

What's Wrong with Adult-Child Sex?

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Emma Goldman wrote in the first volume of her autobiography about an elementary school teacher she had in Germany who refused to write her a letter of recommendation because she refused to sit on his lap and let him play with her sexually.¹ Frank exposure, such as hers, takes courage and is beneficial in helping others recognize what was done to them, thereby enabling them to take steps to reduce its incidence for other children. When the facts are not in dispute, victims of coercive or manipulative adult-child incest should never be put in the position of having to justify the view that what was done to them was wrong, much less to furnish an analysis of what was wrong with it.

Laurence Thomas argues for the conclusion that "in any culture, sex between an adult and a child is wrong."² Discussions of incest often assume this at the outset and reject the idea that there might be a credible alternative view. Consideration of dissenting views is sometimes precluded by fear that, like arguing with Holocaust deniers, it would tend to validate an evil by wrongly communicating that the idea is worthy of debate. I would not argue the validity of the case with any adult who coerced or deceived a child into sexual activity or who caused her physical injury in the course of sexual activity. Yet as a philosopher one's position is different. The philosopher *as such* is not a victim (although many philosophers are *also* victims). Philosophers should have some contexts in which to investigate theories of what is wrong with adult-child sex when it is wrong and even to question whether it is always, or necessarily, wrong. To his credit, Thomas does not dismiss this project as invalid but offers a sustained argument.

Thomas's theory of what is wrong with adult-child sex might be called the Breach of Trust Theory. He rejects the Consent Theory that what makes it wrong is absence of the child's free and informed consent. For it is often justifiable to do things to children without their consent (such as see that they receive appropriate vaccinations). I agree that there are cases in which absence of the child's consent does not explain fully what is wrong with a particular action. When the sole point of an activity is pleasure, however, it seems to me that absence of consent, or presence of coercion, by either party is a sufficient objection. Absence of consent for such an activity with a child of an age to give it seems to me always an additional objection, even if there are other reasons that would make the activity wrong. Yet I do not rely on the idea that coercion is always present for the child just because adults have more power or authority. That idea fails to recognize the difference between adults who honor a child's preferences and those who do not.

Setting aside for the moment the Sambian initiation ritual, which I take up later in the article, I agree with Thomas on the wrongness of the cases in present-day American culture that he has in mind, because they involve deception by an adult who takes sexual initiatives with the child and is unconcerned about what is good for the child. As he presents the case, there is no reason for the child to engage in the activity except that the adult wants to and the child trusts that the adult has a good reason. Nevertheless, I question the assumption that adult-child sex is necessarily wrong. I also disagree with empirical assumptions underlying the Breach of Trust Theory, and I propose, alternatively, a Bonding Theory, according to which a danger of adult-child sex, where coercion is absent, is in the power of the bonds that it can create.

I do not conclude that adult-child sex is always and everywhere wrong, even though I do not dispute the wrongness of the instances that feminists have exposed and the examples described by Thomas, aside from the Sambian ritual. Breast-feeding of infants and small children is commonly a source of sexual pleasure for mothers. I find nothing wrong in that. Breast-feeding does not become abusive even if the mother does it, rather than bottle-feeding the baby, just because she enjoys that sexual pleasure. Shortly I will argue that over time even breast-feeding can become problematic, but not because of the adult's sexual pleasure.

To avoid the counterexample of breast-feeding, it is tempting to move to the position that what is always and everywhere wrong is the sexual *abuse* of children by adults. That is how Thomas actually begins his paper, referring not to adult-child sex in general but to "child sexual abuse." Yet it is true by definition that child sexual abuse is wrong. *Abuse* of anyone is, by definition, wrong. The difficult questions are which sexual activities of adults with children are abusive, under what conditions an adult's sexual activity with a child is wrong, and, when such activity is abusive or wrong, why that is so. Thus, I think it would be a mistake, in the interests of understanding this topic, simply to set aside breast-feeding. More interesting would be an account that explains why breast-feeding is not wrong even when done for the sexual pleasure it provides, whereas at least some sex play by an adult with a child is wrong.

My first inclination is to respond that the answer to the question "What is wrong with adult-child sex?" varies with the nature of the sexual activity. Some cases are obvious, as when the activity is physically injurious or the child is coerced or misled. Others are not. When there is no physical injury, no humiliation, no coercion, and no deceit, it has not been obvious to a great many people that anything is wrong. The North American Man/Boy Love Association (NAMBLA) celebrates voluntary and apparently physically non-injurious adult-child sexual activity, as did intellectuals of Plato's Greece.³ Shulamith Firestone supported it in *The Dialectic of Sex* in 1971, a piece of history that feminists today do not mention very often.⁴

For Thomas "the paradigm case [is] of . . . an adult performing a sex act in order to achieve arousal and orgasm . . . with a child under the age of twelve."⁵ He does not say at this point at whose initiative the act is performed or exactly what the act is. But later descriptions make it clear that he envi-

sions the adult taking the initiative. He then moves fairly quickly to rejecting the Consent Theory, taking the subject of possible consent to be the child. Cases he has in mind appear to involve sexual penetration of the child's body. Yet he does not focus on physical injury but seeks a broader answer. The wrong, he argues, consists in a breach of the child's trust (unconditional, if the adult is the child's parent) that the adult aims to do what is good for the child or at least (if the adult is not the child's parent) does not aim to do what would be bad for the child. If there really is no way that adult-child sex could be good for the child, an adult who proposes, initiates, or carries out such behavior is unworthy of such trust. Thomas maintains that, indeed, there is no way that adult-child sex could be good for the child or, apparently, even that any adult could reasonably think so.

To explain why adult-child sex could never be good for the child, Thomas offers a normative conception of sexual relations between adults as, minimally, exhibiting "dual-level reciprocal choice-worthiness," that is, as involving the judgment by each that the other is a worthy choice as a sexual partner and also the desire by each to be judged by the other as a worthy sexual partner.⁶ He then claims, empirically, that children cannot make such judgments or have such wishes and concludes that in the absence of these minimal conditions of good sex, there is no evidence that sexual activity with an adult could be good for the child and that no adult could have good reason to think there was.

In Thomas's paradigm, adult-child sex appears to be proposed, initiated, or carried out by adults who are seeking their own pleasure and are not really concerned about what is good for the child. But what about instances in which the child initiates sexual contact? And instances in which a source, even the main source, of pleasure for the adult is the child's sexual pleasure? Such examples raise different moral questions for the adult. It need not be a matter of the adult's having to restrain his or her own impulses but, rather, of the adult's wondering what limits, if any, to set for the adventurous child.

Children do experience sexual pleasure and seek it out in a variety of ways and contexts. Children masturbate themselves and sometimes each other. They are not born knowing that sexual touching is not always appropriate. Children are very exploratory, until adults set limits. Even then, children continue exploring with each other, as in playing "thermometer," when adults are not around. This is not just curiosity about bodies, as Thomas suggests. There is often intense erotic excitement at the nakedness, physical touching, and secrecy. Children who spontaneously play sexually with age peers do not necessarily do anything wrong that I can see (although children who rape do, which is commoner than one might think given the little attention adults pay it). Why is sex play suddenly wrong when one party is an adult? To evaluate the claim that "in any culture, sex between an adult and a child is wrong," we must consider not only instances in which adults take the initiative or try to engage in adult-type sex with a child, but also those in which initiatives are taken by children who are interested only in childish sex.

We need a conception of "sex" that acknowledges the intense erotic excitement at physical touching and nakedness of which even very small children are capable. Children certainly can find another person a worthy choice

for sexual pleasure and can have the desire to be found so worthy by another. Perhaps “worthy” is too sophisticated a concept for children. The point is that children can find another individual special, single out that individual as someone to play with sexually, and want that individual to find them special in the same way. In our culture, at least, children are not taught a sexual vocabulary for expressing such things (although they sometimes invent their own) and are discouraged by adults from talking about them in any vocabulary. Also, activities that provide children with sexual pleasure are simpler than those that provide adults with sexual pleasure. Some children may not be very sexual (many adults are not). But Freud was wrong to think we all go through a latency period of sexual inactivity. I don't think I did. Since I was much younger than ten, I was “in love with” particular others (adults, peers) whom I wished passionately to see and caress naked, and I fantasized their wanting to do the same with me.

What wrong, if any, is done the child (weaned but under 12) for whom adults fail to set limits, the child whose sexual explorations with adults are not firmly discouraged? Is there any harm if the explorations are carried out with another child? There may be some breach of trust in adult-child sex even when the sex is childish rather than adult in form. But if so, the breach need not involve the adult's simply using the child as a means to his own sexual gratification.

I find it plausible that an adult might reasonably think that childish adult-child sex could be good for the child, or at least not harmful. And I must disagree that as an adult no one could look back on sexual activities, at least the more childlike ones, engaged in during childhood with an adult as a happy experience. I can only offer myself as a counterexample. Although the “sex” in my case was not adult-type sex and might even have “passed” as nonsexual had an observer been present, still, moral questions can be raised about it, which I will get to shortly. I certainly agree that an adult's trying to engage in *adult* sexual activities with a child is outrageous. But adult-child sex need not be like that. Adults can engage in more childlike sexual activities with a child. According to Kenneth Plummer, in ancient Greece, adult men did not ordinarily sexually penetrate the bodies of the young boys of whom they were the lovers but, rather, put their penises between the thighs of the boys, an activity that would cause no physical injury.⁷

Especially when the child both initiates and evidently enjoys the activity, it is not obvious that the child would feel betrayed. The responses of others who found out might be devastating and even traumatizing. Perhaps that in itself could provoke feelings of betrayal if the adult did not prepare the child regarding the social meanings attached to adult-child sex in our culture.⁸ We live in a society in which children who have sexual knowledge are considered no longer innocent. If they must hide from others the facts of the matter, it is true that they have lost the innocence and spontaneity of childhood. But it might be that only later, as an adult, the former child would feel betrayal by an adult who played with her sexually. She might feel this independently of others' responses and even while remembering the happiness that the activities produced at the time. What might be the source of feelings of betrayal?

A possible answer is that adult eroticism is more emotionally complex than a child is prepared to handle. We would then need an explanation of that complexity and what "handling it" means. Is flirting with a child, which is highly erotic, all right (if it is) because both child and adult get roughly the same pleasure from the activity, whereas in sexual eroticism, the adult takes unfair advantage of the child by getting more from the interaction, something the child cannot understand, something different from what the child gets? But, of course, the same is true of many clearly innocent activities, such as reading a child *The Wizard of Oz*, which is written to entertain the adult reader differently from the way it entertains the child. The question should be whether the activity in any way hurts or demeans the child. Flirting games, such as peek-a-boo, apparently, do not hurt children; they seem innocent forms of play. Why is bodily eroticism with children not also sometimes an innocent form of play?

Another possible answer is that most adults whom the child might approach cannot be trusted to have the child's good at heart and would go on to take advantage of the child's naivete to do things that the child would not enjoy. This answer suggests that there may be nothing wrong with adult-child sex if the adult truly has the child's good at heart (enjoys the child's pleasure, causes no physical pain or humiliation, respects the child's preferences, does not deceive the child, etc.) but that it sets an unfortunate precedent, because the child is not able to discriminate adequately between trustworthy and untrustworthy adults. That, of course, is not an answer that Thomas could accept, as he sees no way in which the adult could have the child's good at heart. I am not satisfied with it, either, but for a different reason.

The account that I find plausible of the wrongness of noninjurious, non-coercive, nondeceptive child-initiated sex with an adult sounds at first almost the opposite of Thomas's Breach of Trust Theory. But it can be understood as a different kind of breach of trust, one that need not involve bad faith on the part of the adult. It, too, involves an empirical hypothesis, the verification of which, as a general principle, outruns my talents as a philosopher. And so I offer it as a possibility. What I find plausible is that sexual eroticism is an enormously powerful bonding agent, so powerful that the child may be unable to loosen the bond adequately when the wish to do so arises later, as it inevitably will, or if it should be in the child's interests to do so, as, again, it inevitably will be. Call this theory the Bonding Theory (or, to borrow from feminist theorist Julia Penelope, perhaps it would be better called the Binding Theory).⁹ The reason I say it need not involve bad faith is that the adult who does it may have no ulterior motives at all.

The Bonding Theory may be unpopular with those drawn to care ethics, in which bonding has positive connotations. Feminists usually take as paradigms of the adult sexual abuse of children instances in which the child did not in fact welcome the sexual contact but felt (and was) powerless to say so or to prevent it or was afraid of hurting the adult's feelings or of losing that adult's love and respect. But sexual intimacy with an adult can also create a special bond, or powerfully reinforce bonds that already exist, making it even more difficult than it ordinarily is for the child ever to be free enough of the relationship to form good bonds with others.

Sexual bonding between adults is also powerful. But adults come to understand this and can make choices about whom they are willing to become attached to. (Lest it be thought that I oppose premarital or extramarital sex, I'll mention as an aside my general, principled opposition to marriage as a legal institution.¹⁰ But I do think it playing with fire to have sex with people you don't know well or know but don't respect, unless you are blindfolded or in a darkened room and never know who the other party is; perhaps lesbians could learn from some of the social sex institutions of gay men). Even as an adult, becoming detached from someone whose character is discovered to be problematic can be difficult when there is a history of good sex.

The child is not in a position to evaluate the character of those to whom she becomes attached or even to appreciate the power of the attachment and its influence in many areas of life. As Thomas appreciates, young children tend to think, for a long time, that adults must be right, no matter what they do. This may be not so much a trust as a naive faith in the goodness and wisdom of adults generally. Fortunately, this faith is often not misplaced. But the child is in no position to discriminate among adults and make an intelligent choice about which ones it would be good to be attached to.

Even when the child's faith in a parent is not misplaced (when the parent really is good and wise), eventually the child must be able to detach somewhat in order to have a life of his own. Sexual bonding can interfere with the child's ability to go her own way and make a life for herself. Breast-feeding continued for many years may interfere with separation. On this theory, parents who fail to set limits to children's sexual behavior create the danger that the child will be too bonded to a parent to form happy alliances of his own mature, adult choosing. This is what I fear is bad for the child, that she is not allowed to live her own life. The child is too young to know this. It is hard enough to break free of relationships based on adult eroticism, hard enough for children to break free of parents sufficiently to live their own lives, even without the complications of sexuality, and, for that matter, hard enough already for an infant to become weaned. Fortunately, weaning usually occurs early and is permanent, which may be why breast-feeding does not do more harm than good.

But if the child is too young to know this, not all adults know it, either. How could they, if it is only a theory? It is not a widespread cultural belief. Many reasons that are widespread in the culture regarding the wrongfulness of adult-child sex invoke religious beliefs that many of us reject. Adults who reject those beliefs and play sexually with children may sincerely believe they do the child no harm and that if the child enjoys it, it must be good, even though not socially appreciated in our culture. For this reason, I hesitate to call such behavior by adults abusive, even if it eventually does the child a disservice. When the activities in question are not those characteristic of adult sex and could cause no physical injury, and when the child takes initiatives and evidently enjoys the play, it is more plausible than many adults would think that what they are doing is okay. If the Bonding Theory is empirically false, perhaps they are right.

Let's return briefly to children's sexual play with children who are roughly their age peers (often the same gender). Such play may be harmless when not engaged in with the same child over a long time. When a child does engage in sex play with the same child over a long time, even if the activity is consensual (which it often is not), the same dangers of powerful bonding may arise as with an adult, on the Bonding Theory.

On the Bonding Theory, the adult who fails to set limits to a child's sexual explorations potentially does the child a disservice. The adult is either (perhaps unwittingly) taking advantage of the child's naivete, his inability to appreciate the consequences of such play, and his inability to evaluate his partners in play, or else neglecting to protect the child from his own naivete.

The Sambian initiation ritual of adolescent males fellating adult males appears to be potentially a powerful bonding ritual. As such it would link not only Sambian males intergenerationally but also male age peers to each other, insofar as witnessing others engaging in sexual behavior is itself sexually erotic. What may be troublesome about the Sambian ritual—apart from any coercion involved and any distaste the adolescents may have for their role in it—is the strength of the bond it might create. The bonding might enlist each new generation of men in the support of practices that are bad for those excluded from the ritual (females) or in support of practices cruel to outsiders to the culture, or, generally, in support of practices to which the individual male would not otherwise find it rational to consent. It might cement lines of power and transmit them from one generation to the next. I would need to know more, however, about Sambian culture to know whether in fact it is misogynist or cruel to outsiders. Even if it is not, the potential may be there in the ritual to enlist individuals in support of practices they would not otherwise support. In that way, it would compromise their autonomy.

By the same argument, of course, adult sexual partners risk compromising their autonomy. I think that is true and that it indicates that compromising one's autonomy is not always or necessarily a bad thing. Partners who choose each other can mitigate potential ill effects by choosing wisely. In the Sambian ritual, there is no choice of a partner, as Thomas has described it. Rather, it appears that the boys have no choice about participating and that the sex is fairly promiscuous.

On the other hand, it appears that the Sambian ritual shares features with the sex play of children with children. It is a one-time event lasting only a few days (I gather). It does not consist of long-term sexual involvement between the same individuals. There is no doubt a strong element of curiosity. And the secrecy is shared. No individual has to feel oddly singled out from his peers and bear the burden of secrecy alone.

But there are also differences: the boys appear to have no choice, and the parties they fellate are not their age peers. Perhaps we who do not know this ritual well should refrain from judging whether it is more like innocent children's play or more like clear instances of the adult abuse of children. We don't know, for example, whether adults enjoy the ritual more than the boys do and simply use the rationale for it as an excuse for their own indulgence (as Thomas's discussion suggests), or whether they genuinely enter into it in the spirit of obligation, whether they otherwise find the whole thing some-

what embarrassing or even a little disgusting, or whether they do it in the spirit of play. All we have to go on are the observations of a white anthropologist (who, I take it, was not a participant-observer).

Of course, the Bonding Theory of what is wrong with adult-child sex would not apply to children who did not bond erotically with the adult party, as when children are raped or molested by strangers. But I find nothing puzzling about what is wrong when deceit, coercion, or physical injury is involved or when children are simply used as means to the sexual gratification of adults. Puzzlement arises when such features are absent. These observations take me back to my original response that what is wrong with adult-child sex depends on the case, not only on what kind of sexual act was performed, but on who initiated and who enjoyed what, whether there was physical injury, coercion, or deception, etc. There may be no one answer to a general ethical question about adult-child sex, as the morally relevant features may vary from case to case. Yet it may still be that when intense arousal or orgasm is involved for either party, there is almost always *something* wrong, given the vulnerability and limitations of the child, even if it is not always the same thing that is wrong. I say "almost" because, as breast-feeding indicates, a certain amount of the bonding created and reinforced by sexual touching is a good thing for a child. It appears to be required for survival and normal human development.

Notes

¹Emma Goldman, *Living My Life*, 2 vols. (New York: Dover, 1970), vol. 1.

²Laurence Thomas, "Sexual Desire, Moral Choice, and Human Ends," *Journal of Social Philosophy* 33, no. 2: 177–192, at 178.

³See *Journal of Homosexuality* 20: 1–2 (1990), the topic of which is "Male Intergenerational Intimacy."

⁴Shulamith Firestone, *The Dialectic of Sex: The Case for Feminist Revolution* (New York: Bantam, 1971).

⁵Thomas, "Sexual Desire," 177.

⁶*Ibid.*, 182.

⁷K. J. Dover, *Greek Homosexuality* (New York: Vintage, 1980).

⁸Thanks to Alison Jaggar for comments regarding the importance of the social meanings attached to sexual behavior.

⁹Julia Stanley (now Julia Penelope), "Lesbian Relationships and the Vision of Community," *Feminary* 9 (Spring 1978): 57–59.

¹⁰Claudia Card, "Against Marriage and Motherhood," *Hypatia* 11, no. 3 (Summer 1996): 1–23.