

Review of: *The Sex Code: Morals for Moderns* by Francis Bennion

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by Chris R. Tame

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Chris Tame, who died on 20 March 2006, was the founder and Director of the Libertarian Alliance, which followed the ideas of Ayn Rand. Tame was the author of 'Taxation is Theft'. I first met him at an annual Federation of Conservative Students conference in the early 1970s.

Conservative critics of libertarianism, like Professor Roger Scruton, frequently equate libertarianism with libertinism. It is implied or stated that libertarians adhere to Lenin's "glass of water" theory of sex, a philosophy of "if it feels good, do it", wherein sex is seen in purely physical terms, and any form of sexual morality or standards is rejected. The only alternative to such alleged libertarian nihilism is, it is then asserted, some form of Christian or "traditional" morality.

I suppose there might be, or have been, some such nihilists amongst libertarians but the conservative image is a straw man. Most of us adhere to some system of ethics, and for most that system is a basically Aristotelian/Natural Law one. Human nature is held to be universally constant and its requirements generate an objective value system and ethics which are "absolute", universal, and rationally demonstrable. It is precisely from this ethical basis (founded in turn upon Aristotelian epistemological and metaphysical views) that libertarians construct their political philosophy. This is the approach of Ayn Rand and her many disciples, such as Machan, Mack, Rasmussen, Den Uyl, Kelley, Binswanger, Peikoff, Rothbard and others.

The *Sex Code* is a standing refutation of the Conservative caricature of libertarian views on sex. A practising Barrister and Parliamentary draughtsman, Bennion is also a noted rationalist and humanist active within the British Conservative Party. Amongst his eight previous books is a study of Professional Ethics, and he is currently a research associate at the Oxford University Centre for Socio-Legal Studies. He has also of late been instrumental in the campaign to get the Conservative Party to organise properly and field candidates in Northern Ireland.

The Conservative misrepresentation of the libertarian approach to sex stems primarily, I suppose, from the libertarian rejection of the Christian/Conservative view that sex is primarily evil. And certainly Mr. Bennion does not shrink from a vigorous rejection of what he terms "sexnegativism", a negativism "instilled by centuries of Judaeo-Christian teaching that sex is sinful". Such sex negation, he correctly points out, poisons our lives, and is manifest in "secrecy, prudery, guilt, shame and hypocrisy". We have a "duty" (in an Aristotelian sense) to ourselves, Bennion argues, "to overcome this negative conditioning, and train ourselves and our children to accept and welcome to the full the wholesome sexual nature of humanity".

The acceptance of sex as a natural, and indeed good, human activity and value, does not imply some form of 1960s style total "permissiveness", or an amoral view of sex. Unlike other secular writers on sex Bennion does not base his approach upon a relativistic, altruist, "social" or deontological ethics. He adopts the teleological Aristotelian approach founded upon human individual flourishing, an ethical egoism based upon a rational understanding of ourselves as a particular sort of entity. As he states: "Morality is objective, not subjective, and ...

its essence is true to the absolutes of human nature". We thus, he argues, have the same obligation to act morally in our sexual lives that we do in all other areas of our lives. Bennion's book is thus, as its title indicates, an attempt to outline explicitly a rational "sex code", an application of his ethics to such manifold issues as nudity, prostitution, sexual "perversions", contraception, homosexuality, masturbation, pornography and so on.

Does Bennion succeed in his task? My answer is a qualified "yes". His ethical basis and his code seem to me basically sound. A more detailed exposition of the basis, and some drawing upon, and reference to, contemporary Aristotelians like Ayn Rand and the Objectivist School, Henry Veatch and David Norton would have improved and strengthened his case, in my view. He could also have

drawn profitably from such Humanistic psychologists as Abraham Maslow and their study of the “self-actualising” person.

I would also have quibbles with some of the specific applications of his code. Thus, while accepting that there are such things as “perversions” , i.e. dysfunctional sexual activities that can be classified as unhealthy, I am not sure that, for example, S&M activity between consenting adults should be so classified. Bennion argues that “many disorders such as masochism are due to sexnegativism”. But he presents no evidence for the view that all S&M stems from such a root, and many participants in the S&M “community” would deny this. They would also contest his view that consensual S&M means one does not respect one’s partner.

One other minor quibble I have is Bennion’s citing of Margaret Mead’s *Coming of Age in Samoa*. Although nothing in his argument stands or falls upon Mead’s evidence, its presence is an embarrassment. Mead’s portrayal of an alleged sexual paradise on Samoa has now been conclusively demonstrated to be nonsense the result of credulous stupidity and ideological wish fulfilment on her part.

By far the best section of Bennion’s work is that on children and sexuality. Any attempt to broach this issue of late has increasingly been met with accusations or implications of paedophilia and child molesting. However, the attempt to deny the existence of childhood sexuality is a central part of sex-negativism, and one of the major weapons utilised by reactionaries to stifle adult sexual freedoms and expression. Bennion courageously affirms that “children are sexual creatures and that in the process of having that sexuality denied them by adults the foundations are firmly laid for them becoming in due course themselves neurotic, perverted or malfunctioning adults”. His discussion of how that sexuality can be recognised without opening the way to the abuse of power by adults is sensitive and perceptive.

Bennion’s discussion of pornography is also incisive, containing a clear refutation of the “pornography causes crime” argument and a refreshing understanding of the anti-capitalist nature of those who object to the “exploitation of sex for commercial purposes”. Why is such exploitation any different from the “exploitation of hunger for commercial purposes”, Bennion asks. Moreover, Bennion also formulates the lesson long taught by libertarians: “Prohibition of a strongly demanded service merely ensures its provision at a debased level and high social cost”. However, I would dispute another of Bennion’s assertions. He argues that while there is nothing wrong with pornography per se “If love is perfect, the lovers and their present love-making fill each other’s minds to the exclusion of all else”. This seems to me to be open to argument. Why shouldn’t “perfect lovers” want to explore all the dimensions of their sexuality by utilising pornography, either together or singly? There does seem to be an undercurrent of feeling in Bennion’s work (as there is in Ayn Rand’s) that somehow “recreational sex” at a physical level is morally inferior to sex imbued with romantic love. But one does not have to accept a merely physicalist interpretation of sex to hold sexual physical pleasure as a value in itself in the absence of romantic love as an appropriate and worthy end in itself.

But, whatever disagreements and suggestions for improvement I have, I heartily welcome *The Sex Code*. It is a readable, frequently incisive, well-argued and fundamentally correct attempt to delineate a rational and libertarian approach to matters of sex. It is a valuable addition to the armoury of all those who oppose what Bennion himself accurately terms “sexual fascism”.

Chris R. Tame

Website: www.franciscbennion.com

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For full version of abbreviations click ‘Abbreviations’ on FB’s website.