

**Philosophy of Sex and Love, Phil 201, Winter 2013, T Th 2:30 - 3:50, RCH 308**

**Professor: Patricia Marino**

**Office: HH 332**

**Office Hours: Tue and Th 10:30 to 11:20 and by appt.; add'l times to be posted on LEARN**

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**Course Description:**

This course will consider various topics in the philosophy of sex and love, with a focus on contemporary issues and research.

After a brief introductory discussion on the nature of sexual desire, we'll spend weeks two and three considering the ethics of sexual objectification and its relation to love and intimacy: is it ever acceptable to treat someone as a body or kind of object in sex? if so, when? In week four we'll discuss rape and date rape, considering how consent ought to be understood in practice. In week five we'll focus on two follow-up questions: how should rape law be written so as to best protect everyone's sexual rights and autonomy? is theorizing about the ethics of sex in terms of consent -- as we so often do -- harmful? In week six we'll talk about the medicalization of sex and sexual desire through pharmaceuticals.

In week seven we'll address moral, societal, and personal aspects of sex work, and in week eight we'll consider the question of whether sexual orientations form a "natural kind" -- that is, a natural rather than social category -- and what the implications are for the goal of equal rights. In week nine, we'll ask whether it is in the nature of love to form a union between persons, making two into one, and what the answer implies for individual autonomy. In week ten we'll discuss whether marriage is a kind of promise, and if so, what exactly is being promised, and in weeks eleven and twelve we'll talk about personal and political issues related to polyamory.

The course takes a philosophical approach to these topics. We'll talk more about what this means in class, obviously, but broadly speaking the philosophical method is one that uses reason and logic to figure out what is true. Clarity and precision in thought and expression are essential.

This course does not endorse any particular conclusion about any of the topics listed. Rather, the point is for you to understand what others have had to say, and to develop, possibly change, and learn how to intelligently defend, your own opinions.

If you have questions about the syllabus, the course, the requirements, the assignments, or anything else to do with this course, please do not hesitate to ask!

**Requirements:**

Attendance at class meetings; participation in in-class discussion; two papers; one optional rewrite; two in-class tests. There is no final exam; the second paper is due during finals period.

The first paper should be 900-1200 words and topics will be handed out. For the first paper, you have the option of handing in a rewrite based on my comments. If you choose to do this your new paper grade will be an average of the original and the rewrite; your grade will not go down if the new draft is worse, but improved grades require significant changes and not just small edits. Tests will be a mix of short answer and short essay. The second paper should be 1500-1800 words, and is due during the final exam period.

Dates for papers and tests are listed below, in the course schedule. Paper assignments will ask you to write about your own ideas about a philosophical problem while engaging the texts and ideas we've encountered in class. The focus is on presenting an original argument. Of course this means the ideas in your papers must be your own; we will talk more in class about how to ensure that the ideas you present as your own really are, and how to cite any outside sources you do use appropriately. If you have any questions at any time about academic honesty and what it requires, do not hesitate to ask. Just raise your hand or approach me after class.

All readings are posted on the LEARN course web page as pdfs you can download.

I will post study questions on LEARN ahead of time for each week's reading and you're expected to come to class having given some thought to these. I may call on people for responses to study questions, even if they don't have their hands raised, so come prepared.

Everyone should participate in class discussion. Participation can take several forms: you may pose an informed question, or volunteer an answer to one of the study questions, or offer a response to me or to another student. Those who participate in one of these ways about once a week will earn a participation grade of at least 75 percent. Being especially informed about the texts and raising original and substantive points can raise that to 100. If you're not used to participating in class discussion, I can tell you from experience that the more you do it the easier it gets. Participating helps you learn useful skills and also makes the class more fun and interesting for everyone. So don't be shy.

Though I will be posting the lecture slides I use on the LEARN page, those slides serve as lecture outlines and not as sources of information. To know what is going on in class you have to be there. And don't hesitate to take notes -- it can help keep you actively involved in what is going on and in addition to being useful for studying.

You can see in the following breakdown that papers are worth more than grades, so it is worth your while to put a lot of effort into them.

**Grades:**

Paper 1: 25%

Test 1: 15%

Test 2: 15%

Paper 2: 35%

Participation: 10%

**Policies**

Please submit your paper electronically, **in pdf format** using the LEARN dropbox before class time on the day it is due. Format details will come with the assignment. Obviously, you should hand in your paper on time, but if you must be late, I will subtract three percentage points from your grade per day of lateness.

If you experience unexpected difficulties like illness or personal difficulties, please let me know as soon as possible. If you expect to miss a deadline or test, let me know with a quick email **before** the deadline rather than after.

Course announcements and information will be on the LEARN page so please check it daily.

For simple questions, feel free to email me any time. For more complicated questions about course material and other topics, I prefer to meet in person. You can come by my office hours, talk to me after class, or email me to set up an appointment. Please use regular email rather than messaging through LEARN to contact me. My email address is pmarino@uwaterloo.ca and can be found at my website patriciamarino.org. Please sign your emails with your name.

Please call me "Patricia." Or you can call me "Professor Marino" or "Dr. Marino" if you prefer.

**Jan 8 Introduction**

**Jan 10** Simon Blackburn, *Lust: The Seven Deadly Sins* (Oxford University Press, 2004), Chapters 3, 10, and 11. (Don't worry; these chapters are short.)

**Week 2: Objectification**

**Jan 15** Martha Nussbaum, "Objectification," *Philosophy and Public Affairs* 24 (1995), read pp. 249-271.

**Jan 17** Martha Nussbaum, "Objectification," pp. 271-291.

**Week 3: Objectification, cont'd**

**Jan 22** Patricia Marino, "The Ethics of Sexual Objectification: Autonomy and Consent," *Inquiry* 51 (2008), 345-364.

**Jan 24** Nancy Bauer, "Pornutopia," n+1 5 (2007), online at <http://nancybauer1.com/doc/bauer%20pornutopia%20n+1.pdf>. Nancy Bauer, "Lady Power" (on feminism and Lady Gaga), Opinionator, *The New York Times*, June 20, 2010, at <http://opinionator.blogs.nytimes.com/2010/06/20/lady-power/>

**Week 4: Consent, rape, and date rape**

**Jan 29** Lois Pineau, "Date Rape: A Feminist Analysis," *Law and Philosophy* 8 (1989), 217-243.

**Jan 31** Alan Soble, "Antioch's Sexual Offense Policy: A Philosophical Exploration," *Journal of Social Philosophy* 28 (1997), 22-36.

**Week 5: Sex, law, and consent**

**Feb 5** Stephen Schulhofer, "Taking Sexual Autonomy Seriously: Rape Law and Beyond," *Law and Philosophy* 11 (1992), 35-94, READ ONLY: Introduction (pages 35-36), III (pages 45-54), V (pages 65 - 93), Conclusion (pages 93-94).

**Feb 7:** Robin West, post-print of "Sex, Law and Consent," in *The Ethics of Consent: Theory and Practice* (Alan Wertheimer & William Miller eds. (Oxford University Press, 2009), Georgetown Public Law Research Paper No. 1172162. Available at SSRN: <http://ssrn.com/abstract=1172162>. READ ONLY Introduction (pp. 1-6) and section B (pp. 20-29).

**FIRST PAPER DUE FEB 7**

**Week 6 The medicalization of sex and desire**

**Feb 12** John Bancroft, "The Medicalization of Female Sexual Dysfunction: The Need for Caution," *Archives of Sexual Behavior*, 31(5) (2002), 451-455 and Leonore Tiefer, "Female Sexual Dysfunction: a Case Study of Disease Mongering and Activist Resistance," *PLoS Medicine*, 3(4), (2006), e178.

**Feb 14 FIRST IN-CLASS TEST**

--- week off

**Week 7 Sex work, autonomy, and well-being**

**Feb 26** Yolanda Estes, "Moral Reflections on Prostitution," *Essays in Philosophy* 2 (2001), and Laurie Shrage, "Should Feminists Oppose Prostitution?" *Ethics* 99 (1989), 347-361.

**Feb 28** Jeffrey Gauthier, "Prostitution, Sexual Autonomy, and Sex Discrimination," *Hypatia* vol. 26, no. 1 (Winter, 2011).

**Week 8 Identities of sex and love: sexual orientations, natural kinds, and politics**

**Mar 5** Martha Nussbaum, "Millian Liberty and Sexual Orientation: A Discussion of Edward Stein's *The Mismeasure of Desire*," *Law and Philosophy* 21 (2002), 317-334.

**Mar 7** Ian Hacking, "How 'Natural' Are Kinds of Sexual Orientation?" *Law and Philosophy* 21: 95-107, 2002 and Edward Stein, "Reply to Martha Nussbaum and Ian Hacking," *Law and Philosophy* 21 (2002), 349-353.

**Week 9 Is love a union?**

**Mar 12** Robert Nozick, "Love's Bond," in his *Examined Life*, Simon and Shuster, 1989.

**Mar 14** Noël Merino, "The Problem with 'We': Rethinking Joint Identity in Romantic Love," *Journal of Social Philosophy* 35 (2004) 123-132.

**Week 10 Is Marriage a promise? Can you promise to love someone forever?**

**Mar 19** Susan Mendus, "Marital Faithfulness," *Philosophy* 59 (1984), 243-252.

**Mar 21** Elizabeth Brake, "Is Divorce Promise-Breaking?" *Ethical Theory and Moral Practice* 14 (2011), 23-39.

**Week 11 Polyamory**

**Mar 26** Elizabeth Emens, "Monogamy's Law: Compulsory Monogamy and Polyamorous Existence," *NYU Review of Law & Social Change*, 29 (2004), sections I, II, and III (pages 277-330)

**Mar 28** [class cancelled]

**Week 12 Polyamory continued**

**Apr 2** Elizabeth Emens, "Monogamy's Law: Compulsory Monogamy and Polyamorous Existence," *NYU Review of Law & Social Change*, 29 (2004), sections IV, V, and VI (pages 330-376)

**Apr 4** **SECOND IN-CLASS TEST**

**April 15: SECOND PAPER DUE**

**University info and links**

Cross-listed course: Please note that a cross-listed course will count in all respective averages no matter under which rubric it has been taken. For example, a PHIL/PSCI cross-list will count in a Philosophy major average, even if the course was taken under the Political Science rubric.

Academic Integrity: In order to maintain a culture of academic integrity, members of the University of Waterloo are expected to promote honesty, trust, fairness, respect and responsibility.

Discipline: A student is expected to know what constitutes academic integrity, to avoid committing academic offences, and to take responsibility for his/her actions. A student who is unsure whether an action constitutes an offence, or who needs help in learning how to avoid offences (e.g., plagiarism, cheating) or about "rules" for group work/collaboration should seek guidance from the course professor, academic advisor, or the Undergraduate Associate Dean. When misconduct has been found to have occurred, disciplinary penalties will be imposed under Policy 71 – Student Discipline. For information on categories of offenses and types of penalties,

students should refer to Policy 71 - Student Discipline, <http://uwaterloo.ca/secretariat/policies-procedures-guidelines/policy-71>.

Grievance: A student who believes that a decision affecting some aspect of his/her university life has been unfair or unreasonable may have grounds for initiating a grievance. Read Policy 70 - Student Petitions and Grievances, Section 4, <http://uwaterloo.ca/secretariat/policies-procedures-guidelines/policy-70>. In addition, consult <http://arts.uwaterloo.ca/student-grievances-faculty-arts-processes> for the Faculty of Arts' grievance processes.

Appeals: A student may appeal the finding and/or penalty in a decision made under Policy 70 - Student Petitions and Grievances (other than regarding a petition) or Policy 71 - Student Discipline if a ground for an appeal can be established. Read Policy 72 - Student Appeals, <http://uwaterloo.ca/secretariat/policies-procedures-guidelines/policy-72>.

Academic Integrity website (Arts): [http://arts.uwaterloo.ca/arts/ugrad/academic\\_responsibility.html](http://arts.uwaterloo.ca/arts/ugrad/academic_responsibility.html)

Academic Integrity Office (uWaterloo): <http://uwaterloo.ca/academic-integrity/>

Note for students with disabilities: The AccessAbility Services (AS) Office, located in Needles Hall, Room 1132, collaborates with all academic departments to arrange appropriate accommodations for students with disabilities without compromising the academic integrity of the curriculum. If you require academic accommodations to lessen the impact of your disability, please register with the AS Office at the beginning of each academic term.