

Neo-Scholastic Essays

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In Defense of the Perverted Faculty Argument

I. Introduction

“Perverted faculty” arguments were a commonplace in Neo-Scholastic manuals of ethics and moral theology in the period prior to Vatican II. They were applied to various moral issues, but no doubt their best known application was to the critique of contraceptive intercourse and other sexual behaviors at odds with Catholic moral teaching. Indeed, to this day, when asked to explain the grounds of the Church’s objection to contraception, most people would probably respond with some version (albeit oversimplified) of the perverted faculty argument.

They would also probably regard the argument (again, in oversimplified form) as a paradigmatic exercise in natural law reasoning. This seems to annoy no one so much as “New Natural Law” theorists, who have typically been as harsh in their criticism of the argument as secularist critics of Catholic teaching have been. Germain Grisez alleges that its defenders “have exposed Catholic moral thought to endless ridicule and surely have caused harm in other ways” (1964, p. 31). John Finnis dismisses the argument as “ridiculous” (1980, p. 48). Robert P. George and Patrick Lee characterize it as “easily disposed of” (1999, p. 161). Accordingly, “New Natural Lawyers” are at pains to correct those who think that any natural law argument against contraception or homosexual behavior (say) *must* be a perverted faculty argument (George 1999, responding to Posner 1992; George 2006, responding to Sullivan 2006).¹

However, the New Natural Lawyers’ two main contentions—that the perverted faculty argument is a bad argument, and that natural law theorists in any event need make no use of it in order to show why contraception, homosexual acts, and the like, are wrong—are false, or so I will argue. In fact

1 In the interests of full disclosure I should note that the views Prof. George distances himself from in responding to Sullivan are, specifically, mine—and (it is only fair to acknowledge) that he does so very politely.

the argument, rightly understood, is correct, and certainly isn't undermined by the standard objections. "New Natural Law" theorists think otherwise because, like liberal critics of the argument, they direct their objections at straw men, or at least fail to consider the most plausible reconstructions of the argument. And in fact there are no serious alternative arguments for the intrinsic immorality of contraception, homosexual acts, etc. (apart, that is, from sheer appeals to the authority of scripture, tradition, or the Magisterium). "New Natural Law" arguments against these practices (and other arguments, such as personalist arguments) are all at least implicitly committed to the basic thrust of the perverted faculty argument, and can be rescued from the charge of obscurantism only when this is recognized.

Properly to understand perverted faculty arguments in general and their application to sexual morality in particular requires a fair bit of stage-setting. In the next section I provide an exposition and defense of the "old" natural law theory, viz. natural law theory as Aquinas understood it and as the manualists of the Neo-Scholastic period understood it.² In the third section I explain the general approach to sexual morality that follows from natural law theory so understood. In section four, the perverted faculty argument itself, as applied to sexual morality, is then developed and defended against various objections raised by "New Natural Lawyers" and other critics. Finally, in the fifth section I show how the arguments of "New Natural Lawyers" and others who purport to defend Catholic sexual morality without adverting to the perverted faculty argument are in fact implicitly beholden to it.

II. The old natural law theory

Among the features that crucially distinguish the "old" natural law theory from the "new" is the former's grounding of ethics in specifically Aristotelian-Thomistic metaphysical foundations. In particular, natural law theory as Aquinas and the Neo-Scholastics understand it presupposes an *essentialism* according to which natural substances possess essences that are objectively real (rather than inventions of the human mind or mere artifacts of language) and immanent to the things themselves (rather than existing in a Platonic third realm); and a *teleologism* according to which the

2 Of course, "New Natural Lawyers" have sometimes claimed that their own position can be found in Aquinas and that the manualists' approach to natural law departs from that of Aquinas in essential respects. For rebuttals, see Veatch (1990), McInerney (1992), Lisska (1996), and Paterson (2006).

activities and processes characteristic of a natural substance are “directed toward” certain ends or outcomes, and *inherently* so, by virtue of the nature of the thing itself (rather than having a “directedness” that is purely extrinsic or entirely imposed from outside, the way artifacts do).³

The “old” natural law theory is, in other words, committed to formal and final causes of the sort that were central to the Scholastic tradition in opposition to which modern, post-Cartesian philosophy has largely defined itself. Modern philosophers have generally adopted instead a “passivist” and “mechanistic” conception of nature according to which there are no *immanent* natures or substantial forms (but only “laws” which determine the behavior of things “from outside,” as it were) and no “directedness,” teleology, or finality *inherent to* natural substances and processes as such (so that teleology is either entirely non-existent in nature or must be imposed from without on otherwise purposeless matter, after the fashion of a watchmaker who imposes a time-telling function on material parts that would otherwise in no sense have it).⁴ Some objections to the “old” natural law theory rest on a failure to understand its Aristotelian-Thomistic metaphysical background, and a tendency to read into it modern metaphysical assumptions of precisely the sort defenders of the theory would challenge.

One such objection (famously raised by “New Natural Lawyers” as well as by secularist critics) is the charge that that the “old” natural law theory commits a “naturalistic fallacy” by failing to take note of the “fact/value distinction.” For from the Aristotelian-Thomistic point of view, there simply is no “fact/value distinction” in the first place. More precisely, there is no such thing as a purely “factual” description of reality utterly divorced from “value,” for “value” is built into the structure of the “facts” from the start. A gap between “fact” and “value” could exist only given a mechanistic understanding of nature of the sort commonly taken for granted by modern philosophers, on which the world is devoid of any immanent essences or

- 3 Naturally, Thomists would affirm that natural teleology ultimately requires a divine cause, as Aquinas does in the Fifth Way. But this is no more incompatible with holding that the teleology of a natural substance is immanent to it (contra writers like William Paley who would assimilate natural substances to artifacts, whose finality is entirely extrinsic) than affirming God as first cause is incompatible with affirming the reality of secondary causes (contra occasionalism, which attributes all causality to God). For further discussion see Feser 2010.
- 4 For useful discussions of the difference between the Aristotelian conception of nature and the modern “passivist” and “mechanistic” conception that replaced it, see Ellis 2002 and Osler 1996.

natural ends.⁵ No such gap, and thus no “fallacy” of inferring normative conclusions from “purely factual” premises, can exist given an Aristotelian-Thomistic essentialist and teleological conception of the world. “Value” is a highly misleading term in any case, and subtly begs the question against critics of the “fact/value distinction” by insinuating that morality is purely subjective, insofar as “value” seems to presuppose someone doing the valuing. Aristotelians and Thomists (and other classical philosophers such as Platonists) tend to speak, not of “value,” but of “the good,” which on their account is entirely objective.

Consider, to begin with, a simple example. It is of the essence or nature of a Euclidean triangle to be a closed plane figure with three straight sides, and anything with this essence must have a number of properties, such as having angles that add up to 180 degrees. These are objective facts that we discover rather than invent; certainly it is notoriously difficult to make the opposite opinion at all plausible. Nevertheless, there are obviously triangles that fail to live up to this definition. A triangle drawn hastily on the cracked plastic seat of a moving bus might fail to be completely closed or to have perfectly straight sides, and thus its angles will add up to something other than 180 degrees. Indeed, even a triangle drawn slowly and carefully on paper with an art pen and a ruler will contain subtle flaws. Still, the latter will far more closely approximate the essence of triangularity than the former will. It will be a *better* triangle than the former. Indeed, we would quite naturally describe the latter as a *good* triangle and the former as a *bad* one. This judgment would be completely objective; it would be silly to suggest that we were merely expressing a personal preference for angles that add up to 180 degrees. It would be equally silly to suggest that we have somehow committed a fallacy in making a “value” judgment about the badness of the triangle drawn on the bus seat on the basis of the “facts” about the essence of triangularity. Given that essence, the “value judgment” follows *necessarily*. This example illustrates how an entity can count as an instance of a certain type of thing even if it fails perfectly to instantiate the essence of that type of thing; a badly drawn triangle is not a non-triangle, but rather a defective triangle. It illustrates at the same time how there can be a completely *objective, factual* standard of goodness and badness, better and worse. To

5 And maybe not even then, for the “fact/value distinction” has also been criticized by philosophers who are not sympathetic to Aristotelian-Thomistic metaphysics. (See, e.g., Putnam 2004.) Criticisms on the part of writers who are sympathetic to Aristotelian-Thomistic metaphysics include Martin 2004 and Oderberg 2000, pp. 9–15.

be sure, the standard in question in this example is not a *moral* standard. But from an Aristotelian-Thomistic point of view, it illustrates a general notion of goodness of which moral goodness is a special case.

Living things provide examples that bring us closer to a distinctively moral conception of goodness, as has been noted by several contemporary philosophers who, though not Thomists, have defended a neo-Aristotelian position in ethics. For instance, Philippa Foot, following Michael Thompson, notes how living things can only adequately be described in terms of what Thompson calls “Aristotelian categoricals” of a form such as *S’s are F*, where *S* refers to a species and *F* to something predicated of the species (Foot 2001, chapter 2; Thompson 1995). To cite Foot’s examples, “Rabbits are herbivores,” “Cats are four-legged,” and “Human beings have 32 teeth” would be instances of this general form. Note that such propositions cannot be adequately represented in terms of either the existential or the universal quantifier. “Cats are four-legged,” for instance, is obviously not saying “There is at least one cat that is four-legged.” But neither is it saying “For everything that is a cat, it is four-legged,” since the occasional cat may be missing a leg due to injury or genetic defect. Aristotelian categoricals convey a *norm*, much like the description of what counts as a triangle. Any particular living thing can only be described as an instance of a species, and a species itself can only be described in terms of Aristotelian categoricals stating at least its general characteristics. If a particular *S* happens not to be *F*—if, for example, a particular cat is missing a leg—that does not show that *S*’s are not *F* after all, but rather that this particular *S* is a *defective* instance of an *S*.

In living things the sort of norm in question is, as Foot also notes, inextricably tied to the notion of teleology. There are certain *ends* that any organism must realize in order to flourish as the kind of organism it is, ends concerning activities like development, self-maintenance, reproduction, the rearing of young, and so forth; and these ends entail a standard of goodness. Hence (again to cite Foot’s examples) an oak that develops long and deep roots is to that extent a good oak and one that develops weak roots is to that extent bad and defective; a lioness which nurtures her young is to that extent a good lioness and one that fails to do so is to that extent bad or defective; and so on. As with our triangle example, it would be silly to pretend that these judgments of goodness and badness are in any way subjective or reflective of human preferences, or that the inferences leading to them commit a “naturalistic fallacy.” They simply follow from the objective facts about what counts as a flourishing or sickly instance of the biological kind or

nature in question, and in particular from an organism's realization or failure to realize the ends set for it by its nature. The facts in question are, as it were, inherently laden with "value" from the start. Or to use Foot's more traditional (and less misleading) language, the goodness a flourishing instance of a natural kind exhibits is "natural goodness"—the goodness is there *in the nature of things*, and not in our subjective "value" judgments.

What is true of animals in general is true of human beings. Like the other, non-rational animals, we have various ends inherent in our nature, and these determine what is good for us. In particular, Aquinas tells us, "all those things to which man has a natural inclination, are naturally apprehended by reason as being good, and consequently as objects of pursuit, and their contraries as evil, and objects of avoidance" (*Summa Theologiae* I-II.94.2).⁶ It is crucial not to misunderstand the force of Aquinas's expression "natural inclination" here. By "inclination" he does not necessarily mean something consciously desired, and by "natural" he doesn't mean something merely psychologically deep-seated, or even, necessarily, something genetically determined. What he has in mind is rather the *natural teleology* of our capacities, their inherent "directedness" toward certain ends. For this reason, Anthony Lisska has suggested translating Aquinas's *inclinatio* as "disposition" (1996, p. 104). While this has its advantages, even it fails to make it clear that Aquinas is not interested in just any dispositions we might contingently happen to have, but rather in those that reflect nature's purposes for us.

Of course, there is often a close correlation between what nature intends and what we desire. Nature wants us to eat so that we'll stay alive, and sure enough we tend to want to eat. Given that we are social animals, nature intends for us to avoid harming others, and for the most part we do want to avoid this. And so forth. At the same time, there are people (such as anorexics and bulimics) who form very strong desires not to eat what they need to eat in order to survive and thrive; and at the other extreme there are people whose desire for food is excessive. Some people are not only occasionally prone to harm others, but are positively misanthropic or sociopathic. Desires are nature's way of prodding us to do what is good for us, but like everything else in the natural order, they are subject to various imperfections and distortions. Hence, though in general and for the most part our desires match up with nature's purposes, this is not true in every single case. Habituated vice, peer pressure, irrationality, mental illness, and the like can often

6 All quotes from the *Summa* are taken from the translation in Aquinas 1948.

deform our subjective desires so that they turn us away from what nature intends, and thus from what is good for us. Genetic defect might do the same; just as it causes deformities like clubfoot and polydactyly, so too might it generate psychological and behavioral deformities as well.

Here as elsewhere, it is crucial in understanding the “old” natural law theory that one keeps the background Aristotelian-Thomistic metaphysical theses always in mind. “Natural” for the Aristotelian-Thomistic philosopher does not mean merely “deeply ingrained,” “in accordance with the laws of physics,” “having a genetic basis,” or any other of the readings that a non-teleological view of nature might allow. It has instead to do with the final causes inherent in a thing by virtue of its essence, and which it possesses whether or not it ever realizes them or consciously wants to realize them. What is genuinely good for someone, accordingly, may in principle be something he or she does not consciously want, like children who refuse to eat their vegetables, or an addict convinced that it would be bad to stop taking drugs. For the “old” natural law theory, knowing what is truly good for us requires taking an external, objective, “third-person” point of view on ourselves rather than a subjective “first-person” view; it is a matter of determining what fulfills our *nature*, not our contingent desires.

Aquinas identifies three general categories of goods inherent in our nature. First are those we share with all living things, such as the preservation of our existence. Second are those common to animals specifically, such as sexual intercourse and the child-rearing activities that naturally follow upon it. Third are those peculiar to us as *rational* animals, such as “to know the truth about God, and to live in society,” “to shun ignorance,” and “to avoid offending those among whom one has to live” (*Summa Theologiae* I-II.94.2). These goods are ordered in a hierarchy corresponding to the traditional Aristotelian hierarchy of living things (*viz.* the vegetative, sensory, and rational forms of life, respectively). The higher goods presuppose the lower ones; for example, one cannot pursue truth if one is not able to conserve oneself in existence. But the lower goods are subordinate to the higher ones in the sense that they exist for the sake of the higher ones. The point of fulfilling the vegetative and sensory aspects of our nature is, ultimately, to allow us to fulfill the defining rational aspect of our nature.

Now these various goods have *moral* significance for us because, unlike other animals, we are capable of *intellectually grasping* what is good and *freely choosing* whether or not to pursue it. And that brings us from “natural goodness” (as Foot calls it) to natural law. Aquinas famously held that the fundamental principle of natural law is that “*good is to be done and pursued,*

and evil is to be avoided. All other precepts of the natural law are based upon this,” where the content of those precepts is determined by the goods falling under the three main categories just mentioned (*Summa Theologiae* I-II.94.2). Now that “good is to be done etc.” might at first glance seem to be a difficult claim to justify, and certainly not a very promising candidate for a first principle. For isn’t the question “Why should I be good?” precisely (part of) what any moral theory ought to answer? And isn’t this question notoriously hard to answer to the satisfaction of the moral skeptic?

Properly understood, however, Aquinas’s principle is not only not difficult to justify, but is so obviously correct that it might seem barely worth asserting. Aquinas is not saying that it is self-evident that we ought to be morally good. Rather, he is saying that it is self-evident that whenever we act we pursue something that we take to be good *in some way* and/or avoid what we take to be *in some way* evil or bad. And he is clearly right. Even someone who does what he believes to be morally bad does so only because he is seeking something he takes to be good in the sense of worth pursuing. Hence the mugger who admits that robbery is evil nevertheless takes his victim’s wallet because he thinks it would be good to have money to pay for his drugs; hence the drug addict who knows that his habit is wrong and degrading nevertheless thinks it would be good to satisfy the craving and bad to suffer the unpleasantness of not satisfying it; and so forth. Of course, these claims are obviously true only on a very thin sense of “good” and “bad,” but that is exactly the sense Aquinas has in mind.

Though acceptance of the Aristotelian-Thomistic metaphysics of natural goodness is not necessary in order to see that Aquinas’s principle is correct, it does help us to understand *why* it is correct. For like every other natural phenomenon, practical reason has a natural end or goal toward which it is ordered, and that end or goal is just whatever it is the intellect perceives to be good or worth pursuing. Now given what has already been said, human beings, like everything else in nature, have various capacities and ends the fulfillment of which is good for them and the frustrating of which is bad, as a matter of objective fact. A rational intellect apprised of the facts will therefore perceive that it is good to realize these ends and bad to frustrate them. It follows, then, that a rational person will pursue the realization of these ends and avoid their frustration. In short, practical reason is directed by nature toward the pursuit of what the intellect perceives to be good; what *in fact* good is the realization of the various ends inherent in human nature; and thus a *rational and correctly informed* person will perceive this and, accordingly, direct his actions towards the realization or fulfillment of those

ends. In this sense, good action is just that which is “in accord with reason” (*Summa Theologiae* I-II.21.1; cf. *Summa Theologiae* I-II.90.1), and the moral skeptic’s question “Why should I do what is good?” has an obvious answer: Because to be rational *just is* (in part) to do what is good, to fulfill the ends set for us by nature. Natural law ethics as a body of substantive moral theory is the formulation of general moral principles on the basis of an analysis of the various human capacities and ends and the systematic working out of their implications. So, to take just one example, when we consider that human beings have intellects and that the natural end or function of the intellect is to grasp the truth about things, it follows that it is good for us—it fulfills our nature—to pursue truth and avoid error. Consequently, a rational person apprised of the facts about human nature will see that this is what is good for us and thus strive to attain truth and to avoid error. And so on for other natural human capacities.

Of course, things are much more complicated than that summary lets on. Various qualifications and complications will need to be spelled out as we examine the various natural human capacities in detail, and not every principle of morality that follows from this analysis will necessarily be as simple and straightforward as “Pursue truth and avoid error.” But what has been said so far suffices to give us at least a very general idea of how natural law theory determines the specific content of our moral obligations. It also suffices to give us a sense of the *grounds* of moral obligation, that which makes it the case that moral imperatives have categorical rather than merely hypothetical force. The hypothetical imperative (1) *If I want what is good for me then I ought to pursue what realizes my natural ends and avoid what frustrates them* is something whose truth follows from the metaphysical analysis sketched above. By itself, it does not give us a categorical imperative because the consequent will have force only for someone who accepts the antecedent. But that (2) *I do want what is good for me* is something true of all of us by virtue of our nature as human beings, and is in any case self-evident, being just a variation on Aquinas’s fundamental principle of natural law. These premises yield the conclusion (3) *I ought to pursue what realizes my natural ends and avoid what frustrates them*. It does have categorical force because (2) has categorical force, and (2) has categorical force because it cannot be otherwise given our nature. Not only the content of our moral obligations but their obligatory force are thus determined by natural teleology. As the Neo-Scholastic natural law theorist Michael Cronin (whose account of obligation has influenced my own presentation) writes, “In the fullest sense of the word, then, moral duty is natural. For not only are certain

objects natural means to man's final end, but our desire of that end is natural also, and, therefore, the necessity of the means is natural" (1939, p. 222).⁷

It goes without saying that a complete defense of the "old" natural law theory requires a defense of the controversial metaphysical assumptions that underlie it. This is not the place for such a defense, but I have provided it elsewhere (Feser 2008, Feser 2009), and Aristotelian-Thomistic metaphysics has in recent years attracted a growing number of able advocates. (See, e.g., the essays collected in Haldane 2002, and, for an outstanding full-length defense, Oderberg 2007. Oderberg 2010 addresses the metaphysical foundations of natural law, specifically.) Nor need one sympathize with Thomism or natural law theory to endorse a broadly Aristotelian metaphysics; neo-Aristotelianism is a small but growing movement within contemporary academic philosophy more generally. (See the articles collected in Tahko 2012 and Groff and Greco 2013 for some representative examples.) Those who would dismiss the old natural law theory on the grounds that its basic metaphysical presuppositions are no longer taken seriously within mainstream philosophy are not only guilty of a fallacy of relevance, but operating from assumptions that are themselves out of date.

III. General sexual ethics

When we apply the "old" natural law theory to sexual morality, the first step is to identify the natural end or ends of our sexual faculties. For if what is good for us is determined by what realizes the ends inherent in our nature, then what is good for us in the sexual context can only be what realizes the ends of our sexual faculties. Now for Aquinas and other natural law theorists

7 Notice that no mention has been made here either of divine command as the source of obligation or of rewards and punishments in the hereafter as motivation for moral behavior—contrary to what one would expect from Grisez's description of "conventional natural law theory," which he wrongly accuses of having a "voluntaristic" conception of obligation (1964, pp. 46–53). Grisez fails to take note of a crucial distinction between what Cronin calls the "ultimate ground" and the "proximate ground" of moral obligation (Cronin 1939, p. 213). Just as God's being the first cause is perfectly consistent with the reality of secondary causes (contra the occasionalist), so too is God's being the *ultimate* source of obligation consistent with there being a *proximate* ground of obligation in the will's having the good as its natural end (contra the voluntarist). Hence the "old" natural law theory does not (contra Grisez) have to appeal to natural theology in order to make obligation intelligible (even if a *complete* account of obligation—as with a complete account of causality, or of anything else for that matter—will make reference to natural theology). See Feser 2009, pp. 188–92 for further discussion.

who build on an Aristotelian metaphysical foundation, to be a human being is to be a *rational animal*. That we are *animals* of a sort entails that the vegetative, sensory, locomotive, and appetitive ends that determine what is good for non-human animals are also partially constitutive of our good. That we are *rational* entails that we also have as our own distinctive ends those associated with intellect and volition. Like other animals, in order to flourish we must take in nutrients, go through a process of development from conception through to maturity, reproduce ourselves, and move ourselves about the world in response to inner drives and the information we take in through sense organs. But on top of that we have to exercise the rational capacities to form abstract concepts, put them together into judgments, and reason from one judgment to another in accordance with the laws of logic; and we have to choose between alternative courses of action in light of what the intellect knows about them.

Now these latter, higher, rational activities do not merely constitute distinctive goods; they also alter the nature of the lower, animal goods. For example, both a dog and a human being can have a visual perception of a tree. But there is a *conceptual* element to normal human visual perception that is not present in the dog's perception. The dog perceives the tree, but not in a way that involves conceptualizing it *as* a tree, forming a judgment like *that tree is an oak*, or inferring from the presence of the tree and the tree's status as an oak that *an oak is present*.⁸ In man, the animal, sensory element is fused to the distinctively human, rational element in such a way as to form a seamless unity. Hence while perception is a good for both non-human animals and human beings, that perception in our case participates in our rationality makes of it a different and indeed higher sort of good than that of which non-human animals are capable. Other goods we share in common with animals similarly participate in our rationality and are radically transformed as a result. Thus, *meals* have a social and cultural significance that raises them above mere feeding; *games* have a social import and conceptual content that raises them above the play of which other mammals are capable; and so forth.

Our sexual faculties are no different, and this is the key to understanding why they have a *unitive* as well as a *procreative* end, and why these ends are inseparable. Take the latter first. That sex considered from a purely

8 For discussion of the crucial differences between intellectual activity in the strict sense and the exercises in sensation and imagination of which non-human animals are capable, see Feser 2013.

biological point of view exists for the sake of procreation is uncontroversial. This is true even though people have sexual relations for various reasons other than procreation, since we are talking about *nature's* ends here, not ours. In particular, it is true even though sex is pleasurable and human beings and animals are typically drawn to sex precisely because of this pleasure. For giving pleasure is not *the* end of sex, not that *for the sake of which* sex exists in animals. Rather, sexual pleasure has as its own natural end the getting of animals to engage in sexual relations, so that they will procreate. This parallels the situation with eating: Even though eating is pleasurable, the biological point of eating is not to give pleasure, but rather to provide an organism with the nutrients it needs to survive. The pleasure of eating is just nature's way of getting animals to do what is needed to fulfill this end. When analyzing the biological significance of either eating or sex, to emphasize pleasure would be to put the cart before the horse. Pleasure has its place, but it is secondary.

Notice also that nature makes it very difficult to indulge in sex without procreation. There is no prophylactic sheathe issued with a penis at birth, and no diaphragm issued with a vagina. It takes some effort to come up with these devices, and even then, in the form in which they existed for most of human history they were not terribly effective. Moreover, experience indicates that people simply find sexual relations more pleasurable when such devices are not used, even if they will often use them anyway out of a desire to avoid pregnancy. Indeed, this is one reason pregnancy is (even if often cut short by abortion) very common even in societies in which contraception is easily available: People know they could take a few minutes to go buy a condom, but go ahead and engage in "unprotected" sex anyway. As this indicates, sexual arousal occurs very frequently and can often be very hard to resist even for a short while. And that last resort to those seeking to avoid pregnancy—the "withdrawal" method—is notoriously unreliable. Even with the advent of "the pill," pregnancies (though also abortions) are common; and even effective use of the pill—which has existed only for a very brief period of human history—requires that a woman remember to take it at the appointed times and be willing to put up with its uncomfortable side effects.

So, sex exists in animals for the sake of procreation, and sexual pleasure exists for the sake of getting them to indulge in sex, so that they will procreate. And we're built in such a way that sexual arousal is hard to resist and occurs very frequently, and such that it is very difficult to avoid pregnancies resulting from indulgence of that arousal. The obvious conclusion is that the natural end of sex is (in part) not just procreation, but procreation

in large numbers. Mother Nature clearly wants us to have babies, and lots of them. Nor can this be written off as just so much rationalization of prejudice. Apart from the Aristotelian jargon, everything said so far about the natural ends of sex and sexual pleasure could be endorsed by the Darwinian naturalist as a perfectly accurate description of their biological functions, whether or not such a naturalist would agree with the moral conclusions natural law theorists would draw from it.

Now in light of all this, it does seem that Mother Nature has put a fairly heavy burden on women, who, if “nature takes its course,” are bound to become pregnant somewhat frequently. She has also put a fairly heavy burden on children too, given that unlike non-human offspring they are utterly dependent on others for their needs, and for a very long period. This is true not only of their biological needs, but of the moral and cultural needs they have by virtue of being little rational animals. They need education in both what is useful and what is right, and correction of error. In human beings, procreation—generating new members of the species—is not just a matter of producing new organisms, but also of forming them into persons capable of fulfilling their nature as distinctively *rational* animals. So, nature’s taking its course thus seems to leave mothers and offspring pretty helpless, or at any rate it would do so if there weren’t someone ordained by nature to provide for them. But of course there is such a person, namely the father of the children. Fathers obviously have a strong incentive to look after their own children rather than someone else’s, and they are also, generally speaking, notoriously jealous of the affections of the women they have children with, sometimes to the point of being willing to kill the competition. Thus Mother Nature very equitably puts a heavy burden on fathers too, pushing them into a situation where they must devote their daily labors to providing for their children and the woman or women with whom they have had these children; and when “nature takes its course” these children are bound to be somewhat numerous, so that the father’s commitment is necessarily going to have to be long-term. Even considered merely from the point of view of its animal, procreative aspects, then, the natural teleology of sex points in the case of human beings in the direction of at least something like the institution of marriage. Here too nothing has been said that couldn’t be endorsed by secular social scientists or evolutionary psychologists, whatever moral lessons they may or may not draw.⁹

9 This account of the purely biological functions of sex and marriage is of course just common sense, and it is also more or less the account Aquinas gives in *Summa*

That is the big picture view of the natural teleology of sex considered merely in its animal and procreative aspects. Let's turn now momentarily to the small picture, focusing on the sexual act itself. If we consider the structure of the sexual organs and the sexual act as a process beginning with arousal and ending in orgasm, it is clear that its biological function, its final cause, is to get semen into the vagina. That is why the penis and vagina are shaped the way they are, why the vagina secretes lubrication during sexual arousal, and so forth. The organs fit together like lock and key. The point of the process is not just to get semen out of the male, but also into the female, and into one place in the female in particular. This too is something no one would deny when looking at things from a purely biological point of view, whatever moral conclusions may or may not follow from it. Of course, there is more going on here than just plumbing. Women can have orgasms too, sexual pleasure can be had by acts other than just vaginal penetration, and all sorts of complex and profound passions are aroused in a man and woman during the process of lovemaking that go well beyond the simple desire to get semen into a certain place. But from the point of view of the animal, procreative side of sex, all of this exists for the sake of getting men and women to engage in the sexual act, so that it will result in ejaculation into the vagina, so that in turn offspring will be generated at least a certain percentage of the time the act is performed, and so that father and mother will be strengthened in their desire to stay together, which circumstance is (whatever their personal intentions and thoughts) nature's way of sustaining that union upon which children depend for their material and spiritual well-being. Every link in the chain has procreation as its natural end, whatever the intentions of the actors.

Whatever else sex is, then, it is *essentially* procreative. If human beings did not procreate, then while they might form close emotional bonds with one another, maybe even exclusive ones, they would not have *sex*—that is to say, they would not be *man* and *woman*, as opposed to something asexual or androgynous. (The claim is not that procreation entails sex—there is in the biological realm such a thing as asexual reproduction—but rather that

Contra Gentiles III.122-126. Even Posner, whose views are otherwise very far from the ones defended here, affirms that from a biological point of view sex functions both to procreate and to bind a man to the mother of his children (1992, pp. 226–27). See Wright 1995 for a useful survey of the things evolutionary psychologists say about sex and a sense of the ways in which, descriptively if not prescriptively, they confirm what common sense and natural law thinkers like Aquinas would say.

sex entails procreation in the sense that procreation is *the reason* sex exists in the first place, even if sex does not in every case result in procreation and even if procreation could have occurred in some other way.)

Unlike other sexually reproducing animals, though, we *know this* about ourselves, we *know* that qua male or female each of us is in some unusual way incomplete; and that is why, in human beings, the procreative end of sex is by no means the end of the story. Human beings *conceptualize* their incompleteness, and *idealize* what they think will remedy it. It is important to note that this is as true of human sexuality at its most “raw” and “animal” as it is of its more refined manifestations. Dogs don’t worry about the size of breasts and genitalia; nor do they dress each other up in garters and stockings, or in leather and leashes for that matter. The latter are *adornments*—some perfectly innocent, some not—and reflect an *aesthetic* attitude toward the object of desire of which non-rational animals are incapable. Animals also do not conceptualize the desires and perceptions of their sexual partners, as human beings do even in the most immoral sexual encounters. Like the sexual organs, then, our sexual psychology is “directed at” or “points to” something beyond itself, and in particular toward what alone can complete us, *emotionally* as well as physiologically, given our natures. The human soul is directed to *another soul*—and not merely toward certain organs—as its complement, man to woman and woman to man. (And that some people do not have a desire for the opposite sex, and in some cases lack sexual desire altogether, is as irrelevant to the *natural* end of our psychological faculties as the existence of clubfeet is to telling us what nature intends feet for.)

Now the nature of this psychological “other-directedness” is complex. In his chapter on romantic love in *The Four Loves* (1988), C. S. Lewis usefully distinguishes *Eros* from *Venus*. Venus is sexual desire, which can be (even if it shouldn’t be) felt for and satisfied by any number of people. Eros is the longing associated with being in love with someone, and no one other than that one person can satisfy it. Obviously, Venus can and very often does exist without Eros. Eros typically includes Venus, but it not only focuses Venus specifically on the object of romantic longing, but carries that longing to the point where Venus itself, along with everything else, might be sacrificed for the sake of the beloved if necessary. *Sexual release* is the object of Venus; *the beloved* is the object of Eros.

As Lewis wisely notes, it is an error to think that Venus without Eros is *per se* morally suspect. We might wish that every husband and wife felt for each other as did Tristan and Isolde, or Romeo and Juliet, or Catherine and

Heathcliff; or maybe not, given the tragic ends of these couples. Needless to say, real human life is rarely like that, and very frequently it does not even rise to the level of a more sober approximation. Arranged marriages were common for much of human history; modern marriages for love often lose their passion and settle into routine, or at least have their ups and downs, but without the disappearance of Venus; and some people simply do not have Erotic temperaments (in the relevant sense) in the first place, but still have normal sexual desires and wish to marry. Eros is too unstable and outside our control to think it essential to the moral use of Venus. Sometimes mere affection (which, like Venus itself, can be felt for any number of people) has to suffice to civilize Venus.

All the same, there is a reason Eros is commonly regarded as an *ideal*, and is indeed often achieved at least to some extent, even if passion inevitably cools somewhat. Like Venus, Eros is natural to us. It functions to channel the potentially unruly Venus in the monogamous and constructive direction that the stability of the family requires. Of course, a respect for the moral law, fear of opprobrium, and sensitivity to the feelings of a spouse can do this too, but unlike Eros the motivations they provide can all conflict with the agent's own inclinations, and are thus less efficacious. A decent man *will* confine the gratification of his sexual appetites to the marriage bed; a man who is in love with his wife *wants to* confine them to the marriage bed. Eros also brings us out of ourselves more perfectly than Venus can, and thus raises Venus not only above the merely animal but even above the merely social. As Lewis writes, the sheer selflessness of Eros at its most noble, and its fixation on the beloved to the exclusion of everything else, make it an especially fitting model for the sort of love we are to have for God.

Venus and Eros, then, considered in terms of their natural function, might best be thought of not as distinct faculties, but as opposite ends of a continuum. Venus tells us that we are incomplete, moving us toward that procreative action whose natural end—the generation of new human beings—requires the stability of marital union for its success. Eros focuses that desire onto a single person with whom such a union can be made and for whom the Erotic lover happily forsakes all others and is even willing to sacrifice his own happiness. Eros is the perfection of Venus; mere Venus is a deficient form of Eros. Human experience seems to confirm this insofar as it is the rare Lothario who does not at some point desire something more substantial, and the rare Erotic lover who is willing entirely to forego Venus.

Eros is itself perfected in what psychologist Robert Sternberg (1988) calls “consummate love,” which adds to romance the interpersonal bonds of which other relationships are also capable. Sternberg’s influential “triangular theory” of love distinguishes between intimacy, commitment, and passion, and six kinds of suboptimal love, each of which involves only one or two of these elements. Intimacy by itself involves the kind of closeness typical of friendship. Commitment by itself is characterized by Sternberg as “empty” love, a bloodless sort of thing that might suffice for an arranged marriage, at least initially. Passion by itself amounts to mere infatuation (and seems to correspond to Lewis’s notion of Eros, and perhaps in its less intense manifestations to lower points on the continuum I have proposed exists between Venus and Eros). What Sternberg calls “companionate love” combines commitment with the intimacy of friendship but is devoid of passion. “Romantic love” combines passion with intimacy, as in a relationship that begins with infatuation and leads to friendship or vice versa. “Fatuous love” combines passion and commitment, as in a marriage which was entered into suddenly on the basis of passion before true intimacy has developed. “Consummate love,” Sternberg says, combines all three of the basic kinds of love—commitment, the intimacy of friendship, and the passion that begins with mere infatuation but develops into something more stable. It is difficult to achieve, but is commonly regarded as definitive of the best marriages.

One needn’t endorse all the details of Lewis’s or Sternberg’s views to see that Erotic love’s perfection of Venus, and “consummate” love’s perfection of Eros, are not only ideals toward which human beings are in fact generally drawn, but are also highly conducive to the realization of sex’s procreative end understood in the broad sense that includes not just the generation of new human beings but also their upbringing, and thus requires a stable union of sexual partners. Indeed, though families are often stable enough to function even when the parents fall far short of Sternberg’s “consummate love,” it is hard to see how marriage and family as institutions could survive unless Erotic and consummate love were generally honored at least as ideals, and approximated at least to some significant extent in most marriages. In short, the *procreative* end of sex points, in human beings, given their rational nature, to a *unitive* end. And once again, with this much a secular social scientist or Darwinian evolutionary psychologist could readily agree.

When we read all this in light of the Aristotelian-Thomistic metaphysics underlying the “old” natural law theory, however, we are bound to draw

some conclusions with which many secularists will not agree. First of all, the unitive end of sex builds on the procreative in just the way the conceptual structure of human perceptual experience builds on the sensory element. That means that, as in the latter case, our rationality raises our animality to a higher level without in any way negating it. A human visual experience is a seamless unity of the rational and the animal; that we (unlike non-human animals) conceptualize what we receive through sensation does not make a perception *less* than sensory, even if it makes it more than *merely* sensory. Similarly, that the physiology of sexual arousal is in human beings associated with various complex other-directed psychological states of which non-human animals are not capable does not make our sexual acts *less* than procreative in their natural end, even if they are more than *merely* procreative. A human sexual act is a seamless unity of the procreative and the unitive, directed at the same time toward both biological generation and emotional communion.

Hence there is no such thing as a sexual act which *of its nature* is *merely* unitive and in no way procreative, any more than there is such a thing as a human perceptual experience which *of its nature* is merely conceptual and in no way sensory. Of course, a particular sexual act may in fact be incapable of resulting in conception because the sexual organs have been damaged or worn out by age, but that no more changes what they and their activities are *by nature* than the fact that the visual apparatus might be damaged to the point of reducing the sensory content largely or even entirely (as in “blind-sight”) changes what visual perception is by nature, or any more than the fact that there are dogs which, due to injury, have fewer than four legs, shows that it is not of the nature of a dog to have four legs. In all three cases we have deviation from the norm expressed in an Aristotelian categorical: “Sexual acts are both unitive and procreative” is like “Human visual perceptual experiences have both conceptual and sensory content” and “Dogs have four legs.”

Nor is there any such thing as a sexual act which *of its nature* (as opposed to a particular individual’s personal motivation) exists for the sake of pleasure alone and not for either the procreative or unitive end of sex. For as with the pleasure associated with the purely procreative sex of which animals are capable, the pleasure associated with human sexual relations exists for the sake of the natural ends of those relations — in this case, unitive as well as procreative—rather than for its own sake. It is precisely *because* sex involves the lovers’ taking intense pleasure in each others’ bodies and most intimate feelings that it is capable of uniting them as

it does.¹⁰ Without either the unitive or procreative ends there would be no reason for nature to make sex pleasurable, and (at least for the Aristotelian-Thomistic metaphysician) nature does nothing in vain.

Now, since the natural ends of our sexual capacities are simultaneously procreative and unitive, what is good for human beings vis-à-vis those capacities is to use them only in a way consistent with these ends. This is a *necessary* truth, given the background metaphysics. It *cannot possibly* be good for us to use them in a way contrary to these ends, whether or not an individual person thinks it is, any more than it can possibly be good for a diseased or damaged tree to fail to sink roots into the ground. This is true *whatever* the reason is for someone's desire to act in a way contrary to nature's purposes—intellectual error, habituated vice, genetic defect, or whatever—and however strong that desire is. That a desire to act in such a way is very deeply entrenched in a person only shows that his will has become corrupted. A clubfoot is still a clubfoot, and thus a defect, even though the person having it is not culpable for this and might not be able to change it. And a desire to do what is bad is still a desire to do what is bad, however difficult it might be for someone to desire otherwise, and whether or not the person is culpable for having a tendency to form these desires (he may not be).

What has been said so far clearly supports a general commendation of confining sexual activity to marriage and the having of large families, and a general condemnation of fornication, adultery, contraception, homosexual acts, bestiality, masturbation, pornography, and the like. For fornication threatens to bring children into the world outside of the marital context they need for their well-being; adultery undermines the stability of that context; contraceptive acts directly frustrate the procreative end of sex altogether; homosexual acts and bestiality have no tendency toward procreation at all, and the emotions associated with them direct the unitive drive, which can by nature be fulfilled only by a human being of the opposite sex, toward an improper object; and masturbation and pornography are also contrary to

10 It is thus silly to speak, as some well-meaning people do, as if sex exists for the sake of expressing love *as opposed to* for the sake of giving pleasure. For it is only because sex is pleasurable in just the intense and intimate way it is that it is capable of being an expression of love in the first place. (No one ever suggests: "Let me rub your elbows in order to express my love. It will be an especially pure expression, since it won't give either of us much if any pleasure.") What such moralists should say is that the pleasure exists for the sake of the expression of love rather than for its own sake.

this inherently other-directed unitive drive insofar as they turn it inward toward a fantasy world rather than outward toward another human being, like an arrow pointed back at the archer.

But this might still seem to fall short of establishing the *absolute* moral claims made by Catholic teaching. Consider a devout Mormon couple who have a large family of nine children, but who have occasionally used contraception so as to space their children evenly, or to avoid pregnancy in circumstances where the wife's health or life might be endangered. Or consider someone who has to be away from his or her spouse for a prolonged period of time and who, during this time, indulges the temptation to masturbate, but who only ever fantasizes about his or her spouse while doing so and who otherwise has a normal marital sex life and a large family. It might seem that these people are fulfilling both the procreative and unitive ends of sex. It would certainly seem strained and even unjust to accuse them of having a "contraceptive mentality," of being insufficiently "open to life," or of being otherwise insensitive to the "personalist" dimensions of sex, insofar as their attitude toward sex is obviously different from those who regard sex as mere recreation and children as an inconvenience to be avoided. Of course, one could object that it can in practice be difficult to know where to "draw the line" before indulgence in such contraceptive and masturbatory acts starts to impede the procreative and unitive ends of sex, but that does not by itself show that it is *always and in principle* wrong to indulge in them.

So, what has been said so far might, from the point of view of Catholic teaching, seem not to have proved enough. It may also seem to have proved too much. For if it is good for us to pursue the procreative and unitive ends of sex and bad for us to frustrate them, wouldn't it follow that it is wrong to refrain from marrying if one had the opportunity to do so? And if the unitive and procreative ends must go together, wouldn't it follow that it is wrong for sterile and aged married couples to have sexual intercourse?

In fact these conclusions do not follow, any more than the fact that private property is good for us shows that it is always wrong to give our goods away to the poor, or any more than the fact that truth-telling is good for us shows that it is always wrong to keep embarrassing information to ourselves, or any more than the fact that food is good for us shows that it is always wrong to fast. With sex as with these other goods, while identifying their natural ends is the crucial first step to determining their role in a morally well-ordered life, it does not by itself answer every question we might have about them. For human life is complicated and requires the pursuit of many different goods, not all of which can be pursued at the same time. Sometimes

one good can be sacrificed for the sake of a higher good, as when one sacrifices marriage and family for the sake of the priesthood or religious life. Sometimes a good cannot be pursued because of circumstances, as when a suitable marriage partner is simply not available, or as when a married couple's indulging the desire for intercourse might lead to a dangerous pregnancy.

If there is to be an *absolute* moral prohibition on contraceptive acts, masturbatory acts, and the like as such, even though there is no such prohibition on merely refraining from sex or on sex between sterile spouses, then there must be something about the nature of the former acts that makes them *inherently* contrary to the good for us, apart from their circumstances and apart from their relation to goods higher than sex, in a way that the latter sorts of act are not. This is where the perverted faculty argument comes in.

IV. The perverted faculty argument defended

The basic idea of the perverted faculty argument is fairly simple, though a precise formulation of its key premise requires the kind of semi-formal style beloved of analytic philosophers. I would state it as follows:

Where some faculty *F* is natural to a rational agent *A* and by nature exists for the sake of some end *E* (and exists in *A* precisely so that *A* might pursue *E*), then it is *metaphysically impossible* for it to be good for *A* to use *F* in a manner contrary to *E*.

This thesis, I maintain, follows from the general Aristotelian-Thomistic metaphysics of the good described above. The good for a thing is determined by the end which it has by nature. *F* exists for the sake of *E*, and agents like *A* naturally possess *F* precisely so that they might pursue *E*. Hence (given the underlying metaphysics) it cannot possibly be good for *A* to use *F* for the sake of preventing the realization of *E*, or for the sake of an end which has an inherent tendency to frustrate the realization of *E*.

It is important to be clear about exactly what this premise says and what it does not say. Note first of all that it is describing what is good for a *rational agent*. For morality is essentially about what it is good for rational agents, given their nature, not what is good for plants, animals, or inanimate objects. (That is not to say that morality does not have implications for the latter, but they are derivative from morality's implications for the good for rational agents.) Hence there is nothing in the premise that implies that it is

wrong for a rational agent to use a plant or animal in a way that is contrary to what is good for *it* by nature, or to use an artifact in a way that is contrary to its function.

Note secondly that the premise does not entail that a faculty *F* cannot have more than one natural end, and neither does it entail that it cannot be good for *A* to use *F* for an end *other than E*. For “different from *E*” and “other than *E*” do not entail “contrary to *E*.” Nor does it entail that we *have* to use *F* at all. Indeed, since *F*, which is a part of *A*, exists for the sake of the agent *A* as a whole, it is even perfectly consistent with the premise to destroy *F* if doing so is the only way to preserve *A*, as when one has cancerous organs surgically removed. (This is known as the “principle of totality,” which is justified on precisely the same teleological grounds that underlie the perverted faculty argument.) The premise says only that if *A* is actually going to use *F*, then even if he uses it for some reason other than *E*, it cannot be good for him to use it for the sake of *actively frustrating* the realization of *E* or in a manner which of its nature tends actively to frustrate the realization of *E*.

Nor does the thesis entail that *A* must *consciously intend* to try to realize *E*, even as part of his aim, whenever he uses *F*. It entails only that, whether or not he intends when using *F* to try to realize *E*, he cannot intend *actively to frustrate* the realization of *E*. Nor does the premise entail that *A* cannot use *F* when he knows its end *E* won’t in fact be achieved; for in that case he is not using *F* for the sake of frustrating the realization of *E*, and he is not himself *attempting* to frustrate the realization of *E* in the course of using *F*. To *foresee* that *F*’s end *E* won’t in fact be realized is not the same thing as using *F* in a way that will prevent *E* from being realized, any more than foreseeing that something will happen is the same as causing it to happen.

Nor does the premise entail that to use man-made devices is *per se* to frustrate the natural end of *F*. On the contrary, man-made devices can sometimes restore natural function (as with eyeglasses) or enhance it (as with binoculars). And one could frustrate the end of a faculty without using man-made devices (for example, if one gouged out one’s eyes using only one’s bare hands). Being *contrary to nature*, here and in the “old” natural law theory more generally, has nothing to do with whether a thing is “artificial” in the sense of man-made but rather with whether it actively frustrates the end toward which a faculty is naturally “directed.”

Nor, it is worth emphasizing again, is the premise in any way undermined by the possibility that someone might have a deep-seated and perhaps even genetically-based desire to use *F* in a way contrary to *E*. That someone

is born with a clubfoot doesn't mean that his feet have a different natural end than those of people with normal feet. It means that while his feet have the same natural end, they are defective in a way that makes them less capable of realizing that natural end. That someone is born with a predication toward alcoholism does not mean that the realization of his natural ends, unlike those of other human beings, requires drinking to excess. It means instead that while he has the same natural ends as other human beings, the realization of which requires avoiding drinking to excess, he has a psychological defect that makes it harder for him to realize those ends.

Nor is there anything in the premise that entails a "physicalistic" emphasis on brute physiology alone. For there are psychological faculties as well as physiological faculties, and the former have ends for which they exist by nature just as much as the latter do. At the same time, the premise does not reduce morality to the question of whether one misuses a certain faculty, whether physiological or psychological. It tells us only that certain actions are inherently contrary to the good and thus (as the argument as a whole will go on to show) for that reason ruled out. But that is not to deny that there are many other considerations to be brought to bear when developing a systematic account of morality, sexual or otherwise.

Now, when applied to sexual morality, there is a wide range of action which this key premise of the perverted faculty argument leaves open. For example, it is perfectly consistent with the premise for someone to refrain from sex for the sake of the priesthood or the religious life, or even just to avoid pregnancy. For the premise does not say that there is anything *necessarily* contrary to nature in *not* using a faculty, only that there is something contrary to nature in *using it in a way that actively frustrates the end* of the faculty. (Of course, there may be other moral reasons why it would be wrong to seek to avoid pregnancy or in some other way to avoid using a faculty, but that is another question. The point is that *refraining from using* a faculty, whatever the reason one refrains, is not the same as *perverting* the faculty.)

Nor does the premise imply that there is anything inherently wrong with having sex during pregnancy, or during infertile periods, or with a sterile spouse, or after menopause, or in general under circumstances in which it is foreseen that conception will not result. For none of this involves using one's sexual faculties in a way that *actively frustrates* their natural end. *Foreseeing* that a certain sexual act will in fact not result in conception is not the same thing as *actively altering* the relevant organs or the nature of the act in a way that would make it impossible for them to lead to conception even if they were in good working order. To use organs that *happen to be*

damaged, worn out, or otherwise non-functional to the extent that they will not realize their end, is not to pervert them; *actively to try* to damage them or prevent them from functioning for the sake of making sure their use will not result in the realization of their end *is* to pervert them.

Nor does the premise imply that a couple has to intend or even want to conceive when engaging in intercourse, but only that they cannot intend actively to alter the nature of the act or the relevant organs in a way that would make them incapable of realizing conception even if they were in good working order. Nor does the premise imply that a couple cannot stimulate each other's sexual organs in various ways, including manually and orally, within the overall context of an act of sexual intercourse that climaxes with the husband's ejaculating within his wife's vagina.

It is worth pausing over this point briefly so as to forestall simplistic interpretations of what it is to "pervert" a faculty (which will be important for responding to certain objections later on). Part of the reason stimulation of the sort in question is not ruled out by the premise is that, as long as it does not result in premature ejaculation, manual and oral stimulation of the genitals does not involve using them in a way that is *contrary to* their natural function, but at most for something that is only *other than* their natural function. But even saying that such use is for something "other than" their natural function is not quite right and presupposes too crude an understanding of natural function. For there is nothing in the natural end of the sexual act that requires a businesslike immediate penetration and swift climax, any more than there is anything in the natural end of eating that requires ingesting a bland meal as quickly as possible. Just as enhancing the gustatory and aesthetic pleasures of food is not only consistent with, but can facilitate the realization of, the natural end of eating, so too is enhancing the pleasures of lovemaking not only consistent with, but can facilitate the realization of, the natural ends of sex. As Ford and Kelly note in their well-known manual on sexual morality, modern Catholic moralists have generally affirmed the moral justifiability of oral-genital stimulation within the overall context of marital intercourse at least to the extent that it is "necessary or useful to the achievement of satisfactory sexual relations" (1963, p. 229). Now, physiologically speaking, manual or oral stimulation can obviously prepare the organs for intercourse (and for many wives is the only way they can achieve orgasm); while psychologically speaking, such stimulation can enhance a couple's delight in one another and in their marital relations (though of course this might depend on the couple). In that sense manual or oral stimulation of the genitals is not really use of the organs for something "other

than” their natural ends but in fact can actively enhance the realization of the procreative and unitive ends of the sexual act. (Of course, hedonistic excess is possible, here as in the case of eating. But as with eating, that does not show that the acts in question are inherently bad.)¹¹

Similarly, there nothing in the key premise of the perverted faculty argument that rules out the use of artificial means *per se* in the context of the sexual act. For example, it would not rule out the use of drugs to treat a husband’s impotence, or the use of a vibrator by the couple during the context of intercourse as a means of treating a wife’s inability to achieve orgasm. To be sure, there might be other moral objections to such practices (for example, if they reflected nothing more than hedonism) but they would not *per se* involve the frustration of the natural ends of the sexual act.

So, the perverted faculty argument is not nearly as simplistic or restrictive in its implications as its critics seem to suppose. All the same, it does rule out exactly the sorts of practices it has traditionally been deployed in criticizing. For example, use of the birth control pill, or of condoms, or of any other contraceptive devices, would obviously involve using the sexual faculties while actively frustrating the realization of their procreative end.

- 11 Despite the general agreement that now exists among Catholic moralists on the justifiability of such acts, one occasionally hears moral objections to them, though in my estimation the objections are uniformly feeble. For instance, it is sometimes claimed that such acts involve “simulating” acts which result in ejaculation outside the vagina, and are for that reason morally suspect. But this is like saying that surgery is morally suspect because it involves “simulating” stabbing someone to death. With a married couple as with a surgeon, there is “simulation” only if the act is *intended* as a simulation; and as with the surgeon, if no such simulation is intended then there is no moral problem. Another objection holds that the mouth is not a proper receptacle for sexual organs. But this is like objecting to passionate marital kissing on the grounds that the mouth was made for food and is not the proper receptacle for someone else’s lips, tongue, or saliva. In neither case is the natural function of the relevant organs being frustrated and, in the case of oral-genital foreplay even *more* than in the case of kissing, the relevant fluids are not being prevented from ending up in their proper receptacle. It is also sometimes objected that acts of oral-genital stimulation are undignified. But *how* are they undignified, and why would that have any moral significance anyway? (Is eating chili dogs undignified? Dressing up like a clown at the circus? Standing on one’s head so as to amuse a child? Passing gas or blowing one’s nose? Or, for that matter, engaging in straightforward marital intercourse? In some sense each of these acts is undignified, and yet they are all also perfectly innocent.) To answer that the acts in question are objectionably undignified insofar as they pervert the natural functions of sex would be to beg the question; while the answer that it is just intuitively obvious that they are objectionably undignified is hard to distinguish from a sheer appeal to one’s subjective prejudices, which is no argument at all.

And it is this active frustration, rather than the artificiality of the means, that makes them in the relevant sense “contrary to nature.” That is why the withdrawal method, or manual or oral stimulation of the husband’s genitals taken to the point of orgasm, are also contrary to nature in the relevant sense even though no artificial means are employed. For these acts too involve using the sexual faculties in a way that actively frustrates their natural procreative end.

Masturbatory acts involve a twofold frustration of the natural ends of sex. For one thing, they frustrate the procreative end insofar as the natural end of the physiological process in the male leading from arousal to ejaculation is not only to get semen out of the male but into the vagina, while the natural end of the physiological process of arousal in the female is to prepare the vagina for reception of semen. But these acts also frustrate the unitive end insofar as arousal is “other-directed” in a *psychological* sense no less than a physiological sense. Male sexual arousal is of its nature *woman-oriented*, and female sexual arousal is of its nature *man-oriented*. In each case realization of the natural end requires connecting emotionally as well as physically with *another person*. Masturbatory acts involve the active taking of the process of arousal to a climax that does *not* involve another person, and thus turns it against its natural end.

Homosexual acts and bestiality are also twofold in their frustration of the natural ends of sex. They both frustrate the procreative end insofar as they involve the active taking of the physiological processes associated with sexual arousal toward a climax in which conception would be impossible even in principle, even when all of the faculties of the parties involved are in good working order. They also frustrate the unitive end insofar as they involve actively taking the psychological process of arousal through to an emotional climax that involves an object other than the one toward which nature has directed it—in the one case toward a person of the wrong sex, in the other toward an object that isn’t even a person.

When we add to these considerations Aquinas’s fundamental principle of natural law—that practical reason has as its natural end the pursuit of what is good and the avoidance of what frustrates the realization of the good—we have the ingredients for a formal presentation of the perverted faculty argument as applied to the use of our sexual faculties. It can be stated as follows:

1. Where some faculty *F* is natural to a rational agent *A* and by nature exists for the sake of some end *E* (and exists in *A* precisely *so that A* might

- pursue *E*), then it is metaphysically impossible for it to be good for *A* to use *F* in a manner contrary to *E*.
2. But our sexual faculties exist by nature for the sake of procreative and unitive ends, and exist in us precisely so that we might pursue those ends.
 3. So it is metaphysically impossible for it to be good for us to use those faculties in a manner that is contrary to their procreative and unitive ends.
 4. But contraceptive acts, masturbatory acts, homosexual acts, and acts of bestiality involve the use of our sexual faculties in a manner that is contrary to their procreative and/or unitive ends.
 5. So it is metaphysically impossible for it to be good for us to engage in contraceptive acts, masturbatory acts, homosexual acts, or acts of bestiality.
 6. But it can be rational to engage in an act only if it is in some way good for us and never when it frustrates the realization of the good.
 7. So it cannot be rational to engage in contraceptive acts, masturbatory acts, homosexual acts, or acts of bestiality.

The answers to the standard objections to the argument might be obvious from what's been said already, but it is worthwhile addressing them explicitly. Paul Weithman summarizes several of them (1997, pp. 236–37). He claims, first, that the argument depends on “a principle forbidding interference with the reproductive organs’ performance of their natural function,” which is open to “obvious counterexamples” insofar as even natural law theorists allow that a diseased uterus and ovaries might legitimately be removed even though this impedes their function. But the problems with this objection are, first, that it rests on an imprecise formulation of the perverted faculty argument’s key premise, and second, that it ignores the role the principle of totality plays in justifying the alleged “counterexample.” For one thing, the perverted faculty argument does not object to “interference” with a natural faculty as such. Again, enhancement of a natural faculty (such as the use of eyeglasses or binoculars) is perfectly consistent with the argument, even though it involves a kind of “interference.” So too is removal of a diseased organ, on the grounds that the organ exists precisely for the sake of the human being as a whole and therefore can be removed if this is necessary to save the human being. In both of these cases, it is precisely the *realization* of the natural ends inherent in human nature that is being furthered—in the one case by enhancing the natural faculties, and in the

other by preserving the life of the whole person, so that at least some of his natural ends might still be realized even if others no longer can be. (Removal of a *healthy* organ could *not* be given such a teleological justification.) And in the latter case, precisely because the diseased faculty is being removed it is not being *used* at all. By contrast, contraception, homosexual acts, and the like *do* involve the *use* of a faculty but precisely in a way that *actively frustrates* the natural ends of such use rather than *facilitating* the realization of those ends. That is what makes such acts *perverse* in a way that the enhancement of healthy organs or removal of diseased organs is not. And it is this perverse sort of *use*—actively directing a faculty to an end positively contrary to its natural one—rather than “interference” as such, that the argument rules out.

Weithman also says that the perverted faculty argument “seems to be motivated by a crudely physicalist understanding of sexual morality” and fails adequately to explain “why facts about the natural functions of the reproductive organs are even morally *relevant*, let alone morally *decisive*.” But we have already seen that there is absolutely nothing in the perverted faculty argument that entails that it is only *physiological* or otherwise “physicalistic” faculties that are important to sexual morality. And to allege that the argument fails to explain why facts about natural function are relevant simply ignores, without answering, the general Aristotelian-Thomistic metaphysics of the good that underlies the argument. (To his credit, however, Weithman explicitly declines to endorse Finnis’s allegation that the perverted faculty argument commits a “naturalistic fallacy”—an allegation which, as I have already noted, simply begs the question against the Aristotelian-Thomistic metaphysics that underlies the argument.)

Finally, Weithman claims that the perverted faculty argument “seems suspiciously *ad hoc*” and fails to draw “a principled distinction between the reproductive organs, whose frustration the principle forbids, and other organs whose operation it is permissible to impede.” But what is truly suspicious is how consistently imprecise, prone to caricature, and incapable of giving a charitable reading critics of the perverted faculty argument seem to be. Weithman offers no examples of *ad hoc* allowances for “organs whose operation it is permissible to impede,” but it is easy enough to find alleged examples in the literature. Grisez cites the use of earplugs; “walking on one’s hands [which] interferes at least temporarily with their proper function”; “smoking [in which] we use the respiratory system in a way which does frustrate its proper function to a considerable extent”; “hanging rings in one’s ears or nose, [which] by stretching them out of shape, may lessen

their effectiveness”; “ingest[ing] some food and drink by mouth for satisfaction although for medical reasons the stomach constantly is pumped so that nothing is digested”; and “lactation” in which “there is excess milk and it is pumped out of the breasts and thrown away” even when the infant is fed artificially during such times (1964, pp. 28–30). Other alleged examples sometimes given by critics are shaving, chewing gum, using antiperspirant, and even damming rivers.

Such examples are often presented as obviously devastating, when in fact they have no force whatsoever against the argument when it is properly understood. Here it is important to keep four points in mind.

First, it cannot be repeated too often—if only because some critics seem to want to attack nothing but straw men—that the perverted faculty argument does *not* entail that there is anything wrong with the use of man-made devices, or the use of a faculty for something merely *other than* its natural function, or the interference with natural processes where plants, non-human animals, or inanimate objects and processes are concerned. Nor is there anything *ad hoc* about this, for the whole point of the argument is simply to draw out the implications of the Aristotelian-Thomistic position that what is good *for us* can in principle only be what is consistent with the realization of our natural ends. And neither artificial devices, nor the pursuit of ends other than our natural ends, nor interference with non-human natural processes are inherently contrary to the realization of our natural ends. Hence examples like chewing gum (which is merely *other than*, rather than *contrary to*, the natural end of our digestive faculties) or the use of earplugs (which though artificial facilitate the realization of our natural ends insofar as they protect the ears from excessive noise, facilitate sleep, etc.) and the damming of rivers (which doesn’t even concern human faculties in the first place) simply miss the point of the argument. (Cf. Jensen 2010, pp. 245–46 and Smith 1991, p. 345 n. 13.)

Second, for any of these examples to be true counterexamples, they have to be cases that really do involve the frustration of a natural end, and with at least some of them that is simply not even *prima facie* plausible. Grisez never explains exactly how earrings or nose-piercings might “lessen [the] effectiveness” of the ears or nose, and of course those who do sport these decorations rarely complain of any resulting difficulty in hearing or smelling. (And if someone *did* so mutilate the ears or nose that their function was impaired, this would not be a *counterexample* to the perverted faculty argument but rather exactly the sort of thing the “old” natural law theory would condemn.) Nor is it clear how walking on one’s hands frustrates their

natural end even “temporarily.” A hand is evidently a “general purpose” organ, without the sort of specificity of function that eyes, ears, and genitals have. Even if it is insisted that they are for *grasping* things, specifically, there is no specific sort of thing they are made to grasp and no specific sort of occasion or length of time that they are intended by nature to be grasping things. Walking on them no more frustrates their natural end than leaving them hanging by one’s sides does. It is clearly at worst in the “other than” rather than “contrary to” category. Eating food that one will for *medical* reasons out of one’s control not be able safely to keep down is also not a plausible candidate for something that is contrary to the natural end of eating any more than removing a diseased organ is. One arguably has to go out of one’s way to avoid a charitable reading of the perverted faculty argument to think these examples pose any serious difficulty. (It is hardly a *stretch* for the “old” natural law theorist to claim that sex is for procreation and interpersonal emotional bonding, while it is *quite* a stretch to say that nature intends for us always to be grasping things!)

A third point to keep in mind is that there are crucial differences between, on the one hand, an *individual deliberate act* of using a bodily faculty and, on the other, an *ongoing and involuntary physiological process*. Use of the sexual organs is an example of the former whereas hair growth, breathing, perspiring, and lactating are examples of the latter. Now the former has a specific end-state or climax, while the latter do not. In particular, the former has as its physiological end a specific emission (or reception) of semen, while the latter have as their end the continual generation of hair, sweat, and milk and the continual oxidation of the blood. There is no specific individual event that initiates the latter processes and there is no specific individual event that culminates any of them either. It is oxidation *in general*, hair production *in general*, sweat production *in general*, and milk production *in general* that is their natural end. And those general outcomes are not frustrated by any individual act of smoking, shaving, breast-pumping, or putting on antiperspirant. By contrast, the process that begins with arousal and ends with ejaculation within the vagina is episodic rather than ongoing, and its outcome, which *is* a specific event, *is* frustrated by contraception, masturbation, and the like.

It is certainly not plausible, then, to suggest that breast-pumping *as such* interferes with the natural end of lactation or that smoking *as such* interferes with the natural end of breathing (as if smokers qua smokers had to hold their breath any longer than is required by activities like speaking). Nor is the small area of the body to which antiperspirant is typically applied crucial to perspiration’s realizing its natural end of cooling the body down (any

more than the fact that some semen tends to leave the vagina after intercourse is incompatible with the procreative end—and no natural law theorist holds that a woman should go out of her way to prevent this from happening). And while many people shave and some even remove most of the hair on their bodies without this plausibly being immoral, it is not clear that body hair in humans serves any non-ornamental function in the first place.

To be sure, smoking to excess clearly *does* frustrate the natural end of breathing, and *refraining altogether* from breastfeeding one's children arguably frustrates the natural end of lactation, especially if we factor in the bonding between mother and child that is facilitated by nursing. But then, precisely for these reasons, people are inclined to raise at least a mild moral objection to smoking to excess, and even gently to recommend that it is, all things considered, better for mothers to breastfeed their children. In this way, common sense clearly tracks the "old" natural law theory's insistence that there is a connection between what is good for us and what is consistent with the realization of the ends nature has set for us.

But this brings us to a fourth point, which is that it is crucial to understand that the "old" natural law theory, given its Aristotelian-Thomistic foundations, does not draw the sort of rigid distinction between matters of ethics and matters of practicality, good mental and physical health, etc. that modern moral theorists tend to draw. Ethics, for Aristotelians, Thomists, and other classical thinkers, is a matter of *how to live well*, in *all* aspects of life. Anything that enters into living well—from avoiding stress to avoiding disease to avoiding murder and adultery—is part of the moral life, broadly construed. At the same time, by no means is *every* failure to live well a grave error or mortal sin. Many such failures—including some failures to respect the natural ends of our faculties—are merely minor lapses. There is, accordingly, a bit of question-begging sleight-of-hand in objections to the perverted faculty argument that pretend that it would be an embarrassment if it turned out that the argument entailed that failure to breastfeed one's infants (say) or cleaning too much of the wax out of one's ears were contrary to what is good for us. The "old" natural law theorist would say, or certainly should say: *Yes, of course such things might be contrary to what is good for us, as even your doctor will tell you. And that is all that the perverted faculty argument is claiming. It does not follow that every frustration of a natural end is a grave sin. That depends on how crucial to the good for us as rational animals is the faculty in question is, and that is determined by such considerations as how fully it participates in our distinctively rational faculties, how significant it is to our nature as social animals, and so forth.*

Hence self-abuse and pornography, which turn sexual pleasure away from its natural end of leading a person intensely to delight in and thereby bond emotionally with another individual human being and reduces it to a kind of recreational virtual reality, are bound to be far more seriously damaging to realizing the good for us as rational, social animals than is (say) overuse of cotton swabs to clean one's ears. The former can seriously distort one's ability to find sexual fulfillment in a spouse; the latter can cause a mere ear infection. It would be silly to pretend that the latter is a grave moral fault, but it would be equally silly to deny that it is at least a mild lapse in a virtue like prudence.

A genuine counterexample to the perverted faculty argument's key premise would have to involve an action that *both* involved *the active frustration* of the natural end of a faculty and yet which was *in no way* contrary to what is good for us, not even in a minor respect. I submit that there are no such counterexamples, and that there could not be any given an Aristotelian-Thomistic metaphysics of the good.

V. There is no alternative

That the perverted faculty argument is essentially correct is implicit in the arguments of those among its critics who accept the moral conclusions it is typically deployed in defense of (the immorality of contraception, masturbation, homosexual acts, and the like) but who purport to offer an alternative non-theological justification of those conclusions. For there is no such alternative justification. Unless one accepts something like a perverted faculty argument—in particular, an argument that grounds the good in an essentialist and teleological metaphysics and analyzes the good use of our sexual capacities in terms of consistency with their natural ends—then one will have no grounds, apart from a sheer appeal to divine authority, for condemning the sexual behaviors in question as intrinsically immoral. The would-be alternatives to the perverted faculty argument do indeed presuppose such an account of the good use of our sexual capacities, and would have no force if they did not.

The two main purported alternatives are personalist or phenomenological arguments and “new natural law” arguments. In the former, special emphasis is put on the interpersonal psychological aspects of sex, and in particular on the idea that the sexual act ought to be an expression of mutual “self-donation” of the spouses rather than the “using” of each other for mere selfish pleasure-seeking. Now as Grisez notes in criticizing phenomenological arguments, “the psychological consideration of the sexual act is just as

much a functional interpretation of it as is the ordinary natural-law approach” (1964, p. 36). As we have already seen, there is nothing in the perverted faculty argument or the “old” natural law theory in general that requires an exclusive focus on the physiology of sex, so that to emphasize the psychological ends is by itself in no way to put forward an *alternative* to a perverted faculty argument.

As Grisez also points out, it is hard to see how a phenomenological approach rules out homosexual acts or contraception (1964, p. 37). Why couldn’t a committed same-sex couple or spouses using contraception regard their non-procreative sexual behavior as an affectionate expression of “mutual self-giving”? Here the personalist will appeal to the “language of the body” or the “nuptial meaning” of sexual intercourse as indicating that it has a specifically procreative and heterosexual nature. But there are three problems with this sort of move considered as an *argument* against contraception, homosexual acts, etc. (as opposed to a mere *expression* of independently justified moral disapproval of them). First, if the body’s “nuptial meaning” or “language” is put forward merely as a phenomenological description, then it can at most tell us how the sexual act is *experienced* by us (and even then only by some people, not all). And that by itself is insufficient to justify claims about what makes it good or bad as a matter of *objective fact*. Second, if it *is* instead meant as a description of the objective facts about the nature of the body and the sexual act, then the problem is that it is a metaphorical description that needs to be cashed out in literal terms if it is to provide us with the basis of a convincing argument (since there is no literal “language” or “meaning” of a semantic sort in the body or in the sexual act).

And this brings us to the third problem, which is that if the talk of the body’s inherently heterosexual and procreative “language” and “meaning” is a roundabout way of describing the immanent teleology of sex that follows from the essence or nature of our sexual faculties—as it surely is—then the personalist argument is, once again, not an *alternative* to the “old” natural law theorist’s perverted faculty argument at all, but merely a more flowery (and less precise) way of stating that argument.

The arguments of “New Natural Lawyers” are open to similar objections. They insist that sexual acts can be good only if they foster a “one-flesh unity” of persons (Grisez 1993, p. 568, n. 43). And why exactly do homosexual sodomy and marital intercourse in which the wife has been taking birth control pills fail to foster such a “one-flesh unity”? (The fleshy bits of the participants in such acts are, after all, as snugly fitted together as

they are in heterosexual procreative sexual acts, and the partners can also be just as passionate in their emotional commitment to one another.) The answer, we are told, is that it is only “sexual acts of the reproductive type” that can foster such a unity (George and Bradley 1999, p. 139), for only a man and woman engaged in non-contraceptive sex are “unite[d] ... biologically” in a way that makes them “one reality,” a “biological (and therefore personal) unit” (Finnis 1994, pp. 1066–67)—indeed, “the copulating male and female,” Grisez assures us, make up “one organism” (Grisez 1996, p. 28; cf. Lee and George 2008, Chapter 6). Homosexual acts, meanwhile, involve “the partners ... treating their bodies as instruments to be used in the service of their consciously experiencing selves,” and such use “disintegrates each of them precisely as acting persons” (Finnis 1994, p. 1067). And masturbation “alienate[s] one’s body from one’s conscious subjectivity” and not only thereby damages “self-integration” but also “violat[es] the body’s capacity for self-giving” in marital sex (Grisez 1993, pp. 650–51).

As with personalist arguments, what we have here is essentially a set of metaphors, and more obscure ones at that. For instance, in no literal sense are a copulating man and woman “one organism.” Grisez claims that “though a male and a female are complete individuals with respect to other functions—nutrition, sensation, locomotion—with respect to reproduction they are only potential parts of a mated pair, which is the complete organism capable of reproducing sexually” (1996, p. 28). This is like saying that people engaged in conversation or competitive games make up one organism, since qua individuals they cannot carry out these essentially social activities. (Or are playing solitaire and delivering a soliloquy on all fours with self-abuse? And does the deliberate cessation of copulation constitute the suicide of the “one organism” that the copulating pair make up? Is it therefore a mortal sin to stop copulating once you have started?)

Where the metaphors can be cashed out intelligibly, they will show what the “New Natural Lawyers” want them to show only insofar as they reflect an Aristotelian-Thomistic metaphysics of formal and final causes and the accounts of substance and value that these notions enter into. In what sense does the “acting person” engaged in sodomy or masturbation “alienate” and “instrumentalize” his body and thereby become “disintegrated”? And exactly why is this bad? The Aristotelian-Thomistic philosopher would say that the parts of a thing make up a genuine substance (including an organic substance) only insofar as they are united by a substantial form rather than an accidental form; that the parts’ being so united involves an inherent directedness toward the flourishing of the whole of which they are a part; and

that this teleological aspect makes the unity or integration of the whole intrinsically good in a way the unity of an accidental collection of things is not. In the case of our sexual faculties, the Aristotelian-Thomistic “old” natural law theorist would add that the realization of their natural end requires another human being of the opposite sex and that directing them toward another object frustrates this end and thus the good of the whole organism of which they are a part. Now if all of this is what the “New Natural Lawyers” have in mind with their talk of “self-integration,” the badness of “instrumentalizing” the body for mere pleasure-seeking, the copulating pair forming a “biological unit,” etc., then what they are saying is intelligible, though it is really just a much less rigorous and straightforward way of saying what every “old” natural law theorist already knows. And if it is not what the “New Natural Lawyers” are saying, then whatever it is they *are* saying is completely mysterious.

To be sure, George and Bradley tell us that “the concept of a reproductive-type act is biological-functional” (1999, p. 153, n. 5)—with no hint of irony, let it be noted, despite the fact that the charge of “physicalism” or “biologism” is ritualistically flung at the perverted faculty argument!—and Grisez, Finnis, and other “New Natural Law” adepts also rely heavily on the notion of biological integrity. But this only reinforces the point that their position cannot be made intelligible without an essentially Aristotelian metaphysical foundation. For it is no good *merely* to appeal to facts of the sort one might find in a biology textbook, as if the metaphysical import of these facts was not itself a matter of controversy. (Are the “New Natural Lawyers” aware that there is an entire academic subfield called the “philosophy of biology”?) Biological reductionists and eliminativists would be unimpressed by the appeal to “integrity” and “acts of the reproductive type,” since their position entails that biological phenomena have only what Aristotelians would call an “accidental” rather than “substantial” unity, and they would deny that there is any inherent and irreducible teleology in nature. And to show that they are wrong would *just be* to show that something like an Aristotelian metaphysics of biological substances is correct.

As it happens, Grisez himself acknowledged in his early work his own indebtedness to the perverted faculty argument despite his having “severely” criticized it (1964, p. 100). His aim was essentially to extract its analysis of our sexual faculties from its “conventional natural law” framework and integrate it instead into his “new natural law” theory and its account of practical reason. He writes that “our argument uses the principle of the perverted-faculty argument only after limiting it to the sexual faculty,” and

without putting the emphasis on the “natural teleology” of the “generative power” (1964, pp. 100–01).

I have already argued that the objections Grisez, Finnis, et al. have leveled against the “old” natural law theory are without force, and others (including the other contributors to this volume) have exposed the grave philosophical and theological problems with the “New Natural Law” alternative. What remains is just to note how Grisez and his followers, like so many revolutionaries, are guilty of precisely the faults charged to those they sought to overthrow. Traditional natural law theory is routinely accused of being a set of *ad hoc* rationalizations of claims whose true motivation is theological, and rationalizations that would lead to absurd conclusions if followed out consistently. Neither of these charges is just. In fact the basic claims of the “old” natural theory follow quite naturally from the Aristotelian-Thomistic metaphysics which underlies it, which is independently motivated. One can quibble over this or that detail, but it cannot reasonably be denied that given a metaphysics of essentialism and immanent teleology, the good for us is determined by the natural ends of our faculties. Nor, as I have argued, do the absurd conclusions many have claimed to find implicit in this account of the good really follow from it.

The “New Natural Lawyers,” by contrast, are wide open to both charges. Rather than working out the implications of an ancient and independently motivated metaphysical tradition, their theory was invented by Grisez only fifty years ago precisely in an attempt to find a novel secular justification for the claims of Catholic sexual morality. And in struggling to work out such a justification in a way that will disassociate them from the “old” natural law theory they happily joined the secularists and liberals in bashing, they have been led into increasingly *ad hoc*, obscure, and indeed bizarre lines of argument that have surely served to “expos[e] Catholic moral thought to endless ridicule,” as Grisez accused defenders of the perverted faculty argument of having done (1964, p. 31). The “natural law” of Grisez and Co. is new, yes, but not improved.

References

- Aquinas, Thomas. 1975. *Summa Contra Gentiles, Book 3: Providence, Part II*. Translated by Vernon J. Bourke. (Notre Dame: University of Notre Dame Press).
- Aquinas, Thomas. 1948. *Summa Theologica*. Translated by the Fathers of the English Dominican Province. (New York: Benziger Bros.).

- Cronin, Michael. 1939. *The Science of Ethics, Volume 1: General Ethics* (Dublin: M. H. Gill and Son).
- Ellis, Brian. 2002. *The Philosophy of Nature: A Guide to the New Essentialism*. (Chesham: Acumen).
- Feser, Edward. 2008. *The Last Superstition: A Refutation of the New Atheism*. (South Bend, IN: St. Augustine's Press).
- Feser, Edward. 2009. *Aquinas*. (Oxford: Oneworld Publications).
- Feser, Edward. 2010. "Teleology: A Shopper's Guide," *Philosophia Christi* 12: 142–59.
- Feser, Edward. 2013. "Kripke, Ross, and the Immaterial Aspects of Thought," *American Catholic Philosophical Quarterly* 87: 1-32.
- Finnis, John. 1980. *Natural Law and Natural Rights*. (Oxford: Clarendon Press).
- Finnis, John. 1994. "Law, Morality, and 'Sexual Orientation,'" *Notre Dame Law Review* 69: 1049–76.
- Foot, Philippa. 2001. *Natural Goodness*. (Oxford: Clarendon Press).
- Ford, John C. and Gerald Kelly. 1963. *Contemporary Moral Theology, Volume II: Marriage Questions*. (Westminster, MD: The Newman Press).
- George, Robert. 1999. "Can Sex Be Reasonable?" In Robert P. George, *In Defense of Natural Law*. (Oxford: Oxford University Press).
- George, Robert. 2006. "A Walking Contradiction," *The New Criterion* 25
- George, Robert P. and Gerard V. Bradley. 1999. "Marriage and the Liberal Imagination." In Robert P. George, *In Defense of Natural Law*. (Oxford: Oxford University Press).
- George, Robert P. and Patrick Lee. 1999. "What Sex Can Be: Self-Alienation, Illusion or One-Flesh Union." In Robert P. George, *In Defense of Natural Law*. (Oxford: Oxford University Press).
- Greco, John and Ruth Groff, eds. 2013. *Powers and Capacities in Philosophy: The New Aristotelianism*. (London: Routledge).
- Grisez, Germain G. 1964. *Contraception and the Natural Law*. (Milwaukee: Bruce Publishing Company).
- Grisez, Germain. 1993. *The Way of the Lord Jesus, Volume 2: Living a Christian Life*. (Franciscan Herald Press).
- Grisez, Germain. 1996. "The Christian Family as Fulfillment of Sacramental Marriage," *Studies in Christian Ethics* 9: 23–33.
- Haldane, John, ed. 2002. *Mind, Metaphysics, and Value in the Thomistic and Analytical Traditions*. (Notre Dame: University of Notre Dame Press).
- Jensen, Steven J. 2010. *Good and Evil Actions: A Journey through Saint Thomas Aquinas*. (Washington, D.C.: Catholic University of America Press).
- Lee, Patrick and Robert P. George. 2008. *Body-Self Dualism in Contemporary Ethics and Politics*. (Cambridge, MA: Cambridge University Press).

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- Lewis, C. S. 1988. *The Four Loves*. (New York: Harcourt, Brace, Jovanovich).
- Lisska, Anthony. 1996. *Aquinas's Theory of Natural Law*. (Oxford: Oxford University Press).
- Martin, Christopher. 2004. "The Fact/Value Distinction." In David S. Oderberg and Timothy Chappell, eds., *Human Values: New Essays on Ethics and Natural Law* (New York: Palgrave Macmillan).
- McInerney, Ralph. 1992. *Aquinas on Human Action*. (Washington, D.C.: Catholic University of America Press).
- Oderberg, David S. 2000. *Moral Theory: A Non-Consequentialist Approach* (Oxford: Blackwell).
- Oderberg, David. 2007. *Real Essentialism*. (London: Routledge).
- Oderberg, David. 2010. "The Metaphysical Foundations of Natural Law." In H. Zaborowski, ed., *Natural Law and Contemporary Society* (Washington, D.C.: Catholic University of America Press).
- Osler, Margaret J. 1996. "From Immanent Natures to Nature as Artifice: The Reinterpretation of Final Causes in Seventeenth-Century Natural Philosophy," *The Monist* 79: 388–407.
- Paterson, Craig. 2006. "Aquinas, Finnis, and Non-Naturalism." In Craig Paterson and Matthew S. Pugh, eds., *Analytical Thomism: Traditions in Dialogue*. (Aldershot: Ashgate).
- Posner, Richard. 1992. *Sex and Reason*. (Cambridge, MA: Harvard University Press).
- Putnam, Hilary. 2004. *The Collapse of the Fact/Value Dichotomy and Other Essays*. (Cambridge, MA: Harvard University Press).
- Smith, Janet E. 1991. *Humanae Vitae: A Generation Later*. (Washington, D.C.: Catholic University of America Press).
- Sternberg, Robert J. 1988. *The Triangle of Love: Intimacy, Passion, Commitment*. (New York: Basic Books).
- Sullivan, Andrew. 2006. *The Conservative Soul*. (New York: HarperCollins).
- Tahko, Tuomas, ed. 2012. *Contemporary Aristotelian Metaphysics*. (Cambridge: Cambridge University Press).
- Thompson, Michael. 1995. "The Representation of Life." In Rosalind Hursthouse, Gavin Lawrence, and Warren Quinn, eds., *Virtues and Reasons: Philippa Foot and Moral Theory* (Oxford: Clarendon Press).
- Veatch, Henry B. 1990. "Natural Law and the 'Is'-'Ought' Question: Queries to Finnis and Grisez." In Henry B. Veatch, *Swimming Against the Current in Contemporary Philosophy*. (Washington, D.C.: Catholic University of America Press).
- Weithman, Paul J. 1997. "Natural Law, Morality, and Sexual Complementarity." In David M. Estlund and Martha C. Nussbaum, eds., *Sex, Preference, and Family*. (Oxford: Oxford University Press).
- Wright, Robert. 1995. *The Moral Animal*. (New York: Vintage Books).