

Developments in Christian Sexual Ethics: New Perspectives

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The focus of this Conference is primarily on the question of same-sex marriage. What I have to say this evening, however, is not about same-sex marriage as such. Rather, my aim here is to provide a context for this particular question—a theological and ethical context. Tomorrow I will directly address issues surrounding both civil and sacramental marriage for gay men and lesbians

In a way, the subject of my lecture this evening is “development of doctrine,” or more narrowly, development in Christian teachings regarding morality. Even more narrowly, I am going to address the Christian tradition regarding morality and sex, or sexual ethics—how it has changed and can change. In our brief time here this evening, I will attempt to do three things: (1) provide a brief historical perspective on Christian sexual ethics as it has developed in Western culture; (2) focus on a particular question in contemporary sexual ethics—the question of same-sex relations—as a case in point; and (3) offer a framework for approaching Christian and Catholic sexual ethics today.

Historical Perspective¹

The history of ethical standards for sexual behavior in the West, as popularly understood, has been largely a history of unambiguous rules or at least ideals. Although there have been discrepancies between official rules and general practice, and although 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 this area. This “shaking of the foundations,” however, has not meant that we have today no concern for moral wisdom regarding sexual activity. Questions continue to be raised with growing urgency—questions not only about acceptance of persons in same-sex relationships (such as those that will be addressed in this conference), but also 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, Western (primarily Jewish and Christian) traditions 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 considered natural, created by God, necessary for the flourishing 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 as females were thought to be.

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. 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. 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. Regarding procreation as the purpose of sexual intercourse: Early church writers were persuaded by Greek philosophical theories which idealized human virtue in terms of reason controlling emotion, mind controlling body. While these early church teachers 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) was not, as the Greeks thought, simply “natural,” but rather, it was the consequence of original sin. This is why Christians were not supposed to engage in sex for its own sake, for the sake of the pleasure of sex; for sex by itself was thought to be inherently selfish, self-centered, and a distraction from the contemplation of God and the fulfilling of human social responsibilities.

Despite the irrational disorder experienced in sexual desire, however, Christians like Jews considered sex good, because it is a part of creation. Yet, like some Greek philosophers, Christians also believed that the disorder in sex could not be rectified by simple practices of discipline. To hold together an affirmation of the goodness of sex along with a belief in its sinful disorder, early Christian thinkers readily appropriated the Stoic philosophical insight that sex could be justified, brought back into a rational order, by identifying for it a rational purpose, a rational goal—which was, of course, procreation.

Procreative sex, however, required that sex be limited to the context of marriage, for only through marriage and in family could the offspring of sexual activity be well provided for and supported. Moreover, marriage provided an additional remedy for an otherwise indomitable sexual drive. With its burdens of raising children and providing for family, marriage was constituted by institutional constraints that made possible and inevitable the necessary “domestication” of sex. Both the moral goal of sex and the moral context of sex therefore required the restriction of sexual activity within marriage. Through the centuries, of course, Roman Catholicism has tended to emphasize the procreative norm for sex; and Protestant strands of Christianity have tended to emphasize marriage as an institutional restraint, a built-in “taming” of otherwise uncontrollable lust. In either case, the central Christian principle of sexual ethics became and perdured: “No sex outside of marriage.”

The second element that has dominated Christian traditions of sexual ethics is that of male/female complementarity. 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 most of the time 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 were these “foundations” (procreative norm and gendered structure) of sexual ethics “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 (1) technology that assures the possibility of separating sex from reproduction; (2) cross-cultural studies that call into question many beliefs about what is “natural” to human beings; (3) discoveries in biology, psychology, anthropology and sociology, as well as philosophy and theology, that yield new understandings of sex and gender; (4) economic changes that have made possible a rising consciousness among women—which includes a recognition of the irrationality of many sexual taboos and the inadequacy of many social structures for sexual relationships; (5) a new preoccupation with sex not so much as a moral issue but as both a question of health and a question of power relationships.

Whether because of these influences or others, Christian sexual ethics has undergone significant change since the last half of the 20th century. On issues of contraception, and of divorce and remarriage, Protestant traditions have changed dramatically, though questions of gender complementarity and same-sex relations continue to fracture the Protestant churches. And despite appearances to the contrary, major developments have taken place in Roman Catholic sexual ethics as well. 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.²

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. Although 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 binary views of male/female complementarity have changed; requirements for gender differentiation of roles has have been softened; equality and mutuality, shared possibilities and responsibilities,

now appear, for example, in Catholic as well as Protestant theologies of marriage and family.

Still, of course, the motifs of a procreative norm and gender complementarity continue to appear in many official church teachings, particularly regarding the use of contraceptives and the unchanging negative assessment of homosexual acts. 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 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 considered evil—and even homosexual acts may be good subjectively if not objectively.

Let me turn now to focus briefly on same-sex relations as a case-in-point.

Same-Sex Relations

So long as the Christian tradition continued to justify sex primarily as a means for the procreation of children, or sex in marriage primarily as a corrective to disordered sexual desire, there was little room for any positive valuation of same-sex relationships and sexual activity. It would seem to follow, therefore, that when these perspectives were modified, a new and more positive Christian position on gay and lesbian relationships would emerge. This has happened among many (though, of course, not all) of the faithful and clergy, and in the writings of many moral theologians, but not as yet in much of official church teaching. Despite the important shifts that I have described above, there is little change in these teachings regarding homosexuality. The procreative norm has been relativized for heterosexual relations, but it returns when homosexual relations are at issue. The view of sexuality as fundamentally disordered is gone for heterosexual sex, but it reappears as strong as ever in judgments about gay and lesbian sex. Rigid stereotypes of male/female complementarity are softened for general social roles, but the importance of gender complementarity becomes the final strike against the acceptance of same-sex relations.

How might we adjudicate the current profound debates on these issues? What insights are important for us in discerning, both as individuals and as a church community, how to think about these matters? When Christians look for light on any ethical question, they turn to basic sources: scripture, tradition (in the sense of the history of Christian belief discernible in the teachings and practice of the church and in the history of Christian theology), secular disciplines of knowledge (in this case, for

example, in philosophy and the biological and behavioral sciences), and contemporary experience. What have we thus far found by studying these sources? In the time I have this evening, I cannot rehearse the multiple findings and interpretations that scholars now provide for us. But let me touch on them briefly.

First, regarding the Hebrew Bible/Old Testament and the New Testament: Particular texts on homosexuality all offer problems for interpretation—whether because of our uncertainty about the meaning of terms, or ambiguity in the use of rhetorical devices, or disparity between the meaning of homosexuality in biblical times and now. Whether we enter the battle of proof-texts and diverse interpretations on either side, or we stand before the biblical revelation as a whole, a modest conclusion is warranted, I would argue: that is, that the biblical witness does not offer us solid and incontrovertible ground for an absolute prohibition or a comprehensive blessing for same-sex relations.

Second, the tradition, too, leaves us with occasional past absolute prohibitions, but these negative judgments are based on rationales that no longer appear persuasive today (for example, that homosexuality is “unnatural” in humans because it is unnatural in animals). Hence, the rationales have been widely abandoned or changed. Those who wish to perpetuate the prohibitions have to find new rationales. Another modest conclusion must therefore be drawn: Just as it is certainly not possible to draw from the tradition, at this point, a comprehensive blessing on same-sex relations, so it is not possible to draw an absolute prohibition.

From secular disciplines (e.g., genetics, anthropology, psychology, medicine), there is also too much disagreement to yield a “last word” for us in our discernment. What we have learned regarding, for example, the inadequacy and inaccuracy of stereotypical differentiation of gender characteristics, the injustice of rigid gender role differentiation, the harms imposed on those whose gender is ambiguous, etc., at least gives us grounds to oppose discrimination against gays and lesbians, and to support their full incorporation into our human communities.

The fourth traditional source for moral insight on moral questions is that of contemporary experience. In regard to same-sex relationships, we have important voices to be listened to; that is, we do have available the testimony of women and men whose experience is with others of the same sex. By itself, experience does not provide an incontestable, foundational, deposit of insight; it cannot be used to establish an “anything goes” conclusion based on any and all experience. But for some ethical questions it is a primary source, able to be “tested” in significant ways (for example, in terms of the integrity of those whose experience is being shared). Same-sex relations today presents (like the issue of contraception) one of these questions.

All of this leads me to want to change the question most commonly asked in

sexual ethics about same-sex relationships. What we should be asking is not *whether* same-sex relations can be morally justified, but rather, *when* they can be justified. That is, under what conditions, according to what ethical criteria, will same-sex relationships be morally good? This is the same question we must ask about heterosexual relationships. I turn, then, to my third consideration this evening: Is there a framework for contemporary Christian sexual ethics that will help us to discern questions such as this one, as well as many others? A framework that will assist us in discerning when any sexual relationship or activity is appropriate and morally good?

Framework for Sexual Ethics

As I begin to outline a possible framework for sexual ethics, I am reminded of something that the philosopher Paul Ricoeur said in his early work on the *Symbolism of Evil*. Ricoeur identifies three moments, or stages, in the way that Western civilization has symbolized moral evil. The first he calls “defilement”; the second “sin”; the third “guilt.” Defilement as a symbol refers to an experience of evil when we have broken a taboo. But taboos are by definition pre-ethical, irrational, quasi-material; something infects by contact, leaves a symbolic stain. Sin, in Ricoeur’s sense, is the symbol for moral evil when we understand it as a breakdown in a relationship. And guilt, for Ricoeur in this context, refers to an understanding of evil wherein the breakdown of relationship is seen as the result of my free choice. What does any of this have to do with sexuality? Ricoeur observes that although we no longer think of moral evil primarily in terms of defilement, yet in the sexual sphere, the tendency to equate sexuality with defilement clings to our collective psyche, our collective unconscious. In other words, the sense of defilement is not easily left behind, and an inarticulable but persistent tie between sexuality and evil remains deep in the symbol structure of the West. Thus, a necessary step in the formulation of a contemporary sexual ethic must be to move sexuality more completely from the realm of the pre-ethical to the ethical. The blind sense of defilement must be subjected to relentless criticism and responsible repudiation. A sexual ethic may be achieved not from meditation on sexuality, but by turning first to the non-sexual spheres of human existence—to the spheres of work, economics, politics—to discern what justice means in human relationships. Then we may be capable of turning back to ask what justice must mean the sphere of our sexuality.

The kind of analysis suggested by Ricoeur is beyond the scope of our considerations together here, but I nonetheless want to ask what a justice ethic for sexual relations might entail. This may prove to be only preliminary to a more adequate sexual ethic, but it has the advantage of moving sexuality away from a taboo morality, without assuming a contentless ethic of love. It will not do, as some wish, to end all ethical discernment by simply saying that sexual relations and activities are good when they express love; for love is the problem in ethics, not the solution. There are wise loves and

foolish, good loves and bad, true loves and mistaken loves. The question ultimately is: What is a right love, a good love? The articulation of norms of justice will begin to answer this question, for these will be the norms of a just love.

Justice, of course, can mean many things. My use of it here is based simply on the fundamental formal meaning: to render to each her/his due. This translates into the fundamental principle that persons and groups of persons ought to be affirmed according to their deepest concrete reality, actual and potential. The formulation of specific principles of justice depends, then, on our interpretation of the reality of persons. So what might a *justice* ethic look like in regard to sexuality?

Contemporary concern for understanding what it means to be a person leads us to focus on at least two essential features of human personhood: autonomy and relationality. These two features ground an obligation to respect persons as ends in themselves and forbid the use of persons as mere means. Moreover, together they provide the central content of the obligation to respect persons. They yield what I will describe as seven more specific norms. As you will see, these overlap at points; they are not all mutually exclusive. And they admit of degrees, although they are not simply ideals; they are in an important sense bottom line requirements. And they all point to significant considerations that must be taken into account.

The first general norm is the obligation not to harm persons unjustly. “Do not harm” echoes through the experience of “do not kill.” In the sexual sphere there are many forms that harm can take—physical, psychological, spiritual, relational. Here each person is vulnerable in ways that go deep within. As inspirited bodies, embodied spirits, we are vulnerable to sexual exploitation, battery, enslavement, negligence, and to deceit, betrayal, being shamed, stigmatized, barred from human community by exclusionary practices of gender. “Do no unjust harm” goes a long way toward specifying a sexual ethic, but not far enough. We need additional norms, or principles, in order to specify more clearly what doing no harm means.

Hence, my second ethical norm, based on the obligation to respect the autonomy of persons (their capacity for self-determination) sets a minimum but absolute requirement for the free consent of sexual partners. This means, of course, that rape, violence, or any harmful use of power against unwilling victims is never justified; and seduction or manipulation of persons who have limited capacity for choice because of immaturity, special dependency, or loss of ordinary power is ruled out. In requiring respect for the choice of each partner, this norm requires respect for bodily integrity. It opposes sexual harassment, pedophilia, and other instances of the violation of persons. It also means that other ethical principles such as principles of truth-telling and promise-keeping are fundamental to an adequate sexual ethic. Whatever other rationales can be

given for these principles, their violation hinders the freedom of choice of the other person. Deception and betrayal are ultimately coercive.

Relationality is equiprimordial with autonomy as an essential feature of human personhood. Individuals do not just survive or thrive in relation to others; they cannot exist without some form of fundamental relatedness to personal others. Sexual activity and sexual pleasure are instruments and modes of relation (including relation to self); they can enhance relation or hinder it, contribute to it and express it or distort it.

Insofar as one person is sexually active in relation to another, sex must not violate relationality, but serve it. Another way of saying this is that it is not enough either in a general sense not to harm sexual partners, or even more specifically to respect the free choice of sexual partners. Hence, my third norm is mutuality. Respect for persons together in sexual activity requires mutuality of participation. This, of course, can be expressed in many ways, but it entails activity and receptivity on the part of both persons (not one being active and the other passive), mutuality of desire, of action, and of response. (Recall: each of these norms, including respect for free choice, admits of degrees; together, sexual partners have a major task of determining the threshold beyond which the norm is violated.)

This leads to yet another norm. Freedom and mutuality are not sufficient to respect persons in sexual relationships. A condition for real freedom and a necessary qualification of mutuality is equality—my fourth norm. The equality that is at stake here is equality of power. Major inequities in social and economic status, age and maturity, professional identity, etc., render sexual relations inappropriate and unethical primarily because they entail power inequalities—hence, vulnerability, dependency, and limitation of options. The requirement for equality rules out treating a partner as property, as a commodity, as an element in market exchange, as a mere instrument for one's own pleasure.

Strong arguments can be made for another, a fifth, norm (specifying respect for relationality): this is a norm of commitment. At the heart of the Christian community's understanding of the place of sexuality in human and Christian life has been the notion that some form of commitment, some form of covenant, must characterize relations that include a sexual dimension. In the past, this commitment, of course, was identified with heterosexual marriage. It was tied to the need for a procreative order and a discipline for unruly sex. Even when it was valued in itself as a realization of the life of the church in relation to Jesus Christ, it carried what today are unwanted connotations of inequality in relations between men and women. It is possible, nonetheless, that when all the meanings of commitment for sexual relations are sifted, we are left with powerful reasons to retain it (i.e., some form of commitment) as an ethical norm.

Why is this so: (a) to protect the vulnerability of each partner; (b) but also: contemporary understandings of sexuality point to different possibilities for sex than may have been central in the past—that is, the possibilities of growth in the human person, the gathering of creative energies, the integration of the person, and the realization of these possibilities precisely through commitment, including sexual commitment. One of the central insights from contemporary ethical reflection on sexuality is that norms of sexual justice cannot have as their whole goal to set limits to the power and expression of human sexuality. Sexuality needs to be nurtured, sustained, as well as disciplined, channeled, and controlled. (Problem of waning) One way to do this is to extend a human relationship sufficiently through time to allow the incorporation of sexuality into a shared life and an enduring love. At the very least it may be said that while brief encounters may open a lover to relation, they cannot mediate the kind of union—of knowing and being known, loving and being loved—for which human relationality offers the potential. What commitment does for a relationship is to give it a future and a past, a time “between” in which it can learn the ways of trust, faithfulness, forgiveness, and hope. A sexual ethic, then, may importantly identify at least some form of commitment as a norm for sexual relations and activity. Given a concern for wholeness, for nurturing sexual desire and love into a tenderness that has not forgotten passion, for aspiring to the highest forms of friendship, the norm seems to be a committed love.

A sixth norm, derivative from our understandings of relationality, is what I will call fruitfulness. While the traditional procreative norm of sexual relations and activity no longer holds absolute sway in sexual ethics, there remains special concern for responsible reproduction of the human species. Traditional arguments that if there is sex it must be procreative have shifted to arguments that if sex is procreative, it must be within a context that assures responsible care of offspring. Moreover, beyond (or apart from) the kind of fruitfulness that brings forth biological children, there is a kind of fruitfulness that is a measure, perhaps, of all interpersonal love. Love between persons violates relationality if it closes in upon itself and refuses to open to a wider community of persons (if it becomes an *égoïsme à deux*). The new life within it may move beyond it in countless forms (e.g., nourishing other relationships, providing goods and services for others, informing the work lives of the partners in relation, caring for other peoples’ biological children, etc.). All of these forms can be understood as the fruit of a love for which the persons in relation are responsible.

The articulation of this norm, however, moves us to yet another perspective in the development of a sexual ethic; and to my final, seventh, norm: social justice. There are obligations in justice which others in the community and the wider society have toward persons as sexual beings. Whether persons are single or married, gay or straight, they have claims to respect from the Christian community as well as the wider society—claims

to equal protection under the law, to self-determination, to a share in the goods and services available to all. Their needs for incorporation into the community, for psychic security, for basic well-being, make the same claims for social cooperation among us as do those of us all.

Conclusion

What I have tried to offer here is a framework for sexual ethics based on norms of justice—those norms which govern all human relationships and those which are particular to the intimacy of sexual relations. In a Christian sexual ethic, we will no doubt want to specify more fully such norms as faithfulness, forgiveness, patience and hope, which are essential for relationships between persons, especially within the faith community of the church and in their common relation to God.

If I may, for just a moment, return to the question of gay and lesbian relations, let me say this: I want to argue that these norms for a just love in sexual relationships are the same norms for heterosexual and for homosexual relations. Neither heterosexual nor homosexual relations can be automatically justified or condemned. Both have criteria for moral justification, and in my view, these criteria, these norms, are the same for both. More specifically, sex between two persons of the same sex (just as between two persons of the so-called opposite sex) should not be used in a way that harms, exploits, objectifies, or dominates; homosexual (like heterosexual) rape, violence, or any harmful use of power against unwilling victims is never justified; freedom and integrity are values to be affirmed in every homosexual (as heterosexual) relationship, as are the values of mutuality, equality, commitment, and fruitfulness. Just as gays and lesbians can and must claim social justice from their society—in terms of nondiscrimination in employment, housing, etc., and security against violent attack or prejudice to their participation in society's organization—so gays and lesbians can claim justice from their churches, in support of themselves and their efforts at commitment. They can be faithful, fair, fruitful, and sharers in a life of grace, with a right to the treasures of revelation, the good news of the Gospel, and the rituals and sacraments that will help them to sustain their relationships and their lives.

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.

