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# Abstract

In this thesis, I argue that there is nothing morally wrong with incest as such. I reject the three most commonly used arguments which seek to prove either incest's immorality or the validity of the incest prohibition: the genetics argument, the power dynamics and the family value argument. I rely on Jeffrey Sebo's and Francesco Orsi's analysis of these arguments. I then argue that, despite incest itself not being immoral, there are precautionary reasons why a prohibition on vertical incest should remain in force. Allowing vertical incest between consenting adults could lead to negative consequences for children in general, by shifting the ways in which parents perceive parental obligations and by providing more space for the abuse of parental power. I anticipate two objections. Firstly, from Natasha McKeever's view about incest, according to which incest is rare and mostly occurs between adults who have been separated until they all reached adulthood, and as such does not pose the threat of increase in child abuse. Secondly, coming from Vera Bergelson's analysis of incest, that the incest prohibition resembles historical examples of injustice, like the ban on gay or interracial marriages. I reject both objections.

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# Chapter 1: Introduction

While binge-watching the TV show *Community*, I stumbled upon an interesting topic: accidental incest between fully autonomous adults. In the 12<sup>th</sup> episode of season 6, Garret and Stacey learn that they are cousins during their wedding ceremony: a revelation shocking to them and their families. After the initial surprise, the show's characters try to make sense of the situation, and to determine the proper way to go about this issue. Divorce is the only right option, many claim. Jeff, Garret's friend, decides to step up. He asks the guests to ponder the actual harmfulness of the marriage. Garret and Stacey are soulmates, why should they spend their lives lonely and unhappy when they have each other, he asks. It is not like they are harming anyone, or intentionally breaking the social norms which prohibit incest – they did not grow up together, nor show a disposition of engaging in risky behaviour by intentionally violating social norms.<sup>1</sup> At the end of the episode, the credited author Briggs Hatton appears. He admits that incest is a controversial topic but asks us to think about the incest prohibition. Especially about these two points: i) research shows that incestuous couple's children have a significantly smaller risk of developing genetic malformations than previously thought<sup>2</sup>, and ii) despite i), voluntary incest between consenting adults is still highly criminalized. In Arizona, for instance, incestuous couples can be punished with up to 15 years in prison. The punishment is too harsh, especially if we have no justification for supporting these laws. Hatton then asks us to rethink our attitudes, since, he claims, our attitudes are based on

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<sup>1</sup> Intentional breaking of the incest taboo might make things worse in the eyes of the public. It is assumed that such behaviour shows mental health issues or impaired intelligence. As Johan Tralau brings up, there seems to be a consensus on the perceived mental health of incestuous individuals. 'Psychologically sound' individuals, as he puts it, rarely engage in incestuous relationship (Tralau 2012, 9) The implication behind this position, as I interpret it, is that psychologically impaired individuals tend to have a lack of common inhibitions, and hence are more incestuously inclined than a normal person would be.

<sup>2</sup> I will say more about genetics in the third chapter. There I analyse the genetics argument, according to which incest is immoral because incestuous couples risk having children with genetic deformations, thereby knowingly inflicting harm on their potential children.

misconceptions about incest, and since incest is not a unified category of acts. Not all incest is necessarily wrong.

Before watching this, I used to think that all incestuous acts are equally wrong. However, Hatton got me thinking. Researching the topic, I realized that there is more nuance to incest, which is not given due credit in philosophical research. Admittedly, there are several philosophers who have researched the topic: Jeffrey Sebo (2006), Robert William Fischer (2012), Johan Tralau (2013), Natasha McKeever (2022), as well as some lawyers like Vera Bergelson (2013). Excluding Fischer, they all agree that the arguments commonly presented to justify the incest prohibition have serious flaws and provide useful criticism. However, they reach conclusions I do not fully agree with.

In my thesis, I intend to contribute to the discussion. Agreeing with Sebo, Tralau and Bergelson, I will argue that there is nothing morally wrong with incest as such. Further, I will argue that McKeever's and Fischer's family value arguments<sup>3</sup> have some flaws, at least when presented as arguments concerning morality.<sup>4</sup> Lastly, I intend to show that, despite the fact that incest as such is not morally wrong, there are strong practical reasons why (at least) vertical incest should be prohibited. I will argue that not every instance of consensual vertical incest, i.e., incest between parents and their adult children, is problematic. However, social and legal prohibition might prove useful in protecting those who cannot consent to incestuous acts with their parents. I will further argue that maintaining the ideal of a nuclear family as incompatible with seeing children as potential future partners promotes family values useful for raising children in safer environments. While those vertically incestuous couples who are autonomous, fully consenting and well-informed individuals might suffer injustice by not being permitted to engage in romantic relationships or sex, I

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<sup>3</sup> Sebo refers to this type of argument as the family argument. Following a suggestion by Anca Gheaus, I will call it 'the family value argument'. This denomination is more suitable, considering the nature of the argument in question: it focuses on the value familial relationships confer on their individual members.

<sup>4</sup> Both McKeever and Fischer insist that they do not think every instance of incest is immoral. However, the core of their arguments pertains to morality; they argue that there is something morally wrong in risking the stability of a familial relationship by engaging in an incestuous act.

believe that is the cost they need to pay to make their society safer for the society's most vulnerable group of individuals: children.

I have divided my thesis into four chapters, namely: 1) the present introduction to the topic, in which I mainly explain the significance of the issue under discussion and the terminology I use, 2) a discussion of parental duties; in which I set out the framework in which my argument is to be understood, 3) the analysis of the three most significant arguments in favour of the incest prohibition or the immorality of incest (the genetics argument, the power dynamics and the family value argument), and 4) a chapter in which I lay out my own argument in favour of the vertical incest prohibition.

Before laying out my argument and analysing other arguments pertaining to the permissibility of consensual incestuous relationships, important clarifications need to be made. Specifically, the terminology, the importance of the discussion, and how something can be both morally unproblematic and justifiably prohibited. I will elaborate on this in the following subsections of this introductory chapter.

## 1.1 Terminology

The title of my thesis is 'A Precautionary Argument in Favour of the Vertical Incest Prohibition'.

So, what even is incest?

In my thesis, unless specified otherwise, I will talk of incest as a romantic or purely sexual relationship between consenting, autonomous, mentally healthy and well-informed adults. I mostly consider vertical incest between consenting adults, that is, where one of the partners is a parent and the other their adult biological child.<sup>5</sup> A 48 year old mother dating her biological, 22 year old son,

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<sup>5</sup> Vertical incest in general is when aunts, uncles, grandparents, etc. get romantically or sexually involved with their nieces, nephews, grandchildren, etc. There is also horizontal incest; that between siblings, cousins or similarly related individuals.

whom she has given up for adoption and met again when he reached adulthood are an example of a couple my thesis pertains to.

A popular misconception is that incest is necessarily non-consensual, but that captures only a part of the scope of incest. Incest need not be non-consensual. I will not discuss non-consensual relationships between adults and minors. David Archard, while reporting on Raymond Belliotti's arguments, brings up a stereotypical instance of the popular conceptions of incest. According to Belliotti, the essence of every incestuous act is non-consensuality. Incest is a specific type of sexual abuse, usually initiated by a parent, the parent being a man, whereas the victim is the underage child. (Archard 1998, 100) Belliotti is not alone in this. Incest is often equalized with the rape of minors, mostly done by their parents or older siblings. I agree with Archer, Bergelson, McKeever, Sebo (2006, 8), Tralau, and probably the vast majority of philosophers, psychologists and lawyers who have written on this topic: sex with minors, especially young children, is clearly morally wrong. It might be debatable where the boundary of the age of consent is, but, other than that, minors are not (fully) capable of giving consent. Hence, engaging in a sexual relationship with minors violates the minors' autonomy, produces negative psychological consequences, and is an abuse of their trust. These cases are beyond the scope of my paper.

For the sake of the argument, put Belliotti's presumptions aside and suppose that cases I wish to discuss exist. Admittedly, it is difficult to find real life examples which would confirm my postulation. Usually, when researchers investigate the type of people engaging in incestuous relationships and the negative consequences incestuous parents bring on their children (both social and biological), the results are compelling. As Tralau writes, and as it is often assumed, mentally impaired individuals are most often those who engage in incestuous relationships. (Tralau 2012, 9) However, there might be a good reason for that. As Archard writes, incest is highly stigmatized in almost all societies. (Archard 1998, 100) That can make it difficult for researchers to find individuals willing



to openly speak about their incestuous inclinations or reveal their (functional and consensual) relationships. Doing so presents a risk of exposing themselves to the public, which would most likely lead to a backlash. So, even if such consensual incestuous relationships between autonomous, mentally healthy adult individuals are not known to researchers, for now let's suppose that they do exist.

Further, when I say 'precautionary', what I mean is merely 'prudential'. Involuntary incestuous relationships can have many negative aspects. These aspects, though problematic, are not unique to incest. When these problematic characteristics of incest are absent, it becomes questionable what, if anything, is wrong with incest as such. I will argue that there is nothing morally wrong with incest as such, but that it should be prohibited because of strong prudential reasons. Incest between a specific parent and his adult, well-informed, mentally healthy and consenting child may be perfectly morally acceptable. However, incest does not occur in a vacuum; there are social circumstances in which incestuous relationships take place. More on that issue in the last chapter of my thesis.

The last crucial aspect of my thesis to bear in mind is that my discussion takes place in a liberal framework. I will lay out that framework in the second chapter.

## 1.2 The Importance of the Discussion

Why even write about incest? Incest, in all of its forms, is punishable by law in almost all countries of the world, and the social norms of most, if not all societies condemn it. (Bergelson 2013, 44) Yet the motivation for this prohibition, both social and legal, is not quite clear. It is even more surprising, with that in mind, to see how little has been written about incest so far. To bring out the importance of a normative analysis of the incest prohibition, in this subsection I will explain how long the prison sentences are and for what sorts of incest, the most common justification for the incest prohibition, and what kinds of justifications liberal states usually use to justify such a

strong intervention into its citizens' private lives. To explain this latter thought, I mean that giving out long prison sentences for what people consensually do in the privacy of their homes is a strong intervention, which demands a suitably strong justification.

When it comes to prison sentences, as I have mentioned, they are often long for incestuous actions, be that romantic relationships, or purely sexual arrangements. Bergelson mentions that in the United States, for instance, incestuous couples can sometimes be punished with up to twenty or thirty years in prison. This prohibition is often extended to include non-biological relatives, such as relationships between adopted brothers or sisters, as well as individuals who were engaging in accidental incest, i.e., started their relationship before, but chose to continue the relationship after learning that they are related. (Bergelson 2013, 44)

Most people do not question these laws, since the incest taboo is widely spread. Unsurprisingly, when asked to explain why they think the prohibition should remain in place, people are unable to provide strong arguments. Jonathan Haidt conducted research to examine how people's initial, emotional reactions relate to the rational judgements they form about certain issue and did so by testing people's intuition about incest. He concluded that, when asked to think about harmless consensual incest, the examinees were overwhelmed with disgust and disapproval. The rationalization that followed seemed like a post hoc explanation, a way of justifying those emotions, rather than presenting the actual reasons which might prove that incest, even when it is harmless and consensual, is still wrong. The example used to test the intuition was that of Julie and Mark, hypothetical biological siblings.

**Julie and Mark** are biological siblings. They are both adults in their twenties, who go on a vacation together. One night, they decide to sleep together just for fun. Agreeing it is a one-time thing, they proceed in making sure they have a safe sex: Julie is on birth control, and Mark uses condoms. After having sex, they once again agree this will never happen again, and they will not tell anyone about the experiment. They do not tell anyone, but now they feel more emotionally closer, but not in a romantic way.

Haidt and his co-researchers asked the examinees if they think this breach of the incest taboo is morally problematic. Most of them said that it is, but when asked why, they could not come up with valid arguments. For instance, some of them said the issue is the lack of consent. When reminded it was fully consensual, they tried to use different reasons, and when they could not defend either of those reasons consistently, they came to conclusions like:

“This is hard. I really—um, I mean, there’s just no way I could change my mind but I just don’t know how to—how to show what I’m feeling, what I feel about it. It’s crazy!” (Haidt 2012)

Haidt ended up calling this phenomena ‘moral dumbfounding’ for self-explanatory reasons; the examinees did not base their opinion on the best available reasons, but they were guided by their feelings towards the subject. (Haidt 2012)

But are our strong feelings about a given subject (that being people’s behaviour, or fully consensual sex between autonomous adults) enough to uphold such a strong legal or social prohibition? As Tralau (2013) writes, as long as liberal states and the principles of liberal neutrality are concerned, it is not. Since a liberal state needs to have strong justification for interfering into citizens’ private spheres of life, it often does not interfere unless it needs to prevent significant harm. Therefore, before creating any intrusive laws, such as those which restrict mentally healthy adults from enjoying the freedom with whom they can engage in relationships, there needs to be solid evidence that significant harms are occurring. In the case of voluntary incest between consenting adults, as Tralau further writes, there is no such evidence. (Tralau 2013, 4ff) Tralau has a point. And certainly, the citizens of liberal states would oppose the lifting of the incest ban, as much the Haidt’s examinees opposed the idea of permissibility of consensual incest – believing it leads to some harms, but without having the means to prove it.

However, that does not mean that sufficient reasons for upholding the prohibition do not exist. Haidt’s experiment might just indicate that the examinees have not heard or thought of suitable justifications but may agree with a valid argument once such argument is available to them. Such

occurrences are not uncommon; we often do not know how to reasonably justify our judgements. For instance, imagine a regular person, Ann, who does not have an academic background and does not know much about biology. Ann believes in evolution. When you ask Ann to explain her thought process, she might just mumble something about ‘Scientists say so,’ or ‘It just *is* real,’ which are equally faulty arguments as those Haidt’s examinees presented. However, that does not mean that the proposition espoused (be that the truth of evolution or the wrongness of incest) is false, it just means there are no valid arguments that the examinee knows of. Even if there are no hard proofs of the harmfulness of incest between consenting adults, there might be some doubts which are strong enough to restrict such relationships, both socially and legally.

### 1.3 If Not Immoral, Why Still Prohibited?

Another important clarification of my stance is in order; if I do not think incest as such is immoral, how can I claim it should still be prohibited in a social and legal sense? My view is that the laws prohibiting incestuous relationships, or laws in general, do not need to track the morality in a straightforward way.

There are many acts which are not categorically wrong, but which we nevertheless wish to eliminate because of practical reasons. For instance, not all drunk drivers pose a threat to pedestrians. Despite high levels of alcohol in their blood, some people remain highly competent drivers, driving safely and carefully. However, because we know this is not always the case, and the threat to pedestrians is likely expected in the case of many or most drivers, we prohibit drunk driving.

In my opinion, vertical incest may be one such act prohibited solely for practical reasons; if romance or sex between parents and their adult children were to become more widespread, that could have hazardous consequences. It might make it easier for non-consensual vertical relationships to take place more often, thereby endangering an extremely vulnerable group—children, that is—by making them susceptible to grooming. The nature of parent-child relationships, in which

children are constantly exposed to their parents' influence, makes it justifiable for the liberal state to intervene into its citizens' private lives if such harms are easily preventable. The prohibition, as I will argue in the last chapter of my thesis, serves as a good proxy for preventing a more widespread infliction of serious harm.

For this reason, I also chose to focus on vertical incest; parental responsibilities and influences are usually much greater than those of siblings. Similarly, the harms stemming from potential harmful vertically incestuous relations are generally much greater than the harms stemming from incestuous relationships between siblings. As McKeever writes, when siblings of a similar age are romantically or sexually involved, presumably the bargaining power is approximately the same. (McKeever 2022, 458) The room for exploitation is greater in the context of parental influence; parents are often their children's primary caretakers, and children depend on them. This creates a pronounced power asymmetry. When parent-child relationships go wrong, the potential for exploitation, grooming, and other types of harmful actions that violate the child's autonomy and negatively impact on the child's wellbeing are greater than in the case of relationships between similarly aged siblings. Since that is so, parents can hinder their children's development into healthy, autonomous, independent adults. It is the parent's duty to prevent such harm from happening. If more parents started to view their children as potential partners, and not vulnerable beings in need of care and protection, that might reduce the children's chances of getting the adequate care they need for healthy emotional and physical development. That is not to say that horizontal incest would not lead to harmful effects. In fact, similar reasoning might apply to why horizontal incest should remain prohibited. I do not discuss horizontal incest in my thesis, because I believe that there is much to say about the circumstances in which horizontal incest takes place, which I have no space to discuss.

In this chapter, I explained my thesis, and clarified why the distinction between vertical and horizontal incest is important. In the second chapter, I examine the three most commonly used arguments which purport to show the immorality or impermissibility of incest between consenting adults.

## Chapter 2: Three Arguments Against Incest

In this chapter I analyse the three arguments most commonly used either to justify the prohibition against incest or to prove the immorality of incest. These arguments are, in order: the genetics argument, the power dynamics and the family value argument.

I firstly lay out the genetics argument as Sebo (2006) presents it, followed mainly by the examination of the detailed criticism Sebo himself presents. I agree with Sebo in his criticism, which comes down to the fact that the risk of genetic deformation does not render a couple's relationship immoral or impermissible. The second subsection deals with the power dynamics argument, in which I rely on Orsi's analysis of unequal power dynamics (n.d.). In the last subsection, I turn to the family value argument. I will mostly rely on Sebo's interpretation of it. I agree with Sebo's criticism and show that the notion of family values is problematic, has different meanings as understood by different people and hence changes significantly, and that upholding family values is not a question of morality, but practicality.

### 2.1 The Genetics Argument

Some authors have identified this argument as one of the most frequently used by advocates of the legal prohibition of incest. (Sebo 2006, 1; Tralau 2013, 7; McKeever 2022, 1) It claims that incest should be prohibited because it imposes unacceptable risk of harm to the potential offspring of the incestuous couple. This argument appeals to a widely spread intuition on what makes incest wrong. However, as Sebo, Bergelson, Tralau and McKeever show, the genetics argument has many flaws, and it is unlikely to convince anyone whose gut reaction is not to condemn incestuous relationships as such.

The genetics argument can be formalized in the following way:

P1) All actions that lead to harmful consequences for prospective children should be prohibited.

P2) Incest can lead to harmful consequences for prospective children, i.e., they can be born with permanent or lasting mental and physical defects.

P3) All incestuous couples take a high risk of causing such harms to their prospective children.

P4) Taking a risk as high as the one in P3 is morally wrong and should be legally prohibited.

C) Therefore, incest should be legally prohibited because incestuous couples pose a threat to their prospective children. Imposing such a risk is morally wrong.<sup>6</sup>

Since there is a substantial risk of genetic abnormalities in cases of incestuous reproduction, the argument states that it is justified for the state to enforce strict laws which regulate possible harmful outcomes for its future citizens. Deciding to interfere in people's private lives is a drastic measure. We all value our privacy, want to lead autonomous lives and associate with whom our hearts desire. Because of this, the liberal state, or society for that matter,<sup>7</sup> needs a strong justification for the interference. Its proponents need to show that significant harm is being done in the absence of the prohibition. The interference can be justified by Mill's harm principle, according to which we have the right to intervene in citizens' private lives when their actions are causing significant harm to others. (Mill 1985, 79ff) However, the genetics argument cannot withstand the objections, hence failing to provide a justification for vertical incest prohibition.

Firstly, as Sebo points out, the argument does not justify the ban of all incestuous relationships. The second premise only applies to certain modes of sexual intercourse, that is, 'vaginal intercourse between fertile partners of the opposite sex without sufficient contraception'. (Sebo 2006, 2) If, for example, John and Ben, biological brothers, were to have sexual intercourse with each other,

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<sup>6</sup> I follow Sebo closely in the formulation of this argument. Cf. Sebo (2006, 3)

<sup>7</sup> In discussing whether a prohibition of incest should take place, some authors like Sebo, Tralau and Bergelson discuss whether the state has a right to interfere into its citizens private spheres of life. Others, like McKeever, have a more layered analysis, distinguishing between social norms (which should be upheld) or laws (which should or should not be upheld, depending on the severity of the incestuous case in question). I will not differentiate between the two, for reasons I will describe once I engage in the analysis of my proposed solution for the question of vertical incest. In short, I consider the distinction irrelevant in this context.



their act would be punishable by law even though their sexual relations can never result in offspring. The same applies to partners of the opposite sex, one or both of which are infertile, and to fertile couples that use reliable contraception. The genetics argument does not seem to consider the possibility of contraceptive use, or that sex need not result in biological offspring. (Bergelson 2013, 46–47) For many, sex is just recreation, or an activity meant to bring partners emotionally closer together. Admittedly, for some individuals, reproduction is the only legitimate cause for engaging in sex, and for some contraception is not available or reliable, but this is beside the point.

Secondly, prenatal screening allows fertile couples to track the health of their future offspring. This gives them an opportunity to exercise the right to abortion, when they think that such intervention is needed. If screening and abortion exists for non-incestuous couples, it should also be offered to those who have entered an incestuous relationship. By refusing to offer the same treatment to incestuous couples, society discriminates against them on arbitrary grounds. This would constitute wrongful discrimination. (Sebo 2006, 3)

Finally, procreation by incestuous couples is generally viewed as immoral because they are knowingly putting their biological offspring at risk of being born with disabilities. Bergelson, Sebo, Tra-lau and McKeever all point to double standards for non-incestuous and incestuous couples concerning this matter. Consider the following example.

**John and Mary** are a genetically unrelated couple. John has Huntington's disease (HD). HD is a severe brain disorder, whose negative effects reflect in important aspects of our lives. It causes deterioration in our cognitive and physical abilities. Further, there is a 50% chance that a child whose parent has HD will inherit it, and this means that the child will necessarily experience the same negative effects of HD as John will. Both John and Mary are aware of the seriousness of John's condition, but instead of resorting to adoption or considering other options, the couple decides to have biological children.<sup>8</sup>

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<sup>8</sup> While the details of the example are my own, the use of Huntington's Disease to draw attention to the double standard at work here is taken over from Sebo (2006, 3).

Many people will contend that having HD or other heritable health conditions, often severe in nature, is not a reason to prohibit people with those conditions from dating each other. We generally believe that John and Mary have a right to parent biological children; a right so strong that it defeats the reasons they might have against doing so. They will not be persecuted by law if they wish to procreate, even though they knowingly put both their immediate offspring and the generations to come at risk. Both premises used in the genetics argument are present in this case, yet we usually do not draw the same conclusion. Individuals with HD are not required to abstain from having sex with each other or from forming new family units, nor are they stigmatized in their social surroundings like incestuous couples are. Furthermore, if we were to condemn John and Mary for procreating, the same public who condemns incestuous couples (even childless ones) would not approve of this decision. As Bergelson writes, a decision to change the laws by prohibiting romantic affiliations of those with genetic disorders, this would certainly result in public outrage. (Bergelson 2013, 47–48)

So, why are we that keen on condemning incestuous couples based on the possibility that their children might have genetic defects? Consider the example of the following couple.

**Mark** is **Jane's** father. Jane was given up for adoption years ago, and they met when she was already an adult. Their process of reconnecting resulted in strong romantic feelings, so they have decided to enter a romantic relationship and have a child together. They are fully informed of the risks stemming from incestuous affiliations and have voluntarily decided to stay together. Both are psychologically and physically healthy, and financially secure. Prenatal screening has shown that their child will be healthy as well.

While there is nothing apparently wrong with Mark and Jane's relationship, society and the law would not treat them in the same way in which John and Mary are treated. Even though Mark's and Jane's child might not have any disabilities at all, it would be considered legally unacceptable for them to preserve their family as it is. This is where one of the main problems for the genetics argument lies. If we uphold the genetics argument, we must face the fact that we are not doing it consistently. We could argue that all parents whose children are at significant risk of being born

disabled due to genetic defects are acting impermissibly if they decide to procreate. If John and Mary decide to have a child, nothing differentiates their union from the couples who intend to have a child but know that the child will have Huntington's disease or Down syndrome. Alternatively, if we do not wish to punish couples who can potentially have disabled children, that should apply to all such couples, not only incestuous ones. If the potential genetic risks are the only factor that counts in determining which couples are allowed to stay together, there are no distinctions to be drawn between incestuous and other couples who risk having children with disabilities.

## 2.2 The Power Dynamics Argument

There are different versions of the power dynamics argument, couched in incompatible theories like (Kantian) deontology, and (Millian) consequentialism. While I rely on Orsi's (n.d.) interpretation of Kant's and Mill's versions of the argument, I avoid committing myself to a specific theoretical background and attempt to construct a power dynamics argument applicable across the board, consistent with both deontological and consequentialist views. I then lay out two decisive objections to the power dynamics argument: Firstly, key features of power asymmetry, vulnerability and dependence, often either enrich relationships or are at least commonly present in morally unproblematic relationships; Secondly, the argument is overinclusive: if valid, it would render a wide range of relationships impermissible.

A power dynamics argument which can potentially be compatible with all ethical theories, can be summarized in the following way:

- P1) Vulnerability and dependence are key features of relationships involving power asymmetries.
- P2) Vulnerability and dependence render individuals in the vulnerable or dependent position prone to manipulation and abuse. (Orsi n.d., 2)
- P3) Manipulation and abuse are usually wrong. (Orsi n.d., 4)

P4) It is wrong to leave vulnerable individuals at the mercy of the more powerful party in the relationship.<sup>9</sup> (Orsi n.d., 5)

P5) In the case of vertical incest, children usually have less power; this asymmetry endures even when children have become adults.

C) Vertical incest is generally wrong, due to pervasive power asymmetry.<sup>10</sup> (Orsi n.d., 5)

In claiming P1) and P2) I rely on Orsi's interpretation of asymmetrical power dynamics. He argues that the key features of power-asymmetrical relationships are vulnerability and dependence. (Orsi n.d., 2) Describing how these features affect the person with less power in an asymmetrical relationship, Orsi writes:

'In power-asymmetrical relations a person is made vulnerable, i.e., exposed to some kind of harm, not just by an intrinsic feature or inability of hers, but by her dependence relation to the person who has power over her. Blindness makes a blind person vulnerable to many evils (injuries, unemployment, ignorance, etc.), but having a sighted partner makes her vulnerable to the abuse of the power differential by the sighted.' (Orsi n.d., 2-3)

It can be assumed, as Kant does, that children and parents are always in such a relation, even when children reach adulthood. (Orsi n.d., 5) This can be so for numerous factors, e.g., parents having the last say, parents being financially better-off, more experienced in this-worldly affairs, and children being raised to adhere to the parents' authority. Because this inequality is pervasive, and is unlikely to be overcome, one might argue, there is something wrong with vertically incestuous relationships as such. Hence, they should not be encouraged.

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<sup>9</sup> Only Kant, Mill does not argue it is generally wrong. (Orsi n.d., 6) Both Kant and Mill argue in favour of relationships in which partners of equal power, capacities, and other similar characteristics, grow together or complement each other in their relation. (Orsi n.d., 6) However, only Kant would argue P3) claiming relationship which do not conform with this rule are immoral. (Orsi n.d., 5) I step away from this approach; in my version of the argument 'wrong' stands as a placeholder, and can mean a variety of things: immoral, impermissible, unfortunate, or merely something we should avoid. This way, the argument pertains to a wider range of intuitions about the asymmetrical power dynamics issue.

<sup>10</sup> Kant says it is always wrong (Orsi n.d., 5). In the attempt of appealing to a wider range of intuitions, in delineating the range of this argument I say it is merely generally wrong; meaning, there can be unproblematic cases, but in most instances the power asymmetry is present.

### 2.2.1 Vulnerability and Dependence: Valuable or Invaluable?

Vulnerability and dependence are crucial features of power-asymmetrical relationships. (Orsi n.d.,

2) A proponent of the argument which states that vertical incest is wrong because of the power asymmetry can argue that these features should be eliminated. If we wish to maintain a society in which individuals cannot misuse their power to oppress those with less power, we ought to introduce preventive measures; for instance, discouraging relations in which an individual is especially vulnerable and dependent on the other person.

As Orsi writes, prohibition of power asymmetrical relationships is undesirable. There are specific types of relationships which could not prosper without power asymmetry between the individuals engaging in that relationship; for instance, student-teacher, or parent-child relationships. (Orsi n.d.,

3) The former type of relationship is beneficial to both sides because the student is exposed to a person of greater intellectual authority, who knows how to, e.g., effectively instruct a student, help them discover the wonders of science, or to love learning itself. It is beneficial for the teacher because she gets to guide young minds into healthy development and intellectual growth. The process is gratifying for many teachers. The parent-child relationship also brings benefits to both sides, the parents and their children. Many of these benefits stem from children's vulnerabilities and dependence.

Childhood, as a specific period of vulnerability and dependence, has special value. Vulnerability and dependence contribute to making it valuable; which proves that these features do not only expose individuals to harms, but also to various goods. Some authors, like Sarah Hannan (2018) and Tamar Schapiro (1999) argue that childhood, as a developmental stage in which children are inevitably vulnerable and dependent, is bad for children. It exposes children to all sorts of harm, including the potential for their parents' abuse of power over them. Contrary to this view, Gheaus argues, and I side with this view, that childhood is an intrinsically valuable period of one's life, partly due specifically to vulnerability and dependence. Children have greater mental plasticity,

imagination, and are prone to interesting philosophical inquiries. (Gheaus 2015, 2) Among other things, that makes them learn more efficiently, e.g., learn languages, learn how to adapt to different social environments, how to understand both themselves and other people. Many of these aspects are the abilities adults lose, Gheaus thinks, at least to the extent to which they are possible in childhood. Hence, while certain benefits come from adult age, being a child allows children to experience uniquely valuable goods. (Gheaus 2015, 9) These goods would be unattainable for children if the children were not vulnerable and dependant, because these goods are closely tied to vulnerability and dependence. It is the child's vulnerability which opens a space for rapid personal development, openness to new experience, creation of close personal bonds, and adaptability to new challenges. Vulnerability and dependence allow the child to connect to the parents and people in their near surroundings in ways which otherwise would not be possible. That makes these properties a valuable ingredient in a parent-child relationship.

While being in that vulnerable state, children benefit from having a close relationship with their parent. Parents provide love, comfort, emotional and financial support, and pass on their knowledge and tradition to their children. The benefits go both ways, as Brighouse and Swift argue. There are also valuable goods for adults that can only be derived from parenting. Some of the benefits stem from the responsibilities parents have over children, the ways children make parents grow as persons in teaching them understanding, making them revise their knowledge on rearing, teaching them to restrain themselves in exercising control over others, etc. (Brighouse and Swift 2014, 90) Further, parents get to experience intimacy and love in ways in which it is not possible in other relationships. A child, especially a young one, shows unconditional outbursts of affection and unconditional love. This makes parents experience intense emotions, but also confers a responsibility to be a model for the child; teach a young person how to control their emotions, how to approach oneself and others. Adults have a strong interest in securing these sorts of relationships for themselves; it makes them grow as persons and develop deep bonds with their children.

These bonds would not be possible to that extent if children were not vulnerable and dependent. (Brighouse and Swift 2014, 91)

Even if some vulnerability contributes to what makes childhood valuable to children and adults, this does not mean that reducing unnecessary vulnerability should not be welcomed. Many parents do not hurt their children, despite the children's vulnerability. That, however, does not mean that liberal states should leave the children at the mercy of their parents. Societies introduce measures which help prevent or stop abuse and introduce measures which promote parental behaviour beneficial to children's healthy growth and development.

As Orsi writes, if social and legal protections are effective, they reduce the chances of vulnerability being exploited by the more powerful. However, such protections should not be introduced at the cost of undermining relationships beneficial to its members, like the parent-child relationships. The mere existence of the inequality of power does not make these relationships generally wrong. Instead, it creates the risk of abuse of power. Eliminating all relationships with power inequality would come at too great a cost. (Orsi n.d., 3) Vulnerability and dependence in a relationship can often enable positive outcomes, as the cases of childrearing and teaching show. Introducing measures which ensure that vulnerable members of the society are protected seems by far preferable to eliminating vulnerability itself.

### 2.2.2 The Overinclusiveness of the Power Dynamics Argument

Further, the power dynamics argument is overinclusive. If we were to prohibit or merely condemn relationships based on unequal power dynamics, many relationships which are considered permissible or even good would fall within that scope as well.

Imbalances of power permeate people's everyday lives; in workplaces, at home, and elsewhere. They stem from many different factors, like gender inequality, differences in mental health, wage and wealth gaps, age inequalities, difference in richness of social and professional connections,

etc.<sup>11</sup> As Orsi writes, certain feminist philosophers, like Silvia Federici, have written on the view that heterosexual relationships even today are *actually* non-consensual due to the typical inequality between partners introduced by gender injustice. Summarizing the argument, Orsi says that it comes down to the conclusion that ‘under patriarchy, all heterosexual sex literally counts as the rape of women’. (Orsi n.d., 5)

While this feminist idea may be useful for criticizing the gendered imbalance of power, I will not go that far in my conclusions. Having such a broad generalization of what counts as rape or abuse does not do justice to actual rape and abuse, which are cases when the boundaries of fair actions towards a person with less power were crossed; the abused has not given explicit consent.<sup>12</sup> However, examination of gender imbalances is a useful starting point in examining how deeply rooted power asymmetries are in relationships that we consider morally unproblematic.

Almost everywhere in the world, women are expected to perform more unpaid labour, are generally paid less, achieve the top success in their fields of study or disciplines less often, face gendered discrimination which limits many of the opportunities men have, and are often discriminated against when they report violence towards them to the authorities. Arguably, their position in almost all societies is that of less power. A Global Gender Gap report conducted by the World Economic Forum (WEF) in 2022, the gender gap is unlikely to close for another 132 years (World Economic Forum 2022, 5); an amount of time which greatly surpasses the lifespan of heterosexual

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<sup>11</sup> From Kant’s perspective, an example of deeply asymmetrical relationships might be those between serfs and their lords. (Orsi n.d., 5) There are many similar cases nowadays: employees sleeping with their superiors out of fear they will be fired, film industry workers having sex with film directors out of fear of losing their career opportunities, students sleeping with professors to avoid being punished by receiving lower grades or failing at the university, etc.

<sup>12</sup> Admittedly, the definition of *real* consent is debatable. However, it would be a stretch to argue that all instances of heterosexual sex are abuse over women; in many cases, women enjoy these experiences both physically and emotionally, give their explicit consent, and do not have negative psychological consequences resulting from sex. Taking instances of such sex to fall under the definition of rape or abuse would render the terms redundant; the terms exist so we can denominate activities worthy of condemnation and intervention. Intervention in pleasurable and consensual sex is not one such instance.



relationships which exist nowadays. For another 108 years at least, if the WEF's prediction is right, the overall power asymmetry between heterosexual couples will lean in the direction of men.

If the power dynamics argument is correct, then the radical feminists might have a point: many, if not most, of the heterosexual relationships existing nowadays are morally impermissible. If the power asymmetry is what should make us condemn a relationship between consenting adults, then this reasoning will lead us to a condemnation of even healthy, consensual and beneficial relationships between adults, merely because there exists a potential to be exploited by the partner having more power; even when this imbalance of power is not abused by anyone. This conclusion seems unintuitive.

The power dynamics arguments condemn beneficial relationships, and gender inequality shows the power dynamics argument is over-inclusive. It is implausible to claim that people should be condemned for dating someone whose wealth, age, mental health, or social position differ. The vulnerability itself does not make the relationship wrong. Going a step further in this conclusion, unequal power dynamics do not make a relationship wrong in itself. There is a reason why vertical incest between adults should be prohibited, but it is not because of power dynamics or the fact that laws which protect children or adults against abuse exist. Asymmetry in power dynamics, as I have shown before, can be good for an individual's wellbeing, even if the individual in question is in a position of less power, and therefore it is morally permissible.

## 2.3 The Family Value Argument

Another argument commonly used to justify the immorality of incest, which is used to defend the view that incest as a moral disaster should be illegal, is the family value argument. Various authors (Bergelson, Fischer, McKeever being some of them) have proposed versions of this view, so the argument exists in (slightly) different variations. In this subsection, I present Sebo's summary of

the family value argument in the light of Fischer and McKeever's defences of an approach to incest through the lens of family values, and I show the criticism of such a take on incest.

According to the proponents of the family value argument, incest is immoral because it damages the family in several ways, thereby destroying the value a family usually confers on its members. (Sebo 2006, 4) As Sebo succinctly puts it:

‘(...) [T]his argument rests on three premises: one, that incest undermines the family; two, that the family is the emotional center for the individual; and three, that it is immoral to undermine the emotional center for the individual.’ (Sebo 2006, 4)

The conclusion that incest is wrong necessarily follows from these premises. According to the family value argument, incest is wrong because incestuous couples endanger their familial relationships by introducing harmful elements into their familial relationships. (Sebo 2006, 5) It is supposed that familial relationships have specific values; they are long-lasting, guarantee security and continuous care, which other types of relationships do not. (Fischer 2012, 5; McKeever 2022, 19) By bringing sex or romance into family relationships, incestuous individuals risk destroying those relationships, not only between themselves, but also for other members of their families. Incestuous individuals can never go back; once they got sexually or romantically involved, they can never become just siblings or maintain a parent-child relationships. This also means they likely cannot regain security and a type of sibling or parental love they previously had, as well as the privileges which follow from such relationships. (Fischer 2012, 4) Family values can only be obtained if we uphold the structure of what is usually considered a family.

There are problems with this argument. Throughout this subsection, I will present Sebo's, Bergelson's and my criticism of the family value argument, which come down to showing that: a 'family' is defined differently by different individuals, condemnation of incest can itself lead to endangerment of family values, and that the family value argument has implausible implications. The latter

objection says that it is not uncommon for individuals to risk damaging their own centres of emotional wellbeing, yet we do not consider such cases to be wrong, or worthy of condemnation, but merely unfortunate.

### 2.3.1 The Over- and Under-inclusiveness of the Family Value Argument

As Sebo writes, the family value argument commits us to strictly differentiate between a family and other relationships we have. That might prove to be an impossible and undesirable task. Nowadays, relationships are much more complex to allow for such strict distinctions. Since that is so, a ‘family’, as commonly assumed to be a nuclear family consisting of the closest biological relatives, is not necessarily one’s emotional centre. (Sebo 2006, 5) This leads to family value argument being both over- and underinclusive.

But first it is important to ask, as Anca Gheaus does, what gives value to a family? It is important to delineate what kinds of relationships are at stake, to see the types of values they confer on its members, if such values exist. (Gheaus 2012, 122)

Traditionally, families consist of a married couple, usually a man and a woman, and their mostly biological children. But, as Sebo writes, nowadays it is difficult to determine where to draw the line between individuals whom we consider family in the strict sense and other relationships. Families are complex structures, which include, but are not limited to, ‘godparents, in-laws, stepsiblings’, (Sebo 2006, 5) adoptive parents, stepparents, other close or distant relatives who, by one reason or another, end up being the child’s caretakers. Further, as Gheaus writes, there are also extra-marital arrangements, LGBTQ+ parents, etc. There are countless combinations of familial arrangements, all of which can be equally valuable family units. (Gheaus 2012, 122-123) This just shows that a family, as traditionally defined, is not at the core of one’s emotional center. It is not the biological parents and siblings who are of most importance to us, it is the people we decide to keep close, people whom we love. Love is the core of the family; however we define the family.

(Gheaus 2012, 123) Even people who are initially complete strangers, to whom we are not biologically related, can become valuable to us in the same way in which a family member would. A neighbour next door, for instance, can fulfil the role of a mother in an individual's life. As Sebo writes, when speaking about nuclear families: '[o]ur social lives are more interesting than that, and no relevant moral distinction neatly separates our family relations from the other relationships in our lives.' (Sebo 2006, 5) Relationships we build are much more complex than, perhaps, the family value argument assumes.

That leads to the family value argument being underinclusive. It does not capture the complexity of our social lives because it does not aim to protect the actual relationships which constitute the core of our emotional lives. Consider the following example to understand what I mean:

**Chris and Donna** are next-door neighbours. They have spent their entire childhoods together and have been referred to as 'brother and sister' in their social surrounding. Growing up, they start to develop romantic feelings towards one another. Now, they face a dilemma; either they endanger their possibly life-long and special connection by attempting to get romantically involved, or they preserve the friendship and sacrifice a change for a potentially enjoyable partnership. (Sebo 2006, 5-6)

Throughout the years, Chris and Donna have built a relationship much alike a sibling relationship; they have shared experiences throughout their childhood, confided in each other, made plans, memories, emotionally supported each other, and have built long-term plans. Their relationship has the same qualities familial relationships are purported to have; it is unchosen (perhaps it started because Chris and Donna had no other social options, after all, they were children and neighbours), long-lasting, and asexual. And yet, the family value argument would not aim to protect Chris and Donna's friendship in the same way in which it tries to protect official familial relationships – even though some friendships are of better quality than familial relationships. In this sense, the family value argument is empirically underinclusive. It does not capture all relationships which are at the core of one's emotional being but focuses only on some.

Further, the argument is normatively overinclusive. The argument aims to protect familial relationships for the sake of protecting one's emotional center, but the justification for doing so is weakened when we take into account that official 'families' (in the traditional sense) are often not at the core of one's emotional wellbeing. Take quarrelling siblings which cannot stand one another for example, adopted siblings who do not feel close to each other, or relatives which do not play any role whatsoever in one's life. These people are as estranged from us as any other acquaintances with whom we have poor quality relationships, but for some reason have to be in the near vicinity of. Sometimes even those biologically closest to us, like parents and siblings, stay in our lives only as lingering apparitions whom we do not pay particular attention to. Why should our relationships with them be treated as special? As Sebo writes, for the family value argument it is of the most importance that a relationship bears significance to an individual, 'and family relationships are not necessarily more important than other relationships, unless we simply define them that way'. (Sebo 2006, 10)

To understand how this reasoning applies to vertical incest, consider the following scenario:

**Anthony and Rebecca.** Anthony and Sarah have adopted Rebecca when she was a baby. They are the only parental figures Rebecca has ever known. Anthony and Rebecca never developed deeper affection towards each other. He worked on a different continent, and came home only for short periods of time, when Rebecca and him barely interacted. He supported her financially, but never did any hands-on care or emotionally supported Rebecca. She perceived him as an emotionally distant parent. After Rebecca entered her twenties, Sarah and Anthony separated. Anthony and Rebecca started talking more and developed romantic feelings towards one another. Though he was never an emotionally warm father, as a partner he is warm, understanding, and supportive. They choose to elope.

Anthony's and Rebecca's case shows that it is possible for a child and a biological parent to have a non-existing emotional relationship, which later transforms into a healthy relationship between two fully autonomous adults. There is nothing special in the parent-child relationship left to protect, while there are many goods stemming from a newly founded romantic one; the first one did not contribute to Rebecca's wellbeing, but the second contributes immensely. The family value

argument is normatively overinclusive because it only purports to protect the parent-child relationship but fails to recognize that the romantic relationship might be of greater importance to (at least some) vertically incestuous couples.

### 2.3.2 Incest Prohibition as a Threat to Family Values

I have shown that the family value argument is not adequate given the usual definition of the ‘family’: a unit consisting of adults who rear their children and who are in most instances biologically related to their children. To go a step further, if the incest prohibition is strictly upheld, Sebo argues, in some instances the *prohibition* of incest actually endangers family values. Such is the case of couples committing accidental incest, i.e., who learn they are biologically related only after getting romantically or sexually involved. (Sebo 2006, 5) Consider the following scenario.

**Jon and Daenerys.** Jon and Daenerys are a married couple. They have two healthy biological children, for whom they have created a wonderful and loving home. One day, after a visit to the doctor, the doctor tells Jon and Daenerys that they are closely related. After the shocking revelation, the couple is left with a decision to make. Either they uphold the social norm of incest prohibition and separate, or they stay together and risk facing legal prosecution.

As Sebo writes, such cases show the implausibility of the family value argument. Accidentally incestuous couples are faced with a tough choice. On one horn of the choice my hypothetical scenario, they undermine their own family. (Sebo 2006, 5) If Jon and Daenerys separate, their children and themselves will be worse off. Jon and Daenerys lose loving partners, and the children lose a stable home they have gotten used to. If Jon and Daenerys choose to stay together, they will be legally prosecuted, which means one of them, if not both, will be sentenced to prison. In this case the state will break apart their family, and the children will grow up into a stressful environment. In both cases, the family values are eroded because the core of this family’s emotional wellbeing is torn apart.

### 2.3.3 The Implausible Implications of the Family Value Argument

Lastly, the family value argument, as Sebo and Bergelson argue, has implausible implications. It condemns incest based on incest being damaging to one's emotional wellbeing by undermining its source: the family. However, many different behaviours and practices potentially pose a threat to maintaining one's family. Condemning all of them, however harmful they are to the family, seems counterintuitive because it is unnecessarily restrictive. Further, we do not think of such instances as wrong, but merely as unfortunate.

One such example, as Bergelson writes, are familial quarrels and conflicts. If you consider a normal family, e.g., consisting of parents and two children for example, it becomes obvious that many things can go wrong. Children often quarrel among themselves, sometimes they get into big arguments leading to years of not speaking to each other which negatively affects their parents' wellbeing, as well as their own. But this is a choice that people are free to make, without condemnation by their local communities or the liberal state. Rather, others should assume that they have good reasons why they make these choices. Relationships, even familial ones which are supposed to be long-lasting and unchosen, break when individuals no longer wish to spend time with each other. Jealousies between siblings are another example of such conflicts, which can lead to long-term resentment and permanently damaged relationships. (Bergelson 2013, 48) Can we really argue these cases greatly differ from incest as far as the undermining of family values goes?

If incest in those instances occurred between consenting adults, who were aware of what they are getting into, and their families were stable and loving, these issues could be surpassed with time. The siblings may never have the same sibling-like relationship that they previously had, but the same can result from any significant conflicts between them. Both the incest and the conflict are damaging to their relationship, both can continue to bother the people involved long after the situation has been resolved, but both types of issues can potentially be set aside for the good of the family.

Fischer, in showing that the family value argument does not have implausible implications, provides a hypothetical example.

**Will and Betty.** Will is white, Betty is black. They are adults who fall in love. Will's parents are racists, and on top of that are passionate members of the KKK. Will wants to marry Betty but knows that he will lose the support and love of his family if that happens. He needs to decide which option he prefers more.

Fischer says that if the family value argument is correct, it might mean that Will should not marry Betty. After all, marrying Betty would mean consciously engaging in a relationship for which he knows will destroy his relationships with his family members. However, Fischer does not think that the family value argument has implications for these sorts of cases. Instead, the family value argument permits individuals to take other moral considerations into account. In Will's case, he may marry Betty because racism is not a positive value which should be endorsed. Some sort of balancing of reasons needs to take place. When it comes to the balancing of reasons, a similar approach can be applied to incestuous relationships. There are some circumstances which can make incestuous relationships acceptable (Fischer 2012, 11) For instance, if an incestuous relationship is already taking place, at it is a stable and a loving one, breaking it apart would only cause its members to lose the goods they already have in life. Values are already realized through that relationship, and as such, the relationship is more valuable than the, already of diminished value, the familial relationship of that incestuous couple is.

But where does that leave us with respect to incest? I think the family value argument, despite Fischer's remarks, still has implausible implications. A modified example of Will and Betty's relationship can show how.

**Will and Betty, version 2.** Imagine Will's family is not racist. They just do not like Betty. She has some personality traits they dislike. Will's parents are nice people, compassionate, loving, and have provided a stable home for him. They are unfortunately also stubborn; whatever he does they will not approve of Betty.

In the case of the second example, it is not quite clear if Will should choose between his marriage with Betty or the relationship with his parents. For sure, if he decides to marry Betty, both of those



relationships will get strained; the one with Betty because she is disliked by important people in her partner's life and the one with the parents because of the animosity towards their son's life partner. Though handling this situation will be difficult for Will, it is his choice to make. Choosing to marry Betty will mean he will possibly permanently damage his relationship with his family, but that is something most people would not consider wrong. It is unfortunate, but a plausible choice an autonomous adult can make.

Similarly, incestuous relationship may be difficult to navigate. But, if the only property that is making them wrong is the potential to endanger the adults' existing familial relationships, then it seems like we can go two ways about the issue: either argue that the potential to endanger a familial relationship renders all relationships which have that property wrong, or admit that incest is one among many potential threats which the individuals engaging in an incestuous relationship are to navigate, and it is people's own responsibility how to navigate such threats, but making the threat possible is not itself wrong. I think the latter possibility is more plausible. However, despite this conclusion, in the next chapter I argue that parents should not be allowed, either morally or legally, to engage in romantic relationships with their adult children. Individuals may choose which persons are the center of their emotional lives, and they should not be strictly tied to the societal idea of the structure of a family. Getting romantically or sexually involved with one's adult children is a breach of upholding the norm of parental duties. This is not because of family values, since there might not even be any values fulfilled in those relationships, but because it is a standard that we all have a reason to uphold. It is the idea of a parental duty that is most weighty in this balance of reasons.

## Chapter 3:

# A Precautionary Argument in Favour of the Vertical Incest Prohibition

In this chapter I present my own argument in favour of the vertical incest prohibition. This chapter is divided into two sections. Firstly, I present the general discussion on parental obligations and responsibilities, which pertains to the causal, gestational, genetic, (Archard 2010, 106) and voluntarist accounts of parental duties. (Brake 2010) I argue that all of them are compatible with the idea of permissible vertical incest between fully autonomous and consenting adults. However, the latter only works on the highest level of familial idealisation. Secondly, I present my own argument; the idea that we are far from reaching that idealised family, and thus, many harms could stem from vertical incest if we allowed it in the world as it is. The prohibition should stand for precautionary reasons. In the second section, I anticipate two objections. The first is derived from McKeever's position, and it comes down to arguing that the absence of a legal prohibition would not cause widespread issues because incest is rare in any case.

2022, 458) The second objection is Bergelson's analogy with gay marriage (Bergelson 2013, 49), which I reject on the basis of the severity that consequences allowing vertical incest might have.

### 3.1 Parental Obligations

There are several theoretical accounts of parental duties<sup>13</sup> and responsibilities; the gestational, the genetic, the causal and the voluntarist accounts being the most significant ones. (Archard 2010, 104) They are all compatible with the view that for every child *someone* should ideally look after the child, ensuring that the child is well taken care of, at least until she reaches adulthood. Children prosper under stable, consistent, and child-centred care, the absence of which causes all sorts of

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<sup>13</sup> Following Archer, I use the terms duties and obligations interchangeably.

developmental and behavioural issues. (Brighouse and Swift 2014, XVII) These theories seek to determine who is obligated to ensure a healthy, stable, and continuous environment for the child, which will lead to children becoming autonomous, self-sufficient, healthy individuals.

The gestational account places significance on the gestational period of the child's life. Since the child spends nine months in the gestational parent's womb, it is often argued that the parent and the child develop a special connection, e.g., research shows that the child gets used to the gestational parent's voice, the sound of which is later soothing to the new-born. The relationship should be nurtured for the child's wellbeing, some argue. The gestational parent, other than being there for the child for the child's benefit,<sup>14</sup> should also ensure the child is well taken care of. The voluntarist account, on the other hand, holds that whoever has a right to parent the child, and has wilfully chosen to do so, has parental obligations, and should ensure the child is adequately brought up. (Brake 2010) Lastly, according to the causal theory, whoever is causally responsible for bringing the child into existence has taken over the parental obligation. That is so, Archard argues, because bringing a person into existence is a significant act; a person is created, who, for many years of her life to come will be vulnerable and dependent on those around her. (Archard 2010, 110-111) She needs to be fed, clothed, loved, and taught many things to be able to one day take care of herself, reach the state of full autonomy, and lead a good life. To be able to achieve these goals, the child first needs to overcome the state of absolute helplessness, which Archer calls 'the child's state'.

The child's causal creator has violated the risky action principle, which:

'(...) states that if you engage in actions which you know or ought reasonably to know risk certain serious consequences then you incur obligations in respect of

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<sup>14</sup> Some of these accounts come with the idea of parental packages, as Archard denotes them; meaning that parental obligations come in the same package as not only parental responsibilities, but parental rights as well. (Archard 2010, 107) It is also important to delineate the differences between parental obligations and responsibilities, because one does not entail the other. As Archard succinctly summarizes it: '[t]here is an obligation to ensure that someone acts as a parent to the child, and there are the responsibilities of acting as a parent. One might term the first the 'parental obligation' (or, more accurately perhaps, the 'child-rearing obligation) and the second the 'parental responsibilities'.' (Archard 2010, 105) Further, to explain how one can have parental obligations, but not responsibilities, Archard provides an example of a rapist. Imagine a rapist whose victim bears a child. The victim may not be in a position to look after the child; it is the rapist's duty to ensure the child survives and is adequately taken care of, but he does not have any right whatsoever to claim he is an adequate parent for the child. (Archard 2010, 107)

these consequences; and that you do so if those consequences are brought about by your action even if you took all reasonable steps to avoid the consequences.’ (Archard 2010, 115)

And whoever is causally responsible for the child’s existence has surely violated the risky action principle. (Archard 2010, 115) The theory accepts that not everyone is in the position to take adequate care of the child. The person with parental obligations can discharge his duties by transferring them to another person or an institution, and thus ensure the child’s wellbeing is taken care of. However, if the other person or the institution becomes unable to look after the child, the child’s causal creator is obligated to step in and once more ensure that someone rears the child. (Archard 2010, 117)

These theories say nothing about vertical incest between autonomous adults. However, they all work on the highest levels of idealisation, and as such, I believe, are fully compatible with vertical incest being permissible. How so? To begin with, the theories do not say that the child, even in her forties or fifties, should have a sufficiently good parent who looks after her. These defend the ideal of a society in which someone ensures that every child is taken care of in a way which will ensure that the child develops into a fully autonomous, healthy, independent adult.

Imagine then, such a society at the highly idealised level. Every parent, be that a gestational, genetic, voluntary, or causal parent, has ensured adequate care for their children. Throughout their childhoods, and until reaching adulthood, these children have been exposed to stable, loving parental figures, who only had the child’s interests in mind. These interests also include the lack of sexual abuse, manipulation, absence of grooming or any other hint of sexual interests. Children were safe and were not influenced by any sexual or romantic interests from adults. Now, as autonomous, independent adults, they get to freely choose their partners, who might even be their parents. There is no conflict of interests. Parents have fulfilled their special duties. Interested parties are all autonomous adults, have had adequate parents, and can now freely choose if they value the familial or romantic relationship more. It is a risk that autonomous adults may take. Their decision can

cause all sorts of issues in their social environment, of course, but it is within the scope of their moral rights to risk such issues. After all, nobody is abused. As healthy and autonomous individuals they know how to defend against abuse and manipulation. There is no built-in power dynamics since parents have done everything they could to raise fully autonomous children. So far so good.

However, the issues arise once we leave the highest level of idealisation; the society in which all parents consciously rear children and help them become autonomous, independent individuals is a society we want, but for a range of factors do not have. When these factors are taken into consideration, it becomes apparent that parents often do not take adequate care of their children and are often guided by their own interests. Combined with the fact that people are often attracted to their next of kin, that becomes an obstacle for the proposal of lifting the vertical incest prohibition.

## 3.2 The Precautionary Argument

As I have already discussed, it is widely held that parents, however defined, have special obligations to ensure their children's healthy development into autonomous adults. Vertical incest, I believe, has the potential of interfering with this mission. It would not if we lived in a highly idealised version of a society. Since such a society is not within our reach, external circumstances need to be considered, which makes upholding the prohibition justified considering prudential considerations. My argument takes the following form:

P1) Parents have a duty to ensure that their children develop into healthy, autonomous adults.

P2) If a society does not uphold the vertical incest prohibition, the absence of the prohibition can have all sorts of negative consequences for that society's children.

P3) Societies should avoid allowing actions which are in breach of the parents' duties towards their children, especially if prohibition of these actions does not violate some basic human rights. By doing so, a society ensures P1), i.e., ensures that its children will develop into healthy, autonomous adults.

C) Since the acceptance of vertical incest between consenting adults can lead to widespread but easily preventable breaches of parental duties, vertical incest should be prohibited.

I cannot empirically prove my point, namely, to defend P2. However, I do not believe this is an issue. Conducting research to test the consequences of the permissibility of vertical incest would require lifting the prohibition, followed by many years of research to determine how vertical incest affects the society, and which factors contribute to its negative or positive aspects. If it would, in the end, turn out that the lack of the prohibition bears negative consequences for that society's children, many children's rights would already be infringed upon, and their wellbeing violated. If that is a consequence, it is questionable whether such empirical research should be conducted.

However, restricting adult individuals' life choices, especially if fully voluntary and important for the individuals in question, also demands a strong justification. It is crucial to show there are reasonable doubts to uphold the incest prohibition. Otherwise, the incest prohibition bears resemblance to other examples of historical injustice, like the prohibition of interracial or gay marriages. I elaborate on why I think there is a considerable risk of endangering children's wellbeing by allowing vertical incest in the following subsections, while addressing criticism derived from McKeever's and Bergelson's work.

### 3.2.1 Is Incest Rare and Unproblematic?

McKeever raises the concern that, without a legal incest prohibition, parents would be more likely to abuse their children, or groom them, so that the children would be inclined to engage sexually and romantically with their parents once they reach adulthood. (McKeever 2022, 458) Having that in mind, it becomes alarming to think of allowing practices which might lead to an increase in grooming in a certain population. McKeever herself argues that, if the evidence this might happen were present, a state would have every right to uphold legal prohibitions on vertical incest.<sup>15</sup> (McKeever 2022, 458)

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<sup>15</sup> In presenting empirical evidence, McKeever mentions Belgium as an example of a liberal state in which vertical incest between adults is legal. The statistics of child abuse do not differ greatly from those of other liberal states in which vertical incest is illegal. (McKeever 2022, 459) However, this requires further inquiry into the issue. The usual

What raises further doubt about grooming, according to McKeever, is the nature of the parent-child relationships, because of which it is unlikely that children (as minors, or even adults), would be ready to speak out about the parental abuse they have been subjected to. Some of the most obvious ones might be children's sense of loyalty towards their parents, sense of shame because of the involvement in a relationship with a parent (particularly pertaining to those who have experienced grooming during childhood), or merely a general feeling that it is difficult to withdraw from such an involvement. McKeever gives a hypothetical scenario, in which an adult son uneasily accepts his father's wish to have sex.

**Adam and Steve.**<sup>16</sup> Steve, the father, suggests to his son Adam they should have sex. Feeling he might betray Steve by refusing, Adam finds it difficult to refuse in the first place; his father has been kind to him all his life, and Adam feels like he owes him sex, which leads to acceptance of the suggestion. Steve, however, gets the wrong idea. Thinking that his son likes the new nature of their relationship, he starts asking for more of these encounters. Adam does not know how to end having sex with his father.

McKeever believes, and I support this view, that adult children could face the difficulty of not knowing how to turn down sexual or romantic requests from their parents;

2022, 457) confusion similar to that of Adam's would likely arise. It might be so because of the affection that adult children have towards their parent, merely because of the role the parents played in their lives, or a sense of an obligation towards a figure of authority, or for some other reason specific to parent-child kinds of relationships, such as the fear to let their parents down, fear of punishment, or similar. Since the nature of parent-child relationships is such that children might not be in the position to refuse sexual/romantic requests, a question arises: Absent the legal incest prohibition, how many parents would start grooming their children? Some people are likely to groom no matter how they perceive their parental duties. Some do not do it out of a fear of the

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prevalence of child sexual abuse might be because Belgium (or other states in which vertical incest is legal, for that matter) never made the transition between illegality and legality of incest – thereby not bringing the public's attention to this issue and popularizing the idea of its permissibility, or some other factors entering the equation.

<sup>16</sup> Though this hypothetical scenario is McKeever's, I have added the names.

consequences they can expect in a society which condemns all possible signs of incest. Some, on the other hand, might just be confused about what is permissible or impermissible in personal relationships, and lax laws on incest might contribute to that confusion.

McKeever raises these sorts of questions, but she goes on to argue that grooming, and similar practices based on the lack of real consent, would not become common enough for us to be concerned about them. She supports this position by offering two main reasons, which are the presence of the Genetic Sexual Attraction (GSA) and the Westermarck effect. These conditions, she claims, make incest extremely rare. (McKeever 2022, 458)

GSA is a condition supposedly experienced by siblings, or relatives, who meet for the first time in their adulthood. According to the proponents of this concept, such adults often develop strong emotions or sexual attraction, leading them into incestuous relationships. (McKeever 2022, 458)

The Westermarck effect is a theory according to which individuals who were raised together develop a sexual aversion towards one another. This is, Westermarck argued and many nowadays accept, an evolutionary adaptation, which arose to prevent inbreeding in close knit communities. Because of this effect, humans are repulsed by incestuous relationships, and rarely find themselves attracted to their next of kin or even biologically unrelated individuals in whose close proximity they were raised.<sup>17</sup> The incest prohibition, hence, is the result of our innate aversion, which is a result of an evolutionary adaptation. (Fraley and Marks 2010, 1202; Shor and Simchai 2009, 1804)

McKeever argues that the GSA and the Westermarck theory in combination lead to the conclusion that only a small number of people even consider engaging in incestuous relationships: GSA because it affects only reunited adults who have been separated earlier on in their lives, and the Westermarck effect because it prevents relatives from developing romantic feelings or sexual attraction towards one another if they interact at an early stage in their lives. Relatives who interact

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<sup>17</sup> For an extended theoretical discussion of the Westermarck effect, see Neven Sesardic (2004) who argues in favour of its consistency; Eran Shor and Dalit Simchai (2009) who argue against it.



at an early stage of life and who develop such desires are an anomaly. Since individuals who want to engage in sexual activities with their children or parents are mostly those who met in their adulthood, there are no deeper feelings of obligations or emotional connections weighing them down, (McKeever 2022, 458) and making them likely to put up with any abuse. They are already fully developed, autonomous individuals. As such, they know how to refuse unwanted offers. Unequal and problematic power dynamics might develop, McKeever further argues, but that is true of all relationships based on sex or romance. (McKeever 2022, 456ff) The law against vertical incest, based on the worry about grooming, is too broad. Abuse, i.e., grooming and sex with minors are already illegal. The majority of vertically incestuous relationships, then, are most likely to involve individuals who started spending time together in their adulthood, hence no grooming was involved. Therefore, most vertically incestuous relationships are unproblematic and should not be criminalized.

I disagree. There are many issues with the notions of GSA and the Westermarck effect, and neither theory is uncontested. GSA is considered to be pseudoscience.<sup>18</sup> Even if it were not, it only works to support the conclusion that incest is rare in combination with the Westermarck effect.

Westermarck's effect has its own theoretical shortcomings. Eran Shor and Dalit Simchai argue against it, claiming that the research supposedly supporting Edward Westermarck's theory is inadequate. The authors re-examine Joseph Sheper's study on the development of the Westermarck effect in the Israeli kibbutzim, i.e., the closely knit communities in which children who are not

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<sup>18</sup> Research mentioning GSA refers to it as 'the pseudoscientific theory' (Bull 2019, 121) and a phenomenon which is described in only one article, where GSA is explained 'through (...) Freudian psycho-babble' (Anderson 2012, 48) Further, a journalist, Amanda Marcotte, writes that, while GSA has been widely discussed and reported on by journalists, there is little to no psychological research backing up the phenomenon's existence. It is not mentioned in the DSM-5, the latest and the most thorough edition of The Diagnostic and Statistical Manual of Mental Disorders. GSA is also not discussed on legitimate scientific websites, nor can be found in respectable published research. Barbara Gonyo, a woman who reunited with her 16 year old son, who was previously given up for adoption coined the term in the 1980s. She felt strong sexual attraction towards him and wanted to explain this feeling by ascribing it to an existing phenomenon. GSA became a popular topic mostly through media coverage of Gonyo's and similar cases, but the sources that could affirm the validity of the phenomenon are simply not there. (Marcotte 2016) I am thankful to Dajan Plackovic for turning my attention towards the existing criticism of the GSA.

necessarily related grow up together. It is commonly accepted that Sheper proved the existence of the effect in kibbutzim, which lead to these children developing sexual aversions towards one another. (Shor and Simchai 2009, 1804) Shor and Simchai bring up criticism of Sheper divided into two main points.

Firstly, Sheper's study has major methodological flaws. To determine whether the Israeli children developed sexual aversions, Sheper merely counted how many marriages were formed between individuals from the same community; not taking into account many different factors, e.g., that military service was mandatory, which meant that some of those individuals left the community at one point in their early adulthood and have found partners elsewhere. Sheper did not, at any point, ask anyone if they *actually* were attracted to one another. Secondly, Shor and Simchai conducted their own research. They found sixty individuals raised in Israeli kibbutzim and, without sharing the purpose of the research or leading on with too specific questions, discovered that many of these individuals were attracted to one another during their childhoods. (Shor and Simchai 2009, 1813) Neither one of sixty research participants reported a general sexual aversion towards his or her peers. (Shor and Simchai 2009, 1822) However, they all concede that sexual or romantic experimentation was highly prohibited and discouraged in the community, because of which the children did not pursue each other in this sense. (Shor and Simchai 2009, 1812-1813) Perhaps a similar case can be made for relatives; the attraction could exist, but they refrain from engaging in sex or romance due to societal expectations. For the same reason, they may choose not to be vocal about the attraction; if anyone were to find out, that could lead to social exclusion or condemnation.

One could still try to salvage McKeever's position by arguing that, despite GSA's and the Westermarck effect's shortcomings, people very rarely develop sexual attractions towards their relatives. Biological family is essentially different from all other kinds of relationships.

R. Chris Fraley and Michael J. Marks (2010) convincingly argue that this is not the case. The children growing up in Israeli kibbutzim did not engage sexually or romantically with each other only in order to uphold the norms put before them by the community. (Shor and Simchai 2009, 1812-1813) A similar case can be made for siblings, as well as parents and children. Fraley and Marks argue that people consciously uphold the incest taboo. The authors have conducted three experiments, in which they have shown the research participants series of pictures. In the experiment in which participants were shown images of faces composed of parts of themselves, they consistently rated them more attractive. In another experiment, having been told what the images represent, they consistently rated them as less attractive. The findings indicated that, when reminded of the similarity to a potential partner, people tend to uphold the social norm of not being attracted to those who resemble us. (Fraley and Marks 2010, 1202) Additionally, Fraley and Marks (2010, 1204) argue this attraction towards our parents may arise from sexual imprinting, a mechanism causing us to view those more similar to us as more attractive.

McKeever is mistaken in arguing that incestuous inclinations are extremely rare. There is well-supported indication that the GSA is a myth, and that the Westermarck effect need not necessarily be true. There are indications that people might be attracted to their next of kin, since people rate individuals of similar appearance as more attractive, and children often model their sexual preferences according to who their parent is. It follows that children can be attracted to their parents, and vice versa. There are no proven psychological mechanisms preventing these attractions from developing, other than unconscious or in some cases even conscious upholding of the social norms prohibiting incest. If the GSA and the Westermarck effect are the only evidence used to prove incestuous inclinations are rare, then we have an issue. How can we be sure that the inclinations are indeed rare? Perhaps people are attracted to their relatives, but for many reasons do not wish to admit it. Additional research is needed to determine whether we can speak of a rarity or not. If

vertical incest becomes legally allowed before these issues are looked into, we do not know for certain whether we are risking children's wellbeing or not.

Add to that an additional layer of issues, the prevalence of child sexual abuse. As Charles Felzen Johnson reports, child sexual abuse is a global issue. Exactly how widespread it is depends on a given population and the available data; some research prevails in the direction of older siblings, but it is often the fathers who sexually abuse children the most. USA specific reports show that the 'father only' category coincided with for 21.5% of all child sex abuse cases. These statistics refer to populations in which 1-7 out of thousands of girls, and 0-4 out of thousand boys were abused in their childhood. (Johnson 2004, 463) Researchers face significant challenges in determining the exact statistics of child abuse. Even after reaching adulthood, children often do not report abuse for various reasons, like suppression of memories, or adhering to their perpetrators' demands for silence. (Johnson 2004, 462) Other reasons pertain to the stigmatizations of sex abuse, as well as the victim's need for privacy, or sense of shame. It is safe to assume, however, that parental sexual abuse is relatively common.

The legal permissibility of vertical incest could have negative consequences. The lack of the vertical incest prohibition could lead to parents intentionally or accidentally harming their children more than they do now. Those who harm intentionally could seize the opportunity to gaslight the child into thinking she consented to the relationship, lie more efficiently about whether abuse or grooming occurred because it would be more difficult to prove it in court in the context of a seemingly consensual relationship, rather than by judging instances of isolated actions, etc. The lack of the ban would allow abusive parents to blur the boundaries of right and wrong. Since misuse of parental authority is already common in other contexts, lifting the incest ban could make it easier to convince the children they have consented to sex or romance. Parents who accidentally harm their children could do so by taking their parental obligations less seriously, since the 'child' stops being perceived exclusively as a vulnerable individual in need of care and protection but starts to also be

seen as a potential future partner. There is no way to predict whether and to which extent would parents build that assumption, consciously or unconsciously, into their childrearing practices. Further, parents could also misjudge when their children are ready for or actually want the relationship; or when is the relationship in their best interest. A parent could, e.g., misjudge his fifteen-year-old daughter as a full, autonomous adult, treat her as such, and cause long-term negative consequences for her psychological wellbeing. Parents could also misjudge their older children's affection and start treating it as a display of romantic love, or attraction, rather than the child's need for close bonds and affection. That could alter the parent's behaviour in negative ways, depending on who the parent is. These are all weighty practical considerations that need to be taken into account when deciding whether allowing vertical incest would render familial environments less safe than they usually are.

### 3.2.2 The Gay Marriage Analogy

A further objection to my argument can be raised by relying on the gay marriage analogy. It can be argued that unorthodox relationships are often contested by the society in which they take place. In arguing in favour of the legal permissibility of incest, Bergelson mentions gay and interracial marriages as an example of relationships which were protested against. She argues that similar arguments were used in justifying the prohibition of those marriages, but even after they were allowed, the ban on incest remained in place. That should tell us something about the ways we reason about unorthodox relationship; the laws prohibiting gay and interracial marriage are now seen as examples of historic injustice. (Bergelson 2013, 49)

Should we not ask ourselves whether we are doing injustice to incestuous couples? We have prejudice against incest, based on our intuitions, incest taboo, feelings of disgust, and widely held opinions that incest will somehow endanger vulnerable individuals. On the other hand, the evidence and the arguments we have in building a case against incest do not suffice. Instances of

insufficient justification for the prohibition are the genetics and the family value argument, which show there is nothing intrinsically wrong with incest.

This objection, though fair to some point, does not capture the nuances of vertical incest. If, as I argue it does, allowing vertical incest would negatively affect how parents perceive their parental obligations by shifting their view of the children from being vulnerable and in need of care to a person who is a potential partner, then there are alarming elements of vertical incest.

A proponent of the analogy could argue that every type of relationship, be that incestuous, homosexual, lesbian, or interracial will bring worrisome statistics of abuse, misuse of power, etc. Why should we, then, prohibit only one kind of relationship based on risks we cannot evaluate?

I think that we have two main reasons to uphold the prohibition despite this objection. Firstly, lifting the incest prohibition could negatively affect society's most vulnerable group, children. The analogy is based on two kinds of relationships which do not arise in similar circumstances; children are mostly exposed to their parents throughout their most vulnerable and formative years, and children are more vulnerable than adults are. Since they are more vulnerable, they deserve more protection than adults do. Gay or interracial couples are not burdened by such difficulties. Secondly, by prohibiting gay or interracial marriages, individuals are prevented from dating a large pool of potential partners. For gay people, the prohibition means they cannot get romantically involved with anyone they find attractive, and for interracial couples, prevention tackles not only into free choice, but also upholds negative values, like racial segregation. The prohibition of vertical incest is not similar; it only prevents parents from having sex or engaging in relationships with their children, relationships with almost everyone else are on the table. It is a minimal restriction, and hence a fair trade off in trying to secure a society safe for all.

## Conclusion

In my thesis, I have argued that, despite not being anything morally wrong with vertical incest as such, there are prudential reasons why the incest prohibition should remain intact. The most intuitive arguments justifying the proposition that incest is wrong, i.e., the genetics, the power dynamics and the family value arguments, cannot withhold objections. Vertically incestuous relationships between consenting adults are fraught with issues, but people are morally free to pursue such relationships.

McKeever (2022) argues that we should not fear the negative outcomes of the legal permissibility of vertical incest; incest is rare due to GSA and the Westermarck effect. For this reason, it is unlikely that vertical incest would become a standard practice. There is no basis to claim there would be an increase in child sex abuse cases. Hence, child abuse and vertical incest are fully dividable issues. Against this, I argued there are reasons to hold a more nuanced view about the potential risks of allowing vertical incest. GSA and the Westermarck effect do not adequately explain how incest occurs; the former is pseudoscience, and the latter does not decisively prove that individuals who were exposed to each other during childhood develop sexual aversions towards one another. To the contrary, some research indicates that sexual attractions are suppressed in the presence of social norms prohibiting them, children often model their sexual preferences based on who their parents are, and that we are attracted to individuals who closely resemble us.

In an ideal society, I argued, sexual attractions towards our next of kin would be unproblematic. Parents would uphold their obligations and responsibilities, guiding the children into becoming autonomous adults. Since we do not live in an ideal society, we need to use more precautions. In the light of research indicating parent-child sexual attraction and the prevalence of child sexual abuse, it is possible that there would be an increase in misuse of the vertical incest permission.

Parents could intentionally or accidentally groom their children. Intentional misuse of the permission could pertain to avoiding abuse allegations or grooming the children more efficiently, whereas accidental misuse pertains to, e.g., misjudging whether a child is ready for or really wants a romantic relationship. If the parents stop perceiving children as individuals in need of care and protection and start perceiving the children as their potential future partners, that could damage the quality of the execution of parental obligations and responsibilities.

Allowing vertical incest bears the potential of having widely spread negative consequences, though it is impossible to decisively prove such consequences would follow. Obtaining empirical data would necessitate lifting of the prohibition and conducting longitudinal studies covering long periods of time. During that time, there could be a spike in child abuse cases. Is it worth risking the wellbeing of children to determine if allowing vertical incest affects the society in any way? Would there even be an increase in child sexual abuse? Is there another way to test the possible consequences of the vertical incest prohibition? Is it possible to introduce laws permissive of vertical incest which would not negatively affect familial relationships in general? While these are all interesting questions which demand further examination, I cannot conclusively answer them. However, I believe that I have raised sufficient doubts about the validity of a possible threat for children's wellbeing.

Further, though I have not discussed horizontal or accidental incest, I believe there is more to say about them. Questions like: Do horizontal and vertical incest differ in nature? How do differences in age of siblings, wealth, culture, and other factors affect the morality of incest? Should horizontal incest also be prohibited for practical reasons? Is accidental incest completely different in kind from all other types of incest? and Would a legal permission to maintain only accidentally incestuous relationships negatively influence parents' perception of their parental duties? show that there are nuances of incest which are yet to be discussed.



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