

ETHICAL SEX: SEXUAL CHOICES AND THEIR NATURE AND MEANING

Anthony McCarthy, Indiana: Fidelity Press, 2016. £17

In his note to the reader Anthony McCarthy warns “this book is essentially a work of philosophy and some content is of a fairly technical nature” (p.9). This seems true not only of the chapters that McCarthy specifically indicates as possible to “avoid”, without losing the thread, Chapter 1, *Contraception as Contralife* and Chapter 4, *Marital Willing*, but of the book as a whole. This reflects the book’s origins in McCarthy’s PhD thesis, as perhaps does the book’s structure: a perceptive preface by the renowned philosopher Josef Seifert, the main narrative of just short of 200 pages, an appendix consisting of an article previously published by McCarthy, then a lengthy 90 pages of endnotes providing extensive additional material and comment. Nevertheless, McCarthy engages robustly and at times provocatively with well-known moral philosophers, moral theories, and with themes such as virtue, pleasure, desire, intention and liberty. This engagement alone would be reason to pay careful attention to the book.

McCarthy’s underlying message also deserves serious consideration. According to McCarthy, and in response to thinkers like Peter Singer, sex is not insignificant. Nor is it on a level with other important activities, as Germain Grisez, Joseph Boyle and John Finnis seem to argue through their New Natural Law theory with its incommensurable ‘basic goods’. Nor is it a social construction as claimed by those who have attempted to re-define marriage to include same sex unions. McCarthy sets out to show that sex is fundamentally “about the physical/bodily, the biological and teleological/functional, which is the basis for its real, objective importance” (p.106): and he concludes that essentially, ethical sex is marital.

To address the trivialisation of sex, and the listing of sex as one of the basic goods, McCarthy considers the “specialness” of sex. On an individual level, McCarthy points out that our sexuality is at the core of our being such that violations of the respect for sexuality and any objectivisation of the other are deeply problematic. However, for McCarthy and this may be as a result of his implicit phenomenological realism, male and female sexuality appears to be taken as a given and so there is no real discussion of gender or transgender issues. Instead, McCarthy says that the concern of his book is “what counts as good and rational sexual activity” (p.93). In this endeavour McCarthy challenges a notion of human nature as simply an animal nature of sex and desire. Through his appreciation of both the unitive and procreative aspects of sex he seeks to keep both the bodily and personal aspects of the human being together.

As part of his claim for the specialness of sex, McCarthy explains that sexual activity is “importantly different” from other bodily functioning (p.94). Against those who trivialise or ignore sex, McCarthy is adamant that the physical meaning of the body matters. However, McCarthy does not stay fixed on bodies and organs: his emphasis, he says, is on bodily persons, hence the significance of his discussion on sexual desire as essentially interpersonal and as aiming at some form of union. For McCarthy sexual desire is not merely an aspect of the spiritual dimension of the human person. As he says desire is clearly grounded and experienced in the sexualised body. He claims that the purposes of human sexual faculties are “in some sense” bound up with human flourishing such that misuse is “perverse” and so bad, that is, not virtuous to desire (p.93-94). Having looked at sexual biological functioning in the context of human flourishing, McCarthy locates sex logically in the institution of marriage and he makes a strong case for marriage and the family as essential to the common good of

society. He argues that the *telos* of sex is essentially marital because lifelong monogamy and the common project of marriage, procreation, and education of children militate against the objectivisation of the other.

McCarthy explains the significance of the institution of marriage and the family as the first human society and its model also in terms of the way in which marriage and family life avoid excessive individualism and collectivism. He claims that certain sexual practices undermine society and the common good, and so there should be taboos. Moreover, McCarthy challenges those who think sexual activity is a private matter though he also usefully distinguishes the good of privacy in this context.

Nevertheless, some ideas such as the private nature of sex are deeply entrenched and may require a more robust argument. As a response to those who think marriage is merely contractual and can be redefined, this emphasis on the common good may fail to convince. Moreover, his conclusion that some roles are clearly defined by sex, for example, husband and wife, father and mother, so people should avoid “doomed relationships” (p.202) may appear simplistic to some. However, this is where his discussion on virtue, and the good as what is virtuous to desire, comes into play, albeit love, virtue and vice is the subject of the final chapter. As part of his positive approach to ethical sexual activity McCarthy studiously avoids a merely negative account of the virtue of chastity and, in keeping with the idea of the unity of the virtues he links chastity in to justice, modesty and respect.

While distancing himself considerably from some philosophers, McCarthy does appeal to philosophers like Nagel, Sartre and Scruton to support some of his arguments, notably in his discussion on the reduction of sexual desire to mere pleasure, even if he then admits that he is not in complete agreement with them. However, given the book’s explicit engagement with a specifically Catholic debate on the New Natural Law, and the book’s approach that seems to rely on phenomenological realism, the book will not convince those of a different philosophical persuasion such as ‘Singerites’ or those who see no problem in re-defining marriage. Nor perhaps will it satisfy adherents of the New Natural Law: as Josef Seifert rightly points out in the Preface, there is some caricature of the anti-life argument of contraception put forward by Grisez, Boyle and Finnis, moreover, McCarthy sweeps over any value in their arguments on the wrongness of contraceptive acts.

At times his rather analytical approach to sexual issues, such as IVF or the deliberate sterilisation of a cognitively impaired woman, leaves room for further comment. In the case of a baby born through IVF it is not uncommon to speak of conception as production rather than the result of a truly personal act of marital love. Nevertheless, to say that a new human person “in some sense differs” because of the means of his coming to be seems to require a comment on the intrinsic dignity of all human beings. Similarly, the sterilisation of a cognitively impaired woman is wrong not simply because it is an attack on the good of health but also because it fails to recognise her intrinsic worth and her personal integrity.

There is much in this book to be recommended. However a more accessible text with judicious end-noting would broaden its appeal.