

Date: Thu 27 May 21:50:35 CDT 2010

From: rmckim <rmckim@uiuc.edu> [Add To Contacts](#)

Subject: Re: Fwd: Utilitarianism and Sexuality (for those in 447 FYI)/print

To: Robert McKim <rmckim@illinois.edu>

>

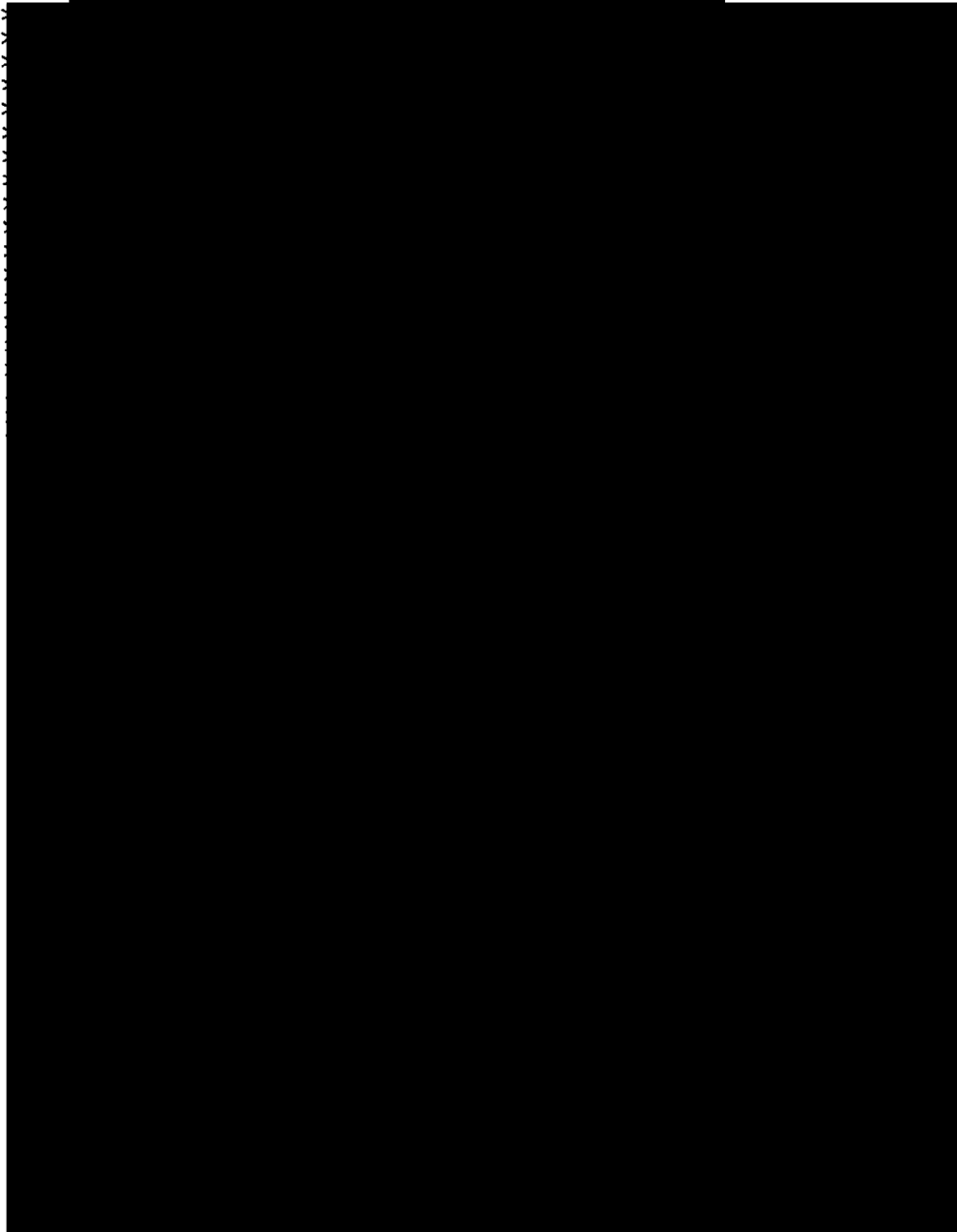
> ----- Forwarded message -----

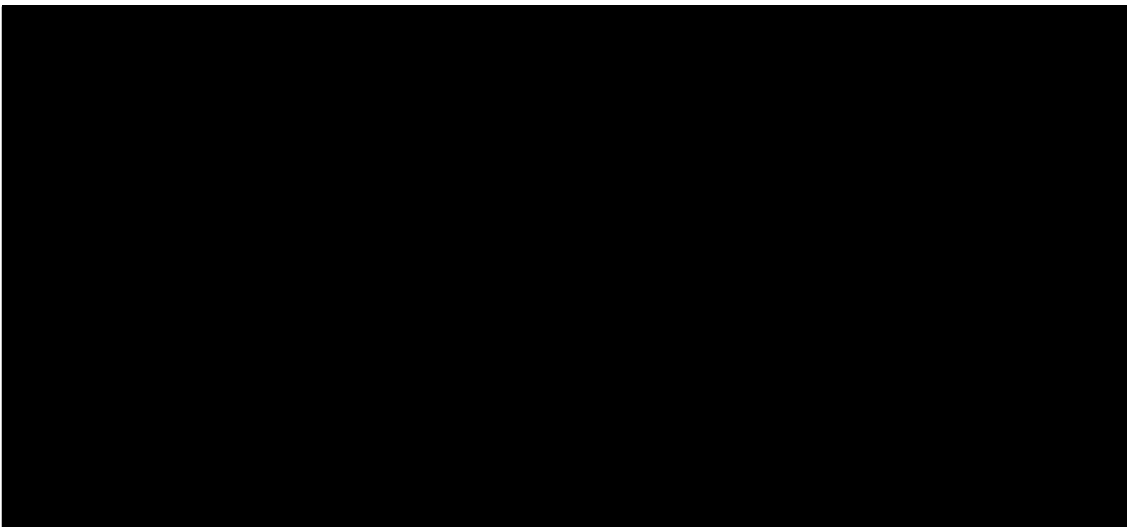
> From: \*Kenneth J. Howell\* [REDACTED]

> Date: Tue, May 4, 2010 at 9:45 PM

> Subject: Utilitarianism and Sexuality (for those in 447 FYI)

> To: [REDACTED]





>  
 >  
 > Dear Students:  
 >  
 > Since there is a question on the final exam about utilitarianism (see  
 > the review sheet), I thought I would help with an example. I realized  
 > after my lectures on moral theory that even though I talked about the  
 > substance of utilitarianism, I did not identify it as such and so you  
 > may not have been able to see it.  
 >  
 > It turns out that our discussion of homosexuality brings up the issue  
 > of utilitarianism. In class, our discussion of the morality of  
 > homosexual acts was very incomplete because any moral issue about  
 > which people disagree ALWAYS raises a more fundamental issue about  
 > criteria. In other words, by what criteria should we judge whether a  
 > given act is right or wrong?  
 >  
 > Before looking at the issue of criteria, however, we have to remind  
 > ourselves of the ever-present tendency in all of us to judge morality  
 > by emotion. The most frequent reason I hear people supporting same-sex  
 > marriage is that they know some gay couples or individuals. Empathy is  
 > a noble human quality but right or wrong does not depend on who is  
 > doing the action or on how I feel about those people, just as judging  
 > an action wrong should not depend on disliking someone. This might  
 > seem obvious to a right thinking person but I have encountered many  
 > well-educated people who do not (or cannot?) make the distinction  
 > between persons and acts when engaging moral reasoning. I encourage  
 > you to read the final essay editorial I sent earlier to reflect on  
 > this. In short, to judge an action wrong is not to condemn a person. A  
 > person and his/her acts can be distinguished for the purposes of  
 > morality.  
 >  
 > So, then, by what criterion should we judge whether sexual acts are  
 > right or wrong? This is where utilitarianism comes in. Utilitarianism  
 > in the popular sense is fundamentally a moral theory that judges right  
 > or wrong by its practical outcomes. It is somewhat akin to a  
 > cost/benefit analysis. So, when a woman is deciding whether it's right  
 > to have an abortion, the utilitarian says it's right or wrong based on  
 > what the best outcome is. Similarly, a man who is trying to decide  
 > whether he should cheat on his wife, if he is a utilitarian, will  
 > weigh the various consequences. If the cheating side of the ledger is  
 > better, he will conclude that it's okay to cheat. If the faithful side  
 > is better, he will refrain from cheating.  
 >  
 > I think it's fair to say that many, maybe most Americans employ some  
 > type of utilitarianism in their moral decision making. But there are  
 > at least two problems. One is that to judge the best outcome can be  
 > very subjective. What may be judged good for the pregnant woman may

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- > not be good for the baby. What may be judged good for the
- > about-to-cheat-husband may not good for his wife or his children. This
- > problem of subjectivity is inherent in utilitarianism for a second
- > reason. Utilitarianism counsels that moral decisions should NOT be
- > based on the inherent meaning of acts. Acts are only good or bad
- > relative to outcomes. The natural law theory that I expounded in class
- > assumes that human acts have an inherent meaning (remember my fist vs.
- > extended hand of friendship example).

- >
- > One of the most common applications of utilitarianism to sexual
- > morality is the criterion of mutual consent. It is said that any
- > sexual act is okay if the two or more people involved agree. Now no
- > one can (or should) deny that for a sexual act to be moral there must
- > be consent. Certainly, this is one reason why rape is morally wrong.
- > But the question is whether this is enough.

- >
- > If two men consent to engage in sexual acts, according to
- > utilitarianism, such an act would be morally okay. But notice too that
- > if a ten year old agrees to a sexual act with a 40 year old, such an
- > act would also be moral if even it is illegal under the current law.
- > Notice too that our concern is with morality, not law. So by the
- > consent criterion, we would have to admit certain cases as moral which
- > we presently would not approve of. The case of the 10 and 40 year olds
- > might be excluded by adding a modification like "informed consent."
- > Then as long as both parties agree with sufficient knowledge, the act
- > would be morally okay. A little reflection would show, I think, that
- > "informed consent" might be more difficult to apply in practice than
- > in theory. But another problem would be where to draw the line between
- > moral and immoral acts using only informed consent. For example, if a
- > dog consents to engage in a sexual act with its human master, such an
- > act would also be moral according to the consent criterion. If this
- > impresses you as far-fetched, the point is not whether it might occur
- > but by what criterion we could say that it is wrong. I don't think
- > that it would be wrong according to the consent criterion.

- >
- > But the more significant problem has to do with the fact that the
- > consent criterion is not related in any way to the NATURE of the act
- > itself. This is where Natural Moral Law (NML) objects. NML says that
- > Morality must be a response to REALITY. In other words, sexual acts
- > are only appropriate for people who are complementary, not the same.
- > How do we know this? By looking at REALITY. Men and women are
- > complementary in their anatomy, physiology, and psychology. Men and
- > women are not interchangeable. So, a moral sexual act has to be
- > between persons that are fitted for that act. Consent is important but
- > there is more than consent needed.

- >
- > One example applicable to homosexual acts illustrates the problem. To
- > the best of my knowledge, in asexual relationship between two men,
- > one of them tends to act as the "woman" while the other acts as the
- > "man." In this scenario, homosexual men have been known to engage in
- > certain types of actions for which their bodies are not fitted. I
- > don't want to be too graphic so I won't go into details but a
- > physician has told me that these acts are deleterious to the health of
- > one or possibly both of the men. Yet, if the morality of the act is
- > judged only by mutual consent, then there are clearly homosexual acts
- > which are injurious to their health but which are consented to. Why
- > are they injurious? Because they violate the meaning, structure, and
- > (sometimes) health of the human body.

- >
- > Now recall that I mentioned in class the importance of gaining wisdom
- > from the past. One part of wisdom we gain from such knowledge is how
- > people today came to think of their bodies. I won't go into details
- > here but a survey of the last few centuries reveals that we have
- > gradually been separating our sexual natures (reality) from our moral
- > decisions. Thus, people tend to think that we can use our bodies
- > sexually in whatever ways we choose without regard to their actual

> structure and meaning. This is also what lies behind the idea of sex  
> change operations. We can manipulate our bodies to be whatever we want  
> them to be.  
>  
> If what I just said is true, then this disassociation of morality and  
> sexual reality did not begin with homosexuality. It began long ago.  
> But it took a huge leap forward in the wide spread use of artificial  
> contraceptives. What this use allowed was for people to disassociate  
> procreation and children from sexual activity. So, for people who have  
> grown up only in a time when there is no inherent connection between  
> procreation and sex --- notice not natural but manipulated by humans  
> --- it follows "logically" that sex can mean anything we want it to mean.  
>  
> Natural Moral Theory says that if we are to have healthy sexual lives,  
> we must return to a connection between procreation and sex. Why?  
> Because that is what is REAL. It is based on human sexual anatomy and  
> physiology. Human sexuality is inherently unitive and procreative. If  
> we encourage sexual relations that violate this basic meaning, we will  
> end up denying something essential about our humanity, about our  
> feminine and masculine nature.  
>  
> I know this doesn't answer all the questions in many of your minds.  
> All I ask as your teacher is that you approach these questions as a  
> thinking adult. That implies questioning what you have heard around  
> you. Unless you have done extensive research into homosexuality and  
> are cognizant of the history of moral thought, you are not ready to  
> make judgments about moral truth in this matter. All I encourage is to  
> make informed decisions. As a final note, a perceptive reader will  
> have noticed that none of what I have said here or in class depends  
> upon religion. Catholics don't arrive at their moral conclusions based  
> on their religion. They do so based on a thorough understanding of  
> natural reality.  
>  
> --  
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> Kenneth J. Howell Ph.D.  
>  
> Director, St. John's Institute of Catholic Thought  
>  
> Adjunct Associate Professor of Religion, University of Illinois,  
> Urbana-Champaign  
>  
> 604 E. Armory Ave.  
>  
> Champaign, IL 61820  
>  
> (o) 217-255-6617  
>