

## PRINCIPLE 16 – CONSENSUAL SEXUAL CONDUCT

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Consensual sexual conduct, irrespective of the type of sexual activity, the sex/gender, sexual orientation, gender identity or gender expression of the people involved or their marital status, may not be criminalized in any circumstances. Consensual same-sex, as well as consensual different-sex sexual relations, or consensual sexual relations with or between trans, non-binary and other gender-diverse people, or outside marriage – whether pre-marital or extramarital – may, therefore, never be criminalized.

With respect to the enforcement of criminal law, any prescribed minimum age of consent to sex must be applied in a non-discriminatory manner. Enforcement may not be linked to the sex/gender of participants or age of consent to marriage.

Moreover, sexual conduct involving persons below the domestically prescribed minimum age of consent to sex may be consensual in fact, if not in law. In this context, the enforcement of criminal law should reflect the rights and capacity of persons under 18 years of age to make decisions about engaging in consensual sexual conduct and their right to be heard in matters concerning them. Pursuant to their evolving capacities and progressive autonomy, persons under 18 years of age should participate in decisions affecting them, with due regard to their age, maturity and best interests, and with specific attention to non-discrimination guarantees.

# Consent To Sexual Relations Consent To Sexual Relations

**Vanessa E. Munro**



## **Consent To Sexual Relations Consent To Sexual Relations:**

*Consent to Sexual Relations* Alan Wertheimer, 2003-09-18 An important discussion of philosophical issues surrounding consent to sexual relations     A Theory of Consent in Sexual Relations Ian J. Snapp, 2016     **Sexual Consent** David

Archard, 2019-05-20 A popular belief is that whatever takes place in private between consenting adults should be allowed This is the first book to offer a systematic philosophical examination of what might be meant by consent and what role it should play in the context of sexual activity Investigating the adequacy of standard accounts of consent the book criticizes

**Consent and Sexual Offenses** Elisa Hoven, Thomas Weigend, 2022-12-06 In sexuellen Beziehungen macht die Einwilligung der Beteiligten den Unterschied zwischen Vergnügen und Verbrechen Die Voraussetzungen rechtlich wirksamer Einwilligung sind jedoch schwer festzustellen da sexuelle Beziehungen stark von ihren persönlichen sozialen und kulturellen Kontext geprägt sind Dieser Band enthält Berichte und Essays von Expertinnen aus 11 Ländern sowie eine rechtsvergleichende Synopse zur Einwilligung in sexuelle Handlungen Er bietet allen die an grundsätzlichen Fragen und rechtspolitischen Entwicklungen des Sexualstrafrechts interessiert sind zahlreiche aktuelle Informationen und neue Ideen Elisa Hoven und Thomas Weigend beschäftigen sich seit langem intensiv mit Strafrechtspolitik und Rechtsvergleichung Mit Beiträgen von Asst Prof Dr Baris Atladi Dr Gian Marco Caletti Dr Andrew Dyer LL B LL M Prof Aya Gruber J D Dr Lyndon Harris Barrister Prof Dr Elisa Hoven Prof Dr Wojciech Jasiński Dr Karolina Kremens Prof Dr Kai Lindenberg Dr Sebastian Mayr Dr Hannah Quirk Dr Nora Scheidegger Univ Prof Dr Kurt Schmoller Dr Linnea Wegerstad und Prof Dr Thomas Weigend     Consent and Coercion to Sex and Marriage in Ancient and Medieval Societies Angeliki E. Laiou, 1998 This

collection of essays addresses a number of questions regarding the role of consent in marriage and in sexual relations outside of marriage in ancient and medieval societies Ranging from ancient Greece and Rome to the Byzantine Empire and Western Medieval Europe the contributors examine rape seduction and the role of consent in establishing the punishment of one or both parties the issue of marital debt and spousal rape and the central question of what is perceived as coercion and what may be the validity or value of coerced consent Other concepts such as honor and shame are also investigated Because of the wide range in time and place of societies studied the reader is able to see many different approaches to the question of consent and coercion as well as a certain evolution in which Christianity plays an important role     Capacity to Consent to Sexual Relations, 2019

Making Sense of Sexual Consent Mark Cowling, Paul Reynolds, 2017-03-02 The issue of sexual consent has stimulated much debate in the last decade The contributors to this illuminating volume make sense of sexual consent from various conceptual standpoints socio legal post structural philosophical and feminist The volume comprises a range of studies all based around consent within a specific context such as criminal justice homosexuality sadomasochism prostitution male rape learning disabilities sexual ethics and the age of consent It is the first collection to publish exclusively on issues of sexual consent and both makes sense of sexual consent in contemporary society and guides debate towards

better consent standards and decisions in the future Making Sense of Sexual Consent will excite considerable discussion amongst academics professionals and all those who think that freedom to make decisions about our sexual selves is important It will set the agenda for debate on sexual consent into the 21st Century Concerning Consent Vanessa E. Munro, 2010

**The Ethics of Consent** Franklin Miller, Alan Wertheimer, 2010 Consent is a basic component of the ethics of human relations making permissible a wide range of conduct that would otherwise be wrongful Consent marks the difference between slavery and employment permissible sexual relations and rape borrowing or selling and theft medical treatment and battery participation in research and being a human guinea pig This book assembles the contributions of a distinguished group of scholars concerning the ethics of consent in theory and practice Part One addresses theoretical perspectives on the nature and moral force of consent and its relationship to key ethical concepts such as autonomy and paternalism Part Two examines consent in a broad range of contexts including sexual relations contracts selling organs political legitimacy medicine and research

**Consent** Pamela Haag, 1999 Whom over the past two centuries has society construed as sexual victims Where and when did the notion of consent so crucial for law and politics today emerge In this brilliantly insightful work Pamela Susan Haag traces the evolution of public wisdom on some of society's most private and controversial matters At once an investigation of social history popular culture legal doctrine and political theory her book shows how in contemporary America the history of sexual rights is inextricably intertwined with that of liberalism Haag examines the nineteenth century obsession with the perils of seduction and twentieth century disputes over white slavery arranged marriages interracial relationships and rape The history of heterosexual modernity and identity must she argues be viewed as a crucial component of a much larger historical narrative that of the ways in which individual freedom and citizenship have been continually redefined in American liberal culture She illuminates the development of liberalism from its classic stage that ended after the post Reconstruction era to a modern version that came to fruition with the judicial acceptance of the right to privacy Finally she shows how debates over the meaning of heterosexual consent and violence contributed to this transformation

*Sex and Harm in the Age of Consent* Joseph J. Fischel, 2016-05-15 Sex and Harm in the Age of Consent cautions against the adoption of consent as our primary determinant of sexual freedom For Joseph J. Fischel consent is not necessarily always ethically sound It is he argues a moralized fiction and it churns out figures for its normativity the predatory sex offender and the innocent child Examining the representation of consent in U S law and media culture Fischel contends that the figures of the sex offender and the child are consent's alibi its negative space enabling fictions that allow consent to do the work cut out for it under late modern sexual politics Engaging legal queer feminist and political theory case law and statutory law and media representations Fischel proposes that we change our adjudicative terms from innocence consent and predation to vulnerability sexual autonomy and peremption which he defines as the uncontrolled disqualification of possibility Such a shift in theory law and life would be less damaging for young people more responsive to sexual violence

and better for sex     *The Philosophy of Sex* Raja Halwani, Alan Soble, Sarah Hoffman, Jacob M. Held, 2017-09-15 This best selling volume examines the nature morality and social meanings of contemporary sexual phenomena Updated and new discussion questions offer students starting points for debate in both the classroom and the bedroom     **The Digest of the Decisions of the Courts of Ohio from the Earliest Period to September 1st, 1913** William Herbert Page, 1914

**People v. Adair, 452 MICH 473 (1996)** ,1996 101286     **California. Court of Appeal (6th Appellate District). Records and Briefs** California (State).,     **Sex Without Consent** Shireen J Jejeebhoy, Iqbal Shah, Shyam Thapa, 2008-02-29

The pressing need to break the silence on non consensual sex among young people an issue shrouded by denial underreporting and stigma is self evident Despite the growing body of research regarding young people s sexual behaviours the study of coercive sexual experiences has generally been overlooked by both researchers and national programmes Available evidence has been scattered and unrepresentative and despite this evidence non consensual sex among young people is perceived to be a rare occurrence This volume dispels any such misconception It presents a disturbing picture of non consensual sex among girls as well as boys and among married as well as unmarried young women in a variety of settings This volume documents moreover the expanse of non consensual experiences that young people face from unwanted touch to forced penetrative sex and gang rape Although the focus is on young females the volume also sheds light on the experience of young males as both victims and perpetrators This pioneering volume highlights key factors placing young people at risk whilst outlining the significant distinctive health and social implications they face Sex Without Consent also documents the unsupportive and sometimes abusive or negligent roles of families teachers health care providers and law enforcement agents outlines promising efforts intended to prevent non consensual sex or support survivors and argues for profound changes in norms and values that tolerate or encourage non consensual sex The editors based at the Population Council New Delhi the World Health Organization Geneva and Family Health International Virginia argue compellingly for a radical review and reform of existing programmes designed to prevent this kind of abuse and to support young survivors of sexual trauma in the developing world Addressing the magnitude determinants and consequences of sex without consent this volume provides evidence based directions for programming     The Annotations to All Sections of the Complete General Code of Ohio William Herbert Page, 1922     **The Southeastern Reporter** ,1898     **PEOPLE OF THE STATE OF MICHIGAN V WILLIE JOHNSON, JR.; PEOPLE OF THE STATE OF MICHIGAN V RICHARD JOHNSON, 406 MICH 320 (1979)** ,1979 60015     The Northwestern Reporter ,1921

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