

THEOLOGICAL TRENDS

Sexual Ethics: Some Recent Developments

FOR SOME YEARS NOW IT HAS BEEN clear to scholars in the field that moral theology cannot ignore the findings of psychology any more than it can ignore the findings of the other human sciences.¹ Nowhere has this realization mattered more than in the field of sexual ethics where, even in the quite recent past, reason often gave way to the pressure of taboos, feelings of dirtiness and unbending laws. One of the notable developments of recent times has been the tendency to dig out those unreasonable and psychologically damaging elements. Inevitably, this has involved a certain amount of looking back. We shall therefore begin our review of recent developments with a brief excursion into this new critical way of looking at the old.

Finding the unreasonable

What is it, asked Tertullian, that all men and women do in both marriage and fornication? His answer was that they have sexual relations, and the desire to do so, he added, puts marriage and fornication on the same footing. He conceded that such a doctrine was destructive of all marriage but rightly so since marriage consists of that which is the essence of fornication.² Tertullian may be regarded as something of an extremist in his contempt for sexual expression, but other influential Christian writers were not too far removed from his position in the way in which they expressed their own disesteem for matters erotic. St Jerome, for example, wrote that he praised marriage, but only because it caused virgins to be born. He gathered roses from thorns, he said.³ Augustine actually wrote a treatise in praise of marriage, but his comments about sexual activity within wedlock could scarcely be called positive. To engage in genital intercourse with one's spouse beyond the need for procreation was, he wrote, a venial sin.⁴ Some modern researchers are of the opinion that a number of the Fathers were influenced to some extent by dualistic gnostic notions about a good spiritual domain and an evil material (and therefore bodily) one. Philip S. Keane, for instance, holds that, although Roman Catholicism has never espoused gnosticism, 'at times the Church and even its greatest leaders have lived in a world so influenced by gnosticism that the Church has tended to perpetuate gnostic fears of sex among its people'.⁵ Referring to the history of Christianity and sexuality, and with particular reference to the Church Fathers, the Protestant theologian Eric Fuchs writes:

A priori sexuality is ranked alongside the evil forces that inhabit man; it secretly plots with sin, and its violence and irrationality is feared. It was not thought of as possibly becoming, in love, the very sign of a real acceptance of the other, the action *par excellence* of tenderness.⁶

Matters were made even worse by a tendency among some scholars to regard women as 'Eves' who were responsible for the fall of men. In such circumstances it is hardly surprising that St Augustine cast doubts on the very possibility of meaningful relationships between men and women in a passage in which he addressed the subject of the creation of Eve. Another man, he wrote, would have been more suitable to help Adam till the soil if that had been necessary, and two men would have enjoyed each other's companionship and conversation much more than a man and a woman. Consequently, woman must have been made man's helper merely for the sake of bearing children.⁷ The critical historical scholarship which has brought to light this 'misogynistic and patriarchal prejudice' (to use James P. Hanigan's expression) has been of considerable importance, for it 'has shown how and why certain conclusions were reached about the morality of sexual conduct as a result of this prejudice'.⁸

It would seem that, although beautiful words were occasionally used to describe the marriage relationship,⁹ a certain pessimism with regard to sex was dominant in Christian teaching for most of the first millennium. In the second there was a slow improvement. However, Jansenism undoubtedly slowed down the development of more positive teachings concerning sex and sexuality within Catholicism, as did some Puritanical movements within Protestantism.¹⁰ Moreover, until fairly recently, the general pessimism regarding sex was reinforced in Catholic circles by the tendency to give sex special treatment in moral discourse. All sexual misdemeanours were considered to involve grave matter and therefore had the potential for mortal sin. A number of moral theologians in recent years have remarked on the unreasonableness of such teachings and have specified adolescent masturbation, among other things, as an activity which is very likely to involve parvity (smallness or lightness) of matter.¹¹

What has changed?

Many of the effects of these teachings were, of course, passed on to us. Over the course of the present century, however, there has been an enormous increase in knowledge in the human sciences. As we have already noted, this has inevitably had some effect in the field of sexual ethics. In recent years several other factors have also contributed to a change in attitudes. Important among these are: new ways of looking at holy scripture; new thought on womanhood; and a more personalistic approach to ethics in general.

a) Holy scriptures

Although sexual misdemeanours get their fair share of space in the Bible and occasional references to ritual uncleanness concerning spillages of blood or sperm confuse the modern Christian mind, one searches in vain through the books of both Testaments to find any real echo of the pessimism regarding sex and sexuality which is found in the writings of so many of the Fathers. Instead we find great praise of the heterosexual union, most notably perhaps in the Song of Songs. The love relationship portrayed in this book has often been seen

as an allegory of God's relationship with Israel and/or the Church. In recent times, however, a number of scholars have pointed out that it is highly unlikely that the Song's author or authors had any such thing in mind at the time of writing. It seems far more likely that it was simply a poem or collection of poems in praise of human sexual love. It is highly erotic and, as such, is certainly not out of place in the Bible. Roland E. Murphy writes:

While the Song is not designed to elaborate theological doctrine or to teach ethics, its unapologetic depiction of rapturous, reciprocal love between a man and a woman does model an important dimension of human existence, an aspect of life that ancient Israel understood to be divinely instituted or sanctioned. We need look no further than Genesis 1 to find express warrant for this view: the whole of God's creation is 'good . . . indeed very good', specifically including the sexual differentiation of humankind (vv 26–31).¹²

Although, as Hanigan points out, there is surprisingly little in the New Testament about sexual morality, some writers have used quotations from St Paul in an uncritical manner to substantiate their own views on the morality of certain acts, notably homosexual ones. However, notes Hanigan, 'neither Testament shows any awareness of the condition of irreversible homosexual orientation'. Another interesting point he raises is that: 'Nowhere does the New Testament even suggest that procreation is the purpose of sexuality and marriage'.¹³

b) Womanhood

The twentieth-century movements to promote the equal dignity and freedom of the two sexes have been of enormous importance to sexual ethics, not least because the quality of the woman-man relationship has repercussions on the whole of human life. We must not limit our horizons to peace and harmony in the home, for, as Keane puts it so beautifully,

This challenge to love other people in their differences from us is probably the most fundamental challenge in all of human living . . . If we can learn to handle the relational difference factor in our sexuality, we may well acquire a consciousness that will help end all sorts of human oppression. This is why some of its advocates assert that women's liberation is the most fundamental form of human liberation.¹⁴

c) The human person

In personalist Christian ethics, says Bernard Häring, greater attention is given to the individuality of persons and to the uniqueness of historical situations, without denying the need for serious study of ethical traditions, norms and rules. As a basic rule of preference, he writes,

personalism stresses that persons must never be sacrificed for things, that the conscience of persons ought never to be manipulated, and that healthy personal relations and community structures are more important than merely biological or other 'laws' pertaining to the sub-human world.¹⁵

Obviously, such a way of thinking has far reaching effects in the sphere of sexual ethics. Moreover, it has been accompanied by a quite radical change in our understanding of human sexuality. Previously, notes Maurice Reidy, it was assumed that sexuality was only a part of human nature, in the sense that it was something merely accidental or incidental, unlike rationality and the spirit, which were seen as central to the core of the human. Sexuality was *used*, and such use was justified and controlled in the service of certain ends. The new angle, he writes,

presents sexuality as central to the human condition, and sexual desire as in some sense a fundamental human need and gratification which is not to be excluded without doing some damage to the human person. Being a man or woman is not an accidental dimension to what we are, and having the sexual needs of a man or woman is not something to be understood simply in terms of control, or even use. Sexuality reaches into the soul, and our knowing of human desire and of human love owes much to the proper and healthy development of the sexual gift in each of us.¹⁶

Some results:

Ends of the conjugal act

A noteworthy change in teaching regarding the ends of the marriage act came during the Second Vatican Council. Earlier tradition had spoken of procreation as the primary end and mutual support of husband and wife as merely the secondary end. In *Gaudium et spes*, however, we find no such ranking. Moreover, we are told that 'married love is uniquely expressed and perfected by the exercise of the acts proper to marriage', and that those acts are noble and honourable.¹⁷

New trains of thought had been set in process and, by 1989, Lisa S. Cahill was writing:

The contemporary Western experience of sexuality reveals sex's inter-subjective orientation as key to its moral character. Recognizing this, recent Roman Catholic teaching has evolved from the primacy of procreation to the equality of love and procreation; toward greater appreciation of the interpersonal, relational context as grounding the moral significance of any particular act; and, finally, toward what may be an eventual realization that the committed love relationship is the condition of possibility of moral sexual acts as well as their primary 'goal'.¹⁸

'Unnatural' sexual acts

Praise of sexual intercourse as an expression of married love did not mean, of course, that the official magisterium was willing to reduce in any way its insistence on openness to procreation during genital intercourse. *Humanae vitae* made that much clear. Moreover, the argument used therein by Paul VI, that the two aspects or ends of the conjugal act are inseparable, was used more recently by the Congregation for the Doctrine of the Faith when addressing the question of artificial insemination using the husband's sperm.¹⁹ In this case there is another problem, for the sperm needed is normally obtained through masturbation. This too is regarded as an unnatural act because, even when it is done, as in this case, for the purpose of procreation, it is still deprived of a unitive meaning.²⁰ In another document the same Congregation describes masturbation, no matter what the motive may be, as 'an intrinsically and seriously disordered act'.²¹

The magisterium adopts the same line of reasoning in condemning homosexual activity. Recent documents draw a distinction between the true homosexual condition (for which the person concerned is not condemned) and homosexual actions. Although in the pastoral field homosexuals should be treated with understanding, 'homosexual relations are acts which lack an essential and indispensable finality'. They are 'intrinsically disordered and can in no case be approved'.²²

In his recent article in this journal James Keenan made reference to a group of moral theologians known as proportionalists.²³ Members of this school of thought are generally unconvinced by the magisterium's interpretation of natural law. They make much use of the concept of 'ontic evil', by which they mean 'any lack of a perfection at which we aim, any lack of fulfilment which frustrates our natural urges and makes us suffer'.²⁴ Ontic evil, they hold, must be kept to a minimum, but cannot be totally eliminated. A surgical operation to remove an inflamed appendix produces such ontic evils as pain and mutilation. Nevertheless, when the various ontic goods (return to health, etc) and evils involved are weighed in the balance, such operations can be justified in most cases. Numerous moral theologians have applied this way of thinking to sexual ethics. They accept that masturbation, for example, involves ontic evil, but point out that there can be many reasons for masturbation, and that in some cases we may be able to justify the production of that ontic evil. Compare, for instance, adolescent masturbation, masturbation for sperm testing and masturbation that is a manifestation of a deep personal disorder. Keane picks out the second-mentioned as the case which most clearly argues that we should not think of masturbation as always necessarily a morally wrong act.²⁵

On the subject of permanent, loving relationships between true homosexuals, Vincent J. Genovesi notes that, in contrast to official Church teaching,

revisionist theologians propose that in light of the mutual support, love and enhancement of human growth that accompany such stable homosexual relationships which desire permanency, whatever genital

activity occurs within these unions may be viewed as a premoral (ontic) wrong, not an objective moral wrong; as such, this activity may be morally permitted for true homosexuals within the kinds of relationships just described, even though it is never the moral ideal.²⁶

The same revisionists, using the same kind of thinking, arrive at quite different judgements regarding the objective morality of homosexual acts performed by a person who is free to develop as a heterosexual but refuses to do so. Similarly, they would not claim to be able to justify the ontic evil involved in irresponsible promiscuous activity performed by true homosexuals, or that involved in the homogenital activity of people who are genuinely free to live a life of celibacy.²⁷

Like many other moral theologians, Bruno Schüller used proportionalist arguments in dealing with the traditionalist claim that artificial contraception *as such* is impermissible. He also added some of his own thoughts on natural law. We are, he said, justified in seeing the wisdom of God at work in certain natural ends, but the extent to which those ends are to be respected in a particular case depends on whether they are to be judged to take preference over other potentially competing values. 'The making of the judgment, if one chooses, is the natural end of the capacity for judgment given to human beings by God.'²⁸ Needless to say, those 'competing values' could be termed 'ontic goods'. Proportionalists are prepared to apply their way of thinking to any other act that is deemed 'unnatural' and, indeed, to all areas of sexual morality.

Extramartial sexual activity

In some recent literature authors have been careful to distinguish: a) casual sex indulged in by single people; b) adultery; c) premarital sexual activity of engaged couples. Although they accept that subjective guilt is not necessarily involved in the first two cases, most authors are inclined to brand casual sex and adultery as objectively morally wrong acts. In the first case there is no personal commitment and in the second there would appear to be 'a division of the deep, personal self-giving that belongs in marriage'.²⁹ The third case is more difficult because there is, one presumes, a deep personal commitment. Without denying the peculiar difficulties that may exist in such cases, however, some moral theologians are loath to adopt a permissive attitude. Reidy, for instance, points out that 'it is of the essence of engagement, of being simply promised, that it is still possible to turn back'.³⁰ Keane, on the other hand, feels that there may be exceptional cases. One example, which also gets a sympathetic hearing from Genovesi, is of a widow who falls in love and wishes to marry but will face significant financial problems including loss of pension benefits if she does. 'In our society (the USA), with its socialized retirement programs, she does have a problem.'³¹ Regarding premarital and extramarital petting, Keane notes that certain gestures are part of the human need for intimacy. What is appropriate will vary from case to case and individual to individual. 'People, their backgrounds, and their cultures do differ, but the importance of human embrace ('the theology of hugging') is such that we ought to be careful not to cheapen it.'³²

Divorce and remarriage

In moral discourse a statement that one ought not perform a certain act contains the implication that such an act is possible. Traditional Catholic teaching regarding the break-up of validly contracted and consummated Christian marriages, however, is quite different: divorce is impossible and entry into another marriage-type relationship involves adultery. All attempts by theologians and others to talk about the death of a marriage run into this difficulty. It would seem that no shifts can occur without an examination of the concept of indissolubility. Looking at marriage as a relationship rather than a contract, Kevin T. Kelly has argued that, at least in present day western society, 'the indissolubility of marriage' depends on the continued growth and development of the couple's love for each other'. It is something to be realized in marriage, the fruit of their pledged life-long love. It is possible, he continues, that some marriages 'will not attain this inner indissolubility and instead will disintegrate and fall apart so that eventually they no longer exist'.³³ Moreover, 'If a second marriage brings true healing, and especially if for some men and women it is the only way of finding true healing, I feel that the Church has no choice but to accept it as good'.³⁴

On two occasions in St Matthew's Gospel we find Jesus saying that if a man divorces his wife, except in the case of *porneia*, and marries another, he commits adultery (5:32; 19:9). Seeing that Jesus was clearly prepared to make some kind of exception, some Protestant and Orthodox churches have allowed divorce in certain circumstances. Although there is disagreement even among Catholic scholars regarding the translation of the Greek word *porneia*, official Catholic teaching has never adopted the attitude of these other churches. Nevertheless, scholars still try to unravel the mystery. In recent years Tarcisio Stramare has suggested the apparently straightforward translation 'fornication'. However, there is a complication, for, in the Bible, the term fornication sometimes denotes idolatry. Now, one of the main causes of Israelites falling into idolatry was marriage with pagans. Fornication in the sense of idolatry and marriage with pagans are so linked in the Bible, says Stramare, as to permit the reciprocal exchange of the two terms. Jesus, therefore, would appear to be allowing divorce in the case of mixed marriages.³⁵ Presuming that Jesus would permit such divorce where the Jewish (and, by extension, the Christian) way of life was in danger, the present writer pointed out that even some marriages between Christians put the Christian way of life in danger and can be destructive for the people concerned. I suggested that, after a break-up, the spiritual life of one or both partners involved in such a case might be better aided by a new union than by a celibate-type existence.³⁶ A similar argument could be applied to the Pauline privilege. This line of thinking could be fitted, I think, into Kelly's scenario.

Concluding remarks

Keenan referred to the recent emphasis on relationships in some recent writings in the field of moral theology.³⁷ In the past there was often too much

concentration on the act, divorced from persons, relationships and context. Perhaps that was especially so in sexual ethics. Speaking of marriage as 'the foremost historical arrangement that structures and facilitates the contributions of human sexuality, and deflects perversion of its power', Cahill notes that the conditions which allow that relationship to emerge and make it fruitful are not always present. The Christian community, she says, must continually ask what the realities of sex, marriage and parenthood signify for the people 'who integrate them concretely with faith commitments and secular or nonreligious responsibilities and relationships'. She adds: 'The horizon against which *all* moral activity is to be evaluated is the communal life as body of Christ in the world'.³⁸

Many people say that at least some problems in the sphere of sexual ethics spring from the fact that so much in the past came from the pens of celibates who had a negative view of sex. Moreover, those celibates presented things exclusively from a masculine point of view. There is undoubtedly a good deal of truth in this, and a large part of what concerns moral theologians engaged in this field today is how to find solutions to problems that arise in the sphere of sexual ethics which do not contain traces of harmful and one-sided influences from those past teachings. A good deal has already been done in this regard, but perhaps we could all learn something from a positive Song of Songs type approach which looked from both sides.

To see to touch the Heaven that is in her;
To kiss away the shell and find the pearl.
To yield, to know such loveliness begin there.
To see God in the bosom of the girl.

To hear my lover's voice with love surround me.
To feel his eyes embrace me, and to press
A finger to those lips which oft astound me.
To know the touch of God in his caress.

Bernard Hoose

NOTES

¹ This is, of course, true of conservative as well as more liberally minded theologians. See, for example: Kiely, Bartholomew: *Psychology and moral theology* (Rome, 1980).

² Tertullian: *De exhortatione castitatis*, 9.

³ St Jerome: *Epist.* XXII, 20.

⁴ St Augustine: *De bono coniugali*, 6 and 7.

⁵ Keane, Philip S.: *Sexual morality: a Catholic perspective* (New York, 1977), p 6.

⁶ Fuchs, Eric: *Sexual desire and love* (Cambridge, 1983), p 168.

⁷ St Augustine: *De Genesi ad litteram*, 9.

⁸ Hanigan, James P.: *What are they saying about sexual morality?* (New York, 1982), pp 16-17.

⁹ As, for instance, in the *Stromateis* of Clement of Alexandria.

- ¹⁰ For a more in depth study of the period after 1300 see Hitchcock, James F.: 'The development of Catholic doctrine concerning sexual morality 1300-1918' in *Human sexuality and personhood* Proceedings of a workshop for the hierarchies of the United States and Canada (Chicago, 1981), pp 53-66.
- ¹¹ See Hanigan, *op. cit.*, p 76.
- ¹² Murphy, Roland E.: *The Song of Songs* (Minneapolis, 1990), p 100.
- ¹³ Hanigan, *op. cit.*, p 9.
- ¹⁴ Keane, Philip S., *op. cit.*, p 31.
- ¹⁵ Häring, Bernard: *Free and faithful in Christ* vol I (Slough, 1978), pp 356 and 357.
- ¹⁶ Reidy, Maurice: *Freedom to be friends* (London, 1990), p 18.
- ¹⁷ *Gaudium et spes*, 49.
- ¹⁸ Cahill, Lisa S.: 'Catholic sexual ethics and the dignity of the person: a double message' in *Theological studies* 50 (1989), pp 149-150.
- ¹⁹ Congregation for the Doctrine of the Faith, *Instruction on respect for human life in its origin and on the dignity of procreation* (1987), 4.
- ²⁰ *Ibid.*, 6.
- ²¹ Congregation for the Doctrine of the Faith, *Declaration on certain questions concerning sexual ethics* (1975), 9.
- ²² *Ibid.*, 8. See also: 'Letter to the bishops of the Catholic Church on the pastoral care of homosexual persons' (1986, from the same Congregation).
- ²³ Keenan, James: 'Christian ethics: the last ten years' in *The Way* vol 32, July 1992, p 215.
- ²⁴ Janssens, Louis: 'Ontic evil and moral evil' in Curran, C. and McCormick, R. A. (eds): *Readings in moral theology* no 1 (New York, 1979), p 60.
- ²⁵ Keane, *op. cit.*, p 69.
- ²⁶ Genovesi, Vincent J.: *In pursuit of love* (Dublin, 1987), p 298.
- ²⁷ See Keane, *op. cit.*, pp 84-85.
- ²⁸ Schüller, Bruno: 'Various types of grounding for moral norms' in *Readings* no 1, pp 187-188.
- ²⁹ Keane, *op. cit.*, p 104.
- ³⁰ Reidy, *op. cit.*, p 62.
- ³¹ Keane, *op. cit.*, p 106. See Genovesi, *op. cit.*, pp 182-183.
- ³² Keane, *op. cit.*, pp 111-112.
- ³³ Kelly, Kevin T.: *Divorce and second marriage* (London, 1982), pp 35-36.
- ³⁴ *Ibid.*, p 78.
- ³⁵ Stramare, Tarcisio: *Matteo divorzista?* (Brescia, 1986).
- ³⁶ Hoose, Bernard: 'Imitating Jesus and allowing divorce' in *Priests and people* 1 (1987), pp 210-212.
- ³⁷ Keenan, *op. cit.*, p 219.
- ³⁸ Cahill, Lisa S.: *Between the sexes* (Philadelphia, 1985), pp 150-152.