

Last modified: May 27, 2021. Draft syllabus, subject to change; the final version will be released to students at the start of the term.

PHIL 390: Honours Seminar

Consent and Sexual Ethics

Course Meetings: Wednesday, 2–5pm, 2021W1 (Sept–Dec 2021)
Location TBD

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Overview: This is an Honours Seminar for third-year philosophy Honours students. Admission to UBC’s Honours Philosophy program is a prerequisite for this course. The aim of the Philosophy Honours Seminar is to provide an environment for philosophy undergraduates to pursue their studies in a more advanced manner, in a small group setting.

Note that this is a *six-credit course*. This represents roughly double the workload of a typical one-semester philosophy course. We will meet together once a week for three hours; plan to do significant additional work outside of class.

The topic for this seminar is *sexual ethics*. The exact list of topics and readings is TBD, and may depend in part on student interest, but here is a representative sample of possible topics to be considered:

What is sexual consent? Is it a kind of speech act? A relation between individuals? Or something more like a mental state? What conditions are necessary for consent to be genuine? (Can consent be coerced or reluctant? Must consent be ‘enthusiastic’ or ‘affirmative’ to count as consent?) Are there important differences between the conditions for sexual consent and for other kinds of consent?

What conditions are necessary for genuine consent? For example, which kinds of deceit do and do not undermine sexual consent and/or its normative importance? How does consent interact with oppressive circumstances and power imbalances? How should we theorize about questions of consent in the context of sex work?

What is the moral significance of sexual consent? Consent is widely thought to play a central role in demarcating sexual assault, but some activists and scholars have argued that some cases of sexual contact, though consensual, are nevertheless morally problematic in a way similar to sexual assaults. Is violation of consent the best way to understand sexual violations?

Are there better alternative frameworks for sexual ethics? Consent has to do with giving *permission*; is this an inappropriately transactional framework? Might it be better to emphasize different kinds of speech acts and relations instead?

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What epistemology is appropriate to sexual consent? How can sexual actors recognize genuine cases of sexual consent? Given the high moral stakes, what kind of assurance of consent is necessary for permissible or appropriate sexual activity? How does the ethics of sex interact with the role of epistemology in appropriate action?

How do rape myths and other elements of rape culture interfere with thinking clearly about consent? For example, what social norms influence the way we think about recognizing sexual assault, and are these norms we ought to endorse? Is there a tension between the widely recognized importance of “believing survivors” and the widely recognized importance of due process? If so, how should we think about navigating and resolving it?

Course Expectations: This is a six-credit course. The Honours seminar should be a student-driven discussion; as it comprises our best philosophy undergraduates, high levels of participation are expected. Students should come prepared to discuss the week’s required readings in detail every week.

Students will produce written work regularly, and write two term papers (5,000–10,000 words each). Assessed student presentations will also be part of the course structure.

There will be no exams for this course.

Note on Content and Discussion: Open and critical discussion of the course material is an important component of this course. We will need to work collectively to achieve a classroom environment conducive to such conversations. For obvious reasons, the subject matter in this course makes that task particularly important. We are engaging with difficult and sensitive topics—ones that will affect the participants in our seminar in diverse ways. Some questions may be entirely new to some participants, but be tied closely to others’ identities. Each participant will need to learn to communicate from both perspectives, and others.

We won’t always agree. We must work to create an environment where we can discuss and think through them in a productive and respectful way. One important component to respect is the recognition that many of our topics are not mere abstracta; they impact people in profound ways. Another important component to respect is the recognition that mistakes are a part of learning, and that lack of knowledge isn’t always a sign of disrespect.

Some seminar participants may choose to make disclosures about their personal lives and histories. This is by no means expected, and no one should feel pressured to do so, but it is welcome if they so choose. Out of respect for one another, any such private details should be kept private within the seminar.

Some of our topics are likely to distress some students. Please take your own reactions seriously. If you need to do some of the scheduled seminar work outside of the classroom, or on a different schedule than the intense one planned in this syllabus, let me

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know — I am open to finding suitable accommodation for students' particular needs. Likewise, if you need to leave for any reason during a discussion, you may do so at any time. (This needn't be interpreted as an indication that the conversation has not been respectful; sometimes one just needs to leave.)

I do not plan to provide content warnings for the individual readings, as there are too many to list, and most of them would be obvious from the stated topics and paper titles. However, if any student is aware of particular potential triggers that might be less obvious, and chooses to disclose them to me, I will do my best to give them a warning in advance if they come up. (I will do my best, but in some cases, I will be reading papers for the first time along with the other seminar participants, so I can't promise to catch everything before students get to it.)

Readings: The schedule and list of readings are not yet available, but here is a list of potential readings that can give a sense of what some of our readings will be like:

- Larry Alexander, [“The Ontology of Consent”](#)
- Tom Dougherty, [“Sex, Lies, and Consent”](#)
- Hallie Liberto, [“Intention and Sexual Consent”](#)
- Hugh Lazenby & Iason Gabriel, [“Permissible Secrets”](#)
- Talia Mae Bettcher [“Evil Deceivers and Make-Believers: On Transphobic Violence and the Politics of Illusion”](#)
- Emily Tilton and Jonathan Ichikawa, [“Not What I Agreed To: Content and Consent”](#)
- Rebecca Kukla, [“That’s what she said”](#)
- Jonathan Ichikawa, [“Presupposition and Consent”](#)
- John Danaher, [“Could There Ever be an App for that? Consent Apps and the Problem of Sexual Assault”](#)
- Hallie Liberto, [“The Problem with Sexual Promises”](#)
- Amia Srinivasan, [The Right to Sex](#)
- Joseph Fischel, [Screw Consent: A Better Politics of Sexual Justice](#)
- Robin West, [“Sex, Law and Consent”](#)