even with preventing the agent to "cross the bridge."

Objection 4: Adolescents are not yet Competent to make Sexual Decisions or Understand Sexuality Fully.

Recall from Chapter One that Steutel had three conditions for consent: voluntariness, information, and competence. Voluntariness will be touched upon in this chapter but will be expanded upon in chapter four. Having more information is better than having less so that individuals can make informed decision, which has been the goal behind LCSE.

Proponents of PSE may say that LCSE gives too much information, but I have shown earlier that having more information is actually better. The sticking point, therefore, is competence. Many paternalists argue for PSE because adolescents are not competent enough to engage in sex or understand sexuality. I will show that adolescents can be competent in sexual matters by offering support from many sources: legal, sociological, socioeconomical, and psychological.

There are two major common assumptions regarding adolescents. The first is that since adolescents still depend on their parents for economic, emotional, and existential support, adolescents are not yet mature nor competent enough to do "adult" things.

Therefore, they are "extended children," and since children are not considered autonomous and competent, so too, are adolescents.²⁷⁵

²⁷⁵ As a side note, the assumption is that as soon as one reaches the age of majority, one has the full rights of autonomy and personhood. The justification, typically, is that one has reached the age of reason and competence. There are two problems with this. What about adults who are not competent? They would have to be excluded from the majority. Second, if the justification for adults to gain autonomy and personhood is *because* of competence, then competence—not age—should be the demarcating factor of

The second assumption is that adolescents are seen as constant risk-takers and sensation-seekers. They will do dangerous things either to fit in with their peers and/or to gain some momentary pleasure from these activities. In both of these assumptions, adolescents are not competent to understand sexuality because they are not yet fully autonomous and they would be taking too many risks to properly understand sexuality safely. Thus, the critic would therefore say that adolescents are not competent to engage in sexual behavior. I will address these criticisms.

First, we need to understand the general idea of competence. A clinical review in the *British Medical Journal* in 2005 reveals some guidelines. In England and Australia, there is what is known as the “Gillick Competency Test,” which comes from a UK trial *Gillick v West Norfolk & Wisbech Area Health Authority [1985] UKHL 7*. The “Gillick Competency Test” assess whether one is mature enough to decide for oneself and to understand what those decisions entail in medical procedures. The criteria of the “Gillick Competency Test” states that to be considered competent a young person should be able to:

- Understand simple terms, nature, purpose, and necessity for proposed treatment
- Understand benefits/risks/alternatives and effect of non-treatment
- Believe the information applies to them
- Retain information long enough to make a choice
- Make a choice free from pressure²⁷⁶

Moreover, competence is not a faculty that is achieved once where one thereby becomes fully competent. Competence is dynamic and it can fluctuate based on pain, the environment, and mental states can reduce it. However, experience of illness may

who gets to be part of the majority. To exclude adolescents on the grounds that they are incompetent, then, to be consistent, one would also exclude others for the same grounds. If, however, one argues that one must pass a competency test, one must apply to this to adults as well, not just to adolescents. Unfortunately, this line of thinking never crosses most policymakers or politicians.

²⁷⁶ Cf. Vic Larcher. “ABC of adolescence: Consent, competence, and confidentiality.” *BMJ: British Medical Journal* 330, no. 7487 (2005): 354.

actually increase it.²⁷⁷ The test is used in England and Australia, but I do not see why a similar test could also be used in the United States.

3.4.1. *The Legal Source of Competence*

Along with the “Gillick Competency Test,” *Gillick v West Norfolk* also produced the Fraser Guidelines, which are more specific where they test young people’s competence to consent to contraceptive advice or treatment. A young person was considered competent if:

- The young person understands the doctor’s advice
- The doctor cannot persuade the young person to inform his or her parents or allow the doctor to inform the parents that he or she is seeking contraceptive advice
- The young person is very likely to begin or continue having sexual intercourse with or without contraceptive treatment
- The young person’s physical or mental health or both are likely to deteriorate if he or she does not receive contraceptive advice or treatment, and
- The young person’s best interests require the doctor to give contraceptive advice or treatment, or both, without parent consent²⁷⁸

²⁷⁷ Cf. Larcher, 354.

²⁷⁸ Cf. Larcher, 354. How do we determine “best interests?” Larcher notes that “[i]n deciding best interests, courts apply the welfare checklist of the Children Act and consider relevant articles from the Human Rights Act” (353). The checklist entails:

Welfare checklist of the Children Act

The ascertainable wishes and feelings of the young person concerned in the light of their age and understanding

Physical, emotional, and educational needs

Likely effect of change of circumstances

Age, sex, cultural, religious, and ethnic background

Harm or risk of harm

Capability of parents or others to meet the young person’s needs

And the **relevant human rights (UK Human Rights Act 1998):**

Article 2—Right to life

Article 3—Prohibition of torture and inhuman and degrading treatment

Article 5—Right to liberty

Article 8—Right to respect for privacy and family life, home, and correspondence

Article 9—Freedom of thought, conscience, and religion

Article 10—Freedom of expression and right to information

Article 12—Right to marry and found a family

Article 14—Right not to be discriminated against on grounds of race, sex, etc., in the enjoyment of other convention rights

Based on case above, the competency test and the guidelines suggest that British and Australian doctors ought to treat their adolescent patients as they would of competent adults unless there is a reason to doubt their competence. I see no reason why this cannot be extended to American adolescents as well.

3.4.2. *The Biological Factor*

Is risk-taking behavior related to brain physiology? Our current culture considers risky adolescent behavior due to their brain development. Many biologists are doubtful.

There is an even larger number of young people who might like a bit of excitement, to challenge the otherwise suffocating domination that pervades their lives, but do not ever do anything that seriously threatens their lives or livelihoods. Even the most risk-prone adolescents are not taking risks most of the time. Most of the time, they are sitting in highly-controlled environments doing what they are told. As population statistics indicate, young people are mostly competent about risk.²⁷⁹

Biologist David Dobbs states that “[s]election is hell on dysfunctional traits. If adolescence is essentially a collection of them—angst, idiocy, and haste; impulsiveness, selfishness, and reckless bumbling—then how did those traits survive selection? They couldn’t.”²⁸⁰ From evolutionary biology, every human had to go through adolescence and they obviously survived. It suggests that “homo sapiens has survived because of adolescence (including the traits the neuroscience is trying to describe), not in spite of it.”²⁸¹ It is worth quoting from Sercombe and Paus in full:

Young people are not passive victims of brains that are out of control. They are active agents in the design of an adult that meets their needs and enables them to survive within their environment and make sense of their experience. Youth is not separate from adulthood. It is the becoming of adulthood. There is no ‘next stage’

²⁷⁹ Howard Sercombe. “Risk, adaptation and the functional teenage brain.” *Brain and cognition* 89 (2014): 1.

²⁸⁰ Dobbs, in Sercombe, “Risk, adaptation and the functional teenage brain,” 2.

²⁸¹ Sercombe, “Risk, adaptation and the functional teenage brain,” 2.

of adulthood, which is qualitatively different from being a young person and adulthood is not itself a destination. You don't learn what you need for adulthood by being excluded from it until you can demonstrate that you have got the right circuits. A smart society would engage young people progressively in adult processes as they demonstrate the readiness. Our society does this a little but mostly we exclude young people until a certain arbitrary age is reached and then bestow the right to participate—mostly without guidance and support. It should be no surprise that does not work too well...The research tends to be dominated, not surprisingly, by the century-old view of adolescence as the 'stage of life characterized by turbulence' view.²⁸²

In other words, the “biodeterminist” reductionist science of adolescence is over simplistic. Our interaction with the world is not a simplistic billiard ball cause and effect. The brain does not just determine experience; experience also determines the brain.²⁸³ Our brains are a reflection of our behavioral, cognitive, and emotional states, they do not cause those states.²⁸⁴ We are more than our brains or neurophysiology. “We are complex, self-regulating organisms interacting with other such organisms in complex and changing environments. More generally, wholes are greater than the sums of their parts. Brains are more than neurons or genes and people are more than brains[...]adolescent risk taking is seen as a social and cultural problem that needs to be addressed. If we cannot find anything uniquely wrong in adolescent minds, we look to their brains.”²⁸⁵

Laurence Steinberg, a psychologist who specializes in adolescence, argues that adolescents and adults assess risk equally,²⁸⁶ and that risk-taking can be broken down into two components: logical-reasoning abilities and psychosocial capacities. Adolescents are

²⁸² Howard Sercombe and Tomas Paus. “The ‘Teen Brain’ research: an introduction and implications for practitioners.” *Youth and policy* 103 (2009): 35-36.

²⁸³ Howard Sercombe. “The gift and the trap: Working the ‘teen brain’ into our concept of youth.” *Journal of adolescent research* 25, no. 1 (2010): 34.

²⁸⁴ Cf. Robert Epstein. *The case against adolescence: Rediscovering the adult in every teen*. (Fresno, CA: Quill Driver Books, 2007), 202.

²⁸⁵ David Moshman. “Adolescents are young adults, not immature brains.” *Applied Developmental Science* 15, no. 4 (2011): 172-173.

²⁸⁶ Cf. Laurence Steinberg. “Risk taking in adolescence new perspectives from brain and behavioral science.” *Current directions in psychological science* 16, no. 2 (2007): 55.

lacking psychosocial capacities which makes them prone to risk. However, if the psychosocial factors are minimized, then the risk-taking factor is the same as adults. What marks psychosocial factors as non-minimized is if peers are present. In other words, if peers are present, adolescents are more likely to engage in risk-taking behavior. Steinberg concludes that risky behavior includes unprotected sex, but instead of trying to change adolescents' views of what is considered risky, there instead must be a "focus on limiting opportunities for immature judgment to have harmful consequences."²⁸⁷ So instead of requiring them to be abstinent, Steinberg offers "expanding adolescents' access to mental-health and contraceptive services"²⁸⁸ as a better conclusion. Overall this assessment can help formulate public policy regarding sex education, which may change adolescent culture regarding unprotected sex to less-risky sex because their peers are doing that anyways.

3.4.3. The Socioeconomic Factor

Recall that the second assumption regarding adolescents is that they are prone to risk and they therefore consistently seek out new and exciting sensations. Because of this risky behavior, they need to be reined in and checked for their own benefit, until they reach adulthood. However, this assumption is dubious. Sociologist Michael Males brings up two main points. The first is that empirical evidence does not support the assumption that adolescents are specifically more likely to engage in risky behavior. Second, he argues that socioeconomic factors, like poverty, are a much better predictor of risk than age, sex,

²⁸⁷ Steinberg, 58.

²⁸⁸ Steinberg, 58.

or race. People with dissimilar ages but similar socioeconomic status actually share very similar risk profiles.²⁸⁹

To start, Males argues that “peer-socialized adolescents are not acting riskier than their parent-socialized counterparts of the past; the highest rates for most teenage ills occurred 30 to 40 years ago. Today, the parent generation seems more at risk.”²⁹⁰

Examples include suicides, homicides, and unintentional death. Moreover, high schoolers consistently report that they could easily get access to firearms, drugs, alcohol, cigarettes, and sex. Yet, most of them do not bother to access them. Males concludes that it must be because high schoolers have self-control.²⁹¹ Indeed, adolescents consistently have lower rates of suicide, drug overdose, and accidents in general than any other age group. Why not use this to conclude that teens may be prudent in their cognitive abilities? In an interesting detail, Males queries a conventional thought from Steinberg, a psychologist who endorses the idea that adolescents are more prone to risky behavior such as suicide attempts than adults. Indeed, Steinberg’s argument is that adolescent suicide is higher than adults due to adolescent risk-prone behavior, which is true.²⁹² However, we must be cautious with this line of thinking. Males writes to perform his *reductio ad absurdum*:

[T]he NCIPC [National Center for Injury Prevention and Control] also reports 33 suicide ‘attempts’ per completion for women of all ages versus 6 for men. If we accept Steinberg’s logic that greater success in committing suicide reflects greater cognitive competence, then male brains are far more competent at every age than females’; teenage boys are more competent than women in their 30s and 40s; Whites’ brains are more competent than those of Blacks; and Black females of all ages (averaging over 60 attempts for every suicide) are the least biologically competent of all.²⁹³

²⁸⁹ Cf. Sercombe, “The Gift and the Trap: Working the ‘Teen Brain’ Into Our Concept of Youth,” 32.

²⁹⁰ Mike Males. “Does the adolescent brain make risk taking inevitable? A skeptical appraisal.” *Journal of Adolescent Research* 24, no. 1 (2009): 9.

²⁹¹ *Ibid.*, 9.

²⁹² Males, “Does the Adolescent Brain make Risk Taking Inevitable?: A Skeptical Appraisal,” 11.

²⁹³ Males, “Does the Adolescent Brain make Risk Taking Inevitable?: A Skeptical Appraisal,” 11.

Defining adolescents may also be part of the problem. In my introduction chapter, I presumed WHO's definition which is the stage from 10 to 19 years of age. If different studies and different theorists use different definitions of adolescents, then the age range may not reflect reality. Males noticed this when he noted that many theorists have extended adolescence up to age 25. If so, then this feature artificially boosts the numbers that adolescents are more prone to risky behavior.²⁹⁴ Moreover, it seems odd that risky behavior is only applied to adolescents when adults in their middle ages sometimes do the same or riskier behaviors. Indeed, teenage sex reflects the sexual behaviors of adults around them.²⁹⁵ Thus, teen sex and adult sex should not be separate issues.

Educational psychologist David Moshman notes that adolescents do not have a particular feature that makes them different than adults when it comes to risk taking.

On the contrary, adolescents take the same sorts of risks as adults and show the same rational and irrational tendencies common to human functioning. There is no empirical basis for distinguishing adolescents from adults with respect to risk taking. Of course many adolescents repeatedly engage in behaviors (often involving drugs or sex) that many adults find objectionable, but many adults also engage in the same behaviors. There is no standard of rational risk taking that is generally met by adults but rarely by adolescents.²⁹⁶

Moreover, "there is no evidence of any form or level of competence common among adults beyond some age but rare in young teens. Quite the contrary, on any measure of

²⁹⁴ Males, "Does the Adolescent Brain make Risk Taking Inevitable?: A Skeptical Appraisal," 10.

²⁹⁵ Males, *Teenage Sex and Pregnancy*, 179-180.

²⁹⁶ Moshman, 171. Males extends on Moshman's message: "Antidrunken driving, antidrug, safe sex, and similar messages have also been directed at grown-ups, yet tens of millions of adults engage in risky behaviors now extending well into middle age. It seems peculiar to brand 'incompetent' adolescents as reckless for failing to meet standards stricter than those expected of 'competent' grown-ups" (Males, "Does the Adolescent Brain make Risk Taking Inevitable?: A Skeptical Appraisal," 12).

More evidence can be seen in other countries as well: "Drunk-driving statistics for teenagers are worrying, but according to the U.K. statistics, the proportion of fatally injured drivers who were drunk was higher for people above 40s, and almost twice the rate for people in their 30s, than it was for teenagers (The Royal Society for the Prevention of Accidents, 2007). We currently suffer a recession brought about by massive recklessness, much of it involving peer influence, in the financial markets. This was not the work of teenagers." (Sercombe, "The Gift and the Trap: Working the 'Teen Brain' Into Our Concept of Youth," 36.)

competence, rationality, or psychological functioning, many 14-year-olds perform beyond the level of many 40-year-olds....There is no adult level of executive function or control that adolescents have yet to attain.”²⁹⁷

Instead of blaming social ills on adolescent risk-taking behavior, Males suggests that we need to take socioeconomic factors into account. Socioeconomics has traditionally divided people by class, but it also divides people by age. Adolescents and emerging adults are two to three times more likely to live below the federal poverty guidelines. Indeed, many young people live in poverty levels exceeding 20% in 35 countries versus middle-agers. Males’s research argues that studies on adolescents do not factor in socioeconomic status before pronouncing teens riskier than adults.²⁹⁸ Indeed, “[p]overty is strongly associated with nearly every risk behavior, regardless of race, sex, or age.”²⁹⁹ Moreover, “[s]ocioeconomic status predicts risk outcome more consistently than age.”³⁰⁰ Adolescents and middle-agers rates are similar once poverty levels are taken into account such as murder, rape, assault arrests, homicide, vehicular deaths, and external injuries. Indeed, there are some activities where adults exercise *more* risk than adolescents such as violent deaths, firearms deaths, suicide, and drug overdose. If the conventional wisdom is that adults have more self-control and adolescents have not developed a sense of maturity, Males bluntly asks: “why do adults do dumb things?”³⁰¹ If

²⁹⁷ Moshman, 172.

²⁹⁸ Males, “Does the Adolescent Brain make Risk Taking Inevitable?: A Skeptical Appraisal,” 14.

²⁹⁹ Males, “Does the Adolescent Brain make Risk Taking Inevitable?: A Skeptical Appraisal,” 14. “Even for the worst adolescent risk, traffic crashes, it appears that poverty and its correlates, not young age, are the most important outcome predictors” (15).

³⁰⁰ Males, “Does the Adolescent Brain make Risk Taking Inevitable?: A Skeptical Appraisal,” 15.

³⁰¹ Males, “Does the Adolescent Brain make Risk Taking Inevitable?: A Skeptical Appraisal,” 16.

adolescents are really wired to take risks more so than adults, then we should see this feature across the board in a general way.³⁰²

So why are adolescents presumed to be the troublemakers and risk-takers? Males argues that it is because adolescents are the scapegoats of society's ills.³⁰³ Since adolescents are the scapegoats, the adults benefit. If the youth complain, the complaints can be explained by faulty logic from their youth. To say that adolescents are riskier is to show prejudice, and ignorance of socioeconomics rather than paying attention to the science. "When regression variables this strong are found, it is safe to say that teenage and adult sexual behaviors under similar economic and social conditions *are one and the same*. We are not looking at two separate sexualities, the adult version of which can be

³⁰² "At the microlevel, teenagers from unstable, violent, drug- and alcohol-abusing, tobacco-using, mentally troubled families and communities are many times more likely to display corresponding problems than teenagers from nurturing, peaceful, healthy, nonsmoking homes, and communities" (Males, "Does the Adolescent Brain make Risk Taking Inevitable?: A Skeptical Appraisal," 13).

Males offers more striking statistics:

California's Black adolescents suffer from felony arrests five times higher than Whites, and that Black adults (30 to 69 years old) suffer from felony arrests twice as much as Whites. This suggests a racial component.

California teens are likely to suffer from firearm homicide if the adolescent poverty rate is higher than 30% than teens where their poverty rate is lower than 5%. African Americans in their 50s or 60s suffer from firearm homicide five times higher than even the riskiest White teens and emerging adults, and White teens have the lowest firearms mortality rate than every age group of white adults.

Teens aged from 16 to 19 in California's poorest major counties suffer from fatal car accidents six times higher per mile driven than teens in major rich counties. Middle-aged adults in poorer counties suffer fatal crash accidents three times higher per mile driven than do teenagers in wealthier counties. Middle-agers (45-54) suffer fatal crash rates similar to adolescents when poverty rates are taken into account.

³⁰³ Males, *Teenage Sex and Pregnancy*, 50. See also his book *The Scapegoat Generation*. Monroe, Maine: Common Courage Press, 1996. He offers two arguments. The first (p. 88 from *The Scapegoat Generation*) is that proponents of PSE, especially those from both liberal and conservative policymakers, beg the question with this syllogism:

Older Americans are unwilling to spend the money to help poorer young Americans climb out of poverty, so

the poor (mostly nonwhites) should refrain from having children, but

if they do have children, the poor (mostly nonwhites) are to blame for their own poverty; therefore older groups are justified in refusing to help poorer young people who cause their own problems.

The second argument reveals a contradiction in policymakers' logic when sponsoring PSE legislation (p. 94 in Mike Males. *The Scapegoat Generation: America's War on Adolescents*. (Monroe, ME: Common Courage Press, 1996): "Teenagers (particularly girls), even very young ones, are super-adults, expected to enforce abstinence and safe sex upon adult men when 'personal responsibility' is demanded. Yet these same girls are deemed too immature to obtain an abortion or receive welfare on the same terms as adults when 'individual rights' are the issue."

accepted and encouraged while the teenage version is deplored and prevented. We are looking at the *same behaviors*.³⁰⁴ And

[m]ore than any other Western society, American grown-ups render youth a time of poverty and middle age a time of wealth, a political choice exposing our young to greater dangers. This suggests that *claims of innate “adolescent risk” and “teenage brain” flaws not only reflect “a bias in interpretation that privileges the age, class, and culture position of the researcher” (Sercombe, in press) but serve to defend older age groups’ economic privileges as well.*³⁰⁵

“Teenage pregnancy” is a misnomer since “[m]ore than 70 percent of births and at least 60 percent of total pregnancies among girls age 19 and younger involve male partners age 20 and older. We might as well call it ‘adult-pregnancy’—or, at least, ‘adult-teenage pregnancy.’ . . . the presentation of teen pregnancy reflects both traditional sexism of blaming females for unwanted fertility and America’s disturbing legacy of singling out society’s *least* powerful groups—in this case, younger girls—to blame for social and moral problems.”³⁰⁶ Boys under the age of nineteen accounted for only about 15 percent of all teenage pregnancies. In terms of actual teenage pregnancies where both mothers and fathers were both under the age of eighteen, they were responsible for fewer than 5 percent of all teenage pregnancies.³⁰⁷

Preaching ideological values gets us nowhere because the values that young people learn come from observing adult behaviors. Adolescent behavior mirrors adult behavior and values. If young people are preached to about remaining chaste until marriage, but they do not see the adults in their lives practicing that message, then it weakens the incentive for the young people to practice that message. If different races

³⁰⁴ Males, *Teenage Sex and Pregnancy*, 38.

³⁰⁵ Males, “Does the Adolescent Brain make Risk Taking Inevitable?: A Skeptical Appraisal,” 16. My emphasis.

³⁰⁶ Males, *Teenage Sex and Pregnancy*, 24.

³⁰⁷ Moran, 224.

have different methods of contraception and different rates of abortions and pregnancies, then there is an uneven distribution of education, values, healthcare, and affordable contraception. Males argues that “the large majority [of teenage pregnancies] involve racial minorities, marginalized youth, and adult men—that is, realities revealing systemic failings rather than just a snotty-girl attitude problem.”³⁰⁸

The key, then, to combating risk-taking behavior is not to simply restrict those who do risky behavior, which is just a symptom of the problem. To directly fight risky behavior, Males argues, one must tackle poverty. One narrative that Males fights against is that states with high number of evangelicals are to blame for teenage sex. Males points out that “states with the biggest share evangelicals also tend to be those with the highest rates of poverty.”³⁰⁹ Indeed, his analysis found that “states with lots of evangelicals had lots of poverty ($r = 0.50, p < 0.001$), states with lots of poverty had lots of teen pregnancy ($r=0.62, p < 0.001$).”³¹⁰

Why not have PSE mandated for adolescents who live in poverty? Unwanted sexual consequences are a symptom rather than the essence of the problem. Males argues that teenage pregnancy is strictly an economic problem. So instead of tackling teenage pregnancy, we ought to tackle poverty. By ignoring socioeconomics, we tend to only see adolescents involved in risky behavior without realizing that other factors play a role. Males shows data showing a correlation between the birth rate and the poverty rate: poorer populations have had babies earlier in life,³¹¹ and the higher the rate of welfare benefits (in real dollars, or as a percentage of the state’s median income), the lower the

³⁰⁸ Males, *Teenage Sex and Pregnancy*, 23.

³⁰⁹ Males, *Teenage Sex and Pregnancy*, 209.

³¹⁰ Males, *Teenage Sex and Pregnancy*, 209.

³¹¹ Cf. Males, *Teenage Sex and Pregnancy*, 26-27.

rate of unwed births and births by teen mothers.³¹² For STIs, the common factor is “not young age, but the fact that in aggregate and for each race individually, teens and young adults suffer poverty rates two to three times higher than middle-aged adults.”³¹³ It is not an adolescent problem: “teenage and adult sexual behaviors under similar economic and social conditions *are one and the same*.”³¹⁴ For different races, the STI rates are higher for African-Americans and Hispanics than whites as of this writing.³¹⁵ Table 3.1 breaks down specific STI with each race and adolescent age groups.

³¹² Cf. Males, *Teenage Sex and Pregnancy*, 79.

³¹³ Males, *Teenage Sex and Pregnancy*, 31-32.

³¹⁴ Males, *Teenage Sex and Pregnancy*, 38. His emphasis. Males notes that Robin Hood Foundation, a charity organization dedicated to fighting poverty, originally thought that teenage pregnancy contributed to poverty. They commissioned economist V. Joseph Holz and colleagues to evaluate the economic issues in teen motherhood. This study is hailed by other top researchers. The strongest implication of this research was that “if official America wanted fewer teen mothers, the best policy was to reduce the severe poverty that made teen motherhood a sensible, long-term economic choice” (60-61). Males also notes that a 2008 study by University of Washington researchers in the *Journal of Adolescent Health* found that socioeconomic status and family structure were the biggest factors predicting teen pregnancy rates (192).

³¹⁵ See Centers for Disease Control and Prevention. “Sexually Transmitted Diseases (STDs).” Centers for Disease Control and Prevention. September 17, 2018. (Accessed November 20, 2018.) <https://www.cdc.gov/std/stats/>.

Table 3.1: Rates of Reported STI Cases per 100,000 Population by Race/Ethnicity, Age Group, and Sex, United States, 2017

	Chlamydia		Gonorrhea		Syphilis	
Age Groups	10-14	15-19	10-14	15-19	10-14	15-19
Both Sexes						
Asian	3.6	274.9	1.1	38.7	0.1	2.7
White	17.3	834.7	2.5	111.6	0.0	2.3
Hispanic	28.6	1,081.1	5.3	170.8	0.0	6.4
Native	100.4	2,378.1	16.5	444.7	0.0	4.9
Black	146.3	4,383.6	46.5	1,347.0	0.4	20.5
Total for Above Races ³¹⁶	30.3	1718.6	8.2	282.4	0.1	5.3
Female						
Asian	6.5	466.8	1.6	41.7	0.0	0.4
White	33.5	1,433.3	4.6	161.9	0.0	1.1
Hispanic	51.1	1,779.8	1.8	132.5	0.0	2.2
Native	189.1	3,878.3	30.0	640.4	0.0	3.4
Black	247.0	6,485.2	72.0	1,663.1	0.6	13.6
Total for Above Races	54.8	1907.6	13.7	363.8	0.1	2.5
Male						
Asian	0.8	85.3	0.6	35.5	0.2	5.0
White	1.9	266.9	0.4	63.8	0.0	3.5

³¹⁶ “Total for Above Races” is my own calculation. Errors are mine if the numbers are not accurate. I gathered data from the United States Census Bureau.

Hispanic	6.9	414.0	8.9	210.9	0.0	10.5
Native	14.5	930.0	3.4	255.7	0.0	6.5
Black	47.9	2,337.7	21.6	1,038.6	0.3	27.2
Total for Above Races	6.8	1537.7	2.9	204.5	0.0	7.9

Source: CDC, STD Surveillance (2017)

It turns out that the teen pregnancy and abortion rate³¹⁷ in the US is the highest of all industrialized nations when you account for *all races* (88.5). If you only look at US whites ages 15-19, their rates (38.1) are actually lower than those of New Zealand (55.9), the United Kingdom (51.3), Canada (45.4), and Australia (45.0). Indeed, US whites' teenage pregnancy and abortion rate approaches Norway's (31.9). A more truthful comparison would ask why the pregnancy rate is so high for African- (110.4) Hispanic-American (109.7) teens. As Males points out, these groups have high rates of poverty compared to teens in other Western nations, where minority teens also have high birth rates. High birth rates in the United Kingdom, Canada, Australia, and New Zealand largely can be explained by their higher proportions of impoverished minorities as well. "If the United Kingdom or Sweden had the same demographics as the United States, then the United Kingdom and Sweden would have teen pregnancy rates much closer to that of the United States."³¹⁸ We could surmise that a white teenaged woman may be less likely to experience an unintended pregnancy than black or low-income adult women. "Until

³¹⁷ Pregnancy rates per 1,000 females. The information is taken from Males, *Teenage Sex and Pregnancy*, 116.

³¹⁸ Males, *Teenage Sex and Pregnancy*, 116-117.

we confront the root cause of poor family, maternal, infant, and child outcomes, the United States will continue to lead developed nations in poor outcomes.”³¹⁹

To address the charge from Rector *et. al.* from chapter two that premarital sex could lead to depression, Males has noticed that the data surrounding a link between depression and premarital sex has been fudged by associating rape with voluntary sex.³²⁰ Moreover, instead of teens reporting negative sexual experiences consistently, most of the teens have reported sex as both negative and positive, something that adults could readily agree with. Throughout other places in Europe, 15 and 16-year-olds having sex is normal and there are no sudden cases or depression throughout Europe. Our puritanical attitudes about youth sex may actually be the cause of depression when young people have sex.

In the end, Males argues that it does not matter whether we preach abstinence-only or comprehensive sex education because “teen pregnancy is a product of the adult mores and economic system a nation imposes on its young people, not a technical matter for better instruction and moral cajoling to fix.”³²¹ The causal chain is that social problems lead to teen sex. And because of teen pregnancies, that, in turn, could reinforce the social problems for the next generation. As Males has shown, the social context in which the teens are in is part of the causal chain that leads to the problems of teenage sexuality such as unwanted pregnancies and STIs.

I agree with Males on his view that teen pregnancy is mainly a result of socioeconomics rather than simply a lack of morals or adolescents are prone to risky

³¹⁹ Males, *Teenage Sex and Pregnancy*, 124.

³²⁰ Cf. Males, *Teenage Sex and Pregnancy*, 69.

³²¹ Males, *Teenage Sex and Pregnancy*, 181. Smiler concurs: “The research on adolescent sexuality, and much of the research on parenting, tells us that parents who talk about, explain, and live out their values are most likely to produce children who have similar values” (Andrew P. Smiler. *Dating and Sex: A Guide for the 21st Century Teen Boy*. (Washington, D.C.: Magination Press, 2016), 7).

behavior. He has convincingly shown that there is a correlation between the poverty and the teen birth rate. I also agree that many young people do learn their values from adult behaviors. After all, “[i]t is not what schools teach or preach, but how adults act—toward young people, toward our own sexuality—that is the pivotal issue now demanding attention,”³²² but one can ask how these adults gained their values. Of course, they have learned it from observing other adults, but Males does not consider how new values are introduced or how people switch to value something contrary to what they originally valued. Indeed, Males mentions that it does not matter whether we teach abstinence-only or comprehensive sex education because the results will still be the same as long as the community is consistent with their practices. This is a remarkable claim: PSE and LCSE are the same as long as everyone in the community does the practice! Recall the goal for LCSE: unwanted negative consequences and if PSE can do it, then that is an ethic we should embrace, which suggests an inherent problem with LCSE as I will show later in the chapter. But I think the major key is what sort of values people should have regarding sex education. There may be many factors, but I think a major component is education, specifically how these values deal with one’s identity. Males even suggests that education plays a key component:

Teenagers have a practical right to accurate, explicit information necessary to consent to or reject relationships with peers and adults as well as the science to prevent unwanted consequences. Sex education should not be evaluated by the narrow criterion of whether it ‘delays teenage sex’ or ‘prevents teen pregnancy,’ but by its success in imparting practical knowledge. A school mathematics curriculum is successful if it teaches a student to do math, not by whether the student later uses it to discover a brilliant new theory or to cheat on taxes. Health education and clinics for young people should not be branded failures or successes depending on whether the teen birth rate in their bailiwicks rises or falls.³²³

³²² Males, *Teenage Sex and Pregnancy*, 180.

³²³ Males, *Teenage Sex and Pregnancy*, 181.

Indeed, for Males, a good sex education program imparts practical knowledge. I agree, but I would further claim that a better sex education program also helps students gain a sense of their values and how it plays in their sexual identity, and how to formulate their sexual identity. And while I agree with Males's solution that "[r]edistribution of financial resources and restoration of education opportunities and public services commensurate to those Baby Boomers availed back in our day are by far the most critical needs,"³²⁴ a key component is helping students understanding their sexual values, which is missing in LCSE.

3.4.4. The Psychological Factor

Psychologist Robert Epstein's research leads him to how we treat adolescents and he makes a striking claim: "If a young person can pass one or more tests demonstrating that he or she knows about the risks of sex, knows about birth control, is physically and emotionally mature, and so on, then he or she should be exempted from laws that may restrict his or her sexual behavior."³²⁵ Epstein argues that throughout history, people have treated adolescents as adults. In fact, "adolescence" as a category did not really exist until the early 1900s. "Adolescence as we characterize it today—as a distinct and separate period of life filled with angst and rebelliousness—is, quite simply, a fairly recent phenomenon in human history."³²⁶ The transition was from childhood to adulthood even throughout the world.³²⁷

³²⁴ Males, *Teenage Sex and Pregnancy*, 195. Males is talking about the 1950s and 1960s.

³²⁵ Epstein, *The case against adolescence*, 327. Again, "After passing one or more appropriate competency tests (demonstrating sexual knowledge, physical and emotional maturity, awareness of consequences, and so on), a young person of any age should have control over his or her sexual life" (325).

³²⁶ Epstein, *The case against adolescence*, 24. Epstein notes that We can still see this reflected in older traditions such as Bar Mitzvahs, and that medieval schools in Europe had young children and teens

Recently, however, teens have become infantilized through laws and our culture is reflecting this. Thus, by extending childhood beyond puberty, we have artificially made teens immature. “By 1933, with all young people forced to attend school and many forced out of the job market, the idea that all young people were incompetent was firmly embedded in American consciousness.”³²⁸ So when adolescents enter the “adult world,” they do not know how to act because society has been infantilizing instead of slowly giving them responsibilities, increasing their competency, which would help them gain a sense of being an adult. Nowadays, teens are immersed in “teen culture” where they have many restrictions and if they do have a job, it is usually a poor-paying or demeaning job. Over time, more and more laws have been written to limit teens’ behavior. Figure 1 from Epstein shows this.

learning together in the same room, which was the standard. For example, the Jesuit college of Caen in the 1600s had class registers having a mixture of students ranging from ages nine to twenty in various classes and at a school in Châlons, they had students from ages eight to twenty-four. Many students also completed their studies by their early teens. Age hardly meant anything in terms of education. Young people as well as adults were mixed in a wide range of professions. “Ability, need, and opportunity were the forces that determined where young people turned up; age seemed to be completely irrelevant” (pp. 28-29).

³²⁷ From an anthropological perspective, Epstein notes many tribes (the Yequana tribe, and other civilizations that are not typically considered Western (Japan, China, The Arab World, Russia, Latin America, India, Sub-Saharan Africa, and Southeast Asia). The Yequana tribe do not have a distinct separation between childhood and adulthood; rather, there is a continuum of activities, behaviors, and expectations. As soon as a child gains an interest in an activity that is typically regarded as “adult,” the family gives the child that responsibility, such as washing the clothes. Responsibility and authority are never forced upon the children. Indeed, independent decision making is encouraged so that children’s judgments is at its best. In the US, however, many parents protect their children so that children do not even think about making “adult” decisions. Cf. Epstein, *The case against adolescence*, 78.

³²⁸ Epstein, *The case against adolescence*, 43.

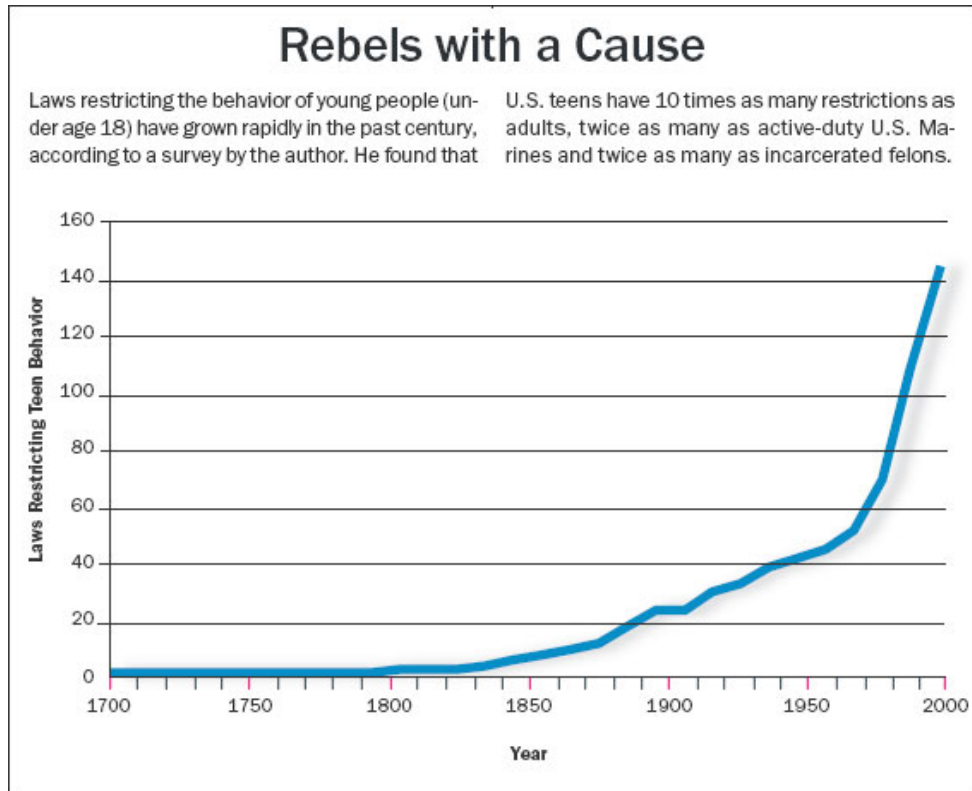


Figure 1: Graph depicting laws restricting teen behavior overtime.

Critics could argue that adolescent physiology is causing their risky-behavior. Hence, the need for laws restricting their behavior. Epstein counters by responding that rather than the brains causing the turmoil, perhaps it is the turmoil and culture that shaped the brain. “When we raise young people so that they transition smoothly and swiftly from childhood to adulthood, the turmoil that typifies modern adolescence is absent—and so, presumably, are the neural correlates of such turmoil. But when we raise teens to be angry, withdrawn, or rebellious, their brains must reflect those states of mind. In other words, the teen brain is, by necessity, every bit as much of a cultural creation as adolescence itself.”³²⁹ The problem is that our society sees teens acting out, and thus concludes that we need to put more restrictions on them. Epstein, however, suggests that

³²⁹ Epstein, *The case against adolescence*, 198.

maybe the reason they are acting out is because we are placing more restrictions on them. By immersing teens into “teen culture,” teens get more and more infantilized and are seen as immature and incompetent. We hold them back, and so they act out. Epstein and his colleague, psychologist Diane Dumas, have come up with 14 areas of competency such as interpersonal skills, handling responsibility, leadership, and have given these tests to both teens and adults. Their results showed that teens were as competent or nearly competent as adults in all 14 areas. Three competencies—love, leadership, and problem solving—showed that adults outscored the teens, but the mean scores between adults and teens were not that significant—a difference of less than 5 percent.³³⁰ When it came to the sex component, “adult means were slightly larger than the teen means (although, again, the differences might not be real) because the differences between the scores were so small that one could not trust the differences as being real.”³³¹

In all areas of competency, American adults estimate far below what the actual level of teens’ competency level. In America, teens are more in touch with other teens on average—65 hours a week—compared to four hours a week in preindustrial cultures.³³² Teens imitate each other, and they do not get to be around adults. In countries where adolescence has not yet emerged, many teens are around adults. There have been many accomplishments of various thinkers when they were teens, and these accomplishments happened before the twentieth century, before the time when adolescence emerged. In many industrialized countries, however, teens learn virtually everything from other teens, which have, in turn, been influenced by adults, media, laws, and our culture at large, which gives the messages that teens are not adults, and therefore not competent. Many

³³⁰ Cf. Epstein, *The case against adolescence*, 156.

³³¹ Epstein, *The case against adolescence*, 156.

³³² It could be more because of social media.

adults, then, infantilize teens because they expect teens to (mis)behave in certain ways and therefore conclude that teens are incompetent. The relationship between adults and teens are conflictual because many adult treat teens like children. It becomes difficult to respect someone if that person infantilizes you and treats you like a child.

Epstein's solution is to have a competency system where teens have the full rights, responsibilities, and privileges that adults have. Certain programs such as *Outward Bound* give wayward teens extra responsibility by putting them under enormous challenges in the wilderness. The teens rise to those challenges and these positive changes carry with them to the real world.³³³ Epstein also notices that military schools—which primarily focus on troubled teens by giving them military discipline—“tend to produce short-term behavioral effects and, sometimes, a long-term dislike for authority, whereas schools that give young people meaningful training and real responsibility produce better outcomes.”³³⁴ Meaningfulness has to be key, and the meaning has to be tied up with something that people care about. This is why “high-end” military schools such as the United States Military Academy at West Point produce outstanding results because the students are not treated like children. Rather, they are taught to be strong leaders and so the teachers place high demands on the students, demands that are meaningful to the students.³³⁵ In other words, when teens are thrown into adult roles, they act and feel like adults. However, Epstein notes many psychologists' studies that conclude that intelligence peaks around age fourteen, and that “teens also had the

³³³ Cf. Epstein, *The case against adolescence*, 108.

³³⁴ Epstein, *The case against adolescence*, 113.

³³⁵ Cf. Epstein, *The case against adolescence*, 113.

potential to achieve a high level of emotional maturity between ages eleven and fifteen.”³³⁶

Epstein’s solutions seem promising, and he realizes the change is not going to come overnight. Rather, he proposes a gradual process: “The bottom line for the foreseeable future, we’ll almost certainly have to continue to award most rights automatically at certain ages. This means that young people who have not already earned certain rights through testing before age eighteen will gain them automatically at some point. Age, in effect, will have to continue to serve as a substitute for competency—a weak stand-in to be sure.”³³⁷ His websites have many tests to determine competencies, adulthood, and whether one is an extended childhood.³³⁸ The overall point, however, is that incompetency may not be an essential factor within adolescence, but could be a symptom to the culture that expects them to be incompetent. Even if Epstein’s analysis is too strong in that adolescents should be treated as adults in every aspect, I take his analysis to be applicable in sexuality specifically. Thus, while I have no stake as to whether adolescents are competent in all aspects, I would agree with Epstein (along with previous authors I have mentioned) that adolescents are competent to make sexual decisions given the responsibilities and skill sets they acquire.

3.4.5. The Emotional Factor

Psychologists Hessler and Katz have empirical data supporting a link between dysfunctional emotional styles of regulation and risky behavior (such as drug use and

³³⁶ Epstein, *The case against adolescence*, 165.

³³⁷ Epstein, *The case against adolescence*, 340.

³³⁸ Robert Epstein. “Competency Inventories.” (Accessed November 20, 2018.) <http://drrobertepstein.com/index.php/tests>.

risky sexual behavior). “Adolescents who lack skills for dealing with their emotional experiences may be more likely to engage in risky behaviors in an effort to deal with their negative affect or block out their feelings.”³³⁹ Developing emotional competence is a route that one could avoid risky behaviors such as risky sex, where the participant has no concern about the self or the consequences of the actions. For Hessler and Katz, there are three areas of emotion-related skills collectively known as emotional competence: emotion regulation, expression, and awareness. Why do adolescents engage in risky behavior? “Adolescents who are not in tune with their emotions or do not have an outlet to express emotion may have limited resources for getting over their negative feelings and turn to risky behaviors as a way to alleviate strong emotions.”³⁴⁰ If emotional incompetence is associated with risky behavior, one feature of sex education must be ways of encouraging emotional competence. Their conclusions are striking: “During adolescence having fewer sexual partners was associated with a greater ability to regulate anger and sadness...Greater anger emotion regulation during middle childhood was associated with fewer sexual partners during adolescence.”³⁴¹ Without emotional competence, adolescents may use sex as a way to get over negative emotions, which can lead to a greater number of sexual partners.³⁴² This may initially support Rector’s claim. However, “[w]hen youth have difficulty regulating sadness, they may attempt to fill the emotional void and sense of loneliness by searching for a connection with others through sex. Given the important psychological and health-related risks associated with having multiple sexual partners, the results point to the importance of understanding how

³³⁹ Danielle M. Hessler and Lynn Fainsilber Katz. “Brief report: Associations between emotional competence and adolescent risky behavior.” *Journal of adolescence* 33, no. 1 (2010): 24.

³⁴⁰ Hessler and Katz, 242.

³⁴¹ Hessler and Katz, 244.

HYPERLINK "<http://drrobertepstein.com/index.php/tests>" Cf. Hessler and Katz, 244.

regulation of specific emotions affects psychosocial adjustment.”³⁴³ Thus, having risky sex may not lead to depression or sadness. If anything, it could be the other way around. Hessler and Katz conclude: “Based on the current findings, one emphasis of such programs should be on building emotion regulation skills for handling anger. In addition, increasing youth awareness of their emotions (particularly anger) and their comfort around expressing feelings in appropriate ways may help protect them against different forms of risky behaviors.”³⁴⁴ Adolescents may lack emotional competence, but it could stem from their upbringing. After all, there are many adolescents who can manage their emotions and there are many adults who cannot. What these conclusions show is that a sex education program must also include ways to build the skill of emotional competence so that adolescents can learn how to display their emotions in an appropriate and healthy way as they grow older.

Instead of seeing adolescents as a problem to be controlled, a better approach is to see them as emerging adults where we normalize their experiences instead of dramatizing them.³⁴⁵ For example, Bay-Cheng offers an analogy: when toddlers learn how to walk or crawl, they are gaining a mobility toward increasing independence. Adults, however, do not restrict their mobility, but adults also do not let toddlers have free reign to go wherever they wish. Instead, adults change their environment so that toddlers can explore their mobility under safeguarded measures. In fact, adults praise toddlers for walking and crawling instead of shaming them. Bay-Cheng argues that same should happen for sexuality. “Adults’ facilitation of children’s development in any domain is not equivalent

Hessler and Katz, 245.

³⁴⁴ Hessler and Katz, 245.

³⁴⁵ Cf. Laina Y. Bay-Cheng. “Ethical parenting of sexually active youth: Ensuring safety while enabling development.” *Sex Education* 13, no. 2 (2013): 141.

to an abdication of adult authority, nor is the freedom to experiment with sexual expression and relationships the same as a sexual free-for-all. Instead, measured and well-reasoned steps must be taken to balance sexual safety with sexual exploration.”³⁴⁶ If adults can play a positive role in not only teach adolescents about their sexuality, and also *see* adolescents as emerging sexual beings, then explorations in sexuality would be seen as normal instead of an inherently risky enterprise. This is not to say that sexuality is without risk, but the risk would be seen as an understandable outcome of sexuality in general regardless of age rather than from seeing adolescence itself as the problem.

* * *

The overall problem, critics of LCSE say, is that adolescents do not have sexual competence because they are not fully autonomous and they are constant risk-takers. I have given five factors to suggest that adolescents could potentially be sexually competent. But what does it mean to be sexually competent? Palmer *et. al.* has constructed four criteria to capture sexual competence: “contraceptive projection, self-perceived consensuality (equal willingness of both partners), self-perceived autonomy (not due to external influences such as alcohol or peer pressure), and self-perceived acceptable timing (i.e., that it occurred at the ‘right time).”³⁴⁷ Although the study was done to determine when students had their first sexual encounter, we can use these four criterions to form a sex education class that would enhance and help students develop these four criterions. Contraceptive projection is a feature that LSCE focuses on. The remaining three, however, could be emphasized, which shows a limitation of LSCE. The

³⁴⁶ Bay-Cheng, “Ethical parenting of sexually active youth,” 141.

³⁴⁷ Melissa J. Palmer, Lynda Clarke, George B. Ploubidis, Catherine H. Mercer, Lorna J. Gibson, Anne M. Johnson, Andrew J. Copas, and Kaye Wellings. “Is ‘Sexual Competence’ at First Heterosexual Intercourse Associated With Subsequent Sexual Health Status?” *The Journal of Sex Research* (2016): 3.

remaining three features will be discussed in the remaining chapters, which means that a sex education program must go beyond liberal-consequentialism. Before I move to another type of program, I want to suggest some more limitations of LCSE.

4. Commonalities between Paternalistic and Liberal-Consequentialist Sex Education

Despite the differences, and despite the critiques of LCSE from paternalists, there are a few commonalities between the paternalistic and liberal models. The overall theme between them is that there is a top-down approach in engaging sexual behavior. For the paternalist, this come from the authority (of either parents, the state, the schools, or scripture). For the liberal-consequentialist, it comes from the social structures that are still within place and never challenged. The difference between PSE and LCSE is not that former does not give students sexual information and the latter does not. Rather, PSE does not give students sexual information: authoritative individuals who forbid students having that information. LCSE, on the other hand, restricts students' knowledge due to the never-challenged social institutions, customs, and cultural pressures in society. In both cases, there is still something "external" to the students whereby they cannot get accurate sexual information. I will go over specific commonalities.

Commonality 1: They both focus on certain *outcomes* and how to *prevent* these outcomes: unintended pregnancies and avoidance of STIs.

Their whole focus is on something negative: the avoidance of something, which is not unimportant. The reason, however, that many people engage in sexual activity is not for the *avoidance* of something. If that was the case, then people would not engage in sexual

activity, or only do so solely for reproductive purposes. Indeed, any *positive* outcome has been missing in sex education as part of the discourse. It is as if sex education is only focusing on reducing risk, but sex education should also consider ways that can enhance one's health and sexuality. Louisa Allen, professor of critical studies of education at the University of Auckland, has done several surveys and interviews with adolescents,³⁴⁸ and these adolescents complain that current sex education has been de-erotized, too clinical, too mechanical, or within a strict moral framework. Kendall notes that when she observed public schools comprehensive sex education programs, the curricula ignored moral, social, emotional, and relational outcomes and that the advocates for these programs usually argued for the effectiveness of the sex education program based on health outcomes that could be methodologically measured.³⁴⁹ Indeed, these students were seen as rational agents that would learn the sexual information whereby their behavior would change based on new information. What these young people call for is an explanation of emotions within relationships, teenage pregnancies, discussion about homosexuality, abortion, but especially about how to make sexual activity pleasurable as an insight to make them understand themselves as sexual beings. Most people have sex either for pleasure, to form some emotional bond, or some positive outcome. It would make sense for a sex education program to discuss these issues.

Moreover, while the focus has been to avoid the negative consequences (unintended pregnancies, STIs, abortion), the education hardly focuses on what to do or how to handle the situation if it actually does happen. Paternalists argue that adolescents

³⁴⁸ This was done through 10 focus groups with 1180 completed surveys with young people ages 16-19 in New Zealand. The details are in Louisa Allen. "‘They Think You Shouldn't be Having Sex Anyway’: Young People's Suggestions for Improving Sexuality Education Content." *Sexualities* Vol. 11, No. 5 (2008): 573-594.

³⁴⁹ Kendall, 131.

are not ready for sex. Their sexuality has not been fully formed. But if that is the case, then why do young people seek out sexual information? If young people are seeking for this type of information, they already see themselves as somewhat sexual beings. Both PSE and LCSE show that sexuality has been a way to modify sexual behavior and anything outside of the norms of society is deemed perverse rather than focusing on the agent's decisions. Sex education has been instilling an ideology that makes individuals conform to a normed pattern of "proper" sexual behavior and sexual desire. In short, just like PSE, LCSE is has been a way to influence behavior through a sexual ideology. After all, "being responsible" in the context of sex has been largely defined in terms of delaying sexual relations until marriage. There is still something inauthentic about these frameworks in that the ideals are external to the agent rather than coming from the agent.

Commonality 2: Engaging in Sexual Preparedness is Side-Stepped.

Both the paternalistic and liberal models suggest that one should not engage in sexual activity until "one is ready." Yet, they differ about when that proper time is. For the paternalist, it is (usually) marriage. For the liberal-consequentialist, it is when one is mature enough to handle the consequences of sexuality by avoiding risky behavior. When people do not protect themselves or their partners from infections or disease, then they are "not ready" to have sex. However, the discourse around readiness for sex is a peripheral issue. Again, the focus is on preventative measures for both models. It seems, however, that the foundation to engage in sexual activity is a sense of sexual maturity, a sense of who one is as a sexual being, or a willingness to understand what it means to be ready. Yet, neither model emphasizes this. Or if they do, they suggest that the right time

is a proper moral mode of conduct (e.g., within marriage, within a committed relationship, when the couple involved are in love). It is also suggested in LCSE but stated implicitly. The social rules are not challenged and if the social rules suggest that, for example, sexual encounters are (more) permissible within marriage, then implicitly sex outside of marriage is considered not (or less) permissible. Learning what it means to be sexually prepared cannot happen on one's own; one cannot simply just figure out what it means to be sexually prepared.

By focusing on what to avoid as does the paternalistic model, proponents of the liberal-consequentialist model ignore or discount any positive attributes to sexuality—such as what it means to be in a healthy sexual relationship, how intimacy (if any) is connected with sexuality, or how a positive aspect of what it means to be a sexual being can be integrated into one's well-being. A major element missing in LCSE—as well as PSE—is the positive moral dimension of sexual interaction.

In most of the sex education curricula described in section 2.4, there is hardly any discussion regarding forming, maintaining, or dissolving a relationship. The entire focus is simply reducing the risk, and this means abstinence or using contraceptives. They do have a component on delayment strategies, but for the purposes of reducing unwanted consequences. It is as if learning to figure out when one is ready is something that students have to figure out on their own. But without any guidance or direction, they can be lost in determining what to do or how to start. Sex education must also include ways to determine how one is sexually ready.

Commonality 3: Implied Heteronormativity in Sex Education.

In our culture, marriage is the normative culmination of the romantic relationship, which implies that marriage is the most moral intimate relationships people should be in. This institution implies many norms and institutions: heteronormativity, singlism,³⁵⁰ monogamism, and coupledness³⁵¹ to name a few. If marriage is the model to follow, then other forms of relationships are outside of this moral model entirely. Applying this to sex education, “sex education is implicitly (and also, for the most part explicitly) about producing ‘normal’ (hetero)masculinity and (hetero)femininity and that these are core categories in the regulation of the social world.”³⁵² By refocusing on simply what to avoid, LCSE does not change the essence of sex education, but only affirms it, or at least does not challenge the heteronormative structure such as: enforcing gender rules about females as gatekeepers of sexuality and males as sexual pursuers, deemphasizing female pleasure, targeting minority youth (such as Blacks and Latinos) by reaffirming the stereotypes of their sexual promiscuity, enforcing a marriage-modeled type of relationship (and the closer to marriage, the better), centering heterosexuals as the prime relationship, “and, ultimately, places blame for social ills on young women who are asked to bear the brunt of all subsequent social problems if they engage in sexual activity, either because they wanted to, were forced to, or felt compelled to for reasons other than their own sexual desire.”³⁵³

³⁵⁰ The stigmatization of single people with the exception of a transcendent purpose such as religious traditions that value permanent chastity and virginity over marriage.

³⁵¹ The notion that people ought to couple up. Being single is considered low on the totem pole of relationships and in life in general. If marriage is considered the normative culmination of the romantic relationship, then being part of a couple is a route to reach that culmination.

³⁵² Nicki Thorogood. “Sex Education as Disciplinary Technique: Policy and Practice in England and Wales.” *Sexualities* Vol. 3, No. 4 (2000): 426.

³⁵³ Fine and McClelland, 321.

Any discourse that only discusses risk assessment leaves the issue of the heteronormativity unchallenged. It also leaves in place the economic and cultural differences between how men and women are treated in terms of gender norms. As an analogy, *Worth the Wait* has a lesson suggests that no contraception is absolutely reliable in preventing pregnancy and STIs and that it does not mitigate emotional problems.³⁵⁴ After the lesson, a question asks the student “how do you feel about contraception?” With the background of this lesson, the student may assume that contraception is not that great nor reliable, which is not true. However, the student may hold on to the idea because the lesson—and perhaps the educator—expects the student to write down “contraception is not that reliable.” Analogously, students may just write and hold views on what is expected of them based on what the parent or teacher wants to see. They may hold various positions and values in place without question, which can leave the structures unchallenged and not question the norms, which makes the students into passive participants in these sexual norms so that the students will subdue to these values rather than actively accepting these values, or even challenging these norms.

More specifically, Hlavka has noted that through feminist scholarship, “traditional gender arrangements, beliefs, and behaviors reinforce women’s sexual subordination to men.”³⁵⁵ Moreover, “[h]eteronormativity discourses consistently link female sexuality with passivity, vulnerability, and submissiveness, and male sexuality with dominance, aggression, and desire.”³⁵⁶ Without challenging the current structure, LCSE reinforces a patriarchal society: encouraging male power and dominance and female submission and

³⁵⁴ Scott & White Sex Education, *Worth the Wait*, Lesson 6.10.

³⁵⁵ Heather R. Hlavka “Normalizing sexual violence: Young women account for harassment and abuse.” *Gender & Society* 28, no. 3 (2014): 339.

³⁵⁶ Hlavka, 339.

passivity. If men are considered, “by nature,” aggressive and powerful—and young women overwhelmingly depict boys and men as *natural* sexual aggressors—then their violent nature as well as their overwhelming urge and desire to engage in sex is also to be expected. Women also learn that their sexuality is not their own but for males, and that they must withstand male aggression against their bodies. Men were seen as unable to control their sexual urges and women were taught to acquiesce, but this was considered natural and part of the normal routine of sexual interaction.³⁵⁷ Thus, sexual harassment, assault, coercion, and even violence is considered normal for young women and as something that is part of their everyday experience. This problem generates the sexual double standard where young women are under pressure to control their sexual reputation and manage their sexuality.³⁵⁸ These norms become so ingrained into people’s thinking that young women even criticize other women for making sexual assault claims and engage in victim-blaming.³⁵⁹ Culturally, since men were natural aggressors, it was the women’s job to say “no” and if she did not, she was complicit in the assault. The rules are set up where if any woman was in a situation where she was sexually assaulted, it was her fault for not saying “no” either through weakness or by being naturally passive.

Moreover, the focus of LCSE is to mitigate unwanted consequences, namely STIs and unwanted pregnancies. With the latter, however, it focuses on those that are heterosexual. Thus, LCSE privileges heterosexuality thereby embraces heteronormativity. By not giving same-gender attracted students attention and fair education, LCSE marks those students as “other” or “deviant” or perhaps even “perverse.” It is important to point

³⁵⁷ Cf. Hlavka, 344. As an example, a thirteen-year-old woman described her interaction with her male classmates: “They grab you, touch your butt and try to, like, touch you in the front, and run away, but it’s okay, I mean . . . I never think it’s a big thing because they do it to everyone.”

³⁵⁸ Cf. Hlavka, 350. I will go into more details of this problem in Section 5.

³⁵⁹ Cf. Hlavka, 350.

out that throughout this chapter, I have not mentioned those in the LGBTQIA+ community. The focus has always been on preventing unwanted consequences. In a sense, LCSE has a limited ethic of harm-minimization: we can sexually act how we want as long as we prevent unwanted consequences and respect everyone’s basic rights. But without a robust sex education, the values of a heteronormative culture are still in place and discussions of LGBTQIA+ individuals are ignored, disvalued, or not considered as a serious topic for discussion.

Commonality 4: Limiting Knowledge According to the Model’s Goals.

Part of the irony with the liberal discourse is that there is a sense of distrust about what adolescents will do sexually. The desires cannot be sufficiently contained through an abstinence-only program. Thus, the schools, parents, and the state must instill values and preventative measures to make sure that when—not “if”—the adolescents engage in sex, there are no unintended consequences. The discourse of this model is, “it’s best not to have sex, but if you do, here are ways to prevent negative consequences.” It looks as if LCSE has more openings in terms of what to teach adolescents and how adolescents can fully express themselves sexually, where LCSE opens up the discourse to permit broader forms of sexuality, but this is only superficial. LCSE provides narrow options or ideas of what it means to be a sexual subject. Carlson points out that liberal discourse has

played on a linguistic playing field in which abstinence had to be promoted as the ideal as that a discussion of condom use, for example, had to be presented as something young people needed to know in case they ‘slipped up’ and had sex. Progressive sex educators, consequently, were working in an abstinence discourse that limited what it was possible to say or think about sexuality and the ‘problem’ of adolescent sexuality.³⁶⁰

³⁶⁰ Carlson, 124. Indeed, at least in the United States, the discourse revolving around sex education has been “abstinence-only” (a form of PSE), or “abstinence-plus” (a form of LCSE), where students learn

Adolescents themselves are not invited to be part of the discussion of what *they* want in a sex education class. On top of age discrimination, excluding adolescents from the discussion presents problems where adolescents cannot develop critical thinking skills, moral reasoning, or how to negotiate relationships.³⁶¹ Indeed, “[a] decided conservative victory was that ‘comprehensive’ sex education atrophied, coming to increasingly resemble abstinence-only programs. The term no longer implied the integrated K-12 course of instruction SIECUS had recommended. ‘Comprehensive’ had become a code for programs that stress abstinence but also teach about contraception.”³⁶² Even if LCSE has a broader scope than PSE, the former seems to be just an extension of the latter! If LCSE’s program is to be effective to contrast PSE, it must move away from the paradigm of PSE and establish itself on its own terms. LSCE still endorses the traditional family, and most of the information revolves around sexual plumbing, sexual hygiene, and forming relationships within the context of a marriage-like framework. Even though LSCE may endorse personal choices, the choices are more legitimate if the choices match the framework of the traditional family. We can see this in the curricula that I have mentioned in section 2.4: none of them discuss LGBTQIA+ issues nor challenge heteronormative assumptions.

Notice with these commonalities above—especially commonality number one—they both have the same goal: to avoid unwanted outcomes. They even have the same *reasons*: because there would be harm otherwise. The difference is how to establish who

about contraceptives and avoiding unwanted pregnancies, but abstinence is strongly emphasized. In both cases, abstinence is the preferred norm and is the common term between them. “Comprehensive sex education” has slowly lost been changed into “abstinence-plus.”

³⁶¹ Cf. Bay-Cheng, “Ethical parenting of sexually active youth,” 140.

³⁶² Irvine, 188.

is being harmed. Here, the difference is telling: PSE considers society is harmed if adolescents are allowed to engage in sex; LCSE considers adolescents are being harmed if they engage in sex without the proper behaviors. They may have different internal goals within the educational program, but they are working within the same paradigmatic model. Have there been difference between PSE and LCSE after the Supreme Court case of *Obergefell v. Hodges*? I will consider this in section 5.2.

* * *

Despite the commonalities with PSE and LCSE with their flaws and limitations, LCSE is preferable. For one, LCSE model offers students a better grip of sexuality and what sort of choices to make in one's life instead of having someone else doing the deciding for them, which makes the students' decisions more genuine since the students will be deciding *themselves* what they want instead someone else making the choice for them. Having the students decide on their own sexuality gives them an enriched life because they can know what they want through their choices and values instead of being forced to choose something that may go against their own values and experiences. Moreover, the students will have a better understanding of sexuality and what sort of choices to make in one's life instead of having someone else doing the deciding for them, which gives the students a better introspective view on what he or she wants.

5. Why the Liberal-Consequentialist Model is Limited

However, in addition to the commonalities with PSE, LCSE has problems on its own.

Problem 1: A Focus on Outcomes Ignores an Internal Aspect of People's Sexuality.

These internal problems suggest that LCSE is too limited because of its focus on the consequences of sexuality. Of course, the consequences of sexuality have importance, but the value of sexuality should not solely rely on the consequences of actions. As mentioned before, both PSE and LCSE focus on decisions that are more outcome-based rather than educating students how to develop an internal process of *making* those decisions. In other words, an “internal” aspect is necessary because one’s sexual subjectivity cannot simply come about by avoiding negative consequences. A good sex education would do more than just a negative consequentialist ethic: it would talk about the positive aspects of sexuality and also discuss various sexual identities and expressions to legitimate sexual minority’s experiences, which can help undermine heteronormativity. The focus that LCSE has concentrated on is health, but sexuality is much more than that. LCSE is missing the sexual interactions and sexual experiences which means that the *content* of sex education must contain values. Even though the goal of LCSE is to help students exercise their own sexual values, LCSE does not help students *develop* their values. If anything, students may simply repeat the same values as their culture and believe that those values are their own without critical scrutiny.

These values, however, are not myopic as PSE would suggest. Psychologist Sharon Lamb says it best: “a focus on health sets up curricula for facts-based learning

that appears to have no moral dimension with regard to how students might behave with one another... This kind of sex education depends on social skills training, a kind of education that focuses on practice rather than understanding, and that practice leads to better choices.”³⁶³ Just looking at the outcomes of health is not enough for a robust sex education because it ignores the moral dimensions on how people interact with each other sexually. As a crude example, imagine learning martial arts or dancing without a partner. Of course, it is possible, but learning these activities *with* someone is more effective because the interaction with another person brings in an interaction that is sorely needed in sex education. This interaction is key to understanding each other and moral thinking where the students can immerse themselves around sexual issues rather than just learning on how to avoid unwanted consequences. Lamb argues that more is needed than just the facts of sex, and avoidance of unwanted outcomes: “A truly democratic education produces a democratic citizen. That is, democratic ethical education should not only point students inward, to develop moral arguments for their beliefs and opinions, but outward to develop moral practices toward the people with whom they will have sex, talk about sex, and influence sexuality.”³⁶⁴ LCSE does not provide any development of moral argumentation, but simply asks the students to exercise their values unreflectively. Students may think they are acting from their own values, but because there are no challenges to their culture, people still have the same heteronormative values instilled in them. Thus, no person is forcing people to have particular values. However, a heteronormative culture is still intact, and those values are “forced” in people subtly.

³⁶³ Lamb, *Sex Ed for Caring Schools*, 37.

³⁶⁴ Lamb, 17.

Adolescent self-determination is crucial to help young people become adults where they learn the responsibilities of their decisions, which mean that building and training autonomy is crucial in sex education, something that should be directly taught but is only regarded as a peripheral issue in PSE and LCSE. To understand consent to sex (which is a vital component in sex education), then one must have self-determination in significant sexual matters. If one does not have self-determination in significant sexual matters, then one cannot consent to sex. Indeed, advancing sexual health means to get rid of the inequalities and disparities so that autonomy, well-being, and self-determinacy can be formed. This, in turn, can help build relationships. To build self-determinacy is to increase their competence, their confidence, and their understanding of their internal decisions rather than following societal expectations or parroting what their peers says—which is what high school students usually do. Indeed, many young people believe they are expressing their own values, but it is mostly a reflection of what their peers and culture tells them. By encouraging young people to express their own views, they will be more in tune with what they feel, which will increase their sexual health and well-being. Research has shown that decision-making skills is not something that is developed simply through maturity and age, but through explicit and attentive training.³⁶⁵ In other words, decision-making needs to be trained through guidance rather than letting the skill develop on its own. Without the training, the skill is not developed which can stunt the person. Self-determinacy is a feature of autonomy and deontology, a topic that I will consider in the next chapter.

³⁶⁵ Support for this claim may be found in the following sources: Edward W. Cassidy and Dana G. Kurfman, “Decision Making as Purpose and Process,” in *Developing Decision Making Skills*, ed. Dana G. Kurfman, (Arlington, Virginia: National Council for the Social Sciences, 1977), 1-26; B. Fletcher and George Wooddell, “Education for a Changing World,” *Journal of Thought* 16:3 (1981): 21-32; and H. Simon, “Problem Solving and Education,” in *Problem Solving and Education*, eds. D. Tuma and R. Reif (Hillsdale, New Jersey: Lawrence Erlbaum Associates Publishers, 1980).

Problem 2: Sexual Norms and Values Are Assumed and Not Questioned.

A benefit of LCSE is that people may practice any form of sexual activity as long as there is a reduction of risk and everyone involved in consenting. However, it is perfectly legitimate within the liberal tradition to *critique* another's sexual behavior. After all, in the liberal tradition, people are allowed to critique others' behaviors; sexual behaviors should not be an exception. How far can one go in the critiques? Under the liberal tradition, if I am doing an activity or engaging in a lifestyle that I enjoy but it is neither popular nor considered normal, Mill contends that others are allowed not only to reason or educate me on my "misbehavior," but they can express their arguments and ideas and reason with me to show me why my lifestyle is foolish or wrong short of forcing or coercing me. But why is this a problem? In other forms of behaviors, we would expect this. In sexuality, however, things get more complex.

Suppose Blair wants to remain abstinent until marriage for whatever reason. She looks at contemporary America and sees many people engaging in sexual behavior that she deems inappropriate. On the one hand, she could disapprove of people's sexual actions, but in the end, she says that it is their lives and as long as they are not harming anyone else, it is their choice. On the other hand, suppose we have another student, Morgan, and like Blair, wants to remain abstinent until marriage for whatever reason. Morgan also looks at contemporary America and sees many people engaging in sexual behavior and deems it inappropriate through disapproval. Moreover, Morgan explains to everyone why their actions are inappropriate and gives various reasons to explain why abstinence is better for the people involved and that engaging in sexual behavior is perverse, foolish, or just plain wrong. Just how far would the "various reasons" be? It

could be simply giving arguments, or handing out pamphlets. But what if Morgan *shames* someone for their perceived sexuality? A common mode of shaming someone's sexuality is slut-shaming, particularly—and exclusively—toward women.

Slut-shaming is a major problem. Through slut-shaming, women's sexuality is deemed non-virtuous if she is seen as having too many sex partners, as having sexual feelings, and sexually active (and is considered worse if she is doing so indiscriminately or without a serious relationship). Thus, because she is not sexually acting in gender-conforming ways, she ought to be ashamed for being sexual. These activities do not have to be overtly sexual, but can be performances that marks her as sexual: violating dress codes, requesting sexual information, violating sexual norms. Slut-shaming is a normative claim that calls into question what is deemed inappropriate behavior—which constitutes and informs heteronormativity—and there are historical, cultural, and social underpinnings by deeming someone a slut. For example, in 2014, the Pew Research Center summarized various findings about online harassment. Young women (ages 18-24) have experienced harassment at disproportionately high levels.³⁶⁶ Because slut-shaming has been a way to criticize another woman's sexual activities, the liberal tradition could find slut-shaming as perhaps morally problematic, but still permissible. After all the liberal tradition invokes freedom of speech—even offensive speech—as the hallmark of a liberal society. So slut-shaming, even though it is offensive, is permissible

³⁶⁶ See Maeve Duggan. "Online Harassment." Pew Research Center: Internet, Science & Tech. September 21, 2015. (Accessed November 20, 2018.) <http://www.pewinternet.org/2014/10/22/online-harassment/>. For example, "26% of these young women have been stalked online, and 25% were the target of online sexual harassment. In addition, they do not escape the heightened rates of physical threats and sustained harassment common to their male peers and young people in general."

in the liberal tradition,³⁶⁷ which makes slut-shaming consistent within LCSE. Both Blair's and Morgan's positions and actions would be morally acceptable not only to have in society, but also implicitly shown that Morgan would not be challenged. If so, students may come away with the idea that they are both acceptable positions. Or at least students are taught that Morgan's position is a respectable position to hold implicitly in the classroom. Even if teachers do not allow it in the classroom, the heteronormative claim is not questioned. With LCSE focusing on preventing unwanted consequences, nothing prevents people from slut-shaming each other *outside* the classroom. A better sex education program would consider this problem so that people's character is such that slut-shaming is not considered a viable option.

Slut-shaming has deeper ramification in society. Slut-shaming reinforces gender norms for both sexes which can limit people's sexual autonomy. It is what social scientists Emmerink et. al. have termed the "(hetero)sexual double standard,"³⁶⁸ which entails slut-shaming and policing sexual standards.

Endorsing the sexual double standard can lead to negative sexual effects. For men, in particular, there has been a relationship between endorsing the sexual double standard and acceptance of dating violence and rape culture.³⁶⁹ Moreover, men are still expected to meet the masculine ideal, even if that person is gay. As journalist Rachel Hills puts it in her book *The Sex Myth*, "[a] gay man can now be a 'real man,' but a 'fag'

³⁶⁷ It is an open question whether Mill himself would consider shame as a technique to persuade others. Nevertheless, within a typical liberal tradition, using shame as a technique to influence others is permissible since shaming others is not physically coercing others.

³⁶⁸ Peggy MJ Emmerink, Ine Vanwesenbeeck, Regina JJM van den Eijnden, and Tom FM ter Bogt. "Psychosexual Correlates of Sexual Double Standard Endorsement in Adolescent Sexuality." *The Journal of Sex Research* (2015): 1.

³⁶⁹ Cf. Emmerink, et. al., 1. The authors also cite other articles further supporting this claim.

still cannot.”³⁷⁰ In other words, men are expected to have high sex drives, to not be emotionally sensitive, to seek out sex, not to be vulnerable to other men, and not to display and feminine qualities. The (hetero)sexual double standard is heteronormative in that there are no discussions of LGBTQIA+ individuals, or if there are, they are implicitly considered deviations of the norm. They may not fit the gender or sexual norms, but they are still expected to perform the sexual standards as Hills points out. The information that both men and women obtain from sex education classes, even under LCSE criteria, are gendered. For example, when it comes to abstinence as a choice, the messages are mainly geared towards girls: “decisions whether or not to have sex are made by girls rather than by boys, and that girls are responsible for circumnavigating and preventing sexual abuse.”³⁷¹ This message puts young women in a passive position. Endorsing the sexual double standard for women has been associated with poor sexual functioning and lower sexual satisfaction.³⁷² If young women are ingrained into thinking they have to be passive, it becomes harder to take ownership of one’s sexuality, which could potentially be harder saying “no” to sexual activities they do *not* want. However, if they decide to become sexual, they get judged for having sex.

Men, however, have the luxury for displaying their sexuality. The sexual double standard, therefore, makes it harder for women to have sexual autonomy and agency.³⁷³ A study showed that students considered a man’s responsibility as knowing what or what not to do during sex. If the man does not know, then it challenges his identity as a man,

³⁷⁰ Hills, 136.

³⁷¹ Sarah H Smith. “Reading Sociology into Scholarship on School-Based Sex Education: Interaction and Culture.” *Sociology Compass* 6, no. 7 (2012): 529.

³⁷² Cf. Emmerink *et. al.*, 2.

³⁷³ Tanenbaum says it best: “Many [women] freely express their interest in sexual activity—but on their terms. Yet they can’t have sexual activity on their terms, under their control, under the present conditions of the sexual double standard and benevolent sexist. Thus, their sexual agency is severely compromised,” *I Am Not a Slut*, 192.

and his social status. Thus, the script is heteronormative in that men ought to know about sex while women ought to know about protection from sex exploits.³⁷⁴ To date, there are not many studies investigating whether LGBTQIA+ individuals follow the heteronormative script. But the results would be helpful either way. If they follow the heteronormative script, then that suggests that our culture is invested in heteronormativity which makes sexual minorities performing a script that they are not comfortable with. If they do not follow the heteronormative script, then they have broken out of that institution (which is why they are *pro tanto* criticized) and their interactions and thinking patterns could be insightful for everyone to show how to have healthy relationships and not following any institutional expectations.

In the overall scheme of things, LCSE does not challenge any social or political structures or institutions. The status quo is the assumed position to hold. Rather, the purpose is to help each individual obtain personal satisfaction, but educators would miss the chance of changing the social structures and assumed biased sexual attitudes. By not critiquing the status quo, heteronormativity will still be in place. Not following the sexual norms could be seen as a failure or the feeling that something is wrong with them since they do not desire the norms. For example, alternative relationships or being single or divorced could be seen as a failure.

If sex education was just looking at the facts, one could judge and value some forms of sexuality as negative. Under LCSE—and PSE for that matter, it *is* permissible to judge sexual actions, behaviors, or even ideas because the sexual market of ideas is open to all, and anything that one disagrees with can be scrutinized and criticized. Again, LCSE could endorse sexism and heteronormativity by not challenging a patriarchal

³⁷⁴ Cf. Smith, 530.

system. Adolescents are just starting to get acquainted with sexuality and they may not have any direction on how to approach it except for various norms that they are familiar with. They are familiar with these gendered norms, which can pressure them to follow these norms, which can start their romantic and sexual lives negatively.³⁷⁵ They may not even be aware of other ways of expressing their sexuality, or that other ways of expressing their sexuality even exists. After all, a liberal state and liberal freedom does not necessarily mean living an examined life. A sex education that does not endorse slut-shaming would thereby critique PSE, but also LCSE as well. There must be another sex education program that goes beyond LCSE. Thus, LCSE—while it has many positive attributes—must be rejected as well.

A better society is where people do not feel shameful about their sexuality, where they have a better education on sexual matters, and the mores reflect sexuality in a positive pluralistic light rather than a universal one-size-fits all notion. A better society would be one that is closer to having comprehensive sex education.

We may think that heteronormativity has vastly diminished after the U.S. Supreme Court decision in *Obergefell v. Hodges* (2015), the case that legalized same-sex marriage nationwide. As an example, the California Healthy Youth Act of 2016 states that:

All instruction and materials in grades K-12 must be inclusive of LGBTQ students. Instruction shall affirmatively recognize that people have different sexual orientations and, when discussing or providing examples of relationships and couples, must be inclusive of same-sex relationships. (EC § 51933(d)(5).) It must also teach students about gender, gender expression, gender identity, and explore the harm of negative gender stereotypes. (EC § 51933(d)(6).)³⁷⁶

³⁷⁵ Cf. Emmerink *et. al.*, 2.

³⁷⁶ See California Department of Education. “Frequently Asked Questions.” Frequently Asked Questions. (Accessed November 20, 2018.) <https://www.cde.ca.gov/ls/he/se/faq.asp>.

Indeed, the act also requires that the intent of the law is “to provide pupils with the knowledge and skills they need to develop healthy attitudes concerning adolescent growth and development, body image, gender, sexual orientation, relationships, marriage, and family (EC § 51930(b)(2).). Moreover, the Act also prohibits sexual health classes from promoting bias against anyone on the basis of any category protected by Education Code § 220, which includes actual or perceived gender and sexual orientation.³⁷⁷

And while the *Obergefell* decision has helped fight against heteronormativity, there are still cultural ramifications that still keep heteronormativity in place. Bernstein has called this the “assimilationist dilemma:” as same-sex marriage begins to resemble opposite-sex marriages, same-sex relationships will eventually assimilate to the norms of heterosexuality. However, if they do, they begin to lose their salience of a gay or lesbian identity. If so, it could usher in a “post-gay” world.³⁷⁸ Same-sex couples would have to assimilate such that they gain the same rights and legal protections of marriage that opposite-sex couples have had. While the *Obergefell* case has *pro tanto* challenged heteronormativity, Bernstein suggests that in a broader context, heteronormativity can be reconstituted by shifting how sexual and gender norms are redrawn.³⁷⁹ As mentioned before, LGBTQIA+ may still display expected gender roles and what is deemed appropriate ways to display masculinity or femininity. Even if these expected traits could be queered such that they challenge the expected norm, the worry is that *an* expected norm may still be embedded into our culture. In short, the *Obergefell* decision may have *pro tanto* challenged the current standards and expectations of heteronormative

³⁷⁷ *Ibid.*

³⁷⁸ Mary Bernstein. “Same-Sex Marriage and the Assimilationist Dilemma: A Research Agenda on Marriage Equality and the Future of LGBTQ Activism, Politics, Communities, and Identities.” *Journal of homosexuality* (2018): 4.

³⁷⁹ Bernstein, 7.

performances, but the rubric of heteronormativity is still intact since heteronormativity can be shifted and redrawn. In essence, then, there is no major difference between PSE and LCSE except who is being harmed, but it is still within the same rubric of social norms and accepted sexual customs of heteronormativity. This is not to say that this mitigates the difference—after all, LCSE has advantages than PSE—but the framework of both models are one and the same. Both the liberal and paternalistic models claim to produce sexually responsible citizens. Overall, they focus on preventing negative consequences, they just differ on how to prevent it. In the end, however, both models fail at giving students what they want in sexual education, and most importantly, information of what it means to be a sexual subject.

6. Why Both LCSE and PSE Models must be Rejected.

The problems of LCSE are deep. As a review, LCSE represents a way to instill and promote the “right” values and behaviors. This model is limited by focusing on consequences. A proper sex education cannot come down to the *avoidance* of something, which was also a limitation of the paternalistic model. A positive aspect of sexuality must necessarily be included in sex education. Without a positive aspect, students will only learn how to think of sex negatively (meaning what to avoid). This is not necessarily a bad thing, but sexuality needs to be discussed in a positive light since sexuality is also pursued for the sake of pleasure, intimacy, and overall happiness and well-being. As an analogy, imagine an education surrounding culinary arts but their focus was on how to avoid bad tastes or incongruous foods. This type of education would be so limited in what the culinary arts could do. If the students only learned the negative aspects, they could

not know other possibilities of any positive tastes. Now imagine if a student explored different foods and paired two new foods together in a new way. Teaching what foods *can* do in a positive way opens up new avenues for culinary students. The same could be said with sexuality. Students want to learn new and different avenues of sexuality and by doing so, this opens up new avenues about what different types of sexualities there are. LCSE claims that students can act based on their values, but the values that students learn from their culture is that sexuality is already marked as risky, dangerous, and negative. The values that students have, therefore, are already laden with negative features and the choices they engage in will reflect those values. Thus, the values they “choose” to express are not really coming from them but from societal expectations.

Another feature is that heteronormativity is still in place. Tolman’s work show that when young women have sex, the narrative is typically that the sex “just happened:” “‘It just happened,’ then, can also be understood as a cover story. It is a story about the necessity for girls to cover their desire. It is also a story that covers over active choice, agency, and responsibility, which serves to ‘disappear’ desire, in the telling and in the living. But ‘it just happened’ is much more than a story told by yet another girl to describe her individual experience.”³⁸⁰ Tolman’s description of young women’s narrative of “it just happened” is a way to show that the sex that happened seemed more mechanical rather than agental. It was almost as if they had sex simply to get it over with, as a rite of passage to their social group rather than from their own sexual desire.³⁸¹ This tells us that there is no space for young people, especially young women to discuss or explore sexual desire, because their sexual agency is erased. “Sex is reduced to a

³⁸⁰ Tolman, *Dilemmas of Desire*, 2.

³⁸¹ Carmody, 27.

biological act that needs to be achieved and the feelings, emotions, and bodily responses to it seem to be secondary.”³⁸² Again, it speaks to the potentials for slut-shaming, which feeds into heteronormativity, but also that young people, especially young women have a harder time saying “yes.” The thinking may be that if there is no “no,” then the only alternative is that it is a “yes.” This false dilemma is still harmful in that people may be engaged in sexual acts that they are not sure they want to do, but they may not even realize they did not want because they did not say “no.” With the discourse focusing on avoiding risk, sex education has been about managing risk and issues of pleasure are on the periphery.³⁸³ This discourse sets up a dichotomy where safe practices are better, but since pleasure is not mentioned, pleasure has been associated with unsafe practices. The result is that women may feel disconnected to their sexual desires.

As an example of adding a positive element to sexuality, honest communication and negotiation is key to a healthy sexuality. If the focus was on simply avoiding negative consequences, then the focus would be ways of how to communicate “no” toward unwanted sexual advances, which is a good thing. But there is no discussion or teaching moments on how to say “yes” toward sexual advances. It is as if learning how to say “no” is the teachable moment, but saying “yes” is either everything else or something that students need to figure out on their own. However, saying “yes” needs to be taught. Negotiation with a sexual partner is key to using contraception. This means that adolescents must have the skills for honest communication for their needs and wishes. Simply gaining the skill of saying “no” does not help students make tough decisions, but

³⁸² Carmody, 27.

³⁸³ Cf. Naisteter, Michal A., and Justin A. Sitron. “Minimizing harm and maximizing pleasure: Considering the harm reduction paradigm for sexuality education.” *American Journal of Sexuality Education* 5, no. 2 (2010): 107.

defers the decisions onto another authoritative figure.³⁸⁴ Studies, however, reveal that many adolescents fail to discuss these issues, particularly women, which can make them more vulnerable when their partner is resistant to use contraception.³⁸⁵

Part of the curriculum of both PSE and LCSE models so far have been a negative consequentialist view. I have shown why the negative aspect is limited. In fact, this ethic could alternatively have been called “liberal-negative-consequentialism” where the focus is on preventative measures or negative liberty. A positive dimension is missing.

International organizations such as the International Planned Parenthood Federation, World Association for Sexual Health, and the World Health Organization call for a more comprehensive sex education that not only discusses avoiding harms, but also sexual enrichment and fulfillment.³⁸⁶ International Planned Parenthood Federation “further advocates for a case-by-case approach to balancing individual youths’ developmental needs and sexual rights and their particular circumstances, rather than applying a uniform set of standards or prohibitions regarding sexual behaviour.”³⁸⁷

But I also want to show why the consequentialist ethic is also limited. The consequences of sexuality are important, but one should not focus one’s sexual behavior strictly on the consequences, even on a positive account. If so, all of sexuality would be regarded as a means-end route where the end is either the avoidance of something, or perhaps something positive (such as pleasure, or an emotional connection between the people involved). The activity itself along with the self relating to another is an important feature of sexuality, but a consequentialist account does not address this. Because the

³⁸⁴ Cf. Fine and McClelland, 327.

³⁸⁵ Cf. Temple-Smith *et. al.*, 32.

³⁸⁶ Cf. Bay-Cheng, “Ethical parenting of sexually active youth,” 134.

³⁸⁷ International Planned Parenthood Federation, taken from Bay-Cheng, 134.

intricacies and dynamic complexities of a sexual relationship are part of the engaged, ongoing feature of the activity, and so one should not just focus on the aftermath of the sexual engagement.

Moreover, the current comprehensive programs do not go far enough. As mentioned before, 22 states have implemented refusal skills in their sex education programs. The problem is that this still puts in place heteronormative gender roles: men are the aggressors and women are the gatekeepers. With teaching refusal skills, it reinforces these roles in that men perhaps need to be more aggressive and women need to be stricter with their refusal. Without challenging the gender roles, it really puts the onus on young women to refuse. Under this rubric, men or challenging masculinity is still put in place.

A proper sex education would do more than just a consequentialist ethic. It would teach the positive aspects and how the students could choose these aspects from themselves based on their own values. In other words, sex education needs to develop students' sexual autonomy. Moreover, instead of teaching refusal skills only, a better sex education would teach both partners to pay attention and ask whether to proceed or not and to acknowledge whether the other person wants to proceed or not. In other words, sex education needs to teach about consent. Since LCSE does not focus on that, LCSE is insufficient. For these reasons, LCSE must also be rejected as well as PSE. The next chapter will consider another model which will avoid the disadvantages of both models, but hold on to the advantages of both, as well as forming a new way to educate sexuality. The next model will discuss sexual autonomy, from which emerges consent.

Chapter Four: The Liberal-Deontological Model

With the disadvantages of the paternalistic and liberal-consequentialist models discussed in previous chapters, we must have an ethic that is centered not on outcomes, but psychological motivations; not on external behaviors, but on internal choices of the agent. If a good sex education focuses on the internal psychological motivations, there could be diverse types of relationships in which the students' choices could be acknowledged rather than the assumed normative heterosexual, monogamous type. Moreover, a good sex education would make sure to prepare the students so they know what to expect, which includes discussions surrounding consent and forming/acknowledging sexual boundaries. These features bring forth a new model of sex education: the liberal-deontological view.

Liberal-deontology shares the same liberal features as liberal-consequentialism in that everyone chooses what sort of life one wants based on one's desires, goals, values, and ends to achieve. Since each individual is going to have different values and goals, the resulting society will end up being pluralistic. One way to manage the pluralism is through a consequentialist ethic: simply allow the diversity since it increases potential good consequences if the harm does not outweigh the good, which was covered in the previous chapter. The deontological portion is to manage the pluralistic values and goals by focusing not on the actions external to the agent, but to respect the person's autonomous decision because the person is an agent who is free to make decisions. Because of this, the agent's freedom is paramount and interfering with the agent's decision ignores the agent's autonomy. Any interference with anyone's autonomy needs

justification. If any paternalistic interference is to be permitted, it is generally restricted to cases in which the agent is not deemed to be autonomous with respect to decision-making. Combining the liberalism and deontological ethics forms a liberal-deontological ethic which forms the basis of a new model for sex education free from any social utilitarianism, but rather champions individual sexual rights. Moreover, sex education teaches adolescents to police themselves: self-control replaces social control.

The goal of this chapter is to focus on a sex education model that hones in on the autonomy of the individual. I argue that liberal-deontological sex education (LDSE) is better than the previous models. In section 1, I will first explain liberal-deontology by focusing more on the deontological aspects. The liberal aspects were covered thoroughly in the previous chapter and thus will not be discussed in this section. In section 2, I will apply liberal-deontology ethics to sex education, which focuses on consent. Because this is a new model, not many states have a focus on this ethic; however, new laws have recently been enacted.³⁸⁸ Additionally, I will investigate new curricula that focus on consent as the central mode of sex education. Overall, I will show that this model has advantages over the previous two (PSE and LCSE) models. In section 3, I will look at the advantages and disadvantages of LDSE, a perspective I believe has some significant shortcomings. Finally, in section 4, I will outline my position on autonomy and consent and show that autonomy and consent are a legitimate justification for a good sex education, but they are not the foundation. In the end, I will argue that LDSE has limitations which require us to develop a new model of sex education.

³⁸⁸ As of this writing California is the only state that mandates consent-based sexuality education. See Michael Alison Chandler. "Md. Lawmakers Consider Bill Requiring Schools to Teach Sexual Consent and Respecting Personal Boundaries." *The Washington Post*, February 21, 2018. (Accessed November 10, 2018.) https://www.washingtonpost.com/local/social-issues/md-lawmakers-consider-law-requiring-schools-to-teach-sexual-consent-and-respecting-personal-boundaries/2018/02/21/d5e32804-1278-11e8-8ea1-c1d91fcec3fe_story.html?noredirect=on&utm_term=.275c27b06c26.

1. Foundations of Liberal-Deontology

A note before I start. While I use deontological ethics, I do not solely rely on Kant. He may have an influence considering he is the paradigm example of deontological ethics. However, I am looking at deontological ethics broadly. My focus is to look at autonomy, self-determination, and treating people with respect as the main focus of deontology. And while I may use Kantian language, I will not rely on Kantian ethics such as the Categorical Imperatives or acting for the sake of duty.

The liberal-deontological view focuses on autonomy. We have our own personal sovereignty and self-determination, which implies that the choices I make form what sort of life I want to have based on my own values. Anyone intervening in my life decisions is acting paternalistically towards me which would be *prima facie* wrong. Moreover, one must consider other people have their own personal sovereignty and life decisions which shape the way in which they lead their lives based on their values. As separate autonomous beings, we recognize we must leave each other alone to pursue our goals even if we disagree on the life plan or the values of the other. Autonomy, then, includes thinking about others with respect to their autonomy. The obvious exception is the non-consensual harm of another autonomous being.³⁸⁹ We can say, then, autonomy not only means respecting people's decisions, but realizing those decisions are personal outgrowths of their autonomy.

³⁸⁹ What about humans that are not autonomous? We have proxies toward those who cannot make autonomous decisions (e.g. infants, those with severe dementia, those with severe mental disabilities, etc.). We can say that those who are unable to make decisions for themselves have guardians or a proxy to make decisions for them. The question is whether adolescents can make sexual decisions for themselves. I have already argued that they can in the previous chapter.

Furthermore, autonomy is acting on one's own principles rather than following external constraints. Each person accepts these principles through critical self-reflection through which everyone legislates the moral law for themselves. Through Kantian ethics, to act freely is to act autonomously, or according to the moral law I give myself instead of the dictates of nature or social conventions. Moreover, to act autonomously means to act with authenticity meaning the action comes from people's own active will whereby they reflectively endorse the action or motive rather than passively parroting an action.

2. Applying Liberal-Deontology to Sex Education

We can now formulate the liberal-deontological sex education model. Critics of a liberal sex education have suggested that a value-free sex education is not worth pursuing or impossible. LDSE assuages these worries by encouraging students to formulate their own values, and suggests that sexual autonomy—which assumes sexual self-determination based on personal sexual values—is paramount.

2.1. Autonomy in Sex Education

The first step is to introduce autonomy to the students: the ability to maintain and enhance self-control and the ability to make decisions about how to act since autonomous agents act in such a way where they act from their will and not letting their inclinations take over. Thus, developing sexual autonomy helps students develop control over their sexual behavior and make decisions regarding that behavior. In the context of sex education, students are taught to be free from pressures and other people's influences so that they make choices that are truly their own. Therefore, part of LDSE would not only

teach students how not to fall into the pressures of their peers or social expectations but also to be independent and foster sexual autonomy. A good example of this is the Dutch “Spring Fever” program that is aimed toward children ages 4-11. The program teaches young people age appropriate knowledge, methods, and skills for sexual contacts they will have later in life. The program has had positive results and is internationally known.³⁹⁰

Proponents of PSE and LCSE claim they are helping adolescents make decisions to benefit their physical and mental health. These models shape and focus on adolescents’ *behaviors* and not their *motivations*, at least not directly. The major flaw of the previous models, however, is that they focus on shaping the *external* factors of the adolescent, and not the *internal* or psychological intentions directly. Sex education in the past has been heavily influenced by behavior modification: if there was a problem that students needed to know sexually, the way to fix that is through changing sexual *behavior*.

The problem lies with a given mismatch between the external behavior and their internal psychology. If students are competent enough and internally desire sexual activity, but do not engage in it because outsiders have told them they are not ready, students may withhold sexual activity despite an internal desire to engage in it. When authoritative figures such as educators, policymakers, and parents influence students’ behavior through proscriptions, this results in students parroting behavior instead of genuinely behaving from their own internal motivation. For example, forcing students to perform a certain behavior₁ when they would rather do behavior₂, (or, at least, avoid

³⁹⁰ The information is gathered from Rutgers. “Spring Fever.” (Accessed November 10, 2018.) <https://www.rutgers.international/springfever>. The program itself can be viewed here: Rutgers. “Relations and Sexual Health Education.” Relations and Sexual Health Education. (Accessed November 10, 2018.) <https://www.springfever.org.uk/>.

behavior₁) is *prima facie* denying the students' autonomy, and thus not respecting the students' personhood. By letting students discuss and explore what it *means* to engage in behavior₂ (but not necessarily *do* behavior₂), students gain rational growth and can more fully understand what engaging in certain behaviors mean.³⁹¹

The liberal-deontological model, however, focuses on the student rather than on the educator. Thus, the educator teaches students the *process* of forming the moral law such that they can act on it, thereby helping students internalize the behavior into a principled motivation derived from their own internal psychology rather than forcing students to behave a certain way from an external source. Autonomy is the key because it is the *students* who make their own choices but, more importantly, the choice is made and imposed *by* them and not *for* them allowing them to be their "own person" instead of conforming to the external source. By focusing on autonomy, sex education will revolve around adolescents choosing why and when to engage in sex. LDSE will therefore maximize autonomy by providing access to as much information as is available to the students to show these choices of sexual activities are possible when chosen freely, privately, and without harm to others.

I contend that learning how to authorize and commit to various values is better than taking on values that are given by others because adolescents will eventually learn and endorse what Steutal and de Ruyter have called "the principle of sexual self-determination" which states "every adult person should be accorded an equal right of

³⁹¹ Does this apply in general? Many students have to take general education courses that they do not want to take. So they would rather engage in one behavior but are forced to engage in another. Recall the distinction between "thick" and "thin" paternalism. Since I am endorsing "thin" paternalism, students must have some sort of structure to an education. Thus, I am guessing that taking general education courses are beneficial for at least two reasons: one, to help students become more well-rounded by learning critical thinking skills and the diversity of the world; two, to learn how to handle scenarios that they may not enjoy. They may not enjoy a particular moment, but it would be beneficial for them to learn how to handle the process, to be patient, and to know that they are going to encounter many moments like these as adult.

sexual self-determination, that is, equal freedom to arrange one's sexual life according to one's own values, beliefs and preferences."³⁹² This principle also holds that we have a duty to not infringe on anybody else's sexual freedom. A corollary of this principle is that we must respect other adults' rights to sexual self-determination which consists of two components: one is having the right attitude, where people accept different sexual goals and a plurality of motivations to reach these goals with a deep aversion to those who violate other's sexual self-determination. The second component is having a certain capacity to apply their principles in particular situations to determine which acts are violations of sexual self-determination.³⁹³

After developing these deontological duties, the teacher can then delve into specific case studies to bring forth various values that the students have developed specifically particularized for them, though still having the deontological values as the foundation. For example, every student would develop the deontological value of self-determination and respecting other people's choices. Student A may eventually develop the value of having a traditional relationship that entails no sexual engagement until after marriage; student B may develop the value of having sex only within the confines of a loving relationship; and student C may develop a value where consent is the only rule when it comes to sexual engagement. A way to help the students hone in on what values are right for them is to practice various scenarios and issues so that they will have a clearer understanding of their values by exhibiting what desires to fulfill.

Finally, another important feature of LDSE is to make the adolescents critically authorize certain values that they themselves must discover. The failure of doing so could

³⁹² Steutal and de Ruyter, 77.

³⁹³ Cf. Steutal and de Ruyter, 78.

lead to adolescents following behaviors without knowing why or even refusing to follow certain behaviors out of rebellion. When students have a better sense of how they feel and desire regarding sexuality, they are more in tune with their own identity, gender, and relationship preferences. This knowledge allows them to act more authentically with how they feel instead of performing social-conforming identity, gender, or relationship preferences.

2.2. Consent in Sex Education

In sexual relations, taking into account another person's autonomy is to have a deeper understanding of consent. Learning about sexual consent is essential to a good sex education. While it may seem obvious that consent is morally necessary for any sexual activity, we must first ask about the nature of consent, how it comes about, and whether there are distinct types. Before doing so, I will first briefly explain the two accounts of the nature of consent. The first is the attitudinal account which states consent is given by having a mental attitude. Consent is therefore a psychological attitude toward that act. The second is the performative account which states consent is given by communicating (either verbally or non-verbally) and intending to do the act. Considering the various arguments for both sides, I do not have a particular stance as to which side is better; however, students might. One way to have the students discuss the issue is to bring up various case studies and see where the consent lies (either in the person's mind or in the communication itself). Because the issue of consent mainly focuses on what counts as consent, or what the conditions are for consent and whether those conditions are met, I will primarily focus on those issues.

2.2.1. Consensual Minimalism

The first type of consent is what is known as consensual minimalism.³⁹⁴ Under this view, the necessary³⁹⁵ and sufficient conditions for what counts as consent is a voluntary informed agreement. The best representatives of this view are Mappes,³⁹⁶ Wertheimer,³⁹⁷ and Steutal and de Ruyter. In short, this position entails no coercion, deception, or incapacitation may take place.³⁹⁸ Otherwise, the action is unethical. At minimum, provided the people involved give *permission* to the sexual act, then the sexual act is morally permissible. According to Mappes, sex is morally impermissible if at least one person involved in the sexual activity treats the other as a mere means, whereas morally permissible sexual relations comes about when the participants have made a voluntary informed agreement. To undermine the other's voluntary informed consent means that one coerces, deceives, or takes advantage of the other's desperate situation.

Another way to look at consensual minimalism is to say that it is contractual.

Raymond Belliotti argues that the

nature of these [sexual] interactions is contractual and involves the important notion of reciprocity. When two people voluntarily consent to interact sexually they create *obligations* to each other based on their needs and expectations. Every sexual encounter has as its base the needs, desires, and drives of the individuals involved. That we choose to interact sexually is an acknowledgement that none of us is totally self-sufficient. We interact with others in order to fulfill certain desires which we cannot fulfill by ourselves. *This suggests that the basis of the*

³⁹⁴ There are other names for this type of consent. Some have called it Thin Kantian Respect since consensual relations stem from Kant and the concept is "thin" because there is a minimal need as to what counts as consent. Soble has called this external sexual consent.

³⁹⁵ I am ignoring various cases where consent is not always necessary for morally permissible sexual contact exemplified by Wertheimer. His cases are interesting, but they may not necessarily apply to public school students. Moreover, I am also ignoring whether consensual minimalism or consensual idealism (section 2.2.2) solves the Kantian problem of moral sexual relations.

³⁹⁶ Thomas Mappes. "Sexual Morality and the Concept and the Concept of Using Another Person," in *Today's Moral Issues*, 7th Edition, Ed. by Daniel Bonevac. (NY: McGraw-Hill, 2013), 66-72.

³⁹⁷ See Alan Wertheimer. *Consent to sexual relations*. (NY: Cambridge University Press, 2003).

³⁹⁸ Using Kantian language, these would be acting heteronomously.

sexual encounter is contractual; i.e., it is a voluntary agreement on the part of both parties to satisfy the expectation of the other.³⁹⁹

While a voluntary agreement with another person is necessary for consent, to say the agreement is contractual makes it seem like the sexual relation is more of a business deal rather than a reciprocal agreement of fulfilling needs and expectations. However, Belliotti does mention that this contract is based on the expectations of fulfillment of reciprocal needs and desires. Moreover, there is a guide of reasonable expectation, and this is what the sexual contract entails: we are to help fulfill our sexual needs and desires and, in return, there is an implicit expectation to help fulfill the other person's wants and needs.

I consider consensual minimalism insufficient. The next subsection will explain why and provide introduction to the next model of consent.

2.2.2. Consensual Idealism

The second type of consent is known as consensual idealism.⁴⁰⁰ Under this position, representatives argue that consensual minimalism is necessary, but not sufficient for the sexual activity to be ethical. Rather, there is a moral requirement that people ought to acknowledge and be responsive to each other's needs, desires, and feelings.

Representatives of this position include Keppler, Pineau, and Estes. Keppler argues that another way to treat a person as a mere means—besides exploitation, coercion, and deception—is “any conduct intended to achieve the purpose of treating that person as an

³⁹⁹ Raymond Belliotti. “A Philosophical Analysis of Sexual Ethics.” In *Journal of Social Philosophy*, Vol. 10, No. 3 (1979): 8, my emphasis. Belliotti never considers that masturbation is a way to “fulfill certain desires which we cannot fulfill by ourselves,” unless he means some sexual interaction with *another* person. Moreover, unless Belliotti is very broad when he says, “satisfy the expectation of the other,” he also seems to ignore cases of sex work, maintenance sex, pity sex, or peace-inducing sex, just to name a few instances of sexual encounters.

⁴⁰⁰ This is sometimes known as “thick Kantian respect.” Soble called this “internal sexual consent.” Munro called it “consent-plus.”

object and not at the same time as an intrinsically valuable moral subject.”⁴⁰¹ An example from Keppler is a couple who has been dating for a while and are sexually attracted to each other. They both want to have sex but during the act, he makes no attempt to please or satisfy her. After orgasm, he rolls over and falls asleep. In this case, the conditions for consent minimalism were met, but this is not an ideal sexual act. In a way, the man is still using the woman as a means to reach his sexual end. As Keppler puts it, “[o]ur moral obligations to our sexual partners surely do not end with their voluntary informed consent. Closer to the truth is that they begin there. We have an ongoing obligation to be respectful and considerate of our sexual partners’ needs.”⁴⁰²

Pineau considers the heteronormative problems that we have discussed in Chapter 3, section 5. To mitigate this problem, Pineau suggests that our sexual relations should be based on another model rather than the contractual model Belliotti suggests. She suggests that sexual interactions are more like communication. Part of the Kantian ethical obligation is to take the ends of others as our own. Each person in the sexual encounter has an obligation to help the other seek his or her own ends. Doing otherwise is to risk acting as if one is acting out of sync with the partner’s ends as one’s own, and thus acting without the other’s consent. Since the people involved must constantly communicate with each other, Pineau has called this the “communicative model.” Thus, Pineau’s model of consent suggests that “if a man wants to be sure that he is not forcing himself on a woman, he has an obligation either to ensure that the encounter really is mutually enjoyable, or to know the reasons why she would want to continue the encounter in spite

⁴⁰¹ Howard Keppler. “Sexual Exploitation and the Value of Persons,” in *Social Ethics: Morality and Social Policy*, Eighth Edition, Ed. by Thomas Mappes, Jane S. Zembaty, and David DeGrazia. (NY: McGraw-Hill, 2007), 184.

⁴⁰² Keppler, 180.

of her lack of enjoyment.”⁴⁰³ If we are going to take the other’s ends as our own, then we have not only a moral obligation to treat the other ethically, but an epistemic responsibility to know what those ends are, and how to obtain those ends for the other person.⁴⁰⁴ In the contractual model, there is no obligation except to fulfill the ends of the contract: the people involved cooperate in order to obtain the end. The communicative model, however, treats cooperation as an end itself where the communication itself makes the interaction worthwhile.⁴⁰⁵ This model, of course, means that we would need to teach students how to obtain these communicative skills, which means that they need to have communicative tools such as intuition, sympathy, charity, and sensitivity.

Another theorist to consider is Yolanda Estes who agrees consent is a necessary condition for moral sexual behavior yet adds two additional criteria: “each sexual partner exhibits concern for the other’s interests and needs insofar as their wellbeing includes and extends beyond their sexual wellbeing” and “each sexual partner attend to the other’s desires.”⁴⁰⁶ Starting with the first, without attending to the other’s interests and needs, the sexual interaction could undermine wellbeing. She points out that “sex without desire results in sensual or emotional dissatisfaction at best and physical or psychological

⁴⁰³ Lois Pineau. “Date Rape: A Feminist Analysis,” in *The Philosophy of Sex*, 6th Edition. Edited by Nicholas Power, Raja Halwani, Alan Soble. (Lanham, Maryland: Rowman & Littlefield Publishers, Inc., 2013), 473. This is incredibly complex and nuanced. If a man has an obligation to know why she wants to continue despite the lack of enjoyment, is he permitted to continue? Does the obligation come about after or during the act? Does she have an obligation to reveal the information? Moreover, Pineau never explains why a woman would want to continue despite her lack of enjoyment, but we can think of many examples why.

⁴⁰⁴ “[T]he obligation to promote the sexual ends of one’s partner implies the obligation to know what those ends are, and also the obligation to know how those ends are attained. Thus, the problem comes down to a problem of epistemic responsibility, the responsibility to know. The solution, in my view, lies in the practice of a communicative sexuality, one which combines the appropriate knowledge of the other with respect for the dialectics of desire” (Pineau, 473-474).

⁴⁰⁵ “[T]ypically, where contracts are concerned, cooperation is primarily required as a means to some further end set by the contract. In proper conversations, as I shall define them here, cooperation is sought as an end in itself” (Pineau, 474).

⁴⁰⁶ Yolanda Estes. “Mutual Respect and Sexual Morality.” *College Sex-Philosophy for Everyone*. Edited by Michael Bruce and Robert M. Stewart. (Wiley-Blackwell: UK, 2010), 212.

trauma at worst.”⁴⁰⁷ If there is no interest in the partner’s needs and desires, Estes argues, then there is no concern for the partner. Not paying attention to the partner shows lack of mutual respect. In shorter, non-committed sexual relationships, it becomes more imperative for clearer, explicit, and specific communication.

Estes’ second criterion is attending to the other’s desires, interests, and needs, which can contribute to general well-being. Mutually respectful sex occurs within a context of mutual consent, desire, and concern. To know what the other person wants, there must be some form of communication, though not necessarily verbal, which provides the partners enough knowledge to determine there is a reasonable, reciprocated consent and an understanding of each other’s concern and desire.⁴⁰⁸ This means we ought to take the time and communicate what the other person desires in order to mitigate any misunderstandings:

We can take time to gain some sexual knowledge of our partner by proceeding cautiously and unhurriedly in the initial stages of a sexual relationship. This increases the chance of correctly interpreting and addressing expressions of consent, expectation, and desire. Before, during, and after sexual interactions, we can solicit more explicit, specific expressions of our partner’s thoughts and feelings; observe our partner’s reactions carefully; and reflect diligently on what we hear and see. This enhances the possibility of reciprocal consent, concern, and desire while improving our sexual technique and our opportunity for a repeat performance.⁴⁰⁹

Consensual minimalism alone provides no immunity to moral reproach. Insofar as people show a respectful regard for a potential sexual partner, we cannot ignore our partner’s desires. Consensual idealism, on the other hand, specifically makes sure that the other person not only wants to have sex, but perhaps enthusiastically if they can. Thus, in pop

⁴⁰⁷ Estes, 212.

⁴⁰⁸ Cf. Estes, 213.

⁴⁰⁹ Estes, 214.

culture, we often hear that there must be “enthusiastic consent” before any sexual relations to proceed.

One problem with consensual idealism is that it seems false that having no mutual desire or exhibiting some care or concern entails that the act is unethical. For example, sex workers, those who have sex to maintain the relationships (aka maintenance sex), and those who have sex purely for the sake of reproduction would not meet this criterion. We can even imagine a stereotypical long-term married couple where one person asks whether to have sex or not, and the other person unenthusiastically responds: “yeah sure.” In each of these cases, there is no enthusiasm, and they want an end for which sex is a means to reach that end.

Another problem with consensual idealism is that some of the features set too high of a standard. For example, suppose there is a new couple and they want to have sex. We can even assume that there is strong chemistry, and they consent to having sex. However, once they start, there is a bit of awkwardness: they see each other naked for the first time, one of them may be self-conscious, they fumble during sex, which makes the experience sub-par, and perhaps one (or both) are thinking not directly about fulfilling the desires of the other, but more on the mechanics of sex, which detracts from their enjoyment. Both are disappointed when they end. Yet, they want to give it another round at a later time. It seems that they did not mutually try to satisfy each other’s desires, nor did they exhibit concern for the other’s sexual well-being. This is not the ideal sex act—which would be where both partners enjoyed the act and exhibited skill—but it does not make the act unethical.

Finally, another problem—which relates to the last—is that people, especially when they are novices or feel uncertain about sex, may not know what they want. They may engage in various activities for curiosity, experimentation, or simply “just to try it out.” There is no mutual desire to be had since one is not sure what sort of desires one has. I consider this topic to be especially pertinent since this dissertation focuses on young students who are novices with sexuality: younger people are still figuring out their own sexual well-being, which includes what sort of values and boundaries they are comfortable with. If consensual idealism is the standard to reach, then very few young people actually consent. Instead, their experiences must be taken into account, which suggests that consensual idealism is an inaccurate consensual model. They may not enthusiastically say “yes” because they are not sure what they are enthused of, but they still want to have the sexual experience for the reasons mentioned above.

2.2.3. Affirmative Consent

The assumed position of most sexual consensual theorists has been “no means no,” which has the intuitive appeal that if someone does not want to engage in any sexual encounter, one simply must say “no” or show a “no” through body language. Let us call this the standard model of consent, which has had some criticism lately. First, a lack of “no” translates as “permissible to proceed.” As Pineau has pointed out, male sexuality has been seen as aggressive, whereas women’s sexuality has been seen as passive, where sex just happens to them.⁴¹⁰ In the standard scenario, a woman may not feel comfortable

⁴¹⁰ The assumption is that the behaviors are correlated with each sex: men are seen as aggressive and women are seen as passive. Does this hold true for gay males or lesbians? I think the more important thing to note is that whatever the answer is, there is some influence that these are socialized behaviors. Thus, when we read men as being aggressive and females beings passive, it is best to read this as

engaging in sex, but might also feel uncomfortable saying “no.” Women are taught to acquiesce to sex: they do not actively choose to have sex, but they do not actively choose to not have sex either. Or if she does say “no,” a man may try again until the “no” is no longer in play. The second problem is if consent is contested, it puts the onus on the victim (usually the woman) to prove she said “no.” The default is that we are all consenters and to opt-out, we say “no.” However, since women are considered passive, she may fear saying “no” and stay silent to avoid the repercussions of a “no.” Thus, one implication of the standard model is that the silence means “yes.” The standard model, therefore, would consider this case as consensual sex.

Opposed to the standard model is an affirmation model, sometimes known as the “yes means yes” model.⁴¹¹ Under this framework, both partners must obtain a “yes” from each other. The “yes” to opt-in, as it were, can be verbal or non-verbal, where some type of communication is necessary for the sexual encounter to be ethical.⁴¹² The affirmation can be highly regulatory, such as a contract, or it could be broader where the people must

aggressiveness as a masculine trait and passivity as a feminine trait. No matter one’s biology or sexual orientation, people seem to be socialized into these traits that corresponds to their given gender.

⁴¹¹ Although see Gruber to show that these terms are not synonymous. I would further Gruber’s point by saying that the affirmation model is sometimes equated to mean “enthusiastic consent.” However, this is different than affirmation. To affirm sex is to actively agree to having sex; to enthusiastically consent to sex suggests that people involved do not just affirm sex with a “yes,” but very excitedly to do so. Enthusiastic consent seems to go further than affirmation since being enthusiastic to do something not only means that I agree to do the action, but that I am excited about the action. Affirming to do something does not necessarily mean I am excited about it, but I am willing or happy to do it. Another way to put it is enthusiastic consent is a resounding “yes!” whereas affirmative consent could be a simple expression of “yes.” See Aya Gruber. “Consent Confusion.” *Cardozo L. Rev.* 38 (2016): 415-458.

⁴¹² Many proponents of the “yes means yes” model qualify the sex as “lawful” rather than “ethical.” However, I am looking at this from an ethical point of view. Indeed, some lawyers have contended that the ethical prescription of affirmative consent is just, but to have the law or government involved would not be. See Alan Dershowitz. “Innocent until Proven Guilty? Not under ‘Yes Means Yes.’” *The Washington Post*, October 15, 2015. (Accessed November 10, 2018.) https://www.washingtonpost.com/news/in-theory/wp/2015/10/14/how-affirmative-consent-rules-put-principles-of-fairness-at-risk/?utm_term=.c8ba77cf1b19 and Young, Cathy. “Campus Rape: The Problem With ‘Yes Means Yes’.” *Time*, August 29, 2014. (Accessed November 10, 2018.) <http://time.com/3222176/campus-rape-the-problem-with-yes-means-yes/>.

be aware of the context and perhaps simply stop and ask.⁴¹³ The validity involved can range from “enthusiastic consent” to paying attention to non-verbal bodily cues to determine whether to stop or to continue. Simply missing a verbal “no” or physical restraint does not automatically constitute consent.

Many proponents find the affirmation model better because the partners involved need to be in tune with each other’s wants and needs. Obtaining the “yes” ensures that the people know each other well, or at least have a conversation⁴¹⁴ about what the other’s wants and needs are. Therefore, this model seems to be tied up with consensual idealism. However, I do not see this being incompatible with consensual minimalism. One can still obtain a “yes”—even enthusiastically—without explicitly focusing on the other’s wants and needs. Consensual minimalism and idealism tells us the content of consent where the focus is on the ethical portion of consent; the affirmation model tells us when it is permissible to proceed by focusing on how a token consent can be communicated. In short, *consensual minimalism and idealism tell us what consent is; affirmative consent gives us the conditions to make consent valid*. The affirmation model suggests that there are at least two people involved in making the decision instead of one doing the instigating and the other being the instigatee. Moreover, the onus is now on both actors to ensure there was a “yes” rather than relying on a proof there was a “no.” This model does not erase all the problems of whether someone consented or not, but it does get rid of various defenses used by aggressive men to prove there was consent: “She didn’t say anything so it was ok,” “She kissed me back so it was ok to go forward,” etc.

⁴¹³ See Gruber, “Consent Confusion,” particularly pp. 429-439 to see these different nuances.

⁴¹⁴ Again, there are complexities on what counts as conversation and communication. Different universities have different standards as to what counts as conversing (e.g. verbal or non-verbal). Again see Gruber, “Consent Confusion,” particularly pp. 429-439 to see these different nuances.

A common critique against affirmative consent is that the “yes” must be entirely verbal. By requesting a “yes” for each progression of the sexual act, the pleasure could be mitigated thereby making the sexual act not as enjoyable. After all, part of what makes sex pleasurable, according to the critique, is what is unsaid. Constantly stopping and asking for permission can disrupt the flow of sex and perhaps make the sexual act awkward. Schulhofer, on the other hand, offers a way to have affirmative consent without a constant disruption. He notes that “the absence of any sign of unwillingness is a common way to communicate receptivity in the context of gradual, increasingly intimate sexual foreplay, at least absent circumstances that might suggest fear or impairment.”⁴¹⁵ Schulhofer’s solution is to understand consent as contextually sensitive, which can include silence and passivity. And while silence and passivity by themselves are not treated as consent, “they are forms of conduct, and all of a person’s conduct should be taken into account.”⁴¹⁶ Thus, Schulhofer defines consent as performative rather than merely verbal⁴¹⁷ and thereby argues against a “yes means yes” consensual model.⁴¹⁸ The point, however, is affirmative consent changes the default in that a “yes,” and not a “no”

⁴¹⁵ Stephen J. Schulhofer. “Consent: What It Means and Why It’s Time to Require It.” *The U. of Pac. L. Rev.* 47 (2015): 669.

⁴¹⁶ Schulhofer, 669.

⁴¹⁷ Below is Schulhofer’s definition on p. 669:

(a) “Consent” means a person’s behavior, including words and conduct— both action and inaction—that communicates the person’s willingness to engage in a specific act of sexual penetration or sexual contact.

(b) Consent may be express, or it may be inferred from a person’s behavior. Neither verbal nor physical resistance is required to establish the absence of consent; the person’s behavior must be assessed in the context of all the circumstances to determine whether the person has consented.

(c) Consent may be revoked any time before or during the act of sexual penetration or sexual contact, by behavior communicating that the person is no longer willing. A clear verbal refusal—such as “No,” “Stop,” or “Don’t”—suffices to establish the lack of consent. A clear verbal refusal also suffices to withdraw previously communicated willingness in the absence of subsequent behavior that communicates willingness before the sexual act occurs.

⁴¹⁸ Two points: First, this is not to say that Schulhofer argues for the traditional model. His problem with “yes means yes” is based on the surrounding myths and strawman arguments against this model such as this model would be too stringent and unromantic. Second, it is ironic that Schulhofer is known as one of the foundational sources for affirmative consent even though he, himself, does not endorse it.

or silence, must be the moral transformation that moves from a duty to restrict oneself to interfere with another person's rights toward permission to engage with the other.

3. Problems With the Liberal-Deontological Model

Consent has been, for the most part,⁴¹⁹ a necessary condition for sex to be ethical. However, one major problem with the liberal-deontological model is that it has an assumed heteronormativity, specifically with the male bias of the validity of consent. The problem is not consent itself; rather, the problem is the exercise of consent and the way it has been thought about in society favors males and adheres to traditional gender roles. In other words, the validity of consent does not challenge the status quo of traditional gender roles. If the validity of consent does not challenge the status quo, then the validity of consent—affirmative consent—could still advantage males and disadvantage females by embracing (or at least, lacking a challenge) of traditional gender roles.

To support this claim, a study showed that the traditional sexual script—that males have sexual agency and females with sexual passivity—are in place even if autonomy was taught.⁴²⁰ Even if the couple endorses gender equality, women still associate sex with submission. Why is this important? Fetterolf and Sanchez remark that sexual agency and autonomy are important predictors of sexual functioning and sexual satisfaction for both men and women.⁴²¹ However, women may make choices to avoid negative consequences due to the sexual double standard and not because it is coming

⁴¹⁹ Again, I am ignoring cases from Wertheimer.

⁴²⁰ See Janell C. Fetterolf and Diana T. Sanchez. "The costs and benefits of perceived sexual agency for men and women." *Archives of sexual behavior* 44, no. 4 (2015): 961-970. A downside to this study is that it focuses on heterosexuals.

⁴²¹ Fetterolf and Sanchez, 962.

from their genuine desires and wants. If society values various choices and disvalues others, everyone's choices will signify what kind of people they are. If people make a choice that society deems unworthy, everyone will judge them as unworthy. If people make a choice that society deems kind, everyone will judge them as kind. And if people make a choice that society deems shameful, then everyone will judge them as shameful. If society already adheres to traditional gender roles, then teaching autonomy will not challenge the status quo and thereby presume heteronormativity. I will focus on consent to show how.

Much feminist work has suggested that consent can be manipulated or coerced, especially in a patriarchal context. A "yes means yes" campaign is better than the standard model, but does "yes" actually mean "yes?" Could the "yes" also be manipulated or coerced? If women need to be convinced to give the "yes," then we seem to fall back into the problem that we had before. Women need to be "won over" whereby the men "work a yes out" so that they can change the "no" or silence to a "yes." In other words, there is no major change to the problems I have mentioned before. "Working out a yes" could be seen as an extra step to manipulate a "yes" out of a person. The problem, therefore, is that the affirmation could be compatible with the traditional gender norms and that obtaining the "yes" is "merely a more administrable, sanitized, and legalistic form of the 'traditional' sex script in which men are sexual proponents and women are gatekeepers."⁴²² If so, then consent must be looked at from a broader social context, and that women's consent must be seen within a patriarchal context. Anderson points out that the standard model makes the verbal "no" imperative on the victim (usually female). The defendant (usually male) is not required to say anything; he can continue if there is

⁴²² Aya Gruber. "Not Affirmative Consent." *The U. of Pac. L. Rev.* 47 (2015): 692.

silence because there was no resistance.⁴²³ With affirmative consent, the focus may be on the woman's autonomy but, again, nothing is necessary coming from the man. Either way, it is up to the woman to give the signal whether the sexual engagement can proceed or not.⁴²⁴ Thus, gender stereotypes are still upheld in that women are the gatekeepers of sexuality and men must find the right combination to unlock the gate. Men just need to "work out a yes" if needed. If there are no changes on how the genders relate to each other, the institutional system is still in place which has the process favoring men, whereby men could manipulate a "yes" to continue with the sexual transaction instead of simply thinking silence is a "yes." As Hlavka puts it, "[p]lacing responsibility on women and girls to 'just say no' and excusing boys and men as they 'work a "yes" out' works to erase institutional and structural responsibilities."⁴²⁵ It is just one extra move needed, but it is still within the framework that favors men.

Pineau also looks at the legal structures of rape and argues they are biased against the victim because the legal structures set up gender stereotypes, specifically those which favor males. In cases of rape, physical injury is often the only criterion that is used for evidence for a sexual act that is nonconsensual. Thus, if there is no evidence of physical injury, sexual assault is mistaken for seduction. In fact, if there was no physical injury, it is *presumed* that it was consensual. It assumes that "yes" is the default. *It is her fault if she did not say no.*

To spell this out, let us see what sort of assumptions are in play here. Recall that traditional models can lead to victim-blaming that I mentioned in chapter two, section 4.1. In US culture, we often see that the responsibility to do something about rape falls

⁴²³ Michelle J. Anderson "Negotiating sex." *S. Cal. L. Rev.* 78 (2004): 111.

⁴²⁴ Cf. Michelle Anderson, 114.

⁴²⁵ Hlavka, 355.

squarely on the women who are endangered, rather than on those who have the authority to impose sanctions on their attackers. For example, there are a lot of self-defense classes made for women, and many protective weapons (e.g. mace, pepper spray) are provided. It is understood that it is mainly to prevent any assault that would befall upon the woman. But by doing so, there is not much said about the assaulters. Indeed, they are often pushed away where the focus—and usually the responsibility—falls upon women. Since there is no cultural change in how men ought to behave, the possibility that women may be assaulted or attacked is considered the default mode when they go about in the world. The phenomenon of the-possibility-of-being-attacked is the center of their interactions and they must choose carefully on how to interact with other people and where to go. However, these prevention strategies actually restrict choice formation: women's choices in where to go, when to go, whom to go with, and how to move about in the world in general are limited by the threat of violence. A woman might have chosen to go to a friend's house or take a walk in a park but the threat of violence counters that choice; or, worse, a woman might cave on her commitments to certain values or beliefs because of such limitations on actions and behaviors. These limitations could undermine her autonomy if she lives in a culture of violence against women, which is a culture that has already institutionalized violence against women to the point where they are less free, and therefore less autonomous, than men.

A sex education that does not challenge the status quo essentially has the markings of PSE. As a case study, Kendall witnessed comprehensive sex education programs to see how these programs dealt with rape and sexual violence and noticed that teaching autonomy contradicts the overall message on how to be safe within

comprehensive sex education. The educators emphasized that it is never the victim's fault and emphasized that if the person was incapacitated by drugs or alcohol, and sex occurred, then it was rape no matter if there was verbal assent, which suggests that the woman was not responsible for her own rape. On the other hand, the educators also provided advice on how the woman could avoid dangerous situations such as not walking home alone at night, taking her drink with her so that it would not get drugged, and being overtly clear in her intentions towards aggressive or insistent partners (looking directly into his eyes and stating her position clearly). Now, even if women did not follow this advice, it was not her fault. By this point, students respond back by asking what if she was acting or dressing in a certain way. Would she at least be partially responsible? The educator emphasized that it is not her fault. The students are noticing a conflict however. If it was not her fault for being assaulted, then she should not be held responsible. Yet, by taking extra precautions, it suggests that onus is on her to make sure she is not assaulted. By not taking these extra precautions, then she may be "asking for it" and is thereby held responsible for her actions.

While we could interpret these episodes as patriarchal examples of victim-blaming or woman-gets-what-she-deserves mentality, Kendall notes that the students are bright enough to see the conflict, which is why they are pushing back against the educator. Since individual behavior is related to individual rational decision-making and not to social, political, or economic factors, "[a] core assumption of CSE [comprehensive sex education] programming was, in fact, that students as rational actors could fully control, and were therefore fully responsible for, their own decisions and actions."⁴²⁶ But when it comes to the discussion of women's safety, our societal narrative is where the

⁴²⁶ Kendall, 211-212.

women's choices can make her "ask for it" yet it is never her fault. Whether this is because the students see the contradiction or whether it is because of patriarchy, these episodes mark a clear problem with sex education from a deontological point of view. If autonomy entails that one intends to act in a certain way, then given the mores of society or the way the sexes are treated, then it could potentially be the woman's fault. This shows a huge problem with basing sex education on autonomy alone since in every stage up until the discussion of rape, comprehensive sex education programs emphasized individual responsibility and individual decision-making where one has control over one's actions and is held responsible for those actions.

To present it as a dilemma:

1. The woman is acting and deciding individually, thereby whatever she decides, she takes full responsibility because she is an autonomous being.
2. What happens to her as a victim of rape is not her fault.

What is the deontologist to do? They cannot reject either horn of the dilemma, which exposes something missing with the deontological view. Because of our social double standard, women may sacrifice sexual autonomy to fit in our social norms, which suggests that LDSE does not challenge the status quo. By focusing on the individual and the individual's responsibility, LDSE misses the power dynamics in relationships and in society.

Kendall notes that without the discussion of power, violence, and social roles, the students could not reflect on the gendered assumptions that women are held responsible for their safety, whereas men's responsibility is hardly mentioned.⁴²⁷ "Ironically, in our

⁴²⁷ Kendall, 214. To further the example, none of the educators talked about perpetrator drunkenness and the emphasized victim drunkenness. However, Kendall notes that the greatest number of

indiscriminate portrayals of teenage girls as sexual victims, we may be failing to teach them about genuine sexual autonomy and consequently ensuring that they *will be* victims.”⁴²⁸ The educators talked about how women need to be careful to avoid getting raped, but did not talk about men being potential perpetrators, the social gendered norms, or how men need to be active *in* consent rather than simply *getting* consent. Simply thinking about sex education as autonomy and consent alone is insufficient.

In short, under PSE, rape is wrong and the way to avoid rape is that women must behave in appropriate ways (meaning gendered ways). For a liberal sex education (both consequentialist and deontological), women must be effective rational consumers in the sexual marketplace to make the right decisions about their behavior.⁴²⁹ In a sexist society, however, both men and women may choose the norm because that is the “right” choice, and they may be rewarded for making the right choice. The choice is to produce overall outcomes (consequentialism) or to determine oneself and exercise one’s autonomy (deontology), but without questioning the status quo of gender norms and the sexual double standard, women may “choose” the status quo because it is considered the “right” decision.

If the status quo is that men are culturally pressured to be the sexual aggressor and pursuer and women are pressured to be sexually passive and reluctant, then there is no sense that they are both being genuinely free where they can mutually respect each other which is what is presumed in the liberal model. Under this framework, therefore, women

rapes happen when the perpetrator is drunk and the victim is not. The curriculum is still gendered in that women need to held accountable (by being safe) yet the educators do not talk about men controlling their drinking.

⁴²⁸ Diane Raymond. “Homophobia, Identity, and Meanings of Desire.” In *Sexual Cultures and the Construction of Adolescent Identities*. Edited by Janice M. Irvine. (Philadelphia, PA: Temple University Press, 1994), 132.

⁴²⁹ Cf. Kendall, 220.

are the sexual gatekeepers and they are “hard to get.” They play it off as being coy, but it is really a pretense because they really want sex; they just do not want to appear to want it. Thus, “no” can mean “yes” under the standard framework. Men are meant to “unlock the gate” and their aggressive tactics are ways to do so, which is a form of seduction. If aggressive tactics are a form of seduction, then sexuality, as understood in our society, assumes aggressive sex. Sexual assault, then, is normalized, if not romanticized.

Based on these assumptions, we can see that aggressive sexuality from the arguments given above is considered normal; “normal” sexual intimacy is under the framework of heteropatriarchy since they support male domination.⁴³⁰ The responsibility, therefore, lies on the woman because she is in control as the gatekeeper since men cannot control themselves but, by doing so, the system sets women up for failure. The assumption is that there is a negotiation on “saying no” to sex between rational adults and that they are equally empowered. The individual who says “no” can convince the other by using a “firm and friendly” voice.⁴³¹ But does this actually work? Very unlikely. There is a power dynamic about the negotiations of sex. There is not much space to “say no” when the partner is aggressive by convincing her to say “yes.” Indeed, it seems more expected for women to encounter aggressive sexual demands from men. If she did not say no, then she “went along” with the sexual encounter, thus making the action consensual. Part of this structure brings forth the myth: male aggression and female reluctance are normal parts of seduction. This mythology has propagated certain beliefs in our culture in such a way that make consent seem contractual: people should keep their sexual agreements they make; sexually provocative behavior, taken to a point, generates

⁴³⁰ In an interview with Oprah, Gavin de Becker remarks that “When a man says no in this culture, it's the end of the discussion. When a woman says no, it's the beginning of a negotiation.”

⁴³¹ Cf. Kendall, 168.

an agreement; and male and female sexuality make their agreements in such a way where they cannot back out.

Robin West has argued that traditional consent has mainly been for the benefit of the male.⁴³² It is possible for a woman to have consensual, non-coercive, non-forceful, non-criminal sex, yet harmful sex. These harms, however, may be hard to discover. Many women consent to sex even when they do not desire it, and it is usually not pleasurable. So then why do they engage and consent to sex if they do not desire it or if it is not pleasurable?⁴³³ Through several vignettes, she reveals how engaging in sex multiple times under this context can be harmful: her self-assertion and self-possession is weakened, her integrity is lessened, and, most importantly for our discussion, her autonomy is drained. In these experiences, having consensual but unwanted sex over time can take a toll on her. Since it is wrong to act in ways that cause (unjustified) harm to oneself or others, not all sexual activity engaged in under conditions of voluntary informed consent is morally acceptable. Moreover, even if a “yes” was obtained, the “yes” could have been worked out through aggressive tactics.

Finally, another assumption of heteronormativity in LDSE has to do with contracting STIs. Biologically speaking, the receiver of a sexual act is also more likely to contract an STI from the partner than vice versa, thus women are in a more unfortunate situation in that they are more likely to contract STIs and more likely to receive shame

⁴³² Robin West. “The Harms of Consensual Sex,” in *The Philosophy of Sex*, 6th Edition. Ed. by Nicholas Power, Raja Halwani, Alan Soble. (Lanham, Maryland: Rowman & Littlefield Publishers, Inc., 2013), 387-394.

⁴³³ I have posed this question as well. Here are some of the answers I have received: you do not want to offend them, you do not know that you can say no, general insecurity, you have developed the habit of caring more about their pleasure than your own in an abstract sense, it kind of feels good but might be slightly painful because of dryness or minor yeast infection and you do not want to bring it up because it’s not cool, you dislike them so much and think the encounter might end faster if they just cum and fall asleep, you have other stuff going on that you are trying to ignore but cannot and you already started having sex but do not want to talk about your deep seated issues at that time.

for the contraction. Kendall reflects how contracting STIs reflects people's choices. Since contracting STIs is considered shameful, everyone judges that person as shameful because that person chose to have sex and is therefore responsible for contracting the STI, which is viewed as the "stain" linking that person to an undesirable characteristic, such as irresponsible sexual behavior.⁴³⁴ If students contract STIs, for example, not only would the STIs cause physical health problems, but the STIs—which came about through the students' choices—would also affect how the students think and feel about themselves⁴³⁵ and are viewed in society.

It is estimated that more than half of the US population will contract an STI in their life, and that one out of two sexually active persons will contract an STI by the age of 25.⁴³⁶ The stigma against STIs, however, is staggering. "By not addressing the stigma associated with STIs, sex educators increase the chances that adolescents, particularly girls and marginalized youth, will not seek treatment for, or speak to others (including doctors) about, STIs."⁴³⁷ Even if the STI can be cured or managed, one still associates the person as degraded or fallen, especially if the person is female and gay if the person is male. They pay a higher "price" to have sex because of a harsher stigma attached to them. Any adolescent (or a person of any age even) who achieves an unwanted result is considered as an agent who failed to think rationally through proper decision-making or planning. Anything unwanted (such as an STI or a pregnancy) is believed to be easily preventable. Part of the stigma, however, is that "good" students are also seen as rational

⁴³⁴ Cf. Kendall, 137. This discussion deals with STIs, yet this could also deal with a slew of sexual choices such as promiscuity, chastity, or other aspects of sexuality which deviate from the norm. The choices that students make, especially regarding choices that society deems shameful, reflect back onto the student's conception of who they are.

⁴³⁵ Cf. Kendall, 137.

⁴³⁶ American Sexual Health Association. "Statistics." (Accessed November 11, 2018.) <http://www.ashasexualhealth.org/stdsstis/statistics/>

⁴³⁷ Kendall, 138.

agents because they can calculate the risks involved and only engage in the activity if the risk was minimal.⁴³⁸ Therefore, those who contracted an STI are “unwise” students and justifiably deserving of ridicule.

In short, LDSE’s focus on autonomy does not challenge the status quo: both men and women may think they are acting with self-determination, but they are not challenged by investigating how their culture structures their ideals in which gender information is portrayed, dispersed, and reinforced. Men and women are part of the culture where they listen and respond to each other’s strategies and criteria to get a sense of what is considered “normal,” which gives everyone a certain expectation of how to respond sexually based on what they know from their peers or presume to know what their peers are doing. Any other sexual, gender, or relationship expressions may be erased. Because traditional norms are easily accessible to many students, alternatives are shut down which could lead to many students believing that their lived experiences are not the right representation of permissible behavior or experiences, and that they ought to follow the heteronormative script. Or they may “choose” to follow the standard model without realizing other options.

4. My Position: Consent and Autonomy in Sex Education

Even if we had a sex education to maximize choice and autonomy, there is still the problem of gender inequality as mentioned in the previous section; maximizing choices do not assuage the problem. Even though autonomy and choice should play a role in our

⁴³⁸ Cf. Kendall, 147.

sexual and intimate lives, it should not play the central role for there are other values such as love, trust, and generosity.

We would think that increasing choice and autonomy would give people (especially women) the tools and skills they need to fight off subordination. Philosopher of education Paula McAvoy responds to the notion of sex education as maximizing choices. She argues that increasing choice does not help when there is already gender inequality. Indeed, in some cases, women could be choosing their own subordination: “actions that look like a sexual choice making may actually be an attempt to gain social status. [Some women want] acceptance from their communities and fear social exclusion, but they are operating within social structures in which the path to acceptance comes through the approval of men.”⁴³⁹ Teaching how to be autonomous and to make choices will not change the choices that are available to some women.⁴⁴⁰ Indeed, women may make choices in a society with gender inequality not because they desire the content of the choice, but because they want to avoid the social stigma. Just focusing on consent may help people obtain permission from others in order to engage in sexual activity, but sexuality is more than just intercourse. Displaying oneself as a sexual being and having a sexual identity are also part of sexuality. Focusing on consent is not sufficient to help people formulate and create what sexual identity they have or whom they could be. Rather, they are simply falling in line with the status quo.⁴⁴¹ With a hypersexualized market where heterosexual male behavior is privileged, the sexual stereotypes are hardly

⁴³⁹ McAvoy, 490.

⁴⁴⁰ Cf. McAvoy, 491.

⁴⁴¹ “Under conditions of inequality, prioritizing autonomy-as-choice making allows those more privileged to ignore the ways in which they benefit from and reify inequality” (McAvoy, 491).

challenged. In short, “[i]gnoring this inequality and simply telling students to be individual choice makers will disadvantage girls and advantage boys.”⁴⁴²

The way out is to develop a nuanced view of sexual autonomy and thereby sexual consent. In this section, I offer what I take to be a helpful advancement to capture the complexities and nuances of sexual activities, especially for young, inexperienced people. I will start by looking at various accounts of autonomy and offer where I stand in the debate. Next, I will look at the complexities of sexual consent and offer my position. Toward the end, I hope to convince the reader that sexual autonomy and sexual consent are insufficient for sexual activity, and that other principles must have a foundation that is not based on deontological or consequentialist considerations, but on a type of virtue ethics.

4.1. The Scope of Autonomy

Meyers distinguishes *local* autonomy from *programmatically* autonomy. Local autonomy is the capacity to decide in particular situations. It is where the agent asks, “what do I want to do now?” and then decides from there. Programmatic autonomy, on the other hand, is the capacity to decide major life issues through asking oneself “How do I really want to live my life?” regarding major life decisions, such as the decision to have children, to dedicate oneself to a career, to stay home, or travel the world. Meyers argues that oppressive socialization hampers programmatic autonomy but not necessarily local autonomy.⁴⁴³ For example, oppressive socialization (which, for instance, might value marriage or motherhood over a career or financial independence) may truncate the range

⁴⁴² McAvoy, 491. McAvoy is focusing on heterosexual sexual negotiations.

⁴⁴³ Catriona Mackenzie and Natalie Stoljar. *Relational Autonomy: Feminist Perspectives on Autonomy, Agency, and the Social Self*. (NY: Oxford University Press, 2000), 18.

of options that girls consider to be viable, thus interfering with their programmatic autonomy. They may nevertheless have strongly developed critical reasoning faculties that allow them a high degree of competency to exercise local autonomy skills. Thus, in this society, many young women may not be fully autonomous in how they want to live their lives with limited programmatic autonomy, though they may have episodic local autonomy.

If agents are capable of local autonomy but not programmatic autonomy, they have autonomy only to a degree. If there are oppressive constraints, then human flourishing will be mitigated. Under oppressive constraints, we can have local autonomy, but minimal or no programmatic autonomy. Therefore, to have programmatic autonomy, we must get rid of oppressive measures. Since increasing human flourishing is inversely proportional to oppressive measures, and oppressive measures are inversely proportional to programmatic autonomy, we can therefore say that human flourishing is proportional to programmatic autonomy. In other words, the more programmatic autonomy one has, the more one has the opportunity to flourish. Likewise, the more one can flourish, the more programmatic autonomy one has. With the discussion of flourishing, we must discuss virtue ethics since it seems to be proportional to programmatic autonomy.⁴⁴⁴ With the notion of uplifting autonomy where we can flourish sexually, we are going beyond

⁴⁴⁴ In my next two chapters, I embrace a form of virtue ethics as a way to move forward in the sex education debates. The virtue ethics I embrace is not essentially from one person (e.g. Aristotle, the Stoics), but an encompassing ethic. This is a benefit because I can embrace the essence of the theory without embracing the accompanying features of that philosopher's claims or assumptions within that theory. For example, Stoicism argued that virtue is a necessary and sufficient condition to the good life. After all, the trouble with societal conditions should not trouble one's virtue. Thus, argue the Stoics, no matter how oppressed one is, one can still be virtuous despite the oppression. The problem is if I embrace Stoicism, then any type of oppression is moot since oppression does not lessens people's virtue. I disagree. As I will show in the next two chapters, people can be virtuous under oppressive regimes, but it is with more challenges and obstacles. I embrace a type of virtue ethics from a different range of philosophers, but I will not embrace the philosophical implications of the specific virtue ethics that comes with the philosopher.

the minimal level of what sex education programs can offer. I will talk more about virtue ethics in sex education in the next chapter. For now, I do think LDSE can offer sex education some redeeming qualities. I will go over the various aspects in the following sections.

4.2. Personal Autonomy

When discussing personal autonomy, there is a distinction between procedural and substantial autonomy. Procedural autonomy means that an agent is autonomous when that person can freely choose an action. This view seems to be the most common, but this conception suggests that it does not matter *what* the action is or *what* kind of being the agent is. The content of people's desires, values, preferences, and beliefs are irrelevant. All that matters is that the agent makes a choice through, at the very least, some critical reflection. Procedural autonomy is based on *how* the decision was made.

The other view is the substantivist form of autonomy. The substantivist form is more robust and is packed with a stronger view of what it means to be autonomous. If a choice is made under certain conditions and/or the agent is of certain type, then we can say that the agent is autonomous. The choice is not based on subjective criteria, but also on some "external" criteria. Morten Ebbe Juul Nielson explains why:

formal conceptions of autonomy that are meant as action-guiding are said to be so, but it remains unclear *why*. If one launches a formal conception of autonomy and adds that "autonomous choice should be respected," we would like to know *why*. If choice is not linked to some sort of value—for instance, to a conception of human flourishing—it is hard to see why we should respect it. Formal conceptions of autonomy, then, stop short of providing us with reasons.⁴⁴⁵

⁴⁴⁵ Morten Ebbe Juul Nielson. "Safe, Sane, and Consensual—Consent and the Ethics of BDSM," in *International Journal of Applied Philosophy*, 24(2), 2010, 271.

The quote suggests that for any form of autonomy to be substantial, it must be because autonomy is either grounded or part of human flourishing. Substantive autonomy enriches the agent because it could maximize autonomy or further the conditions of autonomy. The necessary conditions for an action to be consensual are voluntariness, being informed, and having competence. However, for substantive autonomy, a choice must also foster the conditions for flourishing. The quote from Nielson suggests that for any form of autonomy to be substantial, it must be because autonomy is either grounded in, or part of, human flourishing, however we may define that. From Nielson, we can say that if people are flourishing, then they are substantively autonomous. And to be substantively autonomous requires a link to some value that people ought to aim for. If not, then people are not substantively autonomous. Therefore, there is something underlying substantive autonomy, and what underlies it is some sort of virtue ethical consideration in order for the autonomy to get off the ground.

One concern I should briefly note is what does a flourishing human look like in the sexual sphere. Does flourishing mean commitment and intimacy? Is it just about pleasure? Because I am taking a pluralistic approach, I think there are multiple answers to this question and it depends on the person's desires, needs, and the relational dynamic that the person has with others on a sexual, intimate, and interconnected level. Since this topic deals with virtue ethics, I will consider how sexuality and flourishing are related in the next chapter.

There are problems with procedural autonomy. How could such a theory explain such deleterious activities such as selling oneself into slavery, the deferential wife who wishes to be subservient to her husband, or anyone that has effectively internalized

oppressive norms and treats those norms as their own ends? Can we really say that those ends are really their own? Specifically, with internalized oppressive norms, what if society is structured in such a way that we are not really autonomous, but we *think* we are? Stojar remarks:

Despite the apparent advantages, however, feminists should be cautious about adopting a purely procedural account of autonomy. In certain cases, even preferences satisfying the standards of critical reflection that are required by procedural accounts would still be regarded as nonautonomous by many feminists. This is because such preferences are influenced by pernicious aspects of the oppressive context. They therefore attract what I call the *feminist intuition*, which claims that preferences influenced by oppressive norms of femininity cannot be autonomous.⁴⁴⁶

Mackenzie and Stoljar are skeptical that procedural autonomy can do the work of filtering out “pernicious aspects of the oppressive context.” Thus, the “feminist intuition” is that “preferences influenced by oppressive norms” cannot be autonomous. The choices we make are really “adaptive preferences,” meaning that our desires and preferences change based on our surroundings. More importantly, adaptive preferences are choices that are made in response to them, even if the surroundings are not the greatest, or oppressive. Thus, the choices we make may not be beneficial. Indeed, it can be detrimental to the self, even if we *think* it is a beneficial choice. For example, we may, according to the critic, consent to sex work or pornography not because this agreement was a full expression of our self, but perhaps because of economic hardships. For a less extreme example, a woman may “consent” to being a dutiful housewife but only because the society she is in expects her to not only have a future of being a dutiful housewife but also *enjoys* doing so.

⁴⁴⁶ Mackenzie and Stoljar, 95.

Can we, then, still consent in a genuine way? Well, if society is patriarchal, then no. If we cannot make a difference between desires that are our own and desires brought about through oppressive norms, then we cannot, among other things, know the difference between desires that are our own, and desires that come about through oppressive norms. In that case, it is difficult to ascertain whether a decision is made through our autonomy or because of our socialization. In short, the critique of procedural autonomy is it is based on what the agent prefers without any obstacles, even if the agent's preferences could be oppressive or adaptive. Performing these adaptive preferences relies on subordination and oppression, which do not count as autonomous. Therefore, procedural autonomy is insufficient to describe what counts as autonomous. Munro illustrates this problem with a sexual case:

Imagine, for example, a woman who has sex with her male partner, not so much because she wants to, but because she knows that he wants her to. In the absence of overt coercion or deception, this would be condoned and normalized as an unproblematic instance of consensual sex under a minimalist approach. But under this more ambitious consent-plus model, that conclusion would have to be postponed pending an investigation of the context of, and motivations underpinning, the intercourse. If the woman complied because she loves her partner, values their relationship and knows that responding to his sexual advances is important to its health, this may be a legitimate expression of agency, reflecting her endorsement of the benefits that accrue to her as a result of the exchange. By contrast, if she complied because she fears she cannot survive financially without him or is afraid of his (as yet unthreatened) retribution in the event of rebuttal, her involvement emerges as self-alienating, undertaken in pursuit of an unendorsed benefit, and thus problematic. This approach continues, therefore, to track the expectation of reciprocal benefit but, unlike more minimalist analyses of sexual agency, it interrogates the context of decision-making to ensure actual rather than assumed subjective value.⁴⁴⁷

Notice that under procedural autonomy, the woman in question is autonomous because she made her decision freely, meaning without any external coercion. She also made the

⁴⁴⁷ Vanessa E. Munro. "Constructing consent: Legislating freedom and legitimating constraint in the expression of sexual autonomy." *Akron L. Rev.* 41 (2008): 950-951.

decision with some critical reflection. However, since she is still oppressed, procedural autonomy is insufficient for consent to emerge.

Under substantivist autonomy, the woman is not autonomous because she has not met the normative conditions for autonomy. These conditions typically identified by philosophers include choices which have criticizable moral contents, or that people's psychology hooks up to the world in the right way. Whatever the case may be, the content of people's preferences and values must correspond to some objective criteria of what is good for people. In other words, substantive autonomy is value-laden and oppression is never valuable.

Substantivist autonomy, however, has a few problems. For one, there is a conflation between personal autonomy and moral autonomy—which is self-determination regarding how one *ought* to act. If substantive autonomy provides normative constraints on when people are autonomous, then, under this rubric, people are autonomous only if they make the moral, correct choice. But that is the conflation: being autonomous does not necessarily mean being moral.⁴⁴⁸

With the problems of both procedural and substantivist autonomy, is there another route that keeps the advantages and discards the disadvantages? Diane Meyers offers a route known as weak substantive autonomy. Weak substantive autonomy has normative constraints, but not on the contents of people's preferences and values. Meyers' account suggests that agents must have autonomy competency, meaning there must be a collection of skills and capacities so that individuals reach self-realization whatever this may mean for each individual. It is a skills-based view of autonomy. The agentic skills

⁴⁴⁸ Cf. Natalie Stoljar. "Feminist Perspectives on Autonomy." *Stanford Encyclopedia of Philosophy*. May 02, 2013. (Accessed November 11, 2018.) <https://plato.stanford.edu/archives/fall2015/entries/feminism-autonomy/>.

that Meyers has in mind include introspection, communication, memory, imagination, analytical reasoning, self-nurturing, resistance to pressures to conform, and political collaboration. Meyers sees self-realization as crucial to self-respect. If traditional gender socialization compromises women's capacities to achieve full autonomy and damages their self-respect, this kind of socialization is oppressive.⁴⁴⁹

Meyers further asks whether all desires deserve the same weight. After all, if desires come about due to their oppression because they are actually adaptive preferences, should those desires be given credence? If yes, then we seem to be feeding into the oppression. If not, then we would ignore those who have those desires, which is a form of disrespecting them. Meyers's answer is not all desires have the same weight. If the desires come about autonomously—meaning through the exercise of skills of self-discovery, self-definition, and self-direction—then those desires should be given more weight over desires which have not been critically reflective because they are built into the social norms and expectations. So, the content of the desires is not the focus, like to those who endorse substantive autonomy, but neither is the lack of external constraints. Rather, it is whether those desires were acquired or endorsed autonomously and, for Meyers, if the acquisition or endorsement came about through competent skills.

I endorse Meyers's version of weak substantive autonomy when applied to sexual autonomy. To be sexually autonomous, certain skills are needed, such as the way to know when one is ready, communication, the courage to say "no," the ability to accept a "no," and emotional intelligence. These skills, however, seem to be to virtues (either moral or

⁴⁴⁹ Cf. Mackenzie and Stoljar, 18.

intellectual).⁴⁵⁰ Fine and McClelland point out that sexual agency includes skills such as asking for help, negotiating risk, engaging in critical analysis, and pursuing pleasure.⁴⁵¹ Therefore, various virtues are needed to be robustly sexually autonomous. This means even improving LDSE by introducing a more nuanced view of autonomy does not solve the major problems of LDSE. And as argued at the beginning of this section, there is something undergirding my view of sexual autonomy. Simply having procedural autonomy is insufficient. Furthermore, since another explanation explains a more nuanced view of autonomy—namely the virtues—we need another ethical theory to ground autonomy, namely virtue ethics.

4.3. Moral Autonomy

Moral autonomy focuses on how people ought to act and their willingness to perform those actions. I consider Christine Korsgaard's notion of self-constitution to be applicable for this discussion. Consider the Kantian notion of doing an action in *accordance* with duty versus doing an action for the *sake* of duty. Kant would consider the latter as having moral worth. Likewise, people act and live in *accordance* with certain principles, but there are those who act and live based on principles that are their own by *endorsing* such principles. For Korsgaard, the latter is what it means to be morally autonomous in what she calls self-constitution. We endorse certain principles by reflecting on and legislating them as if they were universal laws given to ourselves. We thereby forge ourselves into

⁴⁵⁰ The ability to communicate well could be the virtue of truthfulness, wittiness, and friendliness combined with *phronesis* of what to say at the right time. The courage to say no is the virtue of courage. The ability to receive a "no" could be the virtue of humility and patience. Emotional intelligence and to know when one is ready is using *phronesis* such that people can display their emotions and sexual interactions at the right place at the right time. Other virtues could be temperance, generosity, and care.

⁴⁵¹ Cf. Fine and McClelland, 327.

morally autonomous beings through critical reflection. Korsgaard explains: “What makes an action *mine*, in the special way that an action is *mine*, rather than something that just *happens* in me? That it issues from my constitution, rather than from some force at work within me; that it is expressive of a law I give to myself, rather than a law imposed upon me from without.”⁴⁵²

The moral self, therefore, is developed rather than just a given, and this includes various desires and preferences. One view I am arguing against is the view that all our sexual desires and preferences are fixed by our human condition. What we sexually know or desire is either obvious or revealed to us through introspection and experience. Sex education, then, just fills in the blanks by simply revealing what we already desire. I argue against this view because some desires and preferences can and do change. To take an easy example, a young woman may desire to be passive in her sexual and relationship life. She may acquiesce to what her partners want and she does not actively suggest what pleasures she enjoys. Let us say she then undergoes a transformation whereby she becomes more active, more communicative, more in tune with her body and her emotions, and empowered in her sexuality and relationships. Her desire to be passive changes into an active constitution regarding her sexual interests. Likewise, a male may desire and prefer to be dominant and hold onto the traditional masculine roles unreflectively. After learning how those values can be heteronormative, which is not a flourishing value, he may desire to change those traditional male roles. These desires are not based on biology, but on morality and the social structures informing those desires. This idea will be expanded in chapter five, but for now, I will say our emotional

⁴⁵² Christine M. Korsgaard. *Self-constitution: Agency, identity, and integrity*. (Oxford: Oxford University Press, 2009), 160.

responses are partially informed by our beliefs. If those beliefs are challenged or changed, then our emotional response may change as well. With my examples above, if people are living in an oppressive culture, their beliefs will exhibit oppressive ideas and their emotions will express and conform to their ideas and beliefs. If the oppression was revealed as wrong, then those beliefs, along with the emotions, may change.⁴⁵³

What I suggest is that sex education is not only an education that “fills in the gaps” of sexual ignorance. It is true that people may be ignorant about their sexual ignorance: often people do not even know what they want, or the best way to live. In those circumstances, they would therefore need some guidance and ways of seeing other views and perspectives to see that their default lifestyle may not be the best. Moreover, learning these different views is not just “trying out” various stances—although this may happen at first to see what people ultimately want. The sex education I am advocating, rather, is a change in which people have gained new habits, new virtues, a new framework because they have understood and managed their desires rather than simply following their assumed desires from their culture. Autonomy, by itself, may help students recognize other modes of sexuality and relationship styles, but they may still choose the heteronormative default. What is needed is a way for students to incorporate these ideals whereby they endorse—and not simply live in accordance—with various principles.

As an example, someone who may be on a diet will go through various means to achieve the desired result: managing calorie intake, exercising more, etc. As soon as the

⁴⁵³ I understand that some desires may be biologically-based and can be extremely difficult, if not impossible, to change. To reduce the complexity, the desires I am mainly discussing are those that are informed by our culture and not based on our biological makeup. For example, we may be able to help what sex we are attracted to, but our social circumstances do tell us whether we ought to be ashamed of those desires or not.

result is achieved, people will stop dieting and go back to their pre-diet lifestyle. However, as many people can testify, their old habits take over and the results they achieved are lost. But then there are those who go through changes in their diets, yet they maintain their diet lifestyle even after achieving those initial desired results. Eventually, these newly acquired behaviors have become habituated and ingrained in their character to the point where people may not consider these new behaviors as external to themselves, but now as part of their character. They have taken on a new lifestyle to the point where they may not even consider what they are doing as “dieting” but rather simply a new way of living and being healthy. This dieting example is similar to Korsgaard’s self-constitution in that the former dieter was dieting in accordance with dieting principles, and the latter dieter was dieting by endorsing dieting principles.

I argue the same could be said with sexuality and relationships. To help students gain control of their sexuality, resist pressure, and gain a sense of who they *are* and not just what they *do*, they need to be educated on forming their character and what type of sexual person they can be, or *ought* to be, rather than simply learning the tools to choose or simply having a foray of knowledge. As sex educator Douglas Kirby has noted, “Ignorance is not the solution, but knowledge is not enough.”⁴⁵⁴ If we look at the data, imparting more knowledge is not enough for agents to spring into action.

Many teens, especially young women, feel compelled to engage in sex when they are not ready.⁴⁵⁵ Teaching only consent could help students know appropriate sexual

⁴⁵⁴ Quoted from Josh Corngold. “Autonomy-facilitation or autonomy-promotion? The case of sex education.” *School Field* 10, no. 1 (2012): 67.

⁴⁵⁵ For example, Corngold notes that “[i]n a 2006–2008 national survey of 18–24-year-olds whose first experience of coitus occurred before the age of 20, 7% of females in the sample reported that this initial experience was non-voluntary, 10% described it as ‘unwanted,’ and 47% described having ‘mixed feelings about it’... And in a separate, 2003 national survey of sexually active, 15–17-year-olds, 36% of females in the sample reported that they had ‘been in a relationship where things were moving too fast

relations and that it is ethical to do so, but may they desire otherwise. One assumption is that teaching consent could help prevent sexual violence. However, teaching consent—or simply knowing how to give and receive consent—may not be sufficient to produce ethical sexual agents. Even if people know about consent and knew how to give and receive consent, they may not *care* to follow through. They may still think they are entitled to someone’s body and hearing “no” does not have any effect psychologically. If students engage in token-consent behavior, but internally would rather have sex without consent or do not care about consent, the deontologist—especially of the Kantian kind—would still find this permissible.⁴⁵⁶ After all, these students have the good will to engage in token-consent behavior and even pass the categorical imperatives. And yet, there is still something off-putting about people who do not care about consent. To make someone care about consent, something more is needed than just modifying behavior. The focus must be more internal psychologically and must pertain to that person’s character instead of just focusing on the person’s will, as the Kantian would have it. Consent education is still teaching what to *avoid* and not the positive aspects of sexuality. But how do we teach students to be sexually autonomous that also promotes a good character?

Corngold has championed a curriculum that promotes autonomy and not just facilitate it. Corngold suggests that promoting autonomy is to shape character as opposed to be neutral. As he puts it, students

need to develop the self-esteem, self-confidence, and willingness to assert their rights and basic interests in their relationships with others, and to resist

sexually’, 31% said that they had ‘done something sexual they really did not want to do’, and 33% said that they had ‘had oral sex to avoid having intercourse’ (“Autonomy-facilitation or autonomy-promotion,” 67).

⁴⁵⁶ Consider the example from Kant where the misanthrope still does his duty to help others, even if he does not want to.

unsolicited and unwanted sexual advances. Developing and reinforcing these psychosocial capacities is particularly important in a world where the popular media screams ‘Sex!’ from every corner; where peers reinforce the message that ‘Everyone’s doing it!’, where bullying is omnipresent; where new technologies facilitate exploitation; and where ‘giving in to sex’ is often perceived as a necessary precondition for love and social acceptance.

The preceding discussion suggests that a sex education curriculum that adequately protects children’s and teens’ basic interest in becoming sexually autonomous individuals must attend to their cognitive *and* psychosocial development. Sex educators must present a range of up-to-date, accurate information about the mechanics of sex and reproduction, the effectiveness of various forms of contraception (and instruction in their use), and the medical risks associated with different sexual activities. They also must provide students with information about their susceptibility to being bullied and cajoled into sexual activity before they are ready for it. And, beyond that, they must help and encourage students to develop the emotional strength, as well as the critical thinking and social skills necessary to resist coercion...because sexuality is an area in which they are particularly susceptible to manipulation, exploitation and abuse, sex education must do more than transmit information. It must be ‘comprehensive’ not only in the cognitive sense, but also in the sense that it encompasses the emotional and volitional capacities required for sexual self-determination.⁴⁵⁷

I agree with Corngold’s assessment. Going farther, Corngold seems to offer reasons why autonomy is good beyond simply making an agreement with a partner. The type of autonomy Corngold promotes has certain features (e.g. self-esteem, self-confidence, courage, recognizing coercion) and these features uplift autonomy to a “thicker” type. To promote this type of autonomy means that there is something undergirding that autonomy considering the promotion of an ideal requires a foundation for that ideal. Autonomy—and sex education for that matter—is not value-neutral. That being the case, then at least one value is promoting a “thicker” autonomy⁴⁵⁸ derived from various values where one

⁴⁵⁷ Corngold, “Autonomy-facilitation or autonomy-promotion,” 68.

⁴⁵⁸ Corngold suggests that he is offering a “minimalist” conception of autonomy. He mentions that he does not endorse a “thicker” account of autonomy because that would entail that people ought to conduct their sexual lives in a precise way. However, he wants to have a sex education that promotes emotional strength, to build a character that has sexual integrity and sexual self-determination. If so, then he is promoting various values rather than remaining neutral and his view of sexual education seems to be in line with the ideal camp such as Keppler and Estes rather than a minimal account such as Mappes and Wertheimer. However minimal he wants it to be, the goals he wants suggests that he has a thicker

cannot be neutral or impartial. Thus, consent is a necessary condition for the sex act to be moral, but not a sufficient one. A thicker account of autonomy assumes some virtues are necessary. A thinner account is not enough; the context and characteristics of the agents need to be considered.

4.4. Relational Autonomy

Another limitation of LDSE is that it revolves around an abstract agent who simply wants to satisfy sexual urges. It is an atomistic view of the self, which was already covered in chapter one. Relational autonomy, on the other hand, understands and recognizes that our lives and choices are involved in a complex web of relationships. We are who we are because of our relationships with other people. Individualistic autonomy values and emphasizes independence, but the reality is that our lives are interconnected and instead of being completely independent, we are inter-dependent because of our connections. Decisions are made mutually instead of atomistically.

As mentioned in previous chapters, sexual pluralism is the idea that many people in a given society have many different sexual modes of behavior based on their sexual values which could be incommensurable with each other. As shown in chapter one, sexual pluralism is better than sexual homogeneity. Our sexual rights do not need to clash. Rather, our interests, needs, and desires intersect and we can move forward when all participants gain. This notion is at the heart of affirmative consent where both people say yes because they want to engage in the activity together. Sexual pluralism not only captures everyone's desires and values, but it squares with everyone's freedom to choose

conception of autonomy he wants to promote. Perhaps, like me, he is aiming for a weak substantial form of autonomy.

how to live their sexual lives. Yet, there must be a way to explain why we can choose to endorse or reject values of our society. Relational autonomy can explain how we can choose our values within a society rather than strictly independently. Our commitment to values are made in terms of interpersonal relations and mutual dependencies. Our values are formed relationally rather than independently. Therefore, relational autonomy is the best way to accommodate sexual pluralism.

Autonomy is not just something that arises from the self. Our desires or inclinations can go against autonomy as Kant thought, but what is often ignored is how heteronomy can also arise from others and how the self is treated by others. Heteronomy is not just an internal obstacle, but an external one as well. Male dominance is one sort of heteronomy from this interpersonal aspect. If one is being controlled, or is vulnerable because one cannot act freely because of this dominance, then one's autonomy is undermined. Women would more likely have to be submissive to gain self-protection in their surroundings, and submissiveness is in tension with autonomy. If the autonomy is diminished, the dominated person may give up on certain wants and desires and acquiesce to the dominator.

Our autonomy comes in terms of degrees rather than a simply assuming everyone is autonomous due to some certain quality about humanity. Within a sexist, racist, heteronormative society, oppressed groups may have less autonomy than the majority because they have less opportunities to fulfill their freedom. As an example, could autonomy have a male bias? Marilyn Friedman argues that it does. Through male dominance, female autonomy is threatened:⁴⁵⁹ “[w]hen men’s aggressiveness and

⁴⁵⁹ Marilyn Friedman. “Autonomy and Male Dominance,” *Autonomy and the Challenges to Liberalism*. Edited by John Christman and Joel Anderson, (NY: Cambridge University Press, 2005), 151.

physical forcefulness is bolstered by social norms that legitimate their dominance, women are systematically subordinated, a consequence that cannot but have an effect on women's desires, fears, values, commitments – indeed their very characters.”⁴⁶⁰

Friedman suggests autonomy should not have a “one size fits all” encampment that embraces all in the same playing field. For her, since we depend on other people, we also cannot simply be an atomistic individual. Rather, autonomy comes in degrees because an agent's capacity for critical reflection may operate at multiple levels of sophistication depending on the agent's constraints such as institutional systems that privilege or take advantage of social structures in place, or one's educational background.

Being autonomous is not just an individualistic enterprise, but it is also developed by how well people can flourish. The more they can flourish, the more autonomous they are. However, flourishing is dependent upon the social and community structures that can enable one to live a good life. Therefore, autonomy is partially based on the social and community structure. If our social circumstances change, so does our autonomy.⁴⁶¹ However, what if the community embraces homophobia, transphobia, sexism, racism, or any form of oppression? While answering that question is beyond the scope of this dissertation, I do think that homophobia, for example, is a vice and that anyone who is homophobic has a defective character. Homophobia obviously oppresses those with same-sex desires, but homophobia is harmful to those with opposite-sex desires. Coming from Blumfeld, homophobia locks people into rigid gender roles that can inhibit different

⁴⁶⁰ Friedman, 152. However, it is hard to tell if the dynamics would be different in same-sex relationships. Friedman never discusses this.

⁴⁶¹ For more on this, see Lisa Tessman *Burdened Virtues: Virtue ethics for liberatory struggles*. NY: Oxford University Press, 2005; Trevor Smith. “Virtue, Oppression, and Resistance Struggles.” PhD diss., Marquette University, 2015. Abstract in August 2015. August 2015. (Accessed November 10, 2018.) https://epublications.marquette.edu/cgi/viewcontent.cgi?referer=https://www.google.com/&httpsredir=1&article=1562&context=dissertations_mu; and Warren J. Blumenfeld. “How Homophobia Hurts Everyone,” in *Readings for diversity and social justice* (2000): 267-275.

forms of unique self-expressions. People, especially men, cannot show care or feelings to those of the same sex since it is seen as a threat to their masculinity. Moreover, homophobia blocks contributions from the LGBTQIA+ community thereby blocking any pluralistic attitude toward all forms of sexual and romantic expressions. Instead of seeing them as fellow humans who happen to have different sexual desires, homophobes have a limited view by seeing them as a threat and thus must be treated with either fear, shame, ostracization, or derision.⁴⁶²

4.5. The Complexities of Sexual Consent

With these different positions of autonomy in place, where do I stand in terms of consent? I consider consensual minimalism too low of a standard. After all, this seems congruent with the traditional model of “no means no.” However, consensual idealism may be too high of a standard. For example, sex workers and those who have sex purely for the sake of reproduction, would not meet this criterion. In both of those cases, they both want an end and they may also both see sex as a means. For the sex worker, it is a monetary good or service; for the person who wants sex for the sake of reproduction, it is a child.⁴⁶³ The issue becomes complex if the people involved do not know what they

⁴⁶² Cf. Blumenfeld, 271-275.

⁴⁶³ However, I think consensual idealism can accommodate both the sex worker and the person who uses sex purely for reproduction. Here I will introduce some cumbersome terms.

When it comes to needs and desires, we can approach it negatively or positively. Positively, we may seek out the objects of our needs and desires. We can say that positive needs and desires are goals that we want to approach. Thus, we often say, “I want...” or “I need...”. Negatively, we may avoid various objects because it may harm us. We can say that negative needs and desires are goals that try to avoid. Thus, we can say, “I need to avoid...” or “I would rather not do...”. In the cases of the sex worker and the person who uses sex purely for reproduction, they have desires and needs in the positive and negative way. Positively, they may not want or care to focus on their own sexual needs and desires. In which case, that should be respected. Negatively, they do not want to be harmed and still treated as an end. That is a need that should be fulfilled as well. The sex worker may be used as a sexual being, but one should not avoid treating this person as a person and continue to treat this person with dignity and respect. The same could

want or need: many adolescents are sexual novices and may not know what arouses them, what they sexually like or dislike, or what boundaries they have.

Let me bring in an example from Pineau who discusses a young woman going on a date with someone. She feels an attraction to him and believes that he feels the same way about her. She goes out hoping there will be mutual enjoyment with mutual interest. However, the mutual and reciprocal interest is not realized. She feels immense pressure to have sex with him, though she does not want to have the kind of sex he does. The man uses aggressive, coercive tactics to have sex with her. She is having trouble disengaging his body from hers, and wishes he would just go away. But she feels stuck because she feels afraid to say “no” lest his aggression become more violent. Instead, she goes along with him just to get it over with. He does not even notice she finds the encounter disagreeable, and probably still would not have changed course if he had. He congratulates himself for his aggressive tactics in that they paid off. She, however, does not feel quite right with the experience.⁴⁶⁴ This woman described by Pineau could also be someone whom Robin West describes in her vignettes: a woman engages in sexual activities with a man for economic sustenance, or to lessen some violent outburst. Specifically, West claims if a woman constantly has to engage in sexual activities that

be said with having sex purely for the purpose of reproduction. In both cases, trying to fulfill desires may be minimal or nonexistent, but there are still needs that one ought to consider.

Sex work is already a controversial topic. There are philosophers who argue that treating sex workers as objects automatically denies them their humanity. I take it that exploited sex work is unethical. The question is whether all sex work is exploitive. I will assume that it is not, but defending that is beyond the scope of this dissertation. I am merely assuming that one can treat sex workers as sexual beings in which the purpose is to have sex with them, but one can simultaneously treat them as if they have dignity and respect.

⁴⁶⁴ Cf. Pineau, 465-466.

she does not desire nor find pleasurable, even if done with consent, then autonomy could be drained. For simplicity, let us call this woman Monica.⁴⁶⁵

The issue becomes more complex after considering Emily Nagoski's discussion regarding the latest scientific research of sexual responses and how they vary between males and females.⁴⁶⁶ Let me briefly bring up three differences and suggest how these differences make consent more complex. The first difference discusses sexual concordance which is the (mis-)match between one's subjective sexual response and one's physiological sexual response. For example, if you say that you are aroused, and the machines detecting your physiological responses suggest various sexual responses (e.g. blood flow, penis erection, vaginal fluid), then we have a one hundred percent sexual concordance. In the literature, men typically show a concordance fifty percent of the time whereas woman only show a concordance ten percent of the time. In the case of women, they will say they are not subjectively turned on, but their physiological responses suggest otherwise.

The second difference has to do with various systems in play when it comes to sexual arousal. There is the sexual excitation system—which Nagoski calls the sexual

⁴⁶⁵ Affirmative consent holds more promise in its ability to mitigate miscommunication and assuage the feminist concerns. While “yes” means “yes” is good, what does “yes” mean? Gruber has looked at various college codes of conduct and has fleshed out various forms which can be the strictest (e.g. written contract) to the broadest (e.g. paying attention to context and making sure that a “no” can still be played). Thus, there is no overall standard as to what affirmative consent means or how it is communicated. Moreover, the participants may have different standards on what counts as affirmation. For example, some people may find the broadest view as too low of a standard. They may want to constantly check-in, maybe continually ask questions to make sure their partner is comfortable with the activity. On the other hand, many people may find this cumbersome, even ruinous to the flow of the sexual experience, and instead preferring the affirmation be ongoing rather than a disjointed check-in. From a different angle, then, one person may consider enthusiastic consent as too high of a standard. After all, there may be sex workers who have sex but since they consider it a job, they may not do the work enthusiastically. Sex workers may feign enthusiasm for the sake of their consumers. Internally, however, the sex worker may be indifferent or may not enjoy the work. In other instances, long-term couples may still engage in sex consensually, but not enthusiastically. Finally, novices of sex, or even having a new partner can cause trepidation or stress which can inhibit any enthusiasm, even if the partners are more than willing to have sex.

⁴⁶⁶ This is not to say that *all* males will follow a certain sexual response path and that *all* females will follow another certain sexual response path. Nagoski points out that these are averages.

accelerator—and the sexual inhibition system—which she calls the sexual brake. Every person has this, and some accelerators and brakes may be more sensitive than others. The sexual excitation system notices relevant information in the environment so that one can be aroused (e.g. partner’s appearance, ways your partner makes you feel, novelty). The sexual inhibition system notices relevant information in the environment to suggest good reasons not to be aroused (e.g. stress, body image, trauma history, relationship conflict, sleep deprivation, reputation).

On average, men appear to have a more sensitive sexual accelerators and women have more sensitive sexual brakes.⁴⁶⁷ Nagoski discusses that when we want to turn our partner on, we often think that we just need to press the accelerator more. However, since women are more likely to be attuned to their brakes, they may need to release the brake pedal so that sexual arousal can initiate. Simply turning people on is not merely a matter of touching or caressing, but setting up a context where they are comfortable and already set in a situation where they could be easily aroused. Or, as Nagoski puts it, “arousal is the process of turning on the ons and turning off the offs.”⁴⁶⁸

Finally, the third difference involves the genesis of sexual arousal. We often think of sexual arousal happening spontaneously: sexual arousal appears out of nowhere, and we want to have our sexual desires fulfilled, which Nagoski calls the *spontaneous sexual arousal*. This narrative is so strong that we assume it is a universal human condition. However, Nagoski points out that spontaneous arousal typically works with maybe seventy-five percent of men and fifteen percent of women.⁴⁶⁹ Conversely, other people typically have *response sexual arousal*, which is when arousal arises *after* the accelerator

⁴⁶⁷ Cf. Nagoski, *CAYA*, 60.

⁴⁶⁸ Nagoski, *CAYA*, 61.

⁴⁶⁹ Cf. Nagoski, *CAYA*, 225.

has been pressed and/or the brake pedal has been released. In other words, the person is in a state of arousal *in response* to a context that fosters sexual arousal. This form of arousal occurs in roughly five percent of men and thirty percent of women.⁴⁷⁰

With these factors in play, consent becomes complex. For simplicity, let us call this woman who has these typical responses Tonya. If Tonya's sexual concordance happens ten percent of the time, she may not be psychologically sexually aroused, but she may be physiologically aroused. How would she be subjectively aroused? Here is where the other two features are helpful. If her brake pedal is on more than the accelerator, then it seems having more acceleration would hardly work when releasing the brake pedal would be more efficient. Now, to release it, she would either have to self-release or someone else would have to help her release it. In short, Tonya would have to get turned on through manual or external stimulation. The motivational push also hinges on the last feature: the responsive sexual desire.

If Tonya's sexual desire is responsive rather than spontaneous, then it seems she typically becomes aroused as a response from external sources rather than a spontaneous genesis. Thus, her experience is such that she is more likely to engage in sexual relations from an external source where the context is set up just right and she is nudged to have a sexual encounter. This is not to say it should happen all the time, but if Nagoski is correct, then the typical woman would respond to sexual initiation from her partner. In Tonya's experience, she has a hard time initiating sexual encounters because she may not currently be in the mood, but she could be, given the right physiology (i.e. possible sexual non-concordance) and right context (i.e. release of brake pedal) from a good

⁴⁷⁰ Cf. Nagoski, *CAYA*, 225. Another note: only about 6 percent of women lack both spontaneous and responsive desire. The remainder of the percentage numbers are context dependent.

external source (i.e. responsive desire from her partner as opposed to someone with aggressive sexual tactics). In this sense, perhaps a playful nudge, a soft persuasion, a positive pressure,⁴⁷¹ or a helpful sway would be ethically permissible. With these complexities and context, I will admit that there may be no problem with consent being *positively* brought out. Indeed, if we could imagine an ideal society without any unethical sexual actions, the helpful sway may still be unproblematic to bring forth ethical sexual conduct.

Perhaps what makes this experience more accurate, and more complex, is that of high school female students. Most high schoolers are novices when it comes to sex and, for many young women, discussing and thinking about sex, especially sexual pleasure, is still taboo. Thus, many young women in high school may not know what their boundaries are—what sort of pleasures they have, what they desire, what they are willing to do, or what they may not want to do. At the beginning of many sexual experiences, Tonya as a high school student may feel awkward at first. However, she may have hope either that the present experience or future encounters will be better, which may lead her to engage in sexual acts even though she may not feel sexual desire or pleasure based on the persuasive tactics of her partner to bring her to a heightened subjective sexual arousal, or at least to release her sexual brakes. In short, she consents to sex because of the context which enables her to build her arousal mechanisms, and thus increases her desire, at which point she consents.

With Nagoski's discussion in mind, I claim Tonya's experiences are ignored in the philosophical literature, which instead primarily focuses on women, such as Monica,

⁴⁷¹ I am indebted to Patricia Marino's discussion on this in her paper. Patricia Marino. "Affirmative Consent and Female Desire." Presentation, Pacific American Philosophical Association, Seattle, WA, April 10, 2017.

as manipulated actors in the encounter. To show how, suppose we had a young woman going on a date with a man. The date seems wonderful, and both parties seem to be enjoying themselves. Later that evening, the man tries to initiate some sort of sexual contact. He is not doing it aggressively, but he is making his intentions known. The young woman is not against having any sexual relations with him, but she does not desire having sex right then. He displays more arousal techniques. She may experience feelings of awkwardness, stress, vulnerability, self-consciousness, joy, pleasure, detachment, connectedness, and nervousness. Moreover, she may feel unsure because part of her enjoys the experience, and another part of her is hesitant to engage.⁴⁷² At some point, his efforts to arouse her succeed in acquiring her consent to initiate the next level of sexual intimacy, even if she remains unsure of herself. During the sexual act, she continues to consent, but she is dissatisfied with the experience: maybe his technique is unimaginative, and to be honest, he half-heartedly focuses on her. It is an awkward experience, but she tells herself that if they continue to see each other, his technique could improve, they will be more familiar with each other's bodies, and overall, that things may get better. This is not the worst sexual experience that she has had, but it is certainly lackluster. Eventually, however, this woman starts to feel more at ease and relaxes. She can slowly get into the flow of the sexual experience, even if it was not enjoyable from the beginning. She may not be in the mood or turned on, but she could be if she sees some potential in future encounters, or she may be aroused throughout the sexual encounter. She may consent to the act, even if she is presently not aroused. Or, to make it even more complex, her lack of experience may mean she does not know what

⁴⁷² It would make sense for someone to feel a wide range, even contrary, emotions. From the dual-control model, sexual interest and desire can be ambiguous.

turns her on, so she may be confused as to whether she is aroused or not, but she still may consent nevertheless.

West would consider that the woman I just described was Monica's experience. But the experience easily could have been Tonya's. Indeed, the higher standard may be asking too much because that is not how desires typically function. There may be differences between how the sexes initiate sex but, as Nagoski's work stipulates, these differences do seem to have some biological basis.⁴⁷³ Specifically, Nagoski points out that it is normal to feel ambivalence around sex, and that a stimulus can hit the accelerator and brake pedal simultaneously, particularly if the person has learned that sexuality is a threat. For example, inexperience could be considered a "threat" of sorts in that people may experience being turned on, but not be quite sure if they should continue.⁴⁷⁴ We can compare this to inexperienced dancers who may accidentally step on each other's toes, say "sorry," and continue dancing, with everyone still enjoying themselves.

I suggest that West and Pineau are conflating Tonya's and Monica's sexual experiences, and that there are three missing components that can help show the differences. First, Monica's autonomy and integrity could weaken, but her motivations vary. Monica's motivation was to avoid a scenario, whereas Tonya wants to approach a scenario. How do we explain this? A study from Impett et. al. shows how the *motivations* of engaging in sex with a partner when one does not specifically desire the sex are important. In this study, there are two types of motivations: approach goals and avoidant

⁴⁷³ To be clear, even if men typically initiate sex more often than women, this may not be ethically problematic as long as other conditions are in play: following the rules of consent, making sure that both partners are mutually respected, and feeling comfortable to say "no."

⁴⁷⁴ Cf. Emily Nagoski, *Come As You Are Workbook*. (Forthcoming), 26.

goals. Approach goals are goals that one pursues to reach a positive outcome, whereas avoidant goals are those one pursues to avoid a negative outcome. In the sexual domain, approach goals could be seen as obtaining pleasure, helping a partner obtain pleasure, and increasing or maintaining relationship satisfaction. Avoidant goals could be avoiding: sexual or relationship conflict, a partner's loss of interest, or sexual tension. The study suggests that when someone consistently pursues avoidant goals in their relationship, they are more likely to experience a breakup, find the relationship dissatisfying, or are less satisfied with their sexual experiences over time. In short, consistently pursuing avoidant goals can be detrimental to maintaining relationship satisfaction.⁴⁷⁵ Monica has avoidant goals whereas Tonya has approach goals.

Second, Ann J. Cahill has understood the nuance between coerced sex and reluctant sex. Cahill considers the sexual experiences motivated by avoidant goals to be “unjust sex,” since it is not explicitly sexual assault because there was consent, but the situation did not present the woman with any ideal options. In fact, the woman is presented with a dilemma in which she may choose sex because it is the least bad of the options.

So, what is the marker between sexual assault and the “grey area” of unjust sex? Cahill states that “sexual assault entails a sexual interaction where one person (the assailant) either overrides the will of another (the victim) or exploits the situation wherein the victim's will is inoperative.”⁴⁷⁶ Unjust sex, the sex that is in the grey area, would be where consent was given reluctantly, where the woman may have had a split will during

⁴⁷⁵ Cf. Emily A. Impett, Amy Muise, and Natalie O. Rosen. “Is It Good to Be Giving in the Bedroom? A Prosocial Perspective on Sexual Health and Well-Being in Romantic Relationships.” *Current Sexual Health Reports* 7, no. 3 (2015): 185. doi:10.1007/s11930-015-0055-9.

⁴⁷⁶ Cahill, “Unjust Sex vs. Rape,” 8.

which she was hesitating, reluctant, and less than willing.⁴⁷⁷ Could this description help make a distinction between Monica's and Tonya's experiences? In both scenarios, the women are hesitating, reluctant, and may have a split will. They are both unsure of the experience. However, the difference is that Monica is less than willing, yet feels she has no choice but to consent.⁴⁷⁸ Tonya may simply be willing, more than willing, or taking a chance and choosing to engage in the sexual interaction. She may also feel unsure, but she has the option to opt-out if she wishes.⁴⁷⁹

Third, the women in both types of experiences are sexual agents, but expressed differently. My influence also comes from Cahill who states:

A robustly intersubjective sexual interaction is imbued with each person's sexual agency, while at the same time it constructs that sexual agency (not from scratch, of course; but the interaction makes a contribution, whether slight or substantial, to the ongoing becoming of that agency). A sexual subject does not merely have sexual agency prior to any given sexual interaction, as a kind of freestanding capacity or resource; rather, both the existence and the quality of that sexual agency emanates from sexual (and other) interactions. . . . For me, agency in general is both deeply embodied (and thus profoundly affected by bodily interactions with other subjects, specific environments, objects, and discourses of inequality) and fundamentally, not peripherally, intersubjective.⁴⁸⁰

In a way, Monica's sexual agency is reduced to the man's sexual agency in an unethical way because her contribution to the sexual action is an afterthought, as a way to cross off the checklist of what counts as consent. Again, it is worth quoting from Cahill:

The nature of that contribution, the way which it matters, is also crucial, and here I would argue that agency is in play in a particular way: that is the woman's agency is deployed *only* to be used against her. Or, to be more precise, the woman's agency can be deployed only to facilitate a specific sexual interaction whose content (that is, the particular acts that will make up the interaction) is predetermined and remains largely unmarked by the specific quality of the

⁴⁷⁷ Cf. Cahill, "Unjust Sex. vs. Rape," 8.

⁴⁷⁸ Cf. Cahill, "Unjust Sex vs. Rape," 9.

⁴⁷⁹ This is different than experiencing sexual assault where the encounter goes *against* the will of the victim.

⁴⁸⁰ Cahill, "Unjust Sex vs. Rape, 9.

woman's sexual subjectivity. Her sexual agency is employed in a weak way, as a mere accreditation of the sexual interaction that is being offered to her. Because her agency is merely providing a kind of ethical cover to the interaction being offered, the interaction itself does not enhance either her sexual agency (that is, it does not empower her to become more knowledgeable or forthright about her sexual needs, desires, and interests in the context of this particular relationship) nor, most likely, does it broaden her sexual subjectivity by creating more possibilities. In this sense, the interaction most likely does not contribute positively to her sexual becoming or flourishing. Thus, her sexual agency is hijacked, used not to forward her interests, but in fact to undermine them, particularly those interests that are related to her always-developing sexual subjectivity.⁴⁸¹

On the other end of the spectrum, Tonya's agency is not based on present desire but in the hope for future pleasurable encounters. Her interests are not ignored, but taken as a factor to consider. Her experiences may be treated with respect, but they may also be treated with reckless indifference or with ignorance. There may be confusing moments, but this is largely due to the ongoing relationship she has with her partner, her familiarity with her body and her partner's body, whether she is comfortable or awkward, whether she is stressed, etc. Nevertheless, she may continue to act in the hopes that it may get better. Overall, she may be able to sexually flourish. In some cases, she enjoys the act, in others, she may find the experience wanting, but she does not consider the act violent or assaultive, nor does she regret or even consider it "unjust", unlike Monica's experience who cannot flourish. If, over time, Tonya feels consistently unsure about her sexual actions but still consents, it is possible that she would slowly lose her sexual well-being, and that the act would increasingly become "unjust sex," in which case, she may end up like Monica.⁴⁸²

⁴⁸¹ "Cahill, "Unjust Sex vs. Rape," 10.

⁴⁸² Taking note from Marino's paper where I suggest Tonya may hope that her experiences get better over time, and Monica may hope that things do not get worse.

To sum up this section, there are a plurality of ways to look at consent, but the addition of looking at how desires and arousals function biologically requires us to take this reality into account. Therefore, I call my position “consensual realism.”⁴⁸³ The realism is not looking at the principles of consent first and applying them to the experiences of people. Rather, we start by looking at Tonya’s experiences, which include her desires, interests, and biology. Consensual realism is above the minimal standard and above what Ann Cahill calls “unjust sex” since any sexual action within that field would be unethical. Moreover, consensual idealism is too rigid in its principles that it ignores the context and how well the people know each other. With that, my position lies between consensual minimalism and consensual idealism, which is where Tonya’s experiences lie.

What makes this complex is that Tonya’s experience will change depending on the context, but the context will inform, whether the interaction is ethical or not. For example, suppose Bob is with Tonya and they are in tune with each other’s bodies and can easily read each other’s body language. Let us also suppose that they have been in a relationship for a long time; the background of the relationship would give them the experience and context of how to engage in a sexual way that is fun, exciting, and caring. Since Bob and Tonya have known each other for a while and know how to turn each other on, it is almost as if they can do it automatically (not monotonously) to gain pleasure for themselves and for each other. Because they know what they are doing, the context suggests that there is a low bar to hurdle. Therefore, they may affirm each other’s consent, even to the ideal realm, and they can do so easily.

⁴⁸³ I am indebted to Aubrey Spivey for coming up with this term.

Now let us suppose Tonya and Jess. They are at the beginning of their sexual relationship and so they have not yet developed the experience of what turns them on, what their limits or boundaries on what is appropriate are, or what they can do to enhance the experience rather than it leading to awkwardness. Because of this context, there is a higher bar to hurdle. Both Tonya and Jess have to put in extra effort for a mutual enjoyable sexual encounter, which could mean to check-in with each other, to be more sensitive to the reactions and body language of each other, to display a more caring attitude to make everyone more comfortable, and to communicate beforehand to ensure each other's boundaries, or at least to have a good certainty that pleasure will not be diminished.

Finally, as another example, Tonya may be of two minds about a sexual act, even if she completely trusts a long-term partner. Suppose Tonya has been seeing Kim for quite a while. They trust each other and enjoy being with each other. They have had a sexual relationship that is both satisfying and pleasurable. Kim suggests trying a new activity that is somewhat adventurous and risky (e.g. anal sex, swinging, bondage, or a threesome). Tonya has never thought about the activity except in the abstract. Part of her never thought she would want to participate in it, but she has never categorized the activity as an absolute "no." So when Kim expresses an opportunity to try out this new activity, Tonya is not quite sure. The hesitancy, however, is not from her not wanting to do it, but from the idea that she has never thought about wanting to do it. And so Tonya is partially intrigued, curious, and game to try it out. At the same time, she is not completely sure since she is dismayed at the request, worried that the negative consequences could outweigh the benefits, and made to be in a vulnerable position. Tonya decides to do it

even if she is of two minds. Notice that this does not equate to having second thoughts. Having second thoughts entails regret or going along with the activity “just to get it over with.” Being in the state of two minds, on the other hand, means she is actively going along with the activity and says “yes” to the activity, but the “yes” is not an excited one. Let me be clear. Tonya is not being coerced and manipulated into the activity. The “no” can easily be used without awkwardness. The “yes” that Tonya states is still active. The phenomenon of being in two minds comes about by the novelty of the activity, which can have a combination of excitement (incentivizing her to do the activity) and uncertainty (which makes her skeptical to do the activity). If, on the other hand, this was repeated over time and she said yes just to go along with the flow, or if she felt like she had to say “yes” just to avoid awkwardness or to relieve pressure, then, in line with West, she may become like Monica over time.

Moreover, I agree with the affirmation model of consent as well. My response to Schulhofer is to agree “yes means yes” does not have to fully be verbal; people can still have affirmative consent through body language, knowledge of the relevant facts, and the context of the situation. It is true that this is harder to interpret than a verbal “yes,” but the way to correctly read the body language is to be more aware of the relevant facts of the context and people can gain this through education and experience. In a way, it is a type of *phronesis* to correctly acknowledge when someone is saying “yes” non-verbally, where they have enough knowledge to make good judgements about sexual matters.⁴⁸⁴

⁴⁸⁴ Sandy LeFave offers these attributes of sexual phronesis for the male. Some of her points are over simplistic, but it is a nice start.

A man with sexual phronesis knows:

- That women usually do not want sex in the same urgent way a young man does (men are microwaves, but women are crockpots).
- That sex in an ongoing relationship is usually not like porn. That your wife is not necessarily going to be your personal porn star.

Having *phronesis* is to see how desire manifests itself in the occurrence of the sexual act such that the partners recognize desires in the other. It is also knowing that context where both people are comfortable as possible is key such that both partners are willing to proceed rather than a total ignorance of the other. Otherwise, sexual encounters risk becoming “unjust.”

However, we must be aware that there is an ambiguity between actual wants and what others perceive as wants which creates a potential for conflict because some people are better at correctly interpreting situational cues than others. Resistance should always be taken as a sign that a sexual invitation is not wanted unless the parties involved have negotiated a different understanding. This is more practical than the approach of requiring parties to receive verbal consent at every level of sexual intimacy because people communicate in both verbal and nonverbal ways. Making a sexual pass at someone and being turned down is not sexual coercion unless the initiator refuses to understand it by persistently making sexual overtures. Taken together, this is what makes sexual consent so complex: it is not just a “yes” or a “no” for many encounters. Indeed, when most people have sex, we hardly explicitly garner a “yes” or state a “no.” Instead, we are searching for clues and giving clues to see if it is ok to proceed or to slow down, or to stop. Most sexual initiations happen non-verbally, and this is important to know and address. If many sexual interactions happen non-verbally, then we need to teach consent

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- That a lot of women do not have an orgasm easily. As many as 80% never come during intercourse, so the man with sexual phronesis will have some tricks up his sleeve.
 - That a woman does not necessarily get turned on just by looking at you.
 - That women’s desires are complicated.
 - That women need you to notice their needs and desires, so they can trust you: THEN they are more likely to give you good sex on a long-term basis.

that is based on giving/receiving clues. And yet, if it happens non-verbally, we also need to be taught how to use their words comfortably when the time comes.⁴⁸⁵

Generally, when people ask if they desire to do an activity, the question is presented as a single option (“do you want to do x?”). The question seems innocuous in that it is asking what listener’s preference or desire is. However, the implicit subtext is that the asker is really saying “I want to do x, do you?” and if the asker is male, the power dynamic adds pressure to say a “yes” or makes it hard to say “no.” To mitigate the pressure and to make the choice to say no as comfortable as possible, we should make it clear that a choice is presented rather than a single option. By presenting the question so that the listener can make a choice, (e.g. “do you want to do x or y?”), the listener has full decision-making power, even to say “no.” Sarah Super, a rape victim in St. Paul in 2015, talks about how giving people a choice in which they are presented options can mitigate sexual violence. It is where saying “yes” and “no” are easy to say without the sense of awkwardness or confrontation. I would add it would also mitigate pressure to have sex as well, thus making consent more genuine. Super explains in her IgniteMPLS talk⁴⁸⁶ that a better choice model is to present one or more options, offer an opt out as a choice, and validate all choices. When a speaker asks a question to a potential date (e.g. “would you like to come home with me tonight?”), the speaker is asking a question, and the receiver can say “yes” or “no.” However, the utterance is not just a question; the speaker is giving a performative utterance where the subtext exposes the speaker’s real preference behind the question, namely the receipt of a “yes.” By giving at least two options, it takes away

⁴⁸⁵ Cf. Alice Dreger. *The Talk: Helping Your Kids Navigate Sex in the Real World*. (CreateSpace Independent Publishing Platform, 2016), 55.

⁴⁸⁶ See IgniteMPLS. “Sarah Super—If Not, That's Okay, Too,” YouTube Video. Feb. 26. 2017. (Accessed June 1, 2017.) www.youtube.com/watch?v=GYHUcFwh6hs&t=

the asker's preference and the pressure is mitigated. Why is this important? It is because when men ask this question in our social context, they have the power and they may not be aware their implicit request can put pressure on the woman to say "yes." Women, however, are much more hyper-alert to being powerless.⁴⁸⁷

While choice and autonomy are important, especially regarding consent, autonomy should not be the sole focus of sex education. McAvoy suggests that a sex education curriculum must help students recognize they are sexual beings within a larger context rather than just beings who are capable of having sex. Also it should be noted the status quo values in society are structured in a way to position men and women unequally. Moreover, students need to recognize that all sexual experiences, whether long- or short-term, are "moments of interdependence and thus require those involved to understand their moral obligations to others, including above all concern for the other's well-being."⁴⁸⁸ To know what clues to search for, or how to give clues requires experience; after all, that is what *phronesis* comes down to. However, in sex education for high school students, we cannot simply teach them to go out and experience sexual encounters. Like most classes that deal with real-life scenarios, we give them guidelines, case studies to help students think about consent—which many schools and states have endorsed—and tools so that they can face sexual encounters in the "real world." The next subsection will focus on case studies to show how they can be helpful in teaching consent.

⁴⁸⁷ Sarah Super. Personal discussion with the author, June 14, 2017.

⁴⁸⁸ McAvoy, 492.

4.5.1. Case Studies on Consent

Case studies are helpful in providing the students opportunities to think about certain issues which have been problematized. I suggest Mappes would be the foundation for sexual consent which claims consent happens when the participants make an agreement that is voluntary and informed. The educator could bring up many case studies to hone in on what makes an action voluntary and informed. Mappes also suggests what makes an action unethical is if the agreement came about through deception, coercion, or taking advantage of a desperate situation. Again, the educator could bring up case studies to determine what exactly deception and coercion are or how to tell if a situation is desperate. Keppler and Estes—who endorse consensual idealism—build upon Mappes’s work to suggest consent is not sufficient using case studies to suggest why. The students could grapple with these cases to see if consensual idealism is needed or if consensual minimalism is sufficient.

Since I endorse consensual realism, the class would have to go through many case studies and examples just to get a better sense of the typical female’s (such as Tonya’s) experiences, which may include her pressures, why she may feel pressured, her uncertainty, her willingness, and her (un)certainly. The students could talk about whether sexuality and relationships are meant to aim for an ideal, or if sexual encounters just need to be “plain sex”⁴⁸⁹ and anything more is up to the individuals.⁴⁹⁰

⁴⁸⁹ Term comes from Alan Goldman in his article, “Plain Sex.” *Philosophy & Public Affairs* (April, 1977): 267-287.

⁴⁹⁰ Even though my program aims toward high school students, a possible way to help teach consent to elementary students is to have them sit in a circle. The teacher states each student is allowed to hold their neighbor’s hand. They are told if they do not want to, they do not have to, but both students are allowed to hold hands if and only if both students want to hold hands. The purpose of this exercise is to help students learn about their boundaries, their desires, and their sense of control. Why is this important? Many young children are bombarded with messages from their parents that if they see relatives, then they

Lamb suggests giving students many case studies and exercises to problematize the notion of consent to make the students reflect on sexual choices. She suggests talking about consent and drug use as an example, particularly alcohol. Most sex education programs hardly talk about alcohol and sex or, if they do, it is information that is a blanket statement about teen abstinence.⁴⁹¹ For example, a common claim is that if any alcohol is introduced, consent is automatically void. Yet, impairment through alcohol comes in degrees. This then raises questions of whether consent can come in degrees as well, and what this would look like. Other questions to address could include how impaired does a person have to be in order for consent to be void, whether one could tell if the other is drunk, or if both people drank alcohol yet both requested condom use, does this implicate some impairment for consent?⁴⁹² Another case study could ask what constitutes coercion and pressures. Does an ultimatum to a partner such as threatening to break up count as coercion if she does not have sex with the other partner? These and many other case studies come from Harvard University in the hopes of helping students understand what is considered appropriate and inappropriate by discussing it with other students. Some examples come from the *Unequal Partners, Vol. 1* lesson plans. One looks at consent situations by presenting vignettes and asking the students whether the

ought to hug their elders. But with this classroom example I suggested above, the students are now in control of what they want rather than being moved externally to be affectionate with another. Another benefit from this exercise is that the students can then discuss what they wanted and what they did not want, which will help them develop a sense of agency. Moreover, for the mismatched students (where one student wanted to hold hands but the neighboring student did not), the rejected student may feel dejected. Being dejected is an unpleasant experience and the common response—which has been the narrative of our culture—is to assuage the dejection. However, my example could change the narrative where being rejected should take priority, meaning that students will have to learn that being rejected is part of the consensual process and that they ought to respect other people’s decisions not to hold hands. Over time, they may learn to respect people’s autonomy and agency, especially with their sexual decisions as they get older. Moreover, perhaps people will react due to peer pressure and this exercise could help them not only see the pressure but also fight against it.

⁴⁹¹ Lamb, *Sex Ed For Caring Schools*, 76.

⁴⁹² Lamb, *Sex Ed For Caring Schools*, 76.

people involved in the vignettes were able or not able to consent. Doing so could help the students ask themselves (with guidance from the educator) whether the situation they could be in is considered consensual or not (either receiving or giving).⁴⁹³

By letting the students take charge of the discussion, LDSE shows respect to the adolescents. Sex education programs have withheld information for fear of what adolescents would do with this information. However, by doing so, these programs do not support the students' right to autonomy in their choices by not informing them, and these choices could make a difference in terms of their health and self-affirmation of who they are. For example, in 2000, the Kaiser Family Foundation⁴⁹⁴ as well as Douglas Kirby,⁴⁹⁵ a major researcher of sex education curricula, separately made claims that the sex education that students were receiving was either irrelevant or misleading. For example, many abstinence-only programs left out any information about how to use birth control and how to protect oneself from any STIs. The students are left without any knowledge to make decisions, especially those who are already having sex.⁴⁹⁶ Instead, LDSE lets students take charge of their own sexuality by helping them develop their autonomy, which is key in the making of informed decisions. Indeed, Santelli et. al. has argued that it is unethical to withhold health information from adolescents by taking a "human

⁴⁹³ Cf. Sue Montfort and Peggy Brick. *Unequal partners: teaching about power, consent and Healthy relationships*, Fourth Edition. (Morristown, NJ: The Center for Sex Education, 2016), 119-125.

⁴⁹⁴ Kaiser Family Foundation. *Sexuality Education in America: A View from Inside the Nation's Classrooms; Kaiser Family Foundation Survey of Parents, Teachers, Principals, and Students*. Menlo Park, CA: Author, 2000.

⁴⁹⁵ Douglas Kirby. *Emerging Answers: Research Findings on Programs to Reduce Teen Pregnancy*. Washington, D.C.: The National Campaign to Prevent Teen Pregnancy, 2001.

⁴⁹⁶ Kaiser Family Foundation and Kirby mentioned in Lamb, *Sex Ed For Caring Schools*, 20.

rights” approach to sexual health information arguing governments have “an obligation to provide accurate information to their citizens.”⁴⁹⁷

The hope with these case studies is to make people—particularly men—more aware of their partner’s wants and needs. It is very possible that unwanted sexual encounters do not always result from malice, but from being unaware of the partners’ wants. The way to correct this is to pay attention to various signals, become more sensitive to these signals, and spring to action based on these signals. When a man makes a mistake, he may be sincere, but he is being insensitive or careless of his partner’s signals. The examples from Keppler, as mentioned above, are good to show the need for being sensitive to his partner's needs. “Yes” does not necessarily mean “yes” and various cases need to be brought up to make things clearer for the students and to make sure they are thinking critically.

Conclusion

I have looked at the various positions about autonomy and consent. I argue that in terms of sex education, weak substantive autonomy is best. Thus, we need to help students develop agentic skills so students can critically reflect on their decisions. I also argue we ought to aim toward programmatic autonomy in sex education. Thus, we need to teach issues of oppression and how to recognize and dismantle it. I further argue that applying Korsgaard’s notion of self-constitution is helpful to endorse moral principles. Thus, we need to teach students various sexual values and help them understand what it means to

⁴⁹⁷ John Santelli, Mary A. Ott, Maureen Lyon, Jennifer Rogers, Daniel Summers, and Rebecca Schleifer. “Abstinence and abstinence-only education: A review of US policies and programs.” *Journal of Adolescent health* 38, no. 1 (2006): 78.

endorse these values rather than living in conformity with them. In terms of consent, I argue for consensual realism, and using case studies to help students hone in on what standard they consider too low for themselves and encourage conversation so they and their sexual partners will be on the same page. I also argue for affirmative consent, which looks at the complexities and nuances of sexual arousal and desire. Thus, we need to use case studies to help students understand the complexities and nuances of various people's sexual desires, arousal states, and pleasures. Moreover, getting a better understanding of the science of sexual desire and arousal would be extremely helpful to give the students a fuller understanding that sexual desire and arousal is not universal, which demonstrates there are many different varieties. The aim should be to show how sex education can help them reflect on their own sexual accelerators, sexual brakes, and the context that could encourage sexual desire.

All of this is well and good, but as mentioned before, if I am arguing for some substance—even a weak kind—behind consent and autonomy, then there is a foundation behind autonomy, which goes beyond deontological ethics. In other words, deontological ethics is insufficient for sex education; we will need another type of sex education in which I consider a feature that is missing in all three models: the care of the sexual self, which means to formulate a sexual subject. In other words, previous models do not treat the adolescent as a sexual subject. What is a sexual subject? Tolman describes it as “a person's experiences of herself as a sexual being, who feels entitled to sexual pleasure and sexual safety, who makes active sexual choices, and who has an identity as a sexual being. Sexual desire is at the heart of sexual subjectivity.”⁴⁹⁸ To be a specific sort of sexual self brings with it a range of virtues, qualities, and dispositions. Therefore, to

⁴⁹⁸ Tolman, 5-6.

formulate sexual autonomy, one must formulate a sexual subject with the right type of virtues and dispositions. Being autonomous is not just self-determination, but self-determination *in the right way* by having various autonomous skills and virtues.

Based on this assessment, LDSE is also missing a dimension of how one becomes a sexual subject, and not simply an agent who has sex.⁴⁹⁹ People do not simply want knowledge of the facts, but what to do with those facts. They want the know-how along with the know-that. Students need more than just the empirical, scientific facts; they want to *know how* to handle relationships, how to communicate with potential romantic partners, and how to recognize good and bad sexual encounters. Moreover, many young people describe sex that “just happens” whereby their sexual agency is abdicated. This is not to say that sex was nonconsensual, but that there was no discussion nor negotiation as to what the people wanted or what boundaries they had or what they were expecting from the outcome. They did not think about how to assert their boundaries nor how to find out the other person’s boundaries. They just knew that there was an outcome (e.g. intercourse) and they are letting the flow of events sway the outcome without the people involved actively doing anything.

With these positive features in place, students are implicitly asking how to determine how to navigate their relationship expressions and their sexual lives based on their values. And yet, while autonomy plays a role, it is not enough. They are implicitly asking for “the capacity to feel connected to sexual desires and boundaries and to use

⁴⁹⁹ To illustrate, Moran recounts a fourteen-year-old Kansas girl complaining about her sex education: “They just tell us to prepare ourselves emotionally, but they do not tell us what it means to be emotionally prepared” (234). Or to put it another way from Peggy Orenstein, “Girls now live in a culture where, increasingly, unless both parties agree unequivocally to a sexual encounter, there is no consent—only ‘yes means yes.’ All well and good, but what happens *after* yes?” (Orenstein, 3).

these to make self-directed decisions.”⁵⁰⁰ This, therefore, implies that they want to form a character that can embrace certain dispositions, attitudes, desires, and preferences where they can feel these features are their own. This cultivation means that students must undergo a formation project on themselves through constant practices, trainings, activities, and disciplines. It is what I will call “taking care of the sexual self,” which is the theme for the next two chapters.

⁵⁰⁰ Schalet, 12.

Chapter Five: The *Áskēsis* Model

In the last chapter, I mentioned how LDSE left out important elements for a good sex education: a notion of a sexual subject, a robust understanding of consent, a route where students gain a sense of maturity over time but also be critical of their sexual culture as a way to inform themselves as having a sexual identity that will shape them into healthy sexual adults, and a development of a virtuous sexual character. For students to understand what it means to be a sexual subject, they must be aware of themselves and others in their sexual context. Their sexual identity will be informed by different environments and—as we saw in chapters two and four with the work of Emily Nagoski—different biological formations, meaning that sexual desires, actions, and behaviors will not be the same for everyone else. By understanding the plurality of different sexualities, students will learn not only of other sexual identities, but of their own.

Let us recap the problems and the advantages of the previous models. Under PSE, one major advantage was their conception of a relational self, which tries to capture a sense of morality that includes relationships, emotions, mental aspects of a sexual life, and respecting others. Moreover, PSE promotes a specific direction and guidance for the students by promoting not only the ends of sexuality, but also developing a character to reach those ends. However, the advantages do not make up for the major disadvantages, which includes a very rigid and highly ideological authoritative sexuality education. The rigidity is so strong that other viewpoints are not accepted, which makes PSE not only embrace heteronormativity, but does so with gusto because it is the only type of value it

promotes. The education is a top-down model, meaning that since morality is based on authority rather than engaging with the students, the students' sexual education is limited.

For LCSE, the major advantage is that it focuses on empirical evidence and health issues rather than an imposed moral force from authority. Since this education starts with the students, the students are encouraged to try and understand the different values of people. However, the encouragement does not go far enough due to the implicit heteronormativity in this model, which limits knowledge of what students could know. Moreover, by mainly focusing on avoiding negative consequences, LSCE ignores positive aspects of sexuality such as relationships, sexual preparedness, and pleasure.

LDSE's major advantage is that it gives the students a growing sense of autonomy and encourages respecting people's sexual choices. However, the major problems have to do with the notion of autonomy itself. The focus on the individual takes away the context of the dynamic relationship whereby relational autonomy seems to be a better fit for a sexual dynamic. Furthermore, LDSE implies heteronormativity in the United States by never questioning the default values of society. For example, if male sexuality is favored, then consent programs are going to teach that obtaining a "yes" is the *only* way to proceed. Men may learn that obtaining a "yes" is all they need. But consent is only a necessary condition of ethical sexuality. What is missing is a robust view of autonomy and that means that there is another foundation for ethical sexual behavior than simply procedural autonomy.

Both liberal models had at least two things in common that marked their disadvantage: one is that they assumed a liberal model of education where the students are consumers of sexual values and they get to choose those values. However, since most

people do not typically question the norms that society has given them, most people will simply “choose” the social norms that they already have. By having a pedagogy that remains neutral to the social conditions and institutions, the dominant cultural norms remain unchallenged which sets up heteronormativity as the default value. Two, sex education programs are missing teaching about the sexual subject. Sex education needs to refocus on how to teach young students to be sexual subjects in addition to learning about sexual facts and information. In order to understand the problem with sex education currently, we must see how students have conceptualized sex as it has been given to them in their environment, and these conceptualizations have to do with the mechanics of sex, such as what sex is, how to employ safer sex, how to prevent pregnancies, and how to avoid STIs. However, young adolescents do not always employ this knowledge into action.⁵⁰¹ Louisa Allen has noted this knowledge/practice gap. Young people conceptualize sex and their sexual practices in such a way where they think of themselves as developing sexual beings. The problem, however, is not with young students thinking about sex or about applying sexual knowledge in practice. Rather, the gap has to do with the failure of sexual educators capturing and teaching the complexities and the nuances of sexuality to their students. Moreover, the students did not even recognize that there was this conceptual gap. Thus, they may think that the limited knowledge they have about sex encapsulates all or most of sexuality and anything outside of what they know is an improper form of sexuality and relationships. Their limited conceptualizations may limit other valuable norms that could potentially be realized. This conceptual gap limits their knowledge within an assumed heteronormative framework.

⁵⁰¹ Allen, *Sexual Subjects*, 3.

The typical presumption is that teachers see students as not knowing the material initially. The educators then fill in the gaps whereby the students take that new knowledge and apply it to their lives. However, young students already have some idea of what sex is. Thus, the starting point of sexual education must not be the idea of young students not knowing about sexuality. Rather, we should already start with the proclivities, knowledge, needs, and interests of the students. To do so would be giving a voice to the students—which will encourage and acknowledge their agency—rather than prescribing to the students an external voice informing what they should do and know. By starting where the students are at, a sex education program will legitimately formulate a program that builds on the students' needs and desires. By mentioning new avenues of sexualities, relationships, and modes of sexual selves, new questions and possible ways of being sexual arise because the students can now explore and think about them. Otherwise, the students would not have or know the opportunity to explore what sort of lifestyle fits with them and how other people's lifestyles are respectable. Moreover, focusing on such a limited view of sexuality perpetuates not only norms that one ought to follow, but this "knowledge" constitutes the students' perception of sexuality as negative.

For example, the previous models construct *a* knowledge that sex is made for reproduction, and that pregnancy is a very easy process. Thus, according to students' perceptions, sex should be something to avoid, or sex is something to be reserved for reproduction, or at the very least, sex should be limited in order to not go against the odds of becoming pregnant. Opening more doors on sexual knowledge would benefit the students such as: sensuality, sexual empowerment, and sexual diversity.

Since the educator would presumably have knowledge of different sexual lifestyles to express, the educator would be able to speak in a way that is useful or effective for the students' work of transformation, which may open up dialogue where different forms and expressions of sexuality are at play. The students would be more engaged in what it means to be a sexual being with this new model. The "gap" would be not as wide because the students would internalize new forms of sexual diversity, and there would be no shame, guilt, or embarrassment to give to others or to give toward oneself.

With a concentration on anatomy and biology, students want more than just biological mechanical facts. They want knowledge of "what to do" with these facts.⁵⁰² People must learn how to take care of the self in a general way, which includes emotions, their place in the world, and relationships with others. Taking-care-of-the-self model, or what I will call the *áskēsis* model, will incorporate all of the advantages from the previous models, and try to remedy the bad as some models have already done.

The goal for this chapter is to develop the *áskēsis* model of sexuality education and explain what it means to take care of the self. The focal point of this model would concentrate on the *subject* and thereby produce subjects taking care of their sexual self. By developing this line of thought, care of the self would be a new avenue in sexuality education, providing a new discourse on one's sexuality, instead of teaching the *avoidance* or mechanisms of sexuality.

The philosophical foundation I use is *áskēsis*: exercises, practices, or training for self-discipline so that people guide themselves to be better human beings. This chapter will break into four sections. In section 1, I will first explain *áskēsis* as a moral

⁵⁰² Allen, *Sexual Subjects*, *passim*.

foundation and how the self can be developed from *áskēsis*. Moreover, developing *áskēsis* within sex education will incorporate various features, which will also be discussed. In section 2, I will look at contemporary figures who have interpreted *áskēsis* as a means to develop and train the self. These figures are Martha Nussbaum, Iris Murdoch, and Michel Foucault supplemented with Richard Shusterman. These figures will set the stage for applying *áskēsis* to sexuality education for the next chapter.

1. *Áskēsis* as a Moral Foundation

What is *áskēsis*? I find Maria Antonaccio’s description helpful:

Askesis can refer to a wide range of practices that human beings undertake in order to form themselves in relation to an ideal good. In the history of Western thought, for example, *askesis* has been associated with practices related to education or intellectual formation, athletic and military training, spiritual formation (as in the famous exercises of Ignatius Loyola), and even the process of artistic creation. In each case, the root meaning of *askesis* denotes some sort of formation discipline, an attempt to shape or form the self according to an ideal of goodness or excellence. As the diverse examples just noted suggest, ascetic practices may be more or less demanding depending on their particular goal. Some may be strenuously renunciatory (e.g., with respect to human desires for food or sex); others may focus on the redirection of natural human energies toward new ends (as in education). In either case, *askesis* involves a disciplined effort to impose a degree of form on the flux of human impulse, to shape human energies according to some ideal of the good.⁵⁰³

Áskēsis—or what I have loosely captured from Foucault as “taking care of the self”—is more than just learning about ideas and facts in an objective manner; it involves also incorporating them and making them principled actions in order to improve oneself.⁵⁰⁴

Sex education is not just about behavioral modification, or for the public good to have healthy citizens. It is also not just to make individuals have self-restraint or self-control of

⁵⁰³ Antonaccio, *A Philosophy to Live By*, 9.

⁵⁰⁴ Is “staying woke” a form of *áskēsis*?

their own desires. Rather, students would *actualize* their own creative sexual individuality whereby they have a positive affirmation of who they are as sexual beings. A good sexuality education must include the emotions, exercises, practices, and activities to take care of the self. As a way to exemplify this, I will offer three analogies: the athlete, the musician, and the philosopher.⁵⁰⁵

The athlete has to practice and gain skills to be considered a good athlete. Depending on the sport, these skills consist of passing the ball, shooting the ball into the desired goal, running drills, memorizing plays, conditioning the body, and engaging the activity in a timely manner. One practices to play well, which is to say, to try and perfect various athletic techniques. One does so for *training* so that one can use this talent for the “real” competition. The training is a way to make one better at the activity of athletics. Relating to practices of the self, one who does not form a self is analogous to an athlete who never practices and watches from the side lines. In other words, one must become a certain kind of being by cultivating and creating the self. *Áskēsis* is the route to develop this self so that people can continually cultivate the self.

The musician must also practice and gain skills to be considered a good musician. These skills consist of practicing the instrument, getting a feel to be with others playing, playing drills, and forming muscle memory that is associated with the musical piece. Like the athlete, one practices for the purposes of *training* so that one can use this talent for the “real” thing. By performing these skills well and correctly, one becomes good at being a musician. Like the athlete, one who does not form a self is analogous to a musician who does not play. Neither the athlete or the musician are reduced to techniques however. The

⁵⁰⁵ I take these examples from Martha Nussbaum. ““Whether from reason or prejudice”: taking money for bodily services.” *The Journal of Legal Studies* 27, no. S2 (1998): 693-723. I have refigured the examples for my purposes.

good athlete has a feel for the sport such that they can perform the athletic feat well; the good musician has the experience, muscle memory, and the ability to tell whether the performance is done with grace or if the performance sounded formulaic.

The philosopher must also practice and gain skills to be considered a good philosopher. These skills consist of cultivating intersubjective dialogue with other people, developing critical thinking skills, developing writing skills, learning the techniques of argumentation, gaining a heightened sense of other perspectives and how one is involved in these different arguments, and raising critical questions. The purpose is to become good at philosophy. Unlike the athlete or musician, the philosopher is not training so that she can perform for the “real” thing. Rather, the training itself constitutes the “real” thing. The line is blurred between training and the “real” thing. Perhaps the closest thing we can say is that graduate school is the training, and becoming a professor/professional writer is the “real” thing. However, this is not to say that one is not a philosopher until one completes grad school. One can still philosophize and be a philosopher by having the skills mentioned above. Likewise, one is still an athlete or a musician even if one does not make it into the professional circuit. The training of the self is ongoing competition, or a never-ending recital. There is never a point where you stop being a self. The practices and the rehearsals will forever be ongoing where there will be no ultimate recital. Indeed, they will be blended where you cannot make a distinction between the practices and the recital. But just like any rehearsal or practice, people will make mistakes. And since there really is no distinction between practicing and “the real thing” in life, people will often make mistakes in life.

What does it mean to go through training? We practice and discipline ourselves so that we can do the activity well in the right way. Habituation is not enough: people need to improve themselves to form a better character. Habits are character traits that are repeatable, but people can have good or bad habits. Practices, on the other hand, are habits people repeat such that people improve and make themselves better. The practices, disciplines, and the trainings will always be formulas for improvement. It seems odd that one morally trains or practices to become worse off or to become stagnant in the activity. Training intends to develop certain dispositions and habits and we do that by accomplishing the tasks and practices that correspond to the activity. In the athlete, musician, and philosopher, there is no ultimate end goal to achieve; rather, they are constantly striving to become better versions, an “upgraded” version of who they are. Likewise, I suggest, the same could be said with the self.

The influence of deontological and consequentialist ethics focuses on moral development as overcoming those moral failures, as if one lowered oneself morally and the way out is to be active to get back to a normal stasis. The whole enterprise of *askēsis* however, is go further than simply staying at a normal stasis. It is to morally enhance oneself not only for the purposes of staying out of moral failure, but to improve oneself.

Many of the Hellenistic philosophers who employ the notion of *askēsis* consider the training as a form of therapy by noting that we are both student and teacher of our selves. We are the patient and the physician to receive and give the prescription to our selves. We are therapists to ourselves, to cure and to take care of ourselves. By focusing on being a better version of ourselves by teaching but also learning from ourselves, we can become “good at” being a self, a subject.

The biggest feature of being “good at” being a self is similar to how one becomes good at athletics, music, or philosophy: they are all *active* in their pursuits of becoming good in their talents. Taking care of the self has the same active principle. Part of *askēsis* is to “transform true discourse, the truth, into *ethos*,”⁵⁰⁶ where the aim is self-transformation: to become other than what we are by creating new possibilities, new forms of life. By focusing on the self in a more active way, we would not be vulnerable to certain weaknesses. However, by becoming “good at” being a self, we are not just developing a specific talent; we are developing an entire character, an entire subject to place *value* in those activities.

Assuming that these people did these activities because they are passionate about them, and they find meaning and worth in these activities, the athlete, musician, and philosopher place value in these pursuits, and these values form an “organized” self rather than a passive, or fragmented self which, in turn, help create virtuous subjects. This is not to say that if people miss out on the training, they are doing something immoral, but they will be more enriched and fuller human beings, much like learning how to read and write makes people fuller human beings, or getting engaged in athleticism makes them fuller human being. Without developing these features, people will not flourish as human beings.

One of the advantages with this model is that we do not start with what a human or, more specifically, what a sexual human ought to look like. Call this the “Ideal Picture,” in that it suggests we start with some ideal we ought to reach. Rather, we ought to start with where people are at: we start with the ethics of the situation by looking at

⁵⁰⁶ Michel Foucault. *The Hermeneutics of the Self*. Edited by Frédéric Gros. Trans. by Graham Burchell. (NY: Picador, 2005), 416.

what people do instead of starting with what a metaphysical picture of sexuality or human relations look like. Starting with where people are at will reveal various possibilities of sexual expressions and positive outcomes.

One thing we should note about the training is that we cannot do it theoretically. We cannot get better at our craft, our athletic abilities, or our talents if they remain idle. Even thinking about what to do is not enough. If we practiced our musical abilities simply by thinking about the notes, this is not real practice. Undergoing training means to go through the experience and mentally see the notes in front of you. The same is said for training the self. We have to go out in the world and experience ourselves amidst the world in order to improve ourselves. Epictetus says that philosophers should not just be contented to learn, but to practice and train oneself.⁵⁰⁷ But the training is for improvement and not just simply to ingrain some character trait. The same, I will argue, can be said with the sexual subject.

Our modern view conceives of sexuality in moralistic discourse. For the ancient Greeks, however, sexual conduct was regulated as a mode of life. Consider how most people think of going on a diet: people undergo some rigorous training in order to achieve a goal, but as soon as that goal is achieved, the training is over and people go back to previous routines. *Áskēsis* is more rigorous. The training is not for proper motivations, but to seek out a way to live the good life. In the sexual realm, “[o]ne conducted oneself ‘properly’ in sexual matters neither because the law enjoined one to do so, on pain of punishment, nor because of ideas about deep-seated conceptions of evil (which would no doubt bring its own punishment in another life). Since the point of

⁵⁰⁷ Epictetus. *Discourses, Fragments, Handbook*. Trans. By Robin Hard. (NY: Oxford University Press, 2014), 2.9.13.

philosophy was not abstract thought alone, but thought in the service of good living, good sexual conduct was a question of the rather loose principles of *training* oneself.”⁵⁰⁸

Áskēsis is internalizing various discourses as part of our character such that the exercises are ready at hand, always at our disposal.⁵⁰⁹ We are armed with the memorized truths of the discourses and put them into practice.⁵¹⁰

Students never had the opportunity nor the skills to reflect on who they are in the sexual realm. In a way, the students “have not been active participants in their own formation.”⁵¹¹ Because our current discourses about sexuality limits our sexual expressions, we have been unable to recognize and exert our own power. First, we must understand what it means to be a subject, a full-fledged self. What features about caring for the self could be given in sex education? Carlson writes: “This might be considered an individual project, but it is also, in its most democratic forms, a collective public project of education as upbringing—or *paideia*—in which the young are ‘produced’ as subjects of particular forms of democratic sexuality and desire, which also means as active subjects of their own desires.” Encouraging students to see themselves as sexual subjects would give students a positive perspective from which to form their sexual

⁵⁰⁸ Alec McHoul and Wendy Grace. *A Foucault primer: Discourse, power, and the subject*. (NY: NYU Press, 1997), 93. My emphasis.

⁵⁰⁹ Foucault notes that various Hellenistic philosophers had various analogies to grasping these discourses: Plutarch compares the discourses like medicine that is always supplied for us to protect against the vicissitudes of existence. Marcus Aurelius sees discourses like a kit that a surgeon has always nearby. Seneca notes that these discourses must be grasped and never let to, to cling to it and attach it to one’s mind, “making it part of oneself” and “by daily meditation reach the point where these wholesome maxims occur of their own accord.” It is not to rediscover one’s true nature, but to absorb a truth through teaching, reading, advisement and to assimilate the discourse so thoroughly that it becomes a part of oneself. As Foucault puts it: “one does not rediscover a truth hidden deep within oneself through an impulse of recollection; one internalizes accepted texts through a more and more thorough appropriation” (Michel Foucault, *Ethics: Subjectivity and Truth*, Ed. Paul Rabinow. Trans. Robert Hurley. (New York: The New Press, 1997), 100-101).

⁵¹⁰ Cf. Foucault, *Ethics: Subjectivity and Truth*, 102.

⁵¹¹ Justin Infinito. “Jane Elliot Meets Foucault: The Formation of Ethical Identities in the Classroom.” In *Journal of Moral Education* Vol. 32, No. 1 (2003): 71.

selfhood.⁵¹² Caring of the self informs us on the how, why, and ways to continually activate our lives, which requires exercises and practices; it is an active constitution of the self rather than just a passive quality. When applied to sex education, making oneself into a *sexual* subject is a necessary condition for having a *sexual* lifestyle with well-being.

As mentioned in chapter four, I embrace weak substantive autonomy, which suggests that there are some virtues as the foundation of my sexual ethic. Minimally, I embrace the skills-based virtues that I mentioned from Meyers. Recall that Meyers' account self-realization is to reach autonomy competency, which is to have various skills and capacities such as introspection, communication, memory, imagination, analytical reasoning, self-nurturing, resistance to pressures to conform, and political collaboration. Meyers sees self-realization as crucial to self-respect. Without having these agentic skills, people would not be living autonomously. And living without autonomy is to live a life without well-being. I suggest that achieving autonomy competency is practicing *áskēsis* and the specific skills are the specific practices so that we can live well. Therefore, there must be a standard to help us determine what it means to live well and live badly. Whether we look at virtue ethics or moral psychology, we eventually have to face the question of our human nature. Human nature has been the standard to determine how to live well. If we live up to our nature, then we can live well.⁵¹³

The issue is complex, but even without a definition of human nature, I still suggest that there is one because there are good and bad ways to have a (sexual)

⁵¹² Carlson, 135.

⁵¹³ Natural law theorists, for example, have argued that the sole purpose of sex is for reproductive reasons. Hedonists, on the other hand, argue that pleasure is the only measure and that living well simply means to obtain pleasure. The more pleasure one achieves, the more one can live well.

relationship. Even with a wide variety of sexual interests and sexual activities, people generally prefer some things over others. We are not complete *tabula rasae* as Locke put it. With a wide variety of sexual and gender expressions, there are many ways people can flourish via their (sexual) relationships, but there are also many bad paths to take as well. Someone who prefers a life of pedophilia would not live a good life because one is desiring a sexual encounter that one should not have.⁵¹⁴ Our human nature constrains what sort of sexual choices are good and bad, but there is a wide variety of sexual desires and choices that many people could have. There also many ways one could live badly via sexuality: pedophilia and hebephilia are a couple examples. However, there is a diversity of living well, even if the desires aim toward opposite ends: having a desire for same-sex relationships or opposite-sex relationships is just one example. They are both equally valid ways that can constitute living well.

The training of the sexual self forms character in the sexual realm, which constitutes the ability to fulfill sexual desires and needs. Formulating a sexual character, fulfilling sexual needs and desires constitutes flourishing. Without the ability to fulfill sexual needs and desires, flourishing becomes more challenging and perhaps insurmountable.⁵¹⁵ For example, if someone is gay and wants to fulfill sexual desires, but lives in a society or a time period where being gay is considered against the norm, then this person could not flourish, even in the Aristotelian sense. I suggest that if *some* sexual desires, sexual expressions, gender expressions, or relational attitudes could not be

⁵¹⁴ Some psychologists will go so far as to say that the desire is not bad; it is the action that is bad. However, I think having various desires could be detrimental to one's well-being. Someone who constantly desires to eat feces seems to limit that person's well-being, even if that person does not act on it.

⁵¹⁵ Those who want remain virgins or abstinent are also fulfilling their needs as a sexual being as long as those needs are coming from within rather than from an external source.

fulfilled or expressed because of some external constraint, then those people who have those sexual desires could not flourish.

Of course people can flourish without having their sexual desires or expressions fulfilled, but I suggest that this would be a rarity, in the same way as a person without friends could possibly flourish, but that would also be a rarity. Does this mean we should fulfill *all* of our sexual desires? No. Within the realm of virtue ethics, we would say that would be intemperate. There are at least two ways people ought to avoid when it comes to sexual desires to remain temperate. First, sexual desires cannot consume people's character. In other words, the desires should not be so strong, or so numerous that they overtake other important things in people's lives. And two, pursuing sexual desires must be done for the right reasons. The reasons are that pursuing sexual desires can either promote virtue, or not promote vice⁵¹⁶ where people can engage in their desires with the right people in the right time in the right way. Is foregoing our desires detrimental to developing our character in the sexual sphere and thereby inhibit flourishing? It depends what those desires are. Something superficial like engaging in certain sex positions seems

⁵¹⁶ Raja Halwani. *Philosophy of love, sex, and marriage: an introduction*. First Edition. (NY: Routledge, 2010), 178. There are a number of cases that promote vice, but here are some examples taken from Halwani where the sexual acts would be considered vicious according to him:

Case #1: Suppose that Judy, knowing that Marianne loves Peter, and wanting to hurt her, seduces and has sex with him. Her motive for having sex with him is vengeance or humiliation: she wants Marianne to suffer. Her sex act with Peter is wrong because it is vengeful, despite the fact that both she and Peter consented to it.

Case #2: Suppose that William is a male prostitute who needs the money to pay his college expenses. Being good looking he has many clients, enough to meet his financial needs, but he keeps taking more bookings because he's greedy for more money. The later sex acts are wrong because they stem from greed. Or suppose that he books more appointments because he is vain. His sex acts are wrong because they are vain despite that these acts came about through consent.

Case #3: Suppose that Hal looks down upon many people, thinking them to be miserable cockroaches, lucky to be even around him. Out of utter pity and contempt for some, he consents to have sex with them: "Let these fools have a taste of heaven. What do I have to love?" His actions are wrong because they stem from arrogance, even if consent was present.

If these people did not have these characteristics, we would say that there is no problem, but because these people are either disloyal, unfaithful, dishonest, vengeful, greedy, vain, and arrogant, we can say that these sex acts are vicious.

like a desire that does not need to be fulfilled. People can still flourish without engaging various sex positions. But what about something more concrete that pertains to people's identity such as having same-sex relations, pursuing multiple relationships at once, or engaging in kink behavior? Are those behaviors merely desires to fulfill, or do those behaviors pertain to people's identity and character? I will not go into the details about what constitutes people's sexual identity since that is beyond the scope of this dissertation, but I suggest that if people cannot fulfill a desire that pertains to their sexual or relationship identity and orientation, then it would be extremely difficult to flourish.

Care of the self, learning how to make oneself into a sexual subject, within sex education will incorporate at least five active pursuits, and these pursuits are part of the advantages extracted from previous models. These active pursuits are: (1) learning about sexual health, (2) a self that is not completely atomistic, (3) learning and respecting different sexual values, (4) understanding sexual autonomy and consent, and (5) additional components of sexual subjectivity. With this in mind, I will analyze five active pursuits of *askēsis*.

1.1. Learning about Sexual Health

The Netherland's philosophical approach to sex education is: “Young people have the right to adequate sex education so that they can make well-informed choices about sexuality and relationships.”⁵¹⁷ From a young age, students learn about the mechanics of sexual and consensual boundaries so that they can easily talk about sex at a later age without awkwardness. While I think it is important that students learn about the

⁵¹⁷ Rutgers. “In the Netherlands.” 2018. (Accessed November 22, 2018)
<https://www.rutgers.international/programmes/netherlands>

mechanics of sexuality, such as pregnancies, STIs, reproductive systems, and consequences of their actions, it is not the whole story. Being a sexual subject must include discussions about interactions with others. Sex education, therefore, is not just about how to thwart unwanted pregnancies and STIs, but also positive aspects such as pleasure, care, and fostering healthy relationships. As Lamb puts it: “[i]n addition to the lessons on protection (contraceptives) disease, and whether or not to have intercourse, there might be lessons that focused on pleasing the other person, taking care of and caring about the other person, and even a discussion of the ideal of mutuality in sexual relationships.”⁵¹⁸ Sexual health would include discussions of sexual pleasure. After all, sexual pleasure is the main motivation why people have sex. By discussing pleasure, students may understand not only healthy ways to achieve pleasure, but that not obtaining pleasure is a concern for both partners.

1.2. A Self That is Not Completely Atomistic

Drawing from Lamb, the social nature of sex is that “our own choices affect other people.”⁵¹⁹ Although they have different focuses, both liberal forms of sex education focus on personal freedoms, autonomy, and making one’s own choices, but they forget that sexuality is also social and it involves other people. Therefore, being a sexual subject does not mean we learn sexuality by ourselves. Rather, we understand that we can have preferences and desires, but acting them out does affect others. A good sex education curriculum does not just focus on personal preferences, individual decisions, and

⁵¹⁸ Sharon Lamb, “Mutuality and Care in Democratic Sexuality Education,” in *The Sexuality Curriculum and Youth Culture* by Dennis Carlson and Donyell L. Roseboro (Eds.). (NY: Peter Lang Publishing, Inc., 2011), 33.

⁵¹⁹ *Ibid.*

exercising our sexual autonomy, but also “to focus on the other person or other people in their relationships and in the world around them to whom they have an ethical responsibility.”⁵²⁰ The goal is not just to avoid sexual harm toward others, but to actively engage in caring attitudes toward sexual partners, which means this model includes care for others.

In a broad way, caring for the other means to make sure that the other is attended to, and that we have sufficient awareness and concern of what the other aspires toward. In Kantian language, caring for the other would take the other’s ends as one’s own. I am transformed by caring for the other, and I adopt the other’s goals as my own because I am aware of the other’s humanity. Caring involves identifying with the other person. We have to be aware of our own desires and how that impacts others. Through reflection, we must consider these:

- “Just because I feel or want something doesn’t mean I can assume the other person wants it too;”
- “They may want to be close but not necessarily have sex in the way I am imagining it in my mind. I need to know what they are imagining also.”
- “I need to be aware that sometimes we start to go along with something and then we are unsure and don’t know how to stop it. I need to be on the lookout for these signs and take responsibility for getting more information to know if the other person feels okay with what is happening. How do I know they want to do this? Am I okay with it too?”⁵²¹

Both people are involved to figure out what the partners want, which means they need to have the skills to communicate and know what it means to be involved with that person and be sensitive to read each other’s non-verbal cues.

⁵²⁰ *Ibid.*

⁵²¹ Carmody, 114.

1.3. Learning and Respecting Different Sexual Values

The Netherlands has made progressive strides in accepting consensual sexual diversities:

“The Netherlands has come far in the acceptance and equal justice treatment of lesbians, gays, bisexuals and transgender people. The country was first to accept people of the same gender to marry.”⁵²² Other students’ viewpoints and values can be conflictual.

These different values, however, should not be seen as a threat but as different ways of considering what is important to each individual. If values are pluralistic and important, then we will recognize different forms of sexuality. The educator would ask questions to open up discussion to help students understand differences of values and different forms of sexuality that many people have. One of the goals of this education is that students will experience and understand value pluralism as they leave the school setting and head for college or career aspirations. By opening up to new sexual information, students will learn that what they value is not the defaulted norm, but a value among other values. Of course, these values have limits: consent is a necessary condition, for example.

Other educative techniques students would benefit also include: respecting sexual differences, improving sexual negotiation skills, and dispelling the desire to sexually shame others. Many students learn what is considered “normal” sexuality through their culture and any deviation from the norm is not only considered wrong, but the students will be seen as immoral just for believing that certain sexual “perversions” are unproblematic. Thus, especially with younger students, their answers will typically follow what social conventions hold. Because the students would typically answer unreflectively as part of social norms, the educator would question the students’ answers

⁵²² Rutgers, “In the Netherlands.”

to see why the students believe such a position. Students who are answering unreflectively may not be consistent with what they feel, think, or how they behave. I argue that this inconsistency is due to the restrictive and heteronormative structure of current sex education. As an example, our cultural norms suggest that a promiscuous male is not problematic, whereas a promiscuous female is less valuable. These views and norms perpetuate sexual stigma (especially against women) and continues an asymmetrical relationship between the sexes of society. Moreover, one may view these women with a sense of disgust because of the taboo that women who engage in this sort of activity are not acting properly. The educator would have to have a technique of speaking that allows the educator to be effective for the students' work of transformation and to dispel these ideas.

For another example, suppose students hold onto an essentialist aspect of sexuality. Because the educator teaches what it means to take care of the self—and this means to teach pluralistic aspects of sexuality—the educator would play devil's advocate, by deconstructing what the student presumes. This may open up the dialogue where different forms and expressions of sexuality are at play, and students take on a discourse that is represented as to how they can take care of themselves through different forms and expressions. Here is where *phronesis* can make a difference. It is worth quoting Heyes in full:

The inculcation of *phronesis*, which is the foundational moral formational task of sex educational virtue ethics, requires the teacher to articulate which virtues are present and absent in students' moral reasoning about relational and sexual decision-making within situational particularity. As the teacher listens to and reflects on the students' reason-giving about certain imagined decisions, naming and distinguishing what virtues are present or absent, he/she models in dialogue with the students what it means to have practical sexual wisdom. As students become more conversant with the language of the virtues and the sorts of practical

entailments they might carry, they grow into sexual *phronomai* through their increasing acquaintance with the process of moral reasoning...they grow acquainted with traditional forms of morality encapsulated in the virtues, whilst being empowered to make their own choices and respect others' choices as they face nuanced sexual and relational decisions.⁵²³

Because of the educator, the student may realize that there is not simply a sexuality, but rather many sexualities and these sexualities are formed because of culture, experiences, relationship dynamics, and different meanings that are attributed to sexual desires. Being honest with themselves gives them a sense of what emotions are being displayed rather than what they *should* feel as part of the normalized discourse.

Overall, the educator helps the students taking care of themselves by questioning the social forces that the students presume what sexuality is, or what it is supposed to be so that the students will achieve what it means to be sexual subjects by practices of the self. Through *askēsis*, people may reform and expunge the false beliefs, which in turn will expire the emotion associated with the false belief. Through these exercises, people will begin to take charge of themselves and develop the self. Overall, *askēsis* can help break down what many adolescents consider “normal” sexuality.⁵²⁴ To regard sex education that incorporates a care of the self, we would have to imagine a discourse

⁵²³ Heyes, 8-9.

⁵²⁴ For example, many college students *believe* that their peers have more sex than they do, or that they are more comfortable with uncommitted sex. Thus, adolescents may come to believe that they have to have more sex just to keep up and be normal, which may include suppressing the uncomfortability of uncommitted sex. Indeed, “many college students are more sexually conservative than they prefer to let on. They’re afraid to appear prudish, which strikes many as a social kiss of death” (Regnerus & Uecker, 119). Many students may act out sexually just to appear normal rather than following their own convictions. Sex becomes a self-fulfilling prophecy: the more students believe sexual activity is occurring, the more sexual activity occurs, Cf. Regnerus & Uecker, 119. Continuing this line of thought: “In a study of over 700 undergraduates, researchers noted that men who considerably overestimated the sexual activity of their male peers were also 11 times more likely to have had sexual intercourse in the past month than were those who underestimated men’s sexual activity. When women overestimated, they were four times as likely to have had recent sex. When we spoke with a campus sexual-health educator about her use of *Cosmopolitan* ‘sex surveys’ in their educational efforts, she responded that the statistics were just ‘fun facts’ used to keep the sessions entertaining: ‘They don’t change anyone’s behavior or anything,’ she asserted. We’re not so sure. While it’s true that not everyone on campus is having sex, if students *believe* they are, then their own sexual pursuits tend to become more urgent.”

where sexuality was not centered around what is forbidden, permitted, or considered valuable or immoral, but more about the self, how to take care of the self, and how to live a sexual life based on the subject's terms rather than external influences. We will see that sex education is not just about gaining information, but about character and the formation of character.

By honing in on what the students aspire to be, they will endorse various values which can help them understanding that endorsing values takes on a certain identity. The education will be inclusive so students can know a diversity of sexual experiences. They will gain knowledge of sexual minority groups and understand how certain inequalities exist by normalizing and emphasizing certain norms. A good sex education program, therefore, would facilitate spaces to have diverse healthy sexual identities. The students would promote their own discourse and be faithful to themselves instead of following the norms of societal pressures. The role of the educator would facilitate the students to be honest with themselves, and encourage students to express themselves without any sense of fear, embarrassment, or restriction. A good sex education program would not fall back on any heteronormative assumptions where social and cultural norms become the fallback position.

The decisions that students make will be influenced by their values, the strength and sincerity of those values, and the emotional response to possible sexual activity. Values and emotions are intertwined. Thus a good sex education would discuss emotions and how to develop a good emotional response to the situation.

When attempting to make a personal decision about whether to engage in a sexual activity or to use a specific contraceptive, they usually operate spontaneously and emotionally rather than coldly and calculatingly. Even when questions of morality enter the picture, the quick, first reaction based on feelings about the matter can

outweigh the unemotional facts of the situation...To the extent that questions of morality concern very important matters for adolescents like whether to engage in a first sexual experience, or to initiate sex with a new partner, or to take steps to avoid an unwanted pregnancy, more emotional, less reasoned, and more self-interested thinking would probably prevail.⁵²⁵

The emotions, however, have to be particular to the students so they can feel in tune with the activity they are doing and feel the pleasure that comes with the activity instead of the type that PSE typically produces such as fear, shame, and guilt.

1.4. Understanding Sexual Autonomy and Consent

Students must understand that they are responsible for their actions and that others deserve dignity and respect. Acquiring consent should not just focus on avoiding consequences (such as punishment), but also showing care and respect for the other. Exercising the will is not just about limiting themselves with self-restraint and control but is also a positive affirmation where individuals learn to seek out different sexual modes of living based on what they desire. After all, being autonomous is self-determination rather than being pressured and determined from the outside. Something as simple as saying “no” and positively affirming the “no” would be an example. Moreover, being autonomous is what I would consider weakly substantive, which was detailed in the last chapter. Many social scientists have rethought what it means to exercise agency when it comes to sexual encounters. Albanesi, for example, has done qualitative research with adolescents’ sexual agency and has noted that sexual agency “rarely follows a *cognitive* awareness that it would be a good *idea* to be in control of one’s destiny. Instead, we see more haphazard approaches to these negotiations that only start to make sense when we

⁵²⁵ Kelly cited in McKay, 173.

bring emotional commitments...a personal emotional attachment to a specific sense of gender identity.”⁵²⁶ As an example, Albanesi remarks that a young woman, Shari, enjoys satisfying her sexual desires and displays her sexuality by playing up her sexual confidence. Her pursuit of her sexual desires fits her identity as a confident woman. Another young woman, Claire, acquiesces to what her parents want and her parents want her to be abstinent until marriage. Her agency is not as strong, or even absent, than Shari’s agency. Thus, Shari has a stronger sexual agency which constitutes her sexual subjectivity.

Applying autonomy and consent to sexuality, students ought to learn how to have a strong sense of sexual agency. “Without a strong sense of sexual agency, teens will be unable to assert and protect their sexual interests...Indeed, it is difficult to imagine that an adolescent girl who does not know about the positive aspects of sexuality, or does not believe she has a right to a sexual voice, will be able to advocate very effectively for herself sexually, including the ability to ‘just say no.’”⁵²⁷ Sexual autonomy means developing sexual agency: the courage to say what you want, a developed *phronesis* about sexually relating to another person, and being in control of yourself instead of letting the inclinations or social norms dictate what you should do. Students who see themselves as sexual beings in a positive light can be more active in their agency and are likely to negotiate sexual situations (e.g., condom usage) than those who see their sexuality negatively. Agency constitutes sexual subjectivity which can provide self-worth, empowerment, positive decision-making, and successful relationship

⁵²⁶ Heather Albanesi. *Gender and sexual agency: How young people make choices about sex.* (Lanham, MD: Rowman & Littlefield, 2010), 5.

⁵²⁷ Bay-Cheng, “The Trouble of Teen Sex,” 65.

negotiation.⁵²⁸ And finally, sexual consent from a deontological point of view lowers the standard of what could be considered good consent. The minimal account for consent, under LDSE, is consensual minimalism; to go above the minimal account would be considered supererogatory. However, I embrace an account that is above the minimal account—consensual realism—which is not “beyond the call of duty” but simply what is expected in sexual encounters. Heyes explains why a virtue-ethical angle is a better approach than a deontological one: “A rights-based approach centralizes discourse about what is *legally* afforded to citizens while the communal dimensions of sexuality opened up by the virtue ethical approach centralizes the discourse of how *best* to act, not just legally, in the realm of sexuality.”⁵²⁹

1.5. Developing Sexual Subjectivity

Finally, *áskēsis* is a way to develop sexual subjectivity. Michelle Fine’s influential paper reveals how adolescent sexuality has been conceptualized and associated with “victimization and danger.”⁵³⁰ Sex education has been characterized as suppressing female sexual desire, promoting female sexual victimization,⁵³¹ and privileging married heterosexuality over other practices. The result is the construction of the adolescent

⁵²⁸ Cf. Allen, *Young People and Sexuality Education*, 89.

⁵²⁹ Heyes, 11-12. His emphasis.

⁵³⁰ Michelle Fine. “Sexuality, Schooling, and Adolescent females: The Missing Discourse of Desire,” in *Harvard Educational Review*, 58(1) (1988): 30.

⁵³¹ “Female adolescent sexuality is represented as a moment of victimization in which the dangers of heterosexuality for adolescent women (and, more recently, of homosexuality for adolescent men) are prominent. While sex may not be depicted as inherently violent, young women (and today, men) learn of their vulnerability to potential male predators” (31). For example, females learn they have to defend themselves from pregnancy, STIs, and “being used.” They are taught to say “no” and to guard themselves against male desire.

woman as a sexual victim rather than a sexual subject in her own right.⁵³² While risk reduction in sex education is important, developing sexual well-being⁵³³ is also important in sex education too. Heyes also concurs when he suggests that simply teaching legal consent as moral pedagogy in sex education is insufficient. To supplement LDSE, Heyes calls for “sex education working towards the flourishing of the individual and society must form in young people the ability to think ethically about sexuality relationships and confront the complex dynamics that they entail.”⁵³⁴

As mentioned in the previous chapter, I endorse weak substantive autonomy. To teach autonomy formatively, we must draw upon various virtues as well as teach students to pay attention to the context. However, this component is very complex. I have therefore decided to develop this feature into its own section in section 2. I do this because I think the previous four features (sections 1.1-1.4) come from previous models (i.e., PSE, LCSE, and LDSE). Sexual subjectivity, however, is an additional feature that is hardly mentioned in sexuality education. Developing sexual subjectivity will consist of developing additional components beyond what the previous models recommend or imply. Moreover, *áskēsis* is about training, but we often have the experience that sometimes we do not want to train. Practicing sometimes is not enjoyable because it can

⁵³² Cf. Catriona Macleod and Louise Vincent. “Introducing a Critical Pedagogy of Sexual and Reproductive Citizenship: Extending the ‘Framework of Thick Desire,’” in *The Politics of Pleasure in Sexual Education* ed. By Louisa Allen, Mary Lou Rasmussen, and Kathleen Quinlivan. (NY: Routledge, 2014), 116. Fine points out that simply changing people’s ideals is limited. Challenging the social structures must be part of sex education, which corresponds to Males conclusion given in chapter three.

⁵³³ Tolman classifies sexual well-being including: sexual and reproductive health and access to required resources; comfort with one’s own body and emotions; pursuing one’s desires (barring harm to others); being aware of and having the freedom to act (without threat of violence, material or social consequences) upon our sexual desires; identifying risk and making choices that diminish that risk when possible; and to feel comfortable, happy and empowered in one’s own body (Cf. Deborah L. Tolman. “Adolescent Girls’ Sexuality: The more it changes, the more it stays the same,” In *Introducing the New Sexuality Studies* ed. By Nancy L. Fischer and Steven Seidman, Third Edition. (NY: Routledge, 2016), 141).

⁵³⁴ Heyes, 5.

be tedious, or it is because it is not the “real” thing. So how do we get over the hump of not wanting to practice? What is the motivation to do the training? That is a topic that raises psychological questions I do not have enough knowledge to adequately answer. But I will offer some methods from various philosophers in the next section that can get us on the path of not only what sort of training one can do, but ways to motivate ourselves to undergo training. To show these new components and methods, I will use three thinkers to develop a holistic framework of what it means to take care of the self.

2. Three Components of Sexual Subjectivity

I understand sexual subjectivity similar to Deborah L. Tolman characterization:

Sexual subjectivity means having a sense of oneself as a sexual person who is entitled to have sexual feelings and to make active decisions about sexual behavior. It is the opposite of “it just happened,” which is how many adolescent girls describe their sexual experiences, and has been identified as one of the only “stories” girls can tell about their sexual behavior. The phrase “It just happened” is passive rather than active; it literally has no people in it, not one who is responsible or accountable. Being a sexual subject is the opposite of being a sexual object – rather than solely being the target of someone else’s desire, a sexual subject has agency, that is, she has her own desire as a compass and actively negotiating her sexuality. Sexual subjectivity offers an alternative to and denaturalize is the idea that it is normal for girls not to be only sexy but also to acknowledge and be acknowledged as legitimately sexual beings.⁵³⁵

We generally consider sexuality as a given, where it just happens to people. This way of thinking leads people to be passive regarding their sexuality: we wait for our sexuality to happen, simply accept what comes and, for the most part, display our sexuality with what was given to us. Notice that under this picture, people do not have to do anything with their sexuality. We are docile and do not contribute to the formation of our own

⁵³⁵ Tolman, “Adolescent Girls’ Sexuality,” 139.

sexuality.⁵³⁶ A consequence of this view, especially in view of heteronormativity, can be more restrictive for women. Many women are expected to be passive participants of their own sexuality and relationships, with the exception that if they do not want to have sex, then they intervene in the flow of events. Otherwise, they just “go along” with the sequence of events. They are active when it comes to denying consent, but passive when it comes to engaging in sex, in their pleasure, and in their boundaries.

While I find Tolman’s characterization compelling, I find it too dichotomous. Recall Tonya from the last chapter, section 4.5. Her experiences were not completely active, but they were not completely passive either. Depending on the context, her experiences may not be troubling as Tolman characterizes it. After all, sexual arousal and desire is not binary but ambiguous. Since some of Tonya’s experiences were not completely active, she must therefore be completely passive, but that is simply not true. Is Tonya a sexual subject? It is tough to say. Perhaps she is on the way, and she may develop her subjectivity through *áskēsis*. We may or may not consider athletic or musical people as athletes or musicians respectively. If they are, we can consider them athletes or musician even if they are not professionals. If they are not, we would not consider them as completely non-athletic or non-musical. They are still training and disciplining themselves to become better. In the same way, perhaps Tonya is still undergoing training (that is, if she is indeed training) to become a sexual subject. But I would not characterize her as Monica: someone who is sexually passive and closer to being a sexual object. Tonya has a direction and she has a sense of her sexual desires and how to acquire them. It may not be in the realm of the full communicative model that Pineau was suggesting,

⁵³⁶ Cf. Joyce Trebilcot. “Taking responsibility for sexuality.” In *Philosophy and Sex*, Fourth Edition. Edited by Robert B. Baker and Kathleen J. Wininger. (Amherst, NY: Prometheus Books, 2009), 339.

but Tonya's experiences are still active and hence, on her way to well-being. If we can imagine sexual subjectivity as a spectrum, Tonya is certainly closer or heading toward the sexual subjectivity spectrum, as opposed to Monica who is more passive in her experiences.

Since the notion of *áskēsis* is an ancient Greek term, it is understandable to see what the ancient Greeks had to say. However, I do not find it necessary to adopt their complete regimen on being healthy, let alone being sexually healthy: their prescriptions are out of date, and the specific rules may be considered superstitious or superfluous. However, the form or the idea of *áskēsis* is still important: training oneself to become a better human being. Therefore, I will be using contemporary interpretations of the ancients to help decipher what it means to go through *áskēsis* and to adopt various attitudes, exercises, and different conducts of behavior to become a better human being. The most effective way to train someone is through an instructor. In the same way a coach or trainer can help an athlete, the teacher can train the student. Different athletes have different ways of improving their athleticism. Thus, the teacher must be dynamic in order to train the student well. Since the teacher must reach out toward each student, the teacher must use different forms of arguments that pertains to each particular student. Moreover, the teacher must apply these methods differently. Different therapies work for different people, and some people may be ready for the next step in the application whereas others may need more work. A good teacher, like a good doctor, will know when to apply the treatment.

Just like real therapy, *áskēsis* is to have a self-transformation of the self—an inner transformation of our attitudes—through our choices of living a certain way, a way of

wisdom on how we fit in the world. Sexual subjectivity will consist of various components. While the list is not exhaustive, the additional components I will consider are (1) sexual emotions, (2) the sexual mind, (3) and the sexual body. All of these component will constitute a sexual identity. For each of these three components, I will rely on three contemporary philosophers who interpret *askēsis* differently. The main pattern behind the concept of *askēsis* is that philosophy heals human diseases, and these diseases are produced by false beliefs and bad habits. The way out of these false beliefs and bad habits is a therapy to help dispel them. Philosophy heals the soul in the same way a doctor heals the body. Living a painful life is a not a healthy life. Likewise, living an impoverished life is not a good human life. To understand how to live a good sexual life, I will first describe each of these components by utilizing a philosopher's interpretation of *askēsis*, then I will apply each of these three to sex education in the next chapter. This is not to say that each philosopher is meant to apply to just one sexual component. These three sexual components will cross over into each other and the exercises of one component could very well be applicable to the remaining two. Nevertheless, for simplicity and emphasis, I am going to use a philosopher for each sexual component. The interpreters I use will be Martha Nussbaum, Iris Murdoch, and Michel Foucault supplemented with Richard Shusterman.

2.1. Martha Nussbaum: Emotional *Askēsis*

One way to take care of the sexual self is to have healthy sexual emotions. In our culture, people are sometimes ashamed of their sexuality, especially young women, those attracted to the same sex, or those who are transgender. To fit in, they may ignore what

they are feeling, or ignore the emotions completely, especially young men, which suggests that their sexual emotional attitudes are not reflecting some truth of what they genuinely feel. Therefore, an important feature of sex education is to align the emotions to the truth, meaning either to genuinely express what they feel rather than appearing to have social expected emotions, or that they know the truth of various topics and which can change one's beliefs about that topic thereby influence and change the emotions. The truth, in this case, is that heteronormativity is wrong, that consent is a major foundation for sexual relations to be ethical, that each individual has different sexual and relationship wants and desires, etc.

Moreover, the emotions are valuable insofar as they commit oneself to perform ethical actions. For example, in virtue ethics, to have a virtue is to be disposed to do or avoid an action and take pleasure or pain in that action. How do we train the emotions? Aristotle notes that the best way to train the emotions is to start early in life so that the virtues will be habituated early on. Another plan is that our political institutions need to be challenged so that they are discouraged from bad forms of character. This is all well and good, but what about those who are already grown up, and are currently living in a society that does not have these revised political institutions? Here, Nussbaum turns to the Hellenistic philosophers for their therapy and I will be using *The Therapy of Desire* to develop this component.

Before I investigate Nussbaum's analysis of emotions, a preliminary note is in order. Nussbaum's theory is well-known for embracing the Cognitive View of emotions, that is, the essential feature of emotions is that they consist of complex thoughts. However, I find her viewpoint too strong. While embracing or having an alternative

theory of emotions is beyond the scope of this dissertation, I still use Nussbaum's theory because she has a theory on how to train the emotions and that this training is a form of therapy. At the very least, while I may not embrace the full cognitivist view of emotions, I do embrace the idea that emotions involve with how we feel about what we perceive (which includes memory or projected futures), that they are typically affective responses to our beliefs, which includes our values, and that our emotions are trainable, especially when we are younger. Another theory that has some promise is the Perceptionist View from Christine Tappolet. While I am not committed to either position, I think the therapy from Nussbaum could apply to both viewpoints.

The training I acquire from Nussbaum is that our affective responses can change if our beliefs change. We may think that our emotional reactions are simply reactions about what is happening in our environment. However, our emotional reactions stem from what we believe is true.⁵³⁷ For example, if I am walking in the woods alone and I happen across a bear, my beliefs were I *thought* was alone and that bears are dangerous creatures. Thus, I will naturally be afraid. The fear can be an evaluation (which exemplifies the Cognitive View), or a perception of danger (which exemplifies the Perceptionist View). Or if I just found out I won the lottery, I will be elated with excitement. The excitement stems from my beliefs that my matching ticket corresponds to the winning ticket, any matching means one has just won the lottery, and that I am the owner of the winning ticket. If, however, I look closely and it turns out that I made a mistake in the numbers, then I will feel depressed. The truth of what happened changed:

⁵³⁷ This theory would hold for the cognitivist view, of which Nussbaum endorses, or for the perceptionist view. For a defense of the perceptionist view, see Christine Tappolet. *Emotions, Value, and Agency*. NY: Oxford University Press, 2016. Moreover, I say *believe* is true since the belief and emotion are tied up rather than emotion and the truth.

my matching ticket no longer corresponds to the winning ticket, and I am not the owner of the winning ticket. Me discovering the truth in these matters seems simple. But what about complex examples? I may be disappointed that my presidential candidate lost an election because I have beliefs and values about what is considered just and an advancement in society and the opposing candidate goes against what I believe and value. I may be angry that social injustices are not being rectified because I have beliefs and values about how people are being mistreated and the social institutions are not doing anything to help.

Regardless if the beliefs have propositional content (i.e. the Cognitive View) or whether the beliefs are perceptions of value (i.e. the Perceptionist View), my use of Nussbaum does not commit me to embracing her theory of emotions since her therapy could work in weak cognitive or hybrid theories of emotions. Since I hold the view that emotions and beliefs are connected, I can still apply Nussbaum's therapy even if I do not embrace her theory of emotions. In short, I embrace Nussbaum's training of the emotions while not fully embracing her theory of emotions.

Nussbaum uses the Hellenistic philosophers to inform how to live the good life,⁵³⁸ and she looks at various philosophers based on their view of the emotions. The therapy

⁵³⁸ This section on Nussbaum is valuably informed by Stan Van Hoof. "Philosophy and the care of the self: A literature survey." *Sophia* 41, no. 1 (2002): 89-134. The details of the Hellenistic philosophers emerge from the philosopher's foundation. From there, we can see different types of therapies. Epicurus, for example, argues that the good is pleasure and the absence of pain. Here, Epicurus relates the good (pleasure) with the truth. Our bodies tell us what is naturally good while social conventions give us false goods because society has given us mistaken beliefs of what is good. Epicurean therapy is to expunge these false beliefs by using reason. Training was to learn these arguments and self-criticism as a way to gain spiritual care.

The Skeptics saw their goal as to overcome the negative effects of our negative experiences by simply denying the truth of any belief. The hope is that by denying the truth of our beliefs, the experience would be less distressing because the experience may not be true. There is no good in life. However, Nussbaum argues that without a commitment to something, our range of emotions becomes short-shrived and we end up a very solitary life.

that Nussbaum recommends comes from the Stoic idea that philosophy is akin to medicine; it is a cure for certain mental ills that one has: “[p]hilosophy heals human diseases, diseases produced by false beliefs. Its arguments are to the soul as the doctor’s remedies are to the body.”⁵³⁹ However, the medicine does not come from an outside source. Philosophy is a way to discover how to retrieve the medicine from within. We cannot be passive patients, but must become our own active doctors to effect the cures for our troubled souls. “Philosophy’s medical function is understood as, above all, that of *toning up* the soul.”⁵⁴⁰ The mind is like a muscle that needs shaping and the shaping must appeal to each particular student and not just for a general audience. In the same way, a doctor must treat each particular patient and not discuss health in general to all patients.

The task of medical philosophy “requires delving deep into the patient’s psychology and, ultimately, challenging it and changing it.”⁵⁴¹ Medical philosophy probes into the patient’s inner world. Some of the tools that the medical philosopher uses are examples, narratives, appeals to memories and imagination so that the pupil will look at her life critically.⁵⁴² The views that they currently have have been shaped and molded by the society they live in and by a lack of inner shaping. To be “cured” of bad beliefs, one needs philosophy and argumentation. However, Nussbaum argues that Hellenistic philosophy rejected two types of argumentation still widely recognized in philosophy today: deductive arguments deriving conclusions from first principles, and dialectical

The Stoics considered life will be very active and not just academic instruction, but a way of life through reason. Virtue was the only good and any other goods were external and considered indifferents. Truthful flourishing was a state of the soul and not dependent upon external goods such as friends, love, rights, health, and family members.

⁵³⁹ Martha C. Nussbaum. *The therapy of desire: Theory and practice in Hellenistic ethics*. (Princeton: Princeton University Press, 2013), 14.

⁵⁴⁰ *Ibid.*, 317.

⁵⁴¹ Nussbaum, *The therapy of desire*, 35.

⁵⁴² Cf. *Ibid.*, 35.

arguments which proceed by calm questioning. The argumentation that Nussbaum recommends is more action-based: the cure is disclosing the truth, but the truth is revealed by careful thinking which would align (or even expirate) the emotions properly.⁵⁴³ The educator must delve into the patient's inner world through gripping examples, techniques of narrative, appeals to memory and imagination such that the students are motivated to investigate their whole lives. The narratives could be about how other people in parts of the world (such as the Dutch) have expressed their sexuality in a healthy way and show how. Perhaps the educator could have the students interact with those that are sexually different to help the students make connections with others that are not like them. Or the educator gets to know each individual student well enough such that the educator can find ways to tap into their inner world.⁵⁴⁴ "In short, what philosophy needs, practiced in the medical way, is an account of complex human interactions of a philosophical kind"⁵⁴⁵ such that the educator has a variety of tools to help the student train their emotions: imagination, narration, appeals to community, appeals to friendship, rhetorical and literary forms.

The emotions are informed by beliefs. To "correct" the emotion, one must correct the beliefs and investigate whether the values are conducive to our well-being. Thus, the therapy would drive out false beliefs by using reason since these false beliefs could

⁵⁴³ Moreover, the truth about how one *ought* to feel is fed through social and political environments. Thus, therapy was not only to fix the self through self-training and self-discipline, but in part, a social criticism. In terms of politics, achieving a humane and just society is also achieved through philosophical therapy. Flourishing cannot be achieved unless desire and thought are transformed. But since both of these things are constructed in society, the social conditions must be set up in such a way so that one can flourish. The social conditions shape emotion, desire, and thought. Cf. Nussbaum, *The therapy of desire*, 11.

⁵⁴⁴ This will prove difficult in large classes. Other methods and techniques are needed therefore.

⁵⁴⁵ *Ibid.*, 36.

inform our emotions.⁵⁴⁶ In many ways, this therapy is a precursor to modern psychoanalysis, but the major difference is that modern psychoanalysis does not have a normative idea of health. The *askēsis* that Nussbaum endorses pushes the patient toward a flourishing life.⁵⁴⁷ Modern psychoanalysis works until the patients have accomplished their desired goal. A therapy from Nussbaum's account, however, would be toward some objective goal. The teacher would not just deal with the false beliefs, but with the emotions associated with those false beliefs. Correcting the emotions requires philosophy because "passions such as fear, anger, grief, and love are not blind surges of affect that push and pull us without regard to reasoning and belief. They are, in fact, intelligent and discriminating elements of the personality that are very closely linked to beliefs, and are modified by the modification of belief."⁵⁴⁸ The common theme, according to Nussbaum, was that proper thinking was to cut through the distortions of our muddled thinking and

⁵⁴⁶ One question we could ask is why not go to a real therapist instead of seeking philosophy as therapy. There is nothing wrong with conventional therapy, but the goals are different. Let us take cognitive behavioral therapy, for example. CBT is based on the idea, similar to Stoicism, that our emotions are connected to our thoughts and beliefs. CBT also recommends various practices as part of the therapy such as journal writing to track habitual thought patterns in the hopes to change them, memorizing maxims to make them into habits, performing the behavior so as to turn the new beliefs into actions. And yet, conventional therapy misses something: it misses out on the aesthetic words that the philosophers use which could be more convincing than a dry text. Moreover, conventional therapy sees the therapy as a means to an end: as soon as the problem is taken care of, therapy is over and is no longer needed. However, Stoicism—and *askēsis* in general—is a way of being rather than a temporary transition. The ethical ideal is part of the philosophical program—a philosophy for life, which is missing in conventional therapy.

Another question to consider is whether religious beliefs inform emotions which could cause problems with people's well-being. There are many instances where it does. However, we should not conclude that people ought to rid of their religious beliefs, just the particularities that diminishes well-being. The therapy required would investigate what specific beliefs connect to specific emotions. Perhaps it is not the religious beliefs that are the problem, but the belief of connecting sexuality with shame, which can stem from religious ideas. In this instance, the solution would be to break the ties with sexuality and shame but to keep the religious beliefs if that is what important to many people. For others, it may require giving up their religious beliefs wholesale. This investigation, however, goes beyond the scope of this dissertation and it makes the issue more complex as the investigation goes into religious beliefs of adolescents in public schools.

⁵⁴⁷ Cf. Nussbaum, *The therapy of desire*, 26.

⁵⁴⁸ *Ibid.*, 38.

live life better. The way to do this is to investigate the emotions and focus on what our emotions are telling us.

Some truths, however, are not something that I discover on my own. I need a teacher to help me realize these truths. Moreover, it is not just *any* teacher that will do. The teacher needs to have the acquired knowledge of the truth and not just hokey solutions in order to appease the student. Sometimes, students are wrong and a good teacher will correct the students. This is because “truth delivers freedom from the tyranny of custom and convention, creating a community of beings who can take charge of their own life story and their own thought.”⁵⁴⁹ Thus, the teacher would not simply accept students’ preferences as unassailable, but the teacher also would not ignore the preferences either. The delicate balance the teacher must do is to engage with the students to see if those preferences are truly theirs, or if they are simply reflecting what society expects of them. The teacher engages in an extensive inquiry and brings up sexual facts to help challenge the students, but not disregard the students’ positions.

One consideration is that a rational person would ideally take the information from the educator and be thankful for the correction. However, this often does not work. People generally do not like to be shown wrong, even when the correct knowledge is beneficial. Our emotions can be so invested into the belief that any threat to that belief can be a threat to our identity. Since some of our beliefs give us a sense of who we are, any threat to that belief can make the foundation of our identity shaky. Thus, questioning someone’s cherished belief may be perceived as threatening one’s identity. Adolescents may feel not only having their identity threatened, but also shut down in expressing what they truly feel and believe. There is a delicate balance of accepting students’ thoughts and

⁵⁴⁹*Ibid.*, 5.

values, and also challenging them when needed. Educators require *phronesis* in teaching and there is no specific formula since the particulars of the class, students, the dynamics and comfort of the students' engagement with each other, the personality of the class, and other contextual factors.

A sex educator who works in this vein is psychologist and educator Sharon Lamb who has focused on designing sex ed curricula. She notes that prompting the students to decide how to handle issues helps foster a democratic education: a good educator would structure the classroom so that everyone is comfortable expressing their thoughts and feelings about the matter but also feel comfortable challenging each other. The prompting will benefit students by asking them to imagine others' situations and aspects of their lives that they may have never thought of. Instead of thinking about the issues theoretically and from a purely emotional state, students are encouraged to think about their emotional responses and where those responses came from and see if those emotions came from their belief. If not, then the students may have to further investigate their emotional response and engage in various practices to work on how or why they have developed their emotional responses. By having the students investigate their emotions and beliefs and the connection, they are undergoing *áskēsis* by working on improving their emotional attitudes that can contribute to their well-being.

Al Vernacchio, a sex educator, encourages his students to think about sexuality in a philosophical way. He does not talk about what it means to have sex until everyone has the basics: conversing about values and norms, talking about what "sexuality" means, helping students understand their bodies, and learning about gender as both a biological and a social category. It is from there that the class can move on. Vernacchio states: "We

know each other; we've practiced listening to one another; we've had our first few awkward and heated discussions. We can handle this now."⁵⁵⁰ Vernacchio helps students distinguish between facts, opinions, and values. Opinions can be informed or uninformed, but they cannot be true because "that's how [students] *feel*." They must understand the process on how they have formed that opinion and see if it is worth anything. Through this investigation, students distinguish between facts, opinions (beliefs), and values (how they feel). Again, it requires delicate teaching experience and a good community of students so that everyone trusts one another and can talk openly. This important distinction helps students notice that their opinions are not simply feelings, but based on some (justified) belief. Without the justification, the emotion may also be baseless as well.

A worry is that each answer would be acceptable based on the students' answers as long as the beliefs are internally consistent. However, relativism is not the answer. Going back to the doctor analogy, a good doctor will help cure the patient but the doctor's expertise should give way to help the patient get better. Nussbaum suggests that "[j]ust as a doctor does not urge the patient to experiment with alternative medications, so the teacher does not encourage cognitive pluralism."⁵⁵¹ By knowing the truth, one can see whether one's social or political situation is being oppressive or not. Emotions are contributed by our beliefs that have come about from society. Since the emotions are mainly informed from society, using *askēsis* would help us rethink the beliefs from society which, in turn, would inform our emotions, which in turn would help us rethink our beliefs. By discussing and arguing with the student, the medical philosopher can help

⁵⁵⁰ Vernacchio, 19.

⁵⁵¹ Nussbaum, *The therapy of desire*, 46.

the students think deeper to see the hidden beliefs that they may not realize unless it is brought out because of the medical philosopher.

So how can one do that? Nussbaum suggests that one must spend time with the pupils so that one can get to know them, sharing their lives and entering into it.⁵⁵² While the sex educator cannot do this logistically because of practical considerations, the educator can facilitate narratives and stories such that the students can recognize themselves in them. During this time, the educator can talk about various people that are or were similar to the students' life experiences. These narratives would have to include similar ages, backgrounds, and situations to make the students care about the story. All this time, the educator must still listen to the student with kindness and respect so that the educator can get a sense of what the student has experienced. Over time, students may discover that they were actually full of frustration, anger, excitement, or shame after reflectively thinking through with these narratives.

One question we can ask Nussbaum is why go through these deep exercises of changing emotions? Perhaps one reason why people cannot let go of beliefs is because the emotion is usually too entangled with the belief. As Nussbaum points out, "many, if not all, of the passions rest upon beliefs that do not spring up naturally (if any beliefs do this), but are formed by society. They are, in fact, part and parcel of the fabric of social convention; they should be criticized as the rest of that fabric is criticized."⁵⁵³ However, the more one is emotionally involved with the belief, the harder it is to let go of that belief. As an example, there are many anti-vaccinators in the USA and a study has shown that even if given evidence that vaccinations do not cause certain maladies such as

⁵⁵² Cf. *Ibid.*, 35.

⁵⁵³ *Ibid.*, 38-39.

autism, the anti-vaccinators will not budge: they still hold on to the idea that there is a causal connection between vaccinations and human maladies, and even holds onto that belief more forcefully.⁵⁵⁴ Even getting more involved in that person's life may not do it. Having only one discussion will not do it. Simply focusing on that person's belief will not entirely cut it, because that person may still hold on to that belief. The more emotionally one is entrenched in that belief, the more one's identity is at stake.⁵⁵⁵ Thus, to really drive at changing one's belief, one must aim more at one's identity and pinpoint the mental aspects of that person. To this, we turn to another figure that show a path: Iris Murdoch.

2.2. Iris Murdoch: Mental *Áskēsis*

The second component of sexual subjectivity I discuss is the sexual mind, which would include sexual self-efficacy, and sexual self-reflection. The exercises would be such so that people can mentally train themselves to be more sexually and mentally aware of their sexual self, to have mental sexual preparedness, and to have self-entitlement to sexual desire and pleasure. I will be using Iris Murdoch as interpreted by Maria Antonaccio to explain this concept.

Training the sexual mind does not mean performing exercises to ready oneself for sex; rather, it is to discipline oneself and engage in mental exercises so that one can perform what to do in a sexual situation (e.g. to engage in sex, to refrain from sex, to

⁵⁵⁴ See Brendan Nyhan, Jason Reifler, Sean Richey, and Gary L. Freed. "Effective messages in vaccine promotion: a randomized trial." *Pediatrics* 133, no. 4 (2014): e835-e842.

⁵⁵⁵ Nussbaum hints at this when she mentions that many beliefs may be "deeply entrenched by the time she [the pupil] presents herself for therapeutic teaching. Some socially taught beliefs are internalized at a deep level; they guide many aspects of the pupil's thought and action, often without her conscious awareness," *The therapy of desire*, (p.39). Yet, there is no explicit mention of identity; one could construe this passage as unconscious psychology.

courageously say “no” or “yes” to sex, etc.). Murdoch argues that freedom does not simply mean exercising the will, nor necessarily a lack of constraints, but to progressively “see an object clearly” which can be in an endless, yet progressive, task.

What she means stems mainly from *The Sovereignty of Good*. Murdoch argues that in order to act well, we have to see clearly: pay attention to the facts without having our ego interfering in it. The moral life is not just about choice but about attending to someone properly. We may be biased in how we see people. But to see people as they really are and to go beyond our biases, we must take on a just and loving attitude, which is also how we can become better moral beings. The moral work is the continual activity of building up and adjusting our picture of the moral character of people and things in the world.⁵⁵⁶ This process is not a huge leap at any given movement, but gradually comes piecemeal where we can see someone in a just and loving way and overcome the self. This process is what Murdoch calls “freedom.”

Morality is connected by seeing the world and individuals in a certain way through self-reflection. The example that Murdoch provides is a mother, M, and her daughter-in-law, D. “M finds D quite a good-hearted girl, but while not exactly common yet certainly unpolished and lacking in dignity and refinement. D is inclined to be pert and familiar, insufficiently ceremonious, brusque, sometimes positively rude, always tiresomely juvenile. M does not like D’s accent or the way D dresses. M feels that her son has married beneath him.”⁵⁵⁷ All of this is going on in M’s mind. M is thinking that her son has married a silly vulgar girl. However, while M is thinking about this, she is “capable of self-criticism” and undergoes self-reflection about her attitude of D.

⁵⁵⁶ Cf. Justin Broackes. “Introduction,” in *Iris Murdoch, Philosopher*. Ed. by Justin Broackes. (NY: Oxford University Press, 2011), 36-37.

⁵⁵⁷ Iris Murdoch. *The sovereignty of good*. (NY: Routledge, 2013), 16-17.

Eventually, M's attitude toward D alters. M's *behavior*, however, does not change, but it could change because of the new attitude and she may undergo an internal struggle. "The mother reflects on factors that may have influenced her (e.g. her own conventionality, prejudice, narrow-mindedness, and snobbery) and makes the effort to bring a 'careful and just attention' to the object which confronts her. And as she 'observes' or 'reflects' on D, motivated by 'love or justice', she finds that her 'vision' of D alters: D is 'discovered' to be 'not vulgar but refreshingly simple', 'not undignified but spontaneous', and so on."⁵⁵⁸

We can see that there is a switch where M now sees D in a respectful caring way. If M does this continually, and can do this in other aspects of her life, she is working on her moral life. "The moral life, on this view, is something that goes on continually, not something that is switched off in between the occurrence of explicit moral choices."⁵⁵⁹ What is required is a reorientation, a refocus, a new way or attitude of looking at the world by looking at things which are valuable and paying attention to the good. The way to do this is through a loving attitude, but for the sexual realm, I would simply call it care and respect.

In Murdoch's case, the will is to be trained, much like obedience, in order to have loving regard toward another person.⁵⁶⁰ In other words, Murdoch's *askēsis* is not about will power, but about seeing the world in a new way, having an attitude, such that your will is already directed toward moral choices. Murdoch's call is to "unself" where one brackets the "fat relentless ego" and see the world and others as they really are to overcome the ego. The ethical exercises were meant to purify the psyche of its selfish desires and reorienting its energies toward the world and others. Instead of a universal

⁵⁵⁸ Broackes, 40.

⁵⁵⁹ Murdoch, 36.

⁵⁶⁰ Cf. Murdoch, 39.

theory, the task is to form a particular self by ethical practices such as developing a loving attitude by shifting our focus away from the ego. Moreover, a loving attitude is not just a temporal discernment, but a moral change from within, such as purifying our desires. Thus, “the purpose of *askēsis* is to cultivate moral sources that help to reorder the selfish desires and passions of the egoistic consciousness.”⁵⁶¹ By giving oneself a certain direction, one moves toward a perfected way of situating oneself in relation with others and see the world in a just way.

For Murdoch, the supreme object of our attention is the good.⁵⁶² Explaining what the good is to a class of sex education students goes beyond the purpose of sex education. Nevertheless I still find Murdoch’s philosophy important in that the practices she endorses—loving attitude, for example—helps people have a clearer vision of the world they are in, and they see, for example, that people are more interconnected than they thought, especially in the sexual realm, and that they can see the reality of sexual/gender identities by paying attention to them rather than putting on categorical assumptions of what sexuality and gender are or ought to be. I will go over various exercises for taking on a loving attitude, but in general, how to change students to have a loving attitude cannot rely on the teacher alone. Murdoch uses Plato’s Allegory of the Cave as an example of how moving outside of the cave is similar to gaining a loving attitude. But the question is how do you help students get out of the cave? The most we can do is show them through various narratives, techniques, and discourses. Educators can use a variety of tools to help students leave the cave, but because each student is different, there is no overarching magical tool to get every student to leave the cave with one formula. A

⁵⁶¹ Antonaccio, *A Philosophy to Live By*, 142.

⁵⁶² This section is valuably informed by Heather Widdows. *The Moral Vision of Iris Murdoch*. Burlington, VT: Ashgate Publishing Company, 2005.

narrative may work with one, an argument may work with another. But the overall goal is to get students to pay attention to others by “unselfing” and get the “fat unrelentless ego” to diminish, which will help one produce morally good acts. Since unselfing helps us see others as they really are, meaning that everyone is interconnected rather than atomistic individuals, our actions will be more inclined to see that what we do will affect others. Murdoch’s view of *askēsis* is for us to change our current moral perception into a different moral vision rather than simply willed decisions. The change is a gradual process of our moral outlook than just a change in our mental faculty. Indeed her moral project is not just about moral choices, but about building up a moral character with a moral outlook such that we are constantly paying attention to the real. This requires creating good habits, strengthening attention, cultivating good desires, and weakening bad desires.

2.3. The Later Michel Foucault: Bodily *Askēsis*

Traditional philosophers are typically one-sided in that they focus on non-bodily features such as the mind, the soul, or something that is closer to being immutable. Doing so, however, de-emphasizes the body because the body can “get in the way” of true work.⁵⁶³ The body, it seems, is nonessential. However, I argue the body is an important feature of living the good life, and more importantly, living a good sexual life. If we perceive the world through the body, then surely one must philosophize about the body and notice how the body gives an important contribution to take care of the self.

⁵⁶³ This is most notable from the *Phaedo* where Socrates remarks that the point of philosophy is to get rid of the body. Elizabeth Spelman has called this attitude “somatophobia.” See Elizabeth Spelman. “Woman as Body: Ancient and Contemporary Views,” *Feminist Studies* 8 no. 1 (Spring 1982): 109-131.

Foucault has a nuanced philosophical understanding of “care of the self.” For him, care of the self was his view of *askēsis* whereby we train and shape the self through a “stylistics of existence,” an aesthetic concern of how to exist, an intensification of the subject, rather than live in a rational order of nature—as Nussbaum concluded, or live toward some standard of goodness—as Murdoch would have it.

To start, why Foucault? Foucault is notoriously a controversial figure. To bring him into an applied area could raise suspicions for the reader. I would like to assuage the reader’s worry by bringing different focuses of Foucault. There is an early Foucault and a later Foucault. The early Foucault would be the author of such works like *Discipline and Punish*, *Madness and Civilization*, and *Birth of the Clinic*. In these works, Foucault’s notion of the subject is not some autonomous being that has some inherent nature. Rather, we become subjects through various discourses and networks of relationships of power. We are not first individuals that emerges onto the scene, and then power structures break up the self. Rather, subjects are a result of and constructed through norms and power structures of social life. Subjects are contingent rather than innate.

The later Foucault would be the author of the three volumes of his *History of Sexuality*, the lectures in the 1980s, and various interviews toward the end of his life. Here, he views the subject as a way of “forming a relationship with oneself.” This awkward phrasing means “care of the self” according to Foucault. It is to undergo *askēsis*, to properly care for oneself and to do that, one must engage in various disciplines and practices, to work on oneself. Rather than seeing the subject as adhering to a set of roles and rules, the subject is part of negotiated practices that is continuous on the other. Especially when applied to the sexual realm, Foucault termed “care of the self” as a way

of gaining a sense of subjectivity by focusing on sexual body-esteem, sexual somaesthetics, and bodily sexual pleasure. The subject is not simply a result of discourse, but can take on a “critical attitude” where one undergoes problematization so that the subject can work on itself to constitute a moral being. Allen notes that an ethics of pleasure deriving from Foucault can help young people as sexual subjects whereby young people are viewed as individuals with a positive and legitimate sexuality rather than a problem to be managed.⁵⁶⁴

The writings of the later Foucault are sometimes called his “ethical turn.” In his late life, Foucault admits that his earlier work had emphasized that the subject was formed through power relations and discourses. His focus, now, is on the subject as it is both constituted and self-constituting. “[E]thics, or the subject, is not thought of as the other of politics of power... Soon, he maintains that this problem of the subject, and not that of power, is his main concern... From the eighties, studying the techniques of existence encouraged in Greek and Roman Antiquity, Foucault let a different figure of the subject appear, no longer constituted, but constituting itself through well-ordered practices.”⁵⁶⁵ I will draw upon his early works, but my focus will be on the later Foucault.

In his early works, Foucault introduces ways in which society holds onto views and values by normalizing them through power structures. Our values and views are shaped through imposed discipline norms (normalization) by “the deployment of force

⁵⁶⁴ Cf. Allen, *Young People and Sexuality Education*, 151.

⁵⁶⁵ Frédéric Gros. “Course Context.” In *The Hermeneutics of the Self*. Edited by Frédéric Gros. Trans. by Graham Burchell, 507-550. (NY: Picador, 2005). 512-513. Gros gives an example of this: “sexuality, which to start with was to reveal the authoritarian fixing of identities through domains of knowledge and tactics of power, in the eighties reveals techniques of existence and practices of the self” (513).

and the establishment of truth.”⁵⁶⁶ Normalizing encourages subjects to engage in certain practices that are deemed proper. The behaviors are determined where the subjects are encouraged to repeat these behaviors. Eventually, these behaviors are seen as “normal” and immune from any criticism. These norms are (per)formed through various power structures in society. Power must be understood

in the first instance as the multiplicity of force relations immanent in the sphere in which they operate and which constitute their own organization: as the process which, through ceaseless struggle and confrontations, transforms, strengthens, or even reverses them; as the support which these force relations find in one another, thus forming a chain or a system, or on the contrary, the disjunctions and contradictions which isolate them from one another; and lastly, as the strategies in which they take effect, whose general design or institutional crystallization is embodied in the state apparatus, in the formulation of the law, in the various social hegemonies.⁵⁶⁷

Applied to the sexual realm, we see what is considered sexually normal in our society and we regulate our behavior so that not only do we match our sex lives to the norm, but also so that we can manage the way others perceive ourselves and how others perceive us. All of these discourses, institutions, and forms of power train me how to be me. The norms enforce the line between what is considered proper and responsible sexuality and what is considered perverse or punishable. By doing so, our self-image gets reinforced by the standards of society, which become so strong that those who deviated from the norm become ostracized or even killed. The standards tell us not only what we cannot do, but what we must do in order to have a “normal” sexuality and a normal sexual life. Thus, sexuality is not only repressed, but also demanded of us. Society

⁵⁶⁶ Michel Foucault, *Discipline and Punish*. Trans. by Alan Sheridan. (NY: Pantheon Books, 1978), 184.

⁵⁶⁷ Michel Foucault, *The History of Sexuality: An Introduction. Vol. 1*. Trans. By Robert Hurley. (NY: Vintage Books, 1978), 92-93. Likewise, “systems surrounding marriage, family, and sexuality were not running smoothly at all, and that the norms of the day were oppressive to many people. Anyone who fell outside a very narrow range of behaviors was penalized and often ostracized as well” (Donnelly *et. al.*, 90-91). For an example of what is known as conflict theorists, see David M. Buss and Neil Malamuth. *Sex, Power, Conflict: Evolutionary and Feminist Perspectives*. London: Oxford University Press, 1996.

defines, enforces, and regulates what sexuality and relationships ought to look like. One outcome is that certain sexualities and relationships are considered more valuable than others and those that are not valuable ought to be shunned or seen as shameful.

To further this idea, Gayle Rubin has famously noted that certain sexual acts form a hierarchical system of sexual value: marital, reproductive heterosexuals are at the top, followed by unmarried monogamous heterosexuals. Next would be the solitary heterosexual. Stable, long-term lesbian and gay male couples are gaining respectability, but promiscuous lesbians and gays are barely above the bottom of the hierarchical pyramid. The bottom of these sexual castes are transsexuals, transvestites, fetishists, sadomasochists, porn models, sex workers. As one goes higher on the hierarchy, the people are considered mentally, emotionally, and socially stable where they gain institutional support and reap in the benefits. As one goes lower on the scale, there is a presumption of mental illness, criminality, economic sanctions, and disreputability.⁵⁶⁸ These low activities are considered self-destructive patterns, emotional aggression, or immaturity. The discourse we learn from each other and society forms the idea that sex within the confines of marriage, love, and reproduction is considered “good” and “normal” sexual activity. Any sex that is unmarried, promiscuous, nonprocreative is deemed “on the fringe,” “abnormal,” or “unnatural.”

Young people are especially susceptible to these messages. They want to fit in with their peers so they follow along and accept these disciplines believing they are merely natural dispositions. Moreover, the discourse encourages them to follow these norms by rewarding “proper” sexual and relationships outlets and punishing “abnormal” or “unnatural” sexual and relationship outlets.

⁵⁶⁸ Cf. Rubin, 14-15.

In his later works, Foucault offers some insight on giving a hermeneutical account of the subject. “[F]or Foucault subjectivity is not some *thing we are*, it is an activity that *we do*.”⁵⁶⁹ By *forming* a subject rather than discovering a pre-existing essence, the effort is to *become* a certain kind of individual, “to give a distinctive form to one’s life, to shape, deepen, intensify and cultivate the relationship of the self to itself.”⁵⁷⁰ It is to become not a person, but a *kind* of person, where one can cultivate the self: creating an art of making oneself. “This ‘cultivation of the self’ can be briefly characterized by the fact that the art of existence—the *techne tou biou* in its different forms—is dominated by the principle that says one must ‘take care of oneself.’”⁵⁷¹ Not only is taking care of the self an art of life—an art of existence, but there seems to be a moral obligation toward oneself (and implicitly toward others as well, as I will show).

In the context of Foucault’s project, our subjectivity is “what we make of ourselves when we devote ourselves to taking care of ourselves.”⁵⁷² However, this confusing statement suggests that Foucault does not seem to have a foundation for his account except the self simply. What Foucault means is that one transforms oneself by creating an art of making oneself as opposed to transforming the self to any ideal.⁵⁷³ It is the *activity* through which the people take on this dynamic relationship to themselves that establishes who they truly are. Otherwise we start to accept a static, fixed idea of who and what we are and then we are inclined to neglect the development of our active relationship, which is the real life and heart of subjectivity. Indeed, ethics for Foucault

⁵⁶⁹ Edward McGushin. “Foucault’s Theory and Practice of Subjectivity.” In *Michel Foucault: Key Concepts*. Edited by Dianna Taylor. (Durham, UK: Acumen Publishing Limited, 2011), 134. His emphasis.

⁵⁷⁰ McGushin, 138.

⁵⁷¹ Michel Foucault, *The History of Sexuality, Vol. 3: The Care of the Self*. (Trans. by Robert Hurley. NY: Vintage Books, 1986), 43.

⁵⁷² McGushin, 128.

⁵⁷³ It is here that I will slightly disagree with Foucault since my ethic is not relativistic. I will show this through the work of Shusterman.

does not come from codes of conduct or system of rules that constrains behavior and actions; rather, subjectivity is a performative truth where one persuades oneself to make oneself by devoting oneself to take care of oneself. To perform this, it seems that not only is one doing the action, but one is also becoming the *being* to perform the self that is doing that action. Rather than assuming that facing hardships allows me to *discover* my true qualities, my true self, I need to recognize that actively facing hardships is what *makes* me into a certain kind of self.⁵⁷⁴ Moreover, taking care of the self is not desired to get back to a lost self or to liberate an undiscovered self. It is rather to self-create and get a self to emerge that was not originally given.⁵⁷⁵ This practice is to “transform their existence into a kind of permanent exercise.”⁵⁷⁶ But this is not just simply a solitary exercise; it is a social practice. It takes “the form of an attitude, a mode of behavior; it became instilled in ways of living... It thus came to constitute a social practice, giving *rise to relationships between individuals*,”⁵⁷⁷ which entails not only an art of existence, but a moral obligation for self-examination. Foucault notes that “[t]he practices of the self must enable one to get rid of all the bad habits, all the false opinions that one can get from the crowd or from bad teachers, but also from parents and associates. To ‘unlearn’ (*de-discere*) is one of the important tasks of self-cultivation.”⁵⁷⁸ The point is to change the views that people have for the better. It will not be an easy task: practices of the self will be a permanent battle whereby people will gain skills and courage for their lifetime.⁵⁷⁹

⁵⁷⁴ McGushin, 129. His emphasis.

⁵⁷⁵ “The objective of the practice of the self is to free the self, by making it coincide with a nature which has never had the opportunity to manifest itself in it.” Foucault in Gros, 536.

⁵⁷⁶ Foucault, *The Care of the Self*, 49

⁵⁷⁷ Foucault, *The Care of the Self*, 45. My emphasis.

⁵⁷⁸ Foucault, *Ethics: Subjectivity and Truth*, 97.

⁵⁷⁹ Cf. *Ibid.*

Moreover caring for the self is an inherent social practice, taking place within some organized institutional framework. By taking care of the self, we care for others which could, in turn, inform the self. In an interview, Foucault states:

In the abuse of power, one exceeds the legitimate exercise of one's power and imposes one's fantasies, appetites, and desires on others. Here we have the image of the tyrant, or simply of the rich and powerful man who uses his wealth and power to abuse others, to impose an unwarranted power on them. But one can see—in any case, this is what the Greek philosophers say—that such a man is the slave of his appetites. And the good ruler is precisely the one who exercises his power as it ought to be exercised, that is, simultaneously exercising his power over himself. And it is the power over oneself that thus regulates one's power over others...the risk of dominating others and exercising a tyrannical power over them arises precisely only when one has not taken care of the self and has become the slave of one's desires.⁵⁸⁰

Thus, there is an ethical relationship not because it is strictly about caring for others, but because care of the self is a way to limit and control power, specifically one's own power, and not be a slave to one's desires. People cannot simply withdraw from human society to establish a consistent self. A better way would be “standing back from the activities in which one is engaged while still pursuing them, so as to maintain the distance between oneself and one's actions that constitutes the necessary state of vigilance. The aim of the care of the self is not removal of oneself from the world, but preparing oneself as a rational subject of action for the events of the world.”⁵⁸¹ The activities are exercises practiced by referencing situations that the subject may have to confront. So the exercises are not inactions. On the contrary, they encourage us to act and they constitute us as the true subjects of our actions. We do not remove ourselves as isolated beings in the world, but to enable us to situate ourselves within it rightly. Care of the self is correlated with

⁵⁸⁰ Michel Foucault, “The Ethics of the Concern for Self as a Practice of Freedom,” In *Ethics: Subjectivity and Truth*. Edited by Paul Rabinow. Trans. by P. Aranov and D. McGrawth. (NY: The New Press, 1994) 288.

⁵⁸¹ Gros, 537.

caring for others. To possess the virtues and to possess care, one must be disposed to practice the virtues and to show care. By acting appropriately, one must have knowledge of what to do, and this requires practices and exercises in a social context.

Remorse for what you did to others is also a way to take care of the self. It is not finding or revealing who we are, but to explore what the self is. It is not a solo journey because we are in complex relationships with others. Thus, we rely on others' feedback when we create and engage in our own practices and techniques to form our ethical self-understanding. Caring for the self means I can ask myself various questions like:

- “Am I doing what I really want to do, or am I doing it because it's expected of me?”
- “Is this normal, or do I desire this?”
- “What is the best and the worst that can happen to me if I do this?”
- “Am I safe emotionally and physically?”
- “Does anyone know where I am and who I'm with?”
- “Have I done something like this before and felt bad afterwards?”
- “How do I know that the other person will treat me with respect and concern?”
- “Have I thought about safe sex?”⁵⁸²

Notice the first two are reflective so we are aware of ourselves rather than acquiescing along with someone else's desires or passively engaged in the activity. The self develops one's own goals through practices of the self rather than embracing the goals of society.

“Make freedom your foundation, through the mastery of yourself.”⁵⁸³ Ladell McWhorter writes an autobiographical defense of Foucault and she talks about taking care of the self.

It is worth quoting her fully:

If I seek to become a being who is incapable of becoming anything new, I seek to become something other than my capacity to become. If we want to oppose normalization, we should develop disciplinary practices that don't aim at stasis. Our style of existence should be an openness to becoming—which is to say, an affirmation of freedom. If we want to oppose regimes of sexual normalization, to find ways to live lives not bound by the identities and values those regimes

⁵⁸² Carmody, 114.

⁵⁸³ Foucault, “The Ethics of the Concern for Self as a Practice of Freedom,” 301.

enforce, we have to become people who affirm our freedom in our very existence. We have to become people who dare to give ourselves over to the process of becoming new, becoming different, becoming other than what we are. That becoming is both our goal and our practice, one and the same.⁵⁸⁴

One intensifies one's relation with oneself, which Foucault described as "techniques of the self" where the purpose is to "constitute the self as an ethical subject more than to transform the self according to a universalist and naturalist norm of wisdom."⁵⁸⁵ To cultivate the self, Foucault argues that one converts the self through self-examination, exercises, practices, and form a relationship with the self, where the self is enriched with new achievements, skills, and a new attitude of the world. Conversion of the self does not mean that "one must [...] devote oneself entirely and exclusively to oneself," but that "one had best keep in mind that the chief objective one should set for oneself is to be sought within oneself, in the relation of oneself to oneself."⁵⁸⁶

As an example from today's standards, abstinence is regarded as a duty, otherwise there is an immoral tinge if one performs fornication. While learning about features such as abstinence and procedures to avoid unwanted outcomes are a necessary condition for sex education, it is not a sufficient condition. Yet Foucault points out that in ancient Roman times, sexual abstinence was not regarded as a duty nor was the sexual act represented as an evil.⁵⁸⁷ Rather, it was to valorize and moderate sexuality for oneself rather than give a prescribed list of moralistic dos and don'ts, a rigid set of rules or norms, or even a sense of morality. Throughout time and with the addition of

⁵⁸⁴ Ladell McWhorter. *Bodies and Pleasures: Foucault and the Politics of Sexual Normalization*. (Bloomington, Indiana: Indiana University Press: 1999), 193.

⁵⁸⁵ Antonaccio, *A Philosophy to Live By*, 136.

⁵⁸⁶ Foucault, *The Care of the Self*, 64-65.

⁵⁸⁷ Cf. Foucault, *The Care of the Self*, 122.

Christianity, the “flesh”⁵⁸⁸ will replace the “body” as the source of temptation and sin. For the Stoics, controlling one’s desires was an exercise of self-mastery. But this was not within the framework of what was permitted or forbidden. Rather, it was a style or a mode of being, an aesthetics of existence. Even holding onto one’s virginity was disconnected from a sense of purity. One held onto one’s virginity because of a choice to hold on to a form of existence, a way to practice self-control. Eventually, the individualistic forms of self-control by the Romans and Stoics would be co-opted by some of the Christians as an absolute moral claim by suggesting that any form of sexuality that is not productive or procreative is deemed sinful.⁵⁸⁹ To regard sex education that incorporates a care of the self, we would have to imagine a discourse where sexuality was not centered around what is forbidden or permitted, or what is considered valuable or immoral, but more about how to rule over the self, and how to take care of the self. Instead of “losing one’s virginity,” why not see it as gaining sexual pleasure and fulfillment?⁵⁹⁰

To have a sexual education that has a discourse about the care of the self in the way that Foucault describes is a way for the subject to get involved in sexuality that forms a new sense of sexual “identity” where one is not thinking about oneself as a being that happens to engage in certain practices, but as a sexual being that becomes what one is sexually *because* of these certain practices. By working through different discourses and exchanges of power, one will become a subject and have a relationship of oneself with oneself. If the subject does not have any agency and power to determine a

⁵⁸⁸ Different sects of Christianity may have different interpretations of the “flesh.” However, I am interpreting Foucault’s interpretation of it.

⁵⁸⁹ At least in the Western tradition as Foucault understands it.

⁵⁹⁰ Cf. Vernacchio, 122.

relationship, one cannot undertake to invent new relations or modify existing ones in an ethical manner. One could not be “freed up”, as it were, to engage (or abstain) in sexual activity in a way that is taking care of the self. Rather, by becoming a sexual subject, one would be performing pure creative activity instead of reacting to power forces.

One problem with Foucault’s “ethical turn” is that he “describes this conversion in terms of an intensification of subjectivity rather than a universalization of subjectivity.”⁵⁹¹ When Foucault talks about pleasures and desires, he seems to focus mainly on the body. Antonaccio argues that Foucault puts more emphasis on the practices of self-formation over content while ignoring a normative background.⁵⁹² Ethics, however, is usually concerned with some normative basis that captures the boundaries of all those who have moral consideration. Even with the development of *áskēsis*, Nussbaum and Murdoch rely on some universal or cosmic order to lead the practitioner toward an ideal state or to live in accordance with an ideal state. Foucault, however, does not have this. Rather, Foucault’s “ethics” deals with “the elaboration of a form of relation to self that enables an individual to fashion himself into a subject of ethical conduct.”⁵⁹³ One goes through *áskēsis* not to perfect oneself with some higher good or cosmic whole, but to make oneself “into an oeuvre that carries certain aesthetic values and meets certain stylistic criteria.”⁵⁹⁴ While Foucault’s focus on the body is important in contrast to previously mentioned philosophers’ emphasis of non-bodily features, Foucault’s problem does not seem to have a foundation for his account except simply the stylistics of the self which does not give us much of a standard or criteria. The way to supplement Foucault’s

⁵⁹¹ Antonaccio, *A Philosophy to Live By*, 136.

⁵⁹² Cf. Antonaccio, *A Philosophy to Live By*, 137.

⁵⁹³ Michel Foucault, *The History of Sexuality, Vol. 2: The Use of Pleasure*. Trans. By Robert Hurley. (NY: Vintage Books, 1990), 251.

⁵⁹⁴ *Ibid.*, 10-11.

lack of normative background is to inform it with a philosophy of the body that makes the body central to an art of living, yet has a normative background. To this, I turn to Richard Shusterman's notion of somaesthetics. Shusterman picks up where Foucault diverges into extreme territory. I use Shusterman for two reasons: one, Shusterman has a normative theory whereas Foucault does not, yet Shusterman uses Foucault as examples; and two, since Foucault is arguing for an "aesthetics of the self," Shusterman's theory is perfect for discussing an aesthetics of the body.

The normative theory that Shusterman aims for is pleasure, but not the crude or superficial type that Foucault suggests with his extreme personal ideals.

Pleasure, even when identified with pleasurable feelings, cannot be simply identified with blind sensation because the very enjoyment of sensation depends on the context or activity that shapes its meaning. The glass of (even mediocre) wine that Foucault condemns to everyday banality can be the site of intense pleasure, even spiritual joy, when framed in the proper sacred context.⁵⁹⁵

For Shusterman, pleasure can open us to new experiences and to other people, where the experiences can be so powerful that they can transform our desires and redirect our life.⁵⁹⁶

Advocating the body as an especially vital site for self-knowledge and self-transformation, Foucault argues that self-fashioning is not only a matter of externally stylizing oneself through one's bodily appearance but of transfiguring one's inner sense of self (and thereby one's attitude, character, or ethos) through transformative experiences. Central to this experiential transformation, according to Foucault, is the experience of bodily pleasures.⁵⁹⁷

Contra Foucault, pleasure should not be the focal point of sex education, and *yet* sexual pleasure needs to be discussed. Allen is also skeptical of making sexual pleasure the marker of a "successful" encounter:

⁵⁹⁵ Richard Shusterman. *Body consciousness: A philosophy of mindfulness and somaesthetics*. (Cambridge: Cambridge University Press, 2008), 42.

⁵⁹⁶ Cf. *Ibid.*, 41-42

⁵⁹⁷ *Ibid.*, 9.

If [sexual pleasure] is the ‘new’ measure by which young people might judge themselves competent or incompetent and experience their subjectivities limited accordingly (the ‘old’ measure being the successful negotiation of ‘safer sex’). Instead of forging space for open discussion of sexual pleasure and the idea that it might be legitimately experienced by younger people, its introduction seems to impose the same old disciplinary shackles. These limitations are enduringly female and male gender-normative and heteronormative.⁵⁹⁸

In other words, students already know that pleasure is already understood as the basis why people engage in sexual activity even at a minimal level. The worry is that if pleasure is the basis of sexual activity, then sexuality is interpreted as being *reduced* to pleasure. Doing so essentializes sexuality, which is what I want to avoid since sex essentialism can reinscribe heteronormativity. For example, Allen notes that pleasure constrains masculinity in that men may simply focus on their pleasures or work on their various techniques to draw pleasure out of their partners.⁵⁹⁹ Young women are also expected to achieve orgasm, and that her partner drew an orgasm out of her. If not, then she is pressured to fake it if pleasure does not organically happen.⁶⁰⁰ Moreover, by making pleasure the main motivator of sexual activity, it ignores other possible motivations, possibly subsuming them.⁶⁰¹

The point is not simply to gain pleasure to maximize intense sensations.

Somaesthetics is also meant to *correct* our bodily performances by improving certain directions of our body. One can see this in various movements such as dancing or *zazen*

⁵⁹⁸ Allen, *Young People and Sexuality Education*, 102.

⁵⁹⁹ Note the difference: “I had an orgasm,” “She had a pleasurable experience,” and “He enjoyed his sexual release” all signify agency over one’s pleasure. “I gave him/her an orgasm” signifies agency and control over the partner’s pleasure.

⁶⁰⁰ Cf. Allen, *Young People and Sexuality Education*, 103. This study is limited in that it only focuses on male-female sexual encounters.

⁶⁰¹ Indeed, a comprehensive survey of the scholarly literature, psychometricians have crafted multiple motivations for people to either engaging in sexual encounters. The most common ones are: love, pleasure, relief from stress, dominance, submission, providing nurturance, partner approval, self-affirmation, recognition, conformity, experimentation/ exploration, spirituality, financial gain, jealousy-induction, revenge, and procreation. Cf. Elaine C. Hatfield and Lisamarie Bensman. “Sexual Motives and Quality of Life.” *Encyclopedia of Quality of Life and Well-Being Research* (2014): 5906.

sitting. Shusterman also uses the Feldenkrais Method and the Alexander Technique as examples of involving different ways to perform the body in order to correct bodily performance so that one can live life more functionally and pain-free. We must condition our body, or sometimes we must pay attention to what the body really wants and go with the flow with the body. We have to bodily condition ourselves, and correct ourselves to get rid of our bodily bad habits and use the body as a site for bodily awareness, and not simply go through an unconscious trial and error to correct ourselves.

Certain practices and exercises reshape our minds as well: “Such somaesthetic discipline (evident in yoga and Zen meditation but also in Western practices such as the Feldenkrais Method and the Alexander Technique) involves, of course, a significant degree of intellectual *askesis* as well.”⁶⁰² By focusing on our intellectual bodily consciousnesses, our knowledge and performance improves what we are doing. Of course, this includes sex since the partners involved are experiencing their own interests and pleasures as well as ways to maneuver their own bodies so that each gains interests and pleasures as well.⁶⁰³

⁶⁰² Shusterman, *Body Consciousness*, 44.

⁶⁰³ The problem with Foucault’s somaesthetics, as Shusterman sees it, is not the analysis of Foucault’s theory, but the pragmatic or ways to perform the body. Shusterman argues that Foucault mainly prescribed S/M homosexuality as well as violent drugs so that one’s pleasures can be jolted away from the ordinary banality of life. Foucault has stated in interviews that he would take drugs to get the extreme pleasures out of it, even if it killed him. Because of these extreme recommendations, Shusterman sees Foucault as a reflection of our culture on bodily pleasures: “Our culture’s constant lust for ever greater intensities of somatic stimulation in the quest for happiness is thus a recipe for increasing dissatisfaction and difficulty in achieving pleasure, while our submission to such intensities dulls our somatic perception and consciousness” (Shusterman, 39). It is a constant need for hyper-stimulation where the senses are overloaded just so that one can feel normal and alive, where we can see this in substance abuse and other psychosomatic problems such as self-mortification.

While Shusterman’s critique of Foucault has some merit, he seems to focus more on Foucault’s personal endorsement of homosexual S/M practices, and the pleasures of taking drugs. The question, however, is whether Foucault meant that this recommendation was for everyone, or simply for himself. Even though Shusterman suggests that this is not just Foucault’s personal problem, and that our culture agrees with intense pleasures as the way to have somatic consciousness, I do not think one ought to blame Foucault for our culture’s need for intense bodily pleasures, which is not to say that focusing on the sexual body is to simply learn about the body to increase pleasure, or ways to manipulate the body to make it more

By having a good body image, one will be more comfortable with the sexual act, and thereby gain more pleasure. Being present at the moment during the sexual act is a way of getting lost in the moment. If people are worried about the body, then they are not “in the moment” and the experience is ruined or blunted. If this is repeated, they may avoid sexual activities or sexual experiences altogether. Challenging the oppressive nature of the body involves a somaesthetic diagnosis of the body as well as the feelings associated with the bodily habits. The diagnosis also includes ways and techniques that limits the body from institutional backgrounds which can formulate various methods inculcating them so that these oppressive measures can be overcome. The body is shaped through institutional powers, such as norms of bodily health, beauty, ways of movement, and even our categories of sex and gender are constructed in a way to reflect and sustain social forces.

With the theoretical foundation in place, how can we apply *áskēsis* to sex education? The next chapter will address that issue and will analyze each component addressed in this chapter: the sexual emotions, the sexual mind, and the sexual body. These will be developed using *áskēsis*.

attractive. Rather, it is to see oneself as a sexual being, which includes being more aware of one’s body and being comfortable with it.

Chapter Six: Applying the *Áskēsis* Model to Sex Education

In the last chapter, I discussed *áskēsis* as a theoretical ethical foundation. I looked at three components of *áskēsis* through three contemporary philosophers. In this chapter, I will apply *áskēsis*—what I have also called “care of the self”—to sex education, where we can adequately call this type of education “care of the sexual self.” In section 1, I will apply *áskēsis* to sex education and formulate what it means to be a sexual subject by investigating the three components of sexuality. These components will correspond to the figures previously mentioned in chapter five, section 2: the sexual emotions, the sexual mind, and the sexual body respectively. With these three components, people will have a richer understanding of their sexual identity, which can inform people becoming sexual subjects. In section 2, since I will be championing the *áskēsis* perspective of sexuality education, I will consider various objections to the *áskēsis* model and respond to those objections.

1. Applying *Áskēsis* to the Three Components of Sexual Subjectivity

How can we apply “care of the self”? We can start by noticing that—especially in grade school—there is a presumption in our culture and society at large of heterosexuality, monogamy, and the gender binary—the notion that there are only two genders. Any relationship that is against this norm is silenced. So what is the solution? The educator could discuss various sexual desires and behaviors, different relationship styles, and

different genders to see what the student thinks about them. It is worth quoting Denis Carlson at length:

In a democratic form, care of the self would remove sex education from the realm of either morality (in terms of prescribed codes of moral conduct, associated with dos and don'ts) or normalization (in terms of establishing and privileging a norm, with those who do not fit the norm labeled abnormal, deviant, and dangerous). By reframing sexuality education as care of the self, it becomes possible to engage young people in a dialogue on what is caring for themselves, and what is not. How do they take care of themselves so that they do not enter into abusive relationships? How do they care for themselves by knowing how to protect themselves when they engage in sexual relations? How do queer youth practice caring for themselves in an often hostile school and family ethos? How does care of the self translate into caring for others? How does care of the self involve resisting objectification and subjugation of the gendered body? These all become thinkable questions and problems when sexuality education is reframed as the study of sexuality as it is produced within a culture—how it gets talked about, in what terms, according to what fears and problems; how it is related to class, race, gender, sexual orientation, and ability differences; and thus how it is implicated in a cultural politics. There will be no easy answers to the new questions and problems made thinkable and imaginable through such cultural studies of sexuality. But they do suggest responses that are consistent with a pedagogy of equity and social justice. Sexuality education in this sense is still a form of health education. It is just that health education as care of the self takes on a significantly different meaning, linked to a different pedagogy.⁶⁰⁴

In many cases, people engage in sexual practices without knowing exactly what they want or what these practices mean. Sex education based on the care of the self would acknowledge the experiences of the students as they seek to “empower” their own lives and to make their own sexual choices, regardless, in theory and in practice at least, of what these choices are. The choices can be sexual behaviors (e.g. remaining sexually abstinent or becoming sexually active) and sexual formations of how they see themselves as a sexual being (e.g. hetero-, homo-, bisexual, monogamous, open, masculine, feminine, queer, etc.) whereby students are empowered to make a range of sexual choices through information and practices instead of being formed by authority.

⁶⁰⁴ Carlson, 135.

Now that we have looked at different interpretations of modes of *áskēsis* in the last chapter, I will apply *áskēsis* to the three sexual components just mentioned. By developing these three components, through *áskēsis*, people can have the ability to transform and aim toward the ideal sexual subject. In each component, I will provide examples or case studies of how to undergo the training to understand others and oneself. Moreover, the training will indirectly challenge heteronormative assumptions. The ordering of these sexual components is not indexical. I am following the same ordering as was presented in chapter five.

1.1. *Áskēsis* as Developing the Sexual Emotions

The first application of care of the self is to the sexual emotions from Nussbaum. The key is to analyze the students' beliefs and values regarding sexuality. For example, is there a sense of disgust when aberrant sexualities are mentioned? Is there a sense of affirmation when certain displays of relationship dynamics are at play? The educator's role is to seek out what type of answers the students give which will reveal what the students may believe or value.

As mentioned in the last chapter, I do not embrace Nussbaum's full cognitive theory of emotions, but there seems to be a strong connection between our emotions and beliefs. Furthermore, our beliefs assent to what we consider to be true or valuable. If what we assent to be true or valuable influences our emotions, then it is imperative that we have true beliefs (both about content and about values). The educator's role is to investigate whether the things that we believe are indeed true or valuable and indirectly help expunge the bad emotions that are associated with the ideas and values of negative

or mistaken thinking regarding sexuality and relationships. Examples of negative thinking regarding sexuality and relationships could be that sex should only perform in gender conforming ways, that people ought to present themselves as the masculine or feminine ideal, or that sexual and relationship performances ought to fit with social expectations. If people have these ideas and values but act otherwise, they may feel anxiety, shame, guilt, embarrassment, and disgust. Getting rid of these emotions and replacing them with positive emotions will help students develop their attitude toward different forms of sexuality and relationships in a positive way. And expunging the negative emotions can be done by re-evaluating ideas and values, or shifting how to think about what we are feeling. I will offer two examples of *áskēsis* of the sexual emotions.

1.1.1. Emotions Toward Others

In a sex education class, a good educator brings up topics in order to normalize discussions about sexual and relationship styles rather than associating those topics with shame or guilt.⁶⁰⁵ As an example, there are many people who are disgusted by homosexuality, polyamory, and transgender and intersex people. We can ask the students to see why they are filled with disgust and, through inquiry, the foundation of their disgust would come down to what they value. These values have normative import where the students believe it has a wide or almost universal claim. Through *áskēsis*, students need to see what they believe and value and see if there is any basis to those values. If they find there is no basis for the belief, they will have the tools and skills to eventually discard that belief and have the correct emotional response. Overcoming these barriers works best when students can actually engage with sexual minorities instead of thinking

⁶⁰⁵ Cf. Temple-Smith *et. al.*, 98.

about the issue abstractly. By engaging with people who do not fit the sexual norm, the students may see that people's sexual and relationship preferences are not threatening, which would help change the belief, which would thereby change the emotion. In the fall of 2013, I taught a one-credit honors class targeted toward freshmen. The class was about sexualities and relationships that were outside the social and hence, moral norms. In one of those weeks, I assigned readings that discussed polyamory. A large majority of the students found the practicing appalling, and could not see any value of it. The following week, I invited a polyamorous guest speaker to be part of the class discussion and to answer students' questions. The students asked wonderful questions and really wanted to know more about polyamory. The interactions were concrete, and the students could get involved with another person who was polyamorous instead of simply engaging with the idea of polyamory. The following week, I asked the class what they thought of the presenter and polyamory in general. It was almost unanimous: the class considered polyamory as a legitimate mating style and not something to be shunned. I then suggested to the class that when we think about ideas abstractly, we often judge those ideas compared to the social norms. After all, critiquing an idea is not harmful if no one holds the idea. But now that they meet a person who not only holds the idea, but affirms it as part of her lifestyle, the students can see the idea in action and not just abstractly thinking about the idea.

I ask the students to ponder what sort of prejudices we have had in the past. Many of them say same-sex relationships. I ask them to consider what sort of ideas we hold true, but could be considered prejudicial in the future. And I ask if judging people who are ethically non-monogamous could be a prejudice. Most agree, even if they prefer to be

monogamous. In a way, these students were undergoing *āskēsis*: by thinking about polyamory, for example, the students discovered that they may have had an unjustified prejudice against it thereby believing the practice to be wrong. They were slowly coming to terms that polyamory could be a legitimate type of mating orientation or relationship structure. This realization may expunge their disgust or negative attribution toward ethical non-monogamy.⁶⁰⁶ Perhaps if they hear about polyamory either through friends or the media, they are not so quick to judge. Indeed, they may be more comfortable talking about the issue, or befriend those who are polyamorous. And if the disgust is expunged and replaced with a sense of justice, they may quickly call out those who do judge those who have different mating orientations. This exercise could possibly be done with those who are transgender: I would invite someone who is transgender; the students have a discussion with the person. This generates a discussion and they possibly recast their beliefs about transgender people as those who are legitimate members of society. By seeing a person who affirms that alternative relationship or sexual mode of living, students may see someone exercising their sexual self and expunge the prejudicial belief, which, in turn, can help expunge the negative emotional response.

Could students learn about different expressions of sexuality, gender, and relationship styles but still embrace heteronormativity? Through my program of discarding heteronormativity and keeping pluralistic values, it seems unlikely. Familiarizing people with those outside the sexual and relationship norms disturbs the heteronormative framework. By disrupting the heteronormative framework, people will subtly see embracing heteronormativity as a negative trait. And *āskēsis* is a way to

⁶⁰⁶ Of course, just having one class is not going to cut it. Much like athletics and musicianship, practicing once does not make one athletic or a musician. Ideally, the class and exercises would be much longer.

recognize the negativity of that trait, and also undergo various disciplines to undermine heteronormativity.

1.1.2. Emotions Toward Oneself

What about thinking of oneself as a sexual being? How does that make people feel?

Many women feel uneasy about their sexuality, especially with their genitalia. Meredith Chivers, a psychologist and a leading investigator in female sexuality research, recalls that “[i]n a second-year human sexuality course, her class was shown close-ups of genitalia on a huge projector screen. A naked penis provoked no reaction. When a vulva appeared, however, the room erupted into a disgusted ‘Eeeeeeeew!’ Chivers looked around. The repulsed squeals were mostly coming from women.”⁶⁰⁷ This is just one example, but there are many other ideas that people hold that can make them feel frustrated, disgust, ashamed, or judgmental, particularly those who do not fit the social standard of what a body is “supposed” to look like, such as transgender or intersex people. How do we change these emotions so that people can have a healthier attitude toward their own bodies and desires? What are some skills that students can have for them to work on themselves to gain healthier sexual emotions? Emily Nagoski offers strategies by suggesting we develop our meta-emotions, which are “[n]ot what you think about it [one’s sexuality], not what you believe about it, not what you’ve been told about it, not what it’s like, what you do, or even what choices you make—all of those are influenced by how you feel about it, but it’s the ‘how you feel about it’ part that’s the

⁶⁰⁷ See Sarah Barmak. “Building a Better Female Orgasm.” *The Walrus*. May 23, 2017. (Accessed August 30, 2018.) <https://thewalrus.ca/building-a-better-female-orgasm/>.

key.”⁶⁰⁸ I take Nagoski’s framework compatible with Nussbaum’s. For Nussbaum, emotions stem from beliefs. Meta-emotions—which are still emotions—also stem from beliefs. The schematic would remain: how we feel about what we feel may stem from a belief structure.⁶⁰⁹

To start, psychologists have theorized a concept known as “sexual scripts.” Sexual scripts are patterns of normative sexual or romantic behaviors. These behaviors can be gendered. For example, as mentioned many times in this dissertation, a common sexual script is that women are coy and passive when it comes to sex whereas men are aggressors and pursuers of sexual activity. To unlearn this, Nagoski suggests we start with what sort of sexual scripts we have learned and to be aware that the scripts have informed what we considered the sexual standard. This may be challenging since we have taken many of these scripts for granted, and we may not even realize that they are scripts. Since sexuality is pervasive in society and in the political sphere, certain beliefs can become institutionalized and more difficult to face or challenge. The best way to recognize what the sexual scripts are is to recognize different cultural attitudes toward sexuality and relationships. That way, there is a comparison from one’s own culture to others. As an example, the No Shame Tumblr movement on the Internet helps people see that shame is an emotion that unconsciously is associated with sexuality, particularly with women, and critiques this association by criticizing the social conditions surrounding sexuality, especially toward purity culture and gender norms.⁶¹⁰

⁶⁰⁸ Nagoski, *CAYA*, 294-295.

⁶⁰⁹ As mentioned in the last chapter, I do not fully embrace Nussbaum’s cognitive view of the emotions. However, the therapy she offers is still advisable and I consider it compatible with Nagoski’s recommendation.

⁶¹⁰ “No Shame Movement.” (Accessed November 22, 2018.) <http://noshamemovement.com/>.

Next, Nagoski suggests that we recognize the difference between what these sexual standards are that we learn from society and what we are experiencing. If these two conflict, then, in general, the standards are wrong. Moreover, everyone has picked up different sexual standards and everyone has different experiences. The next step is what Nagoski admits is the challenging part: it is to enjoy your sexuality despite what the standards have been telling you. The way to do this is to have a descriptive attitude of your own internal states rather than a normative one: “it isn’t the symptoms that predict how much anxiety disrupts a person’s life, it’s how a person feels about those symptoms. It’s not how you feel—it’s not even being aware of how you feel. It’s how you feel about how you feel. And people who feel nonjudging about their feelings do better.”⁶¹¹ In other words, students may believe x but their experience of pleasure or enjoyment may go against with what x does not recommend or frown upon. For example, if people experience enjoyment with a sexual activity, but they believe they should not do it because it is shameful, their experience of pleasure can dampen. If people start to see that what they are enjoying is not problematic and can be done without shame, that can undermine the shameful beliefs, which will encourage less anxiety during the sexual act, which will help undermine the shameful belief even more, and so on. Under a pluralistic sexual framework, it is better to discard feeling shameful for different sexual activities with the exception of sexual activities outside of consent.

These are just some examples of sexual emotional *áskēsis*, which is not exhaustive. At the same time, these examples provide ways to tackle heteronormative assumptions by challenging social, political, and cultural realms. My polyamorist guest provided one route to help my students understand that other mating orientations are

⁶¹¹ Nagoski, 310.

legitimate and that others can learn by seeing other people live their lives instead of thinking about the issue abstractly, and Nagoski has provided meta-emotional tools to combat any social expectations from within, which can help combat heteronormativity.

1.2. *Áskēsis* as Developing the Sexual Mind

According to Murdoch, people must be willing to change themselves so that they can see others as they really are. Who are the people around us? They are people who have a variety of different values; different sexual and relationship desires, needs, and preferences; and different routes on their sexual fulfillment. Recall from Murdoch's example of M and D in the last chapter: M initially saw D as someone who should not be with her (M's) son. M took on a loving attitude, and eventually started to love D. A loving attitude does not automatically entail accepting that person's behavior. After all, we could still love people and challenge them. Rather it is to undergo a moral transformation to see them as they are. In the context of sex education, it is to see people as people and not objects of sexual satisfaction, to see them as another being with possible different values than one's own, and to see them as having different approaches or exercises of their sexual subjectivity. In short, a loving attitude is to see the good in another's sexuality. There are multiple ways to undergo *áskēsis* to develop a loving attitude and I offer some exercises that also come from literature in sex educational studies.

1.2.1. Accepting Other's Sexuality

To start, caring for the sexual self, along with a reframing of how we see others through self-discipline, leads to what Louisa Allen calls “discourse of erotics:” “opening up possibilities for young people to experience themselves as sexual subjects in positive and self-determining ways”⁶¹² and to see and treat others as sexual subjects in positive and self-determining ways. The discourse of erotics not only discusses pleasure, but since care of the self implies care for others, a focus would be how to handle sexuality in an emotional sense to understand their partners, a factor that most students say is missing in sex education.

A discourse of erotics is a way to develop an attuned moral attention specifically in the gender and sexual realm. By having a discourse of erotics, people would legitimate know where the body responds to sexual pleasure and they would understand the logistics of bodily engagement in sexual activity. People may not even know they desired until it was revealed to them. By encouraging an open discourse of erotics, students would not only take care of themselves by forming a sexual subject, but they would take care of the other by understanding what other sexualities people may have that do not correspond to one's own. Ways of taking care of the self and of being honest with oneself may include interviews and open discussion as Allen has done, but other forms of having a discourse

⁶¹² Allen, *Sexual Subjects*, 172. Allen further remarks: “A discourse of erotics would involve the acknowledgement that all young people, whatever their gender and sexual identity (transgender, intersex, female, male, lesbian, gay, bisexual, heterosexual or something else), are sexual subjects who have a right to experience sexual pleasure and desire. Including this discourse within programmes is about creating spaces in which young people's sexual desire and pleasure can be legitimated, positively integrated and deemed common place. The presence of such a discourse would also involve a right to knowledge about the body as related to sexual response and pleasure and may include the logistics of bodily engagement in sexual activity” (Louisa Allen, “Beyond the birds and the bees: Constituting a discourse of erotics in sexuality education.” *Gender and education* 16, no. 2 (2004): 152).

of erotics could include journal writing, community boards, anonymous questions,⁶¹³ and discussions with health educators.

How does the discourse of erotics relate to Murdoch's notion of loving attention? And where does *askēsis* play a role? A discourse of erotics consists of understanding other points of view and seeing why other people have different beliefs, preferences, and values. Even if others do not agree with them, we should not constrain them—with the exception of harming others—but lift them up, and ourselves, by engaging in continuing discourse so that we can understand each other and not condemn each other. Moreover, it allows others to speak openly, honestly, and freely—much like McWhorter did—in the hopes that others will gain some insight from the other perspective. The hope is that the discourse would give people more flexibility and a less stigmatized view of themselves. Shifting a moral consciousness requires people to engage with others that are different from themselves. In a classroom setting, students not only hear from other perspectives, but the educational setting sets up a formal atmosphere where they can learn about different values, with the bounds being within the realm of consent and not harming others. The key is the educator cannot shun or condemn different practices; a good educator must express these different sexual and gender expressions and reveal them as on par with other expressions such that it is presented as a valid expression among others. As mentioned before, I have brought in a guest speaker to explain polyamory. Bringing in guest speakers is helpful so that students can actually engage with another rather than thinking about the issue abstractly. Doing so can help the students see another's values

⁶¹³ For a good article explaining how to do this, see Elizabeth Schroeder. "What do Middle Schoolers Want to Know about Sexuality? Two Years of Anonymous Questions," in *Sexuality Education: Past, Present, and Future*, Vol. 2 (3-17). Edited by Elizabeth Schroeder and Judy Kuriansky. Westport, CT: Praeger Publishers, 2009.

“with a face” and learn from the person’s experiences and wisdom. Interacting with others who are different and learning about their values is one element to combat heteronormativity and is en route to developing a loving attitude. Without acknowledging other people’s sexual values, we run the risk of reinforcing heteronormativity.

Understanding others’ sexual perspectives and values is not just about learning people’s sexual and gender preferences, but also about what people genuinely desire and to understand that sexual expressions are not universal. Allen notes how our current sexual discourses have ignored or emphasized aspects of each sex’s sexuality. If the current discourse already presupposes the students as sexual subjects, then they would be treated as sexually embodied agents who can make their own decisions with regard to sex. The discourse of erotics, however, can bridge the gap between different epistemologies of people with varying sexual values and sexual assumptions. I will focus on three ways a discourse of erotics could help people understand their own sexuality and help others understand other sexual desires and gender expressions: the erotics of women, the erotics of men, and the erotics of those in the LGBTQIA community.

One way a discourse of erotics could do is to focus on the erotics of young women (something that has been ignored in sex education), and the complexities of sexual desire for young men instead of a one-dimensional desire where men have an expectation of how to behave sexually. For example, the traditional discourse implies that women are passive and that their pleasures are more difficult to obtain than men. “By not acknowledging young women as sexually desiring subjects and revealing the possibility that sexual activity might have pleasurable corporeal outcomes, sexuality education fails

to convey a sense of personal empowerment for them.”⁶¹⁴ One sort of empowerment can come from an acknowledgement that women can gain pleasure, which would elicit women’s sexual status as positive.

Diorio’s and Munro’s analysis further supports Allen’s research by arguing that female sexuality in our common discourse has been mainly reduced to reproduction, which means that women’s pleasures are ignored and that women are viewed as passive in the sex act. Discussions of pleasure in the curriculum may help not only undermine the stereotypes of women being sexually passive, but it may also encourage young women to understand how to receive pleasure and even demand pleasure in precise ways.⁶¹⁵

The current heteronormative discourse can be harmful for young women because it reinforces social standards of being a “good” woman during sex and that being sexual is for the purposes and pleasures of men. Women are taught to be sexual gatekeepers of sex or to dress a certain way such that women learn that sex is about saying yes or no instead of about their own pleasures or desires. Moreover, their sexuality is meant to keep men’s sexual desires in check and to ignore their own desires which makes women more passive, and men perhaps more coercive. To undermine this narrative, a starting point would be to note what sort of sexual pleasures she has for her sake rather than as a means for men’s sake. In a way, pleasure can be an equalizing force by helping women understand that their pleasure is just as important as men’s and that they can actively achieve their pleasures so that the orgasm gap may close.⁶¹⁶ By understanding these

⁶¹⁴ Allen, *Sexual Subjects: Young People, Sexuality and Education*, 150.

⁶¹⁵ Joseph A. Diorio and Jenny Munro. “What does Puberty Mean to Adolescents? Teaching and Learning about Bodily Development,” in *Sex Education*, Vol. 3, No. 2 (July 2003): 119-131.

⁶¹⁶ The orgasm gap is the disparity of achieving orgasm for both men and women. Heterosexual men typically achieve orgasm 95 percent of the time while heterosexual women achieve orgasm 65 percent of the time (see David A. Frederick, H. Kate St John, Justin R. Garcia, and Elisabeth A. Lloyd. “Differences in orgasm frequency among gay, lesbian, bisexual, and heterosexual men and women in a US

embodied experiences, young women could categorize their pleasures, have greater associations of what they desire, and thereby feel more connected to themselves. In a classroom setting, the educator could teach both sexes about the orgasm gap and suggest that this fact leads to pleasure inequality. The men would learn that this inequality is unfair, and women would learn that they deserve their pleasures. This understanding is one way to dismantle the heteronormative discourse. From these discussions, the educator can discuss how various social expectations have set up our sexual beliefs.

Current sex education programs also constitute young men's sexuality as desiring *period* without equivalent references to their partners, which may constitute young men's sexuality as predatory. For young men, the discourse surrounding their pleasure appears to have more space than women. Men thereby have a sexual self as an expectation about how they ought to behave and express their sexuality, which may not equate to their own feelings and experiences, or they may get a sense of pressure as to how to behave. Indeed, part of the current discourse teaches men that it is normal and natural for men to be promiscuous, and that if they are not or do not desire to be promiscuous, then they are not normal. More troubling is that these heterosexist norms become internalized: if young men do not constantly feel "horny" all the time, they may feel there is something wrong with them rather than thinking that the idea of who they should be comes from a culturally perpetuated idea.⁶¹⁷ Because young men are expected to fit into the heteronormative masculine framework, young men may have a hard time saying "no" to sexual advances. Moreover, a discourse that captures flexibility and fluidity in gender and

national sample." *Archives of Sexual Behavior* (2017): 1-16). There are many speculations as to why, but the point is that equalizing pleasure may help close the gap.

⁶¹⁷ Cf. Allen, *Young People and Sexuality Education*, 90.

sexuality creates a space for young men to express their sexuality beyond the limits of rigid masculinities.⁶¹⁸

Men are also considered the active pursuers (aggressors) and women are the passive pursued (avoiders). There are hardly any positive representations of male sexuality. “If men have little control over their sexuality (biology stereotype), and women are vulnerable to their advances (danger stereotype), then girls need to be taught to prevent their own victimization and to screen possible rapists and potential dates.”⁶¹⁹ This asymmetry positions men as sex-crazed beings, and positions women as objects of pleasure for men. All men need to do find the right “combination” to get to the pleasure. Either way, unfortunately, the discourse constitutes both of the sexes as objectified and demeaned beings. To avoid this, Allen has taken surveys and interviews with students, and I think this is a good starting point for possible exercises, practices, and changing the discourse. By helping both sexes understand people’s actual preferences rather than following or acting based on expectations, young people can take on a different attitude and see people how they *really* are: sexual subjects instead of recipients of expected sexual scripts.

The Dutch sexuality education program has a Beat the Macho campaign. Marianne Cense, researcher/consultant at Rutgers, explains why the program is necessary: “Here, situations arose in which, due to peer pressure, boys took things further than they wanted to with, for example, alcohol and substance abuse, crime and sexual

⁶¹⁸ C.J. Pascoe has done extensive work at looking at masculine discourse where many contemporary American boys have to repeatedly prove their masculinity. They usually do so by calling other men “fags” if other men do not display masculine traits such as being weak or unmanly. Pascoe, following others, calls this compulsive heterosexuality whereby men have to show sexualized dominance over women’s bodies just to prove that they are masculine. In private, however, most men spoke of sexual equality and tender feelings for women. See Cheri J. Pascoe. *Dude, you're a fag: Masculinity and sexuality in high school, with a new preface*. (Berkeley, CA: Univ of California Press, 2011).

⁶¹⁹ Schwartz quoted in Lamb, *Sex Ed for Caring Schools*, 33.

behaviour, but also in sports, choice of clothes or expressing emotions. Boys are afraid to drop out of the group if they show any signs of gender non-conforming behaviour.”⁶²⁰ Since young men are pressured to follow hypermasculine norms, it is helpful for the young men to be vulnerable and talk about masculinity and macho behavior. By opening up in a small group, the young men can discuss the various attitudes, feelings, and thoughts regarding masculine behavior. The educator must also have *phronesis* to balance safe, healthy discussion, and yet challenges the students when need be.

Moreover, the Netherlands has a major program that the majority of sex educators use: *Lang leve de liefde*, translated as Long Live Love. It is designed to not only help students prevent unwanted pregnancies and STIs, but also to provide students with communication and negotiation skills for safe sex practices. It also takes into account the diversity of students including different cultures, value systems, ways of starting (sexual) relationships, and differences between boys and girls. Moreover, the sex education program offers a magazine for students that comes with a supplemental website.⁶²¹ The website offers various lessons that has the style of “choose your own adventure” scenarios where students determine what should happen next in various sexual encounters. The site also includes videos from real young people discussing various issues that would appeal to young people: discussions of having sex for the first time, recognizing and forming boundaries, experiences of starting or ending a relationship, and how to communicate better.

Finally, the current discourse in the USA also assumes a heteronormative framework: by focusing on women as sexual gatekeepers, it silences the experiences of

⁶²⁰ Rutgers. “Beat the Macho Campaign.” (Accessed November 22, 2018.) <https://www.rutgers.international/what-we-do/positive-masculinities/beat-macho-campaign>.

⁶²¹ “Sense.info.” Home | Sense.info. (Accessed December 05, 2018.) <http://sense.info/>

lesbians. The issue is complicated, but for an obvious case, imagine a lesbian couple. Do both of them remain gatekeepers if the heteronormative framework is true? Can one be a gatekeeper and still initiate sexual activity? On the other hand, there are studies that suggest that lesbian couples usually fall into traditional gender roles where one partner adopted the roles of the other gender.⁶²² Moreover, heteronormative discourse does not engage with the experiences of those in the gay community. For example, there are terms in the gay community known as being a “top” or a “bottom,” which means the giver or receiving of sexual activity respectively. These notions and terms complicate the idea that men are aggressors of sex, but there are gendered roles in being the top and bottom. Indeed, the bottom is considered below the top and the bottom is the receiver. There is a gendered element in that women are the receiver of sex and through the heteronormative discourse, they are also below men. Do the notions of “top” and “bottom” follow the gender roles in our heteronormative society? Or are they simply descriptions of what various roles those in the gay community prefer?

This is a complicated topic, but a good starting point is, through a discourse of erotics, to try and gain some insight not only those in the gay community, but also to query various gender roles by noting how gender can be played out. Moreover, a discourse of erotics could be expanded to those who are transgender, intersex, attracted to those of the same-sex, asexual, and those who have different dating/relationship styles such as polyamory, aromantics, and demisexuals. By having a discussion and normalizing the different ways sexuality, gender, and relationships can be expressed, sex education may formulate a pattern in students’ minds to not only accept others, but also

⁶²² Nicola Barker. *Not the marrying kind: A feminist critique of same-sex marriage*. (Palgrave Macmillan, 2012), 156-157.

to develop an attitude to work on accepting others by conversing with others and trying to understand and possibly learn from others.

1.2.2. Accepting One's Own Sexuality

Taking care of the self does not just give people practical knowledge to interact with other sexual subjects but also a way to engage in their own sexual life in an honest way. The role of the educator would also facilitate taking care of the self and encourage students to express themselves without any sense of fear, embarrassment, or restriction. Taking on a loving attitude also includes reevaluating people's own sexuality in regard for others. For example, reinforcing women's ability and right to say "no" is not enough if men are not also taught to "hear and understand the word 'no'." Men must take responsibility for their own sexuality instead of solely relying on the women. Previous models had relied on the notion that women need to learn how to "just say no" whereas men can still pursue. Men are assumed that they do not have to take into account of women's desires. Previous models assume that men's sexual desires and pleasures are the standard and that their desires and pleasures ought to come first or have priority. By having a "discourse of erotics," however, people can develop a just and loving attitude and not only be informed about others' sexuality which could enhance interpersonal relationships, but also be more aware and have positive experiences with their own sexuality and be more aware of what they want, which, in turn, could help them become a better active negotiator of what they want when engaging with a partner without the power dynamics.

Recall from chapter four where I discussed Nagoski's discussion of sexual concordance, the sexual accelerator and sexual brakes, and spontaneous vs. responsive sexual desire. The expectation was that sexual concordance was close to one hundred percent, that the sexual accelerator was the way to increase desire, and that spontaneous desire was the default trigger to being sexually aroused. But women, on average, did not experience those features. Therefore, women were usually ascribed as having some sort of sexual dysfunction. However, it turns out that with the updated scientific research from Nagoski, people were operating with the male sexual framework, which they assumed was a universal sexuality. Undergoing *āskēsis* can help people question those sexual expectations and be more in tune with their sexual embodiment.

In line with loving attention, people must be patient and compassionate with their own sexuality and realize that it requires work. In regards to attention specifically, there is a great deal of evidence that suggests mindfulness and meditation can be helpful. Dr. Lori Brotto and her team, for example, has shown that practicing mindfulness is a great way to align the mind and body, thereby decreasing the gap between the subjective arousal and the physiological response. In other words, mindfulness may reduce sexual non-concordance.⁶²³ Nagoski has also suggested that practicing mindfulness gives people the skill to be more in control of their life: “[w]hat you’re ‘mindful’ of is both your breath *and* your attention to your breath. By practicing this skill of noticing what you’re paying attention to, you are teaching yourself to be in control of your brain, so that your brain is not in control of you...*What* you pay attention to matters less than *how* you pay

⁶²³ See Lori A. Brotto, Meredith L. Chivers, Roanne D. Millman, and Arianne Albert. “Mindfulness-based sex therapy improves genital-subjective arousal concordance in women with sexual desire/arousal difficulties.” *Archives of sexual behavior* 45, no. 8 (2016): 1907-1921.

attention.”⁶²⁴ The starting point of paying attention and being mindful is to be aware of your present moment. This, in turn, develops loving attention so that people are self-reflective and self-critical to be compassionate to themselves and to mark the good elements of their sexuality which can make the negative elements not as powerful. I have mentioned how to do so through the work of Nagoski in section 1.1.2.: ongoing loving attention is to slowly eradicate the instilled sexual scripts we have inherited in our culture and to not only pay attention to our own sexual and gender expressions, but to love them.

So far, I have only discussed a discourse of erotics between the different sexes, but the discourse is not limited to just gender. A full discourse would be intersectional in that it would include race, class, sexual orientation, transgender people, relationship orientation, or those who break the mold of heteronormativity. Overall, sex education would develop “self-reflective practice as well as social-skills training about healthy choices.”⁶²⁵

1.3. *Áskēsis* as Developing the Sexual Body

The body is a medium toward sexual pleasure, but the sexualized body has also become politicized and normalized as noted in chapter five, section 2.3. Applying this to sexuality education, “sex education is implicitly (and also, for the most part explicitly) about producing ‘normal’ (hetero)masculinity and (hetero)femininity and that these are core categories in the regulation of the social world. That is, sex education is a technique of governance in the Foucauldian sense.”⁶²⁶ Sexual pleasure has been associated with risk and danger: it can lead to an increase of STIs, unwanted pregnancies, guilt and shame.

⁶²⁴ Nagoski, *CAYA*, 130.

⁶²⁵ Lamb, “Mutuality and Care in Democratic Sexuality Education,” 41.

⁶²⁶ Thorogood, 426.

The traditional approach perceives adolescents as not mature under the law; a Foucaultian analysis, however, suggests that this is already part of our discourse as mentioned in the last chapter. Different states have different consensual laws and these laws were part of the cultural norms.⁶²⁷ We often talk of maturity level of adolescents because our current discourses already presume that since they are not mature under the law, they must not therefore be mature for sex since sex is considered a mature activity. And since they are not mature for sex, our discourse has formulated the “problem of adolescent sexuality.” However, the problem is not adolescent sexuality; the problem is the laws presuming that adolescent sexuality is a problem in the first place. A better route is to see adolescents as becoming sexual beings; they want more knowledge and education regarding their sexuality. Sex education could be reformulated in a way where adolescent sexuality is considered a serious category in its own right and not a problem or something to control. A starting point would be an ethics of pleasure that gives people permission to seek out their sexual pleasures. The pleasures would not only include the obvious (e.g. orgasm, stimulation); it would also include applied work from Shusterman where correctly bodily habits can bring out better somatic health, which can bring about better somatic pleasure. Developing a sexual subject is not just seeing what sort of sexual acts people want to perform but to see what sort of sexual being one could be and that means that the sexual body must be included as part of sexual health and understanding sexual subjectivity.

In this section, I will focus on somatic health. “Here somatic health and know-how are presented, much in the style of the ancients, as a prerequisite to mental well-being and psychological self-mastery. In short, somatics appears here at the heart of

⁶²⁷ To give some examples, the age of consent in Utah is 14. In Delaware during the 1800s, it was 12. In most rural parts, the age of consent is looser because the kinship is close where the community finds no problem with a 20-year-old having sexual relations with a teenager.

ethics' care for the self."⁶²⁸ Sex education is not simply giving propositional content; it must also require acknowledgement of the body. Cognitive *áskēsis* alone is not sufficient to make a holistic change for improvement.

1.3.1. Somatic Awareness of Others

By having a discourse of erotics, as mentioned in the previous subsection, there would be a legitimate type of knowledge where the body responds to sexual pleasure and the person understands the logistics of bodily engagement in sexual activity.

A good sex education will give students the opportunity to “work on themselves” by investigating the power relations in society regarding the sexual body. Shusterman gives a nice example of how dominant social norms can bring about somatic social norms that perform bodily habits but can actually be oppressive. This oppression could inform our sexual scripts. The example Shusterman gives is how women have been normalized to eat, speak, sit, walk, and copulate in a certain way that could “both reflect and reinforce such gender oppression.” Yet, challenging these norms are difficult because the body has been habituated to these motions. However, “[a]ny successful challenge of oppression should thus involve somaesthetic diagnosis of the bodily habits and feelings that express the domination as well as the subtle institutional rules and methods of inculcating them, so that they, along with the oppressive social conditions that generate them, can be overcome.”⁶²⁹ These bodily habits are so ingrained that we may display prejudices toward different races, genders, or ethnic groups even if we can rationally

⁶²⁸ Richard Shusterman, *Performing live: Aesthetic alternatives for the ends of art*. (NY: Cornell University Press, 2000), 141.

⁶²⁹ Shusterman, *Body Consciousness*, 22.

argue for tolerance, the visceral grip of the prejudices are strong even if we deny we have them.

For example, many people may logically realize that being a racist is a vice. Yet, people may unconsciously show signs of apprehension or anxiety when they are around people of color in the United States. These feelings can go beneath our explicit consciousness, but they resist correction because while we can call racism wrong through argumentation, we forget to correct bodily expressions which have been ingrained with habituation. Often, we deny we have racial prejudices because we do not realize we feel them. Thus, not only is argumentation against the unjust social institutions needed, but so is a method to develop a way to control or expunge these bodily feelings. Being more aware of one's bodily relations toward others can help ameliorate the conflicts between others and improve one's behavior toward others in much wider social and political contexts. This awareness fits well with Murdoch's criteria of loving attention since seeing people's goodness can help alleviate racist reactions. I will argue the same could be said with heteronormative issues.

My first example is simply interacting with others who are sexual minorities. People may be repulsed with transgender people, those who are same-sex oriented, or polyamorous people. People can react against them where the result is ostracization, harm, or death of the sexual minority. Even if people, in their mind, have no problem with sexual minorities, people may have a somatic reaction that is harder to control. Their body may react with contempt, disgust, or even some fetishized fascination. I do not have a notion of what sort of somatic corrective there can be. I leave that up to psychosomatic professionals. What I want to propose is simply being aware of what other people's

bodies are doing, which can be really challenging since they may not notice their own bodily reactions. Bodily habits could be ingrained and we consider those bodily movements as normal. It is not until we reach a point where someone points this out to us or we feel uncomfortable with our bodily movement where we recognize a problem.

We can see this specifically with the sexes where men are taught to take up physical space, and women are taught to take up as little space. One is example is “manspreading” where a man will typically use up space when he is (usually) sitting in a crowded bus or train to the point where he will not allow others to be near him, let alone sit beside him. Women are taught to be small and fragile. Recall chapter two, section 4.1. There, I talked about Cahill and how in a patriarchal society, women cannot travel and move as much as men can. Indeed, through Cahill’s phenomenological analysis, women have been habituated where they see their bodies as a threat whereby her body is seen volatile. Women are expected to keep a close vigilance on their bodies by restricting, policing, and hindering their movements just so that they can be safe. Any movement outside the expected gendered space is dangerous since it can produce assailants to approach her. Thus, she learns and maintains to keep a close vigilance of her body in order to limit those risks.⁶³⁰ This, thereby, limits her autonomy by living in a culture that presumes and sustains this threat, especially against women. Again, like before, I am not offering any corrective; I want to acknowledge the problem and hope that others will recognize the issue. The corrective can come from psychosomatic therapists which can then inform sex educators.

My second example has to do with interacting with others via sexual pleasure. Lamb notes that our discourses regarding female pleasure is patriarchal because the

⁶³⁰ Cf. Cahill, “Foucault, Rape, and the Construction of the Female Body,” 56.

discussion makes it sound like her pleasure is a mystery. But “this belief goes hand in hand with a belief that the good male heterosexual partner is like a technician who knows how to bring about female sexual pleasure by being good at what he does. Thus, this set of beliefs makes sex focus on women’s difficulties and men’s prowess.”⁶³¹ Living in a society that sees women as objects makes women protective of their bodies and makes them look at their bodies from the outside in. Thus, if female pleasure is more complicated than male pleasure, it becomes so through society’s views of female bodies.

Moreover, “many adult American women lack sexual knowledge and subsequently are fully aware neither of their sexual needs nor of how to fulfill them.”⁶³² Even if women gained more experience, that does not entail that they gain more knowledge and awareness of their sexual needs. Because most women learn about sexuality from peers and the media, they have already learned and incorporated many myths, stereotypes, and false information before they become sexually active. Many women prefer more sexual knowledge and they felt that their sexual education was lacking. The findings from Wyatt and Riederle suggest that women feel disadvantaged and that they need cultural and societal permission to become proactive in their sexual health and knowledge.⁶³³

One common request that students anonymously ask for in a sex education class relates to technique. In terms of sexual somatic knowledge, most adolescents turn to pornography. Peggy Orenstein remarks that pornography has constrained people’s expectations of how to perform. What they see on the screen is what they believe a good sexual pose. “Watching natural-looking people engaging in sex that is consensual,

⁶³¹ Lamb, *Sex Ed for Caring Schools*, 84.

⁶³² Wyatt and Riederle, 612.

⁶³³ CF. Wyatt and Riederle, 615.

mutually pleasurable, and realistic may not be harmful—heck, it might be a good idea—but the occasional feminist porn site aside, that is not what the \$97 billion global porn industry is shilling. Its producers have only one goal: to get men off hard and fast for profit. The most efficient way to do so appears to be by eroticizing the degradation of women.”⁶³⁴ As some of the students that Orenstein interviewed said: “I watch porn because I’m a virgin and I want to figure out how sex works” or another watches it “to learn how to give head.”⁶³⁵

Women in particular tolerate feeling uncomfortable in situations where they are forced to acquiesce to men. Society has taught us that from a young age, men’s needs, desires, and wants overrule women’s. Since pornography is mainly consumed by men, people may turn to it as a form of sex education, but “[g]iven that frequent consumers of porn are more likely to consider its depictions of sex realistic, this can skew expectations in the bedroom.”⁶³⁶ To counter pornography, perhaps the answer is not to block porn. That just does not seem feasible. Instead, the educator can discuss how pornography gives unrealistic expectations, not only of body size, but also various technique, responses among the performers, and how the production is meant to feed into a fantasy, which goes beyond the expectations of what actually happens in reality.

One alternative is to discuss alternative porn such as Crashpad.com—which features genderbending and queer porn—and porn from Erika Lust—who has been in the forefront of feminist porn. The performers do not act out in strict scripted way: they act organically and let their pleasures be part of the experiences instead of the male gaze. Of course, there is controversy regarding whether porn can be feminist at all, or if it is all

⁶³⁴ Orenstein, *Girls & Sex*, 34.

⁶³⁵ Cf. *Ibid.*, 35-36.

⁶³⁶ *Ibid.*, 36.

exploitive. A good educator would discuss these issues in a philosophical way and see how the students regard alternative forms of porn. The point would be to show that not all porn is exploitive and that it is also not displaying realistic versions of what sex looks like. The students would be given a chance to think about how porn could or has affected their lives, and whether they can consume it or not. The students discuss and try to learn not only from the other side but to formulate their own approach to pornography critically instead of passively consuming it. Moreover, a critical understanding helps clear away the clutter of a false representation of what sexual somatic interactions can be and also have a better understanding of sexual somatic pleasures. As Erika Lust states in her TED Talk asking for a change in porn: “The sex can stay dirty, but the values had to be clean.”⁶³⁷ What this means is that people may still consume porn ethically because there is pleasure involved, but one must also have the right values associated with it and these values include pleasure for both partners, a better representation of both genders having sexual somatic pleasure so that there are no gender power dynamics, and non-heteronormative displays of porn. The goal is to help the students have a critical view of pornography and a better understanding of their somatic pleasures that does not reduce to a heteronormative framework.

One objection is that showing adolescents porn, especially in a public education environment, is highly immoral. Young students are not yet 18 years old, which is the legal age to watch porn. Showing graphic sexual content in a public school setting is also not permissible. However, this objection is misguided. As Orenstein has shown, many young adolescents have already witnessed pornography. Indeed, that is usually regarded

⁶³⁷ See Erika Lust. “It’s Time for Porn to Change | Erika Lust.” TEDxVienna. (Accessed July 8, 2018.) <https://www.tedxvienna.at/watch/its-time-for-porn-to-change-erika-lust-tedxvienna/>.

as their first sex education. Instead of explaining or showing porn to the classroom, start with what the students know, have seen, or have heard about in pornography. The classroom setting is meant to question the major roles in pornography: gender roles, sexual scripts, heteronormative assumptions, and intimate expectations. Pornography can give the wrong message that the scenes are how the sexual encounter is supposed to look like. How can students know otherwise if they do not have any other reference? Students are starting to get a sense of their sexuality including the pleasures and desires. But sometimes, especially for younger people, they do not know what they desire, what gives them pleasure, or what gives them a sense of intimacy. For this, they may need to learn somatic awareness of themselves. To this, I turn to the next subsection.

1.3.2. Somatic Awareness of the Self

Shusterman states: “the first step to controlling or expunging them [our prejudices] is to develop the somatic awareness to recognize them in ourselves.”⁶³⁸ To have a better attunement with their body is to know more about what the body likes and desires. When people’s feelings are in tune with their body, their experiences can be more enjoyable. If people do not know what their feelings are, they are disconnected from their body and habitually they will be at a loss in the relationship with themselves. When that happens, they can become vulnerable to outside forces and especially from other people. They may follow with what society says we *ought* to feel rather than listening to the body to see if those are the true feelings of what the body actually does feel.

⁶³⁸ Richard Shusterman. *Thinking through the body: Essays in somaesthetics*. (Cambridge: Cambridge University Press, 2012), 26.

Shusterman has used the work of de Beauvoir to reveal a somaesthetic critique of gender presentation:

Traditional fashions of feminine beauty – that highlight delicacy, daintiness, softness, and frilly attire impractical for dynamic action – reinforce this image of woman as a fragile, weak, and fleshly passive prey. Such fashions encourage women to conform not only their visual appearance but also their bodily comportment to this image of weak feminine beauty – to take the passive role in sex, to sit or walk like a woman, to throw like a girl. In short, the established aesthetic ideology of the female body serves to reinforce female weakness, passivity, and meekness, while such submissiveness is reciprocally used to justify the permanent and natural rightness of the traditional feminine aesthetic and the “myth” of “the Eternal Feminine.”⁶³⁹

If women present themselves as fragile, small, weak, and passive, then men are encouraged to present themselves as large, active, dynamic, and strong. We not only see this in men’s fashions where their clothing can help them move about, but also in preparedness for being in the world. Bodily presenting themselves can give a feedback loop to assess their self-image. These bodily comportments can consist of certain poses, gait, body language, and appearance. Using somaesthetics as a tool can show us how bodily comportments gives clues as to how men and women endorse various gender stereotypes. “Manspreading” could be one example. However, de Beauvoir, along with Shusterman, agrees with Males (who was mentioned in chapter three): liberation is not simply changing individual or small group’s ideas and bodily disciplines; it can only be done by changing the larger situation that defines what the genders can be, which means that the social, political, and economic conditions must change for true liberation.⁶⁴⁰ I agree with this assessment, but to change the whole political structure, we must have a sense of what we want to change into. Various practices can influence ideas, which is part of the large situation. Thus, challenging practices and ideas and cultivating new ones

⁶³⁹ Shusterman, *Body Consciousness*, 86.

⁶⁴⁰ Cf. Shusterman, *Body Consciousness*, 89.

can not only help challenge the existing conditions but also give us a sense of what possible conditions there could be.

One upshot of de Beauvoir's argument is that women would benefit if they knew their bodies better. Allen remarks that both sexes feel disembodied when it comes to the sexual body and sexual pleasure.⁶⁴¹ If so, many women may have a weak ability to assent or fully engage in sexual activities.⁶⁴² Shusterman notes:

By paying more positive attention to one's bodily experience, one can render its mysterious processes more familiar and more understandable. As such, they can become less disgusting, threatening, and disempowering. Imagined fearful mysteries are usually much more frightening than familiar realities one has explored for oneself. Moreover, given the strong psychosomatic nexus that Beauvoir affirms, a woman's greater knowledge of her body can be translated into increased physical power and confidence because the debilitating clouds of mysterious anxieties are then dissipated.⁶⁴³

One way stems from Nagoski. Improving how you see your sexualized body is not what sort of sexual body you have, what sort of genitalia you have, or whether the genitalia looks "normal," but about how you *feel* about your sexual body. Embracing it creates the context where you can be in tune with your body, which enhances sexual pleasure. Recall that when the sexual standard and your experiences come into conflict, then, in general, your experiences should take precedence. As Nagoski puts it, "always assume your body is right."⁶⁴⁴ Foucault even quotes a Roman doctor saying: "Subdue the

⁶⁴¹ Allen, *Sexual Subjects*, 94-115.

⁶⁴² "Women who feel worse about their bodies have less satisfying riskier sex, with less pleasure, more unwanted consequences, and more pain" (Nagoski, *CAYA*, 163).

⁶⁴³ Shusterman, *Body Consciousness*, 94.

How do we bridge that gap? As mentioned before, Brotto endorses mindfulness. Masturbation could also be a teaching technique: "Research has found that women who masturbate more often have a higher concordance rate: they're more sensitive to their genital signals. Masturbation holds a clue to men, too. Men on the whole masturbate more frequently than women; far more men than women do it multiple times per week. Men, with their higher concordance, also tend to just check in with their genitals more often, adjusting and prodding them throughout the day" (Barmak).. Moreover, there needs to be more awareness of different gender dynamics. These practices could help one build sexual self-esteem, which can build not only sexual adequacy, but also be more in tune with their own wants and needs.

⁶⁴⁴ Nagoski, *CAYA*, 304.

soul and make it obey the body.”⁶⁴⁵ Various somatic exercises can help make our desires externalized and explore what it means to be a sexual being: adventure, curiosity, seeking novelty, sexual experimentation, focusing on sexual practices. Of course, the boundaries are within consensual relationships, but in a pluralistic society, different sexual expressions should be respected and that gives people an opportunity to see what the body enjoys and having the body lead people to what they feel pleasurable.

Another way to be more in tune with the sexual body is sexual pleasure. Discussion should not just talk about a generic body, meaning a body that is only looked at from a scientific or medical point of view. Rather, the body is sensual. If the students do not learn about sexual pleasure in a positive light, the school system and society at large are reinforcing the idea that they are not *sexual* subjects, meaning they are non-sexual. Moreover, if young people are assumed to be abstinent and simply learn refusal skills rather than positive affirmations, then it leaves young people, especially young women, without the tools needed to identify their sexual desires. They may feel uncomfortable to say “yes” to any sexual advances or to initiate sexual advances. They may lack communication skills with their sexual partners which can increase their disembodied experience.⁶⁴⁶

By focusing on sexual pleasure, people will engage in sexual and relationship dynamics that is more in tune with what they want. Lamb notes that this offers people a “how-to” guide on achieving pleasure. However, Lamb’s call is that identifying pleasures is incomplete; we must also teach lessons about shame, control, and prescribed norms

⁶⁴⁵ Foucault, *Care of the Self*, 135.

⁶⁴⁶ Cf. Koepsel, 214.

and how those are informed by our culture.⁶⁴⁷ Thus, she suggests that since it is difficult to teach pleasure for pleasure's sake, she proposes mutual pleasure such that the focus is not on mechanics but on listening what our partners like and noticing what our own bodies like.⁶⁴⁸ While I do think it is important to talk about the cultural messages and how it informs our notions of sexuality, students do ask for "how-to" guides and that is a topic sexuality educators cannot ignore. However, there is a delicate balance of giving information without being sexually explicit. How does one offer guidance to receive sexual pleasure educationally? One route to do that is through the website OMGYes.com. The website is dedicated to different masturbatory styles of young women whereby the user can click on a different style and the model discusses what movements gives her pleasure which can vary between speed, pressure, and range of motion. Even though the images and discussions are explicit, the discussions are somewhat clinical, yet inviting. By clicking on these different styles, people will not only learn what different techniques there are to obtain sexual pleasure, but they will gain the know-how so that they can perform them on themselves or with a partner. On all of the styles, the user can download a computerized vulva and with the movements of the mouse, the user can imitate the style that the user just learned.

⁶⁴⁷ Cf. Sharon Lamb. "The Hard Work of Pleasure," in *The Politics of Pleasure in Sexuality Education*, ed. By Louisa Allen, Mary Lou Rasmussen, and Kathleen Quinlivan. (NY: Routledge, 2014), 143.

⁶⁴⁸ Lamb, "The Hard Work of Pleasure," 148. Lamb notes that "[r]ather than teach the how-to's, instructors might teach the why, with whom, and when to have sex, and the how to have sex will not focus on mechanics but instead cultural restrictions, individual ethics, and rights that impinge on and enhance the possibility of pleasure" (149). I think we can have both: a how-to guide that can teach about the mechanics so that when people understand their bodies and their pleasures, they can demand their pleasures and direct their partners how to achieve their pleasures. In a way, this can enhance the mutual experience. Also, it is important to discuss the cultural messages and restrictions about sex so that people can be aware that pleasure is not just a biological category but a social one as well.

The previous example sounds too experimental or too controversial for high school students. Thus, this issue must be approached carefully. Do students have the right to sexually experiment? Jan Steutel suggests that they do,⁶⁴⁹ and I agree. This is not to say that the educator could simply show the website to the students. Depending on the jurisdiction, it may be unlawful. Thus, perhaps a way to do this is for the educator to mention it and assign it as something to look at on their own time. On the other hand, if I am endorsing a sex education that I consider more moral and healthy than the options given now, then the law should follow. I will offer some piecemeal strategies on how to do so in section 2.

1.4. *Áskēsis* as Developing Sexual Identity

Through these three trainings, people's sexual identity can be formed. Students may unreflectively have sexual beliefs which informs their identity, but undergoing *áskēsis* will transform them into sexual subjects. In many ways, students have started the path of being a sexual subject without the formal training of an educator. Learning about sexuality does not happen in a vacuum: students have already gained information from their environment such as peers, the media, and the internet. The information, however, may or may not be accurate. Nevertheless, students remark that there are topics that they wish they had known in sex education classes. By asking for positive information, they

⁶⁴⁹ “[P]arents are recommended to allow adolescents to experiment with sexual contacts, within clearly demarcated boundaries. By giving adolescents free space, parents not only meet the adolescents’ growing need for autonomy, they also give them the chance to learn from their own experiences. In comparison with self-reflection or imagination, experimenting with sexual contacts may be a more effective way to discover what their preferences are and which forms of sex within which kinds of relationships will be more or less fulfilling. It is the task of parents to make sure that this experimental learning space is relatively safe. The risks must not be too high and possible damage should be limited” (Steutel, 195). In a way, I consider my suggestion more approachable since the sexual contact that students will be making is on themselves.

are “participants constituted as subjects with agency. This positioning implies a right to comprehensive information, so they might be self-determining in these matters.”⁶⁵⁰ Moreover, focusing on negative and protective sexuality education limits students’ understanding of themselves as sexual subjects, which may make them disengaged with sexuality education.⁶⁵¹ For example, Louise Allen has looked at surveys of young peoples’ attitudes toward their sexuality education. Young people want to know more about teenage pregnancy and abortion. Being told how to think about certain topics takes away students’ self-determination thereby limiting their ability to make positive choices and see themselves as sexual agents. Schools that consider students as not being sexual subjects consider students as non-sexual, thereby needing protection.⁶⁵² Interestingly, young men want to know more about the menstruation cycle and how to make sex pleasurable for both partners. These desires indicate that young men want to know more about what is considered “women’s issues” perhaps so as to understand whom these young heterosexual men are having intimate encounters with. Not only does this indicate that young men are constituted as sexual subjects, but their desire to know more about their partners indicates that their relationship with potential others is interdynamic and relational as opposed to atomistic.

Young women wanted to know more about abortion and how to tell if a male was turned on. While I am not going to commit to a side in the abortion debate in this dissertation, many young women feel frustrated with the school’s presentation that abortion is defaulted as immoral. These young women wanted more information, perhaps even to know why it was immoral. Regardless, women were denied the chance to develop

⁶⁵⁰ Allen, *Young People and Sexuality Education*, 58.

⁶⁵¹ Cf. *Ibid.*

⁶⁵² Cf. *Ibid.*, 62.

their own perspective and using that information as part of their ability to make choices.⁶⁵³ As of this writing, thirteen states do not require parents to be notified nor to consent to the procedure. In those thirteen states, therefore, the law sees these minors as sexual subjects in regards to abortion: minors can make their own abortive choices thus giving minors agency.⁶⁵⁴

As mentioned before, the educator could discuss various sexual desires and behaviors to see what students think about them. By bringing up certain questions about these “deviant” desires and practices, the educator can play a role in that these desires and practices may be considered taboo, but the educator can question the students’ reactions by investigating the reasons behind the students’ prejudices and see if the prejudices have reasonable foundations or not. This method could help students notice how different sexual lifestyles, desires, and practices were not part of their upbringing, but mentioning these practices could “spark” an interest that the students may not realize until the topic was brought up. By mentioning these topics, the students may want to consider these topics under discussion in later adult life. Moreover, the educator legitimizes these different behaviors as part of the discourse *with the students*.⁶⁵⁵ The educator not only

⁶⁵³ As a side note, every time I teach applied ethics or bioethics, I let the students choose the topic. Without question, the students choose abortion every time. The reason could be because they wanted information and reasons to uphold their beliefs, but it is possible that they want information and to have a thorough understanding of the issue as to make up their own minds on the matter.

⁶⁵⁴ See Guttmacher Institute. “Parental Involvement in Minors’ Abortions.” November 12, 2018. (Accessed November 22, 2018.) <https://www.guttmacher.org/state-policy/explore/parental-involvement-minors-abortions>. Again, I am not taking a stance as to whether abortion is morally permissible. My point, rather, is that abortion is largely connected with making a choice about sexual consequences and one’s body, and thirteen states regard adolescents as having the ability to make those choices.

⁶⁵⁵ Allen (*Sexual Subjects*) has used this approach well in the interview sessions in a classroom. She starts with a questionnaire to a class of students to see what sort of topics they would like to be covered. Afterwards, she interviews about five or six students at a time. Next, two or three students. Eventually, the report and the relationship between student and educator is so comfortable that Allen can talk to the student one on one. Without the pressure of peers, the student can honestly say what sort of practices one engages in—or abstains from—and how to see and accept oneself as a sexual subject, where one can become sexually comfortable with one’s sexuality.

shows that the students' sexual desires and activities are also had and practiced among adults, but also asks whether these desires and activities are problematic. To have a discourse about unfamiliar sexual or relationship expressions is to have the students have access to this information in a positive light. Because teachers are one factor that shape students' lives, this potential influence could shape the students into breaking restrictive sexual and gender norms. The educator can help investigate the students' reactions by analyzing the reasons, and reasoning, behind the students' biases. This method could help students see how different sexual lifestyles, desires, and practices could be part of their upbringing and possibly help the students embrace what they truly have felt but could not explain why. The upshot is that the students would see their sexual identity as something to activate rather than seeing sexuality as a passive thing to have.

Another skill comes from Battaly where she discusses knowing one's sexual orientation is tied up with virtue epistemology. Battaly suggests that people develop the virtues of open-mindedness, intellectual autonomy, and care in gathering evidence. Otherwise, people may ignore evidence, jump to conclusions, and refuse to consider reasonable alternatives. Having these vices relates to heteronormativity. Battaly remarks:

Subjects performed these actions [ignoring evidence, jumping to conclusions, and refusing to consider reasonable alternatives] because their motivations for truth were not strong enough to overcome intellectually vicious motivations. Heteronormativity bolsters the strength of vicious motivations, such as the motivations to approve of the desire one finds, to believe whatever it is easiest to believe, and to believe whatever will make one feel safe or fit in. If one were fully virtuous, one would be immune to the pressures of heteronormativity.⁶⁵⁶

I would expand Battaly's notion toward those who are thinking about transgender issues, relationship styles, romantic orientations, mating orientations, and their sexual/romantic

⁶⁵⁶ Heather Battaly. "Intellectual virtue and knowing one's sexual orientation." *Sex and ethics: Essays on sexuality, virtue, and the good life*. Ed. by Raja Halwani. (NY: Palgrave Macmillan, 2007), 160.

desires as a whole. The open-minded person would consider, rather than ignore, not only same-sex sexual encounters, but also romantic inclinations (or the lack thereof), or polyamorous motivations. Investigating these inclinations and being open-minded about them means that people would be receptive to the possibility that they may have different romantic orientations, or that they may possibly be polyamorous. Careful people would take this evidence of these encounters into account and engage these thoughts rather than instantly dismissing them. Doing so can help them have a better idea of the truth of who they are.⁶⁵⁷ They may be unsure and so they could follow through with their inclinations, and in the end, they may realize that they do not consider themselves having various orientations.⁶⁵⁸ Students gain a wide variety of sexual and relationship styles, and recognize people who practice these styles even if they themselves do not practice these particular styles. This mindset will help see sexual minorities not as outcasted “sexual others,” but to see them as people who have different expressions of the sexual individuality and identity. Sexuality education, therefore, would also be social justice education. It is to know and fight heterosexual norms.

Finally, one other virtue to develop is sexual resiliency. Resiliency helps one to deal with the difficulties happening in your life, but also to easily bounce back from troubled times. This virtue can help people handle those who are bystanders or bullies of

⁶⁵⁷ Cf. Battaly, 160.

⁶⁵⁸ Battaly argues that intellectual virtue is perhaps necessary for nonheterosexuals to know their own sexual orientation. If I am following her ideas, then it suggests that nonheteroromantics need to have intellectual virtue to know their romantic orientation, or that non-monogamous people need to have intellectual virtue to know their mating orientation. I leave that an open question, but Battaly makes her point because “nonheterosexuals (sometimes) need virtue or continence to resist the pressures of heteronormativity and attain true beliefs about their own sexual desires. One might object that I have placed quite a burden on nonheterosexuals. Intellectual virtue, and even continence, is difficult to acquire...Nonheterosexuals who do not suffer from denial may have found an alternative way to circumvent the pressures of heteronormativity. But, given the frequency of reports of denial, intellectual virtue (or continence) has an important role to play” (160-161).

sexual minorities. People may always encounter them and developing resiliency can offer ways to get a handle of these troubled episodes. Resiliency can also help people process, handle, and cope with any sort of trauma people may encounter. While it is not a substitute for any serious trauma anyone may face, developing this virtue is a way to not stay stagnant. To flourish, one must find ways to cope, handle, and adjust to stress. Traumatic events can be very stressful, triggering, and easy to fall back into stagnation. But this is exactly why resiliency is so important: it is a discipline to work out of a funk and to work on the self. Stagnation means no improvement. Resiliency is a virtue that can lead oneself out of stagnation in stressful situations and has been recommended to be incorporated into a sex and relationship education.⁶⁵⁹

The overall picture is that *askēsis* can be helpful in constituting a better sexual self. Talking about their own sexual pleasures makes one aware of their own sexual subjectivity and developing sexual identity.

2. Objections and Replies

Since the *askēsis* model of sex education is the one I champion, I will consider and discuss likely objections.

2.1. Doesn't My View *Encourage* Adolescents Having Sex?

While my view champions adolescent sexuality, this is not equivalent to championing adolescents having sex. Moreover, while my view does not encourage adolescents having

⁶⁵⁹ See Pandora Pound, Sarah Denford, Janet Shucksmith, Clare Tanton, Anne M. Johnson, Jenny Owen, Rebecca Hutten, Leann Mohen, Chris Bonell, Charles Abraham, Rona Campbell, "What is best practice in sex and relationship education? A synthesis of evidence, including stakeholders' views." *BMJ open* 7, no. 5 (2017): e014791.

sex, it does not thereby encourage adolescents not having sex either. Rather, it is to let the adolescents have the education so that if they engage in sexual behavior, they are more aware of the full array of sexuality, for their sake and for the sake of others. Specifically, it is to help adolescents understand their sexual and gender identity, their preferences and desires, their boundaries and limits, and recognizing their peer's sexuality as well. Sex education not only teaches students about consent—which was mentioned heavily in chapter four—but also about being aware of various expectations that typically happens in the college scene. Our culture may once have staved off sexual interactions until some critical moment (e.g. marriage, being in a stable relationship). But there has been a cultural shift where young people are expected to have sex, usually by late teens or early 20s, otherwise people are deemed “not normal,”⁶⁶⁰ whereby students are *expected* to have sex. In the same way where we can be condemned for being too sexual, we may also be condemned for not being sexual enough.⁶⁶¹ The older generation may have been critiqued for not meeting up to the standard of sexual purity, but now we are struggling to try and meet the new sexual standard of sexual “liberation.” But this is equally problematic. By living up to a social standard, we have to live up to expectations that we may not feel comfortable doing.

Is it really liberation when it is compulsory? People follow sexual scripts, which are certain narratives and stories regarding sexuality. We incorporate these narratives into our belief system and consider the narrative to be true. With most people, if you ask them why they have certain beliefs about sexuality and sexual behavior, they will respond that it is something that they have gained from their environment, their friends and family

⁶⁶⁰ See Hills, *passim*.

⁶⁶¹ Cf. Hills, 30.

members, and how they were raised. These scripts are so powerful that many people will follow them just to be part of the normal society. As an example, one narrative in our society is that once people have been dating for a while, there is an expectation in our culture that they have to have sex soon. Otherwise, there is something wrong with the relationship.⁶⁶²

All the statistical analysis in the world can fail to uncover the role of stories in shaping how people make decisions about sex. The same is true about pursuing career goals, getting married, getting divorced, and numerous other important decisions in life. People don't do things because they're a collection of variables. People don't act in certain ways simply because they're male or female, or because they're 20 years old, or because they're white or because their parents got a divorce. Nor do they meticulously weigh the costs and benefits of different action strategies before moving forward. Rather, *people pay attention to—and live out—compelling and attractive stories*. Marketing experts figured this out long ago; it's taking social scientists a bit longer.⁶⁶³

These sexual scripts inform not only appropriate sexual goals to achieve but also plans for particular types of behaviors and plans to achieve those sexual goals: “the right thing to say at the right time, what not to do, who leads, how to hook up, where they should go, who should bring the condom, what's too much to ask of someone, etc.”⁶⁶⁴

These sexual scripts are mainly learned from peers, family members, and the media.⁶⁶⁵ Regnerus & Uecker hypothesize that if *Cosmopolitan* articles suddenly endorsed sexually conservative values, then millions of young women would look at

⁶⁶² As an example of a sexual script being played out: “When a woman perceives pressure to sleep with her boyfriend because they've been going out for four months already—even if he hasn't verbalized it—she's listening to a story that says that that is what good girlfriends are supposed to do at this point in a romantic relationship. Her friends may tell her outright, but it's far more likely that she's catching cues from them and their relationships, from media, from conversations, and from her own observations and guesswork that yes, this is ‘what I'm supposed to do next’” (Regnerus & Uecker, 237).

⁶⁶³ Regnerus & Uecker, 237.

⁶⁶⁴ Regnerus & Uecker, 237.

⁶⁶⁵ Regnerus & Uecker, 239, n3. Research from Monique Ward that television has formed four sexual scripts that have become common norms: men are sex-driven, women are sex objects, appearances are important for dating, and dating is a game. These scripts become more endorsed by viewers as opposed to those who do not watch these same television shows.

these new ideas with a new consideration.⁶⁶⁶ These sexual scripts become institutionalized where there is no one single entity or person that authorizes what the script is or ought to be. To ask why we are doing it this way, the answer is traditional: it is just how it has been done. Even individual people report that they do not find the sexual scripts fitting with their enjoyable experiences, but that they feel powerless to challenge the script⁶⁶⁷ because to question these scripts is to invite a stigma.

Current sex education may try to change the scripts, but it does not get to the baseline psychology of people. “Scripts change; altering psychology and the baseline economics of relationships is not so easy.”⁶⁶⁸ What we need to remember is that sex education should not simply be about reproduction or infections; it is also about people’s identity, which includes their psychology, emotions, and bodily representations. My program aims to change not just the sexual scripts—after all, many sex education programs aim to do just that—but also to challenge the deep embedded heteronormativity, which informs our culture and baseline psychology. It is not an easy task, but I take my program to be more accurate in facing the challenge than simply a surface-level change of just changing any of the scripts. To suggest that my program encourages young people to have sex still falls in line with heteronormativity.

2.2. Logistical Complications: Implementing *Áskēsis* into Sex Education

The second objection discusses the logistics of my favored perspective. If my perspective proposes more of an individual investigation into one’s personal interests, desires, values, and formation, a potential worry is that how can that practically work if there is a class—

⁶⁶⁶ Regnerus & Uecker, 240.

⁶⁶⁷ Regnerus & Uecker, 241.

⁶⁶⁸ Regnerus & Uecker, 244.

a group—setting where the educator must accommodate everyone and cannot focus on idiosyncrasies of individual students? This complaint, however, could also apply to other topics. No matter what the subject, some students will immediately understand the material, others will lack the understanding and would like to spend more time on the material, and some others will find the pace of the class reasonable.

Admittedly, the ideal education would be a one-to-one interaction between the educator and the student so that the educator can help with the student's individual and unique developmental goals and sexual values. Practically, however, there is a class setting, which involves a group dynamic. However, the classroom, group dynamic can be advantageous. Because the nature of sex is interpersonal and interactive, learning about one's sexual subjectivity can come about through discussions and interactions with other people. By learning about other values and other views, one comes to learn more about one's own sexual values and mores instead of merely reflecting within. Of course, the educator can develop ways to hone in on particular students' development: writing assignments or journal summaries, for example. The point is that one does learn more about oneself in a community of others, and the classroom can help develop that discovery.

One way to aim toward this progression is to have specific teachers teach specific elements in sex education instead of one person doing the work.

Presently the sex education and STD/HIV curricula are often taught by faculty with little training in this area. As a further modification, "sex education" could be split into a coordinated social studies component (ethics, behavior and decision-making, including planning for the future) and a science component (human reproductive biology and biology of STDs, including pregnancy and STD prevention), each taught by trained teachers in their respective field.⁶⁶⁹

⁶⁶⁹ Stanger-Hall and Hall, 9.

This division of responsibility could help teachers take on less responsibilities so that they can teach their classes more effectively, and also help the students see the complexities and nuances of sexuality.

Another concern has to do with the relationship between the teacher and the student. There is a delicate dynamic between them: the teacher has the authority over the class. With that authority, there may be a worry that students may not reveal what is really on their mind. After all, there is a different type of relationship between a teacher and a student and, say, therapists and patients. Patients can speak their mind freely without judgement; students, especially in a high school setting, may not feel comfortable speaking their mind freely.

I believe this critique can easily be managed. There is no necessary connection between teachers being in authority, and students being able to speak freely. It really depends on the class, the students in the class, and the teacher. It is very contextual and a good teacher will be able to maneuver these different dynamics so that there is still control and structure in the class, yet make the environment feel safe and comfortable so that everyone can speak their mind freely. Of course, the class dynamic depends on the class size, the personality of the class, how comfortable the students are with each other and the instructor, and whether the instructor is qualified to teach the material. It is challenging but it can be done. Al Vernacchio, a popular sex educator in Friends' Central School in Wynnewood, Pennsylvania, has set up a classroom dynamic to make everyone feel comfortable. Indeed, if there are going to be professional sex educators, they will presumably be trained in not only teaching the material, but also making the classroom dynamic comfortable for everyone. Moreover, in schools where there is no set teacher to

teach sex education, schools could easily hire outside qualified educators to teach sex education. These can be peer educators, people from various reproductive organizations, people in the medical field, and people who are in social/cultural studies and have a major interest in gender and sexuality. Ideally, we should have a program to have qualifications to become a sex educator which would include not only information but also how to handle the interpersonal classroom dynamics.

2.3. Why Not Update Previous Models?

A second objection comes from LDSE. If the goal is to obtain a sexual self, then why could LDSE not help achieve that? After all, autonomy is based on individuals' preferences, but one could argue that the more aware one's preferences and desires are, one is more autonomous. Why not just develop autonomy, which could in turn, develop the sexual subject? Thus, according to this objection, why not just develop LDSE instead of forming a whole new perspective of sex education?

To respond to this objection, we must review what the *askēsis* sex education has that the other perspectives do not have. What are the disadvantages of the LDSE perspective and how does the *askēsis* perspective fix that? The LDSE perspective is missing the sexual subject. Sex education needs to refocus on how to teach young students to be sexual subjects in addition to learning about sexual facts and information. In order to understand the problem with sex education currently, we must see how students have conceptualized sex as it has been given to them in sex education. Typically, these conceptualizations have to do with the mechanics of sex, such as what sex is, how to employ safer sex, how to prevent pregnancies, and how to avoid STIs. However,

young adolescents do not always employ this information into action even if they know the material. As mentioned before from Allen at the beginning of chapter five, there is a gap between knowledge and practice.⁶⁷⁰ LDSE does not focus on the sexual subject. Yes, there is a subject, but this subject is an autonomous being, a consenting person, not a sexual subject. The difference is that for LDSE, they presume that sexuality is akin to clothes: one can “try on” sexual mores or attitudes, but the “real” person is behind the sexual identity. The features of who a person is are simply contingencies of that person. Within the liberal framework, our race, religion, nationality, culture, and background are added-on features. But what we really are is an abstract generic person. The same applies with sex and gender: we are not our sex or our gender but we are individuals who just happen to have a sex or a gender. In other words, there is no sexual subject; it is a person who has a sex, a person who has a gender, a person who engages in sex, or a person who happens to have a gender or relationship expression.

Instead, I am arguing that there is nothing behind the sexual identity; people’s sexuality constitutes their (sexual) identity rather than sexuality being an accidental feature of one’s identity. People simply do not have a sexuality or a gender; they *are* their sexuality or *gender* (among other modes). If sexuality and gender was a feature like LDSE presents, we would not feel anxiety when our sexual expressions mismatch our feelings of our sexual expressions. If there was a mismatch, and we are not really our sexuality, then we simply discard this sexual expression for another one. But that is not true. Our sexual, gender, and relationship expressions are not simply preferences; they are a major component of us that we cannot discard.

⁶⁷⁰ Allen, *Sexual Subjects*, 3.

Another emphasis in LDSE is rational decision-making since this ethic emphasizes autonomy and consent. Emotions and reason have historically been rivals and that narrative can still be assumed in LDSE curricula. Indeed, Lamb points out that some sex education curricula have looked at emotions as interfering with rational decision-making, or that arousal is merely a sensation rather than something that could go hand in hand with a feeling of closeness and desirability for another person.⁶⁷¹ If one only focuses on autonomy, the emotions may be ignored. For example, adolescents need to know what to do when they have a lustful feeling. However, under the autonomy view—especially coming from Kant, lust is seen as uncontrollable, irrational, or “unladylike” for young women.⁶⁷²

Finally Moran and Males point out that the sexual behavior of adolescents depends on the social environment that they are in. The goal, then, is not to have sex education strictly in the classroom, but to change the social environment such as socioeconomic policies and the structural institutions that bring about social inequalities. There are many ways to do that, but my focus is on the educational aspect. Admittedly, it is going to be a slow process because educating everyone from a bottom-up procedure is slow. And yet, my model does tackle social injustices by having the students think about them and questioning them whereas the previous models assume or never question the social injustices.

⁶⁷¹ Cf. Lamb, *Sex Ed for Caring Schools*, 40.

⁶⁷² Cf. Lamb, *Sex Ed for Caring Schools*, 68.

2.4. Familial Obstacles

The fourth objection has to do with the idea of adolescents learning about their sexuality that could make parents uncomfortable. Here, the educator must straddle a fine balance between how to get the students engaged to work on their sexual transformation and education as well as respect the parents. This is a tricky problem but there are various solutions. First, this is a practical problem. Suppose there was a meeting between the educator, the parents, and the school board to find some common ground. The schools and parents presumably see adolescent sexuality as a problem and that must be reined in. There are only three possible options. First, one could go along with the values of the schools and the parents. However, doing so would undermine the point of a sex education that would help students work on themselves and to take care of themselves. Following the traditional values of the schools or parents would also go back to the traditional discourses of the paternalistic or liberal models, which I have already shown to be problematic.

The second option is defiance. The educator recognizes the values of the schools and parents, but rebels against them and teaches the students based on sexual practices on taking care of the self. This would not be a viable solution because of the blowback from the parents and schools. Educators could very well lose their jobs, licenses to teach, and could never be a positive influence on the students.

The third option seems to be the only viable solution: a long-term goal where one eventually influences the schools and parents that their views of sexual values are limited, and that a way for the students to take care of themselves is a way for the students to understand what it means to be a sexual self, and that having a sexual self is not a

problem. Of course, this will initially be conflictual, and because these values are not entirely private, this debate would eventually move into the public and political arena. Ideally, teachers and education administrators ought to work with the parents so that the parents will be part of the discussion. Having the parents involved will help the administrators and educators factor in the values of the parents so that they can include the wide diversity of cultures and values. Moreover, a dialogue between parents and administrators could potentially initiate a dialogue between parents and their children. It may be awkward at first, but at least they are developing their communicative skills slowly by talking to each other about sexuality. Over time, the family dynamic will be fruitful so that parents will be more interactive and happier to engage in frank sexual conversations rather than passively wait for the child to start asking questions or to not even engage in conversation at all. It will not be an overnight solution. It will be a long-term, slow, methodical dialogue. But the process will hopefully move the discussion to the students taking care of their sexual self.

2.5. Political Obstacles

Finally, a fifth objection discusses the motivation for state support of my perspective. If the state's focus is preventative measures, the state may not have further interests beyond that. My proposal argues that not only should the schools have the responsibility to be factually accurate, but they must go beyond that to give a more holistic approach to the student's well-being. As an analogy, I will use the English language and literature.⁶⁷³ Many states are invested in having their citizens being competent with their mother

⁶⁷³ Thanks to Kevin Gibson for this objection and analogy.

tongue. However, the state will not go to the lengths of promoting life-enhancement opportunities, for example, through literature. Literature can give people the opportunity to think broadly, to use their imagination, to see how other people could live their lives, or perhaps critically think about various characters, plots, and the like. In short, literature could be life-enhancing given the many benefits literature can have. If the citizens want to do that, they must do so on their own time (i.e., it is not the responsibility of the state). The same could be true with sex education. The responsibility of the state is to prevent unhealthy people. Thus, sex education would very likely closely align to LCSE or perhaps LDSE. A care of the sexual self goes beyond the responsibilities of the state since teaching about sexual pleasure, developing *askēsis*, and forming a sexual identity is life-enhancing which is not the responsibility of the state.

To respond to the objection, the current comprehensive sex education still focuses on preventative measures rather than promoting sexual subjectivity. But I argue this is not enough. Even if everyone would agree that a basic comprehensive sex education is best and that we could minimize unwanted sexual consequences, there would still be the problem of heterosexist discourse which would reinforce heteronormativity. To solve this problem, we need to revamp discussion revolving consent, the relations between the different genders, and an open discussion about different sexual mores, practices, values and desires. Including these topics will help dismantle heterosexist norms by questioning the norms of social practices. Society would benefit by not discriminating people for not practicing the norms.

Moreover, they would make society more diverse and care of the self would perhaps concentrate not on what is expected but on what Mill called “experiments of

living:” developing one’s subjectivity to the fullest without interference in whatever one does, no matter how eccentric, as long as one does not harm others.⁶⁷⁴ The majority wants everyone to be normal (when a good person is following expectations formed by what other people do). However, doing so because it is tradition or custom is not taking care of the self. Indeed, there is no *engagement* with the self if one unthinkingly follows the typical normative discourses. The educator could teach students that different sexualities and relationships that are against the norm would not be considered “weird,” “deviant,” “perverse,” or “unnatural.” Rather, one thought could be, “that person/those people are expressing their sexual subjectivity(-ies).” By changing the discourse, the students see other sexual subjects as not merely tolerant or permissive, but as taking on a sexual self and having a sexual literacy: a full-range knowledge of sexuality for one’s sexual well-being. The care of the self perspective, or what I have called the *askēsis* perspective, addresses the problem of heteronormativity and can give a holistic account of sexuality. Fighting heteronormativity, I argue, is what a good state should sponsor. Many regard sexism and racism wrong. Any laws that combat sexism and racism are good. Heteronormativity is akin to sexism and racism in that they are prejudicial biases or systemic injustices. Therefore, laws that combat heteronormativity are also good, which is the responsibility of the state.

Conclusion

Overall, sex education is not just about “the facts of life,” but about constituting student’s character so that they care for others, and for themselves. Eventually, students will know

⁶⁷⁴ Mill, *On Liberty*, 63.

what it means to be a sexual being. The knowledge/practice gap that Allen has shown above fails students' sex education. My argument, however, restructures sex education where the content is in terms of a positive experience rather than behavior modification.

By focusing on the sexual subject, sex education does not just try to modify behavior, but it gets to the root of the behavior which I would consider someone's character. Morally speaking, to change someone's character is to help them achieve various virtues or avoid various vices. The virtues and vices will not only inform one's character, but also their behavior. Therefore, I take character development to be a missing feature in sex education. I consider *āskēsis* as a route to help people gain knowledge of who they are as sexual beings, which also encompasses other features of identity such as gender and different relationship styles. Providing the tools to help the students become more aware of their identity, desires, needs, boundaries, can help overcome the sexual scripts. Moreover, I suggest that these practices can get to the root of people's psychology so that people can follow what they consider is best for them rather than following expectations or norms.

Of course, the limitations of this dissertation are that there are no exact details or specific formula of *āskēsis*. It is hard to give a specific recipe since individuals are different from each other and different methods, techniques, and practices vary. I leave it to developmental psychologists, moral psychologists, social workers, and public health officials to work out the details and offer specific practices. However, I offer a humble start for a different path for sex education that I consider more accurate in a pluralistic society. The starting point is *āskēsis* applied to sex education, and since most sex educators are sociologists, psychologists, and social workers, they have their specific

skills and trainings to make educational theories more applicable. They are key to making curricula and my hope is that *áskēsis* is a key factor when making sex ed curricula. My project is to offer not only another route for sex education, but to offer a different capacity on how to achieve goals that I consider healthier, moral, and more fruitful to students' need for a better sex education.

Conclusion

After looking at various sex education programs and their ethical methodologies, I have concluded that our current trajectory of the sex education programs in the US is detrimental to our well-being. This dissertation has argued that the current approach to sex education is misguided and that the focus on character development is key to develop healthy sexual people. Character development via sexuality is complex and requires further research. And while this dissertation asks for a humble broad revamping of our sex education programs, this concluding chapter investigates further research possibilities to pinpoint various revamping in the particulars of educating people about sexuality, or possible routes to develop people's character via sexuality. Before we look at where we could go, it is best to first reflect where we have been. What arguments have been presented? What is the narrative of the debate? And why is character development the best route for sex education?

In adolescent sex education, the contemporary debate has developed into two camps: the paternalistic view and the liberal view. While the debate has been entrenched in morality, religion, and politics, I argue that both sides of the camp have been too focused on actions and behaviors of adolescents and have assumed a heteronormative background.

I started in chapters one and two by investigating the scope and character of paternalistic sex education. In chapter one, I framed paternalism into "thick" and "thin" paternalism. "Thick" paternalism is the idea that since people's non-rationality can drive people away from the good, they require direction. Therefore, it is permissible for a

ruling body (e.g., parents, the state) to interfere with people's autonomy for their own sake. I argued against "thick" paternalism by questioning the "thick" paternalist assumption of a universal good. Moreover, interfering in people's autonomy is too forceful whereas various guidance, direction, and education is a more appropriate response.

I therefore endorsed "thin" paternalism for the rest of the dissertation and presumed a plurality of goods of what people value. Moreover, adolescents have a sense of agency and we should start where they are at. They are slowly given responsibilities in life, yet they still need a structure to understand the injustices and heteronormativity of the society they live in. "Thin" paternalism embraces the idea that students need guidance through education to help them develop their agency and autonomy. Students may have various values which need to be scrutinized and either developed or discarded.

I investigated various reasons for the immorality of adolescent sexuality and concluded that they all fail. These reasons not only support a heteronormative framework but also embraced unsupportive reasons for embracing adultism: the notion that since adults are superior, they have the ultimate say in not only how adolescents ought to act, but also setting up the framework and boundaries that restricts adolescent autonomy and expression. This prejudice needs to be discarded and we ought to see adolescents as developing into adults rather than immature adults or overgrown children.

In chapter two, I investigated various ethical theories within paternalistic sex education, and any assumptions the supporters have. These ethical theories included natural law theory, deontology, consequentialism, and virtue ethics. I conclude that the paternalistic model of sex education is inadequate: proponents either presume too much,

too little, take a heteronormative stance, or inadequately address why adolescent sexuality is a problem. Moreover, by investigating the various justifications for paternalistic sex education, the reasoning come from ideology rather than evidence-based criteria.

After revealing the faults of paternalistic sex education, I next investigated and analyzed the arguments and presuppositions of what I call the liberal-consequentialist model by applying J.S. Mill's *On Liberty* to formulate a liberal-consequentialist sex education. I used Mill to build the case for a comprehensive sex education program that helps mitigate negative consequences such as unwanted pregnancies and STIs. I then argued that adolescents, in general, can have competence to consent to sexual relations by offering support from legal, socioeconomical, psychological, and biological sources. And while liberal-consequentialist sex education is an improvement, this view fails, however, because it focuses too much on behavioral outcomes and presupposes traditional gender norms. There is more to sexuality than simply avoiding negative consequences. Moreover, this view presupposes the heteronormative claims and does not critically challenge them.

The next position may help mitigate these problems by giving an education that focuses more on students' autonomy, self-determination, and values rather than what society already values. Moreover, since autonomy will be the center of this education, the issue of sexual consent played a prominent role. In chapter four, I called this view liberal-deontological sex education. This view is an improvement over the previous two theories: it analyzes what it means to be autonomous and to consent. I embraced weak substantive autonomy which holds the idea that to be autonomous is to have agentic-skills such as

introspection, communication, memory, imagination, analytical reasoning, self-nurturing, resistance to pressures to conform, and capacity for political collaboration. I also embraced consensual realism: that we need to pay attention to the context, the longevity of our relationships, the biological structures of the genders, and the reality of what is happening in the context of the ongoing relationship instead of an idealized universal goal that ignores gender power dynamics. However, there are still striking problems: for one, LDSE embraces heteronormativity in that it does not fully challenge the underlying gender structures and social norms. Rather, LDSE assumes them or only questions the non-consensual aspects of heteronormativity. It may emphasize that consent is important and that sexual interactions are unethical unless there is consent, but it does not fully investigate the gender power structures. Another problem is that to make consent and autonomy more robust and above the minimal standards, we need an explanation and justification for this robustness, which comes about through the character of the agents. This explanation, however, is not within the liberal-deontological method since the foundation goes beyond the scope of deontology. Therefore, we need another method and another development of sex education.

In chapters five and six, I offered my formulation of what sex education ought to be which I refer to as the care of the sexual self: a sense of oneself as a sexual person who is entitled to have sexual feelings and to make active decisions about sexual behavior, where it is the opposite of “it just happened,” a passive rather than active agent. I use the notion of *áskēsis* to explain sexual subjectivity. *Áskēsis* has been associated with practices related to education or intellectual formation, athletic and military training, spiritual formation, and even the process of artistic creation. In each case, the root

meaning of *áskēsis* denotes some sort of formation discipline or an attempt to shape or form the self according to an ideal of goodness or excellence.

Using *áskēsis* helps the students *actualize* their own creative sexual individuality and has a positive affirmation of who they are as sexual beings as long as it is within the framework of consent and not harming others. A good sexuality education must include the emotions, exercises, practices, and activities to take care of the self. I do so by applying *áskēsis* to three sexual components: the sexual emotions, the sexual mind, and the sexual body. I rely on three contemporary philosophers who draw upon the ancient Greeks to focus on *áskēsis*, to train oneself to become an improved human being. I conclude that by applying *áskēsis* such that people can formulate a sexual subject and build a character that is more in tune with one's sexual, gender, and relationship expressions.

Assuming that my arguments are sound, where do we go from here? This dissertation is not meant to revitalize sex education in the abstract, but to call for a new public discourse such that sex education can be updated and improved at the practical level. Further research is necessary but with *áskēsis* as the foundational starting point for an ethical sex education, my hope is that different disciplines will further these inquiries and offer suggestions to implement *áskēsis* into the curricula. Educators, psychologists, and public health officials are usually the people who teach sex education. They have the skills necessary to teach young folks sexuality on a practical level. I can only offer some suggestions and hope that people in those disciplines or other philosophers can add robust content to sex education curricula. The suggestions I offer are not core elements of *áskēsis*, yet they should not be dismissed from a good sex education. Further research

would include more developments in the education and psychology of *áskēsis* as well as applying *áskēsis* to the disabled. I will take up each in turn.

1. Further Research in the Education of *Áskēsis*

In chapter six, I mentioned various activities that students can undergo to develop their sexual emotions, sexual mind, and sexual body. The activities were meant to help students have a healthy attitude toward their sexuality and develop ways to be more aware of others' sexuality. While I offered various routes and specific recommendations, it is not an exhaustive list. My recommendations were based on either personal experience I have had in the classroom, various readings I have encountered, or various websites I have stumbled upon. However, there are many different ways as to how students can undergo *áskēsis* to have a healthier attitude toward their sexuality. Perhaps my specific recommendations may or may not work for some students, but other possibilities may work that I have not considered.

Character development is a broad field and *áskēsis* has multiple routes in varying degrees for different people. In the much used analogy from Aristotle, achieving *eudaimonia* is like an archer hitting the target: there is one way right way to hit the target, but many ways how we can miss the target. This is an apt analogy, but I consider the standard as too high. I read Aristotle as saying that it is the archer hitting the bullseye. I think of my program as hitting the bullseye as the ideal way to flourish and perfected sexual *áskēsis*. However, this ideal is rare and it would be asking too much to say that if people are not hitting the bullseye, they are not adequate sexual beings. Instead, I think an archer hitting *anywhere* on the target as variations of well-being. The bullseye would be

the best and the highest achievement of well-being, whereas the rings outside the bullseye would have lesser forms of well-being, but not enough to dampen a good life.

There is a good life, the bullseye would be the best life. However, there are many ways people can go wrong. This would be analogous to the archer not hitting the target at all. There are obvious ways where we can miss the target. Analogously, embracing heteronormativity or ignoring consent would be a few examples. But there are ways to help the archer at least aim for the target. Analogously, it would be a robust education with character development. And yet, we can offer further instructions to help the archer hit the bullseye. Analogously, it would be specific training that I mentioned with Nagoski's work or Allen's discourse of erotics.

Of course, my suggestions are not the only ones. Sex educators may have other ideas and strategies where heteronormativity is undermined and developing a sexual subjectivity is a central ethic. By collaborating with other sex educators and those who focus on moral education, teachers may benefit by learning from each other, testing ideas, and engaging a dialogue to see what various methods there are. Educators need to collaborate to test which ideas, methodologies, and exercises work to help students retain the material. The complexity is to see which exercises develop a moral education in the students and in the sexual realm. But with a rich network of sex educators who focus on moral education and character development, a sex education focusing on character development will be more accurate and robust. Further research requires a full collaboration of moral psychology into developing a sexual subject.

2. Further Research in the Psychology of *Áskēsis*

Psychologists could supplement sex education by offering ways how to do *áskēsis*. Sex education can benefit through psychological research by investigating exactly *how* and *what* various practices people can do to acquire well-being. I mentioned that in chapter five, *áskēsis* is about training and practicing. However, training and practicing can feel tedious. How can psychology help people get over the hump of not wanting to practice? I stated that I do not have knowledge to answer this question but psychologists might. Wanting to practice or pushing people to practice touches upon the psychology of motivation and behavior. How does motivation work? One could hold a Kantian notion where motivation is purely rational. People respect the moral law and perform their duty through categorical imperatives. On the non-Kantian route, people perform various actions through hypothetical imperatives to reach another end. In either case, people rationally see what sort of end they want to achieve and rationally deliberate about how to get there. Another method could be the empirical-emotive route where motivation is done through our emotions and we empirically see what end we want to achieve and reason is simply the instrumental method to figure out how we can achieve that end.

I suspect that there is a combination of both or that various people have different motivational factors that play a role. I also suspect that reason and emotions work differently based on socioeconomics as we can see with the work of Mike Males. Different educators will require different tools to teach their students and they will need to rely on the latest research from psychology.

One major component, which would benefit sex educators and students, would analyze the notion of (sexual) empowerment. I see sexual empowerment having at least

two aims: one, a therapeutic aim. Empowerment is a way to have someone back to a baseline of normality after a traumatic or troubling experience. It is so that the self does not remain stagnant but can still be active. Two, an enhancement aim. Empowerment is a way for people to go beyond their baseline and take charge of their life in a robust way. Let me briefly offer some insights of each.

2.1. Therapeutic Empowerment

When the self is fragmented or needs repair, one main reason is because the self went through emotional trauma. An outcome of emotional trauma can be very detrimental to people's psyche and is a destructive feature of their well-being and self. Thus, in order to achieve well-being, the self needs to be empowered. When using the term "empowerment" in a therapeutic sense, I mean when people take hold of their life and direct it so that the trauma does not consume them. It is to recover the self that went below the baseline. Repairing the self does not mean to return to the state prior to the trauma. *Āskēsis* in sex education opens up new questions: How do people repair the self after being ridiculed or ostracized for practicing a sexual activity that is not part of the majority? How can people "move forward" after a breakup or a divorce? How do people "pick up the pieces" after being rejected when they reveal to close loved ones that they are gay? Or for more troubling traumas, how do people handle abuse or assault without constantly breaking down? We can start with the simplest exercises that virtually everyone will experience in their romantic lives: heartbreak and rejection.

Youths need to practice dealing with rejection in sex education programs. While I am no expert on how to handle heartbreak and rejection, psychological research would

benefit by learning more about this topic and even routes on how to overcome heartbreak and breakups. They are not universal answers and some of the strategies may work better with others, but still, offering these tools to students will help them in their future rejections. There is, of course, relationship therapy and counseling, but formal psychological help may not be necessary until absolutely needed. Considering that heartbreak and rejection are inevitable in life, it would be advantageous for students to learn basic skills for dealing with heartbreak and rejection. Furthermore, formal psychological help is expensive; many students and young people may not afford such services. And psychological appointments can take weeks, sometimes months to finally seek psychological evaluation. At which point, the negative emotion may have already been mitigated or in some circumstances, people cannot wait that long to overcome heartbreak. Moreover, on many campuses, psychological help is only offered for one semester.

One tool that psychologists have used that is central to getting over a relationship dissolution involves identity change. When people are involved in a relationship, their self-concept and their self expands. With the relationship dissolving, the process is slammed into reverse and people are forced to redefine who they are, as “we” returns to “me.”⁶⁷⁵ Returning to the “me” would be beneficial for students to know how to do that and I take *áskēsis* as a route to work on the self and recover back to the baseline. At the same time, this period of adjustment provides opportunities for personal growth and development.

⁶⁷⁵ Cf. Gary W. Lewandowski Jr., Aron Arthur, Sharon Basis, and Johnna Kunak. “Losing a self-expanding relationship: implications for the self-concept.” *Personal Relationships*, 13 (2006), 317-331.

What about serious trauma like relationship violence? There is a strong link between serious partner abuse and socioeconomic status. “Men who have lower incomes, lower-status jobs, or are unemployed are more likely to use physical violence against their partners.”⁶⁷⁶ Moreover, Fletcher *et. al.* cite studies that shows neurotic individuals were more likely to be physically aggressive when they were very stressed. The negative effects of being neurotic were gone when stress levels were low. This applied to both genders. The conclusion is that relationship violence is more likely to be explained by relationship context and external factors such as socioeconomics rather than simply a lone individual using physical violence on another.⁶⁷⁷ The solution is to provide a better relationship context instead of focusing on lone motivations of individuals as well as finding routes to solve socioeconomic inequality, which will require political and legal means. The external factors are long-term solutions, but what about those who are suffering right now? Counseling and therapy may more likely be highly recommended to recover from relationship violence.

While I do not know how trauma counselors help victims of relationship violence, the typical route is to help the victim to return to their baseline. The self needs some repair. I think that this is a good starting point, and I also suggest that *áskēsis* can go further. One feature we saw from Murdoch’s perspective of *áskēsis* is to not simply return to the baseline after a moral infraction, but to go beyond the baseline and improve oneself.

⁶⁷⁶ Garth Fletcher, Jeffrey A. Simpson, Lorne Campbell, and Nickola C. Overall. *The Science of Intimate Relationships*. (West Sussex, UK: Wiley-Blackwell, 2013), 260. See also Lynn Magdol, Terrie E. Moffitt, Avshalom Caspi, Denise L. Newman, Jeffrey Fagan, and Phil A. Silva. “Gender differences in partner violence in a birth cohort of 21-year-olds: Bridging the gap between clinical and epidemiological approaches.” *Journal of consulting and clinical psychology* 65, no. 1 (1997): 68-78; and Murray Strause and Richard J. Gelles. *Physical violence in American families*. (NY: Routledge, 2017).

⁶⁷⁷ Fletcher *et. al.*, 278.

Since trauma is transformative of the subject, returning to a prior state is analogous to forgetting about the trauma. *Āskēsis* can be used to motivate the self by channeling the trauma to formulate a new self. If sex education discussed repairing the self, new questions (and answers) would open up about how to deal with trauma and solutions to the trauma. In a way, it is not simply “picking up the pieces” and moving on, but reconfiguring those pieces to formulate a more robust resilient self. The conventional discourse we hear in our culture does not spend a lot of time about how to overcome the trauma or if it does, the focus is more on taking care of others by making them comfortable to pass the troubling time with families, friends, and counselors. There is sympathy with the other, advice on how to handle the situation, or a way to distract the other through various activities. The point is to make sure that the self does not relapse into a traumatic state and the way to do that is to make sure that the trauma does not overtake the self. All of these are important, but the self still needs repair. Of course, we often hear that “time heals all wounds,” and instead of focusing on moving on and starting over, why not seek a way for the other to get a positive, working, enriched self? While our discourse makes sure that the self does not fall below a certain threshold, why not focus on certain avenues for the self to work above and beyond the threshold to formulate a new self so that there is no easy potential to relapse into a traumatic state?

2.2. Enhanced Empowerment

Depending on the extent of the fragmentation of the self, what people could do is establish a sense of what it means to be “reconnected” so that they are whole again and empowered to take care of themselves. To become a subject, they must still engage in

practices of the self so that they can not only “get back on track,” but to take committed actions and decide what sort of self they can become. One way to do this is to construct certain narratives of the self in order to take care of the self. If not, the self becomes stagnant and passive and remains in either a traumatic state or remains in a potential state of trauma, ready to be activated. To work out of this problem, certain practices are helpful such that if certain ills come their way, they are resilient and empowered and can resist further fragmentation.

How can people prepare for this? The solution cannot be to go back to their original self, but to take care of the self so that they are no longer stagnant. Briefly, there are three characteristics that are helpful: resilience, courage, and empowerment. And while I do not have details of what certain exercises there could be or go through an analysis of what those three features are, my dissertation has indirectly brought forth these characteristics.

The virtue of resilience is to “bounce back” after troubled times and perhaps learn from that experience so that people do not fall back into the same pattern of falling down again. Broadly, resilience is to adapt to the new traumatic circumstances that could have set them back. Ways to build resilience seem generic: makes plans and carry them out, view themselves positively, makes connections with other people, looks for ways to achieve self-discovery, nurture a positive view about themselves, and take care of themselves.⁶⁷⁸ While these are good strategies, the question is *how* do we do each of these things? The list needs to be tailormade and students would benefit learning how to build resilience in troubled times. The challenge, however, is that students may not feel

⁶⁷⁸ “The Road to Resilience.” American Psychological Association. (Accessed January 17, 2019). <https://www.apa.org/helpcenter/road-resilience.aspx>.

the need to build resilience because, for the most part, going through high school is not a traumatic change where they get “knocked down.”⁶⁷⁹ However, the exercises I have mentioned in chapter six may build resiliency indirectly. If we looked at the psychology of resiliency, we could learn how to cultivate it and indirectly think of other exercises that could build resiliency vis-a-vis sexual subjectivity.

For courage, I remarked that McWhorter described her situation when she was afraid to confront the General Assembly. But she moved forward: “We must learn to deploy technologies of power without fear or shame. For those of us who’ve seen ourselves as powerless, learning to use technologies of power means changing some pretty basic aspects of ourselves, which means that learning to use technologies of power can be an ethical *áskēsis*.”⁶⁸⁰ It is taking on a new mode of life. While the psychology of courage is new, courage is related to other virtues such as confidence, self-respect, vulnerability, and integrity. Developing courage is not a lone virtue to build but depends on and relates to other virtues. And while this sounds complex, there can be various exercises to build courage. While I do not have specific exercises, psychologists and others character developers might. The spillover effect is that these exercises may build up other virtues. Building up the other virtues may make it easier to be courageous since the intricate web of virtues can give us the momentum to be courageous in different contexts. One example is to not be a bystander when an injustice is happening. I imagine that people may not stand up to injustice not because they agree with the oppressor, but because they have the habit of not interfering or they are filled with *akrasia*. Building courage, therefore, can help overcome the temptations of being a bystander and to fight

⁶⁷⁹ There are, of course, exceptions such as bullying or slut-shaming as mentioned in chapter three.

⁶⁸⁰ McWhorter, 214.

for justice as well as building courage to overcome from a fractured self to an integrated self.

For empowerment, the self gives a way to take an active pursuit of one's choices in order to formulate a self beyond repair. The therapeutic significance is to not hold onto a static self, but face the former self, face it honestly and courageously, and understand what sort of self one can become. A problem, however, is whether someone may *feel* empowered, but objectively has diminished well-being. Empowerment, however, is a complicated topic but briefly, I would suggest that Zoë Peterson's view is correct: empowerment comes in degrees rather than all-or-none.⁶⁸¹ We must pay attention to both the subjective perception of empowerment and the objective criteria of well-being. If people can express themselves sexually in a sexually strict environment, then the people may feel empowered. It could be the case that they are diminished in well-being, but their feelings of empowerment should still be taken into consideration.⁶⁸² If we ignore people's subjective perception, they may feel invalidated, which is the opposite of empowerment. If these people are told that they should ignore or distrust their own sexual desires and pleasures, then they may lose out on a sense of what empowerment may be. At the same time, we must also be aware that the activities people are doing can be detrimental to their well-being, even if they subjectively see no problem with the activity. Empowerment, therefore, is multidimensional: one can be empowered in time t_1 under context x , but not quite empowered at time t_2 under context y . No one is completely

⁶⁸¹ Zoë D. Peterson "What is sexual empowerment? A multidimensional and process-oriented approach to adolescent girls' sexual empowerment." *Sex Roles* 62, no. 5-6 (2010): 307-313. See especially 309-311.

⁶⁸² It is similar to what I mentioned what Meyers said in chapter four: the oppression situation and their desires should both be taken into account and weighed accordingly. We cannot, nor should we, ignore either.

empowered in the same way no one is completely flourishing; just like well-being, empowerment is a lifelong goal that we all approach.

Further research requires psychological and philosophical analysis of these three characteristics. What exercises can people do to build those characteristics? How do these characteristics relate to further formation of the sexual subject? The educator's role can give students exercises to build students' comprehension and skills to handle emotional distress. Emotional distress can lead to a fractured self. But part of taking care of the self is to say, "I want to be someone else because the self I have is self-destructive." The baseline, in some situations, can still be destructive after traumatic experiences and moving beyond them would benefit people's well-being.

3. Further Research in *Áskēsis* for the Disabled

I have focused on different forms of gender, relationship, and sexual expressions that goes beyond the heterosexual, monogamous, married-for-life framework. I have also discussed how socioeconomics plays a role in sex education and that to solve the problems of unwanted pregnancies, we need to address the inequalities. These demographics briefly touched upon race and class. However, there is one demographic that I have not touched on: the disabled. Disability studies is a fairly new field in philosophy compared to other demographics that I have mentioned. Sexuality and the disabled is even more novel and addressed scantily in disability studies. The issue is complex because the standard discourse we hear in ethical sexual relations is consent. As I have argued, my view of consent rests on weak substantive autonomy. Depending on the disability, can the disabled be autonomous let alone autonomous in the weak sense?

For those who are physically disabled, the answer is easy: yes they can definitely be autonomous.

Briefly, there are two frameworks of disability. We can see the disability through a medical framework: being disabled means that there is some sort of bodily impairment. The body is not working according to its function. For example, being deaf is a disability because ears are meant to hear. Having cerebral palsy is a disability because muscles are meant to coordinate to the user's will. Therefore, modern medicine is to help cure or diminish the disability such that people can live a qualitative life. A criticism of the medical framework is that it focuses on the disabled's limitations such that people must adapt to social standards. This criticism has brought forth a social constructionist framework: being disabled is more of a stigmatization from society than simply an individual malfunction. The systematic barriers and being excluded from society bring forth the notion of disability.

I take *áskēsis* to accommodate both views. Tolman has argued that with subjectivity, being a subject, as opposed to an object, means that people have a voice and that they care about what happens to themselves, to their health, and to make decisions about themselves without being pressured or overpowered by others' needs or thoughts.⁶⁸³ Disabled people can do this and different techniques and exercises will be different for each individual. The issue is even more complex since different exercises and techniques may be appropriate or not applicable depending on the disability. When it comes to physical disabilities, for example, *áskēsis* would have to fit according to the disability. Depending on the muscular or neurological disorder, *áskēsis* would have to be tailored for each individual. This will not be an easy solution but with further

⁶⁸³ Tolman, *passim*.

developments in disability studies, it is possible. Moreover, helping students think about disability issues in general helps mitigate the possibility of ableist tendencies and structures in our society. In the same way that *áskēsis* can help people develop a respectful notion of different sexual values, so too could *áskēsis* help students accept those who are disabled.

For those who have mental disabilities, *áskēsis* would be more challenging. Those who are disabled are marginalized and stereotypically seen as asexual. But those who have mental disabilities still have sexual desires. There could be *áskēsis* for those who are mentally disabled, but I would leave that up to professionals and philosophers who work in disability studies. Moreover, there could be many case studies that philosophers, educators, and students could think about. Case studies such as: 1) the famous case where a husband had sex with his wife who had Alzheimer's.⁶⁸⁴ Is this ethical? 2) should those who are disabled have sexual surrogates to fulfill their sexual needs since they have a harder time accessing sexual partners? This question also relates to whether sexual desires are needs. And 3) what about two adults who have Down's Syndrome but they want to engage in sexual activity? The last question can also make consent more complex which adds more critical engagement with the disability community.

The project of revamping sex education cannot happen with a lone individual; there must be a collaboration of educators, public health officials, psychologists, sociologists, and philosophers. As sex education is also a political issue in the US, different ideologies will

⁶⁸⁴ Eugene Volokh. "78-year-old Iowa Legislator Is Prosecuted for Having Sex with His Wife, Who Was Suffering from Alzheimer's." The Washington Post. December 11, 2014. (Accessed January 17, 2019). https://www.washingtonpost.com/news/volokh-conspiracy/wp/2014/12/11/78-year-old-iowa-legislator-is-prosecuted-for-having-sex-with-his-wife-who-was-suffering-from-alzheimers/?noredirect=on&utm_term=.967013b155fd

spread. However, we cannot remain neutral on this territory. On the contrary, we must be engaged in order for change to happen. These further research enterprises are not exhaustive. In my mind, they are the next set of questions to ask and analyze that may leave the pure bounds of philosophical investigation. And while other disciplines are needed to help develop further research to add more knowledge and exercises for sex education curriculum, the tools of philosophy are still necessary for taking care of the sexual self.

Appendix 1:

Here is a sketch of what a good sex education syllabus could look like:

Human Sexuality Syllabus

Course Description:

Sexuality is a big topic rife with discussion and controversy. Rather than simply lecturing about the content of sexuality, the purpose of this course is to talk about it, and this means that material will be presented, and you, the students, will engage with the material and discuss main ideas or questions concerning the materials presented. This course will provide a scientific understanding of the historical, biological, psychological and social/cultural influences on human sexuality and its expression. We will consider human sexuality across the lifespan. This course provides information about sexual identity, orientation, and how changing sexual attitudes are influencing the culture. We will also cover the media's impact on sexuality, information about the biological and psychological causes of sexual dysfunction and their treatments, and the prevention and treatment of sexually transmitted infections.

We will not just talk about sex, but also about relationships, making healthy choices about what you want, how society can influence what we want, and the values we hold regarding sexuality. Sexuality is an integral part of physical and psychological health. Therefore, educating ourselves on relationships and sexuality is an integral part of health education.

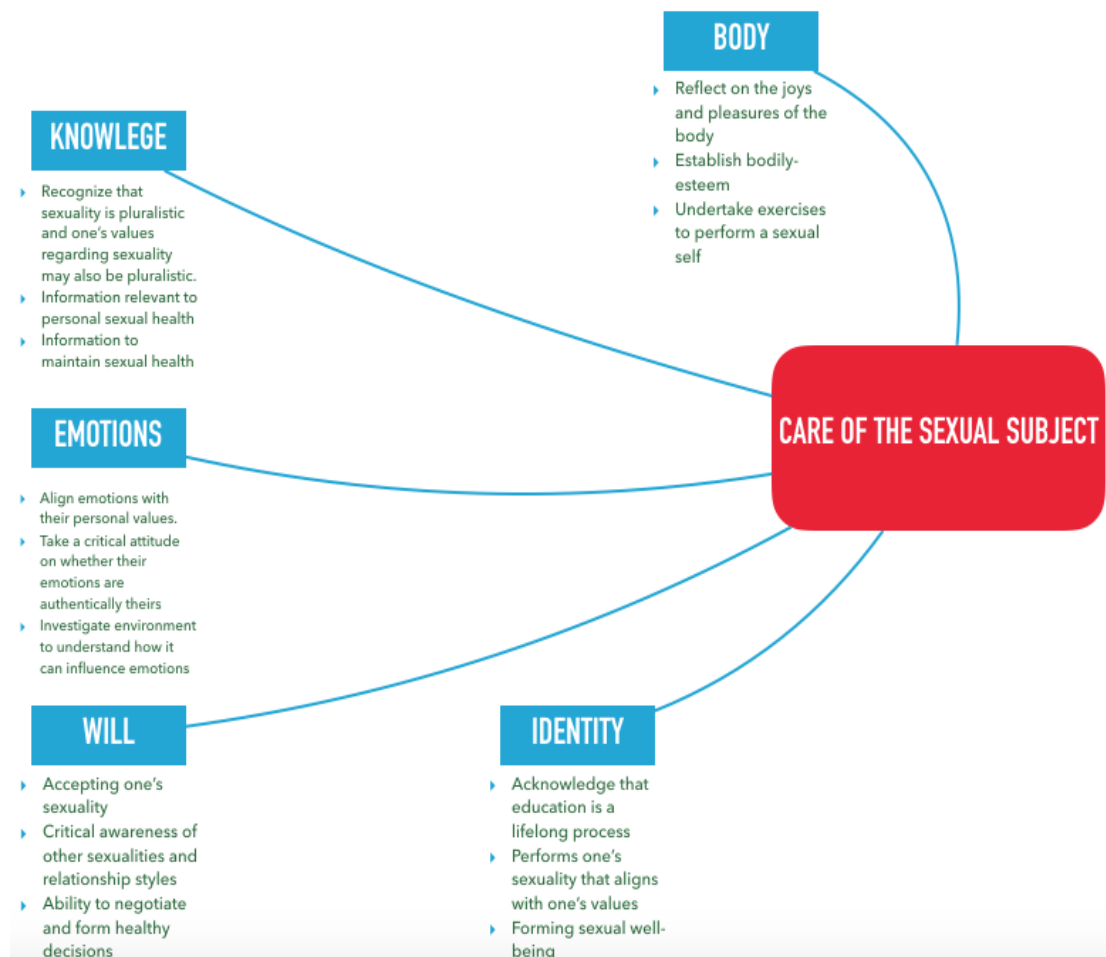
Beliefs about Human Sexuality and Sexuality Education

1. Sexuality is part of each person's total being.
2. Clarity about one's values and goals can lead to behavior that is consistent with personal standards.
3. Effective decision-making, communication, and conflict management skills increase the quality of relationships.
4. All persons should be treated with respect, regardless of sex, race, class, age, religion, or personal beliefs.
5. It is wrong to take unfair advantage of others, to exploit or to pressure them to do things against their will or values.
6. Everyone should be aware and sensitive of the impact their behaviours and actions may have on others and society.
7. Sexuality includes and focuses on the self-worth, respect and dignity of the individual.
8. People should be responsible for their behavior and its consequences.
9. Sexuality education is an ongoing process.

(Partially taken from *Sexuality Education: A Curriculum for Adolescents* by Wilson and Kirby, Network Publications, and the *Canadian Guidelines of Sexual Health Education*, Public Health Agency of Canada)

Course Goals:

The purpose of this course is to introduce the student to the historical, biological, developmental, and relational aspects of human sexuality. We will especially focus on the philosophical underpinnings and the ethics of sexuality, and ways to help you formulate your sexual values to inform a sexual self. The activities that we will do in class are meant to develop skills to take care of their sexual self. To achieve this end, we will discuss what it means to take care of the self so that one can formulate what it means to be a sexual being. Caring for the sexual self will be part of the background of this class although new information and discussions will certainly inform, modify, and supplement new ideas of your unique sexual self. Listed below are the particular objectives to formulate a way to care for the sexual self in the areas of knowledge, emotions, identity, the will, and the body.



Learning Objectives:

Knowledge: Students will be able to:

- Summarize the historical and religious understandings of human sexuality
- Summarize the basic biological and arousal aspects of the reproductive system

- Understand how sexual development changes over the lifespan
- Understand the biological and psychological differences among heterosexuals, homosexuals, bisexuals, and intersexuals
- Understand the different types of sexually transmitted infections and the effects on the body and society
- Understand to biological and psychological reasons for sexual dysfunctions
- Identify ways sexuality education can be integrated into various content areas in the schools, communities, and one's personal life.
- Identify important topics from your surroundings and suggest implementation strategies pertaining to sexuality.
- Explain the physiological and psychosocial processes involved in human reproduction.
- Interpret the significance of family planning and explain effective methods of contraception.
- Define and use correct vocabulary terms needed to communicate about human sexuality effectively.
- Understand pregnancy and prenatal life
- Understand that sexuality affects the genders differently.
- Understand different sexual orientations, gender binaries, relationship styles, and various ways that one can perform one's sexuality.
- Identify power structures in society that can inform and regulate one's sexuality.
- Recognize that sexuality is pluralistic and one's values regarding sexuality may also be pluralistic.
- Describe characteristics of healthy and unhealthy romantic and/or sexual relationship
- Demonstrate sexual consent and explain its implications for sexual decision-making, including how drugs and/or alcohol and affect the ability to give or receive consent
- Compare and contrast situations and behaviors that may constitute bullying, sexual harassment, sexual abuse, sexual assault, incest, rape and dating violence
- Describe potential impacts of power differences (e.g., age, status or position) within sexual relationships

Emotions: Students will be able to:

- Investigate their own particular emotions toward various sexual acts, relationship styles, their own sexual orientation, and if their emotions align with what they know.
- Identify and interpret positive physical, mental, and social factors that influence one's sexuality.
- Distinguish why one has emotional responses to various ideas.
- Understand how one's environment and social structures informs one's beliefs, which in turn can inform one's emotions.
- Investigate various structures in society, politics, religion, and the media to see how they inform one's attitudes toward sexuality and relationships.
- Describe a range of ways to express affection within healthy relationships

Identity: Students will be able to:

- Describe the importance of having a positive understanding of diverse sexual behaviors and attitudes, so as to develop an endorsing attitude toward sexual diversity.
- Develop the freedom to examine and talk about sexuality issues through individual or group processes.
- Describe why education for sexuality is a lifelong process, which does not end with a course in sex education.
- Consult, communicate, and refer people to valid sources of sexuality information.
- Perform one's sexuality that is in tune with the rest of the components.
- Understand assumed sexual and relationship positions in society and perform the actions that is authentically one's own rather than parroting the assumed positions.
- Use the discussions to actively form a self that is in tune with the other components.
- Understand that social pressures from society can inform one's sexuality.
- Obtain a sense of well-being.
- Discriminate between life-enhancing sexual behaviors and those that are harmful to self and/or others

Moral Will: Students will be able to:

- Formulate and interpret one's personal values in relation to the conflicting value systems of others.
- Compare and contrast existing sexual roles and values with those of the past and the projected future.
- Develop tolerance and justify the need to teach controversial sexuality topics.
- Understand that one's sexual values may not be the same as others do.
- Perform actions that is in tune with one's sexual self.
- Be mentally aware of one's sexual self to have sexual mental preparedness.
- Discipline oneself and engage in mental exercises so that one can perform what to do in a sexual situation.
- Have an accurate perception of the truth at hand so that one can know how to act.
- Perceive others as self-determining sexual subjects.
- Develop a critical mind to question the assumed positions regarding sexuality and relationships.
- Know how to care for their potential partners and build healthy relationships.
- Develop decision-making skills and the ability to negotiate that falls in line with one's values.
- Demonstrate effective strategies to avoid or end an unhealthy relationship
- Demonstrate effective ways to communicate personal boundaries as they relate to intimacy and sexual behavior
- Demonstrate respect for the boundaries of others as they relate to intimacy and sexual behavior
- Describe strategies to use social media safely, legally and respectfully

Body: Students will be able to:

- Reflect on the joy, pleasure and other positive aspects sexuality has on one's life.
- Understand that pleasure is a major component and motivation for sex.
- Pay attention to one's body and see how the body reacts toward relationship, sexual, or other intimate connections.
- Perform actions that is in tune with one's sexual self.
- Understand how social pressures inform how the body is conditioned to perform in such a way.
- Understands that one's experiences can transform one's desires and therefore redirect one's life.
- Condition the body to break the associations of bodily responses to guilt and shame that is associated with sex or other types of relationships that are not the "norm."

Assignments:

1. Compare/Contrast Paper: Students will write a paper in which they compare and contrasts exactly 10 things they learned in the class that is new and different from what she/he believed before coming into this class. The student will document what their past misconceptions were and what the new understanding is. The student will find at least three professional sources references in which they use to further support what they learned. THIS IS NOT A PAPER WHERE YOU SHARE YOUR POLITICAL IDEAS. This is about what you have learned and how research supports it.
2. Survey: Before class, we will take a survey to see where you stand on various issues on sexuality. When each section or topic is complete, we will take another survey to see if you have changed your mind and you will report why you have changed your mind.
3. Sexuality and Relationship Journal: Your journal is an organizational tool that can help you stay on task and up to date with what you have learned in class. These journals are meant to help you develop your own values regarding sexuality in accordance with one's self.
4. In-Class Workshops: We will do in-class assignments and work on various activities together and discuss the meanings of our answers.
5. Exams: There will be three exams.

Purpose behind syllabus:

- Lower the level of teasing, harassment, and ridicule of LGBTIQ students. This means to say something to counter the language when you hear it. Moreover, offer a counter-criticism or offer words of encouragement for all minority students.
 - By not saying anything when teachers or students hear things like, "that's so gay" or "faggot," the teachers and students are complicit in endorsing an environment where belittling LGBTIQ students is tolerable.

- This can create a climate of fear, hate, and violence if school leaders do not stop this.
- Mention positive role models of LGBTIQ persons.
- Invert heterosexual norms in subtle ways. Say things like “partner,” “significant other,” “sweetie,” instead of “husband,” “wife,” “boyfriend,” or “girlfriend.”
 - Don’t ignore patriarchal, sexist, homophobic remarks from students, faculty, or staff.
 - Don’t assume that all staff, students, and family members are heterosexual.
- Include books and articles about people who are gay/lesbian and those who practice different relationship styles.
 - Include the contributions of those who are not part of the sexual or relationship norms. Understand that what is considered normal would not make sense unless there was also something already abnormal.
 - Queerness is not a natural state of being but produced as a contrast, as that against which normalcy is established.
 - Norms *produce* queerness.
 - Doing so is a conscious-raising activity which would help educate students and faculty about the complexities of identities.
- Speak positively about LGBTIQ friends and family members.
 - Allow Gay-Straight Alliances.
- Overall, don’t disregard the critical examination of the dominant power/knowledge regimes associated with heterosexual identities. By omitting that, one can contribute to social inequality and injustice.

Topics to Cover:

Values and Morality:

1. Values and Morality, Cultural Considerations, Pluralism and Particularities
2. Contraception and Abortion
3. Commercial Sex
4. Sexual Subjectivity/Sexual Empowerment
5. Purity and Virginity
6. Legal Issues
7. Sexual Well-being
8. Sexuality and the Media, curricular Topics and Development - What do the ads imply?

Biology:

9. Female Sexual Anatomy
10. Male Sexual Anatomy
11. Sexual Arousal and Response
12. Sexuality in Adolescence
13. Sexuality in Adulthood

14. Conception, Pregnancy and Childbirth

Identities:

15. Gender Identity and Roles
16. Sexual Orientation
17. Intersexuals
18. Non-Monogamies
19. Independence and autonomy
20. Body Image

Relationships:

21. Attraction and Love
22. Relationships and Communication, Negotiation Skills, and Relationship Dynamics
23. Ending Relationships

Behaviors

24. Sexual Behaviors and Fantasies
25. Sexual Dysfunctions
26. Atypical Sexual Variations

Personal Attitudes and Safety

27. Sexual Coercion and Sexual Assertiveness
28. Flirtation
29. Pleasure and Consent (Body and Will)
30. Shame and Guilt
31. STIs
32. Impact of Drugs and Alcohol on Sexuality

Texts:

Possible texts for educators:

- The basic skeleton will be *Tools for Teaching Comprehensive Human Sexuality Education* by Dominick Splendorio and Lori A. Reichel. This book follows the guidelines of NSES (National Sexuality Education Standards)
- “Filling in the gaps” will be following the guidelines from SIECUS (Sexuality Information and Education Council of the United States) taken from: http://www.siecus.org/_data/global/images/guidelines.pdf It meant to supplement the basic skeleton.
- Various activities from *It’s All One: Curriculum and Guidelines*.
- Various activities from *Our Whole Lives*.

Possible texts for students:

- [Lang levede liefde](#) (Long Live Love)??
- [S.E.X., second edition: The All-You-Need-To-Know Sexuality Guide to Get You Through Your Teens and Twenties](#) by Heather Corinna.

- *Oh Joy Sex Toy* Graphic Novel online
- *Come as you are* by Emily Nagasaki

Relevant Web sites:

- Alan Guttmacher Institute: <http://www.agi-usa.org/> teen pregnancy and sexuality information
- Sex Information Council of the United States: <http://www.siecus.org/>
- American Social Health Association: <http://www.ashastd.org/>
- CDC'S Adolescent and School Health Information (DASH): <http://www.cdc.gov/nccdphp/dash/>
- Sexually Transmitted Diseases Center for Disease Control STDS: <http://www.cdc.gov/nchstp/dstd/dstdp.html>
- Gay, Lesbian and Straight Network (GLSEN): <http://www.glsen.org>
- Gay, Lesbian, Transgender Association: <http://www.unlv.edu/studenterv/GLBT/>
- Answers Teen Health and Sexuality Questions <http://www.iwannaknow.org/>
- Planned Parenthood, Ask the experts, provides accurate information to teens www.teenwire.com.
- Planned Parenthood, resource pertaining to family planning and sexuality education: www.plannedparenthood.org
- **Go Ask Alice**, This resource provides answers to a variety of health questions including those pertaining to human sexuality: <http://www.goaskalice.columbia.edu>
- Office of Women's Health, information site for young women's health issues: <http://www.4girls.gov>
- Transgender Network International, information site for transgender adults www.tgni.com
- Queer Resource Directory www.qrd.org
- Scarlateen. An independent, grassroots website dedicated to sexuality education. www.scarlateen.com
- Sex,etc.org an information about sex web site written by teens for teens www.sexetc.org
- Smarter sex site dedicated to college students www.smartersex.org
- I Wanna Know. Site of the American Sexual Health Association for answers to sexual questions: <http://www.iwannaknow.org>
- Youth Resource. Website by and for lesbian, gay, bisexual, and transgender youth. <http://youthresource.com>

Resources for Sex Education

- Coinna, Heather. *S.E.X., second edition: The All-You-Need-To-Know Sexuality Guide to Get You Through Your Teens and Twenties*. A very comprehensive book about sexuality, relationships, gender roles, sexual preparedness, and sexual self-esteem. Very pluralistic and inclusive.
- Easton, Dossie. *The Ethical Slut*. The "bible" of open relationships and polyamory.

- Hills, Rachel. *The Sex Myth*. A journalist looks at the sex myth—the systematic idea that we are disgusting if we are attracted to people of the same sex, or if we have “too many” sexual partners or if we are not monogamous. But it also tells us that we are failing if we are *not* sexually active, if we have too few partners, or if we are not sufficiently sexually “skilled.” We are all slut-shamed and prude-shamed. Instead, let people be, which means we need to be free of the sex myth.
- Joannides, Paul. *Guide to Getting it on*. A behemoth of a book. Over 1150 pages of information about everything you can think of about sex. Illustrations abound. Great resource material.
- Jones, Tiffany. “A Sexuality Education Discourses Framework: Conservative, Liberal, Critical, and Postmodern,” in *American Journal of Sexuality Education* Vol. 6, No. 2 (2011): 133-175. A good article that looks at every type of sex education practiced in America.
- Lamb, Sharon. *Sex Ed for Caring Schools: Creating an Ethics-Based Curriculum*. A psychologist wants to create a sex ed program based on caring.
- Males, Michael. *Teenage Sex and Pregnancy: Modern Myths, Unsexy Realities*. A sociologist investigates teenage sexuality and shows that the myths we hold about them are actually stigmas against race and class. Very insightful.
- Marino, Patricia. “The Ethics of Sexual Objectification: Autonomy and Consent” *Inquiry* 51 (2008), 345 – 364. A philosopher makes the case that being sexually objectified is not that bad. In fact, we sometimes want to be sexually objectified because we gain more pleasure out of it.
- Moen, Erica *Oh Joy Sex Toy*. An excellent online graphic novel where she mainly reviews sex toys, but she also discusses pregnancies, birth control, and has guest comic panelists. www.ohjoysexttoy.com Probably NSFW.
- Moon, Alison. *Girl Sex 101*. A sex ed book that covers everything about women (both cis- and transgendered women). Many illustrations, various techniques to learn, and building a “road map” to enhance your own particular pleasure.
- Nagasaki, Emily. *Come as you are*. A book that explains the intricacies of women’s sexuality by looking at the science and explains them in laymen’s terms. In the end, she argues that all types of female sexuality are normal no matter your drive, biology, or preferences. You do you! Very informative.
- <http://noshamemovement.com/> A site dedicated to young people’s early sex education and how that made them ashamed of sex, their bodies, and their hardship to sexuality. This site looks at their stories to show how to overcome the shame and that people are not alone in the shame.
- <https://www.omgyes.com>. A very educational, very informative website sponsored by the Kinsey Institute to show how various women achieve pleasure and orgasm through masturbation and touch techniques. Various women show you exactly how to touch their vulvas with specific patterns, pressure, length of time, and various movements. After which, you can download the apparatus and practice the same touch by using your mouse.
- Schalet, Amy T. *Not Under my Roof*. A sociologist looks at American and Dutch sexual values. Americans see adolescents as hormonal and not ready for sex until they are autonomous, meaning when they leave the home. The Dutch look at adolescents as leading into adulthood, and they regard sexuality as something that

adolescents may engage in, but only if they are ready, meaning when they can understand their own sexuality.

- Sexplanations on YouTube. The fabulous Dr. Lindsey Doe talks about sexuality in a humorous, yet informative way. Stay curious!
- Tanenbaum, Leora. *Slut! Growing Up Female with a Bad Reputation*. A journalist tackles slut-shaming and how there is a double standard regarding sexuality with young adults.
- Taormino, Tristen. *Opening Up*. A great beginner's guide to polyamory and open relationships. She breaks down different categories of open relationship styles and gives various case studies to show how people practice that particular style.
- <http://uncutting.tumblr.com/tagged/genitals+of+the+day>. Studies show that many people, especially women, are dissatisfied with the appearance of their genitalia. There has also been a correlation between this dissatisfaction and an unhealthy approach to sexuality. Therefore, this site helps to break down the barrier by showing pictures of various genitals from various people from their own submissions. Anyone can submit. By exposing the complexities, the various shapes and sizes and colors, and the different distributions of skin, the hope is that there is no ideal look of what genitalia is supposed to look like. Everyone has their own particular look and it's completely normal. Definitely NSFW.
- <http://uncutting.tumblr.com/post/132306988299/clitoral-hood-coverage-chart-updated-edition> Same as above but with different looks of clitoral hoods. NSFW

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