

## A Theory of (Sexual) Justice

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**Keywords:** *roboethics, sex robots, Rawls, free market fairness, sexual justice, sex rights*

### Author Information

Radu Uszkai

Department of Philosophy and Social Sciences, Bucharest University of Economic Studies  
<https://orcid.org/0000-0001-5250-8015>

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# A Theory of (Sexual) Justice: the roboethician's edition

Radu Uszkai

## Abstract

Sex robots have been gaining significant traction in the media and in pop culture. Each new launch of an updated model or a new entrepreneurial innovation on the sex robot market was signaled and discussed at length in the media. Simultaneously, Hollywood productions and popular TV series have graphically illustrated and brought forth serious questions regarding human – sex robot relationship. Unsurprisingly, philosophical interest is already extensive, with a series of papers and books tackling a wide array of issues related to sexbots. The purpose of my paper is that of exploring one potential deployment of sex robots: as a solution for addressing claims of sexual justice. I will begin with a short overview of the debate regarding sex rights for people with disabilities and argue that a Rawlsian account of sexual justice is possible. One of the main claims of the paper will be that there might be a strong link between sex rights and Rawlsian primary goods. I will then argue that, from a Rawlsian framework, it makes sense to adopt an anthropocentric meta-ethical approach to human – sex robot interactions. In the last part of the paper, I will present and criticize the main objections that have been brought against the manufacture and selling of sex robots. Even assuming that the objections were correct, they do not hold in the case of the use of sex robots by people with mental or physical disabilities.

*Keywords:* roboethics; sex robots; Rawls; free market fairness; sexual justice; sex rights

## 1. On the idea of sex rights

During the past decade the *Journal of Medical Ethics* was the host of a debate on the idea of sex rights for the disabled. The spark was a paper written by Appel (2010) in which he argued that we have focused almost exclusively on protecting vulnerable groups from abuse and largely ignored the intimacy needs of people with either physical or mental disabilities. His contention is that people have both positive and negative sex rights and that they “encompass the right to experience pleasurable sexuality, which is essential in and of itself and, at the same time, is a fundamental vehicle of communication and love between people” (152). The distinction between negative and positive rights goes back to Isaiah Berlin's (2002) distinction between negative and positive liberty. Negative rights carve out areas in which we are free from any type of coercion from the state or interference from society so long as we ourselves do not interfere with the negative rights of other individuals. Thus, having a negative right to X means that no one should interfere with my having access to X, acquiring X or enjoying X. On the other hand, positive rights, just like Berlin's positive freedom, are rights to be provided with X if X increases your autonomy and you are unable (due to a wide variety of objective reasons) to have access to X on your own.

The implications of such a normative position are twofold. Taking negative sex rights seriously would entail that we should reform policies in nursing facilities so as to allow sexual intercourse on their premises. A major and highly contentious one (for some moral philosophers) has to do with prostitution. If it is true that people have negative sex rights, then we should at least carve out exceptions for buying sex and legalize (within a specific scope) prostitution. There is also a case to be made in favor of publicly subsidizing prostitution for the disabled if they lack the resources to buy such services, as sex rights are also positive rights.

In contrast to Appel, Di Nucci (2011) has a largely skeptical and critical approach. If people would have such a positive right to sexual satisfaction, then this would deprive others of their negative rights: “universal positive sexual rights are incompatible with universal negative sexual rights. If A has a positive sexual right, then that means that there is at least one person who would lack negative sexual rights. Namely the person who would be supposed to fulfill A’s positive sexual rights. If everybody has negative sexual rights, then everybody has the right to refuse to fulfill A’s sexual needs, but then A has no positive right to sexual pleasure.” (159). A better solution for providing sexual satisfaction for people with disabilities would circumvent the ethical issues associated with both public subsidies and legalizing (albeit partially) prostitution. Such a solution could be found, as strange as it may sound, in establishing “charitable non-profit organizations, whose members would voluntarily and freely provide sexual pleasure to the severely disabled” (2011, 160).

A more promising approach to the issue resides in Thomsen (2015). Sex rights are especially important for people who are, in his words, “relevantly disabled”: persons who have sexual needs and desires that are difficult to fulfill due to physical or mental conditions that severely limit their possibilities. While objectionable, Thomsen thinks that there is still a case to be made for Appel’s proposal to carve out exceptions for prostitution based on two main claims. The first one, the argument from beneficence, is largely welfarist: if we prohibit the purchase of sexual services for the relevantly disabled individuals, then this might very well put a damper on the chances that they have to fulfill their sexual needs and thus have access to less pleasure. The second comes from luck egalitarianism. If people are worse off due to no fault of their own, this is unjust. But, as most people who are relevantly disabled are in such an unjust position, there is a reason to allow them to buy sexual services as they are worse off than others due to bad luck and they lack other ways of satisfying their sexual needs<sup>1</sup>.

Even if some people would agree with the normative framework advanced by Thomsen, they could still be skeptical with regards to the practical implications of the argument, taking into account the flurry of ethical objections raised against prostitution. But what if

<sup>1</sup> While Appel, Di Nucci and Thomsen focus on the problems posed by disabilities, Liberman finds this approach questionable. Disability, she argues, should not be used as a proxy for sexual exclusion because this “sends a false message that all disabled people are sexually excluded, while distracting from any hardships that result essentially and directly from being disabled in an ableist society. Focusing on disability status as a proxy for sexual exclusion both perpetuates negative stereotypes about disability, and is a less fruitful approach than getting to the core of the issue by focusing on sexual exclusion directly.” (2018, 256)

there was a way in which we could bypass this (seemingly) repugnant conclusion? Could technology provide us with a reliable solution? In a more recent paper, Di Nucci (2017) certainly feels that this is the case. Instead of allowing a limited market for purchasing sex from other human beings, we should welcome the deployment of sex robots towards fulfilling the sexual needs of people with relevant disabilities. This would both mitigate his objection to Appel and be in accordance with Thomsen's beneficence and luck egalitarian arguments.

The goal of this paper is that of moving the debate a bit further, by exploring the consequences of adopting an explicit Rawlsian framework in the debate regarding sex rights and the deployment of sex robots as a solution to address this claim. My first thesis is that Rawls might offer a more compelling framework for sex rights and that such a framework will be an extension of Thomsen's luck egalitarian argument. Secondly, I will argue that the manufacture, selling and use of sexual robots is largely unproblematic, especially in cases involving their use by people with disabilities.

## 2. Towards (sexual) justice as (sexual) fairness

Rawls' (1999) interest in sexual justice focused mainly on questions related to sexual discrimination. Discriminating someone on the basis of their gender or their sexual orientation "presupposes that some hold a favored place in the social system which they are willing to exploit to their advantage" (129). Thus, there is no inherent difference between sexual and racial discrimination (Carcieri 2015, 61-71).

There might be a more substantive way in which we could talk about Rawlsian sexual justice and the starting point of such a proposal rests upon the preeminence of primary goods. Remember that, for Rawls (1999), primary goods are "things that every rational man is presumed to want. These goods normally have a use whatever a person's rational plan of life" (54).

Primary goods come in two types: (i) natural (e.g. health and imagination) and (ii) social (e.g. rights, liberties or wealth). Moreover, not all primary goods are created equal, as chief among them we have self-respect. For Rawls, self-respect is more important than health or wealth as "it includes a person's sense of his own value, his secure conviction that his conception of his good, his plan of life, is worth carrying out. [...] self-respect implies a confidence in one's ability, so far as it is within one's power, to fulfill one's intentions. [...] It is clear then why self-respect is a primary good. Without it nothing may seem worth doing, or if some things have value for us, we lack the will to strive for them" (386). Thus, self-respect might be what makes life worth living.

The main goal of a just society becomes, for Rawls, organizing institutions so as to mitigate the random distribution of both natural (he recognizes that, while influenced by the basic structure of society, health, imagination or vigor are not directly under its control) and social primary goods. In order to figure out what are the principles according to which the distribution should be made, Rawls conjures up his famous thought experiment: in the original position, behind a veil of ignorance, "no one knows his place in society, his class position or social status, nor does anyone know his fortune in the distribution of natural assets and abilities, his intelligence, strength, and the like" (11). In

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other words, in such a position no one knows whether she is a rich actress socially recognized for her beauty and wits and capable of heaving a healthy sex life or a poor woman with a physical or mental impairment. Rawls' answer is that individuals would choose to be governed by "two fundamental principles, one securing equality where it is essential (in the political and legal spheres) and the other regulating inequality where it is inevitable (in the social and economic spheres)" (Carcieri 2015, 3). While the first one could be described as an equal liberty principle, the second states that "[s]ocial and economic inequalities are to satisfy two conditions: first, they are to be attached to offices and positions open to all under conditions of fair equality of opportunity; and second, they are to be to the greatest benefit of the least-advantaged members of society (the difference principle)" (Rawls 2001, 42).

The Difference Principle (DF) has been the subject of intense philosophical debate in the past couple of decades. I wish to leave aside an in-depth discussion and focus instead on its core idea: when we think about inequality, our focus should be on how well off the worst off in a society are treated by the basic structure of society. Something like the "minimum of some index of advantage should be maximized" (Van Parijs 2003, 200) for the ones who are the worst off. State interventions through welfare redistribution schemes have found in the DF a constant point of departure, but some argue that it does not involve, necessarily, such schemes (Tomasi 2012; Vallier 2016).

Remember that, for Thomsen, the luck egalitarian case for sex rights starts from an assumption which is fundamentally Rawlsian in nature: it is not fair if you are worse off as a result of something that is not your fault. In most (maybe even all) cases, people with disabilities are worse off than others due to contingent factors out of their reach. However, in our current social environment, people with disabilities are generally discriminated against when it comes to having romantic or sexual partners. My claim is that there is a case to be made for applying the DF in the case of unequal access to sexual satisfaction for one major reason: sexual satisfaction contributes to acquiring some of the primary goods that hold preeminence for Rawls.

Take, for example, the relation between sexual satisfaction and health. According to a recent meta-analysis done by Brody (2010), studies generally show that there is a positive correlation between sexual satisfaction and "better psychological and physical functioning" (1356). It appears that having sex lowers blood pressure (Broody 2006) and leads to decreased anxiety (Leuner, Glasper and Gould 2010). But, more importantly, there might be a case to be made in favor of a correlation between sexual satisfaction and self-respect. If we are to read Rawls' notion of self-respect as amounting to a subjective, psychological account (Massey 1983), then not being able to fulfill your sexual needs and desires negatively impacts your own sense of worth. There are, of course, people who voluntarily refuse to have a sexual life, more often than not on a religious basis. However, the existence of hermits or monks is not a counterargument to my claim, in a similar manner in which their modest lifestyle and wealth are not an argument against addressing issues of wealth inequality. My argument rests on the assumption that, with the exception of certain types of individuals, most of us would like to have access to sexual satisfaction, but some do not due to brute bad luck, i.e. being born with or developing a physical or mental disability. In conclusion, we can talk about organizing society so as to allow all individuals to have access

to sexual satisfaction because Rawlsian justice (at least in my interpretation) requires it. One way of doing this would involve allowing companies to do R&D and sell sex robots and individuals to pursue sexual satisfaction mediated by robots if, obviously, there are no moral concerns raised by such interactions. The rest of the paper will be dedicated to exploring these issues in more detail.

### 3. Rise of the sex robots

The AVN Adult Entertainment Expo in Las Vegas is one of the biggest events in the adult entertainment industry, drawing the attention of media outlets from around the world and the participation of an average of 30,000 attendees. As technology permeates more and more aspects of our daily lives, it is no wonder that, among the more than 150 companies showcasing their products during the 2019 edition, there were also the leading manufacturers of sex robots, like the American company RealDoll. One of the most advanced examples of sex robots developed by them is Harmony AI. Harmony can tell jokes, remember and learn from previous conversations, speak with a Scottish accent and be connected to an app available for Android phones. The app helps users customize their experience with a wide variety of other features (Keach 2019). It is no wonder that Harmony and her direct competitor, Roxxy (another popular sex robot developed by TrueCompanion), are the robots making headlines in the press. Recent research has largely vindicated one of the pervasive intuitions that we might have had with regards to the main target of the industry, namely that they are mostly heterosexual men<sup>2</sup>.

For example, surveying the intuitions that people have about the qualities that a sex robot should possess (e.g. how should they look like?) or their appropriate use and social functionality, Scheutz and Arnold (2016) uncovered that women “consistently rated each respective use and possible robotic form as less appropriate than men did, and were much less likely to see using a sex robot in the future. Whether framed more individually (one’s own sex life) or socially (substitution for prostitution, prevention of sexually transmitted diseases), men clearly were more open to sex robots as appropriate and to using them in the future” (7). On the other hand, on the subject of some uses, the study has shown general agreement on the permissibility of interacting with sex robots in order to maintain or protect personal relationships or in contexts in which personal relationships are either impossible or difficult to be threatened (e.g. when you are an astronaut on a space station or a researcher working in a remote research facility).

Pinpointing with surgical precision the exact number of people who would be interested in having sex with a robot has proven to be a difficult task, as the proportion varies from 9% in one Huffington Post survey to 66% for men (Sharkey et al. 2017, 7-9). Regardless of the exact number, it seems pretty obvious that it makes sense for such a market to exist (even if as a niche one), especially if we take a look at other recent developments. One notable innovator is the Spanish company LumiDolls which opened, in 2017, the first

<sup>2</sup>We should take notice of the fact that, while it is true that the market is largely dominated by demand from men, there are notable examples of sex robots designed explicitly for women, like Rocky (Scheutz and Arnold 2016) and Henry (Devlin 2018).

brothel that employs sex dolls and sex robots in Barcelona (Rodriguez 2017). While having to face some legal challenges in the process, LumiDolls is now the parent company of a chain of brothels with subsidiaries in Turin, Moscow and Nagoya<sup>3</sup>.

#### 4. I, Philosopher

At a first glance, we can define sex robots as devices that humans use for sexual pleasure. While entirely unproblematic, such a definition would be too vague and sub-par equipped to help us in grasping the fundamental differences between sexbots, on the one hand, and sex dolls alongside other sex toys on the other. While the latter might have a similar purpose, the former should meet three essential criteria at the same time. To be more precise, just like sex dolls, sex robots should possess a *humanoid form* but, in addition to this, they should also have a *human-like movement/behavior* (hence some degree of autonomy that dolls lack) and, more importantly, *some degree of artificial intelligence* that would make them “capable of interpreting and responding to information in its environment. This may be minimal (e.g., simple preprogrammed behavioral responses) or more sophisticated (e.g., human-equivalent intelligence)” (Danaher 2017, 11). Moreover, following the taxonomy proposed by Veruggio, Operto and Bekey (2016, 2147-2155)<sup>4</sup>, sex robots can be described as a combination of humanoid and entertainment robots, with a potential of becoming healthcare robots and they could also be labeled, pace Coeckelbergh (2009), as “personal robots”.

David Levy’s work has been pivotal in bringing sex robots to the attention of philosophers. He is widely recognized as one of the forerunners of “lovotics”, the field of study dedicated to love and friendship with robots (Cheek et al. 2017, 836). In his seminal 2007 book, Levy famously predicted that, by 2050, human-robot relationships will be normalized in part because our interaction with them will seem more authentic, as robots will be able behave more human-like. This will be achieved when we will reach the point in which we can program sex robots to show “feelings” towards us. By doing this, sexbots will surely become so psychologically pleasing that some of us will prefer them to the romantic companion of other human beings.

Levy also speculated on who will be the most tempted to engage either sexually or romantically with sex robots:

<sup>3</sup> In a different train of thought, ever since the launch of the 1927’s iconic *Metropolis*, featuring the German actress Brigitte Helm as the iconic gynoid Maria, robots (and more recently explicitly sex robots) have been a central theme of major pop culture productions. It goes without saying that one of the central philosophical issues stemming from HBO’s *Westworld* is the moral status of the hosts, robots used to re-enact certain scenarios and who end up more often than not sexually abused (South and Engels 2018). Similarly, Ava from *Ex Machina*, a sexually abused female robot endowed with artificial intelligence, manages to pass what we could call the “love” Turing test and escape from captivity. The hit show *Black Mirror*, with its trademark approach to speculative fiction with regards to the future of our society, also deals with complex subjects like love, sex, grief and immortality in the age of complex AI and synthetic bodies in their second season episode “Be Right Back”.

<sup>4</sup> They distinguish between the following major categories of robots that are currently available: industrial, service, humanoid, healthcare and life quality, distributed robotics systems, outdoor, military, educational and entertainment robots.

- a) individuals with physical and emotional deficiencies;
- b) people who are not interested/do not have the time to develop a full loving (traditional) relationship. They just want to have sex but find prostitution morally repugnant.

Sex robot ownership or robot prostitution could thus prove to be both a safer and a more ethical alternative in 2050 to the current (mostly illegal) sex markets. Speculation on such a potential sex market predate the invention of contemporary sex robots as even in 1983 the British newspaper *The Guardian* talked about such a possibility observing the trend towards the emergence of sex toys markets (Levy 2007, 215). A recent piece of academic speculation goes even further, trying to explore how the sex industry in Amsterdam might look like in 2050 and how sex with robots might offer alleviation to some of the problems that are currently associated with the sex trade (Yeoman and Mars 2012). Less STDs and, more importantly, less human trafficking are only some of the desirable features that such a possible world might bring about.

A significant amount of philosophical work has been done in discussing the intricate implications and the proper way of dealing with both the ethics and meta-ethics of robots in general and sex robots in particular (Verugio et al. 2016; Bendel 2017) but an in-depth discussion of all the elements involved in the debate would extend beyond the scope of this paper. In the remainder of this section I wish to focus on some of the meta-ethical issues involved in the debate surrounding robots which will pave the way for further analysis and exploration.

According to Torrance (2011, 119 - 130), there are four meta-ethical frameworks within which we can discuss the implications of a “more-than-human moral world”. The *anthropocentric* approach is focused solely on human needs, thus treating sex robots endowed even with complex AI as having only instrumental value. *Infocentrism*, on the other hand, starts from the premise that, if key aspects of the mind and intelligence can be replicated in computational systems, then there could be such a thing as artificial moral agency. If David Levy’s predictions are right, then by 2050 the idea of a prostitution market with such complex robots should be put on hold. *Biocentrism*, the 3<sup>rd</sup> framework that Torrance presents, radically opposes the fundamental premise behind infocentrism. The nature of the mind and of ethical value is ingrained in the essential features of being a biological organism. While animals are suitable for ethical concern, sex robots would be outside the Theodosian walls of morality’s extension. Last but not least, the most inclusive meta-ethical framework is the *ecocentric* one. *Ecocentrism* can be viewed as an extension of biocentrism, focusing on the relation between different elements of an ecosystem. In the end, however, value does not reside in any particular individual, either biological or synthetic, but in large collectives like ecosystems.

While both biocentrism and ecocentrism seem to be fertile grounds for philosophical work, Rawlsian roboethics should confine itself to either an anthropocentric or an infocentric framework, depending on the status of the technology behind building sex robots. Currently, as sex robots lack a “sense of justice” and a “capacity to have, to revise, and rationally to pursue a conception of the good” (Rawls 2001, 18-19) they would be outside the scope of a theory of justice.

Last but not least, if a humanoid form, human-like behavior and human-equivalent intelligence are the essential features that a sex robot should possess, a general anthro-



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pocentric framework could be enhanced by exploring both the phenomenology of our interaction with robots within Coeckelbergh's (2009) "ethics of appearance" and their "potential contribution [...] to human good. Can human good appear in human-robot interaction (or relationships), or only in human-human interaction (and relationships)? Can human-robot interaction (relationships) contribute to human flourishing and happiness? Can such interactions constitute friendship, love, or relationships at all?" (220).

## 5. Is there anything wrong with sex robots?

Following Grout (2015) and Danaher (2017), sex robots pose a range of interesting philosophical and ethical questions. We need to explore and analyze them in detail as any argument in favor of deploying sex robots in order to address an issue of justice is contingent on whether there are warranted moral concerns against such sexual interactions. Firstly, it is unclear whether people could really have sex with robots or it would be just a case of auto-stimulation. Similarly, assuming that reciprocity is an essential feature of a meaningful relationship, can we actually get intimate with a sex robot?

With regards to these issues, I remain largely agnostic. The first question is largely a metaphysical one, but the answer might very well be more context-laden, as the way in which we define sexual activity could be seen as dependent on various social and cultural contexts. In the not so distant future, such a question might even seem preposterous for Japanese men, who seem to be more open to loving robots (Cheok et al. 2017, 853) and who might define their interaction with them as something more than a simple case of auto-stimulation. Moreover, while we generally assume that a meaningful relationship presupposes some form of reciprocity from the parties involved, it is an open question whether denying the possibility of such a relationship with a complex robot would not have problematic implications to other types of relationships that people have. For example, if your significant other is in a profound coma and, thus, unable to reciprocate, such a sorry state does not necessarily lead to the conclusion that your relationship with that person is not meaningful. In short, while robot love appears altogether possible for Levy (Kewenig 2019, 23-24) others feel that non-reciprocal relationships could never be characterized as such (Sullins 2012).

A third major question revolves around the social acceptability of sex with robots taking into account the (i) benefits and harms to the robot; (ii) benefits and harms to the user and (iii) benefits and harms to society. Whether or not a sex robot could be harmed by interacting with a human being largely depends on the meta-ethical framework that we find appropriate to analyze their moral status. As I previously mentioned, within an infocentric perspective such a claim would be relevant if, thanks to technological progress, we could build machines with artificial moral agency. Taking into account the current technological status quo, an anthropocentric outlook is better suited.

### 5.1 *Sex robots and the precautionary principle*

For the purpose of this paper, examining and evaluating the case against sex robots based on potential harms to the users and society is of utmost importance. While acknowledging the potential therapeutic use of sex robots, Cox-George and Bewley (2018) argue that we should apply the precautionary principle when it comes to the health arguments in their favor. Sex robots, they assert, might negatively affect the way in which we think about intimacy and, therefore, “we should reject the clinical use of sexbots until their postulated benefits, namely ‘harm limitation’ and ‘therapy’, have been tested empirically” (4). Similar concerns are echoed by other researchers, who highlight the potential of accentuating loneliness or isolation as a result of constant interaction with sex robots (Nascimento, da Silva and Siqueira-Batista 2018, 238).

Eggelton (2019) finds arguments like these to be specious at best. Firstly, he considers that they “seem to have constructed a series of objections to sex robots based on their dislike and disapproval of them” (78). It might be a classic case of repugnance (in this case with regards to technology and sex) translated in moral terms upon which some argue on certain restrictions on market or social activities (Roth 2007). Moreover, taking into account how many people lack the prospect of sexual intercourse and satisfaction without appealing to a sex worker, Eggelton thinks that such objections would not make them justice, taking into account how promising the technology seems to be even in this developing stage.

In one sense, Cox-George and Bewley and Nascimento et al. might be right in asserting that sex robots could have a negative impact on users, but it remains an open question whether this is something trivially true (almost any technological change could be, hypothetically, harmful to at least some users). Moreover, if we frame the question of acquiring sexual satisfaction as a matter of justice, the requirement of applying the precautionary principle should be accompanied by optimism in the positive impact that sex robots could have in the lives of people with disabilities who are now discriminated in their sexual or romantic lives.

### 5.2 *Should we ban sex robots?*

The strongest line of attack against sex robots comes not from people who think that we need significantly more empirical data to argue in favor of their health benefits and apply the precautionary principle, but from those who push in favor of a radical U Turn and their complete ban.

Kathleen Richardson (2016) can be easily credited with the role of spearheading this agenda in both academic and non-academic contexts. She takes issue with Levy’s optimism with regards to robot prostitution as a safer and preferable alternative to human prostitution, arguing that the opposite is actually more plausible. Instead of reducing human trafficking and the extent of the current prostitution market, sex robots and robot prostitution will “further reinforce relations of power that do not recognize both parties as human subjects” (292). Richardson goes on to argue that, in spite of the existence of a wide array of sexual artificial substitutes, no positive correlation can be found with a decrease in demand on the prostitution market. Last but not least, due to “technological animism” (the attitudes we’re transferring to technology), sex robots will reinforce certain problematic stereotypes based on class, gender and sexuality.

Richardson is also the main voice behind “Campaign Against Sex Robots” (CASR), an advocacy group which campaigns (unsurprisingly) for a complete ban on sex robots. Just like in her academic work, Richardson focuses not on the moral status of sexbots, but on the societal consequences of their deployment. Sex robots, Richardson claims, will reinforce misogynistic and sexist attitudes. Buying sex from robots will reinforce the idea that women’s bodies are commodities, and promote a non-empathetic form of sexual encounters<sup>5</sup>.

Gutiu’s (2016) objections are in a similar vein. Sex robots, she argues, will primarily have a negative impact on the way in which we will understand the notion of consent and this will further impact negatively the lives of women: “[a] sexbot user need not consider sexual consent in the interaction, which raises questions about whether the use of sexbots that bypass consent could diminish the role of autonomy in sexual relationships and dehumanize sex and intimacy between individuals [...] The use of sexbots and the potential creation of an industry that commoditizes the circumvention of female consent may devalue female personhood, encourage misogynistic reactions to women, and impair values about women’s role in society” (187-188). Furthermore, instead of furthering equality between men and women, sex robots will have a negative impact on human dignity and on women’s image and their sense of self-worth, as robots will reproduce stereotypical images of what men find desirable in women.

A somewhat different, yet related case against sexbots, was recently developed by Sparrow (2017), as he takes issue with the fact that female robots “that could explicitly refuse consent to sex in order to facilitate rape fantasy would be unethical because sex with robots in these circumstances is a representation of the rape of a woman, which may increase the rate of real rape, expresses disrespect for women, and demonstrates a significant character defect” (2). Sexbots would, thus, erode our moral character and increase the chances of unethical spillovers in our interactions with human beings.

I echo Danaher, Earp and Sandberg (2017) in their treatment of Richardson which also extends to Gutiu and Sparrow. Firstly, Richardson’s arguments are heavily dependent on accepting a somewhat misleading view of sex work which some might simply not accept. Sex work should not be understood, a priori, as being demeaning. Secondly it is unclear what the particular objective of CASR really is. Even accepting that there is a strong case to be made against the way in which sex robots are developed today, the negative consequences could be mitigated by regulation. To take the case of rape and the potential impact on the social meaning of consent, such concerns could be incorporated in their design and formally regulated (Danaher 2019). For example, sex robots with an incorporated consent module would obviously mitigate their concern. Furthermore, as Eskens (2017, 72) showed, the idea that you can rape robots (in the current stage of their development) is quite misleading. The standards for consent (namely that an agent is informed, acts voluntarily and is ‘decisionally capacitated’) are simply not met by sexbots like Harmony or Roxxy.

Last and, more importantly, not least, there is not enough empirical data for the claims that she and others are making with regards to the impact that sex robots will have

<sup>5</sup> For more details visit the website of the campaign and especially their manifesto: <https://campaignagainstsexrobots.org/about/>

on society. By way of an analogy, just like there is no consensus on the impact of pornography (Danaher et al. 2017, 69), the same could hold true for sex robots. Moral panics<sup>6</sup> and questionable moral biases are what could be at stake here, rather than a thorough scientific approach to the issue at hand.

For the sake of the argument, let's assume that Richardson, Gutiu, Sparrow and other critics of sex robots are right. Would their arguments extend to the therapeutic use of sexbots? Would a regulated market of producers of sex robots with incorporated consent modules be in any way problematic if the main stakeholders would be comprised by people with physical and mental disabilities? Wouldn't a concern for justice and human flourishing trump any potential societal negative spillovers even assuming that some individuals would use their sexbots or the ones from LumiDolls brothels in a problematic way?

## 6. 'Cry of Dolores': sex robots of the future and an unexpected journey

I started my paper with a review of the current debate on sex rights for the relevantly disabled and the role that sex robots could play in addressing such normative claims and argued that we need an explicit foundational theory for making such a case more compelling. While some positions have an implicit Rawlsian flavor, the crux of my argument was that, within a Rawlsian framework, there is a case to be made for a theory of (sexual) justice as (sexual) fairness. As such, in the second section I posited that sexual satisfaction contributes to some primary goods like health and, more importantly, self-respect, and that, as a consequence, the basic structure of society should take into account inequalities in its distribution and somehow address this issue. Sex rights of the kind discussed previously would do the trick and they would be essential for people with relevant disabilities. How should we address such moral and political claims in practical terms? One way of doing it, as Di Nucci (2017) previously suggested, is through the deployment of sex robots which, as I have shown in the third section, are still in their infancy. However, the likelihood that models like Harmony AI and Roxxy will become more complex as time goes by is tremendous.

The rest of the paper was dedicated to exploring what is the proper meta-ethical Rawlsian framework for roboethics and whether there are any moral problems raised by sex robots. In the fourth section I argued that Rawlsian roboethics would surely be anthropocentric at this stage and that robots should be understood as assistive technologies that contribute, echoing Coeckelbergh, to the human good, as there is a link between sexual satisfaction and possessing self-respect. Last but not least, neither precautionary reasons nor moral panic like the one behind the CASR prove to be fatal blows against a minimal Rawlsian case for sex robots. Questionable moral biases and shady or nonexistent empirical work are not relevant in denying the right of private companies to research, build and sell sex robots to people with disabilities and the rights of those individuals to enjoy such sexual experiences. Sexual justice as sexual fairness could be another case of free market fairness (Tomasi 2012).

<sup>6</sup> A similar moral panic is the so-called link between aggressive video games and adolescents' aggressive behavior in real life. No strong link between the two has been established by this point (Przybylski and Weinstein 2019).

However, we cannot foresee dramatic technological change. The ‘Cry of Dolores’ was a pivotal moment in the history of Mexico. The speech delivered in 1810 by Miguel Hidalgo y Costilla in the small town of Dolores was a turning point in the beginning of the Mexican War of Independence against the Spanish Empire, by that time a falling colonial power. In *Westworld*, abused robots who gradually become autonomous are led by one of the main characters of the show, Dolores, into a war of independence against their abusive human overlords who more often than not treated them merely as sex toys. The way in which the individuals who entered the park treated the robotic hosts was problematic both on a virtue ethics account (Cappuccio, Peeters and McDonald 2019) but, more importantly, on an infocentric basis: they have a sense of justice and, as a consequence, killing and raping them is unfair on a Rawlsian basis.

Does this mean that, in such a future, the Rawlsian case for sexbots in the case of sex rights loses its touch? Not necessarily. We might actually not need really complex robots like the ones from *Westworld* in order to better simulate satisfying sexual experiences. According to Matt McMullen, the CEO of RealDoll, the future of sex robots lies in the promises of Virtual Reality: “We are exploring ways to use the tactile simulation of a doll’s body or partial body to bring VR to a new level of experience. In other words, the avatar you are looking at in the virtual world could be touched utilizing a doll’s body or body parts tracked in conjunction with the user’s position. Using the graphics capabilities of a more powerful computer will allow for very detailed graphics and believable experiences which are literally out of this world” (Sharkey et al. 2017, 32). In other words, the Rawlsian case for sexual justice might amount to a positive argument in favor of plugging in, from time to time, to Nozick’s Experience Machine.

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