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# Bioethics Outlook

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## Christian Anthropology and the sex/gender debates

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I have been asked to explain some of the foundational principles of a Christian anthropology – with a view to how this might help us grapple with current debates about gender, and the troubling ethical issues which arise when people want to change, or transition from, their manifest sexual identity.

I will consider a *Catholic* Christian anthropology – for there are other approaches in different Christian traditions. I note that “anthropology” is being understood here in a philosophical and theological way. The usual “anthropologists” are social scientists – they *describe* the behaviour, customs and living patterns of different groups of people. A *philosophical* anthropology does not describe observable behaviour, but rather seeks to understand the nature of the human beings who are the agents of their behaviour. Thus, social anthropologists might describe certain people’s religious beliefs about spiritual beings or life after death. They do not test the validity of those beliefs, they do not ask whether they are true or false beliefs.

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A philosophical anthropologist, by contrast, wants to understand what it would mean for something to be a 'spiritual' being, or to understand how a human person might continue to exist after death – how this might or might not be true. Likewise, a social anthropologist will document the sexual behaviour of a group of people without judging whether it is good or bad behaviour, whereas philosophical and theological anthropologists seek to understand the nature of human sexuality "at its best", i.e. to understand how sexuality, sexual activity, and the experience of gender, find their place within a good and worthwhile human life.

### **Why is it difficult to discuss sex and gender?**

We currently face at least three intellectual crises which make this discussion very difficult. First, we face a crisis about the status of **human reasoning**, that is, our capacity to discover and respect the truth about the kind of beings we are, and the universe we inhabit. This is a crisis of Western civilisation generally – where the very idea of objective truth is being undermined as much by some contemporary academic "disciplines" as by some notorious political leaders who speak of "fake news" and "alternative facts". These politicians are a symptom not the cause of our cultural malaise, which has fostered the rise of political autocrats who deny objective truth, while at the same time promising their followers a certitude to assuage their insecurities.

Globally this situation is dramatized, on the one hand, by Mr Putin who presents himself as a defender of traditional values and sexual mores (at the same time murdering countless innocent people) while, on the other hand, the Western world is convulsed by uncertainties about whether people really are the men and women they appear to be. The Western world has been shocked as much by Putin's aggression as by the courage of the Ukrainian people giving their lives in defence of their country. Such is the default lack of conviction that pervades Western culture today about what is really true and good that many doubt there is any truth or value for which one would give one's life.

Secondly, and relatedly, we face a crisis about **the authority** of institutions, societies and cultures to set standards for human conduct and to transmit the ethical and spiritual wisdom of the past. The crisis affects churches, in particular, and their moral authority has been further undermined by revelations of sexual abuse and its cover ups. Over against the wisdom of

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tradition, our culture celebrates what Charles Taylor calls “expressive individualism” and champions the autonomy of personal authenticity. We are then torn between respecting the conscientious freedom of each human person to live his or her own life, while also wanting to protect some objective standards about the right and wrong ways to live a good human life.

Finally, there is the crisis about **revealed truth** itself, which Cardinal (now Saint) John Henry Newman identified in the late 19<sup>th</sup> century as the great challenge that would face the Church in the century ahead. Although our Western culture is becoming more non-religious, to the extent that religions are tolerated they are viewed as largely human creations, ways of making meaning that some people find helpful; treating all religions as of equal standing implies that none of them actually has any *truth* value (since, for the most part, they contradict each other)! Religions are thus sidelined as mostly harmless private indulgences, provided they are excluded from public life and ethical debate. Christianity, however, is a *revealed* religion – it is based on the conviction that God can and has spoken to us: there is a divinely ordered truth about human beings and their destiny (eternal life), and about the way to attain that destiny, and this truth is revealed in the Judeo-Christian tradition, in the person of Jesus Christ, and in the teachings of the Church which pass on the teaching of Jesus. It follows that a Catholic Christian seeking to understand human sexuality will want to know what God has revealed to us in this regard.

Here I can merely note these three crises, which make obvious why it is so difficult for us today even to have a conversation about sex and gender, and about how we should respond to a child who feels they are “in the wrong body”. Most people recognise that it is not wise simply to give in to whatever people *feel* they want, or whatever claims they make, but we don’t how to respond compassionately to people’s feelings and claims *in a rational way*. I am sure that many of you reading these words will struggle to accept that we can ever know the truth about sexual morality, or believe anything the Church teaches in this regard, or that we can ever know what is God’s plan for humankind! The struggle is a real one – and its resolution would require us to address the three crises just mentioned. To quote Newman again, whenever people disagree, their disagreement normally derives from their different background presuppositions, rather than from the topic at hand. Those whose presupposition

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is to look to God's word and Christ's teaching for guidance in these matters will see things differently from those who do not.

### **Some failures to think rationally**

Let me illustrate two ways in which confidence in human reasoning is being compromised in debates about sex and gender. First, there is the catchall reference to the "LGBTIQ+" community, as if this is a coherent category of people. It is not. It is like making a category of out of 'apples, tomatoes, Opera Houses, and motor cars'. These things do not constitute a coherent category with a common rationale. Likewise, the various individuals who identify with one of the letters in LGBTIQ+ do not share a common rationale. For example, the category "I" refers to the very rare occurrence in which a child is born with atypical sexual anatomy (the Intersex condition). This is a physiological/hormonal issue, and medicine works to resolve it as best it can. It does not make sense to include intersex persons with others in the group, for whom various experiences of gender, same-sex attraction, and gender uncertainty or dysphoria are at stake. To group all these people as one assumes there is common issue here when there is not. There is a series of different issues raised by each of the letters, each requiring a different response.

Secondly, consider the proposal that a pre-pubescent child who is convinced he or she is in the "wrong body" should receive hormone treatment which prevents him or her from developing in line with their genetic sexual make up. This is not a rational line of thought. At puberty, a child's body is flooded with hormones, the precise function of which is to bring about the child's *natural* sexual development. If a pre-pubescent child is uncertain about or troubled by their gender, it does not make sense to give him or her Puberty Blockers to prevent the natural process of sexual maturation that is about to occur, and which in most cases will resolve the child's gender uncertainty. To do so would be just bad medicine! The most troubling issue here is that in our culture today so many people give priority to a child's feelings of gender confusion over against the common-sense recognition that puberty itself will most likely resolve, 'correct' if you wish, the child's troubled feelings, if we allow it to occur naturally.

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## **Body and Mind or *Body and Soul***

To turn then to the most fundamental principle in a Catholic Christian anthropology, namely, the unity of *the human person as a psycho-physical-social-spiritual being*. Each word in this rather awkward construction highlights a particular element in the human makeup. There is always a temptation to emphasise one element at the expense of the others – e.g. to regard human beings as essentially minds (or conscious subjects, for whom the body is an external organ), or just complicated physical machines, or as essentially workers and economic units within a society, or as a kind of angel (spiritual beings trapped in their bodies), and so on. Famous philosophers are associated with each of these philosophical anthropologies. A Catholic anthropology is unique because it seeks to do justice to all of the elements of being human, and hence requires a quite sophisticated account of the unity of the person, the unity of body and soul (to name the most fundamental elements).

Debates about sex and gender raise issues of mind and body, of conscious experience and physical makeup. In the ‘modern’ era which began in the 17<sup>th</sup> century, most famously with Descartes, the human being has been understood as a combination of a conscious mind and a physical-mechanicist body. (Descartes could doubt he had a body, but he knew he was thinking, so he concluded he must be a mind!). In the centuries since, mind has been given priority over body. Consider how today, faced with a person experiencing ‘gender incongruence’, gender affirmation approaches assume not that the person’s thinking is mistaken, but rather that their body needs to be ‘corrected’. But this is simply a ‘modern’ (and unreasonable) presupposition; arguably, as in pre-modern times, people should assume that the person’s feelings and thinking are distorted. A comparable issue arises in relation to eating disorders. I understand that it is common for a person with such a disorder to see themselves in the mirror and conclude they are ‘large’, when in truth they are quite thin and slender. In this case we readily recognise that the problem is a *mental* health issue, not a body shape issue.

We are all aware, to some extent, of the tension between mind and body. For example, most people hold some beliefs about their appearance or their abilities that are less than accurate, and feel good or bad about this. Conversely, the current phenomenon of “Covid-brain” reminds us how intimately body and ‘mind’ are connected. The point to note is that how we respond

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to tensions between one's body and one's mind (e.g. between one's sex and one's gender-feelings) depends on our presuppositions about how we understand the mind-body relationship. We should question the 'modern' presupposition that mind always has priority over body, that what we happen to feel has priority over what we are. As one writer put it recently, the "trans-rights" movement is the "triumph of mind over matter"!

More importantly, in a Catholic anthropology, the fundamental union is not between body and *mind*, but between body and *soul*, where (with Aristotle) soul is understood not simply as consciousness, but as the principle of human life (its 'form') which animates the entire bodily organism. This is a subtle account which is reflected in the following remarks: 1) A human corpse is not a 'human body'! That is to say, a human body is nothing less than a living human being, it is not a physical 'machine' or lump of matter. 2) The human soul is not 'a spirit inside the body'; rather soul animates the whole living body/person (just as a computer is 'turned on' *all over*, so a person is alive all through, as soul animates the whole person). Hence, 3) as Thomas Aquinas said, "I am not my soul" – for although the soul is a spiritual principle in itself, if it is separated from the body it does not constitute a complete human person (though it does preserve the person's identity until the "resurrection of the body" unto eternal life).

This shockingly brisk account of body and soul is meant only to point us to the deep philosophical and theological foundations required for a credible anthropology. Alternative anthropologies are simpler and can be more attractive precisely because they focus on just one aspect of the person at the expense of the other aspects. If we refuse to downplay or ignore any aspect of our humanity, we will rightly be led to speak of the "mystery" of the human person, whose depth we cannot plumb, but which Catholics believe is ultimately revealed to us in Jesus Christ.

### **Sex and Gender "at their best"**

In short, a Catholic anthropology understands human beings as "embodied souls" or as "ensouled bodies"; such is the union between soul and body that either expression is valid. It follows that respect and reverence for the body, and for body structures, is respect for the person him or herself. We might speak here of the need for a human ecological awareness,

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comparable to an ecological respect for creation more generally. Theologically, we will go further. As St Paul wrote: “Your body is a temple of the Holy Spirit”.

In addition, human persons are social and relational through their embodiment, which is why sexual identity and intimacy involves the whole person, not just their body (or their mind). Human sexuality is psycho-physical-spiritual and an aspect of the mystery of the human person in relationship to others. *At its best*, human sexuality finds its expression and fulfilment in a faithful marriage with an openness to children as the fruit of marital love. It is remarkable that one of the most common selling points for products in the supermarket is that they are “natural” (and/or “organic”). It should be puzzling, therefore, why the Catholic Church’s endorsement of “natural” methods of fertility awareness to regulate births is widely scorned. Respecting and working with the natural cycles of human fertility is obviously the most healthy approach and most likely to strengthen the relationship of husband and wife if they jointly take responsibility for their sexual intimacy and its procreative potential. “It should be puzzling...” but of course it is not puzzling, because of our cultural presupposition that people’s minds and autonomous choices are more important than their body-soul unity.

Compared to sexuality “at its best” – what we all hope for on a wedding day – it is easy to identify the various ways in which sexuality may *not* be at its best. First, sexual activity will not be at its best if it depends on choices and actions that are not relational at all; or if it is regarded as merely physical activity; likewise, if it is exploitative, abusive or coerced, if it is in the absence of any marriage commitment, if it is closed to the gift of new life, which is the natural and normal fruit of sexual intercourse, then sexual activity will be less than it ought to be.

Secondly, a person’s experience of their sexuality may be affected not by their choices, but by factors beyond their control – e.g. their genetic makeup, their family dynamics, an experience of abuse, etc., resulting in various “disturbances” such as feelings of gender incongruence, or same-sex attraction, or compulsiveness and addiction; or lack of sexual desire and response, or aversion and perversion, etc. For the most part, individuals are not responsible for the fact that their experience of sexuality is shaped in one or more of these ways. The critical question concerns how the individual affected, and how those who care for them, should respond to these disturbing experiences.

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“Disturbing” is my attempt to find a friendly word for what most people know, but find difficult to acknowledge (for the reasons noted at the outset). That is, because we rightly seek to respect the dignity of every human being, no matter what their sexual makeup or gender experience, we find it difficult to acknowledge that there are “disturbances” (e.g. gender confusion, feeling in the wrong body, even same-sex attraction) which are not conducive to human sexuality at its best. Expectant parents might hope for a child of a particular sex, they would not hope for a trans-child! If a child grows up with the feeling he or she is in the wrong body, that is a “disturbance” that we must respond to with compassion, with the utmost respect for the child, but also with rigorous *thinking* about the best way to accompany and support that child. Given that most children grow out of their gender confusion or uncertainty, it would be wrong to intervene with surgical or chemical measures which supposedly “affirm” the child’s gender in opposition to the child’s actual sex. Indeed, it is likely that before too long some people who have “transitioned” while still minors will bring legal claims against those responsible for the (sexual) abuse perpetrated against them. Notice, also, that “transitioning” involves false thinking: as Germain Greer put it, rather brutally, “You can have the operation, but you don’t become a woman”.

## **Conclusion**

The Australian Catholic Bishops have just published *“Created and Loved”* – A guide for Catholic Schools in relation to identity and gender. This document outlines the foundational principles of a Catholic approach to these issues, along with pastoral policies and practical protocols. The bishops provide the reasons for not endorsing gender affirmation approaches, nor surgical and medical interventions on children, while also requiring Catholic schools to provide safe and dignified measures for supporting children with gender issues in a compassionate way. I commend that document to you, and I hope that this paper has given you some insight into the philosophical and theological foundations of the Church’s approach.

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## Why people matter:

### an introduction to *The Worth of Persons* by James Franklin<sup>1</sup>

In the introduction to his recent book *Cooperation with Evil*, Kevin Flannery SJ, identifies the strengths and weaknesses of various ways of analysing the problem of cooperating with evil, that is, assisting another to do wrong. Why is this an important problem? His answer is clear: it is an ‘essential truth’ that all ethics comes down ultimately to the things that individual agents do – or, at least, ought or ought not to do.<sup>2</sup>

Jim Franklin disagrees: the opening sentence of this book is: *Ethics is not fundamentally about what to do*. Why not? Well, what most disturbs us ethically is not anything to do with actions but the terribleness of suffering. In addition, whenever we do ask *why* some action is right or wrong, we find we are led back to reasons that are not in themselves about action but which concern the good or evil of those affected by the action. What makes the act of killing wrong is the evil of the death of the victim.

Franklin says: *When we are confronted with pictures of genocide victims dug up, those of Srebrenica, for example, we know: “Those were people like us, and something terrible happened to them.” Our emotional reaction gives us an immediate insight into the violation and destruction of something of immense value, a human life. It is gross violations of the right to life that most immediately impose on us a sense of the objective inviolability of human worth. That is where we first understand how it is that ethics is objective – that good and evil matter in some absolute sense and that right and wrong cannot all be a matter of mere opinion or personal choice.’* The work of the Australian philosopher Raimond Gaita comes to mind.

This direct awareness of evil is one of the points of parable of the Good Samaritan. Robbers attack a man and leave him half-dead by the roadside. Two religious officials pass by on the other side, but a Samaritan, a member of a group normally hostile to robber’s victim, ‘feels compassion for him’ and stops to help. What makes the Samaritan’s action good or right it not a rule or a virtue but the ethical significance of the victim who is in urgent need of assistance. Such cases force us to admit our sense of the worth of persons. But, as Jim says, we can equally become aware of it in more ordinary and more happy circumstances: in our daily life, we affirm the worth, the human worth, of our friends, family and colleagues because we believe in that worth.

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<sup>1</sup> James Franklin. *The Worth of Persons: the Foundation of Ethics*, Encounter Book, New York, 2022

<sup>2</sup>Kevin Flannery, SJ. *Cooperation with Evil: Thomistic Tools of Analysis*, The Catholic University of America Press, 2019; 5

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What, then, is that worth? What is it about humans that gives them that worth? Do they each have equal worth – the perpetrators as well as the victims of the massacre at Srebrenica the hard-hearted religious officials as well as the Samaritan, that pesky sister or brother of yours as well as your beloved parent? What about animals: do they have worth? If so, is it the same as human worth? As for the natural environment: today's 'deep ecologists' argue that all species are equally valuable, some even claiming that rocks are as valuable as animals or people'.

Are our emotional responses – yours, mine, the ecologist who feels this way about rocks - reliable guides to appreciating human worth? If you and I differ in our sense of the worth of other human beings, say a Stalin or a Mao or an Eichmann, is there some objective truth of the matter according to which our emotional reactions can be assessed? What should we make of the sentiment of the Ukrainian woman, interviewed on NPR who, having given birth in the basement of an apartment block -without power or medical support – in the city of Kherson during its occupation by Russian soldiers, reflected with gratitude on the life of her now 7-month-old baby: 'Every life is precious, especially a Ukrainian one.' What about our feelings about ourselves, given that these very feelings are so often apt to deceive us? How should we understand the objective worth, or 'dignity', of every human being? If there is some truth of the matter, what is it?

Franklin's thought is this. Yes, of course, all the topics commonly talked about in ethics – right and wrong, good and evil, virtues, values, consequences, human rights, obligations, dilemmas, etc – though he omitted to mention that most ubiquitous of terms 'outcomes' – they all matter. But none of them is foundational or basic. None of them is free-standing. Below the surface of each lies the question of the worth of persons.

Take rights. Any plausible claim (and many are not) to a right, or to a duty, indirectly points to the worth of persons, or to a threat to the worth of persons. Virtues? All very well in themselves (faint praise for Aristotle and Aquinas here), but they too point to something more basic than themselves. As do values – we cannot work out why some values are better than others without drawing on the idea that some are in accord with the worth of persons and others are not. And so too, *mutatis mutandis*, with all of what Franklin calls '*the fauna in the ethics zoo*' – the ethics of care, respect for autonomy, individual liberty, consequences, dilemmas. Indeed, when consequentialist colleagues insist that there is a straightforward way of resolving the trolley problem and the life-boat problem, why do we resist? Perhaps it is because both sides of such dilemmas are grounded - in different ways - in the worth of persons. In fact, says Franklin, an ethical approach which focuses on foundations does not even try to solve these dilemmas. Rather, it shows why they are so difficult in the first place.

And so, Franklin sets himself the task of explaining the idea of the worth of persons. He starts with the easy stuff, in a chapter called 'Five false starts and one true one.'

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The false ones: evolutionary ethics, divine command ethics, Hume's story of what motivates our actions, the Socratic claim that virtue is knowledge, and the Aristotelian story which explains right and wrong in terms of what is in accordance with human nature. As he sorts through what he thinks is misguided in these views, Franklin shows how aspects of each of them have undermined the thinking of some of the greatest stars in today's philosophical firmament.

As for the one true start, it is found in Kant, and most of the remainder of the book is devoted to explaining Kant's insight into what it is about persons that gives them their worth.

Franklin pauses first to reply to objections to this 'foundationalist' approach to ethics, that there is no point in this enquiry and, even if there is, any answer to the question 'what is it about persons that gives them their worth?' will be true of only some human beings.

Then he gives an account of the properties of human beings which form the basis of their moral worth. Like a good teacher, Franklin teases us with properties which clearly will not do: shape, for instance, or colour. He says we should identify which properties it is a tragedy for a person to lose. This quickly brings us to rationality, not in the minimalist sense in which we share it other animals or (in a different way) with machines but in the maximalist sense evoked by Hamlet when he reflects on the 'piece of work' that is a man. *"How noble in reason, how infinite in faculty, In form and moving how express and admirable, In action how like an Angel, In apprehension how like a god, The beauty of the world, The paragon of animals."*

And so, the enquiry turns to the nature of human rationality, practical as well as theoretical. Here understanding is key, understanding why it is or sometimes must be so... in ethics, in aesthetics, in maths. There is more, of course. There is the unity of the self which is the precondition for agency, best recognized when it is subverted by such disorders as self-deception and weakness of will. There is the diversity of the self that includes our embodiment and our engagement with others. There is the recognition that agency requires, in some way or another, freedom, threatened as it always is by internal as well as external factors. And when these general features of the complex whole are laid out, there is the question of how such a generalizing picture can still accommodate individuality, what Gregory Vlastos once called 'the individual existent that bears that person's name'.

Franklin's story is complex, first because this is inherently complex subject-matter and second because at every point he shows how his understanding of the worth of persons coheres with, or stands in contrast to, one or other prominent idea in the history of ethics.

One almost throwaway line brings us back to Kevin Flannery's claim, *that all ethics comes down ultimately to the things that individual agents do*. It is clear why Franklin is unhappy with that claim.

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But when he acknowledges that the elements of an account of human worth must include developable as well inherent properties, he shows what connects his view of ethics with that of Flannery.

Why must the elements of an account of human worth include not only inherent but also developable properties? Because ‘the point of action by humans is to change things, including the actor [himself]’. Thus, contrary to Alphonsus Liguori (who is often thought to be an authority on the matter of ‘cooperation in evil’), no human act is ever truly indifferent, that is, neither good nor bad. Rather, as Aquinas points out, every human act has an effect not only on the world *but also on the agent himself or herself*.

Franklin would agree. Perhaps that is the best pointer to an account of the worth of human persons which is true to both Flannery’s view and Franklin’s view about the subject matter of ethics.

This is a wonderful book, deeply instructive and thoroughly entertaining. Franklin is a natural teacher. On occasion, he made me chuckle, as when I read that the ethics of Aristotle is ‘unserious and egocentric’. Every so often, I scribbled a question mark in the margin to record a point of at least initial disagreement between the author and this reader.

But, of course, when philosophy is done well, there is always more to say! I congratulate Franklin for the gift that he has given us in ‘*The Worth of Persons*’.

**Bernadette Tobin, at the launch of *The Worth of Persons* at the State Library of New South Wales on 19 November 2022**

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