Alasdair MacIntyre as Help for Rethinking Catholic Natural Law Estimates of Same-Sex Life Partnerships

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Abstract

Christian ethics struggles to articulate a method for thinking about homosexuality and the sexual acts of same-sex oriented persons. In 1988, Hanigan suggested a promising "social import" approach and then judged homosexual acts deficient. MacIntyre's *Dependent Rational Animals* (1999) articulates a fuller social import approach to morality. Although he does not address homosexuality, MacIntyre rejects narrow understandings of family and of "disinterested friendship": we need "communal relations that engage our affections" to grow in "the virtues of acknowledged dependence." How do gay people grow in these virtues? What if Hanigan got the method right, but the evaluation wrong?

Introduction

Do homosexuality and homosexual sex prove that what Stephen Pope recently referred to as a "wall between natural law theory and narrative ethics" is permanent and impassable? Catholicism's natural law proscriptions and the narratives of homosexual persons, it would seem, have no possibility of meeting. Against such a thesis this paper argues that in his latest book Alasdair MacIntyre provides a rationale for why the Catholic Church, precisely because it is committed to natural law thinking, must re-think homosexuality.

Before I introduce my main argument that MacIntyre's recent work should lead to deepened Catholic natural law thinking about homosexuality, I briefly lay out a commonly accepted, and I think wrong, view that has set natural law and narrative approaches to ethical thinking in opposition. Here, in its baldest form, is the opposition that is often set up between narrative and natural law moralities: natural law is "an impersonal system of law applied abstractly to the individual [while narrative ethics prizes] a consideration of the person and his or her acts as the moral standard."2

According to this view, natural law theories "typically propose some set of basic principles as definitive of the moral law. Then they propose a method for applying those principles to cases."3 What both proponents and opponents of Catholicism's evaluation of homosexuality seem to agree on is that natural law thinking leads almost inexorably to the rejection of homosexuality. The 1994 English edition of The Catechism of the Catholic Church summarizes such a natural law approach to homosexuality:

(T)radition has always declared that "homosexual acts are intrinsically disordered." They are contrary to the natural law . . . . The number of men and women who have deep-seated homosexual tendencies is not negligible. They do not choose their homosexual condition; for most of them it is a trial . . . . Homosexual persons are called to chastity. By the virtues of self-mastery that teach them inner freedom, at times by the support of disinterested friendship, by prayer and sacramental grace, they can and should gradually and resolutely approach Christian perfection.4

Natural law moralities, it would seem, exhibit compassion for homosexual persons but can never accept homosexual sex.

On the other side of the wall there are narrative approaches to ethics. In his own earlier writing, MacIntyre proposed narrative as the best alternative to what he called, first, the "social conservatism" and, then later, the "metaphysical biology" of natural law thinking influenced by Aristotle.5 In his 1981 work After Virtue, MacIntyre proposed that "... all attempts to elucidate the notion of personal identity independently of and in isolation from the notions of narrative, intelligibility and accountability are bound to fail . . . . What is better or worse for X depends upon the character of that intelligible narrative which provides X's life with its unity."6

MacIntyre's emphasis on "narrative unity" was then taken up by gay writers. Gay Catholic Andrew Sullivan is a case in point. He wrote that, for homosexual persons, Catholic natural law thinking is "... an unethic, a statement that some people are effectively beneath even the project of an ethical teaching."7 Sullivan even over-optimistically extended his argument by saying that the narratives of gay lives had to affect Catholic natural law thinking:
What finally convinced me of the wrongness of the Church's teachings was not that they were intellectually so confused, but that in the circumstances of my own life—and of the lives I discovered around me—they seemed so destructive of human love and self-realization... This truth is not an argument; it is merely an observation. But observations are at the heart... of the Church's traditional Thomist philosophy... (S)uch lives as those of countless gay men and lesbians must ultimately affect the Church not because our lives are perfect, or without contradiction, or without sin, but because our lives are in some sense also the life of the Church.  

But appeals by gay people to the "narrative unity" of their lives have not (yet) affected official Catholic thinking in the way Sullivan hoped. They have had the opposite effect. Against appeals to gay experience, Catholic teaching has invoked natural law thinking to reiterate, even to strengthen, its rejection of homosexual sex. So, when the *Catechism* was given final form in 1997, Rome added the following italicized phrase into the text of its earlier rejection of homosexual sex: "This inclination, which is objectively disordered, constitutes for most of them a trial."  

Now Catholic natural law thinking has always made room for the distortion of human experience by original sin. Garry Wills recently summarized the tradition: "... there is something kinky or askew in ordinary human nature."  

Meta- phorically, then, Catholic natural law thinking has always known that there are stumbling stones on the path all human beings must travel to understand their own experience. "Narrative" does not translate easily to "nature" for any human being. But, in the last decade, official Catholicism has claimed more than this for homosexual persons: not only stumbling stones, but an impassable wall separates homosexual persons from their own experience.  

In shoring up its teaching against homosexual sex in this way, official Catholicism is in danger of undermining its own natural law tradition. To construct a wall between narrative and nature is to leave natural law thinking behind. Gregory Baum, in an article on "Homosexuality and the Natural Law," put it this way:  

The natural law tradition (holds)...that human beings are by their God-created nature oriented toward the *bonum*—toward their personal good as well as humanity's common good... Some theologians have insisted that this natural law is discoverable by unaided human reason...while others, more conscious of the confusion sin has produced in the human mind, have proposed that reason needs God's gracious help to discover the inner structure that guides people toward the *bonum*... (But) rejection of natural law is rooted in the conviction...
that the original sin that weighs upon us has damaged the human nature in us and weakened our intelligence so that we inevitably go astray if we presume to follow our own wisdom or our own inclination.\textsuperscript{11}

In short, my introductory argument is that natural law thinking knows there is a stumbling stone between narrative and nature, but it cannot tolerate a wall. I have two aims in this paper. First, I want to contribute to a more general re-thinking of natural law methodologies in morality through the test case of homosexuality. My general point is that Catholic natural law thinking never was intended to be "an impersonal system of law" or "some basic set of principles . . . applied to cases."\textsuperscript{12} A better theological understanding of natural law was given by Walter Kasper:

What is already given and laid upon human freedom as the condition which makes it possible is what we call nature. Nature is God's creation. It is not made by human beings and cannot be made by them. It therefore has its own dignity. It has to be cultivated by human beings, but it must not be manipulated arbitrarily and at will. This suggests that the idea of natural law ought to be creatively renewed.\textsuperscript{13}

My more particular aim here is to contribute to the dismantling of the wall separating natural law and narrative methods of thinking about homosexuality. This essay argues that a "creative renewal of natural law," and not just narrative ethics, requires the Catholic tradition to re-think its position on homosexuality. Specifically, I want to demonstrate that the \textit{Catechism's} labeling of the homosexual inclination as "disordered" coupled to its invitation to homosexual persons to accept the support of "disinterested friendship" and so move "toward Christian perfection" is incoherent.\textsuperscript{14} I will show that the \textit{Catechism's} idea of "disinterested friendship" rests on a mistaken idea of the Stoics; it does not rest on the best of the Catholic tradition of natural law thinking.

In making my particular argument I rely on Alasdair MacIntyre, both substantively and methodologically. Substantively, this paper argues that natural law morality can and should recognize the sanctity of the life partnerships of homosexual persons. I am claiming here that MacIntyre's new book \textit{Dependent Rational Animals} provides exactly what Stephen Pope claims is necessary for an adequate moral assessment of homosexuality, namely "a more precise and comprehensive account of genuine human flourishing."\textsuperscript{15}

Methodologically, I am beginning to do here what MacIntyre said a decade ago one must do if one wishes to argue with a tradition. I am suggesting how we might move beyond the impasse—what MacIntyre called an "epistemological crisis" —in Catholic thinking about homosexuality. MacIntyre says three things must be done to move through such a crisis:
Alasdair MacIntyre lays out above. First, I outline the contribution of MacIntyre’s new book, seeing in it a breakthrough toward an adequate notion of human flourishing. Second, I suggest that the failures of the natural law tradition on homosexuality flow from its too close association with Stoicism, particularly the mistaken Stoic understanding of disinterested friendship. Third, I point to twentieth century Catholicism’s revised understanding of marriage as a totius vitae communio as already a demonstration of continuity-within-change in its thinking about sexuality. My conclusion comes back to the logic for recognizing the sanctity of same-sex life partnerships.

*Dependent Rational Animals’ Account of Human Flourishing: Breaking Down the Wall between Narrative and Natural Law Moralities*

In another place I have argued that Alasdair MacIntyre’s new book *Dependent Rational Animals* is his best and most coherent. There I emphasize that MacIntyre’s admission of error at the beginning of the new book constitutes a significant, though under-noticed, revision in his own thinking. On this book’s second page, MacIntyre writes: “In *After Virtue* I had attempted to give an account of the place of the virtues...within social practices, the lives of individuals and the lives of communities . . . . I now judge that I was in error in supposing an ethics independent of biology to be possible.”

In another paper, I argued that MacIntyre’s shift signals a move from a “sociologically grounded” morality of communal practices to a “biologically grounded” morality of human nature. Though not precise enough, those categories describe a real and helpful shift in MacIntyre’s thought: in recognizing his own need to connect “social practices” and “biology,” MacIntyre is naming moral theory’s need to re-connect personal narrative and natural law.

MacIntyre’s new book offers the more precise account of human flourishing contemporary morality needs, a “culturally neutral” and “pre-conventional” account of human goodness. Here is one more piece of evidence for the important shift taking place in the new book. One of the oddest assertions of
MacIntyre's "sociological" period of moral theorizing came in his 1988 work *Whose Justice? Which Rationality?* There, he wrote that "facts, like telescopes and wigs for gentlemen, were a seventeenth-century invention . . . . There are in fact no nontrivial statements which have appeared evidently true to all human beings of moderate intelligence." But MacIntyre has abandoned this view, for his new book is full of references to facts. His first chapter opens with such a reference: "(T)wo related sets of facts . . . . are so evidently of singular importance that it might seem that no account of the human condition whose authors hoped to achieve credibility could avoid giving them a central place."

What, to go now to the substance of MacIntyre's view, are these facts that ground human flourishing? There are two of them, "those concerning our vulnerabilities and afflictions and those concerning the extent of our dependence on particular others." The most basic truth about every human being is that "from the outset she or he is in debt," for the "facts of affliction and dependence" are given in all our lives.

MacIntyre's singling out of vulnerability and dependence as determinative for morality certainly is an interpretation of given facts, but as Jean Porter says this is what natural law thinking has always done: it involves an "interpretation of universal principles of moral action, which therefore apply to all persons." MacIntyre proposes his two facts as the central, morally relevant ones because they reveal our "initial directedness to certain goods . . . . Having been cared for, (we) care for others."

MacIntyre's facts add up to a twofold view of human flourishing, encompassing both an account of goodness and of the virtues that support that goodness. A good human being has "learned to act without thought of any justification beyond the need of those given into (her) care." MacIntyre says three times in the book that the facts of vulnerability and dependence require that a good person must come to be able to give to another human being, after herself having first received, unconditional love. Over a lifetime of being cared for and caring, I will have become good when one can see in the way I live that "the good of the individual . . . (is neither) subordinate to the good of the community nor vice versa."

The facts about us and the moral goodness that stems from them give MacIntyre what he calls his "central thesis . . . that the virtues we need . . . (are) the distinctive virtues of dependent rational animals, whose dependence, rationality, and animality have to be understood in relationship to each other." These are "the virtues of acknowledged dependence," and MacIntyre emphasizes two of them: "just generosity" and "elementary truthfulness." Just generosity summarizes three patterns of giving and receiving that I must learn in my life: affective relationship, hospitality, and openness to urgent need. Truthfulness demands that I allow the other to learn what he needs to learn, that I do not conceal my own need to learn, and that I do not withdraw from the circle of learning in what MacIntyre calls "ironic detachment."
In sum, we have in MacIntyre’s new book a fuller account of human flourishing than he has ever given. This is a natural law ethic of care in which “flourishing . . . is in itself a question of fact”: a good human being is one who has learned to give and receive a love that is disinterested in the sense of unconditional.31

My argument here is that this account should lead us to recognize the sanctity of same-sex life partnerships. But before I come to that, I need to show both what has blocked the Catholic tradition from reaching this deeper vision of the good and that the tradition has the resources to move toward it. First, the blocks.

Either MacIntyre and Plutarch or the *Catechism* and the Stoics: What is “Disinterested Friendship” and How Does One Come to It?

Many have shown the Stoic influences on Catholic Church thinking about sex. John Noonan says that early on Western Christianity accepted “the Stoic ideal” about sex, adding:

The Stoics sought to control bodily desire by reason, to the end of being rationally self-sufficient, dependent on no external force . . . . In fact, the Stoic view of marital intercourse, the stress on procreative purpose, the failure to connect intercourse and love, were profound influences on the Christian approach; the doctrine of contraception, as it was fashioned, largely depended upon [Stoicism].32

Jean Porter says Christian natural law thinking transcended the impersonal, fatalistic Stoic understanding of natural law in most areas, except sex: “(The) Stoic view (is) that the wise person will engage in sexual acts only for the sake of procreation . . . . (T)he actual negative evaluation of sexual desire (in Christianity) seems to owe more to the Stoics than to Scripture.”33 In the next section of this paper, I will show signs of the waning influence of Stoicism in Catholic sexual morality. In this section, I show that Stoic thinking is very much alive in Catholic thinking about homosexuality.

I am interested in one Stoic mistake about sex, more precisely in a mistake about human friendship, because it has carried over into the *Catechism*’s treatment of homosexuality. My claim here is that the *Catechism*’s offer of disinterested friendship to homosexual persons is an offer of Stoic friendship, disembodied and lacking in affective content. It is not an offer of the kind of friendship MacIntyre knows all of us to need, an “unconditional care for the human being as such.”34

MacIntyre shows us this Stoic mistake about friendship by citing a text from Plutarch (c. 47-120 CE), “the most valuable of the opponents of Stoicism.”35
Plutarch is cited within MacIntyre's own argument that human beings must not neglect our animal identities:

To become an effective independent practical reasoner is an achievement, but it is always one to which others have made essential contributions. The earliest of these relate directly to our animal existence, to what we share in our development with members of other intelligent species. We owe to parents . . . that care from conception through birth and infancy to childhood that dolphins also owe to elders who provide maternal and other care. And in human as in dolphin life there are patterns of receiving and giving, enduring through and beyond the life-span of particular individuals. Dolphins, having been cared for, care for others, sometimes extending such care beyond their own species to human beings. So Plutarch, in a dialogue comparing the excellences of sea creatures to those of land animals, ascribed to dolphins . . . "that virtue so much sought after by the best philosophers: the capacity for disinterested friendship."  

Plutarch's text is from his dialogue "Whether Land or Sea Animals are Cleverer," and is spoken by an advocate for the superiority of sea animals. The dialogue, however, is not intended to decide this question and ends with neither position winning the day. Rather, it ends with the narrator making an anti-Stoic point: "For by combining what you have said about each other, you will together put up a good fight against those (Stoics) who would deprive animals of reason and understanding."  

Plutarch's anti-Stoic point is not lost on MacIntyre, who uses the text to argue for the essential animal identities of human beings: "Both dolphins and humans have animal identities and animal histories. (But) human beings are able on occasion to ignore or conceal from themselves this fact." Human animality and the necessary grounding of morality in that animality is the central point of MacIntyre's book, and just here a brief look into Plutarch's anti-Stoic writings helps with why this point is so important. For Plutarch already argued against the very error I see in the Catholic Catechism's approach to homosexuality.

Plutarch's anti-Stoic polemic perhaps reached its height in "Beasts are Rational," a short dialogue whose protagonist is a pig speaking to Odysseus on how mistaken the Stoics are "to consider all creatures except man irrational and senseless." So Plutarch chides the Stoics for forgetting the animal identities of human beings. This chiding does not appear in the three dialogues Plutarch specifically entitled as attacks on the Stoics. I make a brief foray into one of these dialogues, though, because what does appear in Plutarch's dialogue "Against the Stoics on Common Conceptions" is a fuller argument against the Stoics' "stale" notion of the good.
What is stale for Plutarch is the Stoic philosopher Chrysippus’ (280-206 BCE) paradoxical use of the most “common conceptions,” including the concept of nature. For Plutarch, the Stoics’ understanding of nature became unhinged from human beings’ “common experiences” in the world. Plutarch quotes Chrysippus as writing: “. . . the standard by which life must be measured is not goods and evils but the things in conformity with nature and contrary to it.” To defend the wise person as alone living kata physein and as essentially self-sufficient, Chrysippus and the Stoics had to say that all other goods a person seeks, except that of living kata physein, are indifferent (adiaphora). Plutarch comments wryly, “This is the way they save common experience for men and philosophize with a view to the common conceptions.” In fact, Plutarch thinks the Stoics have not saved common experience at all. They have obfuscated and undermined any connection between the philosophically “natural” and the good of persons in the real world. Plutarch continues:

Consider straight away, then (whether the doctrine of the Stoics itself is in accord with the common conceptions . . . [and is] in agreement with nature). Is it in accord with the common conceptions to say that they are in agreement with nature who believe indifferent (adiaphora) the things that are in conformity with nature and who hold health and vigour and beauty and strength not to be objects of choice or beneficial or advantageous or constitutive of natural perfections and their opposites—mutilations, pains, deformities, diseases—not to be injurious and objects of avoidance? . . . While making life in conformity with nature a goal, they believe the things that are in conformity to nature to be indifferent.

By the time the Stoic finishes defending this “nature” there is no content left to it other than conforming to duty. In concluding this attack on Stoic natural law, Plutarch summarizes and provides a metaphor. The summary: “. . . the Stoics in their works and acts cling to the things that are in conformity with nature as good things and objects of choice, but in word and speech they reject and spurn them as indifferent and useless and insignificant for happiness.” And the metaphor: to try to live this morality is to be like “those who are leaping from the ground and tumbling down on it again.” Stoic natural law turns out to be separated by more than a wall from the narratives of persons in the world; it is separated from narrative by a magic trick. All one has to do to live the Stoic natural law is defy gravity.

I read MacIntyre’s insistence on the moral significance of human animality as a gloss on Plutarch’s critique of the Stoics. As Plutarch critiqued the Stoic natural law for its ungroundedness, so MacIntyre critiques the “blandly generalized benevolence” of too much contemporary thinking about moral goodness:
What such benevolence presents us with is a generalized Other—one whose only relationship to us is to provide an occasion for the exercise of our benevolence, so that we can reassure ourselves about our own good will—in place of those particular others with whom we must learn to share common goods, and participate in ongoing relationships.\(^{47}\)

Blandly generalized benevolence is a perfect summary of the Stoic notion of "disinterested friendship." What the Stoic achieves is not a friendship that has calmed self-seeking by ongoing and shared life. If Stoic friendship is disinterested, it has become so by considering all human relationships indifferent. It has not become so by finding in them the movement toward unconditional love. It is an ersatz friendship without affective content and commitment.\(^{48}\)

It is this ersatz Stoic account of friendship that has rendered the Catholic tradition incoherent on homosexuality. The account of human flourishing offered by MacIntyre offers an alternative to Stoicism's friendship: having been cared for, we will then care for others; we will learn to act toward them without any other reason than that they are given in our care. In this paper's next section, I show that Catholicism is already moving toward this MacIntyrean, non-Stoic understanding of marriage as a committed partnership moving outward in love; this opens the way for our reconsideration of same-sex life partnerships.

**Vatican II and the Development of Catholic Thinking about Sexuality: Evidence for the Continuity-in-Change of Acknowledging the Sanctity of Same-Sex Life Partnerships**

British theologian Kevin Kelly said a while ago that although at Vatican II the Catholic Church articulated a profound theology of marriage, this was not yet a profound theology of sexuality.\(^{49}\) But there is another perspective. Without pretending that it summarizes all Catholic thinking about marriage and sexuality, the following generalization is accurate: the twentieth century saw a Catholic flight from Stoicism in its sexual morality. That this flight has not yet affected Catholic thinking about homosexuality is an indication that the flight has not been far and fast enough.

Giuseppe Baldanza's recent historical-critical study of the development of official Catholic thinking on marriage claims that twentieth century Catholic thinking here comprises a "progress in continuity" leading to an understanding of marriage "as a state of sanctification."\(^{50}\) I briefly summarize Baldanza on the profoundly non-Stoic development in Catholicism's understanding of marriage and summarize this development by connecting it to one systematic theological view of love.

Baldanza says Catholics are so used to reading their tradition on marriage and sexuality for its "juridical-moral focus" that they are in danger of missing the
more essential development of the church’s theology of marriage in the just
completed century.\textsuperscript{51} Though Baldanza sees “a serene and positive vision of
marriage and sexuality” in the documents of the sixteenth century Council of
Trent, he says Trent’s assertion that in marriage $gratia$ perficit $amorem$ naturalem
risked an “extrinsicist conception” of God’s workings in the lives of married
couples.\textsuperscript{52}

He highlights two twentieth century changes in Catholic teaching that
transcend this extrinsicism. First, the 1930 encyclical Casti connubii (usually read
only for its condemnation of birth control) should be read for its definition of
marriage as “the blending of life as a whole,” a totius vitae communio.\textsuperscript{53} The
encyclical introduced into the tradition an anthropology of marriage which
“encompasses the affective and sexual life of the spouses.” Casti connubii is the
first teaching of the Catholic Church to include sexual love in marriage’s
sacramental symbolism.\textsuperscript{54} Baldanza summarizes the change:

$Casti$ connubii signals progress with respect to scholastic theology and
that of the manuals. In a general way, there is in those earlier theologies
a distinction between matrimony as a state and conjugal acts as an
exercise of matrimony. This distinction was made to account for
marriage’s concrete structure being conditioned by original sin . . . .
Even St. Thomas, who accepted the three bona of St. Augustine, added
the distinction that these goods were excusing because they brought an
equilibrium to the conjugal act, there being a iactura (a losing of
oneself) in that act ever since the first sin . . . . Even though sexual acts
were considered as meritorious if performed in the state of grace and
according to the divine law, nevertheless, those acts were not
encompassed into marriage’s signification.\textsuperscript{55}

A second essential development in twentieth century Catholic thinking about
marriage was necessary to overcome the juridical-moral perspective that had
prevailed for centuries. It came when Gaudium et spes claimed that “conjugal
love is assumed into divine love” in marriage.\textsuperscript{56} Baldanza thinks a revolution is in
the making in the change of a Latin verb from Trent’s perficit to Vatican II’s
assumit:

The difference between the traditional perspective and that of Gaudium
et spes can be summarized in this way: in the first, divine action is
directed at healing, empowering, elevating the love of the spouses, and
giving them the spiritual helps for the various duties of marriage. In the
second perspective, without excluding all that, the emphasis is that
Christ goes out to the spouses to encounter them, to assume their own
love into his spousal love for the church. And this in force of the
incarnation and the paschal mystery that constitutes the new and eternal covenant, an alliance of communion and salvation for all.\textsuperscript{57}

In sum, two changes occurred in Catholic thinking about marriage in the twentieth century: first, sexual love is seen to be of the essence of marriage; second, that sexual love itself is assumed into God and becomes sacramental of God’s love. Certainly this is not the whole story of official Catholic teaching about marriage and sexuality.\textsuperscript{58} But I am not trying to tell that whole story here. Instead I am showing an unmistakable move by Catholicism away from Stoicism in the last century. Something very different from Stoicism’s rescuing of sexual acts by their procreative purpose is underway when \textit{Gaudium et spes} repeated \textit{Casti connubii}’s new definition of marriage, and added: “Even in cases where despite the intense desire of the spouses there are no children, marriage still retains its character of being a whole manner and communion of life (\textit{totius vitae communio}) and preserves its value and indissolubility.”\textsuperscript{59}

Where is this history leading? In his magisterial article “Love,” in the \textit{New Dictionary of Theology}, Enda McDonagh systematizes the point made in Baldanza’s history. McDonagh rejects as “specious” the strict separation Anders Nygren and others see “between the spontaneous unmerited creative love of \textit{agape} and the responsive, desiring love of \textit{eros} . . . . In Nygren’s version such love of desire turns the beloved into a means of satisfaction for the lover.”\textsuperscript{60} McDonagh instead says all human love is imperfect and has its beginnings in an ambiguity that can open itself out or close itself down. Says McDonagh:

The movements of desire for the good, essential to a material historical being, can be distinguished in their ambiguity as they open the way to concern for the good in itself or simply to the good for the self. Grace and power of agape may develop and transform the movement to the good in itself. \textit{Eros} in that positive sense provides the substrate for human agapeic regard with its responsive recognizing of value in its creative letting-be of the other. Of course, no human movement entirely sheds its ambiguity, so that elements of self-centered \textit{eros} persist. It was perhaps the distinction within the ambiguity and the inevitable persistence of selfish elements which misled Nygren and others.\textsuperscript{61}

From within the ambiguity of all human loving (and not from outside of it), McDonagh tells us to find the signs of a love that is being assumed into God. He offers two criteria:

The first is the concrete and inviolable value of the divine other and of the human other. It is this which provokes desire, recognition and response whether for its own sake or to satisfy the desire of the
recognizer. And it is this ‘independent,’ inviolable value of the other which exposes the movement of simple desire as finally inadequate . . . .

(The second is that) only in the reciprocity of communion is the other-regarding, self-giving of authentic loving able to provide the . . . shared flourishing which is the thrust of the divine love for and in human beings . . . . The communal thrust of Christian loving is already apparent in its demand for communion, once it is clear that such a communion cannot be confined to some égoisme à deux but must incorporate each in all her or his ramifying relationships . . . . One imagines a God-given love as a field of forces within which human beings seek to orient themselves. 62

McDonagh gives systematic definition to Baldanza’s history: a love being assumed into God is one that both does no harm to the beloved (that lets the beloved be) and is joined with the beloved in a “shared flourishing” that widens more and more to include others in the circle. What both Baldanza’s history and McDonagh’s systematics highlight is that the Catholic tradition is moving further and further away from its (Stoic derived) schematized division of marriage’s “two ends” of procreation and interpersonal love. 63 Instead of speaking of those “two ends,” an adequate theology of sexuality will talk of the two mutually dependent and mutually enhancing characteristics of authentic love: love lets be, and it enables the partners (and others) to be. Let McDonagh again give voice to these two characteristics of authentic love:

Letting be and enabling to be between God and human beings, as well as between human beings themselves require reciprocity for continuance and fulfillment. To continue to give oneself in true regard for the other requires the development of the self also, so that there is more to give. It is part of the rich paradox of divine creation and giving that human beings develop through giving, in the end through unconditional giving. 64

Again, here, love’s “disinterest” is in its move toward unconditionality, not in its indifference. We have, almost, come full circle. McDonagh’s two characteristics of love (letting be and enabling to be) correlate nicely to MacIntyre’s two virtues of acknowledged dependence (elementary truthfulness and just generosity). McDonagh and MacIntyre meet to provide an account of human flourishing adequate for a natural law recognition of the sanctity of same-sex life partnerships.
Conclusion:

Toward a MacIntyrean Ethic of Same-Sex Life Partnerships

I end this paper by returning to MacIntyre’s twin virtues of acknowledged dependence to sketch a case for acknowledging the sanctity of same-sex life partnerships. I take elementary truthfulness first because its three qualities (allowing the other to learn, allowing myself to learn, and not withdrawing in irony) correlate so well with the “letting be” that McDonagh labels the first characteristic of love. Both MacIntyre and McDonagh give homosexual persons room to rest long enough in their desire to see what it might mean, room for what the tradition has called desire’s needed complacency: the acknowledgment of some “presence already of the good and hence (allowing) a state of rest.”

The biggest problem with the Catholic Catechism’s labeling of homosexual desire as *intrinsice inordinata* is that it gives a homosexual person no room to rest, to let desire be. It achieves “disinterested friendship” only by a Stoic leap away from desire. This cannot be the way to truthfulness.

But can same-sex life partnerships embody elementary truthfulness? The common objection to (male) homosexual sexuality’s ability to instantiate truthfulness is that such sexuality almost inevitably becomes eroticism. Jean Porter, for example, writes that “there do appear to be some characteristically gay lifestyles . . . (that) are typically characterized by a celebration of the erotic, as expressed through a cult of personal beauty and the practice of widespread sexual activity.” Such eroticism would not meet the test of MacIntyre’s virtue of truthfulness: it lacks an acknowledgment of human vulnerability.

Porter herself envisions the possibility of “an argument for the naturalness of homosexuality precisely in terms of its intelligible purpose,” though she does not develop one. J. Michael Clark does develop such an argument, “oppos(ing) the commoditization of our gay male sexuality and any eroticization of peoples which might encourage their exploitation” and “celebrat(ing) relationships, especially our human coupled commitments.” On what (non-Stoic) grounds could we judge such relationships to lack elementary truthfulness?

Vatican II acknowledged that marriage partnerships are where some human beings learn to live an ever-deepening truthfulness. Their *totius vitae* commitments are the place where their imperfect love and their imperfect lives are gradually “assumed” into God. Why would not physically embodied commitment also be the place where homosexual persons grow in love?

What of MacIntyre’s second virtue, just generosity, and its three patterns of affective relationship, hospitality, and openness to urgent need? Can the “enabling to be” that just generosity allows be lived in same-sex partnerships? Just to phrase the questions in this way is helpful. Twelve years ago, James Hanigan tried to re-
articulate the tradition’s procreative concern as one about the “social import” of same-sex life partnerships:

We must ask whether homosexual unions can and sometimes should be understood to be graced callings oriented to the service of God’s people. . . . When married couples engage in sexual intercourse they are exercising and realizing both the personal and social meaning of their calling, to be for one another and thereby to establish and secure that center of life and love around which family develops and grows and serves society. While homosexual couples can certainly mirror some of these characteristics in their life together, why is sexual activity essential to their efforts? Their sexual activity undoubtedly has personal and private significance to them, but what is its social import? In what way does it edify the community, or sustain its unity, or add to its numbers? Hanigan’s “social import” criterion melts right back into the procreative principle. But this is exactly the move that Gaudium et spes refused to make when it claimed infertile heterosexual couples can live the same totius vitae communio that couples with children live. 

What MacIntyre’s three qualities of affective relationship, hospitality and openness to urgent need offer the tradition is a non-Stoic understanding of the outward movement of love. Thirty-five years ago Rosemary Haughton responded sharply to a bit of Stoicism she saw in Bernhard Häring’s assertion that “The stronger and purer the sense of family is, the more is the directly sexual love of the spouses subdued, but also the freer are their charitable impulses.” Haughton shot back:

But this “subduing” of sexual love means that the relationship is developing naturally, growing and opening outwards as it should do. It is not “subdued,” but empowered, and the “charitable impulses” are the natural and proper result of sexual love that forms and expresses and increases a true community of the Spirit, which is of course diffusivum sui . . . . There is no should about it. If this human love is real then it does come from God and lead back to him. 

I am asking that we look harder than Hanigan does for the “opening outwards” of same-sex life partnerships. A first place to see the evidence of such opening is in adoption of children by same-sex partners. In her latest book Haughton is busy “reimagining the meaning of family in terms of hospitality,” and writes that this makes it “easier to accept the existence of ‘unconventional’ households...of homosexual partners . . . . In (such) households we can envisage children growing up.” My home county (Hennepin County, Minnesota—including Minneapolis) is one of a limited number of counties nation-wide openly
encouraging homosexual persons to adopt children. Firm data are not yet available, but anecdotal evidence suggests that single and partnered homosexual persons make up a significant and increasing number of the adoptive parents in my county. Yet, just generosity's three patterns of affective relationship, hospitality, and openness to urgent need do not only manifest themselves in raising children. In claiming that partnerships are where gay persons can move toward "human love and self-realization" and away from "solitary eccentricity, frustrated bitterness, and incapacitating anxiety," Andrew Sullivan is making a natural law argument for the just generosity of same-sex life partnerships.

To be sure, whether same-sex life partnerships can embody and encourage the virtues of acknowledged dependence is not Maclntyre's concern. He is concerned rather to challenge a "social environment" that does not support the care of its most vulnerable and dependent members and in which "we ourselves will continue to lead distorted lives." I link Maclntyre's concern to my own because the distortion he points out is the Stoic flight from animality, the same flight I claim is distorting Christian understanding of homosexuality.

Maclntyre does write this: "All happy families are not alike and only a very great novelist could have gotten away with telling us otherwise." It is time for my religious tradition, which now sees that God comes down into the lives of married persons and assumes them into God's own life, to see that families established by same-sex life partners can also be happy families. Not to do so is to continue asking homosexual persons to live the Stoic mistake about friendship in their lives; it is to ask them to find unconditional love by becoming indifferent to their deepest desires. But indifference does not bring unconditional love; it brings distortion. Simone Weil names both the distortion and the way out of it: "We cannot take a single step toward heaven. It is not in our power to travel in a vertical direction. If, however, we look heavenward for a long time, God comes and takes us up." The Catholic natural law tradition should celebrate the totius vitae communio of same-sex partners, just as it celebrates it for heterosexual partners, as a place into which God can come and "take us up" into God's own life.

NOTES


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4 *Catechism of the Catholic Church* (Città del Vaticano: Libreria Editrice Vaticana, 1994), paragraphs 2358-2359


6 *Maclntyre, After Virtue*, 218, 225

7 Andrew Sullivan, *Love Undetectable Notes on Friendship, Sex, and Survival* (New York: Alfred A. Knopf, 1998), 45. Gerald Schmer says "The appeal to experience is a negative moment which alerts us to the unexpressed, that is, to the fact that the speaker is absent, is not represented by the conversation partner" Schmer, "The appeal to experience," *Theological Studies* 53 (1992) 45


The addition of *objectivin inordinata* is curious, given the principles expressed by Cardinal Josef Ratzinger for what was to be included in the text "The methodology of the catechism was a tricky problem Should we follow a more 'inductive' method or should we start from the faith itself and argue from within its own logic, that is, testifying rather than reasoning?" In the end, we agreed that analyses of our time always involve an element of arbitrariness and depend too much on the point of view adopted in advance The *Catechism* avoids tying itself too much to the circumstances of the moment, since it aims to offer the service of unity not merely synchronically but also diachronically "Cardinal Josef Ratzinger, "The Catechism of the Catholic Church and the optimism of the redeemed " *Communio* 20 (1993) 475-476


11 Gregory Baum, "Homosexuality and the Natural Law," *The Ecumenist* 1/2 (January-February, 1994) 33

12 Shannon, "Gaudium et spes Its Prologue and Legacy," 11, Stout, "Truth, Natural Law and Ethical Theory," 84

13 Walter Kasper, *Theology and Church*, trans. by Margaret Kohl (New York: Crossroad Publishing Company, 1989), 52-53, 92 Maclntyre defines natural law in a similar way "The precepts of the natural law are those precepts promulgated by God through reason without conformity to which human beings cannot achieve their common good" Maclntyre, *Dependent Rational Animals*, 111

This understanding of nature is misunderstood in Bosnor's article Bosnor thinks Aquinas's "metaphysical anthropology" consists in "the notion of a stable human nature (which) might itself contradict objectivity. If one accepts Aquinas's anthropology, the data about sexual orientation from other disciplines are irrelevant [In this view judgments about homosexuality are] a priori declarations [in which] new evidence is irrelevant" Bosnor, 64-65, 80

Stephen Pope better summarizes what the Catholic tradition on nature indicates "scientific findings and theories about the naturalness of homosexuality will be held to be relevant to but not definitive of the kind of moral assessment of sexual activity among homosexual that is appropriate to natural law ethics" Pope, "Scientific and natural law analyses of homosexuality," 90
Paragraph 2359. Here is the Latin editio typica text of that paragraph published five years after the first edition of the catechism appeared simultaneously in French and Italian: "Personae homosexuales ad castitatem vocantur. Ipsae, dominii virtutibus quae libertatem educant interiorem, quandoque amicitiae gratuitae auxilio, oratione et gratia sacramentali, possunt et debent ad perfectionem christianam gradatim at obfirmate appropinquare." Catechismus Catholicae Ecclesiae (Città del Vaticano: Libreria Editrice Vaticana, 1997).

The Latin "amicitiae gratuitae auxilio" actually seems to be a softening of language used in the original versions. The Italian offers homosexual persons "il sostegno di un'amicizia disinteressata . . . . " Catechismo della Chiesa Cattolica (Città del Vaticano: Libreria Editrice Vaticana, 1992). Though "gratuita" is not precisely "disinteressata" the revised English translation has not been changed with the publication of the Latin text.

Pope, "Scientific and natural law analyses of homosexuality," 120.
Alasdair MacIntyre, Dependent Rational Animals: Why Human Beings Need the Virtues (Chicago, IL: Open Court Press, 1999), x.
The first term is Anne Patrick's in Liberating Conscience: Feminist Explorations in Catholic Moral Theology (New York: Continuum, 1996) 58. It has resonances with Jean Porter's view that natural law is an attempt to give a theological interpretation of the "pre-conventional givens" of human life. Jean Porter, Natural and Divine Law (Grand Rapids, MI: Wm. B. Eerdmans, 1999), 216.
Dependent Rational Animals, 1. Maclntyre speaks of such "facts" at least four other times in the new book, at pages, 6, 64, 82, 101.
Dependent Rational Animals, 1.
Dependent Rational Animals, 100, 6.
Porter, Natural and Divine Law, 145. It is relevant to notice here that Porter's understanding of natural law theory contains a subtlety missing in Stout's approach. Stout 's "principles" are sui generis, where Porter's are "an interpretation." See Stout cited above in note three.
Dependent Rational Animals, 72, 82.
Dependent Rational Animals, 159.
("Parents') initial commitment has to be in important respects unconditional." And: "The kind of care that was needed . . . had to be . . . unconditional care for the human being as such." And: "What analysts are sometimes able to provide for those whose early childhood experiences were defective is . . . unqualified trust." Dependent Rational Animals, 90,100, 85.
Dependent Rational Animals, 109.
Dependent Rational Animals, 5.
Dependent Rational Animals, 119, 126-129 (for just generosity), 150-152 (for elementary truthfulness).
Dependent Rational Animals, 64.
Jean Porter, Natural and Divine Law, 191, 199. Porter summarized Stoic natural law as "willing acceptance of one's fate." Natural and Divine Law, 141.
I stress Stoicism's fatalism because it is especially evident in Catholic teaching on homosexuality. Stoic fatalism is well summed up by John M. Cooper: "Living in agreement with nature' as the Stoics understand it involves modeling one's thoughts in deciding on and doing one's actions, on nature's own thought in designing the world (i.e., itself), establishing the physical laws, and causing the events that happen within it . . . . So one has to accept as reasonable, and benevolent, what one often cannot know the reasons for—though, one knows,
there are reasons. This gives emphasis to the idea that in living virtuously one lives in obedience to the koinos nomos or the law of the universe, or universal and right reason. This obedience involves two fundamental things: (1) acting so as to pursue or avoid the things that can be seen normally to accord with or go against our physical constitution and the social circumstances that naturally suit beings with the constitution, and (2) pursuing or avoiding them always with the idea that it may turn out that achieving those objectives on that occasion was not after all what we or anyone else truly needed, because it does not fit in with the needs of the whole universe of which we are organic parts.” John M. Cooper, “Eudaimonism, the Appeal to Nature and ‘Moral Duty’ in Stoicism,” in Aristotle, Kant and the Stoics: Rethinking Happiness and Duty, ed. Stephen Engstrom and Jennifer Whiting (New York: Cambridge University Press, 1996), 277.

34 See note 26 above.


36 Dependent Rational Animals, 82.


The relevant Greek is to philein aneu chreias uparchei. Both MacIntyre and the Loeb translators understand Plutarch’s “chreia” here to describe a property of friendship; the friendship Plutarch describes here is one without “use, advantage, or service.” See Henry George Liddell and Robert Scott, “Chreia,” in A Greek-English Lexicon, revised with a supplement (Oxford, England: Clarendon Press, 1968), 2002. I am grateful to my colleague Vincent Skemp for help with the Greek text of Plutarch.

38 Plutarch De Sollertia Animalium, in Loeb, vol. 12, 479. Plutarch’s translators say: “The real point of the dialogue seems to be... that all animals of whatever provenance are intelligent.... The last small section, while refusing to award first honors in the debate, appears to contain Plutarch’s exhortation to his pupils to continue the fight against the Stoics.” Cherniss and Helmbold, “Introduction (to Plutarch’s De Sollertia Animalium),” in Loeb, vol. 12, 312-313.

39 MacIntyre, Dependent Rational Animals, 82.

40 Plutarch, Bruta animalia ratione uti, in Moralia, Loeb, vol. 12, 529.

41Spanneut says three dialogues of Plutarch are especially important for their anti-Stoicism: De Stoicorum repugniantius, De communibus notitiis adversus Stoicos, and Stoicos absurdiora petis dicere. See Spanneut, 123-124. I do not claim expertise in either Plutarch or Stoicism, and remain open to correction of my brief summary statements here.

42 “. . . everyone is said to have had his fill of arguments against the Stoic paradoxes concerning those who alone are opulent and fair and alone are kings, citizens, and judges and these notions are dismissed as ‘stale goods.’” Harold Cherniss and O’Neil, “Introduction to Compendium argumenti Stoicos Absurdia Poetis Ducere, in Plutarch’s Moralia volume 13.2. trans. Cherniss and O’Neil. Loeb Classical Library (Cambridge, MA: Harvard University Press, 1976), 608. Plutarch’s dialogue Against the Stoics on Common Conceptions begins with a declaration that the Stoics offer “stale and wilted goods.” Plutarch, De communibus notitiis adversus Stoicos, in Loeb, vol. 13.2, 671.


44 Plutarch, De communibus notitiis adversus Stoicos, in Loeb, vol. 13.2, 673-675. The text in parentheses is inserted from Plutarch’s previous sentence.


47 MacIntyre, Dependent Rational Animals, 119.

48 In his study of monastic friendship, Brian Patrick McGuire paints a picture parallel to MacIntyre’s view of “blandly generalized benevolence”: “For Seneca as for his Christian
descendants, human bonds must not become too pressing or immediate. Distance must be maintained. The Christian must be self-sufficient in the sense that he shows love to other people but does not become dependent on them for their love. Charity is required but friendship is not desired, except as a one-way street, a mode of practicing charity.”


49 See Kevin Kelly, “Review of The Sexual Creators by André Guindon” The Heythrop Journal 30 (1989), 491

50 “La prima (nostro impostazione) è quella di mostrare il criterio magisteriale che si potrebbe chiamare ‘progresso nella continuità’ (il matrimonio è un stato di sanctification) Giuseppe Baldanza, La grazia del sacramento del matrimonio Contributo per la riflessione teologica (Rome, Italy: Centro Liturgico Vincensiano, 1993), 9, 78

51 “occorreva infatti superare una prospettiva prevalentemente giuridico-morale, consolidata e diffusa da varie secoli” Baldanza, La grazia del sacramento del matrimonio, 301

52 Trent offered “una visione serena e positiva del matrimonio e della sessualità” But il testo tridentino avrebbe potuto far pensare ad una concezione estrinsecistica della grazia nei confronti della natura” Baldanza, La grazia del sacramento del matrimonio, 57, 238

53 See Baldanza, La grazia del sacramento del matrimonio, 299 Baldanza is quoting paragraph 24 of the encyclical Here is its text in English “This mutual moulding of husband and wife, this determined effort to perfect each other, can in a very real sense be said to be the chief reason and purpose of marriage, provided marriage be looked at not in the restricted sense as instituted for the proper conception and education of children, but more widely as the blending of life as a whole and the mutual interchange and sharing thereof (sed latus ut totus vitae communio, consuetudo, societas acceptiatur)” From Claudia Carlen, The Papal Encyclicals, 1903-1939 (Raleigh, NC: McGrath Publishing Company, 1981), 395 The relevant Latin text is found in Acta Apostolicae Sedis 22 (1930), 549

54 Paragraph 42 of Casti connubii puts it this way “The parties, through their spirit and manner of life (mentem et mores), may be and remain always the living image of that most fruitful union of Christ with the Church, which is to be venerated as the sacred token of most perfect love.” Carlen, The Papal Encyclicals, 1903-1939, 398 Baldanza comments “Il testo dell’Enciclica si presenta molto ricco La parola mores ingloba anche la vita affetto- sessuale” Baldanza, La grazia del sacramento del matrimonio, 75

55 “Qui la Casti connubii segna un progresso rispetto alla teologia scolastica ed alla manualistica Esaminato infatti l’una e l’altra, si potrebbe rilevare, in modo generale, la presenza di una distinzione tra matrimonio come stato e gli atti coniugali come esercizio del matrimonio Ciò anche a causa del fatto che il matrimonio nella sua struttura concreta è condizionato dal peccato originale S Tommaso accetta I tre bona di cui parla S Agostino, ma precisa che essi sono scusanti perche portano equilibro nell’atto coniugale vi è infatti una iactura nell’atto coniugale dopo il peccato Pertanto gli atti sessuali venivano considerati in se stessi e ritenuti anche meritati, se compiuti in stato di gracia e secondo la legge divina, essi, tuttavia, non venivano inglobati nella significazione” Baldanza, La grazia del sacramento del matrimonio, 75 Augustine’s three goods of marriage (offspring, fidelity, stability) are summarized by John Noonan in Contraception, 127-128

56 “Amor coniugalis assumitur ut efficatur ad Deum ducant” Gaudium et spes, par 48 Cited by Baldanza, La grazia del sacramento del matrimonio, 238

57 “il raffronto tra la prospettiva tradizionale e quella della Gaudium et spes può essere così sintetizzato nella prima, l’azione divina è a sanare, potenziare, elevare l’amore degli sposi, a coedere loro gli auti spirituali in vista dei diversi compiti matrimoniai Nella seconda, senza escludere tutto ciò, si parte anzitutto da Cristo che va verso gli sposi per incontrarli, per assumere il loro amore nel suo amore sponsale verso la Chiesa E ciò in forza dell’incarnazione e del mistero pasquale che costituisce la nuova ed eterna alleluna, che è alleluna di comunione e di salvezza per tutti” Baldanza, La grazia del sacramento del matrimonio, 283 The emphasis is mine
I acknowledge that I am not giving a full description of the theology of marriage of Vatican II. Sean O’Riordan, for example, summarizes the Council this way: “La *dilectio* coniugale non è più una cosa supplementare, anche se molto necessaria, nell’insieme del matrimonio cristiano è proprio *l’essenza concreta* del matrimonio stesso. Però, accanto a questa essenza vi è, in un certo senso, un’altra essenza—quella che deriva della ‘finalità oggettiva’ del matrimonio, ovvero dalla sua ordinazione alla procreazione ed educazione della prole. Come abbiamo visto, il Concilio congiunge questi due concetti dell’essenza del matrimonio senza farne una vera *sintesi*. Notiamo nei testi conciliari una certa tensione tra le due visuali.”

O’Riordan, *Evoluzione della teologia del matrimonio* (Assisi, Italy, Cittadella Editrice, 1974), 64

59 *Gaudium et spes*, par 50 All English translations of *Gaudium et spes* are from *Vatican II Constitutions, Decrees, Declarations: A completely Revised Translation in Inclusive Language*, ed. Austin Flannery (Northport, New York, Costello Publishing, 1996)

Here is the Latin text: “Ideo etsi proles, saepius tarn optata, defect, matrimonium ut totius vitae consuetudo et communo perseverat, suumque valorem atque indissolubilitatem servat.”

*Acta Apostolicae Sedis* 58 (1966) 1072


McDonagh, *Love*, 611 McDonagh’s point is spelled out even more in Diana Fritz Cates’ recent book: “The way to insure the appropriateness of the overall structure of our own desire and the appropriateness of our consequent perceptions is not to try to extricate ourselves from the pull of desire (which is impossible). Rather, the thing to do is to feel the range of our desires and to reflect upon them honestly in light of a well-deliberated vision of the good and an abiding desire for its realization. We ought to engage in impassioned reflection, privately, in conversation with our friend, and in conversation with others friends who are adept at exposing our base selfishness and the self-deceptions that we employ to keep our selfishness from being exposed. In any case, our desiring, our perceiving, and our thinking function together to constitute a unified process of discerning what is most likely in this situation to contribute to the end desired.” Cates, *Choosing to Feel Virtue, Friendship, and Compassion for Friends* (Notre Dame, IN, University of Notre Dame Press, 1997), 174-175

62 *McDonagh, Love*, 608-609, 614-615

63 A classic statement of the so-called two ends of marriage is in the 1917 *Code of Canon Law*, at canon 1013 1 “Matrimonium finis primarius est procreatio atque educatio prohs, secondanus mutuum adiutum ad remedium concupiscientiae.” Cited by O’Riordan, *Evoluzione della teologia del matrimonio*, 28

It is very significant that Vatican II purposely abandoned this talk of the primary and secondary ends of marriage. The Council says instead: “For God himself is the author of marriage and has endowed it with various values and purposes all of these have a very important bearing on the continuation of the human race, on the personal development and eternal destiny of every member of the family, on the dignity, stability, peace, and prosperity of the family and of the whole human race.” *Gaudium et spes*, par 48

Stephen Pope’s and Jean Porter’s helpful recent works remain more focused on the language of primary and secondary ends of marriage than does the view proposed here. Pope says a “revisionist natural law perspective” on homosexuality honors the procreative purpose of sexual intercourse but “not necessarily (as) a good in each and every concrete situation or even in each particular monogamous bond. (This approach) grounds ethics on an account of the characteristic desires and ends of human nature, the most important of which are taken to be interpersonal and affective.” Pope, “Scientific and natural law analyses of homosexuality,” 113

Porter offers reasons for “why procreation as opposed to the promotion of personal love between individuals (should) be privileged” in natural law morality. Porter, *Natural and Divine Law*, 220

Pope and Porter do not cite the texts of Vatican II on marriage and sexuality in their works. While both are helping dismantle the wall between natural law and narrative moralities, especially by attending to the field of evolutionary psychology, both seem to me to give that
field's criterion of "inclusive reproductive fitness" more moral weight than it deserves. Pope's claim that "Homosexuality is apparently biologically futile," (Pope, 99) masks the deeper futility in all (merely physical) reproduction, evident in Porter's admission that "it may be the case that we will either evolve into something else or (more likely) cease to exist altogether" (Porter, 104). Theologically, Vatican II has already made clear that reproduction is not an absolute value in Catholic natural law thinking about sexuality.

64 McDonagh, Love, 611.


66Porter, Natural and Divine Law, 231.

67 Andrew Sullivan criticizes eroticism on just these grounds: "One typical writer has characterized gay culture as a 'culture of desire.' But this is condescending exaggeration." Sullivan, Love Undetectable, 231. Sullivan's unnamed target here seems to be Frank Browning's book, A Culture of Desire.

68 This statement about a positive natural law estimation of homosexual sexuality is found at Porter, Natural and Divine Law, 231.

I do not fully understand Porter's natural law analysis here. She suggests that gay eroticism would "represent an alternative construal of human nature that has its own value and integrity but that is nonetheless in tension with fundamental Christian commitments." Porter, Natural and Divine Law, 232.

This evaluation fails to reckon with Porter's own position "that the mores of other communities are expressions of the same natural law . . . (and) that human diversity is intelligible as an expression of an underlying nature." Porter, Natural and Divine Law, 177.

Is eroticism really to be thought of as an alternative construal of human nature, or is it intelligible as an (incomplete) expression of one and the same human nature? Anne Thurston, speaking here of divorce in heterosexual marriage, suggests the outlines of a fuller natural law construal of eroticism's meaning: "Human relationships reach for permanence, long for communion. There is, or need be, no contradiction between support for this deep human need—life-long commitment to one partner—and the recognition that people fail, that relationships fail . . . . (This is) the gap between what we desire and what we realize. What we long for, what we most deeply desire shapes our lives." Anne Thurston, "Living with Ambiguity," Doctrine and Life (1994): 538-539.


71 See note fifty-eight above. Andrew Sullivan has followed out the logic of the church's teaching here: "What rational distinction can be made, on the Church's own terms, between the position of sterile people and that of homosexual people with regard to sexual relations and sacred union? If there is nothing wrong per se, with the homosexual condition or with homosexual love and self-giving then homosexuals are indeed analogous to those who, by blameless fate, cannot reproduce." Sullivan, "Alone Again, Naturally," 54-55.


74 Here is the Hennepin County policy on adoption: "We work only with children with special needs who have experienced abuse and/or neglect. These children are under the custody and guardianship of the Commissioner of the State of Minnesota and are called State Wards. Every child in Hennepin County who is legally free for adoption deserves a permanent home. Adoptive parents may be single, married, gay/lesbian, childless, or already parenting other children. These children do not need perfect parents. They need one or two loving parents
willing to face challenges and make a life long commitment.” From Hennepin County Adoption Policy. See www.co.hennepin.mn.us. A Minneapolis non-profit group works with gay parents. See www.rainbowfamilies.org.

76 Dependent Rational Animals, 137.
77 Dependent Rational Animals, 134. The reference is to the opening line of Tolstoy’s Anna Karenina.