

Why Shouldn't Tommy and Jim Have Sex?

A Defense of Homosexuality

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John Corvino, the editor of this volume and a frequent lecturer on homosexuality, defends homosexual relationships against three main objections: that they are unnatural, that they are harmful, and that they violate biblical teaching. Corvino examines several common arguments behind each objection and argues that none overcome the main point in favor of homosexual relationships: namely, that they promote the happiness and well-being of those who engage in them (and thus, the community at large).

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Tommy and Jim are a homosexual couple I know. Tommy is an accountant; Jim is a botany professor. They are in their forties and have been together fourteen years, the last five of which they've lived in a Victorian house that they've lovingly restored. Although their relationship has had its challenges, each has made sacrifices for the sake of the other's happiness and the relationship's long-term success.

I assume that Tommy and Jim have sex with each other (although I've

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never bothered to ask). Furthermore, I contend that they probably *should* have sex with each other. For one thing, sex is pleasurable. But it is also much more than that: a sexual relationship can unite two people in a way that virtually nothing else can. It can be an avenue of growth, of communication, and of lasting interpersonal fulfillment. These are reasons why most heterosexual couples have sex even if they don't want children, don't want children yet, or don't want additional children. And if these reasons are good enough for most heterosexual couples, then they should be good enough for Tommy and Jim.

Of course, having a reason to do something does not preclude there being an even better reason for not doing it. Tommy might have a good reason for drinking orange juice (it's tasty and nutritious) but an even better reason for not doing so (he's allergic). The point is that one would need a pretty good reason for denying a sexual relationship to Tommy and Jim, given the intense benefits widely associated with such relationships. The question I shall consider in this paper is thus quite simple: Why shouldn't Tommy and Jim have sex?¹

Homosexual Sex Is “Unnatural”

Many contend that homosexual sex is “unnatural.” But what does that mean? Many things that people value—clothing, houses, medicine, and government, for example—are unnatural in some sense. On the other hand, many things that people detest—disease, suffering, and death, for example—are “natural” in the sense that they occur “in nature.” If the unnaturalness charge is to be more than empty rhetorical flourish, those who levy it must specify what they mean. Borrowing from Burton Leiser, I will examine several possible meanings of “unnatural.”²

What Is Unusual or Abnormal Is Unnatural

One meaning of “unnatural” refers to that which deviates from the norm, that is, from what most people do. Obviously, most people engage in heterosexual relationships. But does it follow that it is wrong to engage in homosexual relationships? Relatively few people read Sanskrit, pilot ships, play the mandolin, breed goats, or write with both hands, yet none of these activities is immoral simply because it is unusual. As the Ramsey Colloquium, a group of Jewish and Christian scholars who oppose homosexuality, writes, “The statistical frequency of an act does not determine its moral status.”³ So while homosexuality might be unnatural in the sense of being unusual, that fact is morally irrelevant.

What Is Not Practiced by Other Animals Is Unnatural

Some people argue, “Even animals know better than to behave homosexually; homosexuality must be wrong.” This argument is doubly flawed. First, it rests on a false premise. Numerous studies—including Anne Perkins's study of “gay” sheep and George and Molly Hunt's study of “lesbian” seagulls—have shown that some animals do form homosexual pair-bonds.⁴ Second, even if animals did not behave homosexually, that fact would not prove that homosexuality is immoral. After all, animals don't cook their food, brush their teeth, participate in religious worship, or attend college; human beings do all of these without moral censure. Indeed, the idea that animals could provide us with our standards—especially our sexual standards—is simply amusing.

What Does Not Proceed from Innate Desires Is Unnatural

Recent studies suggesting a biological basis for homosexuality have resulted in two popular positions. One side proposes that homosexual people are “born that way” and that it is therefore natural (and thus good) for them to form homosexual relationships. The other side maintains that homosexuality is a lifestyle choice, which is therefore unnatural (and thus wrong). Both sides assume a connection between the origin of homosexual orientation, on the one hand, and the moral value of homosexual activity, on the other. And insofar as they share that assumption, both sides are wrong.

Consider first the pro-homosexual side: “They are born that way; therefore it's natural and good.” This inference assumes that all innate desires are good ones (i.e., that they should be acted upon). But that assumption is clearly false. Research suggests that some people are born with a predisposition toward violence, but such people have no more right to strangle their neighbors than anyone else. So while people like Tommy and Jim may be born with homosexual tendencies, it doesn't follow that they ought to act on them. Nor does it follow that they ought *not* to act on them, even if the tendencies are not innate. I probably do not have any innate tendency to write with my left hand (since I, like everyone else in my family, have always been right-handed), but it doesn't follow that it would be immoral for me to do so. So simply asserting that homosexuality is a lifestyle choice will not show that it is an immoral lifestyle choice.

Do people “choose” to be homosexual? People certainly don't seem to choose their sexual *feelings*, at least not in any direct or obvious way. (Do you? Think about it.) Rather, they find certain people attractive and certain activities arousing, whether they “decide” to or not. Indeed, most people at some point in their lives wish that they could control their feelings

more—for example, in situations of unrequited love—and find it frustrating that they cannot. What they *can* control to a considerable degree is how and when they act upon those feelings. In that sense, both homosexuality and heterosexuality involve lifestyle choices. But in either case, determining the origin of the feelings will not determine whether it is moral to act on them.

What Violates an Organ's Principal Purpose Is Unnatural

Perhaps when people claim that homosexual sex is unnatural they mean that it cannot result in procreation. The idea behind the argument is that human organs have various natural purposes: eyes are for seeing, ears are for hearing, genitals are for procreating. According to this argument, it is immoral to use an organ in a way that violates its particular purpose.

Many of our organs, however, have multiple purposes. Tommy can use his mouth for talking, eating, breathing, licking stamps, chewing gum, kissing women, or kissing Jim; and it seems rather arbitrary to claim that all but the last use are “natural.”⁵ (And if we say that some of the other uses are “unnatural, but not immoral,” we have failed to specify a morally relevant sense of the term “natural.”)

Just because people can and do use their sexual organs to procreate, it does not follow that they should not use them for other purposes. Sexual organs seem very well suited for expressing love, for giving and receiving pleasure, and for celebrating, replenishing, and enhancing a relationship—even when procreation is not a factor. Unless opponents of homosexuality are prepared to condemn heterosexual couples who use contraception or individuals who masturbate, they must abandon this version of the unnaturalness argument. Indeed, even the Roman Catholic Church, which forbids contraception and masturbation, approves of sex for sterile couples and of sex during pregnancy, neither of which can lead to procreation. The Church concedes here that intimacy and pleasure are morally legitimate purposes for sex, even in cases where procreation is impossible. But since homosexual sex can achieve these purposes as well, it is inconsistent for the Church to condemn it on the grounds that it is not procreative.

One might object that sterile heterosexual couples do not *intentionally* turn away from procreation, whereas homosexual couples do. But this distinction doesn't hold. It is no more possible for Tommy to procreate with a woman whose uterus has been removed than it is for him to procreate with Jim.⁶ By having sex with either one, he is intentionally engaging in a nonprocreative sexual act.

Yet one might press the objection further and insist that Tommy and

the woman *could* produce children if the woman were fertile: whereas homosexual relationships are essentially infertile, heterosexual relationships are only incidentally so. But what does that prove? Granted, it might require less of a miracle for a woman without a uterus to become pregnant than for Jim to become pregnant, but it would require a miracle nonetheless. Thus it seems that the real difference here is not that one couple is fertile and the other not, nor that one couple “could” be fertile (with the help of a miracle) and the other not, but rather that one couple is male-female and the other male-male. In other words, sex between Tommy and Jim is wrong because it's male-male—i.e., because it's homosexual. But that, of course, is no argument at all.⁷

What Is Disgusting or Offensive Is Unnatural

It often seems that when people call homosexuality “unnatural” they really just mean that it's disgusting. But plenty of morally neutral activities—handling snakes, eating snails, performing autopsies, cleaning toilets, and so on—disgust people. Indeed, for centuries, most people found interracial relationships disgusting, yet that feeling—which has by no means disappeared—hardly proves that such relationships are wrong. In sum, the charge that homosexuality is unnatural, at least in its most common forms, is longer on rhetorical flourish than on philosophical cogency. At best it expresses an aesthetic judgment, not a moral judgment.

Homosexual Sex Is Harmful

One might instead argue that homosexuality is harmful. The Ramsey Colloquium, for instance, argues that homosexuality leads to the breakdown of the family and, ultimately, of human society, and it points to the “alarming rates of sexual promiscuity, depression, and suicide and the ominous presence of AIDS within the homosexual subculture.”⁸ Thomas Schmidt marshals copious statistics to show that homosexual activity undermines physical and psychological health.⁹ Such charges, if correct, would seem to provide strong evidence against homosexuality. But are the charges correct? And do they prove what they purport to prove?

One obvious (and obviously problematic) way to answer the first question is to ask people like Tommy and Jim. It would appear that no one is in a better position to judge the homosexual lifestyle than those who know it firsthand. Yet it is unlikely that critics would trust their testimony. Indeed, the more homosexual people try to explain their lives, the more critics accuse them of deceitfully promoting an agenda. (It's like trying to prove

that you're not crazy. The more you object, the more people think, "That's exactly what a crazy person would say.")

One might instead turn to statistics. An obvious problem with this tack is that both sides of the debate bring forth extensive statistics and "expert" testimony, leaving the average observer confused. There is a more subtle problem as well. Because of widespread antigay sentiment, many homosexual people won't acknowledge their romantic feelings to themselves, much less to researchers.¹⁰ I have known a number of gay men who did not "come out" until their forties and fifties, and no amount of professional competence on the part of interviewers would have been likely to open their closets sooner. Such problems compound the usual difficulties of finding representative population samples for statistical study.

Yet even if the statistical claims of gay rights opponents were true, they would not prove what they purport to prove, for several reasons. First, as any good statistician realizes, correlation does not equal cause. Even if homosexual people were more likely to commit suicide, be promiscuous, or contract AIDS than the general population, it would not follow that their homosexuality causes them to do these things. An alternative—and very plausible—explanation is that these phenomena, like the disproportionately high crime rates among African Americans, are at least partly a function of society's treatment of the group in question. Suppose you were told from a very early age that the romantic feelings that you experienced were sick, unnatural, and disgusting. Suppose further that expressing these feelings put you at risk of social ostracism or, worse yet, physical violence. Is it not plausible that you would, for instance, be more inclined to depression than you would be without such obstacles? And that such depression could, in its extreme forms, lead to suicide or other self-destructive behaviors? (It is indeed remarkable that couples like Tommy and Jim continue to flourish in the face of such obstacles.)

A similar explanation can be given for the alleged promiscuity of homosexuals.¹¹ The denial of legal marriage, the pressure to remain in the closet, and the overt hostility toward homosexual relationships are all more conducive to transient, clandestine encounters than they are to long-term unions. As a result, that which is challenging enough for heterosexual couples—settling down and building a life together—becomes far more challenging for homosexual couples.

Indeed, there is an interesting tension in the critics' position here. Opponents of homosexuality commonly claim that "marriage and the family . . . are fragile institutions in need of careful and continuing support."¹² And they point to the increasing prevalence of divorce and premarital sex among heterosexuals as evidence that such support is declining. Yet they

refuse to concede that the complete absence of similar support for homosexual relationships might explain many of the alleged problems of homosexuals. The critics can't have it both ways: if heterosexual marriages are in trouble despite the various social, economic, and legal incentives for keeping them together, society should be little surprised that homosexual relationships—which not only lack such supports, but face overt hostility—are difficult to maintain.

One might object that if social ostracism were the main cause of homosexual people's problems, then homosexual people in more "tolerant" cities like New York and San Francisco should exhibit fewer such problems than their small-town counterparts; yet statistics do not seem to bear this out. This objection underestimates the extent of antigay sentiment in our society. By the time many gay and lesbian people move to urban centers, they have already been exposed to (and may have internalized) considerable hostility toward homosexuality. Moreover, the visibility of homosexuality in urban centers makes gay and lesbian people there more vulnerable to attack (and thus more likely to exhibit certain difficulties). Finally, note that urbanites *in general* (not just homosexual urbanites) tend to exhibit higher rates of promiscuity, depression, and sexually transmitted disease than the rest of the population.

But what about AIDS? Opponents of homosexuality sometimes claim that even if homosexual sex is not, strictly speaking, immoral, it is still a bad idea, since it puts people at risk for AIDS and other sexually transmitted diseases. But that claim is misleading: it is infinitely more risky for Tommy to have sex with a woman who is HIV-positive than with Jim, who is HIV-negative. Obviously, it's not homosexuality that's harmful, it's the virus; and the virus may be carried by both heterosexual and homosexual people.

Now it may be true (in the United States, at least) that homosexual males are statistically more likely to carry the virus than heterosexual females and thus that homosexual sex is *statistically* more risky than heterosexual sex (in cases where the partner's HIV status is unknown). But opponents of homosexuality need something stronger than this statistical claim. For if it is wrong for men to have sex with men because their doing so puts them at a higher AIDS risk than heterosexual sex, then it is also wrong for women to have sex with men because their doing so puts them at a higher AIDS risk than homosexual sex (lesbians as a group have the lowest incidence of AIDS). Purely from the standpoint of AIDS risk, women ought to prefer lesbian sex.

If this response seems silly, it is because there is obviously more to choosing a romantic or sexual partner than determining AIDS risk. And a major

part of the decision, one that opponents of homosexuality consistently overlook, is considering whether one can have a mutually fulfilling relationship with the partner. For many people like Tommy and Jim, such fulfillment—which most heterosexuals recognize to be an important component of human flourishing—is only possible with members of the same sex.

Of course, the foregoing argument hinges on the claim that homosexual sex can only cause harm indirectly. Some would object that there are certain activities—anal sex, for instance—that for anatomical reasons are intrinsically harmful. But an argument against anal intercourse is by no means tantamount to an argument against homosexuality: neither all nor only homosexuals engage in anal sex. There are plenty of other things for both gay men and lesbians to do in bed. Indeed, for women, it appears that the most common forms of homosexual activity may be *less* risky than penile-vaginal intercourse, since the latter has been linked to cervical cancer.¹⁵

In sum, there is nothing *inherently* risky about sex between persons of the same gender. It is only risky under certain conditions: for instance, if they exchange diseased bodily fluids or if they engage in certain “rough” forms of sex that could cause tearing of delicate tissue. Heterosexual sex is equally risky under such conditions. Thus, even if statistical claims like those of Schmidt and the Ramsey Colloquium were true, they would not prove that homosexuality is immoral. At best, they would prove that homosexual people—like everyone else—ought to take great care when deciding to become sexually active.

Of course, there’s more to a flourishing life than avoiding harm. One might argue that even if Tommy and Jim are not harming each other by their relationship, they are still failing to achieve the higher level of fulfillment possible in a heterosexual relationship, which is rooted in the complementarity of male and female. But this argument just ignores the facts: Tommy and Jim are homosexual *precisely because* they find relationships with men (and, in particular, with each other) more fulfilling than relationships with women. Even evangelicals (who have long advocated “faith healing” for homosexuals) are beginning to acknowledge that the choice for most homosexual people is not between homosexual relationships and heterosexual relationships, but rather between homosexual relationships and celibacy.¹⁴ What the critics need to show, therefore, is that no matter how loving, committed, mutual, generous, and fulfilling the relationship may be, Tommy and Jim would flourish more if they were celibate. Given the evidence of their lives (and of others like them), this is a formidable task indeed.

Thus far I have focused on the allegation that homosexuality harms those who engage in it. But what about the allegation that homosexuality harms other, nonconsenting parties? Here I will briefly consider two claims: that homosexuality threatens children and that it threatens society.

Those who argue that homosexuality threatens children may mean one of two things. First, they may mean that homosexual people are child molesters. Statistically, the vast majority of reported cases of child sexual abuse involve young girls and their fathers, stepfathers, or other familiar (and presumably heterosexual) adult males.¹⁵ But opponents of homosexuality argue that when one adjusts for relative percentage in the population, homosexual males appear more likely than heterosexual males¹ to be child molesters. As I argued above, the problems with obtaining reliable statistics on homosexuality render such calculations difficult. Fortunately, they are also unnecessary.

Child abuse is a terrible thing. But when a heterosexual boy¹⁶ molests a child (or rapes a woman or commits assault), the act does not reflect upon all heterosexuals. Similarly, when a homosexual male molests a child, there is no reason why that act should reflect upon all homosexuals. Sex with adults of the same sex is one thing; sex with *children* of the same sex is quite another. Conflating the two not only slanders innocent people, it also misdirects resources intended to protect children. Furthermore, many men convicted of molesting young boys are sexually attracted to adult women and report no attraction to adult men.¹⁶ To call such men “homosexual,” or even “bisexual,” is probably to stretch such terms too far.¹⁷

Alternatively, those who charge that homosexuality threatens children might mean that the increasing visibility of homosexual relationships makes children more likely to become homosexual. The argument for this view is patently circular. One cannot prove that doing *X* is bad by arguing that it causes other people to do *X*, which is bad. One must first establish independently that *X* is bad. That said, there is not a shred of evidence to demonstrate that exposure to homosexuality leads children to become homosexual.

But doesn't homosexuality threaten society? A Roman Catholic priest once put the argument to me as follows: “Of course homosexuality is bad for society. If everyone were homosexual, there would be no society.” Perhaps it is true that if everyone were homosexual, there would be no society. But if everyone were a celibate priest, society would collapse just as surely, and my friend the priest didn't seem to think that he was doing anything wrong simply by failing to procreate. Jeremy Bentham made the point somewhat more acerbically roughly 200 years ago: “If then merely out of

regard to population it were right that [homosexuals] should be burnt alive, monks ought to be roasted alive by a slow fire."¹⁸

From the fact that the continuation of society requires procreation, it does not follow that *everyone* must procreate. Moreover, even if such an obligation existed, it would not preclude homosexuality. At best, it would preclude *exclusive* homosexuality: homosexual people who occasionally have heterosexual sex can procreate just fine. And given artificial insemination, even those who are exclusively homosexual can procreate. In short, the priest's claim—if everyone were homosexual, there would be no society—is false; and even if it were true, it would not establish that homosexuality is immoral.

The Ramsey Colloquium commits a similar fallacy.¹⁹ Noting (correctly) that heterosexual marriage promotes the continuation of human life, it then infers that homosexuality is immoral because it fails to accomplish the same.²⁰ But from the fact that procreation is good, it does not follow that childlessness is bad—a point that the members of the colloquium, several of whom are Roman Catholic priests, should readily concede.

I have argued that Tommy and Jim's sexual relationship harms neither them nor society. On the contrary, it benefits both. It benefits them because it makes them happier—not merely in a short-term, hedonistic sense, but in a long-term, “big picture” sort of way. And, in turn, it benefits society, since it makes Tommy and Jim more stable, more productive, and more generous than they would otherwise be. In short, their relationship—including its sexual component—provides the same kinds of benefits that infertile heterosexual relationships provide (and perhaps other benefits as well). Nor should we fear that accepting their relationship and others like it will cause people to flee in droves from the institution of heterosexual marriage. After all, as Thomas Williams points out, the usual response to a gay person is not “How come *he* gets to be gay and I don't?”²¹

Homosexuality Violates Biblical Teaching

At this point in the discussion, many people turn to religion. “If the secular arguments fail to prove that homosexuality is wrong,” they say, “so much the worse for secular ethics. This failure only proves that we need God for morality.” Since people often justify their moral beliefs by appeal to religion, I will briefly consider the biblical position.

At first glance, the Bible's condemnation of homosexual activity seems unequivocal. Consider, for example, the following two passages, one from the “Old” Testament and one from the “New”:²²

You shall not lie with a male as with a woman; it is an abomination. (Lev. 18:22)

For this reason God gave them up to degrading passions. Their women exchanged natural intercourse for unnatural, and in the same way also the men, giving up natural intercourse with women, were consumed with passion for one another. Men committed shameless acts with men and received in their own persons the due penalty for their error. (Rom. 1:26–27)

Note, however, that these passages are surrounded by other passages that relatively few people consider binding. For example, Leviticus also declares,

The pig . . . is unclean for you. Of their flesh you shall not eat, and their carcasses you shall not touch; they are unclean for you. (11:7–8)

Taken literally, this passage not only prohibits eating pork, but also playing football, since footballs are made of pigskin. (Can you believe that the University of Notre Dame so flagrantly violates Levitical teaching?)

Similarly, St. Paul, author of the Romans passage, also writes, “Slave obey your earthly masters with fear and trembling, in singleness of heart as you obey Christ” (Eph. 6:5)—morally problematic advice if there ever were any. Should we interpret this passage (as Southern plantation owners once did) as implying that it is immoral for slaves to escape? After all, God himself says in Leviticus,

[Y]ou may acquire male and female slaves . . . from among the aliens residing with you, and from their families that are with you, who have been born in your land; and they may be your property. You may keep them as a possession for your children after you, for them to inherit as property. (25:44–46)

How can people maintain the inerrancy of the Bible in light of such passages? The answer, I think, is that they learn to interpret the passages *their historical context*.

Consider the Bible's position on usury, the lending of money for interest (for *any* interest, not just excessive interest). The Bible condemns this practice in no uncertain terms. In Exodus God says that “if you lend money my people, to the poor among you you shall not exact interest from them

(22:25). Psalm 15 says that those who lend at interest may not abide in the Lord's tent or dwell on his holy hill (1–5). Ezekiel calls usury “abominable”; compares it to adultery, robbery, idolatry, and bribery; and states that anyone who “takes advanced or accrued interest . . . shall surely die; his blood shall be upon himself” (18:13).²³

Should believers therefore close their savings accounts? Not necessarily. According to orthodox Christian teaching, the biblical prohibition against usury no longer applies. The reason is that economic conditions have changed substantially since biblical times, such that usury no longer has the same negative consequences it had when the prohibitions were issued. Thus, the practice that was condemned by the Bible differs from contemporary interest banking in morally relevant ways.²⁴

Yet are we not in a similar position regarding homosexuality? Virtually all scholars agree that homosexual relations during biblical times were vastly different from relationships like Tommy and Jim's. Often such relations were integral to pagan practices. In Greek society, they typically involved older men and younger boys. If those are the kinds of features that the biblical authors had in mind when they issued their condemnations, and such features are no longer typical, then the biblical condemnations no longer apply. As with usury, substantial changes in cultural context have altered the meaning and consequences—and thus the moral value—of the practice in question. Put another way, using the Bible's condemnations of homosexuality against contemporary homosexuality is like using its condemnations of usury against contemporary banking.

Let me be clear about what I am *not* claiming here. First, I am not claiming that the Bible has been wrong before and therefore may be wrong this time. The Bible may indeed be wrong on some matters, but for the purpose of this argument I am assuming its infallibility. Nor am I claiming that the Bible's age renders it entirely inapplicable to today's issues. Rather, I am claiming that when we do apply it, *we must pay attention to morally relevant cultural differences between biblical times and today*. Such attention will help us distinguish between specific time-bound prohibitions (for example, laws against usury or homosexual relations) and the enduring moral values they represent (for example, generosity or respect for persons). And as the above argument shows, my claim is not very controversial. Indeed, to deny it is to commit oneself to some rather strange views on slavery, usury, women's roles, astronomy, evolution, and the like.

Here, one might also make an appeal to religious pluralism. Given the wide variety of religious beliefs (e.g., the Muslim belief that women should cover their faces, the Orthodox Jewish belief against working on Saturday, the Hindu belief that cows are sacred and should not be eaten), each of us

inevitably violates the religious beliefs of others. But we normally don't view such violations as occasions for moral censure, since we distinguish between beliefs that depend on particular revelations and beliefs that can be justified independently (e.g., that stealing is wrong). Without an independent justification for condemning homosexuality, the best one can say is, “My religion says so.” But in a society that cherishes religious freedom, that reason alone does not normally provide grounds for moral or legal sanctions. That people still fall back on that reason in discussions of homosexuality suggests that they may not have much of a case otherwise.

Conclusion

As a last resort, opponents of homosexuality typically change the subject: “But what about incest, polygamy, and bestiality? If we accept Tommy and Jim's sexual relationship, why shouldn't we accept those as well?” Opponents of interracial marriage used a similar slippery-slope argument in the 1960s when the Supreme Court struck down antimiscegenation laws.²⁵ It was a bad argument then, and it is a bad argument now.

Just because there are no good reasons to oppose interracial or homosexual relationships, it does not follow that there are no good reasons to oppose incestuous, polygamous, or bestial relationships. One might argue, for instance, that incestuous relationships threaten delicate familial bonds, or that polygamous relationships result in unhealthy jealousies (and sexism), or that bestial relationships—do I need to say it?—aren't really “relationships” at all, at least not in the sense we've been discussing.²⁶ Perhaps even better arguments could be offered (given much more space than I have here). The point is that there is no logical connection between homosexuality, on the one hand, and incest, polygamy, and bestiality, on the other.

Why, then, do critics continue to push this objection? Perhaps it's because accepting homosexuality requires them to give up one of their favorite arguments: “It's wrong because we've always been taught that it's wrong.” This argument—call it the argument from tradition—has an obvious appeal: people reasonably favor tried-and-true ideas over unfamiliar ones, and they recognize the foolishness of trying to invent morality from scratch. But the argument from tradition is also a dangerous argument, as any honest look at history will reveal.

I conclude that Tommy and Jim's relationship, far from being a moral abomination, is exactly what it appears to be to those who know them: a morally positive influence on their lives and on others. Accepting this

conclusion takes courage, since it entails that our moral traditions are fallible. But when these traditions interfere with people's happiness for no sound reason, they defeat what is arguably the very point of morality: promoting individual and communal well-being. To put the argument simply, Tommy and Jim's relationship makes them better people. And that's not just good for Tommy and Jim: that's good for everyone.

Notes

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Chapter 1: Corvino, “Tommy and Jim”

1. Although my central example in the paper is a gay male couple, much of what I say will apply *mutatis mutandis* to lesbians as well, since many of the same arguments are used against them. This is not to say gay male sexuality and lesbian sexuality are largely similar or that discussions of the former will cover all that needs to be said about the latter. Furthermore, the fact that I focus on a long-term, committed relationship should not be taken to imply any judgment about homosexual activity outside of such unions. If the argument of this paper is successful, then the evaluation of homosexual activity outside of committed unions should be largely (if not entirely) similar to the evaluation of *heterosexual* activity outside of committed unions.

2. Burton M. Leiser, *Liberty, Justice, and Morals: Contemporary Value Conflicts* (New York: Macmillan, 1986), 51–57.

3. The Ramsey Colloquium, “The Homosexual Movement,” *First Things* (March 1994), 15–20.

4. For an overview of some of these studies, see Simon LeVay, *Queer Science* (Boston: MIT Press, 1996), chap. 10.

5. I have borrowed some items in this list from Richard Mohr’s pioneering work *Gays/Justice* (New York: Columbia University Press, 1988), 36.

6. I am indebted to Andrew Koppelman and Stephen Macedo for helpful discussions on this point. See Andrew Koppelman’s argument in chapter 4 of this volume, and Stephen Macedo’s article “Homosexuality and the Conservative Mind,” *Georgetown Law Journal* 84, no. 2 (1995), 261, 276.

7. For a fuller explication of this type of natural law argument, see John Finnis, “Law, Morality, and ‘Sexual Orientation,’” *Notre Dame Law Review* 69, no. 5 (1994), 1049–76; revised, shortened, and reprinted in chapter 3 of this volume. For a cogent and well-developed re-

sponse, see chapter 4, and Stephen Macedo, "Homosexuality and the Conservative Mind," *Georgetown Law Journal* 84, no. 2 (1995), 261–300.

8. The Ramsey Colloquium, "Homosexual Movement," 19.

9. Thomas Schmidt, "The Price of Love" in *Straight and Narrow? Compassion and Clarity in the Homosexuality Debate* (Downers Grove, IL: InterVarsity Press, 1995), chap. 6.

10. Both the American Psychological Association and the American Public Health Association have conceded this point: "Reliable data on the incidence of homosexual orientation are difficult to obtain due to the criminal penalties and social stigma attached to homosexual behavior and the consequent difficulty of obtaining representative samples of people to study" (*Amici Curiae* Brief in *Bowers v. Hardwick*, Supreme Court No. 85–140 [October Term 1985]).

11. It is worth noting that allegations of promiscuity are probably exaggerated. The study most commonly cited to prove homosexual male promiscuity, the Bell and Weinberg study, took place in 1978, in an urban center (San Francisco), at the height of the sexual revolution—hardly a broad sample. See Alan P. Bell and Martin S. Weinberg, *Homosexualities* (New York: Simon & Schuster, 1978). The far more recent and extensive University of Chicago study agreed that homosexual and bisexual people "have higher average numbers of partners than the rest of the sexually active people in the study," but it concluded that the differences in the mean number of partners "do not appear very large." See Edward O. Laumann et al., *The Social Organization of Sexuality: Sexual Practices in the United States* (Chicago: University of Chicago Press, 1994), 314, 316. I am grateful to Andrew Koppelman for drawing my attention to the Chicago study.

12. The Ramsey Colloquium, "Homosexual Movement," 19.

13. See S. R. Johnson, E. M. Smith, and S. M. Guenther, "Comparison of Gynecological Health Care Problems between Lesbian and Bisexual Women," *Journal of Reproductive Medicine* 32 (1987), 805–811.

14. See, for example, Stanton L. Jones, "The Loving Opposition," *Christianity Today* 37 no. 8 (July 19, 1993).

15. See Danya Glaser and Stephen Frosh, *Child Sexual Abuse*, 2nd ed. (Houndmills, England: Macmillan, 1993), 13–17; and Kathleen Coulbourn Faller, *Understanding Child Sexual Maltreatment* (Newbury Park, CA: Sage, 1990), 16–20.

16. See Frank G. Bolton Jr., Larry A. Morris, and Ann E. MacEachron, *Males at Risk: The Other Side of Child Sexual Abuse* (Newbury Park, CA: Sage, 1989), 61.

17. Part of the problem here arises from the grossly simplistic categorization of people into two (or, at best, three) sexual orientations: heterosexual, homosexual, and bisexual. Clearly, there is great variety within (and beyond) these categories. See Frederick Suppe, "Explaining Homosexuality: Philosophical Issues, and Who Cares Anyway?" in Timothy F. Murphy, ed., *Gay Ethics: Controversies in Outing, Civil Rights, and Sexual Science* (New York: Harrington Park Press, 1994), esp. 223–268, published simultaneously in the *Journal of Homosexuality* 27, nos. 3–4: 223–268.

18. "An Essay on 'Paederasty,'" in Robert Baker and Frederick Elliston, eds., *The Philosophy of Sex* (Buffalo, NY: Prometheus, 1984), 360–361. Bentham uses the word "paederast" where we would use the term "homosexual"; the latter term was not coined until 1869, and the term "heterosexual" was coined a few years after that. Today, "paederasty" refers to sex between men and boys—a different phenomenon from the one Bentham was addressing.

19. The Ramsey Colloquium, "Homosexual Movement," 17–18.

20. The argument is a classic example of the fallacy of denying the antecedent: if *X* promotes procreation, then *X* is good; *X* does not promote procreation, therefore *X* is not good.

Compare: if *X* is president, then *X* lives in the White House; Chelsea Clinton is not president, therefore Chelsea Clinton does not live in the White House.

21. Actually, Williams makes the point with regard to celibacy, while making an analogy between celibacy and homosexuality. See chapter 6 of this volume.

22. All biblical quotations are from the New Revised Standard Version.

23. See also Deut. 23:19, Lev. 25:35–37, Neh. 5:7–10, Jer. 15:10, Ezek. 22:12, and Luke 6:35. For a fuller explication of the analogy between homosexuality and usury, see John Corvino, "The Bible Condemned Usurers, Too," *Harvard Gay and Lesbian Review* 3, no. 4 (Fall 1996): 11–12.

24. See Richard P. McBrien, *Catholicism*, study ed. (San Francisco: Harper & Row, 1981), 1020.

25. *Loving v. Virginia*, 388 U.S. 1967.

26. One might object here that I am equivocating on the term "relationship," since throughout the paper I have been discussing acts, not relationships. But I maintain that Tommy and Jim's sexual act is *relational* in a way that Tommy and Fido's simply could not be. Even apart from their love for each other, Tommy and Jim have capacities for mutual communication and respect that Tommy and Fido simply do not have. Thus, one can approve of Tommy and Jim's sexual act without implying anything about Tommy and Fido's (possible) sexual acts: the two are fundamentally different.

Chapter 2: Bradshaw, "A Reply to Corvino"

1. Many of the contributors to this volume do so. See also Jeffrey Satinover, *Homosexuality and the Politics of Truth* (Grand Rapids, MI: Baker Books, 1996). Much of this work could be read as a point-by-point rebuttal of the section of Corvino's essay dealing with harm. To take only a single example, Corvino cites the University of Chicago study as evidence that promiscuity among homosexuals is not as great as widely believed (note 11). But, as Satinover observes, this study was meant to be a representative sampling of the entire population and therefore included only a relatively small number of homosexuals. Other studies involving larger numbers of homosexuals have continued to show high rates of promiscuity.

2. I ignore an argument popular in antiquity to the effect that homosexual acts both manifest and intensify a sort of character defect. See chapter 3 by John Finnis in this volume; cf. Ramsay MacMullen, "Greek Attitudes to Roman Love," *Historia* 27 (1982): 484–502.

3. See A. Swidler, ed., *Homosexuality and World Religions* (Valley Forge, PA: Trinity Press, 1993).

4. See the exchange between Daniel A. Helminiak and Thomas E. Schmidt in chapters 7 and 8 of this volume.

5. I am aware, of course, that revisionists claim that the sin of the Sodomites was inhospitality. See Thomas Schmidt, *Straight and Narrow? Compassion and Clarity in the Homosexuality Debate* (Downers Grove, IL: InterVarsity Press, 1995), 86–89 for a decisive refutation.

6. See Schmidt, *Straight and Narrow?*, chapter 3.

7. Michael Grant, *The Twelve Caesars* (New York: Charles Scribner's Sons, 1975), 244.

8. C. S. Lewis, *Perelandra* (New York: Macmillan, 1965)

9. Lewis, *Perelandra*, 108–109.

10. Lewis, *Perelandra*, 110.

11. Diogenes Laertius, *Lives of the Eminent Philosophers*, ed. R. D. Hicks (Cambridge, MA: Harvard University Press, 1925) vii.123.

12. Cf. Eph. 4:25, "we are members [*mele*, literally 'limbs'] one of another."