In his Lectures on Ethics, Kant gives us an application of his ethical theory to human sexual relations. Much of what he says there seems irrelevant and puritanical to the modern reader. For example, Kant condemns all sex outside of marriage, and he calls masturbation an abominable crime against nature. It is not my purpose to defend these positions. But I think that Kant’s discussion of the wrongfulness of using another person as a sexual object helps explain the wrongfulness of some kinds of sexual relations. In this essay I develop a Kantian account of sexual exploitation and suggest how to apply it to other exploitive relationships.

Kant’s second formulation of the categorical imperative (the “Formula of Humanity”) is often taken to be equivalent to a requirement that in our transactions with others, we do not deprive them of the opportunity for voluntary informed consent to their own actions. In our teaching we may conveniently answer a student’s query as to what it means to treat another as a mere means, and not at the same time as an end, by saying that we do this if we induce another to act by coercion or deceit. We usually add that coercion includes threats as well as force, and that deceit includes withholding relevant information as well as lying. The virtue of this account is that coercion and deceit, while problematic, are easier to define and detect than the vaguer notion of respect for moral personhood. But I argue that this reduction of the Kantian imperative is incomplete, by showing how a person may be treated as a mere means sexually and otherwise in the absence of coercion or deceit.

The shortcomings of a reduction of the imperative to a ban on coercion or deceit may be illustrated by Thomas Mappes’s essay, “Sexual Morality and the Concept of Using Another Person.” Mappes considers what moral rules govern sexual behavior in the context of general moral principles, by analysis of using another person sexually as a mere means. He defines the immoral use of another person, sexually or otherwise, as intentionally acting in a way that deprives the other person of voluntary informed
consent. He further defines this as using coercion or deception to induce another to consent to an action.

Examples offered of deception by lying include denying having herpes, or being married, in order to get another to consent to a sexual relationship. Examples of deception by withholding information include failing to inform another of having a venereal disease, or being married, when there is good reason to believe that consent to sexual relations would be refused if that information were divulged.

Mappes considers coercion to present more difficult problems than deception, and he devotes the bulk of his essay to distinguishing coercive from non-coercive behavior. He discusses the distinction between threats and mere offers, concluding that taking advantage of another's desperate situation is coercion, even if threats and deception are not involved. For example, if Tom, a single father of two children, loses his job and is unable to make his mortgage payments, and Jane offers to pay the mortgage if Tom will enter into a sexual relationship with her, her behavior should be considered as treating Tom as a mere means.

Mappes's analysis is useful and correct as far as it goes. However, the concept of using another person sexually as a mere means is much broader than what is included in Mappes's account, which ends with the parties' agreement to have sex. This is a description of immoral means of obtaining "consent" to a sexual relationship, but our moral obligations to others in sexual relationships do not end there. A person may be used sexually as a mere means during and after sexual acts as well. Consider the following case:

Case 1. Romeo and Juliet have been out together on a few dates. They are sexually attracted to each other. Juliet willingly accepts Romeo's suggestion that they have sex together. During intercourse, Romeo makes no attempt to please or satisfy Juliet. After having an orgasm, he rolls over without a word and goes to sleep.

Case 1 is an uncontroversial instance, perhaps a paradigm instance, of using another person sexually, despite voluntary informed consent to engage in sex having occurred. Romeo has been selfish, rude, and inconsiderate. He has disregarded Juliet's value as a person and treated her as an object, a mere means to his ends. Our moral obligations to our sexual partners surely do not end with their voluntary informed consent. Closer to the truth is that they begin there. We have an ongoing obligation to be respectful and considerate of our sexual partners' needs. Like voluntary informed consent, this is not an obligation unique to sexual relationships. It applies to all our relationships with others, but the requirements imposed by this obligation increase with the intimacy of the relationship. The obligation applies with particular force to sexual relationships, because the intimacy of