Budapest Conference
A Follow-up

From Staff Reports

Papers based on the Budapest Sex Law conference reported in Updates 4.2 (June 2009) have now been published as a special issue of the scholarly journal Thymos: Journal of Boyhood Studies. Most of the essays are written in a clear style meant to be accessible to the general public. Gathered together under the title “Boys’ Sexuality and Age of Consent,” the special issue features six essays by various professionals from different fields.

In the first essay, notable Austrian human rights attorney Dr. Helmut Graupner discusses sexual consent from a human rights perspective, defining it as freedom to assent to any wanted sex and freedom not to be subject to unwanted sex. He relates the results of a recent ruling by the European Court of Human Rights on behalf of a 17-year-old Austrian boy who preferred the company of adult men; “age-span” provisions such as exist in the laws of most American states (specifying that teens cannot have sexual intimacy with anyone more than 2-5 years older than themselves) are no longer legal in Europe.

Also important is the essay by Rev. Donald Mader of the Pauluskerk in Rotterdam, who proposes that tests used to determine sexual competency and self-assertiveness on the part of the cognitively impaired could, with appropriate modifications, be used to determine the competency of minors regardless of age.

Dr. Bruce Rind, a well-known research psychologist, argues for an aggressively interdisciplinary approach to evaluating adult-adolescent sexual interaction: the kind of quantitative survey work that he and other psychologists do needs to be supplemented with consideration of how such sexuality functioned in the many historical and tribal societies that do commonly practice it. In addition, he argues that we must examine its evolutionary roots in the socialization of mankind’s closest primate relatives.

Prof. Thomas Hubbard, in a paper entitled Sexual Consent and the Adolescent Male, or What Can We Learn from the Greeks?, examines the social function of pederasty within one specific historical society, then moves forward to the origin of modern age-of-consent laws in the Progressive Era of the US, as part of the same “social purity” movement that produced drug and alcohol prohibition, the suppression of prostitution, and other vaguely worded statutes giving local authorities broad power to persecute undesirables in the name of combating “vagrancy” or “public indecency.” He concludes his essay by arguing that different ages of consent should be established for boys and girls, whose development and retrospective feelings about adolescent sexual experiences tend to be much different.

Finally, the collection is rounded out with contributions by Dr. Richard Yuiil, a Scottish sociologist, and Dr. Diederik Janssen, a theoretical anthropologist and medical doctor from the Netherlands. Yuiil criticizes specialist studies that ignore the personal narratives of those whose experiences of adult-child sex do not conform to expected norms. He also discusses the difficulty of doing scientific research on the topic amid a political and media climate that impugns the motives of anyone interested in the topic. Janssen, who is also the Editor of Thymos, derives the negative construction of adult-minor sex in modern times from an over-extension of the incest taboo.

Those interested may order copies of this special issue directly from the publisher, Mens’ Studies Press, P.O. Box 32, Harriman, TN 37748 (www.mensstudies.com). Paper copies cost $35, electronic copies $20.

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