

# A New Bill of Sexual Rights and Responsibilities

(The following statement and list first appeared in *The Humanist* of January/February 1976.)

*Humanists have had an important role in the sexual revolution. Although Humanist Manifesto II contains a brief section on sexuality, we thought that a more detailed statement would be useful. It is clear that humanists are strongly in favor of the development of a sense of moral responsibility. With this in mind, the American Humanist Association asked Lester Kirkendall, noted sexologist and professor of family life at the University of Oregon, to draft a bill of sexual rights. Dr. Kirkendall's original draft has been edited and rewritten many times during the past several months. We asked a group of humanist authors for their endorsement of this statement. Many of them are in the forefront of humanistic sexology. We are pleased to publish the following statement, along with the names of those who have endorsed it.*

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Sexuality has for too long been denied its proper place among other human activities. Physical eroticism has been either shrouded in mystery and surrounded by taboos or heralded far beyond its capacity, by itself, to contribute to the fullness of life. Human sexuality grows increasingly satisfying as life itself becomes more meaningful. The time has come to enhance the quality of sexuality by emphasizing its contributions to a significant life.

For the first time in history, there need be no fear of unwanted pregnancy or venereal disease, if proper precautions are taken. The limitation of sexual expression to conjugal unions or monogamous marriage was perhaps sensible so long as reproduction was still largely a matter of chance--and so long as women were subjugated to men. Although we consider marriage, where viable, a cherished human relationship, we believe that other sexual relationships are also significant. In any case, human beings should have the right to express their sexual desires and enter into relationships as they see fit, as long as they do not harm others or interfere with their rights to sexual expression. This new sense of freedom, however, should be accompanied by a sense of ethical responsibility.

Fortunately, there is now taking place a worldwide re-examination of the proper place of sexuality in human experience. We believe that humanization of sexuality is far enough advanced to make useful a statement of rights and responsibilities of the individual to society and of society to the individual. Accordingly, we wish to offer the following points for consideration:

- 1. The boundaries of human sexuality need to be expanded.** Many cultures have tended to restrict sexuality to procreation. Any other purposes of sexuality were regarded as derivative, were looked at askance, or were sternly disapproved. But the need to limit population growth, the widespread use of effective contraceptives, and the developments in reproductive technology have made the procreative aspects of sex less

significant today. Responsible sexuality should now be viewed as an expression of intimacy for women as well as for men, a source of enjoyment and enrichment, in addition to being a way of releasing tension, even when there is no likelihood of procreation.

This integration of sexuality with other aspects of experience will occur only as one achieves an essentially balanced life. When this happens, sexuality will take its place among other natural functions.

**2. Developing a sense of equity between the sexes is an essential feature of a sensible morality.** All legal, occupational, economic, and political discrimination against women should be removed and all traces of sexism erased. Until women have equal opportunities, they will be vulnerable to sexual exploitation by men. In particular, men must recognize the right of women to control their own bodies and determine the nature of their own sexual expression. All individuals --female or male--are entitled to equal consideration as persons.

**3. Repressive taboos should be replaced by a more balanced and objective view of sexuality based upon a sensitive awareness of human behavior and needs.** Archaic taboos limit our thinking in many ways. The human person, especially the female, has been held in bondage by restrictions that prescribed when, where, with whom, and with what parts of the body the sexual impulse could be satisfied. As these taboos are dispelled and an objective reappraisal ensues, numerous sexual expressions will be seen in a different light. Many that now seem unacceptable will very likely become valid in certain circumstances. Extramarital sexual relationships with the consent of one's partner is being accepted by some. Premarital sexual relationships, already accepted in some parts of the world, will become even more widely so. This will very likely also be true of homosexual and bisexual relationships. The use of genital associations to express feelings of genuine intimacy, rather than as connections for physical pleasure or procreation alone, may then transcend barriers of age, race, or gender.

Taboos have prevented adequate examination of certain topics, especially with respect to female sexuality, thus blocking the discovery of answers to important sexual questions. Abortion is a case in point. By focusing only on the destruction of the fetus, many have avoided facing the other issues that are fundamental. They do not, for example, openly discuss ways of providing a comprehensive sex-education program for both children and adults. There has been a long struggle over the issue of providing adequate information about available contraceptive procedures for those who wish them. Likewise, taboos that cause people to feel that viewing the genitals is an obscenity or that any verbal or visual expression of the sex act is pornographic undermine objectivity and lead to demands for censorship.

The over-sacramentalization of sex also inhibits open discussion by not allowing people to treat sex as a natural experience.

**4. Each person has both an obligation and a right to be informed about the various civic and community aspects of human sexuality.**

We wish to affirm and support the statement of a committee of the United Nations World Health Organization on human sexuality: "Every person has the right to receive sexual information and to consider accepting sexuality for pleasure as well as for procreation."

This need to be fully informed about sexuality is obvious in the individual's private life, but it is rarely thought to extend to one's social-civic life as well. Sexual attitudes are intimately related to many problems of public import, but, again, taboos inhibit free discussion. Too rapid a population growth cannot be dealt with except as individual attitudes towards sexual expression and contraception are recognized. Clearly, the social status of women is also involved here. In the rehabilitation of incarcerated criminals, establishing meaningful ties with others is important. It is inhumane and self-defeating to cut these persons off from the possibility of sexual relationships. We should extend this concern to all persons who are confined in institutions--for example those in senior citizens' homes. The right of the physically and mentally handicapped to be fully informed about sexuality and to have sexual outlets available should be another concern. The commercialization of sex needs careful scrutiny. Patterns in childrearing that may result in dysfunctional sexual expressions, such as child abuse and emotional deprivation, must be studied. Sexual attitudes and life-styles continually need to be adjusted to new technological and medical developments and to changing cultural patterns.

**5. Potential parents have both the right and the responsibility to plan the number and time of the birth of their children, taking into account both social needs and their own desires.**

If family size is to be so regulated and the birth of unwanted children is to be prevented, then birth control information and methods must be freely available to both married and unmarried couples. There must be a continuing reassessment in light of the world population situation. Involved in the right to birth control is the right to voluntary sterilization and abortion. We should especially point out that birth control should be the appropriate responsibility of men as well as women. Male contraception should be the object of further research. Contraception should not be considered the sole responsibility of females.

**6. Sexual morality should come from a sense of caring and respect for others; it cannot be legislated.** Laws can and do protect the young from exploitation and people of any age from abuse. Beyond that, forms of

sexual expression should not be a matter of legal regulation. Mature individuals should be able to choose their partners and the kinds of sexual expression suited to them. Certain forms of sexual expression are limiting and confining--for example, prostitution, sadomasochism, or fetishism. However, any changes in such patterns, if they are made, should come through education and counseling, not by legal prohibition. Our overriding objective should be to help individuals live balanced and self-actualized lives. The punishing and ostracizing of those who voluntarily engage in socially disapproved forms of sexual conduct only exacerbate the problem. Sexual morality should be viewed as an inseparable part of general morality--not as a special set of rules. Sexual values and sex acts, like other human values and acts, should be evaluated by whether they frustrate or enhance human fulfillment.

**7. Physical pleasure has worth as a moral value.** Traditional religious and social views have often condemned pleasures of the body as "sinful" or "wicked." These attitudes are inhumane. They are destructive of human relationships. The findings of the behavioral sciences demonstrate that deprivation of physical pleasure, particularly during the formative periods of development, often results in family breakdown, child abuse, adolescent runaways, crime, violence, alcoholism, and other forms of dehumanizing behavior. We assert that physical pleasure within the context of meaningful human relationships is essential--both as a moral value and for its contribution to wholesome social relationships.

**8. Individuals are able to respond positively and affirmatively to sexuality throughout life; this must be acknowledged and accepted.** Childhood sexuality is expressed through genital awareness and exploration. This involves self-touching, caressing parts of the body, including the sexual organs. These are learning experiences that help the individual understand his or her body and incorporate sexuality as an integral part of his or her personality. Masturbation is a viable mode of satisfaction for many individuals, young and old, and should be fully accepted. Just as repressive attitudes have prevented us from recognizing the value of childhood sexual response, so have they prevented us from seeing the value of sexuality in the middle and later years of life. We need to appreciate the fact that older persons also have sexual needs. The joy of touching, of giving and receiving affection, and the satisfaction of intimate body responsiveness is the right of everyone throughout life.

**9. In all sexual encounters, commitment to humane and humanistic values should be present.** No person's sexual behavior should hurt or disadvantage another. This principle applies to all sexual encounters --both to the brief and casual experience and to those that are deeper and more prolonged. In any sexual encounter or relationship, freely given consent is

fundamental--even in the marital relationship, where consent is often denied or taken for granted.

Perplexing questions are raised by these concepts. Those directly engaged in the encounter may hold widely differing points of view toward sexual conduct. This possibly makes necessary open, candid, and honest communication about current and future expectations. Even then, decisions are subjects of judgment and projection, and their outcomes are only slowly revealed.

No relationship occurs in a vacuum. In addition to the persons directly involved in the sexual relationship, there are important others. The interests of these other persons are usually complex and diverse; no course of action will satisfy everyone. Some might prefer that no sexual involvement whatsoever occur and are disturbed if they are aware of it; others might be quite accepting under most circumstances. For this reason, each individual must have empathy for others. One might ask oneself: "How would I want others to conduct themselves sexually toward me and others I care about?" "Am I at least as concerned for the happiness and well-being of my partner, and others involved, as for my own?"

There is also a broader consideration: namely, that each person contribute to creating a social atmosphere in which a full acceptance of responsible sexual expression will exist.

## **Conclusion**

The realization of the points in this statement depends upon certain attributes in the individual. One needs to have autonomy and control over his or her own sexual functioning. One needs to find reasonable satisfaction in living and to accept and enjoy pleasures of the body. Furthermore, one needs to respect the rights of others to those same qualities. The society in which one lives, while it makes demands, should also attuned to individual needs and the importance of personal freedom. Only as these conditions are met will loving and guilt-free sexuality be possible.

At this point in our history, we human beings are embarking on a wondrous adventure. For the first time we realize that we own our own bodies. Until now our bodies have been in bondage to church or state, which have dictated how we could express our sexuality. We have not been permitted to experience the pleasure and joy of the human body and our sensory nature to their full capacity.

In order to realize our potential for joyful sexual expression, we need to adopt the doctrine that actualizing pleasures are among the highest moral goods--so long as they are experienced with responsibility and mutuality.

A reciprocal and creative attitude toward sexuality can have a deep meaning, personally and socially. Each of us will know its personal meaning when we experience psychic growth and ego enhancement with others. In effect, our behavior can say to another, "I am enriched for having had this experience and for having contributed to your having had it also."

The social meaning can derive from the living feelings engendered by a person who is experiencing guilt-free, reciprocal pleasure. The loving feelings of mental and physical well-being, the sense of completion of the self, that we can experience from freely expressed sexuality may well reach out to all humanity. It is quite impossible to have a meaningful, ecstatic sexual and sensual life and to be indifferent to or uncaring about other human beings.

We believe that freeing our sexual selves is vital if we are to reach the heights of our full humanity. But at the same time, we believe that we need to activate and nourish a sense of our responsibilities to others.

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## Signers

(affiliation, as of 1976, is given for identification only)

- Gina Allen, member of the National Task Force on Sexuality for the National Organization for Women; coauthor of *Intimacy*.
- Alan P. Bell, Institute for Sex Research at Indiana University; coeditor of *Homosexuality*.
- Maj-Briht Bergstrom-Walan, head of the Swedish Institute for Sexual Research in Stockholm; coauthor of *Sex and Society in Sweden*.
- Bonnie Bullough, California State University at Long Beach
- Vern Bullough, professor, California State University at Northridge
- Deryk Calderwood, New York University
- Elizabeth Canfield, Student Health and Counseling Services, University of California at Los Angeles
- Emanuel Chigier, secretary of the International Symposium on Sex Education in Tel Aviv, Israel
- Helen Colton, director of Family Forum in Los Angeles; author of *Beyond the Sexual Revolution*
- Joan M. Constantine, Acton, Massachusetts; coauthor of *Group Marriage*
- Larry L. Constantine, Tufts University/Boston State Hospital; coauthor of *Group Marriage*
- Albert Ellis, executive director of the Institute for Advanced Study in Rational Psychotherapy; author of *The Sensuous Person*
- Anna K. Francoeur, Farleigh Dickinson University; coauthor of *Hot and Cool Sex*

- Robert Francoeur, professor of human sexuality, Fairleigh Dickinson University; author of *The Future of Sexual Relations, Perspectives in Student Sexuality*; coauthor of *Hot and Cool Sex*
  - Tilde Giani Gallino, Turin, Italy
  - Evalyn S. Gendel, State Department of Health, Division of Child Health, Topeka, Kansas
  - Sol Gordon, professor of child and family studies, Syracuse University; author of *The Sexual Adolescent* and *Sex and the Family*
  - Helen M. Hacker, Department of Sociology, Adelphi University
  - Marian Hamburg, New York University
  - Yoshiro Hatano, assistant professor of physiology and kinesiology, Tokyo Gakugei University
  - Preben Hertoft, M.D., Rigshospitalet Psykiatrisk Poliklinik, Copenhagen, Denmark
  - Lester A Kirkendall, professor of family life, Oregon State University; author of *Premarital Intercourse and Interpersonal Relationships*; coauthor of *The New Sexual Revolution*; and principal author of *A New Bill of Sexual Rights and Responsibilities*
  - Garrit A Kooy, department of sociology, Wageningen, The Netherlands
  - Paul Kurtz, professor of philosophy, State University of New York at Buffalo; editor of the *Humanist*
  - Daniel H. Labby, professor of psychiatry and medicine, University of Oregon Health Sciences Center at Portland
  - Brigitta Linner, marriage counselor, Abo Finland; coauthor of *Sex and Society in Sweden*
  - Judd Marmor, USC School of Medicine; former president of the American Academy of Psychoanalysis; author of *Psychiatry in Transition*
  - John Money, professor of medical psychology and associate professor of pediatrics at Johns Hopkins University; editor of *Sex Errors of the Body*; coauthor of *Man and Woman, Boy and Girl*
  - James W. Prescott, National Institute of Child Health and Human Development of HEW, Washington, D.C.
  - Ira L. Reiss, University of Minnesota; author of *Family System in America* and *Social Context of Premarital Social Permissiveness*
  - Robert Rimmer, Quincy, Massachusetts, author of *Proposition 31, Adventures in Loving*, and *The Harrad Experiment*
  - Della Roy, Pennsylvania State University; coauthor of *Honest Sex*
  - Rustum Roy, Pennsylvania State University; coauthor of *Honest Sex*
  - Michael Schofield, social psychologist, London, England; author of *The Sexual Behavior of Young People*
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