

## **The Naturalistic Fallacy and LGBTQI Discourse: A Critical Comparison of the Views of Ned Katz and Edward Stein by Jaun-Roche Bergman**

### **Abstract**

In discourse on lesbian, gay, bisexual, transgendered, queer and intersex forms of sexuality there have been long-standing debates on whether such forms of sexuality may be regarded as “entirely natural” (or as others would argue “abnormal”) or whether sexual orientation is mainly the product of the “social construction of reality”. The term naturalistic fallacy was introduced by the philosopher G. E. Moore, following insights by David Hume. This has led to ongoing philosophical debates on whether or not the naturalistic fallacy may indeed be regarded as a logical “fallacy”. In this paper, situated in the sub-discipline of Gender Ethics, I will not seek to resolve such debates. Instead, I will investigate the ways in which scholars contributing to LGBTQI discourse, engage with the relationship between moral judgments on homosexuality and the question whether one’s sexual orientation is something biologically and psychologically “natural”.

### **A brief history of the naturalistic fallacy**

Discussions on the naturalistic fallacy; typically refer to the pioneering contributions of David Hume and G.E. Moore. It may be helpful to briefly describe their positions and then to assess the state of the debate on this regard: The “is-ought” fallacy, as articulated by Scottish philosopher and historian David Hume.

David Hume (1711-1776), states that many writers make claims about what “ought” to be on the basis of statements about what is. Hume found that there seems to be a significant difference between positive statements (about what is) and prescriptive or normative statements (about what “ought” to be) and that is not obvious how one can coherently move from descriptive statements to prescriptive ones. The “is-ought” problem is also known as “Hume’s law” or “Hume’s guillotine” (see Hume 335)

In some cases, the naturalistic fallacy can be very difficult to distinguish from the fallacy of “appeal to tradition”. The appeal to

tradition describes how things were done by our own ancestors and have been passed down to us in order to prescribe how things still “ought” to be done. The naturalistic fallacy appeals to how things are done by non-human animals or by groups of humans that we would consider to be “primitive” and thus in a more “natural” state. The claim that something is natural is typically just an appeal to human nature, civilized or not (Darwall et al. 470, with reference to Moore 529).

In relation to the naturalistic fallacy there is a variety of challenges in deriving an “ought” from an “is”. Human beings differ in values, abilities, desires and perspectives. It becomes essential to the natural law position, that there can be some things that can be universally and naturally good. However, how is universal natural goodness possible, given the fact that human beings differ in tastes, desires and happiness? Religions and cultures pose enormous challenges to the naturalistic fallacy. Religions and cultures are different from each other based on what should be seen as natural and morally permissible, what can be seen in one religion as natural can be seen in another religion as unnatural. Human beings are different from each other, because of the different religions, cultures and traditions. They form part of this, because moral formation is conducted in different ways.

### **Contemporary discourse on the naturalistic fallacy**

In philosophical, ethical and religious discourse there is an ongoing debate around the naturalistic fallacy, following the pioneering contributions by David Hume and George Edward Moore as discussed above. I will make use of the philosophical contributions of various scholars on the naturalistic fallacy. I will structure the discussion on the basis of views, as to whether the naturalistic fallacy can indeed be regarded as a logical fallacy or not.

Contemporary scholars standing in the Aristotelian tradition, typically regard the naturalistic fallacy as overstated. They argue, that one can indeed derive an “ought” from an “is”, but only under certain conditions. They base their views on Aristotle’s understanding of nature, in terms of the final purpose (telos) of something – that has significant moral implications. If so, it may seem that one can indeed derive moral imperatives from the purpose of something.

According to Johnson (45), Aristotle developed the idea, that there are goals infused in nature. Aristotle thought that each being has a natural telos (goal), which relates its perfection (flourishing). For example, a seed's telos can be a fully developed tree and the telos of a small child, is to develop into a virtuous and mature adult by developing his (and her) rational capacity. For Aristotle what "ought" to be the case, is based on the natural tendency and potentially to flourish. As human beings, we naturally desire our telos and the fulfillment of our telos rewards everyone with happiness. For Aristotle what "ought to be the case" is based on a potentiality rather than what actually exists. In order to understand human nature, it is necessary to discern such potentiality.

Thomas Aquinas followed Aristotle and argued, that an act is good (or not) depending on whether it contributes to or deters human beings from their proper end, i.e. the telos or final goal at which all human actions are aimed. In the Aristotelian tradition that telos is understood in terms of happiness (eudaimonia). According to Finnis (35), Aquinas states that every law is ultimately derived from what he calls the eternal law. The eternal law refers to God's providential ordering of all created things to their proper end. Human beings participate in that divine ordering, by virtue of the desire for and an ability to discern what is good, created in us by God. This natural law is embedded into the tapestry of our nature. All human actions are governed by a general principle, that is foundational to and necessary for all practical reasoning: good is to be done and evil is to be avoided. This principle is not something that we can ignore or defy. Whenever we deliberate about how we should act, we do so, by virtue of a natural inclination to pursue (or avoid) those goods (or evils), that contribute to (or deter us from) our perfection as human beings. This shows, that ethical language developed in the West, shows the context of a belief in a human telos, end or goal.

According to Finnis (35), Alasdair MacIntyre argues that our inherited moral language, including terms such as good and bad, have functioned to evaluate the way in which certain behaviours facilitate the achievement of that telos. Good and bad can carry moral weight without committing a category error. For example, a pair of scissors that cannot cut through paper can legitimately be

called bad and a knife that cannot cut properly can also be called bad, because it does not fulfil its purpose efficiently. These types of value judgments remain neutral. If a human being is understood as having a precise purpose, then that behaviour (good or bad) of the human being can have an impact on that very purpose. A human being would therefore act well when he / she fulfils that purpose. One problem in moral philosophy is, what happens if someone does not want to be good? Put simply, in what sense “ought” we to hold the goal of being good? It seems one can ask how one is rationally required to hold good as a value in order to pursue it?

### **The tension between is and “ought” in the literature on homosexuality (with the assumption that gender is socially constructed)**

Gender is a range of characteristics, differentiating between masculinity and femininity including the biological state of being male, female or intersex. Human sexuality is established through social structures, gender roles, social roles or gender identity.

Millet (28) states gender is the sum total of parents, peers, cultures and notions of what is appropriate to each gender by temperament, character, interest, status, worth gesture and expression. Feminine and masculine gendered norms, can be problematic, conveniently fitting with and reinforcing the subordinate social role of women learning to be passive-ignorant, docile and emotional. Berger and Luckman (202), explain “the idea that gender differences are socially constructed is a view present in philosophical and sociological theory about gender. Society and culture create gender roles and these roles are prescribed as ideal or appropriate behaviour for a person of that specific sex. Some argue that the differences in behaviour between men and women are entirely social conventions, whereas others believe that behaviour is influenced by universal biological factors to varying degrees of extent, with social conventions having a major effect on gender instead of vice versa”.

Catherine MacKinnon (113) “develops her theory of gender, as a theory of sexuality. Very roughly, the social meaning of sex (gender) is created by the sexual objectification of women, whereby women are viewed and treated as objects for satisfying men’s desires”. Masculinity usually indicates sexual dominance, femininity and sexual

submissiveness, thus eroticizing dominance and submission, leading to the social meaning of sex. Gender is constitutively constructed, to define gender, we must make reference to social factors. As a result, gender is by definition hierarchical-fundamentally tied to sexualised power relations (Mackinnon 113).

### **The tension between is and “ought” in the literature on homosexuality (with the assumption that homosexuality is natural)**

Creating a clear distinction between various academic scholars’ voices and contributions distinguishing and investigating whether homosexuality is indeed natural and morally permissible.

“Being gay or bisexual should not be considered as immoral or criminal by itself, especially when considering the statistics of hate crimes are often violent, due to sexual-orientation bias. If we were also to argue that the sole natural purpose of sex is to reproduce, then we need to ask ourselves whether masturbation and oral sex is also unnatural. We also need to ask, whether we should demonize condom use just as much” (Jackson 1). If some people feel strongly that God will judge homosexual beings, then everyone is entitled to their own beliefs. Humanity fears homosexuality. In the 21st century, human beings should rather focus on how we should live and how to change lives that contribute to society.

James Gray (3), in agreement with Jackson, explains that “homosexuality is not sinful, evil or immoral, because if we have no reason to believe that this action is wrong (a sin), then we have a pretty good reason to think that the action is not wrong after all”. “If we falsely identify an action as wrong, then we could end up causing guilt, oppression and animosity towards people who do not deserve it. This means that homosexuality cannot be wrong, it is indeed something natural and identified falsely as unnatural” (Gray 3).

Amongst multiple theories, the theory of Utilitarianism is guided by the results of an action. This means if an action maximizes good results, minimizes bad results, then the action that produces (eudemonia) is the right action, we “ought” to do it. If causing suffering, then we “ought” not to do so. Gray (3) states that the categorical imperative was originally stated to be “act only in accordance with

that maxim thought which can at the same time become a universal law”.

Homosexuality is natural, being no different than being born or being left-handed. How many have to step out and say that they were born homosexual for people to drop their prejudices? Homosexual couples, having built a stable home are probably more equipped to raise a child, than most straight parents in the world. Tanner (3), states “those who condemn homosexuality often commit the naturalistic fallacy. Humanities perception is that, homosexuality “ought” to be condemned on the grounds that it is not normal, because what is normal is good. Whether what is normal is good (and the goodness of homosexuality) remains open thinking it does not commit the naturalistic fallacy”.

Mark Driscoll (68), an American Evangelical Christian Pastor, states that “homosexual behaviour among non-human species that is interpreted as homosexual or bisexual behaviour. This may include sexual activity, courtship, affection and pair bonding and parenting among same-sex animal pairs. Research indicates various forms of this are found throughout the animal kingdom”. Bruce Bagemihl (12), explains within the animal kingdom, there is a lot more sexual diversity including homosexual, bisexual and non-reproductive sex, than the scientific community and society at large has been previously willing to accept. Homosexual behaviour is very common in the animal kingdom. It seems to be very uncommon that individual animals have a long-lasting predisposition to engage in sexual behaviour, to the exclusion of heterosexual activities.

Tanner (3) agrees with Gray, Jackson and Bagemihl, that homosexuality exhibited in over 1500 species, subsequently leads him to believe that it was implemented for a reason. “If God thinks homosexuality is wrong, then why did he create the function of homosexuality in humans? Reproduction is the way that we sustain our human race. However, who says that homosexuality is unnatural? This occurs within nature and there are countless scientific studies supporting this. It becomes perplexing, that someone who is not homosexual can say that it is not natural and that it is a choice. Humanity would hardly know whether it is a choice or not, if you do not identify as homosexual yourself”. Dolphins have been observed

performing homosexual acts towards other dolphins, as well as humans. (Tanner 3).

Fincke (15) intends to lay out the case for the ethical goodness of homosexuality. For homosexual people that is consistent with the fundamentally naturalistic fallacy. There are a number of fallacious ways of appealing to nature, to justify one's ethical judgments which justify their general wariness. Their worries are based on arguments from nature that have historically been used as ad hoc rationalizations of irrational cultural or physiological antipathies against homosexual and other marginalized groups. Also, homosexuality seems to many on first blush (in our hetero-normative culture) to be inherently "unnatural" and so, prima facie, they assume that a naturalistic ethic would tend towards being anti-homosexual and so, thinking that moral conclusion is erroneous, take this as a mark against naturalistic ethics for apparently implying that it is true.

The objection to the naturalistic fallacy is that not appealing to nature, logically could mean taking whatever is normal automatically, as morally normative. Such a principle applied carelessly can mean that left-handed people are deemed as "unnatural". Another problem that appeals to what is natural, is that culture shapes our perceptions so much, that it becomes difficult to distinguish what should be deemed as natural and what is cultural in any of our attitudes, practices and norms. Religious doctrines also underline what should be deemed as natural; for example, Leviticus 18:22 states that homosexuality is seen as a capital crime and an abomination (Fincke 15).

To conclude, it is evident in the above mentioned, that gender is socially constructed by mankind. It is also evident in the above mentioned that we are socially constructed with factual statements and this has led to value statements. This then means, because the Bible "Leviticus 18:22" states that homosexuality "is" an abomination by humanity, therefore it "ought" to be seen as an abomination. However, the Bible, Quran and Poetic forms used by Buddhism and Hinduism at the same time states, that one should "love". Culturally, traditionally and religiously we are constructed by these views, as to what should be seen as natural and good. However, what should really be seen as natural? What is really good? Humanity should accept that in order to progress in life, we need to adjust and simultaneously offer justice, equity, equality and fairness towards every living organism.

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