

Précis

Development of Doctrine and Sexual Ethics
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Holy Cross College, May 13, 2006

When we want to gain insight for moral decision-making, where do we look? The standard sources for Christian (and Catholic) theology and ethics are Scripture, tradition, secular disciplines, and contemporary experience. None of these sources is self-interpreting. Each needs exegeting (see our use of this term regarding Scripture); each needs interpreting; and the faith community must decide how it will use each of these in its understanding of what it believes (theology) and its understanding of how it ought to live what it believes (ethics). A certain kind of “fundamentalism” does not work for any of these sources. Just as our interpretation of Scripture changes, deepens, is critically appropriated; so is our understanding of secular disciplines—the sciences and humanities (we learn more as the years go by); so is our interpretation of our own and others’ experience (an experience we had ten years ago may be interpreted differently by us today than it was ten years ago; our horizon of meaning even for our own life expands and changes). This conference is about changes and continuity in our interpretations of tradition (church teachings, practice, prayer, theologies, canon laws, sense of the faithful).

If Protestants are vulnerable to forms of fundamentalism regarding the Bible, Catholics are vulnerable to a kind of fundamentalism regarding tradition. John Noonan notes the observation by Karl Rahner that “mere de facto universality of Church doctrine

related to the faith is not enough.” (2006) Joseph Ratzinger, now Pope Benedict XVI, was even stronger in his 1969 statement about tradition: “Not everything that exists in the Church must for that reason be also a legitimate tradition; in other words, not every tradition that arises in the Church is a true celebration and keeping present of the mystery of Christ. There is a distorting, as well as legitimate, tradition Consequently, tradition must not be considered only affirmatively, but also critically.”¹

I am going to address the Christian and Catholic tradition regarding sexual ethics—how it has changed, needs to change, and can change. No sphere of human life may be more problematic today for all of us. We need to look to the past and to the present in order to discern for the future. All of the sources (not only tradition) are involved—Scripture, secular disciplines like biology, psychology, sociology, our own experience, and our traditions. In my brief time here this afternoon, I can only point to a kind of tip of the iceberg in regard to our questions of sexual ethics; but I will try to look at these questions not only in historical perspective but by proposing a framework for sexual ethics that might help us today and in the future.

Historical Perspective²

The history of ethical standards for sexual behavior in the West has been largely a history of unambiguous rules or at least ideals. Though there have been discrepancies between official rules and general practice, and though societies at different times and within different traditions have varied in their formulations of ethical norms; yet in western civilization there has been a fair degree of clarity and continuity in the guidelines

governing our sexual lives.

Today, however, nearly every traditional moral rule for sexual behavior is under some kind of challenge. Longstanding prohibitions and positive obligations have become so problematic that individual nations and states debate legal changes, and religious traditions struggle with new questions and increasingly controversial issues in the interpretation and evaluation of human experiences of sexuality.

With this “shaking of the foundations,” however, there has not come a lessening of concern for moral wisdom regarding sexual activity. Questions continue to be raised with growing urgency—questions, for example, of how the human race should responsibly reproduce itself; how to eliminate destructive elements in sexual relationships; how to integrate sexuality into the whole of human life; how to ensure the healthy psychosexual development of children; and so forth. We are more concerned than ever before about how to prevent or heal the consequences of sexual violence and abuse; the proliferations of sex industries; sexual harassment and gender domination; the breakdown of committed relationships; and our frequent powerlessness in a search for intimacy.

In order to appreciate the changes that have taken place, it is helpful to recall at least briefly (in a thumbnail sketch) the Western (primarily Jewish and Christian) tradition regarding sexual ethics. Regarding Judaism: Although there is some pessimism in the Hebrew Bible about the body as a hindrance to the life of the spirit and some fear of sex as a form of defilement, overall there is an affirmation of sex as a positive element in human life. Sexuality and sexual activity are natural, created by God, necessary for

the well-being of human persons, and even a religious imperative. Marriage is a religious duty, affirmed by all the codes of Jewish law. Two elements in the historical Jewish concept of marriage have accounted for many of the major laws regarding sexuality. The first of these is the command to procreate, which is at the heart of the command to marry. The second is the patriarchal model upon which Hebrew Bible ideas of marriage and society were institutionally based. These two elements provided the rationale for prohibitions against adultery and regulations regarding divorce, prostitution, polygamous marriage, concubinage, and to some extent, homosexuality. Thus, for example, adultery was for a long time considered a violation of a husband's property rights; polygamy and concubinage were accepted, again for a long time, as a remedy for barrenness in a wife; homosexuality was looked down upon because it was thought both to waste reproductive semen and to be demeaning to males in so far as it made them passive like females.

Christianity emerged in the late Hellenistic age when even Judaism with its strong positive valuation of marriage, sex, and procreation, was influenced by the pessimistic interpretation of sex and sexual passion taught by some forms of Stoic philosophy and Gnostic religions. The New Testament does not provide a systematic code of sexual ethics. The teachings of Jesus and his followers provide a central focus for the moral life in the command to love God and neighbor. Some fundamental virtues and ideals give general content to this command of love. But beyond this, the Christian scriptures value marriage and procreation on the one hand, and celibacy on the other; they affirm a sacred symbolic meaning for sexual intercourse yet subordinate it to other human values, and

also find a possibility for evil within it. More specific guidelines appear in the New Testament only as responses to specific questions arising out of particular situations. These responses have been used to support varying positions regarding such issues as divorce and remarriage, the status and role of women, and homosexual activity.

Like other religious traditions, Christian beliefs and teachings are complex, subject to outside influences, and capable of historical development. Within this tradition there are also two elements that have been particularly dominant: procreation as the purpose of sexual intercourse, and male-female complementarity as the essential model for sexual activity. Early church writers were persuaded by Greek philosophical theories that idealized human virtue in terms of reason controlling emotion, mind controlling body. Thus, while they affirmed the basic goodness of sex (because it is part of creation), they were deeply suspicious of the power of sex to overwhelm the mind and to introduce into personal life a disorder that is (as they thought) contrary to reason. This disorder (i.e., an indomitable biological drive) they judged to be the consequence of original sin. It could only be remedied in two ways: by bringing it back into the order of reason by identifying a rational purpose (i.e., a rational goal for sexual desire), or by domesticating this otherwise uncontrollable desire within the institution of marriage. The rational purpose or goal (first identified by the Stoic philosophers, and then appropriated by Christian writers) of sexual desire and activity was determined to be procreation. Only in marriage, then, could there be adequate provision and support for the offspring of sexual activity; and only in marriage, with its burdens of raising children and providing for family, would

there be the so-called necessary ‘taming’ of sex. Through the centuries, of course, Roman Catholicism has tended to emphasize the procreative norm for sex; and the Protestant strands of Christianity have tended to emphasize marriage as a restraint for indomitable lust. By and large, in all traditions of Christianity, these perspectives yielded a prevailing sexual ethic that was opposed to sex for its own sake (considering it inherently selfish, self-centered, and a distraction from contemplation of God and the fulfilling of human social responsibilities). There was therefore to be no sex outside of marriage.

The second element that has dominated Christian tradition is that of male/female complementary. This became even more important when the Protestant reformation rejected celibacy and assumed that all Christians (with few exceptions) would marry. “Complementarity,” unfortunately, turned out to mean male superiority and female subordination (the husband as head of the family, the wife as follower), so that hierarchical gender relations were affirmed as the structural model for family, church, and society.

Not until the 20th century have these “foundations” of sexual ethics been “shaken” as we experience them today. There were, it is true, gradual cultural and religious shifts in understandings of marriage, sex, and love (for example, the growing tendency from the middle ages on to connect sex and marriage with romantic love, rather than solely with family extension and stability). But in the 20th century, and ongoing into the 21st, many newer developments have undercut traditional sexual norms. These developments

include, for example, technology that assures the possibility of separating sex from reproduction; historical studies that disclose origins of sexual rules in rationales that no longer appear credible; cross-cultural studies that call into question many beliefs about what is “natural” to human beings; (4) discoveries in biology, psychology, sociology, that yield new understandings of sex.

Whether because of these influences or others, Christian sexual ethics has undergone significant change since the last half of the 20th century. Despite appearances to the contrary, major developments have taken place even in Roman Catholic sexual ethics. This tradition like every other has been profoundly influenced by new interpretations of human sexuality, changing patterns of relationships between women and men, and increased technological control of human fertility and reproduction. The two dominant motifs of the tradition—procreation as the fundamental purpose of sexual intercourse, and male-female complementarity as the essential basis and framework for sexual activity—have undergone significant changes. In much of Roman Catholic moral theology and ethics, the procreative norm as the sole or even primary justification for sexual activity is gone. Procreation is still extremely important as a goal of heterosexual intercourse, and as giving meaning to sexual relations, but new understandings of the totality of the person support radically new concern for sexuality as an expression and a cause of love.

The view of sexuality as fundamentally disordered (except when it is in the service of procreation) is therefore also gone from a great deal of Catholic thought. Though

moral theologians still underline the potential that sex has for evil (as in sexual abuse, rape, harassment, exploitation, domination, betrayal, etc.), the almost total suspicion of its destructive power has been seriously qualified. Moreover, rigid views of male/female complementarity have been softened; equality and mutuality, shared possibilities and responsibilities, now appear, for example, in Catholic theologies of marriage and family.

Still, of course, the motifs of a procreative norm and gender complementarity appear in official Catholic teaching on the use of contraceptives, the procedures of tubal ligation and vasectomy, and the unchanging negative assessment of homosexual acts. A kind of cosmic struggle is now engaged on these issues between many moral theologians and church leaders. Yet even in official church teaching there have come important changes. Vatican II undid the pride of place of procreation as the purpose of marriage and sex. Despite the overall argument of *Humanae Vitae*, acceptance of natural family planning opened room for responsible choices regarding reproduction. Pope John Paul II has carried a personalistic interpretation of sex to new heights. Homosexual acts are still declared evil, though homosexuals as such (that is, individuals who identify their sexual orientation as being toward those of the same sex) are not evil—and even homosexual acts may be good subjectively if not objectively. Let me move, however, to my constructive proposal.

Framework for Sexual Ethics

What I want to develop is a sexual ethic based on considerations of justice between human persons. I ground it in understandings of the concrete reality of persons—

as autonomous but relational. My analysis, only briefly described here, leads me to principles such as: do no unjust harm; requirement of free consent of partners; and also mutuality, equality, commitment, fruitfulness, and social justice. I describe these in detail not included in this précis, but available in the full version of this paper and in my book entitled *Just Love: Framework for a Christian Sexual Ethic*.

It is not an easy task to introduce considerations of justice into every sexual relation and the evaluation of every sexual activity. Critical questions remain unanswered, and serious disagreements are all too frequent, regarding the concrete reality of persons and the meaning of sexuality. What is harmful and what helpful to individual persons and societies is not always clear. What can be normative and what exceptional is sometimes a matter of all too delicate judgments. But if sexuality is to be creative and not destructive in personal and social relationships, then there is no substitute for discerning ever more carefully the norms whereby it will be just.

1. Joseph Ratzinger, "The Transmission of Divine Revelation," in *Commentary on the Documents of Vatican II*, vol. 3, ed. Herbert Vorgrimler (New York: Herder & Herder, 1969), 185.

2. See Margaret A. Farley, *Just Love: A Framework for Christian Sexual Ethics* (New York: Continuum Publishing Co., 2006), esp. chapter 2.