

A Case Against Inegalitarian Sexual Preferences

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Introduction

In her paper, “Why Yellow Fever Isn’t Flattering: A Case Against Racial Fetishes,”¹ Robin Zheng argues convincingly that the ‘mere preferences’ objection to the impermissibility of racialized sexual preferences fails. Zheng contends that racialized fetishes are morally objectionable, not “mere” personal preferences. She looks beyond the genealogy of the fetishizer’s preferences to analyze the disproportionate psychological burdens fetishizers place on the fetishized and the role these preferences play in reinforcing harmful racial stereotypes. I find Zheng’s reasoning compelling and interesting beyond its own scope because her work opens up ways of making similar arguments against the permissibility of any sexual preferences that reproduce systemic injustice. In this paper I reconstruct Zheng’s argument, motivating her line of thought as best as I can, then I show how her argument can be extended to sexual preferences for inegalitarian sexual encounters. I begin by criticizing the idea that preferences for inegalitarian sex don’t stem from misogyny; I suspect that far more often than not these preferences are the result of sexism and misogyny, and at any rate we aren’t in the epistemic position to rule this out. But even if an individual’s inegalitarian preference did not have a misogynistic source, this would not imply that acting on the preference is morally innocuous. Rather, the social harms caused by acting on such preferences render them morally troublesome.

Zheng’s Argument Against Racialized Preferences

¹ See Langton, Rae. (1993) “Speech Acts and Unspeakable Acts.” *Philosophy and Public Affairs*, 22 (4): 293-330.

Zheng addresses what has been both an influential thesis in her field and a common view on racialized preferences: racialized preferences are ‘mere preferences’ and for this reason, racialized preferences are not morally objectionable. Mere preferences are aesthetic or personal preferences that are generally considered morally innocuous. Examples of mere preferences may include preferences for hair color, height or style of dress. For instance, happening to only want to date, have sex with or be romantically involved with people with generous beards would count as a mere preference. My example of a predilection for the generously bearded would strike most people as morally acceptable. Indeed, I guess that many share the belief that people have basic aesthetic preferences about sex and that these are not particularly morally troubling. More importantly, it is unreasonable to think that people ought not discriminate on any basis at all with regard to their sexual partners. That sounds uncomfortably like claiming that people owe one another an open possibility of sexual partnership; most people place great importance on their preferences for certain groups, such as sexes or genders.

Zheng reconstructs the common sense, ‘mere preferences’ argument often used to claim that racialized preferences are also morally innocuous:

1. There is nothing morally objectionable about sexual preferences for hair color, eye color, and other non-racialized phenotypic traits.
2. Preferences for racialized physical traits are not morally different from preferences for non-racialized phenotypic traits. Therefore,
3. ‘Mere’ preferences for racialized phenotypic traits are not morally objectionable.²

Zheng argues that we should reject the second premise. The first reason she gives for doing so is that those very traits assumed to be morally innocuous

² Zheng, Robin. (2016). “Why Yellow Fever Isn’t Flattering: A Case Against Racial Fetishes.” *Journal of the American Philosophical Association* 2 (3), 400-419.

are, in fact, based on harmful stereotypes, and it is for this reason that the mere preferences argument fails. She draws from literature that strongly suggests that the so-called mere preferences stem from racial stereotypes. For instance, Zheng cites a study in which non-Asian men dating Asian women were interviewed. The interviewees initially disavowed racial stereotypes of Asian women as submissive but later they used language that effectively depicted Asian women as submissive.³ Zhen reviews a staggering amount of literature supporting the conclusion that many with racialized preferences also harbor racist beliefs. The empirical evidence alone should incline most to be skeptical that racialized preferences reflect mere aesthetic ones, according to Zheng.

More importantly, it seems difficult or impossible to rule out the possibility that racialized preferences stem from racial stereotypes. In a world where racial hierarchies persist and racist stereotypes are ubiquitous and insidious, it may be impossible to know where one's preferences stem from. Even if a person has good reason to believe she knows the origin of a particular preference – perhaps a first serious partner embodied this preference – she can't rule out the effects of objectionable cultural factors accompanying the innocuous main factor. This discernment seems especially impossible given the subtle influences of media and popular culture.

However, even if someone could somehow know for certain that her racialized preference did not stem from any harmful stereotype, it does not follow that there is no reason to find racialized preferences morally objectionable. Zheng identifies an alternative – and in her view a more effective and just – means of criticizing racialized preferences. She claims that because acting on these preferences takes a disproportionate psychological toll on the fetishized, racialized preferences are morally objectionable regardless of their

3 *Ibid.* 405.

origins.

Zheng argues that there are externalities of racialized preferences that merit consideration, and that we should shift our gaze from the origins of an individual's preference to the social effects of the preference. In this hierarchical world, the targets of racialized sexual preferences can feel depersonalized and otherized. The fetishized must negotiate their reasonable doubts regarding the motives behind their partners' love for them, questioning their status as a unique person in the eyes of their partners. Those affected by particularly pervasive racialized fetishization constantly and systematically experience these nagging thoughts and they often adjust their behavior in light of them. This constant mental struggle takes a very real psychological toll on a person, and this toll is disproportionate and unjust. Zheng appeals to intuitions regarding justice to motivate the belief that certain preferences ought to be subject to moral evaluation: "It is morally problematic, indeed unjust, when some people suffer disproportionate harms or burdens on the basis of their race and when they are wrongly represented in their sexual capacities."⁴

Zheng argues that in themselves these psychological burdens constitute a disadvantage on the basis of race, but they also have broader societal consequences. Even in the best cases of coupling motivated by racialized preferences, the partnerships could still inadvertently enforce racial stereotypes. Zheng draws from Charles Mills' observation about black men marrying white women; she writes, "Even if it were possible for such men to be free of the suspicion that they are motivated by racial self-contempt, the meaning of their actions would be, in his words, 'sending a message to the world that ... black women just ain't good enough.'"⁵ Zheng recalls the words of another

4 *Ibid.* 407.

5 *Ibid.* 412.

interviewee, an Asian woman, “That’s how people see me, as somebody who should be with a white man.”⁶ Even those who aren’t in interracial or other such socially significant relationships feel the impact of the salience of their sexual choices.

These observations do not lead Zheng to make a broad recommendation to avoid certain sexual or romantic relationships; she is not claiming that black men should never marry white women. Instead, she is motivating the claim that sexual preferences are subject to moral consideration of their social impact. It might strike some as unfair that other people’s racist interpretations could color ethical judgment of their preferences. Even more worrisome, people who don’t have racialized preferences but who happen to be in a relationship susceptible to interpretation as racist might inadvertently promote prejudice. However Zheng can reply that her compilation of empirical evidence shows it is racialized preference usually comes into being under the influence of racism. It would be inappropriate to condemn your preference for the heavily bearded unless this preference likely came from bigoted beliefs stemming from a history of oppression of bearded people. But even if the origin of your preference is innocent, I suspect Zheng’s best reply is to point out that the fact that certain couples will have to negotiate harmful social interpretations or be burdened with contributing to these interpretations is just another harm caused by racialized preferences, and the hierarchies from which they are born.

The Inegalitarian Extension

Zheng opens up for us the possibility there could be other sexual preferences that are morally problematic, cases where the preference is “systematized so as to track and reproduce institutions of oppression, even if

⁶ *Ibid.* 411.

they glorify rather than stigmatize.”⁷ Using the broad contours of Zheng’s argument, I will show how a similar case can be made that acting on preferences for heterosexual activity that subordinates women is morally problematic.⁸

By *inegalitarian sex* I am referring to a preference for the type of sex often depicted in mainstream pornography.⁹ A. W. Eaton refers to this pornography as *inegalitarian pornography*, “Sexually explicit representations that as a whole eroticize relations (acts, scenarios, or postures) characterized by gender inequity.”¹⁰ While Eaton is characterizing a certain kind of pornography, I think the kind of sex it depicts manifests the type of sexual preferences I wish to discuss. Importantly, the kind of inegalitarian sex I am concerned with in this paper just is much of what is eroticized in mainstream pornography. These sexual activities include, but are in no way limited to, the eroticization of violence towards women or of demeaning or subordinating sexual relations, scenarios with a clear power imbalance (even if consensual), or scenarios in

⁷ *Ibid.* 413.

⁸ For the time being, this thesis applies to men and women engaging in heterosexual sex. In forthcoming papers, I plan to consider what this argument means for gender non-conforming individuals and those having Queer sex. I have chosen to narrow this argument not because I believe it is sufficient to address only heterosexual relations but because I believe a more careful argument (exceeding the bounds of this project) is necessary to tease out the implications of inegalitarian preferences in Queer sex, and because it is not clear to me that the mainstream inegalitarian sex to which I refer includes those in Queer communities. As a result, I am not confident that this argument in its simple form holds up when applied to Queer sex.

⁹ I want to be clear about the types of preferences I am examining. For probably obvious reasons, this argument may have implications for people with a preference for BDSM (bondage/discipline/dominance/submission/sadism/masochism) sexual activity. I will not be including this community in my discussion despite the fact that my conclusions may implicate the activity of at least some of these members of this group. A more careful examination of the ethics of acting on these preferences is necessary, especially as activity strictly confined to this group will likely not cause the harms I will detail in my discussion. Thanks to Elizabeth Barnes for pressing me on this point.

¹⁰ Eaton, A. W. (2007) “A Sensible Antiporn Feminism.” *Ethics* 117: 674–715.

which women's pleasure is discounted. Like Eaton, I am not counting scenes where there are eroticized inegalitarian relations which are on a whole balanced – like partners taking turns being the dominant and submissive one – and I am taking “gender inequality” to refer to the subordination of women, not the subordination of men in heterosexual sex.¹¹

In an age where this type of encounter is widely depicted and normalized, I can imagine someone defending his sexual preferences as a mere quirk of his personality or a fun fact about the way he likes to have sex. I see this defense as in the spirit of the 'mere preference argument' with which Zheng takes issue. For the purposes of my paper, I would like to be a bit more explicit about what characterizes a 'mere preference'. I broadly conceive of 'mere preference' as *any* preferences relating to sex that most would consider morally innocuous. On my view, preference for a way of having sex – be it a specific sex act, the language used during an encounter or the tone of the encounter – can count as mere preference. For instance, many people happen to be aroused by parts of their partner's body that are not typically erogenous zones. Such an idiosyncrasy could reflect a simple sexual preference. But I reject what I take to be a common assumption that a preference for the kind of inegalitarian sex portrayed in mainstream pornography is a matter of 'mere' preference. Inegalitarian sexual preferences reproduce oppression; they are certainly not 'mere' preferences.

If sex acts and tone can count as some sort of mere preference, I can imagine someone arguing that preferences for inegalitarian sex are morally innocuous in a way similar to mere preferences: people simply like what they like. Like Zheng, I argue these preferences have significant links to gendered violence and the subordination of women but first I want to examine the idea of

¹¹ *Ibid.*

the supposedly innocent origins of these preferences. Zheng is right that preferences are likely greatly shaped by the influence of the media, common beliefs and group membership, and that no one is unaffected by such social factors. For these reasons, I take it as likely that most people's preferences are shaped to some extent by society.

Sexual preferences aren't formed in a vacuum; and I think it's reasonable to think that social factors play a role in the preferences we develop. I'll give an account of how one particularly significant social factor influences sexual preference drawing on Rae Langton's discussion on the 'authority' of pornography in her paper, “Speech Acts and Unspeakable Acts.”¹² I have said that the inegalitarian sex portrayed in pornography is representative of the type of sex someone with an inegalitarian sexual preference prefers. However, pornography is not merely *representative* of this particular preference, it and its cultural ramifications actively *shape* inegalitarian sexual preferences. When Langton claims that pornography is authoritative, she means that pornography is considered a source of expert guidance on sexual relations, and that pornography has the power to endorse and instruct. Through watching pornography or indirectly being exposed to its influence, people learn what is generally expected in a sexual encounter. Additionally, people don't merely view pornography the way one would view an action movie; they *use* pornography. For these reasons, pornography shapes not only people's expectations and societal norms about sexualities and sex, but it physically encodes what is viewed as “sexy”¹³

I suspect that most would acknowledge that pornography is pervasive and that the pornography industry has a significant influence in the realms of advertising and the general media. For this reason, it seems few can escape

¹² Langton, Rae. (1993) “Speech Acts and Unspeakable Acts.” *Philosophy and Public Affairs*, 22 (4): 293-330.

¹³ Langton (1993).

experiencing the sexualized submission of women. If pornography is authoritative, and if it often depicts inegalitarian relations, and if it filters through to other, less explicit media, and if media and culture – broadly speaking – influence sexual preferences, then there is reason to suspect that inegalitarian pornography has some influence upon our preferences. In other words, given that the inegalitarian scenes depicted in and endorsed by pornography are pervasive and insidious, it seems very plausible that at least some – although I suspect it is the majority – of inegalitarian preferences stem from inegalitarian pornography.

I argue that preference for inegalitarian sex likely stems in part from exposure to inegalitarian pornography, among other kinds of subliminal cultural messaging. Eaton provides further reasons to worry that a preference for inegalitarian sex involves stereotypical beliefs about women as it is particularly effective in encouraging acceptance of gender inequality:

Transforming gender inequality into a source of sexual gratification renders this inequality not just tolerable and easier to accept but also desirable and highly enjoyable....This eroticization makes gender inequality appealing to men and women alike. Insofar as women want to be attractive to men, they internalize the subordinating norms of attractiveness and thereby collaborate in their own oppression.¹⁴

The point is not that pornography imposes just one stereotype on women, not all women are portrayed as submissive; some women are assumed to be, for example, “feisty”, “aggressive”, or even asexual in virtue of their race, class, ability, sex assigned at birth, or other salient social identity. But it is still quite clear that women as a class are portrayed as subordinate, and so also actively subordinated, even if not every woman is portrayed as submissive. Pornography can draw from and perpetuate a rich history of oppressive stereotypes and this

14 – Eaton, A. W. (2007). 679-680.

paper does by no means cover the extent of them. Considering all this, it seems we can respond to our defensive preferer of inegalitarian sex (and likely consumer of pornography) that his preferences likely can be traced back to some sort of sexism. And at any rate, he isn't in the position to know that his preferences don't stem from some insidious (or overt) sexism.

Accordingly it is reasonable to believe that preferences for inegalitarian sex often stem from stereotypical, sexist beliefs about women. However even if a person could somehow know for sure that they lacked these stereotypical beliefs and that their sexual preferences did not stem from stereotypes about women, it does not follow that acting on such preferences is morally innocuous. A preference for inegalitarian sex *harms* the targets of the preference by wrongly representing them in their sexual capacities and agency. For instance, the sexist belief that women like experiencing pain in sexual encounters might factor into the pornography people consume, which in turn affects their sexual preferences. In the post-*Fifty Shades of Gray* era, preferences for inegalitarian sex are no longer fringe (if they ever were). Specifically, inegalitarian sex harmfully *objectifies* women and prevents them from exploring their own sexualities.

The preference for inegalitarian sex harms the targets of the preference by wrongly representing them in their sexual capacities and actively thwarting certain sexual goods. Zheng succinctly observes that women are often “wrongly represented as only valuable in virtue of their sexual capacities, as desiring to be raped, etc.”¹⁵ Generally, women are rendered objects of violent desire. The features Martha Nussbaum identifies as constituting *objectification* include that the woman is treated as an *instrument* of the other person's sexual pleasure, as *lacking autonomy*, as *interchangeable* with other women, as something that can

15 Zheng. (2016). 407.

be *owned*, and as something whose *feelings or wishes need not be considered*. While some women may experience sexual pleasure from being objectified, many women do not. Objectification makes many feel grossly dehumanized and violated. It often renders women unable to negotiate their own desires in sex. It renders her desires irrelevant or deems them non-existent.

Objectification imposes psychological harm in itself and also in its effect of rendering people unable to flourish sexually. The feeling that this type of sex is normal can make women wonder if there is something wrong with them for not enjoying the inegalitarian sex, a self-doubt that could plausibly count as one of Miranda Fricker's "hermeneutical injustices." What should one think of not enjoying the thing that just is sexy, as determined by an authority on the matter?

Finally, the argument that inegalitarian preferences are morally neutral assumes that there is little gender inequality. Perhaps in an ideal world the sexual preferences I characterized as morally objectionable would not be so (because broader patterns and social context make these preferences troublesome.) Maybe in a world where women's sexualities weren't assumed to be masochistic it wouldn't raise concern if a straight man happened to be interested in sex with a submissive female partner. But we don't live in that ideal world, so insisting that one's preferences are morally innocuous (in the ideal world) doesn't mean it's just fine to act on those preferences in our world, especially when doing so would do harm and contribute to further injustice.

Furthermore, inegalitarian pornography is produced to satisfy a demand and simultaneously reproduces the very demand which it satisfies. For this reason, the continued preference for inegalitarian sex contributes to the continued production of inegalitarian pornography which perpetuates its social acceptance. Preferences for inegalitarian sex support stereotypes about women's natural subordination by feeding into an industry that in turn perpetuates this belief. Maybe in a vacuum racialized preferences or preferences for inegalitarian

sex would be morally unobjectionable. Or maybe even in an unjust world these preferences could be innocuous if only they were less ubiquitous. However, our world has a messy legacy of a continuous history of oppression, and responsible people aiming to do good should strive to behave in such a way that makes our world a more just place, even if this aim means we must give up preferences which we would indulge in a more ideal world.

There are hard cases for my objections which intuitively seem immune to them. What about the feminist couple that engages in inegalitarian sex in the privacy of their own home when they're not volunteering in their community or otherwise exemplifying excellent character and citizenship? What about the person whose first relationship had elements of inegalitarian sex and who has come to develop a strong preference for it as a result? In a context where sexual decisions take on a significance in light of social injustice, one may have a reason in favor for not acting on or trying to change a preference. Sometimes life is complicated, but this doesn't mean that our choices can't be morally evaluated, and there is still room for saying a different choice is preferable.

Furthermore, the fact someone ought to have acted differently does not automatically imply that we have all-things-considered reason to *blame* them. In a deeply unjust world, I don't really have the appetite to condemn the woman who prefers inegalitarian sex. It's hard enough for some women to have fulfilling sexual and romantic relationships; I'm not interested in blaming those who are oppressed by virtue of their gender. But the fact that some women have inegalitarian preferences does not render those preferences innocuous even when both parties enthusiastically offer their consent.

Importantly, my criticism does not depend on the contents of a person's mind – whether she believes herself to be inferior, her partner's intentions, etc. Nor is the issue strictly a matter of obtaining consent. Consent does not morally good (or not bad) sex make! All parties could feel good about their inegalitarian

sex and not even be directly harmed, nonetheless it perpetuates the harms of inegalitarian sex as an instance of a larger pattern that is morally objectionable.

Conclusion

Much of the force of the 'mere preferences' line of reasoning is that a preference for inegalitarian sex, like other mere preferences, is morally unobjectionable or socially insignificant. This ignores, I argue, the fact that these inegalitarian preferences are morally problematic because of their social consequences which include, but are not limited to: reinforcing the sexist beliefs from which the preferences stem, preventing women from experiencing certain sexual goods, wrongly portraying women as valuable insofar as they gratify men, wrongly portraying women as limited in their sexual capacities, preventing the formation of more egalitarian relationships, and in some of the worst cases, causing what is widely recognized as deeply harmful, immoral sex (rape, for example)¹⁶.

Maybe in a vacuum racialized preferences or preferences for inegalitarian sex would be morally unobjectionable. Or maybe even in an unjust world these preferences could be innocuous if only they were less ubiquitous. However, our world has a messy legacy of a continuous history of oppression, and responsible people aiming to do good should strive to behave in a way that makes our world a more just place, even if this aim means we must give up preferences which we could indulge in a more ideal world.

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¹⁶ For more discussion on the last point, see Rae Langton's paper "Speech Acts and Unspeakable Acts" (1993).