

INTRODUCTION

Where Do We Draw Our Lines, and Why? An Invitation to Ethical Inquiry

Art, like morality, consists in drawing the line somewhere.

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Like it or not, today we are all pioneers, picking our way through uncharted and unstable territory. The old rules are no longer reliable guides.

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This book is an invitation to ethical inquiry about sex and sexual values. Given all the personal conflicts and cultural controversies that continue to swirl around human sexuality, an ethical guide for those who find themselves sexually perplexed seems necessary. Who among us is ever surprised to hear people say that they are not well prepared to engage in ethical deliberation about these matters? We might even include ourselves among those who feel both challenged and ill prepared.

Historian Dagmar Herzog, in writing about sex in crisis in contemporary United States culture, comments: “There is much titillating talk about sex in America, yet there is little talk about sex that is morally engaged and affirmative.”³ This book seeks to correct this sorry state of affairs by modeling an alternative discourse that is both sex-positive and ethically principled. I do so because as a Christian ethicist I am persuaded that something far better than “sex in crisis” is possible, but the question remains, how might we get to that better place?

Movement forward requires at least three things from us. First, we must not become so fearful of conflict that we try to avoid it at all costs or rush to settle matters without carefully sorting things out. Second, we must ask the right questions.

Otherwise, despite our best efforts, we are likely to miss the mark. Third, we must engage the rich moral wisdom found not only in the Christian (and other religious) traditions, but also among contemporary feminist, LGBTQ (lesbian, bisexual, gay, transgender, and queer or questioning), and anti-racism scholars and activists. If we disregard alternative voices or dismiss emerging perspectives about contested matters, we risk cutting ourselves off from sources of fresh moral insight. In ethics as in life, *to whom* we pay attention and *what* we notice as important make all the difference.

Because ethics, like art, is about figuring out where to draw one's lines, the process of ethical inquiry takes perseverance and skill. Even with these in evidence, sometimes the effort still goes awry. Whenever that happens, bad ethics, like bad art, must be critiqued, packed up, and discarded. However, good ethics, like good art, requires public display and deserves wide public engagement because of its power to stimulate our imaginations and enrich community life. As artists testify, it is possible to develop into a better artist, but sharpening one's "eye" and refining one's skills take time and practice. The same holds true for those seeking to become more adept as ethical practitioners.

Any ethical guide about human sexuality worth its salt should assist readers in making sense of a broad range of sexual issues and also help them generate effective action responses. My hope is that this guide will promote both sound thinking and sound action. After all, the aim of ethical inquiry is not only to understand, but also to transform the world out of the recognition that not everything is as it should be and out of the belief that change is possible.

My intended audience is people who, like myself, are disquieted about a host of sexuality issues, but find that they have little or no tolerance for moralisms or ethics by taboo. They are ready for the hard work necessary to clarify what is just and loving, and they are committed to act on that moral wisdom even when there may be heated disagreements about the right course to follow. For this reason, ethical inquiry is not for the fainthearted. It takes courage to plunge into and stick with this process of discerning how to enhance the human and planetary good.

When confronted by moral perplexities, including perplexities about sexuality and relational intimacy, philosopher Anthony Weston reminds us that it is seldom enough to "follow our feelings" or "fly by instinct." People "come to ethics," he writes, "to learn how to *live*," or, again, in order to learn to live *mindfully*.⁴ Such reflection typically starts when conflict stirs inside us, plays out between us and others, or perhaps does both. Moral ambiguity surfaces when we register that there is more than one credible choice before us, and we must decide which to choose, and why. Moral diversity arises when we recognize that responsible people differ in their moral judgments and can offer good, even compelling reasons for their positions, and we must figure out where we stand, and why. The why is important because ethics asks us to give an accounting of our choices, first, in order to clarify our reasoning to ourselves and, second, so that we might engage others in dialogue, perhaps persuade them to our way of thinking, or even find sufficient reason to change our own minds.

This book invites us, as moral agents who are also sexual persons, to sort out how to live more mindfully in the midst of cultural conflicts about sexuality. Because conflict is unsettling, at various junctures we may be tempted to avoid ethical conflict altogether or, alternatively, be tempted to rush to judgment, all for the sake of putting things to rest quickly. This book proposes a different response. Just as the slow food movement offers a creative alternative to fast food consumption, this book is a project in *slow-down ethics*, asking us to sit with perplexing, even discomforting questions, listen to fresh and sometimes challenging perspectives, and patiently work out matters as best we can. This reflective process is a necessary antidote, on the one hand, to fear of conflict, and, on the other hand, to making snap judgments or indulging in what might be called “moral quickies.” As we pause, at least for a while, to focus our minds and consult our hearts, we rightly seek to bring our whole selves to ethical inquiry, both our feelings and our best critical thinking. However, as Weston acknowledges, “when things are really unclear, feelings may even have to wait. Premature clarity is worse than confusion. We may have to live with some questions a long time before we can decide how we ought to feel about them.”⁵

When it comes to sex and sexual ethics, people draw their lines all over the place. Some exhibit Weston’s “premature clarity” because of their seemingly unshakable confidence that disputed matters can be readily settled by drawing a clear line in the sand or by simply repeating conventional wisdom, though perhaps in an ever-louder voice. Others, confused about Christianity’s good news in relation to sex and uncertain about what ethically principled sexual relationships look like, remain silent so that they won’t offend others in a postmodern, increasingly diverse church and culture.

The approach I offer here differs from both the shouting and the silence found in Christian circles. Although many presume that the work of Christian ethics is to describe a fixed, noncontestable moral code “for all time” and then call people to compliance, I dissent from following that path. Rather than map out a code of (typically) prohibited sexual acts, I am interested in developing a liberating method of ethical discernment that critiques outdated assumptions about gender, sexual difference, and family patterns and clarifies how “sexual sin” these days is far less about sex and far more about the misuse of power and exploitation of vulnerability.

At present, matters of sex, gender, family, and the social order are under intense scrutiny not only within Christianity but within every religious tradition. The conventional Christian moral framework of “celibacy in singleness, sex only in marriage” is being explicitly contested by many inside and outside the church who no longer abide by that moral code. While some argue that what is most significant here is how human sinfulness and irresponsibility are at play, I find that that reading of social reality misses the mark and fails to account adequately for the widening gap between the conventional moral code and how many, perhaps even most people live their lives and structure their loving. I would argue that the real problem is that the inherited moral code can no longer be presumed adequate. As Catholic ethicist

Christine Gudorf insists, “The entire approach of Christian sexual ethics has been and is grievously flawed, [and] gradual, piecemeal revision is not sufficient.”⁶

To begin, a rule-based sexual morality has been rigid, legalistic, and punitive, relying on fear and shame to keep people compliant and on the “straight and narrow.” A more relationally focused ethical framework is called for, one that appreciates how the presumed ideal of lifelong, procreative heterosexual marriage no longer fits with, or speaks adequately to, our cultural reality. After all, divorce is not always tragic, but is sometimes the public recognition that an authentic marriage never took hold in the first place or at least has now ended for one or both parties.⁷ After all, the normative practice for most heterosexual couples most of the time is now contracepted, not procreative sex. After all, not everyone is heterosexual; some are gay, lesbian, bisexual, transgender, or questioning. After all, most heterosexual couples live together, at least for a time, and postpone tying the knot. Moreover, many single persons, including church-attending older adults in retirement communities, are sexually active and living in ways that appear morally responsible, a situation similar to that of many same-sex couples who manage to sustain mature, committed partnerships. At the same time, there is far more public acknowledgment that not everything in heterosexual marriage is ethical, including emotional neglect, marital rape, and spouse abandonment.

A consensus is emerging about the necessity of redrawing the ethical map, but how should a contemporary Christian ethic of sexuality be formulated? How might we help shift the discourse to emphasize justice and love as the normative expectation for intimate relationships across the boards? Would such a single standard—for both gay and nongay and for both the married and nonmarried—raise or lower the ethical bar?⁸ Above all, how might we break with a sex-negative, patriarchal religious framework and instead embrace the vitality of a justice-centered spirituality that is women-friendly, gay-affirming, and multiracial and welcomes a diversity of perspectives with the power to name, invoke, and represent the sacred?

Throughout much church history, Christian teachings have been highly negative about the human body (and especially women’s bodies), sensuality, sexual intimacy, and the right ordering of sexual and gender relations. The watchwords in Christian moral discourse about sexuality have been suspicion, avoidance, and restriction. From Augustine on, characteristic motifs have been repeated in Christian responses to sex. In the popular mind of a Christian-based culture, sex is an alien and dangerous force to be contained. Sin is defined essentially in sexual terms, above all as loss of control over the body and capitulation to sexual desire. Because women are associated with the body, emotionality, and “lower” nature, they must be supervised and kept under control for men’s safety as well as “for their own good.” Sex itself is morally suspect and redeemable only if it serves a higher purpose outside itself, namely, procreation. And (male) homosexuality is condemned, in part, because it is non-procreative and, in part, because in the sexual act one partner is supposedly passive (the female) and the other active (the male), and it is demeaning for a man to act

womanish or to be treated as a subordinate. Lesbians, bisexuals, and transgender as well as intersexed persons rarely appear on the moral radar (a mixed blessing).

This solemn and joyless moral legacy is both fear-based and exceedingly wary of sex, women, and sexual difference. In the patriarchal Christian imagination, sex is cast as a problem, typically precipitated by the female or gay Other. The fear response to otherness is couched in terms of protecting orthodoxy, reasserting control, and punishing nonconformity to (patriarchal) Christian norms of celibacy and heterosexual procreative monogamy. Guilt, shame, and repression mark the dominant Christian tradition's moral response to sexuality.

Catholic theologian Daniel Maguire speaks of a regrettable turn in the history of the church, beginning with the Constantinian establishment, toward “pelvic theology” and an obsession with sexual control. In the third and fourth centuries CE, as the church shifted from prophetic to establishment status, it no longer defined religious identity and spiritual integrity in terms of resistance to the imperial state and its cult. Increasingly, the church hierarchy asserted power by controlling the sexual behavior of believers and by creating a heightened clerical image for itself. Citing Samuel Laeuchli's historical investigation of the Council of Elvira (309), Maguire observes that the church turned increasingly to sex in order to define both orthodoxy and clerical authority. This “Elvira syndrome” continues to operate today whenever church elites project a narrowly clerical image of the church and rely on sexual control as a primary tool for that project. As Maguire conjectures, “Contrary to popular myth, Constantine did not convert to Christianity. Christianity converted to Constantine, and Elvira signals the first symptoms of this perversion.”⁹

This dominant imperial approach to Christian sexual morals is shaped by three assumptions. First, moral truth is located in the past, in a tradition defined by patriarchal authority. Second, theological discourse about sexuality proceeds in a highly abstract, ahistorical, and largely deductive manner. Third, there is a deep suspicion of “advocates” speaking out of their particular moral struggles, especially anyone who appears self-interested in making moral claims. Religious elites proceed on the assumption that they are offering a disinterested, “pure” ethic above the rancor of social divisions and untainted by particular biases or interests.

In contrast, this book follows the logic of a liberating ethic, which operates with quite different assumptions that are born out of a participatory, communal mode of ethical inquiry. First, moral truth is found in the past, but also grasped anew as communities of conscientious people encounter new circumstances and inquire whether and how the past offers insight and direction. We “read” and appropriate the past not for its own sake, but for the sake of present needs and struggles. Second, appropriation of the past is never a simple matter of applying past truths to present issues, but rather a creative, dynamic, and even messy and jarring process of engaging (and being engaged by) a living, pluriform tradition involved in its own continual change and adaptation. Third, although a liberating ethic is aware of the fact that the past makes claims on the present, the present also makes claims on the past. Insight from

the past is dependent upon and filtered through the interests and limitations of present communities as they recognize and value the past. Therefore, we may engage the past freely and critically, claiming our responsibility as authoritative interpreters and “ethical artists” to reshape the Christian tradition as needed, in company with many others.

Above all else, the imperial and patriarchalized Christian tradition has obscured the central place of justice in biblical faith. It has also downplayed how justice making restores the vitality of communities, including faith communities. Pursuing a comprehensive justice includes critiquing sexual injustice with its interlocking components of sex-negativity, compulsory heterosexuality, and sexualized violence. Beyond critique, justice making also involves the constructive movement to create the conditions of respect and well-being that would make it possible for all people to thrive, especially those now on the margins. Therefore, actualizing sexual justice means, first, in light of Christian sex-negativity, honoring the goodness of human bodies and recognizing sexuality as a spiritual power for expressing care and respect through touch. Second, in the face of compulsory heterosexuality, sexual justice requires recognition of and respect for sexual difference, including diversity of body shape and size, sexual orientation, gender identity and expression, and marriage and family patterns. Third, in the face of sexual violence, abuse, and exploitation, sexual justice calls for respect and compassionate care between persons and groups. Fair distribution of social power and goods is also required along with safety, health, and empowerment, especially for the vulnerable, so all may participate in shaping social arrangements and developing cultural expectations.

This book seeks to increase the reader’s skills and confidence for engaging in ethical deliberation about sexuality and, in particular, to explore the demands as well as the opportunities for embodying sexual justice. Each chapter offers a way into Christian ethical inquiry by first posing a question and then offering a response, all the while inviting readers to take the plunge, explore their own questions, and enrich the conversation in ways that will prove useful and even revelatory to themselves and others. For as New Testament scholar Luke Timothy Johnson suggests, “Revelation is not exclusively biblical but occurs in the continuing experience of God in the structures of human freedom.”¹⁰