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The Philosophy of Sex and the Morality of Homosexual Conduct

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Claremont McKenna College
THE PHILOSOPHY OF SEX
AND THE MORALITY OF HOMOSEXUAL CONDUCT

SUBMITTED TO
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AND
DEAN GREGORY HESS
BY
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DEDICATION AND ACKNOWLEDGMENTS

Writing about an extremely controversial topic can be difficult. I oftentimes found myself thinking about whether I should even undertake such a task because of the harsh criticisms I may receive. I oftentimes wondered about the implications and effects of my reasoning and conclusions and the possible effects such conclusions would have on my future if I entered into politics or law. It would be much easier from this standpoint to write about whether the world exists or not. It was during these times of doubt that I relied on my family and friends. I am extremely grateful to my mother and father who always taught me to stand firm in my beliefs and to be courageous in defending them. I know that if I defend what I believe to be true and right, then I will be happy with the outcome despite the consequences. My mother and father also fostered in me a wonderful sense of open-mindedness and ability to give equal consideration to all ideas, thoughts, arguments and people. This sense of courage, loyalty to my beliefs, and open-mindedness helped me write this thesis. As a heterosexual male, sometimes I found it difficult to write about homosexuality solely because I do not know what it is like to be homosexual and can't relate to their experiences. It was during these times that I received timeless advice from my mother and father in the form of empathy and reason. I had an easier time writing once I began to think and ask myself what I would want out of an intimate relationship and the pleasures that such relationships bring and then think whether homosexuals would want these same things or would experience these same pleasures. My parents also gave me the strength to realize that if I give equal consideration to the arguments for and against homosexuality, then I should be confident in whatever conclusions that I draw. This thesis would not have been possible without the love and support of my parents. In completing this four year milestone I realize that graduating has been a four year project for me, but it has been a twenty-two year

project for my parents. This is just as much my accomplishment as it is theirs. Thank you for shaping me into the thoughtful, kind, tolerant and successful man that I am today.

To my friends, thank you for providing much needed relief, support and advice during the semester. It truly is a wonderful feeling knowing that I have friends who will always support me no matter what I believe or do. Thank you for your friendship; I truly feel blessed to have such an amazing group of friends who have always been with me through the good times and the bad.

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INTRODUCTION

Homosexuality is an important and controversial topic in political, philosophical, ethical and religious spheres. We are exposed to the debate of homosexuality in the media on a regular basis and issues related to homosexuality have been taken up by the Supreme Court, politicians and religious institutions. Needless to say, the debate surrounding homosexuality has captured the attention of almost everyone in society to some degree. It is my goal in this thesis to give a candid overview and analysis of the arguments surrounding homosexual sexual conduct. First, I will present an argument by John Corvino, who posits that homosexual conduct can realize the same concrete goods of love, happiness, and pleasure, among others, that heterosexual conduct can realize. Namely, if homosexual conduct can produce these goods, then there is no reason on the face of things to treat homosexual conduct as morally inferior to heterosexual conduct. I will then consider an objection by Michael Levin who asserts that even if this is true, there is a prudential reason to discourage homosexual conduct because it leads to unhappiness. Specifically, he claims that homosexuals misuse their sexual organs and such a misuse is unnatural. As Levin believes that behavior which is unnatural leads to unhappiness, he concludes that homosexual conduct leads to unhappiness and should therefore be discouraged. Homosexual conduct then has negative consequences which are not entailed by heterosexual conduct. This fact counts prudentially against homosexual conduct and undermines Corvino's argument. I will then examine an argument by Alan Goldman, who presents a definition of sex which he believes best matches our common intuitions and judgments in regards to what sexual activity is and isn't. Goldman argues against definitions of sexual activity which posit that the purpose of sexual activity is to fulfill some external goal or purpose to sex itself, such as reproduction or love. These definitions are typically labeled as means-end analyses of sex. Goldman outlines that sex

is essentially a physical desire for contact with another's body. If Goldman's definition is correct, contra the means-end definitions of sex, then his definition entails that homosexual conduct is not immoral. Afterwards, I will give my own thoughts as to what moral conclusions we should draw about homosexual conduct based on the above arguments.

I recognize that the debate surrounding homosexuality typically operates in the realm of marriage. I distinguish between homosexual conduct and homosexual marriage because there are things that people do in the privacy of their bedrooms that are unrelated to marriage. Specifically, people can ask whether such sexual bedroom activities are wrong or sinful, whether or not they relate to marriage. The issue of homosexual marriage is clearly a distinct issue because there may be people who think that homosexual conduct is wrong, but who believe that as a matter of legal right, homosexual marriage should be legal because it is required by equal protection of all citizens. To illustrate, there are people in America who think that it is immoral to get divorced and then re-marry. However, such people do not believe that such re-marriages or marriages in general should be illegal.¹ In other words, they make a moral judgment about behavior but do not simultaneously label the institution in which the behavior takes place as immoral or illegal. One can then discuss homosexual conduct without implicating any conclusions regarding homosexual marriage.

Religion also takes a significant role in the debates surrounding homosexuality. I avoid religious arguments because I believe that my arguments will engage religious people who do not go on pure doctrinal faith. It is my belief that most religious people engage in moral reasoning when they read the bible or other primary text. There are clear disagreements amongst religious people about what exactly God's Word is, signaling that many religious people do not

¹ I thank Professor Alex Rajdzi of Claremont McKenna College for this illustration and the preceding explanation

take every bible or religious verse as dogma. I can make a contribution to religious thinking by asserting an argument that I believe has the potential to engage religious people in critical thought about why homosexual conduct is immoral or not. This is valuable in itself. It is also important to me to engage the secular, or non-religious community because I want my thesis to engage as many readers as possible.

This thesis mostly uses examples of and speaks in terms of male homosexual conduct. I do this mainly because the articles that I cite and interact with do the same. However, my argument can be just as equally applied to female homosexual conduct. Namely, in some areas I will state things such as “inserting the penis into the anus is not a misuse of body parts.” This could easily be translated into female homosexual conduct in the form of “rubbing another vagina against another vagina is not a misuse of body parts.” I mention this to clarify that when I use the term “homosexual,” it applies to both male and female homosexuals respectively.

CHAPTER ONE: GLENN AND STACY

Glenn and Stacy are driving home after a night out on the town. As they cross a bridge, traffic comes to a halt due to a snowstorm. Despite being stuck in traffic, each thinks to themselves how beautiful the snow is and how the warmth of each other's touch serves as a perfect way to fend off the cool, crisp night air. As ten, then twenty minutes pass, Glenn and Stacy do what most young couples would do. They start to make out. While waiting for traffic for nearly an hour they kiss, cuddle and conclude that life is wonderful. This story reminds us of the value of intimate human connections and perhaps even reminds us of a romantic time and special feeling of intimacy that we once experienced with a significant other. The story is familiar and at the same time evokes our desire that such experiences will become more familiar to us. Perhaps we even hope that Glenn and Stacy will marry, spend a happy life together and look back at the happy, romantic experience they had with each other on the bridge. Glenn and Stacy are both men. This true-life anecdote is presented by John Corvino in his article "Homosexuality and the Moral Relevance of Experience."

What at first appeared to be a romantic, charming story will now strike some as revolting and controversial. Readers may react with the sentiment "but that's just *wrong*" and that "no matter how right and good and beautiful the experience felt to Glenn and Stacy at the time, there are countless others who will object that the two of them are simply deceiving themselves" (Corvino 241). To illustrate, a self-professed ex-gay named Charles recounted a homosexual experience that he had with a stranger at a rest stop. He concluded afterwards that "suddenly I knew deep in my heart that what I was doing was wrong and I vowed then and there that I would change" (Corvino 242). Charles and Glenn actually met each and each maintained the conclusions they drew from their respective homosexual experiences. The reader is thus

presented with “two stories, two experiences and two very different moral conclusions” (Corvino 242). Specifically, each experience offers a moral insight into homosexuality in that one (Glenn) sees the experience as a “means of human connection and deep personal fulfillment” and the other (Charles) sees his experience as “a misguided addiction leading to despair and hopelessness” (Corvino 242).

Corvino presents this argument as a means of addressing the many individuals who have never had the type of homosexual experiences that Glenn, Stacy and Charles have and who remain perplexed and confused about how to solve the moral dilemma presented by this case. What moral conclusions should we reach about homosexuals such as Glenn, Stacy and Charles? How much emphasis should be put on their relevant experiences in reaching such moral conclusions? In the process of attempting to answer these questions, it will become clear that the experiences of homosexuals and the reflections they draw from those experiences is relevant to the moral judgments and conclusions we make about homosexual conduct.

To avoid confusion and to clarify what is at stake in this argument, it should be noted that Corvino’s main thesis is: “whatever sort of activity is permissible for heterosexuals is permissible for homosexuals” (Corvino 244). In this vein, Corvino wants to establish that gender is not relevant to relationships or their moral character. It is also important to note that Corvino recognizes that just because something “feels good” is not an excuse to engage in that behavior, let alone draw the conclusion that the action is morally correct (Corvino 242). When analyzing this case, we should keep in mind what made this behavior seem good to us in the first place, before we discovered that Glenn and Stacy were both men. Corvino’s list of goods that are realized by Glenn and Stacy’s experience are listed later in this paper, but for now I allow the

reader to form their own opinion regarding what it was about Glenn and Stacy's activity that seemed good.

The notion that homosexual conduct can generate the same goods as heterosexual conduct is the underpinning of Corvino's "prima facie argument." Prima facie essentially means "at first glance" or "at first appearance." The goal of such an argument in this case is to find some justification or reason to treat homosexual conduct and heterosexual conduct as morally equivalent at first glance. To illustrate, going to the doctor and getting a shot is painful. The fact that it is painful is a prima facie reason to not go to the doctor. It indeed turns out upon further examination that there are overriding reasons, such as health and well-being, which outweigh this prima facie reason to not go. However, the painfulness caused by the shot is still a reason that on the face of things counts against going to the doctor.

I. The Prima Facie Goods Argument

The "prima facie goods argument" may be re-written into the form of: (i) Many times homosexual behavior realizes concrete goods without any bad consequences. (ii) Sexual behavior that yields goods without any negative consequences is prima facie morally justified. (iii) From (i) and (ii) it follows that homosexual behavior is prima facie morally justified. (iv) Sexual behavior that is prima facie morally justified can be prohibited only if there is a strong reason and supporting evidence to prohibit it. (v) As Corvino has illustrated, there do not seem to be any relevant or strong reasons to prohibit homosexual behavior. (vi) Thus, homosexual behavior cannot be prohibited on any justifiable grounds. This argument works in tandem with another argument that Corvino sets forth which I will call the "comparative argument."

II. The Comparative Argument

Corvino argues that the relevant features of this particular instance of homosexual behavior are the same features that make a heterosexual relationship valuable. Namely, (i) society accepts and deems much heterosexual behavior to be moral. (ii) Homosexual behavior and heterosexual behavior are analogous in terms of the goods that each can realize. (iii) Thus, sexual activity that is morally permissible for heterosexuals is also morally permissible for homosexuals.

III. The Prima Facie and Comparative Arguments Combined

The conclusion we drew from the prima facie goods argument can be stated generally as: (i) sexual activity that produces concrete goods is prima facie morally acceptable. The conclusion that we drew from the comparative argument is: (ii) homosexual activity is able to realize these goods in the same way that heterosexual activity is able to realize them. It seems then that the argument from goods coupled with the argument by analogy implies a “prima facie argument in favor of homosexuality” in that homosexual activity is able to fulfill and realize all of the “concrete goods” that “non-procreative heterosexual activity does” (Corvino 243).

It is important to note that Corvino is not arguing that all homosexual behaviors lead to and realize these concrete goods. Corvino asks us to remember Charles, whose homosexual experiences left him feeling “empty and degraded” (Corvino 243). However, just as it is important that we do not generalize about heterosexual couples from what we see on Jerry Springer, it is also important that we do not generalize about homosexual couples from certain anecdotes and negative experiences. Corvino recognizes that “sex is powerful” for both homosexual and heterosexual people and can therefore have good and bad effects for both types of relationships (Corvino 243). Corvino’s point is that homosexual experience has the potential

to and can realize the very same goods that heterosexual non-procreative experience sometimes realizes.

IV. Two Interpretations of Corvino's Argument

a. The First Interpretation

One may think that the Glenn and Stacy example is simply a way of comparing specific sexual activities to one another. For example, Corvino wants to show us that the act of kissing between homosexual Glenn and Stacy is morally equivalent to the act of kissing between heterosexual Glenn and Stacy. Essentially, Corvino presents a thought experiment wherein the reader thinks of a heterosexual activity that they think is good. Then he wants us to think of the equivalent homosexual sexual activity and whether it is different in any important respect. Under this interpretation, we are simply comparing non-procreative and specific sexual acts to one another. Under such an interpretation, opponents of Corvino may be able to weaken his argument because such an interpretation renders the example of Glenn and Stacy incomplete in an important aspect. Specifically, in the case of Glenn and Stacy, all that happens is non-procreative conduct. Objectors can simply point out that all that Corvino has proved is that there is a prima facie reason to believe that homosexual conduct that does not lead to sex is morally permissible. Specifically, Corvino states "if heterosexual kissing is permissible, then homosexual kissing is permissible. If heterosexual oral sex is permissible, then homosexual oral sex is permissible- and so on" (Corvino 244). However, the phrase "and so on" signals a major omission in his argument. Full-blown sex. Corvino has left out any discussion of actual sexual activity. Clearly there is a difference between heterosexual sex and homosexual sex, not in terms of gender, but in terms of what goes where. Namely, in homosexual sex, the penis is inserted into the anus while in heterosexual sex the penis is inserted into the vagina. Objectors can claim that this is a morally

relevant difference because many people believe that anal sex for heterosexuals is immoral. If Corvino wants to maintain his analogy, then he will first have to face the fact that many people do not agree on what constitutes permissible heterosexual activity. Namely, if some people believe that sodomy for heterosexuals is not morally permissible, then Corvino's argument becomes weaker in that it opens the door for an objector to say that homosexual sex is also morally wrong. It is not relevant that some may believe that sodomy is morally permissible because Corvino's main thesis is that what is morally permissible for heterosexuals is also permissible for homosexuals. If there is widespread disagreement about a significant difference between the morality of homosexual and heterosexual sexual conduct (which I assume the penis-vaginal vs. penis-anal issue to be) then Corvino's argument by analogy does not hold. However, such an interpretation, while detrimental to Corvino, would not be used by an opponent of homosexuality. Specifically, opponents of homosexuality are uncomfortable in granting *any* form of homosexual conduct, whether it is kissing or anal sex, a positive moral status. Rather, they would argue that any form of homosexual conduct is immoral. Although it may seem fruitless to point out an argument that may not be used "in the real world" it is important to point out all possible interpretations of an argument out of fairness and pure intellectual appreciation. However, perhaps we were being unfair to Corvino in presenting this interpretation because there is another interpretation of his argument that would strengthen his argument and protect him from one who would posit that his argument is incomplete.

b. *The Second Interpretation*

Rather than viewing Corvino's argument as a comparison, we can view it as an argument about goods. It can be argued that homosexual sex can realize the same concrete goods that heterosexual sex realizes. While this interpretation inherently involves a comparison of specific

acts, such an interpretation is different from that advanced in section IV (a) because it hinges on the goods produced, rather than the acts in themselves. Therefore, we conclude from such an interpretation that if homosexual sex can be reasonably seen as able to realize the same concrete goods that heterosexual sex realizes, then there seems to be no reason to discriminate against homosexual conduct. What then are these concrete goods? Corvino lays them out partially with his Glenn and Stacy example on the bridge. For example, the act of kissing between Glenn and Stacy is behavior that “is pleasurable [...] this fact is not sufficient to justify it, but all else being equal, it is certainly a point in its favor” (Corvino 242). Also, the behavior “opened an avenue of communication, allowing them to express affection in a manner for which mere words would have been inadequate” and “facilitated a kind of connection between the two parties: their physical intimacy both manifested and enhanced their emotional intimacy” (Corvino 242). Finally, while this is not a good, it is important to note that there were no negative features of the behavior. Nobody was coerced to do something that they did not want to do nor were they putting themselves at risk. The homosexual conduct of Glenn and Stacy then produces pleasure, a form of communication, intimacy, personal fulfillment and love. These are concrete goods that are realized in heterosexual acts as well. Before we learn that Glenn and Stacy are homosexuals, their experience resonated with us precisely because, I presume, heterosexual experiences have produced these same goods of pleasure, communication, intimacy, fulfillment and love. As Corvino points out “these are reasons why activities such as kissing, cuddling and caressing can be morally valuable even when they do not lead to intercourse” (Corvino 243). It is reasonable to claim then that homosexual Glenn and Stacy and a hypothetical heterosexual Glenn and Stacy, who engage in the same non-reproductive sexual acts (kissing, cuddling, caressing) realize the same concrete goods. Thus, given that homosexual and heterosexual non-procreative sexual

conduct can lead to the same concrete goods, why is homosexual conduct morally wrong and heterosexual conduct morally right? It is not enough to explain as the difference the fact that one involves a same sex couple and the other does not. That would beg the question in that such a proposition assumes precisely what we are trying to prove.

This puts the opponent of homosexual conduct in a difficult position because it entails that they either 1) accept that homosexual and heterosexual non-procreative conduct are morally equivalent because they lead to the same goods or 2) admit that while homosexual non-procreative sexual conduct is on par morally with heterosexual non-procreative sex acts, it is not true that penis-vaginal sex is on par morally with penis-anal sex. Corvino does not take up this issue directly, nor does the Glenn and Stacy example enter into this realm. However, it can be argued that penis-vaginal sex and penis-anal sex acts lead to the same concrete goods.

V. The Concrete Good of Procreation

An immediate objection to this line of reasoning is that heterosexual sex can lead to procreation while homosexual sex never leads to procreation. This is a concrete good that heterosexuals can realize that homosexual sex conduct does not realize and can never realize. The concrete good possibly being the knowledge or pleasure that one derives in the realization that one is mutually creating a life with a person that they love. Therefore, this is a morally relevant difference and reason to place homosexual and heterosexual conduct on different moral planes. The argument would proceed as i) heterosexual sexual conduct can lead to procreation ii) the act of procreation is a concrete good iii) homosexual conduct never leads to procreation iv) homosexual conduct fails to realize a concrete good that heterosexual conduct realizes c) there is then a relevant moral reason to differentiate between homosexual and heterosexual conduct. At

first glance this is a powerful response because (i-iii) are brute facts and (iv,c) are simple logical deductions made from those facts. There are two lines of response available to such an argument.

First, this argument can be aimed directly at heterosexuals. There are men who are infertile, women who have gone through menopause or have other diseases that render them unable to reproduce. It would seem that under this argument, sexual intercourse between heterosexual couples who cannot reproduce is morally inferior to sexual intercourse between heterosexuals who can reproduce because the former does not realize this concrete good of reproduction that the latter does. This is an absurd conclusion. The claim that heterosexuals who cannot reproduce are somehow engaging in sexual activity that is morally inferior to heterosexual activity that does lead to reproduction places the morality of sexual activity in a position of dependency upon a successful uniting of sperm and egg. This is an odd standard of morality because we can imagine two different heterosexual couples engaging in identical activity, but for some reason or other, heterosexual couple A consistently fails to reproduce, while heterosexual couple B is successful. The difference between the two couples then is in one case sperm successfully unites with an egg, while in the other case the sperm failed to successfully unite with the egg. To claim that this now renders the sexual activity of couple A any less moral than that of couple B operates on a standard of morality that most people would not accept. It follows then that simply because homosexual conduct can never lead to reproduction, in the same way that the sexual conduct of heterosexual couple A can never lead to reproduction, does not mean that homosexual conduct is morally inferior as a result of this failure. If we grant that the sexual conduct of heterosexual couple A is morally on par with the sexual conduct of heterosexual couple B, then logically we must grant that homosexual conduct is also on par morally with heterosexual couple B.

A reply to this line of reasoning may be that homosexual activity is not morally on par with the sexual activity of heterosexuals for other reasons. For example, some may say that penis-anal sex is morally inferior to penis-vaginal sex because it is a misuse of body parts or that it is not natural. I will deal with this line of reasoning later in the paper, but for now it is enough to point out that the original objection is that homosexual conduct is morally inferior to heterosexual conduct because it cannot realize the concrete good of reproduction. Such an argument has now been logically proven to not entail such a conclusion.

VI. A Second Reply to the Procreation Argument

The second reply dovetails from the first line of reasoning. As was explained above, while reproduction may be a concrete good, it is both not a good standard by which to judge the morality of sexual activity. By the same token, it is not the only concrete good that is realized by sexual activity. The reproduction argument fails to take into account that it is also an obvious fact that heterosexuals engage in sex for reasons other than to reproduce. The list is quite long but the important concrete goods that sex can realize are that it is intensely pleasurable, it fosters emotional and physical intimacy, it expresses deep emotions that words cannot convey and it strengthens the commitment of two people to each other. I would like to point out that I realize that not all sexual encounters realize these goods to the same extent and sometimes fail to realize a majority of the goods listed. However, it cannot be denied that sex has the potential to realize these concrete goods, which is the point. Homosexual activity can certainly realize every concrete good that heterosexual activity can and an opponent of such a view would find it difficult to be taken seriously in claiming otherwise. For example, an opponent who claims that homosexuals do not find their own sexual activity pleasurable is essentially saying that they know better than homosexuals about what is actually pleasurable. Telling someone, who

experiences intense pleasure through their conduct, that what they are experiencing as pleasure really isn't pleasure, is absurd. The same reasoning can be used for any other concrete good listed. If the same concrete goods can be realized by both homosexual and heterosexual acts, then opponents must indicate a morally relevant difference between the two. The Glenn and Stacy example shows that in terms of concrete goods, there is no morally relevant difference between the two types of conduct. Just think back to when you read the story of Glenn and Stacy before you discovered that they were homosexuals. It probably reminded you of some of the concrete goods that you have experienced in a relationship or in an intimate experience with someone else. It seems then that even intuitively we grant that homosexuals and heterosexual activity both can potentially realize identical concrete goods.

VII. Summary

So far we have examined Corvino's argument that homosexual sexual activity is *prima facie* morally justified. Homosexual conduct produces the same goods as heterosexual conduct produces. Namely, each produces an avenue of communication, love, intimacy and pleasure. There is then no morally relevant difference to treat heterosexual and homosexual conduct differently. Thus, whatever sexual activity is morally acceptable for heterosexuals is also acceptable for homosexuals. We then saw two interpretations of such an argument and made replies to each. First, we can view the argument not from goods, but from a comparative standpoint. However, such an argument is incomplete because Corvino never explicitly mentions penis-anal or penis-vaginal sexual activity. He stops short. However, the other interpretation regarding goods serves to bolster his argument by showing that *any* homosexual activity, whether it is making out or full blown sexual intercourse, is morally equivalent to the corresponding heterosexual sexual activity due to the realization of identical goods. It was also

pointed out that the concrete good of procreation, while it can never be realized by homosexuals, is not a morally relevant difference or reason to treat homosexual conduct differently from heterosexual conduct because it leads to the absurd conclusion that heterosexuals who cannot reproduce are somehow engaging in sexual activity that is morally inferior to heterosexual sexual activity that does lead to reproduction. Such a line of reasoning also fails to realize that humans engage in sex for reasons other than procreation.

VIII. Open Lines of Response

Of course the story does not end here. Opponents have open lines of response to my reasoning. Those who disagree with Corvino can grant all of the above arguments and simply claim the relevant difference between homosexuals and heterosexuals has nothing to do with concrete goods. The relevant difference comes into play when we examine how body parts are being used and what they are being used for.

CHAPTER 2: HOMOSEXUALITY AND HAPPINESS

Remember that Corvino has claimed that all of the goods that can be produced through heterosexual conduct can be produced through homosexual conduct. He gave us the Glenn and Stacy example to convince us that whatever good heterosexuals receive from their activity, homosexuals likewise receive the same goods too. Despite the apparent similarity in conduct and outcomes, we have reason to suspect that in the long term homosexual activity will have different effects and produce fewer goods and even bad results. This is the view that is advanced by Michael Levin. He claims that homosexuality is abnormal not because it is immoral or because it weakens society, but rather, because it “is a misuse of body parts” (Levin 233). In this vein, he argues that homosexuality is abnormal in both a “descriptive and normative sense” because homosexuals are “bound to be unhappy” for “evolutionary reasons” (Levin 236). The argumentative structure of this logic partially utilizes a means-end analysis of sex to achieve its desired conclusion. Means-end analyses of sex will be covered in greater detail in chapter three, but to avoid confusion, it is enough to point out that such analyses of sex posit that sex is to be used as a means to achieve something good external to it, whether it be pleasure, procreation, release of tension, etc, rather than as an end in itself. It is also important to note that Levin’s argument is a very prudential one; it does not make any normative or moral conclusions. It merely attempts to show that homosexuals are bound to be unhappy due to the “misuse” of their body parts. A few preliminary and clarifying remarks must be made before delving into Levin’s argument. Specifically, Levin is going to appeal to the notion of what is abnormal, natural and unnatural. It is important then to clarify what these terms mean and what moral weight their definitions carry, if any.

I. Clarifying the Argument

a. What does abnormal mean?

Levin claims that homosexuality is abnormal because it is a misuse of body parts. It is important to figure out what Levin even means by “abnormal.” He does not define what this means, nor does he give us a clear sense of what counts as abnormal and what does not. The closest he comes to such an ideal is his claim that “my argument permits gradations in abnormality. Behavior is the more abnormal, and the less likely to be rewarding, the more its emission tends to extinguish a genetic cohort that practices it. The less likely a behavior is to get selected out, the less abnormal it is” (Levin 238). Levin also interchanges “abnormal” with “unnatural” throughout his work. Levin is then not using the term abnormal in the sense that means atypical or uncommon, but rather in the sense of unnaturalness or in the sense that something that is abnormal goes against the nature of things. For Levin then, homosexuality is abnormal in the sense that it is contrary to nature, not in the sense that it is not common or goes against some societal norm.

b. What is natural or unnatural?

First, Levin recognizes that the definition of nature has no implications on morality. Specifically, nature has no normative force. It is a common mistake to believe that nature has normative force, but Levin avoids such a mistake. In claiming that nature has no normative force, I mean that there is not some mysterious force of nature that forces us towards certain actions. If some members in society suddenly decided to cure diseases by blood-letting and refusing traditional medicine, an activity that certainly would be selected out (and has been) by nature, there is not some force of nature that would stop them or command them to stop. While Levin is not claiming that what is unnatural is immoral, it should be pointed out to readers that such a

view would be a mistake. Levin avoids such a view by attempting to connect unnaturalness with unhappiness and not necessarily to morality or immorality.

In terms of definition, Levin believes that what is natural is what increases evolutionary fitness. Against this view, it has been argued that the very notion of calling certain actions natural or unnatural is incoherent and makes no sense on the grounds that to do this means that we are claiming that something is outside of nature or our world, “which cannot in principle be true.”² Levin could respond by simply claiming accurately that just because everything which exists in the world is indeed natural, this does not mean that every behavior is an evolved behavior that increases fitness. Even if everything is natural, there are some behaviors that people do simply because it increases fitness. Namely, an action may be natural because it occurs in the natural world but it is unnatural in the sense that it may not increase fitness or is an action that we did not evolve to perform.

Applying this to homosexuality, such behavior may indeed be natural in the sense that it occurs in the natural world, but is unnatural because it does not increase fitness. As will be discussed in greater detail below, Levin believes that the homosexual trait has survived through a process called pleiotropy. The theory of pleiotropy posits that a certain gene survives through “the expression in more than one phenotype,” namely “the polygene that codes for homosexuality presumably also codes for some other traits that strongly enhances fitness” (Levin 240). Levin admits that no one knows what that trait might be but simply that homosexuality is just a negative side-effect of some other gene that codes for a trait that is better fit for survival. Therefore, homosexuality is still unnatural because the enjoyment of homosexuality in itself does

² This line of argument is advanced by Michael Slote in an article entitled “Inapplicable Concepts and Sexual Perversion.” Cited: Slote, Michael. “Inapplicable Concepts and Sexual Perversion.” *Philosophy and Sex*. Eds. Robert Baker and Frederick Elliston. Buffalo: Prometheus Books, 1975. 261-268. Print.

not increase fitness. Furthermore, if it stood alone genetically it would not reinforce itself. It would be selected out. He makes an analogy between this and the survival of genetic diseases such as the sickle-cell anemia. Sickle-cell anemia has survived because it also “confers immunity from malaria” (Levin 240). While sickle-cell anemia is not fitness enhancing, it still survives through the expression in another gene which does increase fitness. Pleiotropy has been recognized by evolutionary biologists and is a powerful theory for why homosexuality has survived in the gene pool, despite the fact that homosexuals leave no offspring. Such a theory would then allow Levin to make the connection between homosexuality and unnaturalness, despite the fact that the homosexual trait has survived in the gene pool. Specifically, homosexuality does not increase fitness despite its continued presence in the gene pool. Therefore, homosexuality is unnatural.

Why then does Levin introduce this idea of naturalness? He introduces this idea because he wants to connect what is natural to what produces happiness and what is unnatural produces unhappiness. His argument then amounts to the idea that 1) homosexuality is unnatural and 2) what is unnatural is statistically likely to lead to unhappiness and therefore C) homosexuality is therefore not likely to lead to happiness. It is worth noting that if this is correct, it is significant because it would contradict Corvino’s claim, as illustrated by Glenn and Stacy, that homosexual activity will produce the same goods as heterosexual activity. He presents this argument with an example of a man who pulls out all of his teeth.

II. Pulling Teeth and Homosexual Conduct

Levin’s paradigm case in describing the abnormality of homosexuality involves Mr. Jones, who pulls out all of his teeth and makes a necklace out of them to wear around his neck. Levin claims that Mr. Jones is clearly not using his teeth for what they are intended for. This is

correct. Also, Levin claims that the way Mr. Jones is using them is incompatible with their natural purpose. This is also correct. Finally, Levin is also correct in claiming that the way Mr. Jones is using his teeth will be physiologically harmful. Mr. Jones's gums will be affected by the non-use of his jaw for chewing. His digestive tract that is meant to process solid foods will suffer and he will probably live a shorter and less healthy life than normal. We also expect Jones to yearn to chew something, as it is an inherent desire and natural tendency for human beings to want to chew. Levin argues that natural selection has "selected in muscles for chewing and favored creatures with such muscles, it has selected in a tendency to find the use of those muscles reinforcing" and "creatures who do not enjoy using such parts of their bodies as deteriorate with disuse will tend to be selected out" (Levin 234). Therefore, we expect Jones to have fewer descendants than others who properly use their teeth. Levin then claims that "the application of this general picture to homosexuality should be obvious" (Levin 234). The application to this and homosexuality will be explored in depth below if it is not obvious at first glance

III. Implications for Homosexual Conduct

Levin points out that "one of the functions of the penis is to introduce semen into the vagina. It does this, and it has been selected in because it does this [...] nature has consequently made this use of the penis rewarding" (Levin 234). Humans who found this use of the penis unrewarding have left no descendants. Specifically, those who have found enjoyment in "inserting their penises into each other's anuses have left no descendants" (Levin 234). For Levin, "this is why homosexuality is abnormal, and why its abnormality counts prudentially against it" (Levin 234). Homosexuality is then likely to lead to unhappiness precisely because "it leaves unfulfilled an innate and innately rewarding desire" (Levin 234). Concerning his claim

that homosexuality leads to unhappiness, he recognizes that it concerns “tendencies and probabilities” (Levin 234). This being so, it must be made clear that what Levin means when he states that “homosexuals are bound to be less happy” is that “not coincidentally, a larger proportion of homosexuals will be unhappy than a corresponding selection of the heterosexual population” (Levin 234). Levin also argues that looking at cases of “well-adjusted” homosexuals will be pointless because although they are not non-existent, they are rare. This is analogous, in Levin’s opinion, to a person who is fat, lazy and happy. There indeed are people who are lazy, fat and happy, but given our “evolutionary history,” the odds are that a person who never exercises will suffer negative consequences. Furthermore, Levin argues that “lack of exercise is bad and even *abnormal*, not only because it is unhealthy, but also because one feels poorly without regular exercise” (Levin 234). Nature has selected people who enjoy exercise because our ancestors had to exercise to survive. Those who did not enjoy chasing or hunting game were eliminated. Specifically, “laziness leaves unreaped the reward nature has planted in exercise, even if the lazy man cannot tell this introspectively” (Levin 234). Thus, if this is an accurate description of exercise in human life, then “it is by the same token a correct description of the place of heterosexuality” (Levin 234). Levin is essentially claiming that while it may be true that there are happy homosexuals, they still suffer from negative consequences in the same way that a person who is fat, lazy and happy suffers from the consequences of a lack of exercise. While I disagree with his claim that homosexuals are bound to be less happy and have a higher probability of being unhappy, despite the fact that there are homosexuals who say that they are happy, I will not attack his argument on such empirical grounds. Namely, if this were the goal of my argument, it would amount to simply explaining empirical data, facts, studies and anecdotes about homosexuals and their levels of happiness. It would be a battle of citations rather than of

philosophy. Rather, I believe that Levin's argument can be better taken apart on philosophical, rather than empirical grounds.

IV. Evaluating the Argument

Now that Levin's argument has been laid out and the terminology and terms clarified, I will now examine the merits of Levin's argument. Remember that Levin claims that his argument permits gradations of abnormality and that the level of abnormality that a certain behavior entails depends on its likelihood to be extinguished or selected out by nature. I grant to Levin that homosexuality may be unnatural in that it does not increase fitness as a result of pleiotropy. Indeed, homosexuals do not leave descendants and pleiotropy has not been disproven. In fact, it is accepted amongst many evolutionary biologists. It is then not out of the realm of possibility that homosexuality survives through some other trait. Homosexuality then does not increase evolutionary fitness. However, I am challenging his claim that what is unnatural is unlikely to produce happiness. In defining as what is natural as what increases fitness, Levin commits himself to the claim that a sexual behavior counts as natural and thus fitness enhancing only if it is reproductive behavior or behavior that could lead to reproduction. After all, sexual activity that leads to reproduction increases fitness and thus is natural. Therefore, any sexual activity which does not lead to reproduction is unnatural. Such activity then produces unhappiness because what is unnatural leads to unhappiness. However, there are plenty of sexual behaviors that would be deemed unnatural under Levin's terms, but that with high probability lead to happiness.

A. Objection: Unnatural and Happy? Yes

i. Celibate Priests and Homosexuals

There are all sorts of activities which lead to happiness but do not fit Levin's definition of what is natural. Implicit in this analysis is the question: is any use of the penis other than entering into the vagina a misuse and therefore unnatural? Remember that one of Levin's postulations is that "the misuse of bodily parts can with high probability be connected to unhappiness" (Levin 233). This misuse is unnatural because it does not lead to and can never lead to reproduction or fitness enhancing activities. Yet, certainly there are people who refrain from using their sexual organs and who Levin himself admits are happy and normal. Take the case of a celibate priest. It would seem that no behavior is more likely to be selected out than celibacy and homosexuality. Celibate priests then should be just as unhappy as homosexuals. Levin is reluctant to admit this. Rather, his view is "compatible with the existence of happy celibates" (Levin 238). Thus, there is an apparent contradiction here because he is saying that homosexuals will be unhappy while celibate priests will be happy.

Levin anticipates this and has a line of response open to him that focuses on what makes human beings happy. Namely, celibate priests "deny themselves as part of a higher calling which yields compensating satisfactions" and that celibate priests "do not simply give up sexual activity without ill-effect; they give it up for a reason" (Levin 238). Homosexuals on the other hand, "have hardly given up the use of their sexual organs, for a higher calling or anything else. [They] continue to use them, but, unlike priests, they use them for what they are not for" (Levin 238). Homosexuals have no corresponding "higher calling" for their sexual activity. This allows Levin to illustrate that there really is no contradiction in claiming that celibate priests will be happy and homosexuals will be unhappy. Behind this reasoning is the idea that human beings find

happiness in being part of a higher calling or activity that they find meaningful outside of themselves. For example, many people find great happiness in charitable activities, volunteer service or being involved in anything that they believe will make the world a better place. It is very conducive to human happiness to be involved in some other-oriented activity. Celibate priests engage in this kind of happiness producing activity; serving God and His will. Levin's claim then is that a misuse of sexual organs will not lead to unhappiness if there is some compensating benefit attached to such a misuse. Being homosexual however, is not akin to charitable service nor is it other-oriented. Yet, homosexuals do get compensating benefits from being homosexual. First, homosexuals get sexual pleasure from their activity. Second, their sexual activity is also part of a loving and fulfilling relationship and is an avenue towards deepening relational bonds, love and attachment. Thus, even if homosexuals do not derive the same compensating benefits as celibate priests do from their activity (or lack thereof), they do get some type of benefit. If homosexuals can derive compensating goods, in the same way that celibate priests can derive compensating goods, then there is no reason to treat homosexuals and celibate priests differently. In other words, from the above reasoning, it is inconsistent to make excuses for celibate priests but not for homosexuals. If celibate priests misuse their sexual organs and are happy, then logically, homosexuals will be happy too. Thus, what is unnatural can indeed lead to happiness in the case of homosexuals.

Levin could respond by claiming that while homosexuals may derive these benefits in some cases, their lifestyle will most likely lead them down a path of promiscuity. Levin makes the claim in his paper that a promiscuous lifestyle will lead to unhappiness. Specifically, it is a lifestyle "to be fellated by as many different men as possible" and such behavior "occasions misery and we may expect the misery of homosexuals to continue" (Levin 237). Homosexual

men then are not likely to use their sexual activity to attain the goods of long term fulfillment, love and relationship building. They are more inclined to use sex for promiscuous activity which will then lead to unhappiness.

On Levin's behalf, there are indeed people who believe that the homosexual lifestyle is bound to lead to promiscuity. Essentially, these people hold the view that men are more inclined to have sex and have more sexual encounters in general, than women. In heterosexual relationships, women act as the restraint on the sexual desires of men. In homosexuality, there is no corresponding restraint. Thus, there will be more promiscuity.³ There is then a difference between celibate priests and homosexuals in that celibate priests' celibacy does not occasion misery while homosexual activity does.

It is not clear that it is the sexual activity of homosexuals *per se* that makes them unhappy. Namely, it is plausible that it is the oppression of society and the general negative opinion that society takes towards the homosexual lifestyle that occasions this misery. It is safe to claim that society does not hold this negative opinion of celibate priests. When celibate priests give up the use of their sexual organs, it is not looked down upon by society. It is more likely to be admired. In contrast, the homosexual lifestyle is negatively viewed by society. I take up this issue in greater detail in section VII but it is enough to point out for my purposes in this section to note that oppressed groups in society could reasonably be expected to experience unhappiness. Homosexuals derive compensating benefits from their sexual activity, but society either tells them that they are deceiving themselves in their pleasure or that their compensating benefits really aren't benefits but harms. This indeed could lead to unhappiness. If such a view is plausible, then there is no occasion to say that homosexuals and celibate priests should be

³ Again I thank Professor Rajczi of Claremont McKenna College for his help in explaining the support for Levin's view

described differently in terms of happiness and a misuse of body parts. Homosexuals derive compensating benefits from their activity but have an added disadvantage that celibate priests do not have to face; the oppression of society. It is not the activity *per se* of homosexuals that occasions misery, but an outside factor. Therefore, what is unnatural can still lead to happiness in both the case of celibate priests and homosexuals.

ii. Masturbation

What about people who masturbate? Does masturbation lead to unhappiness? I grant that under Levin's definition, masturbation would be unnatural because it does not increase evolutionary fitness. It is worth noting that some people would be reluctant to grant that masturbation is unnatural, but I do not need to delve into this argument to undermine Levin. Remember that I am attempting to argue that what is unnatural does not always lead to unhappiness. Masturbation clearly does not lead to unhappiness. It is a regular human activity that substitutes actual sexual activity between two people. If it is argued that masturbation leads to unhappiness because it makes the person engaging in the activity feel lonely or sad that they do not have a partner, then I would reply that it is not masturbation *per se* that is making the person unhappy, but rather the fact that they are alone. Masturbation certainly is not the reason they are alone or lonely, it is simply an action undertaken for many different reasons, one of which may be a way to combat these feelings of loneliness. Furthermore, I believe that one would be hard pressed to argue that people do not find pleasure in masturbation. It seems then that under Levin's definition, masturbation is unnatural, but it still leads to happiness and pleasure.

iii. Happiness outside of Sex

Levin also makes a shift later in his article that the very essence or behavior of homosexuals makes them unhappy. It is their promiscuity and desire to be “fellated by as many different men as possible” that “is the behavior that occasions misery,” rather than society’s contempt for homosexuals (Levin 237). Even if society were to drop their contempt for homosexuals, Levin argues that homosexuals would still be unhappy due to their lifestyle and patterns of behavior. Again, this is quite a logical stretch because it again assumes that what is natural usually leads to happiness and whatever is unnatural usually leads to unhappiness. There certainly are examples of heterosexuals who practice what Levin deems normal sex, but are unhappy because they have bad careers, bad relationships or have mental issues such as depression. They may be normal in every sense of Levin’s terms. All of their behaviors could be perfect for survival, yet they could still be miserable. Similarly, we can imagine homosexuals who “misuse” their body parts, but have a loving relationship with a significant other, which brings them great happiness. The core issue is that the concept of happiness depends on much more than sex or how it is practiced. Sex indeed can play a role in human happiness, but it does not play the entire part.

The preceding sections (*i-iii*) have attempted to show that Levin’s assumption, that what is unnatural leads to unhappiness, is incorrect. Namely, there are sexual activities (or non-activities) that do not fit his definition of what is natural, but still lead to happiness. In response, Levin could simply change his definition of what is natural. Presumably, he could simply claim that certain activities are fitness enhancing in a wider range of cases that are unrelated to reproduction. Essentially, he could go in the opposite direction and claim that there are plenty of

sexual activities that are fitness enhancing that do not have to be related to reproduction. This would allow him to consistently maintain that activities such as masturbation, foreplay without sex and celibacy are natural and produce happiness. However, now he has no reason to exclude homosexual activity under this definition. If activities which do not lead to reproduction are natural and fitness enhancing, such as heterosexual anal sex, then homosexual activity can be considered natural as well because it has all the other characteristics of heterosexual activity. Namely, it produces the same goods of pleasure, intimacy and communication that heterosexual activity does. This leads Levin into a dilemma.

V. Levin's Dilemma

Recall that Levin has as a premise in his argument that behaving in natural ways produces happiness and behaving in unnatural ways is likely to produce unhappiness. If one asks Levin about what is natural, he could reply that natural sexual activity is activity that leads to reproduction. If this is so, we can produce counter-examples to show that what is unnatural does not lead to unhappiness. This was the point of the examples of the celibate priest and masturbation. On the other hand, if he says that natural sexual activities do not have to be related to reproduction, then he has no reason to say that homosexual activities are unnatural because they lead to the same goods that heterosexual activities do. Moreover, if Levin takes up this second position, this causes trouble for the foundation of his argument. Levin claims that homosexual activity is unnatural. If he now changes the definition of natural by saying that what is natural can include sexual activity that does not directly lead to reproduction, then it is not clear why he thought that homosexuality is not natural in the first place. Specifically, there seems to be no reason to call homosexual activity unnatural under such a definition. If we undermine this first premise, then Levin cannot move to his conclusion that homosexuality leads to

unhappiness. Namely, Levin's argument is 1) homosexuality is unnatural due to the misuse of body parts, 2) what is unnatural leads to unhappiness, therefore, c) homosexuality leads to unhappiness. If we undermine (1) by saying that homosexuality, under Levin's second definition of what is natural, is indeed natural, then he cannot move to the conclusion that homosexuality leads to unhappiness because his first premise is false under his own definition. Therefore, Levin is unlikely to explain natural in this way. Yet, he also cannot define natural sexual activity as activity that leads to reproduction because that runs into problems as well. This is the dilemma he faces. Both interpretations of his argument do not allow him to reach the conclusion that homosexuality leads to unhappiness.

VI. A Further Objection to Levin: His Evolutionary Account is too Narrow

Levin's explanation of the function of the penis in terms of evolution and purpose of sexual activity is too narrow. Specifically, Levin argues that homosexuals are bound to be unhappy because they are not properly using their sexual organs for the purposes that they were intended for and are therefore bound to be unhappy. As has been noted before, while it is indeed true that one function of sexual activity is to reproduce, it is not the only reason that we engage in sexual activity. Levin would have us take a narrow approach to sex in that if a penis is not inserted into a vagina, it is less pleasurable or somehow less rewarding. This is because nature has made the use of the penis in this way rewarding and has also rewarded such activity because those people who did this left behind ancestors, while those who engaged in penis-anal sex left no descendants. While this is true, it is much too narrow because unlike animals, we engage in sexual activity for a variety of other purposes. It is a way to increase and produce intimacy, form bonds and is pleasurable. We have evolved to use sexual activity in a way that other animals do not. Thus, even if two people do not have penis-vaginal intercourse, sex is still sex. Even if

homosexuals engage in penis-anal intercourse, this does not mean that it cannot fulfill all of the other purposes of sexual activity. Levin would have us think that we should use our sexual organs and sexuality in the way that we evolved to use it. However, if we evolved to use our sexual organs for these other purposes, then Levin's argument is weak because even under his narrow conception of sex, it would be normal for homosexuals to engage in sexual activity and be happy because they are simply using their sexuality and sex organs for activity which they evolved to perform. Therefore, simply because homosexuals do not engage in heterosexual style sexual activity does not mean that it is somehow less pleasurable or unrewarding. It also seems difficult to advance an argument that is based on a heterosexual's assumption of what may or may not be pleasurable or rewarding to a homosexual. Homosexuals clearly find their sexual activity rewarding and pleasurable or else they simply would avoid such activity. Levin's current analysis of the evolution of sexual activity cannot account for this and is therefore too limited.

VII. Homosexuals and the Oppression of Society

I mentioned earlier in this chapter that I would not be evaluating Levin's empirical claims about the unhappiness of homosexuals. However, it is important to note that as a secondary and distinct argument, Levin is making a prediction about what we may discover in the world based on his evolutionary considerations. Essentially, he is attempting to confirm his speculations and hypothesis in a section entitled "Evidence and Further Clarification" about the unhappiness of homosexuals.

Levin claims that he has explained how "it is possible for homosexuality to be unnatural even if it violates no cosmic purpose or such purposes as we retrospectively impose on nature" (Levin 236). The basis for this claim is his generalized exclamation that "the fact is the universally acknowledged unhappiness of homosexuals. Even the staunchest defenders of

homosexuality admit that, as of now, homosexuals are not happy” (Levin 236). According to Levin, this unhappiness is not due to the environment of hostility engendered by society against homosexuals. A crucial test of this claim is his prediction that “homosexuals will continue to be unhappy even if people altogether abandon their ‘prejudice’ against homosexuality” (Levin 236). He claims that this prediction coheres with the evidence. Specifically, Levin argues that “it is consistent with the failure of other oppressed groups, such as American Negroes and European Jews, to become warped in the direction of ‘cruising,’ sado-masochism and other practices common in homosexual life” (Levin 236). This is a difficult argument to grasp and further explanation is necessary.

Essentially what Levin is aiming at with this argument is that homosexuals are disproportionately unhappy and the reason they are unhappy is due to their lifestyle, rather than because of the oppression of society. For example, he claims that “the immediate cause of unhappiness is a taste for promiscuity, anonymous encounters and humiliation” (Levin 236). It seems then that what drives men away from women and towards a lifestyle to be “fellated by as many different men as possible” is not related to what society thinks of this behavior (Levin 237). Such behavior makes homosexuals miserable and therefore we should expect the misery of homosexuals to continue. His method of response to an opponent, who might claim that this unhappiness is in reality due to societal pressures and not the homosexual lifestyle, is to “test” such a claim against historical facts. Specifically, Levin takes the hypothesis of the opponent: if oppression is causing the unhappiness and the unhappiness is caused by promiscuity, then it must be that social oppression is causing promiscuity and therefore unhappiness. Levin tests this hypothesis by asking whether it is true that being oppressed leads to promiscuity and anonymous encounters. He then points out that other traditionally oppressed groups, such as African

Americans and Jews are not more likely to engage in promiscuity or other facets of the homosexual lifestyle. Oppression then does not lead to promiscuity and therefore unhappiness. Thus, Levin thinks he has disproven the hypothesis of his opponents.

Not quite. Levin misconstrues his opponent's hypothesis. When Levin makes his claim about other traditionally oppressed groups, he assumes that his opponents believe that social oppression is mediated by promiscuity. In other words, Levin puts his opponents in a position that essentially says that oppression leads to promiscuity which leads to unhappiness. This is not what such an opponent would claim at all. An opponent simply believes that being oppressed leads to unhappiness because one is oppressed, not because it leads to promiscuity. He therefore does not even address what his opponents would claim. He has therefore not successfully defended himself against the claim that homosexuals are unhappy because of social oppression, not because of their conduct or use of their sexual organs. If it can be reasonably shown that such a claim is true, his argument is insignificant because the underpinnings of why homosexuals are unhappy, in his opinion, are false.

VIII. Summary

We have seen that Levin's prudential argument that homosexuals are bound to be unhappy because they are misusing their body parts runs into problems. First, if he defines as what is natural sexual activity as what increases evolutionary fitness or activity that is likely to lead to such fitness, then he is committed to the claim that only sexual activity that leads to reproduction is natural. This runs into the problem that there are plenty of sexual activities that do not fit his definition but that lead to happiness. Moreover, if he takes the opposite definition of what is natural by claiming that natural sexual activity does not need to lead to reproduction, then it is not clear why he defined homosexuality to be unnatural in the first place. He then

cannot make his conclusion that homosexuality leads to unhappiness under either definition of natural sexual activity. We also saw that his evolutionary account is too narrow and that he has not refuted the notion that homosexuals may be unhappy because society oppresses them, rather than as a result of the misuse of their body parts or their behavior. It seems then that there is not a reason to differentiate between homosexual and heterosexual Glenn and Stacy on the grounds that they are bound to be unhappy due to a misuse of their sexual organs. However, an opponent of homosexual activity could argue that Glenn and Stacy are not fulfilling the proper role of sexual activity and are therefore doing something immoral. Such an argument hinges on an understanding of a “means-end analysis” of sex.

CHAPTER 3: WHAT IS SEX?

It will be helpful to remind ourselves where we are in terms of the argument and the philosophical landscape that we have explored. First, we started with Corvino who established that on the face of things, that there is nothing wrong with homosexual conduct for a variety of reasons. We then reviewed an objection by Levin wherein he argued that as a result of homosexual misuse of body parts, they are bound to be disproportionately unhappy compared to heterosexuals. As such, society has a duty to protect people from activity that leads to unhappiness. This argument, I hope, has been refuted and thus bears no threat to Corvino's argument. Thus, the only argument standing is: there is nothing wrong with homosexual conduct. However, there is an objection an opponent of homosexual conduct could raise which involves what I term to be a "means-end" analysis of sexual activity. The means end analyses are ways to get around criticisms I lodged against Levin and defeat the arguments I endorsed in favor of Corvino. Corvino says homosexual conduct realizes the same goods that heterosexuals realize in their sexual conduct. Levin argues that this is not the case in that homosexuality leads to negative consequences and does not realize the same goods. As I noted before, hopefully I have disproven this. The means-end analyses offer a different line of response by saying that the goods are irrelevant. According to means-end analysis, sex has a proper purpose and if an activity does not fulfill the proper definition of sex, which includes its purpose, then that sexual activity is wrong irrespective of its consequences. My opponents can then grant everything I have said thus far, but still have a line of response available. In other words, Corvino's argument is a prima facie goods argument entailing that on the face of things homosexual activity is not immoral, but now upon further examination, supporters of a means-end analysis can say homosexuality is immoral

regardless of any consequences or goods that I believe follow from such conduct. Alan Goldman, in his article “Plain Sex,” argues against such definitions of sexual activity.

Means-end definitions of sex take as their central premise that something only counts as sexual activity that fulfills a certain goal or end external to sex itself. Popular conceptions of such a definition of sex involve the idea that any type of activity which does not lead to reproduction, the expression of love, communication, or some level of interpersonal awareness, does not fall under the proper definition of sex. Specifically, Goldman points out that these theories of sex “attribute a necessary external goal or purpose to sexual activity, whether it be reproduction, the expression of love, simple communication, or interpersonal awareness” (Goldman 40). These types of analyses and definitions view “plain sex as merely a means to other separable ends” (Goldman 40). Following naturally from this means-end definition of sex, is the further premise that any sexual activity that does not fall under such a definition is deviant and incomplete and thus immoral. He states that “sex which does not fit one of these models or fulfill one of these functions is in some way deviant or incomplete” (Goldman 40). An opponent of homosexual conduct could then simply claim that homosexual sexual activity does not fall under such a means-end definition of sex and is therefore deviant, incomplete and thus immoral. Furthermore, such means-end analyses of sex are credible and do seem to match some of our intuitions about the role of sex in our lives. For example, some religious groups take the view that any sexual activity that does not lead to reproduction is wrong. Also, I take it as true that most people engage in sex not only to benefit from the pleasure that it gives, but also to express feelings of intimacy and romantic love with their partner. In other words, we use sex as a way to communicate our feelings in a way that simple words or other actions, such as making breakfast in the morning for our partner, cannot. Therefore, such means-end analyses do seem credible on

their face. To summarize, I take such means-end analysis to have two premises. The first is definitional premise and the other is a moral premise. Namely, (1) the correct definition of sex is means-end and (2) anything that does not fit such a definition is deviant, incomplete and immoral.

Goldman spends most of his time arguing against (1) by advancing his own definition of sex and hoping that it will better match our intuitions and judgments about sexual activity than means-end definitions. In this chapter I will also further develop an argument against (2), which I believe Goldman does not spend enough time arguing against. Before moving on to Goldman's definition, it will be helpful to clearly articulate the methodology that Goldman utilizes to arrive at his definition of sex.

Goldman uses a term known to philosophers as "reflective equilibrium" to advance his definition of sex. Reflective equilibrium is the process by which we theorize to general concepts from our commonly held beliefs and judgments. While this may seem like a very abstract concept, we actually do this in our lives quite often when trying to come up with a definition of something. For example, if we are trying to figure out what the proper definition of a book is, somebody could say that it is something you read. One could reply that we read signs, journal articles, and dictionaries, but these are not books. The reply to this could be that it is something that tells a story. A further reply could be that there are short stories that we read that are not books. This line of reasoning continues until a correct definition is reached that matches our common beliefs and judgments about what a book is. This is Goldman's method. In terms of Goldman then, such a process begins with a definition of sex and subsequent steps involve testing the definition against other theories, seeing if it fits with our ordinary understanding and judgments and revising the definition as needed if it does not. His ultimate goal then is for us to

conclude that his definition better matches our ordinary conceptions of sex than means-end analyses do and we should therefore accept his theory of sex over the means-end theories of sex.

I. Goldman's Definition of Sex

Goldman begins by giving us his definition of sex, "sexual desire is desire for contact with another person's body and for the pleasure which such contact produces; sexual activity is activity which tends to fulfill such desire of the agent" (Goldman 40). At the core of this definition is the fact that "the goal of sexual desire and activity is the physical contact itself, rather than something else which this contact might express" (Goldman 40). His definition concentrates on the "physically manifested desire for another's body, and [...] take[s] as central the immersion in the physical aspect of one's own existence and attention to the physical embodiment of the other" (Goldman 42). Such a definition does indeed recognize that we gain pleasure from sexual activity in expressing certain feelings towards our partner or from "awareness of the attitude of one's partner," but maintains that "sexual desire is essentially desire for physical contact itself: it is a bodily desire for the body of another that dominates our mental life for more or less brief periods" (Goldman 42). He recognizes that to some this may seem only to capture sexual activity at its barest, animalistic level, but he argues that it is worth focusing on this "least common denominator" in order to avoid "false views of sexual morality and perversion which emerge from thinking that sex is essentially something else" (Goldman 42). Goldman reviews the consequences of such "false views" later in his article but it is worth noting at present why focusing on the physical aspect of sexual activity is more beneficial than other conceptions.

II. What Counts as Sexual Activity under Goldman's Definition

In terms of what counts as sexual activity, Goldman argues that his definition “in terms of the general goal of sexual desire appears preferable to an attempt to more explicitly list or define specific sexual activities, for many activities such as kissing, embracing [...] may or may not be sexual, depending upon the context and more specifically upon the purposes, needs, or desires into which such activities fit” (Goldman 40). In other words, having a desire for physical contact with another person is a “minimal criterion for (normal) sexual desire, but is both necessary and sufficient to qualify normal desire as sexual” (Goldman 41). Our desire for physical contact itself without a desire to express other feelings, such as affection, “is sufficient to render sexual the activity of the agent which fulfills it [...] various activities with this goal alone, such as kissing and caressing in certain contexts, qualify as sexual even without the presence of genital symptoms of sexual excitement” (Goldman 41). Thus, “the latter are not [...] necessary criteria for sexual activity” (Goldman 41). With Goldman's definition, we can thus avoid confusion regarding the many forms that sexual activity and desire manifests itself in, by focusing on the purely physical desire for another person. The advantage of Goldman's definition over listing everything that counts as sexual activity can be seen in a simple example. It is standard in some cultures that people kiss upon greeting, whether the kiss is between a male and female, two males or two females. It would be absurd to classify such activity as homosexual or sexual at all because the act of kissing is an expression of greeting or familiarity. The act does not represent a desire for physical contact in itself and is therefore properly deemed un-sexual under Goldman's definition.

However, to some such a broad definition of sex may seem to be either “over- or underinclusive” (Goldman 41). It may too broad in that physical activities, such as wrestling or football, can be termed sexual activity under such a definition, which is clearly absurd. However, in these cases “the desire is not for contact with another body per se, it is not directed toward a particular person for that purpose, and it is not the goal of the activity” (Goldman 41). The intent of the agent matters to Goldman’s definition of sex. To illustrate, signs of affection and friendship can be manifested in various ways in our culture (hugging, stroking, cuddling, etc.) but if the intent is only to show friendship, such contact need not be classified as erotic or sexual. However, Goldman realizes that such intentions, such as showing friendship, can be valuable to sex when added to it, but such intentions are external to sex. Goldman’s definition also may seem to be too narrow in that sometimes a “person’s personality, not merely her or his body, may be sexually attractive to another, and in that looking or conversing in a certain way can be sexual in a given context without bodily contact” (Goldman 41-42). Goldman argues that while this may be true, it is not the “contents of one’s thoughts per se that are sexually appealing, but one’s personality as embodied in certain manners of behavior” (Goldman 42). Therefore, there is an innately physical aspect of sexual desire, even if we are sexually aroused by another’s personality. Furthermore, he argues that “if a person is sexually attracted by another’s personality, he or she will desire not just further conversation, but actual sexual contact” (Goldman 42). Goldman’s definition of sex then does not seem to be under-inclusive because it recognizes the emotional aspects of sexual activity and desire, but maintains that such emotional aspects are embedded largely in a desire for the person’s body or characteristics embedded in physical behavior.

III. The Case of Romantic Love

While Goldman's analysis certainly takes into account a very obvious and real physical aspect of sexual desire and activity, there are certainly many who hold the view that sex is simply "an expression of love or affection between the partners" (Goldman 44). It is an expression of romantic love. If Goldman's definition cannot account for this, then he will have trouble convincing us that his definition correctly matches our beliefs and judgments about sex. That being said, such a view of sex is taken by Bertrand Russell, who claims that "sex intercourse apart from love has little value, and is to be regarded primarily as experimentation with a view to love."⁴ This seems like a strong and intuitive reason to condemn Goldman's view of sex as simply being a physical desire for another's body because sex that is embedded in emotional attachment and intimacy has heightened value and is frankly better than promiscuous and impersonal sex. Goldman however, acknowledges this. Specifically, he recognizes that "sex can take on heightened value and meaning when it becomes a vehicle for the expression of feelings of love or tenderness" (Goldman 44). It is also true, in his opinion, that other "mundane activities such as "getting up early to make breakfast on Sunday, cleaning the house" can also take on heightened value when such emotions are involved (Goldman 44). These enlightenments do not undermine or weaken Goldman's definition. Although I believe that it is true that sex which involves the expression of love and intimacy is indeed better sex, this fact does not entail the conclusion that we engage in sex simply as a means to expressing those feelings. All it proves is that the expression of romantic love adds value to sex. When something adds value to something, it means that the thing that is adding value is external to what it is adding value to. To put it another way, if the value-adding entity were not external to what it is adding value to, then we would have no reason to engage in an activity or buy a product that does not have such value

⁴ Bertrand, Russell. *Marriage and Morals*. New York: Bantam, 1959 p. 87

added to it. Yet, in the case of sex, we do this all the time. Examples abound of one night stands and friends-with-benefits relationships. These examples illuminate that we often engage in sex that does not have such value. In such cases, we initially enter into the act of sex out of our desire for physical contact with another person. Therefore, the expression of romantic love adds value and is indeed external to the concept of sex. It is then implausible to claim that something which merely adds value to and is not embedded in sexual activity, can serve as a good end for sex. Rather, every sexual encounter involves an innate physical desire for contact with another, whether it is a married couple, a couple in a relationship or a one night stand. Characterizing sex as such then captures a wider range of sexual encounters and relationships than does the “means-end analysis” of sex as a means to the expression of romantic love, as well as identifies a characteristic of all sexual encounters in a way that such a means-end analysis cannot.

A deeper issue is that there is an inherent tension in identifying sex with long-term love. When we fall in love with someone, we intend such feelings to be permanent and exclusive. It seems reasonable to claim that a person cannot “deeply love more than a few individuals even in a lifetime” (Goldman 44). In contrast, sexual desire can be fleeting and “can arise in relation to a variety of other individuals one finds sexually attractive [...] it may even be, as some have claimed, that sexual desire in humans naturally seeks variety,” which is clearly not true of love (Goldman 44). This explains why monogamous sex usually “represents a sacrifice or the exercise of self-control on the part of the spouses, while monogamous love generally does not” (Goldman 44). This latter statement may seem odd at first pass, but it is important to point out that there is no such thing as casual love in the sense in which Goldman uses the term. Such love is not comparable to the passing sexual desires we have for others and therefore does not represent such sacrifice or self-control to the extent that monogamous love does. There is also a practical

reason to distinguish between sex and love in that such a distinction “would help avoid disastrous marriages which result from adolescent confusion of the two when sexual desire is mistaken for permanent love, and would weaken damaging jealousies which arise in marriages in relation to passing sexual desires” (Goldman 45). Therefore, a clear distinction between sex and love is beneficial in both a practical and moral sense. It is important to note that Goldman is not claiming that sex is never to be connected with love or that sex does not take on heightened significance when it is used to express love. He is simply claiming that sex is not a means to the end of expressing love. There are many activities outside of sex that can express love, but what makes sex seem so connected with love is its intimacy; “like love, sex is held to lay one bare psychologically as well as physically” (Goldman 45). We must however distinguish between sex and love, if we are to avoid damaging results that emanate from a confusion of the two concepts.

IV. Sex as a Means to Reproduction

Such a definition of sexual activity posits that we define sex as what is natural, seeing as the most natural form that sex takes is reproduction. However, sex cannot be defined as what is natural because we clearly engage in sex for reasons other than to reproduce. In this vein, Goldman argues that “while this may be ‘nature’s’ purpose, it certainly need not be ours” (42). The prevalence of one night stands and the pornography industry are sufficient to show that we engage in sexual activity for reasons other than to reproduce. Most importantly, the widespread use of contraception has moved our concept of sex away from a “rational sexual ethic” dependent upon the concept of reproduction and child rearing (Goldman 43). The fact that we use contraceptives illustrates that a definition, which posits that the main purpose of sex is to reproduce, does not match out intuitive judgments and considerations. Rather, sex is simply a desire for another person’s physical being and to be in contact with that physical being. This

definition better matches our considered judgments because it takes into account our widespread use of contraception and explains why some people engage in promiscuity in way that a natural definition of sex cannot.

V. Sex as a Means of Communication

In regards to the argument that sex is a means of communication, Goldman argues that to take this view is to undermine and overlook the intrinsic value and nature of sexual acts. He reinforces this conclusion with his reasoning that if sex is a language, we must recognize that “the symbols” of language have no importance by themselves; “they function merely as vehicles for what can be communicated by them” (Goldman 46). In addition “skill in the use of language is a technical achievement that must be carefully learned; if better sex is more successful communication by means of a more skillful use of body language, then we had all better be well schooled in the vocabulary and grammar” (Goldman 46). If this is the metaphor, then this suggests that sex is more appropriately characterized by a “sex-manual approach” than for the “natural pleasure of the unforced surrender to feeling and desire” (Goldman46). Such an analysis does not match our intuitions about sex and therefore fails to reach a state of reflective equilibrium. For example, “if perversion represents a breakdown in communication,” this means-end analysis of sex tends to count sexual acts or advances that fail in communication or are misunderstood by one partner or the other as being somehow not sexual (Goldman 47). It would be absurd to claim that a failed sexual advance by a male in bar towards another male or female, which fails simply because the female or male is uninterested, is somehow not considered to be sexual in nature. Furthermore, on such a conception, sex between a married couple who have been having sex together for years would become dull and “subnormal” because the “communicative content would be minimal in lacking all novelty” (Goldman 47). Finally,

masturbation would no longer be a “release or relief from physical desire through a substitute imaginative outlet” but would simply be a method of practicing one’s communicative technique on oneself (Goldman 47). Such characterizations of sex and masturbation seem absurd and contrary to our natural intuitions about sexual activity. At its core, this view of sex over-intellectualizes its nature and indeed “seems more appropriate to a sophisticated seduction scene than to the sex act itself” (Goldman 48). In this vein, sex does indeed seem to be a way of relating physically, rather than intellectually, with another person.

Goldman’s definition of sex then fills in the inadequacies of this means-end analysis definition of sex. First, it takes into account the inherent and intrinsic value of sex by emphasizing its physical nature, rather than over-intellectualizing it. Secondly, Goldman’s definition also better characterizes the failure of the male in the bar as a natural feature of human society, interaction and attraction. Some people simply do not desire physical contact in a sexual way with certain other people. Such failures are not perverted, but a simple fact of life. Thirdly, under Goldman’s definition, sex between longtime married couples will not become dull or lacking in novelty because sex is simply a physical desire for contact with another person and for the pleasure that such contact brings. This implies that as long as that desire exists, they will continue to have sex and enjoy it, as most married couples do. In these cases, Goldman’s definition better matches our considered judgments and opinions about sexual activity than the means-end analysis that views sex as a means to communication.

VI. Brief Summary

Goldman has thus produced an objection to the first premise of the means-end analyses by presenting his own definition of sex that better captures our own moral judgments and opinions about sex. Recall that the means-end analysis began with the definition that sex is to be

defined in a means-end way. Since Goldman has rebuked this first premise, a supporter of a means-end analysis of sex cannot then move on to moral premise (2) and claim that any sexual activity that does not meet such a means-end definition is immoral or wrong. However, it is helpful to point out a quick objection to the second premise of the means-end analysis, which claims that any definition of sex which does not fit into a means-end analysis is deviant and immoral.

VII. Objection to premise (2) of Means-End Analysis Definitions of Sex

Simply because something is not used in its proper way, or in a way that it is not designed for, does not mean that what you are doing is immoral or deviant. This is relevant to those opponents who would grant Goldman his definition of sex but still maintain that the physical desire for another man, or the physical desire to put one's penis into the anus of another man is wrong because that is not what the penis is designed to do and its purpose is thus not being fulfilled in the way that nature intended. Such an argument is reminiscent of Levin but stronger because Levin only claims that such a misuse leads to unhappiness, not that such a misuse is immoral. However, such an argument is easily refuted because we use things in ways that they were not designed for all the time. We might use toothpicks to build a miniature model house, or make art out of food, build a paper airplane out of paper, etc. The examples are limitless. Using these items is clearly not immoral, even if they are not fulfilling their purpose or doing what they were designed to do. If this is true, then it is not clear why using the penis for something that it is not designed for is immoral. Opponents must give a response as to why using the penis against its design is morally different than using any other object against its design. If it is replied that it is because the penis is part of the body, then it can be responded that we misuse some of our other body parts too. For example, we developed thumbs to help us grab onto things,

but many people and children use their thumbs to satisfy an urge to chew or to suck on something. Such actions are not what the thumb is designed for, but engaging in such activity is certainly not immoral. Therefore, we need a better reason to morally distinguish between a “misuse” of inanimate objects/ certain other body parts and the penis.

Therefore, there is another way to object to premise (2) of the means-end analysis aside from undermining premise (1), which is purely definitional. Another implication of this conclusion is that we do not necessarily need to agree wholeheartedly with Goldman’s definition to defeat the moral conclusion of means-end definitions of sex.

VIII. Moral implications of Goldman’s Definition of Sex

Goldman states simply that “there are no moral implications whatever” to his definition of sex (49). Homosexual conduct then cannot be deemed immoral under such a definition precisely because there are no moral implications of Goldman’s definition. A few clarifying comments must be made before moving into a fuller explanation of what this means exactly. First, while we can claim that the definition of sex has no moral implications, Goldman has not proven that there is not some other moral reason as to why homosexual activity is wrong. In other words, homosexual conduct can’t just be wrong by definition, it can be wrong on other grounds. Goldman has only proven that there is nothing wrong with homosexual activity that follows from the very definition of sex. This is where John Corvino’s argument provides support. Corvino’s argument supplements and is stronger than Goldman’s argument because Corvino’s argument is wider in scope and provides other reasons, besides ones of definition, as to why homosexual activity is not wrong on its face. Second, it must be made clear that Goldman is not arguing that all forms of sexual activity are moral. Goldman would hold that public displays of sex or violent sexual acts are wrong and immoral. The key to understanding Goldman is to not

think about the particular act, but to think about the reasoning behind why the act is wrong. Specifically, “there is no morality intrinsic to sex” in that a sexual act is not wrong because it is sexual per se, but because of some other prevailing reason (Goldman 49). More specifically, “no conduct, and nothing in sex is immoral unless condemned by rules which apply elsewhere as well” (Goldman 50). Rape is immoral because it is “an extreme violation of a person’s body, of the right not to be humiliated, and of the general moral prohibition against using other persons against their wills, not from the fact that it is a sexual act” (50). The ethical methodology of this view of the morality of sex requires that general moral rules be applied to sexual conduct and then such cases are to be evaluated with this moral standard or rule in mind. To illustrate, in cases of child molestation, such acts are not wrong or immoral because they are sexual. The wrongness of such an act is derived from the “detrimental effects such behavior can have on the future emotional and sexual life of the naïve victims, and from the fact that such behavior therefore involves manipulation of innocent persons without regard for their interests” (Goldman 50). Such a case of sexual abuse then is characterized as immoral not because it is sexual, but because it involves a violation of general moral rules that apply to other realms besides sexual conduct. Namely, such an act violates our general moral rules against violating the body of a non-consenting person and manipulating and harming innocent or defenseless people or persons. This observation makes a powerful case for the morality of homosexual conduct.

IX. The Effects of these Moral Implications to the Morality of Homosexual Conduct

Michael Levin’s case for the wrongness of homosexual conduct revolves around a misuse of body parts. The fact that a man puts his penis into the anus of another man is a violation of nature’s intended purpose for those specific body parts. Goldman has illuminated that sex is simply a desire for physical contact with another being and does not fulfill any function other

than that. Furthermore, such homosexual conduct is sexual and is intended to be sexual, so Levin cannot get out of the argument by attempting to claim that it is purely a matter of physical function, rather than one of sexual desire. It seems odd then, if this is the proper definition of sex and sexual desire, to dictate how exactly one should properly fulfill such a desire for physical contact, if there is a proper way of doing so at all. In this vein, Goldman's argument has also illuminated that such a sexual desire cannot be wrong or immoral, unless it violates another general moral principles that can be applied elsewhere. It seems clear that one's preference to engage in anal sex with a member of the same sex does not violate a general moral principle. If such an act is done privately and with consent, then there is no moral violation of either agent engaging in such an act nor is it violating the rights of some third-party.

This conclusion is also consistent with Goldman's condemnation of means-end analysis. Such analyses improperly label certain sexual acts as immoral in an inconsistent fashion. For example, homosexual conduct is immoral either because it does not lead to reproduction or because certain sexual organs are not being used properly. Such analyses are wholly inconsistent because heterosexual anal intercourse does not lead to reproduction and sexual organs are not being used for their proper purposes (in Levin's view), yet such heterosexual conduct is not as wholly condemned as homosexual conduct is. Thus, for opponents of homosexual conduct to be consistent, they must deem such conduct immoral because it involves people of the same sex. However, if sex is an expression of physical desire and fulfills no further purpose, it seems absurd to claim that two males should be morally condemned for seeking such pleasure, while a male and female can pursue the same pleasure and not be similarly condemned. It is worth repeating that homosexual conduct is not immoral on Goldman's view in terms of the definition of sexual conduct. There may be other non-definitional reasons to condemn it. However,

Goldman and Corvino coupled together respectively provide a definitional and wide reaching support for the morality of homosexual conduct.

CONCLUSION

John Corvino posited that what is sexually permissible for heterosexuals is also permissible for homosexuals. This was achieved by illustrating that homosexual activity can lead to the same goods as heterosexual activity in the form of love, communication, intimacy and pleasure. Contra Corvino, Michael Levin posited that a key reason to treat homosexuals differently is because they are misusing their body parts in a way that heterosexuals do not. Such a misuse is unnatural because it does not increase evolutionary fitness. This fact, coupled with his assertion that what is unnatural leads to unhappiness, leads Levin to the claim that homosexuals are bound to be less happy than heterosexuals. We saw that such a conclusion is unwarranted because any way that Levin attempts to explain exactly what natural sexual activity is leads him into a dilemma. This dilemma restricts him from reaching his final conclusion; that homosexuals are bound to be less happy than heterosexuals. We also examined other issues related to his argument involving his evolutionary account and the relation of the oppression of society to homosexual unhappiness. However, even in refuting Levin, my opponent could appeal to a means-end analysis of sex. Such a definition of sex posits that the proper definition of sex is one that defines the proper role of sex as fulfilling a certain goal or end external to sexual activity itself. Through our analysis of Goldman, we saw that his definition of sex better matches our common intuitions and judgments than any form of means-end analysis. Goldman's definition then entails that there are no moral consequences of an activity simply because it is sexual. Namely, for an activity to be considered immoral, it cannot be because it is sexual. It must be wrong on other grounds. Given this, we should then conclude that homosexual conduct should be given the same positive moral status as heterosexual sexual conduct. If there are no reasons to

condemn homosexuality aside from the fact that it is sexual, then we have no grounds to claim that heterosexual activity is moral and homosexual activity is immoral.

In this vein, I realize that my thesis does not take into account other popular objections to homosexual conduct, such as the PIB argument and religious arguments. Such arguments may indeed give reasons outside of sexuality to morally differentiate between homosexual and heterosexual conduct. To illustrate, PIB stands for “polygamy, incest, bestiality” and essentially claims that once we open the door to homosexual marriage or condone homosexual conduct, we open the door to polygamy, incest and bestiality. I avoided this argument simply because it largely applies to homosexual marriage, rather than conduct. In my introduction I stated my reasons for avoiding the topic of marriage to focus instead on the conduct and relationships of homosexuals. I found this topic of homosexual conduct more significant and interesting than the topic of marriage because marriage revolves around such conduct and relationships. Namely, I believe that the debate should focus on issues that Corvino himself brings up; love, happiness and goods that can be realized by homosexual relationships and conduct. Focusing on marriage involves legal disputes that detract from important aspects of human relationships and the goods that heterosexual and homosexual relationships can both realize. If we recognize that homosexual conduct does not carry the negative consequences some associate with it and rather come to realize that homosexual relationships can be just as loving, caring and intimate as heterosexual relationships, then the marriage debate will be put into proper perspective because what is marriage besides an eternal sacrifice and commitment to love and care for someone else? Certainly homosexuals are capable of this and their relationships are conducive to this goal of marriage, as the above fifty pages have hopefully illuminated.

In terms of religion, such arguments can fall into two categories 1) doctrinal arguments related to bible verses and what the bible says. Supporters of such arguments say that the bible is true, and that is that. There is not much hope of making philosophical progress here without doing biblical interpretation or undertaking arguments in the field of philosophy of religion about the existence of God. However I believe most religious people to fall into the second category, 2) as people who do not take every single bible verse as dogma without further ethical reasoning. There are clear disagreements among religious people about what exactly the bible says, which is justification for my belief that many religious people are in category (2). In this vein, most religious people engage in moral reasoning. For example, there are biblical passages that endorse slavery, but most people believe slavery is wrong and would therefore think about whether a loving god would want slavery⁵. I believe that I have a contribution to this kind of religious thinking in my assumption that people are willing to sit down and discuss why homosexuality is immoral or not, albeit from a secular standpoint. Indeed, I believe my arguments would appeal to religious people who are not going on pure doctrinal faith. I can imagine a religious person reading the Glenn and Stacy example who would afterwards admit that it is a clever example and would react in puzzlement. They would admit that suddenly their approval shifted and would ask themselves why such a moral shift took place. In my opinion, this is a valuable philosophical and ethical thinking process.

Also, to non-religious people, secular arguments are very important and I believe that I have done much for non-religious people in this thesis. Not everyone believes in the bible, has read it or has engaged in moral reasoning involving it. Such people then appreciate arguments which do not solely appeal to the Word. In this vein, I have examined and considered some of the strongest arguments that I know of and that philosophers have picked out for use in

⁵ I thank Professor Alex Rajczi of Claremont McKenna College for pointing this out to me

classrooms, anthologies and discussions. Although, I can't logically rule out that there is not some argument out there that I have not thought of, I tried to engage with the arguments that I believed to be best and that would benefit the most people. I admit that I might be wrong, but the fact that I chose the strongest arguments and that I resolved it in a certain way illustrates the philosophical process. There may be other reasons to treat homosexuals differently from heterosexuals in light of these arguments, but I hope that I have successfully argued for the positive moral status of homosexuals in terms of their conduct. The goal of great philosophy is to present sound ideas and arguments that are thought provoking and that contribute to furthering the discussion of the topic being written about. In philosophy, there will never be unanimous agreement, but in the pursuit of this ideal hopefully philosophers can open minds and inspire thought in new and exciting directions. If there is anything I have accomplished in this thesis, my hope is that I have accomplished just that.

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