



Same Sex

DEBATING
THE ETHICS,
SCIENCE, AND
CULTURE OF
HOMOSEXUALITY

Edited by
JOHN CORVINO

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and Culture
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Jean Broc. According to Cecile Beurdeley in *L'Amour Bleu* (Evergreen [a label of Benedikt
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Hyacinth was so beautiful that even Apollo could not resist him. One day, as they were
throwing the discus together, Hyacinth, with the impetuosity of youth, ran to pick
up the god's discus—which rebounded, striking him in the face. Another story says that
Zephyr, who was also madly in love with Hyacinth, deflected the discus in flight out of
jealousy. Despite Apollo's attempts to revive him, the boy died. Filled with despair, the
god lamented: "What is my crime? Is it a crime to play? Is it a crime to love . . . ?"

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Same Sex: Debating the Ethics, Science, and Culture of Homosexuality

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SAME SEX

FOR MY PARENTS

sine quibus non.

Acknowledgments

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Introduction

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Just a century ago Lord Alfred Douglas, lover (and later enemy) of Oscar Wilde, referred to homosexuality as “the love that dare not speak its name.” Since then, the love that dare not speak its name has become the love that won’t shut up—or so several observers have quipped. Yet discussions of homosexuality, though increasingly common, are typically strident and polemical. This book responds to this cacophony by providing a forum for reasoned dialogue. It brings together respected philosophers, scientists, theologians, and historians who present a variety of perspectives on this complex and controversial topic. Although the authors clash on many issues, they share a commitment to careful rational discussion.

The book is divided into four parts. In part I, philosophers and theologians debate the moral status of homosexuality. Part II looks at some of the scientific research on sexual orientation and considers possible ethical implications of that research. Part III investigates some historical manifestations of homosexuality in an attempt to answer the question, “What does it mean to be gay, lesbian, or bisexual?” Finally, part IV explores various public policy debates on homosexuality: Are gay rights “equal rights” or “special rights”? Should gay marriages be legally recognized? Should gays and lesbians be permitted to serve openly in the military? Is “outing”—the revealing of a closeted person’s homosexuality—ever justified? The contributors respond to such questions from various philosophical and political perspectives.

A word about the “balance” of the book. On each of the controversial moral debates—gay marriage, homosexuality in the Bible, gays in the military, and so on—I have sought out the best available articles by both defenders and opponents of homosexuality. But there is more to understanding homosexuality than debating its moral and social status. Some of the debates in this book occur between gay rights advocates and gay rights opponents, others reflect differing views within the gay community. For example, Richard D. Mohr and James S. Stramel differ on when outing is justified, John Boswell and David M. Halperin differ on whether homosexual people existed in ancient times, and Jonathan Rauch and Claudia Card differ on whether gays and lesbians should seek the legal right to marry. Other articles do not appear in “debate” format at all, but simply present the authors’ views for critical assessment by the reader. I encourage readers to approach each selection in the volume with a critical eye and an open mind.

One problem with the point/counterpoint format, which dominates portions of the book (especially the first and last parts), is that it may promote a simplistic “either/or” mentality. Readers should keep in mind that the collection, though broad and diverse, by no means exhausts the range of possible views.

What Is Homosexuality?

Since this book is about “homosexuality,” we ought briefly to consider what that term means. People often make a distinction between homosexual orientation (being sexually or romantically attracted predominantly to members of one’s own sex) and homosexual activity or conduct (engaging in sexual or romantic physical contact with members of one’s own sex). The distinction can be useful because it recognizes that not all or only those who have a homosexual orientation engage in homosexual sex; the orientation merely suggests an inclination toward the activity.

Nevertheless, the distinction raises various questions. One might ask, for instance, what “counts” as homosexual activity. Does kissing count? What about holding hands? Gazing into a same-sex partner’s eyes during a romantic dinner? Homosexual experience, like heterosexual experience, comprises many more activities than simply sexual ones. Interestingly, some common objections to homosexual activity (e.g., that it involves misuse of genital organs) don’t cover such activities, at least not in any obvious ways. Moreover, as several contributors point out, genital homosexual acts

appear to be neither necessary nor sufficient for causing antigay discrimination.

Even focusing on genital homosexual acts leaves questions open. Are motives and intentions a part of the acts? For the purposes of ethical evaluation, motives and intentions usually matter: cutting someone's throat is a fundamentally different act when done as part of an emergency tracheotomy than when done as part of a mugging. Similarly, male-male intercourse may be a fundamentally different act when done as part of a loving relationship in contemporary America than when done as part of a Canaanite ritual in ancient Palestine. Thus, insofar as the orientation/activity distinction separates physical acts from their larger social contexts, it oversimplifies the matter. For the purposes of this introduction, I will use the catch-all term "homosexuality" to cover various kinds of homosexual experience and will distinguish between orientation and activity only when my meaning would be ambiguous otherwise.

The concept of sexual orientation is itself problematic. Many researchers believe that sexuality is better characterized as a continuum than as a set of two (or possibly three) discrete categories—homosexual, heterosexual, and bisexual. Moreover, even if we rely on such categories for the sake of convenience, it is not clear what criteria to use to assign people to them. Should a woman who has primarily homosexual fantasies but who generally prefers intercourse with men count as a heterosexual, a bisexual, or a lesbian? Does the answer depend on how she labels herself? What if her self-understanding changes over time? The answers aren't as simple as they might initially seem.

Enriching the taxonomy are the related issues of bisexuality and transgender. Bisexual people are attracted to both males and females (which does not mean that they're attracted to everyone or that they're incapable of monogamy). Since bisexual people may experience homosexual desires or engage in homosexual activity (or both), much of what is said about homosexual people should apply to them as well—which is not to say, of course, that discussions of homosexuality will cover all that needs to be said about bisexuality). This collection includes one article devoted specifically to bisexuality.

The issue of transgender is more complex; here, I can offer only a very rough sketch. Transgendered people are those whose biological sex (whether they were born with male or female bodies) differs from their gender identity (whether they experience themselves as male or female). Transgender is different from homosexuality: most lesbians do not desire to be men, and most gay men do not desire to be women. Yet we might still group transgendered people with both homosexual and bisexual peo-

ple under the broad rubric of “sexual minorities,” insofar as all three groups deviate from certain widespread social expectations about sex and gender.

Given the complex terrain of human sexuality, we might be tempted to define homosexuality by borrowing the old quip about pornography: “I know it when I see it.” These days, like it or not, we’re seeing it more frequently. The articles in this book should help us see it more clearly as well—in all its various forms.

Synopsis of the Book

Part I. Morality and Religion

Intelligent, well-educated people disagree sharply on homosexuality’s moral status. In that respect, homosexuality is not unique: intelligent people also disagree sharply on the moral status of capital punishment, euthanasia, and a host of other issues. What distinguishes homosexuality is that it is not immediately clear what’s at stake in the debate. Euthanasia and capital punishment end lives; abortion ends a potential or budding life—but what does homosexuality do?

Debates about the moral status of homosexuality usually focus on one of three points: nature, harm, and religion. Many people contend that homosexual sex is unnatural. But what does that mean? And is unnaturalness necessarily a bad thing? After all, many things that humans value—like housing, eyeglasses, and government, to take a random list—are unnatural in some sense. And many things that humans detest—like disease—are *natural* in some sense. Thus, those who argue that homosexual sex is wrong because it is unnatural must do two things: they must find a sense of “unnatural” that applies to homosexual sex, and they must show that things that are unnatural in that sense are therefore immoral.

Others claim that homosexuality is wrong because it is harmful either to homosexual people or to society at large. This claim raises several questions. First, how is homosexuality harmful (if at all)? Conversely, how might it be beneficial? Second, if it is harmful, are the harms inherent to homosexuality, or are they a result of society’s response to it (or both)? Finally, what is the relevance of harm to our moral judgments?

Still others claim that homosexuality violates God’s will as revealed in the Judeo-Christian Bible. (Articles in this collection focus on the Judeo-Christian tradition mainly because it is the most influential one in the United States.) Biblical scholars interested in homosexuality commonly engage both in exegetical debates on how to translate specific words or

phrases that seem to condemn homosexuality and in hermeneutical debates on whether and how the biblical perspective is relevant to our own.

In chapter 1, I consider all three issues—nature, harm, and religion—though the bulk of the discussion focuses on harm. I argue that, far from being harmful, homosexual relationships can be beneficial both for those who engage in them and for the community at large. I also consider various senses of the term “natural” and conclude that homosexuality is not unnatural in any morally relevant sense. In chapter 2, David Bradshaw disagrees with this assessment and argues that many of our moral intuitions—for example, our abhorrence of bestiality—cannot be captured by considerations of benefit and harm. He reaffirms the traditional prohibition of homosexual acts by situating it in a larger moral framework that focuses on the given form of the human body.

Chapters 3 and 4, by John Finnis and Andrew Koppelman, respectively, contain a sophisticated debate on the naturalness of homosexuality. As one of the “new natural lawyers,” Finnis holds that there are certain “basic goods” that are intrinsically worthy of human pursuit. Heterosexual marriage, with its twofold values of procreation and friendship, is one such basic good. Finnis argues that homosexual conduct is unreasonable, wrong, and therefore unnatural, because instead of bringing about either of these values (or some other basic good), it achieves only the illusion of doing so, and moreover involves treating sexual organs as mere instruments of pleasure rather than as integrated parts of the whole human person. Koppelman responds that Finnis’s argument, if it were sound, would prove that intercourse by sterile heterosexual couples is immoral, a conclusion that neither he nor Finnis accepts. He argues further that arguments like Finnis’s rest on several misunderstandings about the goods achievable by sexual partners in general and homosexual partners in particular.

Chapter 5 is by the Ramsey Colloquium, a group of Jewish and Christian scholars who meet periodically to discuss public policy questions from a biblical perspective. In their selection, they criticize “the homosexual movement” as part of a larger trend of moral degeneration. In chapter 6, Thomas Williams replies that the Ramsey Colloquium’s argument focuses on features of the homosexual movement that homosexuals need not, and often do not, accept; furthermore, he argues that their position depends on several false dichotomies and a mistaken view of chastity.

Chapter 7 by Daniel A. Helminiak and chapter 8 by Thomas E. Schmidt examine the Bible directly. Focusing on St. Paul’s letter to the Romans, Helminiak and Schmidt agree that the text must be understood in its historical context but disagree about its message regarding homosexuality. Helminiak argues that Paul’s remarks involve ritual purity concerns,

whereas Schmidt argues that they involve Paul's Creation-based view of marriage. Accordingly, Helminiak concludes that the Bible regards homosexual acts as ethically neutral, whereas Schmidt concludes that it regards them as ethically sinful. These issues are also touched upon in chapters 1 and 2.

Part II. Science and Identity

Ethical questions are also raised occasionally in part II, this time in the context of scientific discussion. Recent scientific discussions of homosexuality usually focus on the etiology (cause or origin) of same-sex desire. The current wave of interest in etiology began in 1991 when Simon LeVay, then a neurobiologist at the Salk Institute, published his study suggesting a correlation between sexual orientation and hypothalamic structure. That same year, J. Michael Bailey and Richard Pillard announced the results of their research on gay men and their brothers, which indicated a possible genetic influence on sexual orientation. Their genetic hypothesis was bolstered two years later when Dean Hamer at the National Cancer Institute published his study of Xq28, which was quickly (and inaccurately) dubbed "the gay gene." What Hamer in fact discovered was not a gene, but rather a tendency among gay brothers to share a certain group of genetic "markers" inherited from the same X chromosome.

Reactions to these studies were swift and strident. Gay rights advocates touted the studies as proving that homosexuality is "natural" and that discrimination against gays is unjust, since homosexuality is "not a choice." Opponents pointed to flaws in the research and argued further that it failed to prove that homosexuality is any more natural than alcoholism, which also appears to have a genetic basis. Unfortunately, both sides' reactions manifested a good deal of scientific and ethical confusion, a problem that part II attempts to alleviate.

One common problem is the conflation of two distinct issues: the debate over the etiology of sexual orientation (sometimes called "the nature/nurture debate") and the debate over the mutability of sexual orientation (sometimes called "the determinist/voluntarist debate"). Proving that sexual orientation is "biological" is not the same as proving that it is permanent, and proving that it is learned is not the same as proving that it can be unlearned. Some genetically influenced characteristics, like myopia, can be changed, and some acquired characteristics, like tinnitus (a hearing problem), cannot. Moreover, even if sexual orientation is more or less permanent, sexual activity still involves an element of choice. Thus it is not clear that etiological studies, even if they are sound, have the ethical relevance that gay rights advocates sometimes claim for them.

Part II begins in chapter 9 with William Byne and Mitchell Lasco's overview of the etiological research. Byne and Lasco first note that, because we are physical beings, *all* of our desires have some biological basis. Thus, the question is not "Is homosexuality biological?" but rather "How do biological and environmental factors interact to influence sexual orientation?" Byne and Lasco explore three different models for conceptualizing biology's role in the formation of sexual orientation. They then examine the aforementioned etiological studies in light of these models. In chapter 10, Daryl J. Bem explores how environmental factors—in particular, the experience of feeling "different" from opposite- or same-sex peers—might factor into the explanation of sexual orientation. He also analyzes the concept of sexual orientation and discusses some of the political implications of his theory.

In chapter 11, Edward Stein addresses the political issue directly by asking what relevance sexual orientation research has to lesbian and gay rights. Stein argues that even if science were to establish that homosexuality is biologically "fixed," that finding would prove nothing about the moral or political status of homosexuality. Moral and political arguments, not scientific arguments, are needed to support gay rights claims.

The final two contributions in part II move beyond the question of cause or origin to discuss sexual orientation more broadly, as well as to pose challenges to those who do research on sexual orientation. In chapter 12, Carla Golden discusses lesbian identity from the perspective of a psychologist who has extensively interviewed college-aged women (among others); she argues that many women experience their sexuality as fluid rather than fixed. In her postscript, she criticizes the androcentrism of some of the recent etiological research and discusses how attitudes toward female homosexuality have changed on college campuses since the mid-1980s. Finally, in chapter 13, Frederick Suppe criticizes sexual orientation research more generally—first, because it treats sexual orientation as if it were monolithic rather than multifaceted, and second, because the research does not have the marks of a legitimate scientific project. Suppe's chapter includes a useful discussion of the various components of sexual orientation.

An important thing to remember throughout part II is that scientific questions about sexual orientation must be resolved by scientific inquiry, not by political debates or by isolated personal testimony (even while one recognizes the subtle influences of politics and culture on science). Although scientific inquiry can tell us more about who we are as sexual beings, it can also pose certain ethical challenges as well—challenges that scientific data alone cannot answer.

Part III. Identity and History

Science is one way for us to understand ourselves as sexual beings; history is another. One debate that arises in historical studies of homosexuality, and that is sometimes conflated with the nature/nurture debate, is the essentialist/constructionist debate. Although scholars widely disagree about the ongoing significance of this debate, no one denies its prominence in gay and lesbian studies. Thus, a brief explanation—including an explanation of its difference from the scientific debates discussed above—is in order.

Essentialists believe that sexual orientation is an objective, culturally independent property that one can attribute to people irrespective of their particular historical situations. Thus, for example, an essentialist would claim that there were homosexuals and heterosexuals in ancient Greece, even though the ancient Greeks might not have understood themselves in precisely those terms. Constructionists, on the other hand, believe that sexual orientation is a product of culture and that, prior to the modern era, there was no such thing as a “homosexual” or “heterosexual.” The constructionists do not claim, of course, that there were no same-sex desires or same-sex acts before the modern era, but rather that the people who experienced these should not be labeled “homosexuals”—that mode of self-understanding simply did not exist until fairly recently. According to constructionists, the world is no more naturally divided into homosexuals and heterosexuals than the globe is naturally divided into various countries. Rather, culture imposes sexual categories, and different cultures have drawn the lines in different ways.

Many people take the essentialist/constructionist debate to correspond with either the debate on the origins of homosexuality, or the debate on the mutability of homosexuality, or both. Specifically, they take it that all essentialists believe that homosexuality is genetically determined and immutable and that all constructionists believe that homosexuality is learned and mutable. But the essentialist is not committed to either the innateness or the immutability of homosexuality, and the constructionist is at least not committed to its mutability. (In what follows, I am indebted to Edward Stein’s careful discussion of these matters in his book *Forms of Desire*.)

Take first the essentialist. The essentialist merely holds that there is some culturally independent characteristic or set of characteristics that qualifies someone as homosexual, apart from cultural surroundings. He or she may simultaneously (and consistently) hold that the characteristic is acquired rather than innate and, furthermore, that it is mutable rather than immutable. What makes this person an essentialist is simply the claim that the characteristic is culturally independent.