

ALEXANDER R. PRUSS

ONE BODY: OVERVIEW

1. INFERENCE TO BEST EXPLANATION

In the natural sciences, we start with data, find our best explanation, and then make further predictions on the basis of the explanation. An explanation is good to the extent that it coheres with our evidence and explains and unifies the data for it. One reading of the project in *One Body* (PRUSS 2013) is roughly along these explanatory lines, and this approach highlights the ways that the project is interdisciplinary and can be seen differently by different audiences.

For much more so than in the natural sciences, the *data* which we try to explain by our ethical theories of human sexuality is heterogeneous and contentious. Part of the reason for this is that this data is normative rather than empirical in nature and another part is that some of the data I rely on comes from divine revelation.

The data about sexuality that I attempt to explain, or at least make sense of, in *One Body* can be divided into four sets:

1. Uncontroversial normative facts about sexuality that morally sensitive people (and societies) see or can easily be brought to see.
2. Broad foundational claims from the Hebrew and Christian Scriptures.
3. Specific claims from the Hebrew and Christian Scriptures.
4. Specific claims from the Christian tradition.

Those morally sensitive Christians, especially Catholics and the Eastern Orthodox, who attach a high weight to the Christian tradition will in princi-

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ple accept data from all four sets. Morally sensitive conservative Protestant Christians will accept the first three sets, and some of them may accept a part of the fourth set. It is to be hoped that most morally sensitive Christians will at least accept the first two sets. And finally, of course, all morally sensitive people should accept the first set.

So one source of heterogeneity in the project is that different readers will accept different sets of data. A second source of contention is that readers who accept a set of data may well disagree with me over what actually falls in the set—for instance, claims from the Scriptures can sometimes be interpreted in many ways—and may find other relevant things in the set that I have overlooked or dismissed.

The four data sets divide into two kinds. The first of the four sets is purely philosophical. The last three are specifically theological. In this way, *One Body* is interdisciplinary: it strives to make sense of data some of which is philosophical and some of which is theological.

The final view in *One Body* explains all four sets of data. It should thus be particularly appealing to readers who accept all four sets. However, even those who accept only the first set (and *a fortiori* those who accept the first and second, or the first, second and third) should take the view seriously as a proposed explanation of a significant amount of data.

It may seem oddly scientific to think of an ethics and theology project in the above way. However, the project is not a scientific one. The data is through-and-through *normative*. To some readers a more familiar way to see the project is that I am constructing a *narrative* that brings together a number of elements, with controversy as to which elements need to be brought together. A good narrative is natural, elegant and unified, and its plausibility derives from its naturalness, elegance and unity. The degree, if any, to which *One Body* succeeds in producing such a narrative is something for the readers to judge.

I will now sketch highlights from the philosophical and theological data, and then outline the main view and sketch how it make sense of the data. In so doing, I may end up going beyond *One Body* in some ways, since I have had the benefit of some time since the book's publication. But the project is the same.

2. PHILOSOPHICAL DATA: NORMATIVE FACTS UNCONTROVERSIAL AMONG MORALLY SENSITIVE PEOPLE

2.1. INCLUSION

Central to the first and least contentious category is the fact that sex matters in a unique way. We see this in multiple ways. Arguably, our best view of emotions is that they are a concern-based construals (ROBERTS 2003), and the occurrence of an emotion in a morally sensitive person provides evidence that the construal embodied in the emotion is accurate. The complex emotions associated with sex in morally sensitive people in fact do represent sex as having deep human significance, which is evidence that there *is* deep human significance there.

The importance of sex is seen in the strength of emotions in the debates over same-sex sexuality in the last decades in the West. If gay sex is morally permissible, then to prohibit it is not a merely symbolic act of discrimination (problematic as that would still be), but a substantive act against the flourishing of gay couples. To say to a gay couple “You don’t need sex: you can just share ice cream and watch a movie instead” is to betray moral insensitivity.

We have a widely-held idea that sex expresses and furthers certain kinds of morally valuable relationships, combined with a moral suspicion of a promiscuity (which may be understood in different ways) that would damage this capability, as well as the idea that a relationship is significantly changed by sexual engagement. There is something unique accomplished in sex, something that could not be accomplished otherwise, and at the same time sex is an arena where *fidelity* of some sort is appropriate, where one is not to be profligate with one’s intimacies, whatever exactly that means. Even more controversially, I think moral sensitivity points towards a norm of monogamy.

Our restrictions on sexuality also testify to its importance. First, note that the standard for consent in sexual matters is rightly much higher than just about anywhere else in human life. This is best seen in statutory rape laws. We do not worry much about whether a child is capable of consenting to going out to a movie or sharing a meal. But we count children—though the exact definition of a child differs between jurisdictions—as incapable of validly consenting to sex. Moreover, we do not allow for proxy consent as in other cases. Parents can consent to highly invasive medical treatment on behalf of a child, but cannot similarly consent to someone’s having sex with their child.

Our consent standards are not explained by the potential physical sequelae of sex, such as pregnancy or disease. While it might technically be illegal (“assault and battery”) to pat someone’s shoulder when they find it unpleasant and do not even presumptively consent to it, to pat them in a sexual way is a much more serious case, a sexual assault, despite the absence of relevant physical consequences. In employment situations, we even have restrictions on undesired sexual conversation. Likewise, emotional consequences do not explain the consent standard. A doctor’s fondling a comatose patient who never finds out, and hence never has any adverse emotional consequences, is still a sexual assault, and a gross abuse of the medical role. In fact, someone’s merely visualizing sex with a stranger they just met is already creepy.

Further, we have some strongly held particular restrictions on sexual behavior. For instance, incest, zoophilia and necrophilia are wrong. These restrictions go beyond the need for consent, and beyond considerations of physical and emotional harm. Incest between consenting adult siblings is wrong, even if the siblings are infertile and emotionally unharmed. We do not normally require consent from animals, and some instances of zoophilia do no physical or (as far as we know) emotional harm to the animal. And necrophilia is wrong even if there was pre-death consent, and the dead person is not physically harmed.

Finally, morally sensitive people realize the centrality and value of love for human relationships. Love, however, comes in a variety of forms, and it is important to match the right kind of love with the circumstances of the concrete relationship.

It is crucial to note that the data which I seek to explain is not the *existence* of such attitudes. The existence of the attitudes is an empirical matter and the explanation of the presence of these attitudes in the population will involve the natural sciences (e.g., the plausible evolutionary benefits of having a strong consent standard). Rather, the data to be explained is that these attitudes are at least approximately *correct*, that sex really does matter in deep and important ways, that consent really is morally required, that incest really is wrong, that love is really valuable.

This data about sex is *puzzling*. Imagine moral claims of similar weight about a finger being inserted in someone’s ear. While we could understand why random strangers shouldn’t stick fingers in our ears, the level of importance of the moral claims would be deeply puzzling. We need to have an account for *why* such importance attaches to sex.

2.2. EXCLUSION

There is, however, one piece of potential data that I did not include, and that is the sexually permissive attitudes—say, towards premarital sex or contraception—in vast swathes in current Western society. The final view of *One Body* does not explain the correctness of these permissive attitudes—on the contrary, it alleges that the attitudes are mistaken. The attitudes here are more controversial than those I just considered, and I will now offer a justification for not adding to the data the correctness (or even probable correctness) of these permissive attitudes.

The first part of my justification is that while the permissive attitudes are widely held, they are a new development, having been preceded by longstanding and widely-held restrictive attitudes. One would need good reason to privilege the moral intuitions of the last hundred years of Western sexual attitudes over those of preceding centuries. And there is good reason to think that there is a good explanation of many cases of currently permissive attitudes simply in light of their being self-serving. (And to the Christian reader, the correlation between these attitudes and the decrease in Christian practice will be troubling.)

There is good reason for privileging current moral attitudes in some cases. There is such a thing as moral progress, just as there is such a thing as scientific progress. But while both kinds of progress exist, there is good reason to doubt that moral progress is anywhere as monotonic as scientific progress. The last century has been filled with horrendous evils, such as murder and dehumanization on an unprecedented scale on the part of Nazis and communists, and the mass bombing of civilian centers like Warsaw, London, Dresden, Hiroshima and Nagasaki. And while we have achieved a consensus that the Nazi and communist atrocities were wrong, there is sadly still no consensus that it is wrong to respond to an attack by sending weapons of mass destruction against civilian centers as in the case of Dresden, Hiroshima and Nagasaki.

In the light of the non-monotonicity of moral progress, it is difficult to privilege current attitudes over historical ones. But I believe there are two forms of moral progress where this is easier.

The first is a deepening understanding of aspects of human dignity leading to the discovery that actions and practices that we previously thought to be unproblematic are in fact violations of the respect we owe one another. A paradigm example is the rejection of slavery. This comes from a richer un-

derstanding of the proper autonomy of fellow human beings that reveals duties (including the duty not to enslave) that we did not previously notice. But of course this is a case where we progress morally from a permissive to a restrictive view.

I speculate that permissibility is a default property of an action, and it is constituted by the lack of a contrary duty. We have two main ways of inferring that an action is permissible. First, one can infer permissibility from duty.¹ Second, one can infer permissibility from our failure to see a contrary duty. In the first case, our moral progress in seeing something as permissible is parasitic on moral progress in coming to see it as obligatory, though caution is needed here lest in thinking something is obligatory we not neglect relevant deontological claims. In the second case, we have an argument from our conscience's silence, from its failure to oppose the action. But arguments from not seeing something are relatively weak. Thus, in case of conflict between an appearance of permissibility and a contradictory appearance of duty, it is plausible to take the appearance of duty to be more reliable.

These reflections on balance favor the older restrictive attitudes over the newer permissive attitudes, except in those cases where the claims of permissibility are derived from newly discovered duties. But by and large the sexual revolution has not been driven by the discovery of duties. The main case where a sexual permissibility claim might be derived from an obligation claim is in the case of contraception, where the permissibility might be thought to derive from a growing understanding of the duty to be responsible in reproduction. But here the derivation can be questioned. For instance, Natural Family Planning shows that it is possible to be responsible in reproduction without contracepting. All in all, reflection on the first kind of moral progress does not give us reason to privilege the new sexual permissivity of the West.

While the first area where moral progress is made was in the discovery of new things we owe other people and hence does not support assuming the correctness of the new permissive attitudes, the second area will be one where we are more apt to discover permissions. As we all know, human beings have self-serving anti-egalitarian tendencies to various sorts of tribalism: to seeing groups that they are a part of as superior, as subject to fewer

¹ Though if there are real moral dilemmas, then there might be cases where one has a duty to do something and yet it is impermissible due to a conflicting duty, and so the inference is merely defeasible. I am myself skeptical of there being real moral dilemmas. (But the best case for such is, I think, when conscience is mistaken: MURPHY 1997.)

moral constraints than others, and so on. Much moral progress comes from resisting such tendencies.

This progress to egalitarianism leads to seeing new duties, much as in the first area. We see that we have duties not just to those like us but also to those unlike us. But that is not all. A paradigm case of moral progress is one where previously we self-servingly thought that members of another group had a duty that benefited us (if only by making us feel superior) but *we* had no such duty, and where a growing understanding of equality made the asymmetry rationally unacceptable.

Symmetry can then be restored in three ways: (a) we could suppose we also have the duty that we attributed only to the other group; or (b) we could suppose that they also do not have the duty; or (c) we could meet in the middle, both weakening and universalizing the duty. And in principle moral progress could go in any of the three ways.

Two of the three ways of restoring symmetry, then, could constitute moral progress to an attitude that is more permissive. And there will be cases where the restrictive way of restoring symmetry is a non-starter. For instance, a view on which men but not women are permitted outside employment surely cannot be turned into a view on which outside employment is forbidden to all.

How, then, does this play out in the last century's change in sexual attitudes? In regard to sexual mores, the two most relevant ways in which we have progressed in egalitarian attitudes are with regard to gender and sexual orientation.

There has certainly been, and to a significant degree still remains, a widespread sexual double standard. Historically, non-marital sexuality was much more widely tolerated in men than that in women. However, in the West, this practice went along with the general view that all non-marital sex is wrong. It was more a case of seeing the man's infraction as understandable or maybe less serious than of thinking the man to be permitted to engage in sex outside of marriage while women are not so permitted. The difference, thus, was not so much in what is seen as permissible as in whose violation of the standard was to be punished by social opprobrium or other penalties. The natural way to remedy *this* inequality would then be either to extend the penalties to men, drop them in the case of women, or moderate the degree of penalty while extending it to both.

But that is not quite what happened in the sexual revolution. Rather, the underlying moral standard came to be seen as no longer there. And, none-

theless, it seems the basic asymmetry remained, but rather than being an asymmetry in holding men and women to a moral standard, it became an asymmetry in holding men and women to various standards that came to be seen as largely social, such as those against having a large number of sexual partners or against sex with strangers.

But perhaps there is another way that thinking about equality between men and women leads to more permissive attitudes. For while the historical Christian prohibition on contraception equally applied to men and women, the burden of the prohibition lay disproportionately on women. Similarly, the historical Christian prohibition on anal and oral sex equally applied to heterosexual and homosexual couples, but was a much greater burden on those couples who did not have coitus available.

However, there is no general presumption that in practice the burdens coming from moral rules are equally distributed. The burden imposed by a moral rule differs widely and contingently from individual to individual, and from group to group. The prohibition on theft imposes a much greater burden on the poor than on the rich, and in fact generally many moral duties impose a smaller burden on the rich and powerful as the rich and powerful often have other ways of achieving their ends than by breaking the rule. Most people are not burdened much by the prohibition on incest, but siblings who were raised apart and who fall in love are significantly burdened. Those with greater libido are more burdened by limitations on sex. The inequality of burdens is so widespread that the mere fact that a generally applicable rule imposes an unequal burden is little reason to think the rule incorrect.

All in all, independently of substantive arguments in sexual ethics, we do not have good philosophical reasons to favor the hypothesis that relaxed sexual attitudes are an instance of moral progress over the hypothesis that they are a self-serving relaxation of correct moral rules. Both hypotheses have *something* going for it. Progress in egalitarianism can lead to a critical reexamination of rules that imposed a disproportionate burden. However, at the same time, there is a very plausible explanation of the relaxation. The attraction of the pleasures of sex combined with the desire to avoid long-term emotional and physical consequences plausibly led to a weakening of the restrictions on pre-marital sex and on contraception, and once one takes contraception to be permissible it is difficult to consistently maintain the impermissibility of non-coital orgasmic sex, including between persons of the same sex.

Of course it could be that the permissive conclusions came in some other way from an instance of moral progress beyond the ways I considered. But

they could equally well have come in some other way from an instance of moral corruption. Thus when counting secular philosophical data, the permissive social attitudes of the last century do not overcome the restrictive social attitudes of earlier centuries; we may as well simply cancel them out.

3. THEOLOGICAL DATA

Scripture describes intercourse as a union as *one flesh* (*sarx, basar*) and *one body* (*sôma*). This union is something physical. This is clear from the choice of the very physical word “flesh”, as well as from Paul’s description of a man becoming “one body” with a prostitute (1 Cor. 6:16) where of course there need not be any emotional or spiritual connection. Scripture presents sexual union as something natural to humanity, something that was there from the beginning and was instituted by God. The union is consistently portrayed as a good thing, though of course there are many cautionary stories, especially in the Hebrew Scriptures, showing the potential for hurt.

There is an implicit and explicit connection between this union and marriage throughout the Scriptures. Jesus even reasons to the indissolubility of marriage from the divine institution of the one-flesh union.

Moreover, love is clearly seen as a normative part of marriage and sexual relationships, and consistently in both the Hebrew and Greek Scriptures (including both the New Testament and the Septuagint) the generic words *ahavah* and *agapê* used for other sorts of love are used for marital and sexual love. Romantic love is a particular form of love in general. And the Christian Scriptures insist that the general duty to love sums up morality, which clearly shows that love is not just an emotional state. Further, the love between spouses is supposed to be an image of the love between God and God’s people.

This is some of the general Scriptural data. We also have specific moral claims. Throughout the Scriptures, adultery is seen as wrong, and Jesus tells us that divorce and remarriage is tantamount to adultery (with a variously-interpreted possible exception for *porneia* in Mt. 5:32 and 19:9). Paul assumes that the Torah’s prohibition against men having sex with men continues to apply (1 Cor. 6:9) and takes the case of women having sex with women to be similar (Rom. 1:26-27). There is a general view in the New Testament that *porneia*, “sexual immorality”, is wrong (e.g., Mt. 15:19, Gal. 5:19), but no specific definition is given.

Finally, the Christian tradition has a sharply defined sexual ethic, which has come to be very controversial as of the 20th century. An uncontroversial part of this ethic is that marriage and sex within it are good, but more controversially the tradition tended to hold that celibacy is even better than marriage. Sex outside of marriage—whether before marriage or during marriage—is wrong. There is some sort of an intimate connection between sex and procreation, and sexual acts that are not of the right kind for procreation—say, oral or anal sex—are wrong. Likewise, contraception is wrong. With the Reformation, the conviction that celibacy is better than marriage weakens among Protestants, but the other convictions remain at least until the late 19th century. And while theological arguments have been given for sexually permissive attitudes, the general relaxation in Christians' sexual attitudes is probably not best seen as driven by those arguments.

4. UNION AS ONE BODY

The central proposal in *One Body*—which of course we see earlier in various forms in writers like Bradley, Finnis, George, Grisez, Wojtyła and others—is that sex should be fundamentally seen as a deep union as one body. And what unites many organs in a single body is not physical contact, but that they are functioning together for a common goal.

I claim that the best candidate for the common goal of the two bodies in the sexual case is reproduction. The two main competitors are psychological closeness and physical pleasure. But an account of sex where one of these competitors is taken as central is unsatisfactory. We can be deeply psychologically close with multiple people—it is not in principle significantly harder than with one person apart from limitations of time and energy. There are rare times when it is even appropriate to coerce something like psychological closeness (for instance, someone might be required by a court to get psychological treatment, requiring closeness between the person and the counselor). Considerations of psychological closeness, thus, do not explain the normative claims in the data. Furthermore, while sex fosters psychological closeness, there are many other ways of fostering it, which endangers the uniqueness of sex. And physical pleasure does even less well as an account of the goal striving towards which unites the two people. Physical pleasure can be achieved in a variety of non-sexual ways, and is only of deep moral significance when it is reflective of a more fundamental good.

Given my central claim, sex unites two bodies as something analogous to a single organism through the two bodies striving together to reproduce. This striving need not be intended or even thought about by the two persons. My kidneys are connected to the rest of the body through their contribution to the body's health, even if I never think about how they contribute.

Reproduction is something *sacred*, because human life is sacred, something that can be seen on both a theological and a philosophical level. An activity that has the coming into existence of a person among its natural goals is never a trivial activity, because persons have dignity. And theologically, the activity has a sacramental meaning, as persons are in the image and likeness of God. Thus it is no surprise if there are significant moral restrictions on the activity.

The reproductive union is the closest possible mutual, voluntary and equal union that two human beings can engage in. After all, it is only in this union that two human beings become biologically complete in being capable of reproduction. However, this is still just a momentary union, as emphasized by Wielenberg's critique of *One Body*. Question: Do we need a reference to Wielenberg's article in the same issue?

But as Punzo (1969) has argued, the body expresses the person, and this maximally intimate union of bodies naturally expresses a maximally close union of persons. Persons exist through time and are capable of extending their wills through time by making commitments. Thus if sexual union expresses a maximally close union of persons, the latter union will be a union extended through a total commitment to one another. And this we call marriage.

Thus the brief moment of physical union becomes a lifelong union of persons precisely through commitment. The good of this union is then subjectively experienced through the intense pleasure of the marital embrace. And all this consummates erotic love, a basic human form of love.

5. EXPLANATION

This story makes good sense of the data. An activity that tends to produce persons cannot but be important. To be united into a biological whole with another human being is so intimate, and involves one's self-identity so deeply, that it is an utter travesty when it is involuntary. The activity is naturally, and very uniquely, expressive of a romantic relationship.

While the above is true in the fullest sense in the case of coitus, other sexual activities—even ones that on the full account in *One Body* are morally

wrong—partake of some of the significance of coitus. The pleasure of orgasm is a subjective experience of one body union, and many other sexual activities involve at least one party having an experience apparently of such an intimate closeness, although the experience is inaccurate as actual one body union is lacking. And even when the sexual organs of sexual agents are not cooperating together in the reproductive kind of way, their individual sexual activity has a resemblance to this cooperation.

From this one could sketch an account of the three example restrictions I listed earlier, namely against incest, zoophilia and necrophilia. An intimate one body union with an animal or a corpse as with an equal cannot but be bestial, an insult to our human dignity. Incest, on the other hand, is wrong for a different reason. While the union as one body does not require actual reproduction or fertility, it is nonetheless directed at reproduction. And so a relationship that on general grounds makes reproduction morally inappropriate, due to the genetic importance of exogamy, plausibly should not be conjoined with a sexual relationship.

We likewise have elegant explanations of the Scriptural data, both the general and the specific. On the general side, the account is precisely an account of what it means to say that there is a union as one body, and fits well with Paul's ideas on the unity of the body in 1 Corinthians 12.

On the specific and more controversial side, we see that the sexual activity of a same-sex couple gives rise to an experience of a union as one body without the reality. But such emotional self-deception in a matter as important as erotic love is morally wrong. For the same reason, orgasmic sexual activity outside the context of intercourse² is going to be morally wrong, whether the participants are of the same or of the opposite sex. And, finally, the traditional Christian prohibition on contraception naturally follows, since it is anti-unitive, and contrary to the integrity of the person as a being with mind and body, for a couple to intentionally strive against the biological goals of that very activity by which they seek to unite.

If one independently accepts the more controversial conclusions on the basis of Scripture and Christian tradition, then one will take the fact that the account explains these conclusions to be evidence for the account. If, how-

² By "outside", I mean to exclude the case where stimulation of the woman to the point of orgasm *within* the context of coitus as a way of making it possible for her to subjectively experience, in passionate pleasure, the good of the union. This pleasure need not be precisely simultaneous with the physical union, but should be "close enough" that it can be a part of a unified experience. More work needs to be done on clarifying the issues here.

ever, one does not accept these conclusions to be a part of the data, but only accepts the philosophical data and/or the general theological data, one still has an argument for the controversial conclusions. For I contend that the account I gave is still the best account of the philosophical and/or general theological data, and this gives us good reason to think that the account, including its controversial consequences, is true.

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JEDNO CIAŁO: PRZEGLĄD TREŚCI

Streszczenie

W niniejszym artykule proponuję odczytanie mojej książki *One Body*, dotyczącej chrześcijańskiej etyki seksualnej, jako przykładu zastosowania wnioskowania do najlepszego wyjaśnienia wspartego przesłankami z zakresu teologii i filozofii.

ONE BODY: OVERVIEW

Summary

I offer a reading of my book *One Body* on Christian sexual ethics as an application of Inference to Best Explanation based on theological and philosophical data.

Słowa kluczowe: stosunek płciowy, miłość, ciało, seksualność, rozrodczość, prokreacja, wnioskowanie do najlepszego wyjaśnienia, teologia, filozofia, teleologia, menopauza, chrześcijaństwo, katolicyzm

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