

Feminist Sexual Ethics Project

Literature Review by Carly Daniel-Hughes

Lisa Sowle Cahill. *Sex, Gender, and Christian Ethics*. Cambridge: Cambridge University Press, 1996.

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In *Sex, Gender, and Christian Ethics*, Catholic feminist Lisa Sowle Cahill takes on the task of arguing from within the Catholic tradition while simultaneously engaging feminist critiques of gender. Her book seeks to explore whether it is possible to arrive at a social (and sexual) ethic that permits “shared moral values (p. 2). Cahill notes that contemporary feminist scholarship around sex and gender follows, in response to Foucault, a deconstructionist mode (pp. 21–25). The goal is to “free” both sex and gender from its usual constraints, in particular from procreation (p. 5). Sex is often proclaimed by modern critics to be an inherent facet of the human condition and a good to be celebrated, with a special focus “on intimate activity of individuals and couples” (p. 10). The difficulty for Cahill is when these liberal critiques combine with post-Enlightenment Kantian rationality that values subjective reason. The result is an ethical system that responds only when an individual’s rights are transgressed (pp. 16–17). Currently, most feminist discourse assumes both individual autonomy and rationality as starting points for critical thought (p. 35). Yet this approach limits the ability of feminist discourse to speak cross-culturally in two ways. First, it denies the understanding of the body developed from kinship and parental bonds. Second, the focus on mutual consent for shared sexual activities eschews any discussion of responsibility “for one’s sexual partner” (p. 10).

Cahill’s solution to the current stalemate in feminist discourses is to reject anti-foundationalism in return for revised “universalist” thinking. Entertaining a number of solutions, including Habermasian “communicative action,” which she finds abstracted “from a real change in social conditions” (pp. 41–46), she opts for Aristotelian-Thomistic ethics. Aristotelian-Thomistic ethics strive toward the achievement of human happiness by attaining agreed upon “goods,” which can attain the desired end of “human flourishing.” These goods reach across cultural lines because they are derived from inductive reasoning based on shared human existence (pp. 46–47). For ethicists grounded in the Thomistic, natural law tradition, common experiences derive from “our bodily nature; our abilities to reflect, to choose, and to love; and to our intrinsic dependence on a community of other human beings” (p. 51). Though Aquinas’ notion of gender is limited by “his cultural setting,” arguing that sex is solely procreative and deeming women the “passive” and “less reasonable sex,” Cahill finds that contemporary critique can nuance this approach to provide a firm grounding for an ethic of sex and gender (pp. 50–51).

Cahill is also taken with the work of Aristotelian feminist, Martha Nussbaum, who argues that shared experiences of “hunger, pleasure and pain, cognitive capability, reason, and affiliation,” allow us to speak and to act upon agreed human goods. However, Cahill

rejects Nussbaum's category of "affiliation," which she finds betrays a liberal agenda and once again overlooks the way biological reproduction shapes women's experience (p. 60). Cahill argues that when natural law is interpreted through a Kantian-Enlightenment frame it becomes (or can become) a "rigid system of moral absolutes" (p. 68). In contrast, Cahill suggests that the work of modern critics, like Catholic theologian David Tracy, can nuance natural law to account for varying historical and social contexts. Tracy posits the existence of "classics," any text (or other creative products) that comes from one particular tradition but is able to speak to others. In this way, a "classic" can build a conversational bridge from one culture to another (pp. 70–71). Though no culture ever achieves ultimate translation of the "classic," its appeal is timeless. The classic proves to be invaluable for ethical discourse and action. Without obfuscating differences in particular cultures, Tracy states that though manifestations will be unique in different contexts, "we can understand justice and injustice in different cultures by virtue of their resemblance-in-difference to our own experience" (p. 71). For Tracy, and consequently for Cahill, truth is attained by way of collective, human knowing. In Cahill's opinion, this stance allows us to probe the deeper questions of war, famine, and poverty in order to gain "productive intercultural ethical exchanges which secure real results for human well-being" (p. 72).

Cahill begins her examination of common goods with a focus on the body. Arguing that bodies cannot be viewed solely as the product of discourse, because "they interact in social space," Cahill suggests that fundamental to shared experience is our bodily nature (pp. 73–76). Cahill offers three necessary considerations for an ethic of sex and gender: the body as invariant over time and space; bodily experience as regulated by cultural institutions, and that these experiences are engaged with a "critical and normative stance" (p. 80). For Cahill, monogamy and kinship are key in this discussion. Though sociobiologists have argued that humans are not "designed to be monogamous," Cahill points out that "sex and reproduction" are not fully biological functions—they are also social. There are survival advantages for raising children in kinships units. Further, monogamy meets the human need for "lasting relationships," and offers protection and security for infants of a heterosexual union (pp. 94–97). With regard to sexual orientation, Cahill suggests that sexuality can fluctuate over a lifetime (pp. 100–101). If lesbianism is employed by some feminists as a means to transform political realities, Cahill wonders if sexuality is indeed pliable, and whether gayness "the best and most effective instrument of change" (p. 101).

Cross-culturally, Cahill finds that kinship, structured around "the organization of labor, goods exchange, and property rights, and lineage of children," are more common than the liberal notions of "emotional fulfillment" (p. 105). Gender and sex are central (though overly exaggerated, per Foucault) to human social arrangements and existence, which can and have limited women's "flourishing" (p. 110). She maintains that a focus on addressing ethical critiques "at the center," namely heterosexual, reproductive, and patriarchal marriage, will best help to achieve "human flourishing" for women, contingent on "gender equality" (p. 116). For the majority of the world's women, economic dependence on men is a greater bar to achieving full equality than more liberal issues, such as divorce, lesbianism, and extra-marital sex (p. 116).

Cahill finds a model for human relationships in the New Testament's focus on "compassion, mercy, peace, and solidarity with the poor" (p. 121). In Jesus' ministry, Cahill recognizes "transformation and reversal," where the patron-client economy, purity regulations, even patriarchal marriage, and other forms of exclusion are rejected in favor of the full inclusion of marginal persons (pp. 124–152). In other early Christian texts, Cahill finds an effort to challenge existing oppressive Greco-Roman structures. For instance, Paul's denunciation of homosexuality is in fact a reaction to "a system of domination and control," where men took advantage of powerless boys (p. 157). Emphasis on chastity marks an objection to Roman patriarchal marriage in exchange for "communal solidarity" (p. 152). Even the controversial *Haustafeln*, household codes, represent the social realities for first-century Christians, and are remarkable in their inclusion of both women and slaves (p. 161). Ultimately, the New Testament presents a vision of "moral discipleship," where marginalized persons are treated as valuable human beings (p. 163). As social and historical situations have changed, imitation of these models of the past is not the goal of ethics. (Present realities suggest to Cahill that a restructuring of the family, rather than a dismantling of this institution, should and do occupy our energies today.) Instead, she suggests that the "radical nature" of early Christian communities' emphasis on inclusion should guide present discussion of an ethic of sex and gender (pp. 162–164).

Picking up on the early Christian emphasis on inclusion and compassion, Cahill looks at modern Catholic treatment of sex, marriage, and family. Considering clerical celibacy, she finds that continence was once a means for women (and men) to escape family life and have access to power, to devote more time to a contemplative life, as well as provide a challenge to oppressive patriarchal marriage (p. 172). Focusing particularly on required priestly celibacy, she argues that marriage is now able to provide the "ideals" that a chaste lifestyle once maintained (p. 182). With indissolubility as well, Cahill argues that divorce was intended to discourage abuse of male unequivocal divorce rights, which was a particular disadvantage to women's financial well-being. However, as this precaution is no longer necessary, current prohibition of divorced persons from the community is counter to Christian teaching (p. 197).

Finally, with regard to sex, Cahill finds that the Church has inadequately responded to the concrete human needs of its community. Treating contraception as "a compromise" of the sexual union idealizes sex in a way that few marital sexual encounters can achieve (p. 202). Continued valorization of motherhood over all other female roles also restricts women's access to the public arena (p. 204). She wonders if "fear of woman's social equality" underlies the continued ban on birth control and emphasis on motherhood (p. 205). Cahill suggests that birth control may be necessary, particularly in poor countries, but she is not supportive of recent Pro-Choice discussions. The use of abortion as birth control threatens "the social support of pregnancy, birth, and childrearing in the family" (p. 214). She remains sympathetic to the severe realities of gender inequality that promote the abortion rights argument (p. 213). Yet, Cahill finds value in the Church's concern about divorcing sex from procreation, and thereby, responsibility. She asserts that the family should be seen "as a ground for contributing to the common good" (p.

206). Using the patristic model of “family as church” (with a nuance, as women are barred from the priesthood), the family is the site of social justice and unconditional love that can inform and “transform the world”(p. 212). She posits that though dramatic structural changes are required to achieve equality for women, the Church must begin the work of challenging the inequalities of sex, race, and gender within the family (pp. 214–215).

In her final chapter, Cahill looks at the critical issue of birth technology, including: surrogacy, in vitro fertilization with donor gametes, and donor insemination. She finds that these technologies again reveal a liberal agenda that emphasizes personal autonomy and choice in regard to childbearing (pp. 217–219). However, these technologies are directed to a small, wealthy percentage of the world’s population, and as a result, these technologies should not be considered in terms of their ultimate good (p. 225). In fact, birth technologies reify the same patriarchal structures that feminists aim to dismantle. Surrogacy, for instance, emphasizes the importance of establishing a child’s paternity. Other methods, including fertility drugs, intimate that women’s most valuable role is as a mother. In some cases, women go to extreme lengths to insure that they can bear a child. The discourse around these treatments can make women feel that they have failed when with the aid of advanced technologies, they do not acquire the desired result (p. 242). Further, the sale of gametes commodifies human bodies (p. 244). The rhetoric of personal choice overlooks the way that science has in fact circumscribed women’s decisions with regards to infertility (p. 244). Medical science can be coercive, prompting women to continue treatments as the “only option.” Arguing that laws (particularly in the U.S.) that do not prohibit such practices tacitly endorse them, Cahill proposes that new legal regulations should restrict the use of reproductive technology (pp. 249–251).

Cahill finds adoption a better way for infertile couples to build a family; yet, she notes that adoption should be closely critiqued to insure that it does not become an industry “trafficking babies” to wealthy Western populations (p. 248). However, given the number of children in desperate need of homes, Cahill finds this practice a meaningful way for couples to have children, while contributing to the common good (p. 249). She maintains her strong emphasis on the link between sex and reproduction, as well as biological connection and lineage as crucial categories for kinship groups and families. As a result, Cahill suggests that in the adoptive process there must be room for both the adoptive child and the adoptive parents to grieve over the loss of the biological parents (p. 246).

Cahill’s detailed study offers much for continued deliberation and discussion. Her strength is in recognizing the problems of recent anti-foundationalist feminist critiques for concrete betterment of women’s lives. However, Cahill is troubling in her emphasis on the biological in human relationships. This may be key for the way that many societies are presently arranged surely, but does this structure necessarily always provide for the common good? Working in a child abuse prevention program and from my own experience, I have seen biological families that are simply dysfunctional and abusive. I think that this phenomenon is more common than Cahill wants to admit. Further, by continually positioning the biological kinship unit in the center, do we not end up with the kind of sectarianism that Cahill rejects? How can the family dramatically impact the

public realm? What happens to the marginalized without family or abandoned and abused by them? Cahill is clearly positioned against feminist thought that disassociates sex and reproduction, yet the latter “makes homosexuality” ethically defensible. In my opinion, her work dismantles the inroads of lesbian feminist thought too quickly. First, though cautiously, treating homosexuality as a political choice, she reduces the experiences and compromises the happiness of many women. Recent emphasis on “right relationship” (i.e., the work of Virginia Ramey Mollenkott, lesbian feminist) addresses some of the same issues with which Cahill struggles. Further, the right relationship notion that bonds can be formed outside of biological connections is also authentic to human experience and offers the possibility of greater and further reaching understanding and even cross-cultural dialogue.

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