“The theory of gender as a ‘social construct’ is one of the ways we ‘crucify’ our human nature—and those who speak for it.”

Sexual difference is one of the important questions of our age, if not in fact the burning issue. According to Heidegger, each age is preoccupied with one thing, and one alone. Sexual difference is probably that issue in our own age which could be our salvation on an intellectual level.¹

The truth of this claim by the famous French feminist Luce Irigaray cannot be overstated today. Sexual difference has become the lens through which everything is subjected to our gaze. And through it everything is at stake. For many, razing sexual difference is the only way to salvation because it is the last bastion in the way of the liberal self, and its self-determining, self-con-

structuring freedom. For others—and the Catholic Church is now the lonely gathering point for these—the only way to salvation is the recognition of sexual difference. It is “the authentic setting in which to hand on the blueprint of human existence.” Without it, “essential elements of the experience of being human are lost,” since “the key figures of human existence likewise vanish: father, mother, child.” Ultimately, without it, “human dignity also disappears,” as Benedict XVI says.

Given the spirit of the time, those who share the second judgment about things are at a disadvantage, not for want of arguments or reasons, however, but because of them. The problem for them is that there is almost no space for reasons (and argument). The reason for this is tied to the very mentality that led us to the possibility of thinking of “gender” the way we do now

2. Anthony Giddens, the prominent English sociologist, represents this thought when he calls for the body itself to participate in its own emancipation project thanks to its newfound “plasticity”: “Like the self the body can no longer be taken as a fixed—a physiological entity. . . . The body used to be one aspect of nature, governed in a fundamental way by processes only marginally subject to human intervention. The body was a ‘given,’ the often inconvenient and inadequate seat of the self. With the increasing invasion of the body by abstract systems all this becomes altered. The body, like the self, becomes a site of interaction, appropriation and re-appropriation linking reflexively organized processes and systematically ordered expert knowledge. The body itself has become emancipated—the condition of its reflexive restructuring. Once thought to be the locus of the soul, then the centre of dark, perverse needs, the body has become fully available to be ‘worked upon’ by the influences of high modernity. As a result of these processes, its boundaries have altered. It has, as it were, a thoroughly permeable ‘outer layer’ through which the reflexive project of the self and externally formed abstract systems routinely enter. . . . In conditions of high modernity, the body is actually far less ‘docile’ than ever before in relation to the self, since the two become intimately coordinated within the reflexive project of self-identity. The body itself—as mobilized in praxis—becomes more immediately relevant to the identity the individual promotes” (*Modernity and Self-Identity* [Stanford: Stanford University Press, 1991], 217–18). In the same vein, Alberto Melucci writes: “The return to the body initiates a new search for identity. The body appears as a secret domain, to which only the individual holds the key, and to which he or she can return to seek a self-definition unfettered by the rules and expectations of society. Nowadays the social attribution of identity invades all areas traditionally protected by the barrier of ‘private space’” (*Nomads of the Present* [London: Hutchinson Radius, 1989], 123).

in the first place, in terms, that is, of a disembodied will. It is what Benedict calls the “dictatorship of relativism” or of desire. 4 “Relativism” because there is no measure against which to evaluate one’s wants or desires, no nature or “heart,” to speak biblically. “Dictatorship” because one may say nothing about these wants or desires—not even to one’s self! Even worse, one must participate in the lie, as Václav Havel says in his essay on modern dictatorships, by wearing, repeating, and posting the slogans—just like the greengrocers who posted party slogans in their shop windows—and do so with the highest ideals, so as to conceal the fact of having to do so. 5 After all, why shouldn’t we “live and let live”? 6

In this new reasonless environment, the Church finds itself against the wall. The Church is deeply committed, philosophically and theologically, to the objective reality of an embodied human nature as the condition for love and respect of all persons. But now, any judgment made about the way people feel, “identify,” choose to be, or especially “are” at some deep level (as the result of either biological forces or early influences or choices), against the backdrop of this reality has been framed as “discrimination” and unwelcoming “exclusion” of the worst kind: “hate.” Indeed, some, appealing cleverly to the Church’s own precious terms, suggest that the Church is grossly inconsistent with its own longstanding tradition of regard for the human dignity of “all God’s children,” as one Catholic recently put it, as expressed in the “beautiful panoply of humankind that God has created.” 6

Given the state of affairs, it is understandable that there is great nervousness in the Church about making judgments, with

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4. The term was first used by Cardinal Joseph Ratzinger in his homily at the opening of the conclave that would elect him pope, on April 18, 2005, http://www.vatican.va/gpII/documents/homily-pro-eligendo-pontifex_20050418_en.html.


appeals to human nature, about how people feel, choose to be, or “are.” How does one make judgments without offending everybody or, at least, being said to offend everybody, by the curators of public opinion, guided as they are by a small percentage of activists? With good reason, therefore, we are asked to adopt an approach of *accompaniment* towards our interlocutors. None of this means, of course, that we are not concerned about the true happiness of those we are accompanying.

A pastor, after all, is a shepherd who keeps his sheep from straying into the thickets, so he can lead them to the good pasture. He is *with* them, and “smells like them,” as Pope Francis says, but not because he is wandering about aimlessly with them, sentimentally, or worse, tolerantly, giving in to what they think they want. Instead, it is because he loves his sheep! He wants them to flourish. He is convinced that the *truth will make them free*. That said, the shepherd is not simply telling the sheep what is true (“doctrine”) and right (“morals”). The Truth is his *very Person*, who is now a Presence in the flesh walking among them. The disciples were not simply *told* the truth about fidelity. When Jesus told them “it was not so in the beginning,” they were facing the *very Incarnation of fidelity*. Their objection that “it would be better not to marry” was met not with “those are the rules!” but with an attractive Presence, making not only possible, but desirable that which had seemed impossible and undesirable.

This is what is new about the method of Christianity. Neither is everyone “loved the way they are,” in the narrow sense, nor are they “thrown the book.” Rather, the truth of one’s being is revealed by a Witness of it, through whom one can see all of its positivity. Of course, this is not undramatic. We oppose this. Human freedom can go so far as to even “crucify” the nature to which it belongs (that nature which calls man back to what he is)! The theory of gender as a “social construct” is one of the ways we “crucify” our human nature—and those who speak for it.

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8. St. Augustine’s instruction to the Church’s “shepherds” is instructive here (“On Pastors,” *Sermo*, 46; CCL 41).

9. As *Gaudium et spes* says, “Christ reveals man to himself” (22).
The theory of “gender” as a “social construct” began in the context of feminism. Beginning with John Stuart Mill, much has been said about the role of society in bringing about the “subjugation of women.” It is claimed that education is responsible for producing this nefarious effect. And assuming its negative relation to nature, education is deemed so suspicious that any aspect of human nature that has been subject to it, in any form, is disqualified a priori from offering any sort of evidence concerning the nature of the sexes, of the difference and relation between them.10 This is what Simone de Beauvoir means when she says “one is not born but rather becomes a woman.”11 It is society, she argues, in her famous tome, that instills in girls their place as the “second sex”—as “other”—defined by, subordinated to, and in function (merely) of the first sex. Moreover, according to de Beauvoir’s account (but Mill said it first), the so-called “social construction” of gender is so inconspicuous that it risks not being recognized for what it is. Patriarchy is so powerful, says one of de Beauvoir’s more radical followers, that it has a “successful habit of passing itself off as nature”!12 The insistence on this point shows how vehement is the denial that the roots of any of the alleged “inequality” between men and women could be found in nature itself, while it inoculates the assertion against evidence to the contrary.

It is hard not to notice, however, how very nervous are the architects of the “social construction” theory when it comes to describing the bare facts of life. After making much of the

10. The “nature-nurture” question is a constant thread throughout Mill’s Subjection of Women, http://www.earlymoderntexts.com/assets/pdfs/mill1869.pdf. Nature, according to Mill, being open to influence (12–14), can only with great difficulty be known for what it is. One would need to “subtract” whatever could be attributed to education in order to do so (13, 40). What is more, notwithstanding nature’s “openness” to nurture, the influence of the latter on the former is regarded by Mill to be of the pernicious kind, keeping nature in an “unnatural state” (33).


projections of misogyny on the biology of the past—e.g., the theories of men such as Aristotle and Thomas Aquinas which held that woman contributed little to the newly conceived being other than a passive nourishing terrain—de Beauvoir passes through the biological facts as we know them now. She finds two facts particularly disturbing. First, although biology discovered the egg and its equal contribution to the genetic make-up of the new being growing in the woman’s womb, this contribution is still embarrassingly “passive” and “closed upon itself” with respect to the “tiny and agile,” “impatient” sperm. Second, in fertilization, the ovum is “violated,” suffering the “onslaught” of the competing sperm. In short, in de Beauvoir’s description of fertilization as well as of the sexual act itself, the woman has been “taken,” “grabbed and immobilized,” “violated,” and “alienated” by another. This second fact is even more intolerable than the first because it imposes more on the actual life of the woman. Woman, compared to all other females in the animal world, is the one most absorbed by maternity because no other progeny takes longer to stand on its own two feet, literally, than the human child. The human mother, biologically speaking, is in the “servitude of maternity.” Indeed the human female body is the most problematic because the demands on the woman that her child makes are altogether at odds with the fact that she belongs to the species at the top of a chain in which individual members have acquired progressively


15. De Beauvoir, *The Second Sex*, 28. Talbott’s account of embryology corrects the usual picture de Beauvoir refers to, that of the egg suffering “the competitive sperm cells struggling aggressively to win the prize” and “breaking into” the ovum. According to Talbott, embryology now suggests something of a “courtship” involving “intimate chemical exchanges and signalings between the sperm and the egg aided by the other sperm cells” (“The Embryo’s Eloquent Form”).


17. Ibid., 35.
more and more individuality with respect to the species.\textsuperscript{18} De Beauvoir writes:

She is the most deeply alienated of all the female mammals, and she is the one that refuses this alienation the most violently; in no other is the subordination of the organism to the reproductive function more imperious nor accepted with greater difficulty. . . . [H]er destiny appears even more fraught the more she rebels against it by affirming herself as an individual.”\textsuperscript{19}

De Beauvoir does not consider the possibility that the coexistence of these facts—the human female’s heightened individuality, on the one hand, and her heightened relation to her child, on the other—might actually be codeterminative. This is seen by the philosopher of science Hans Jonas in his discussion of the \textit{dialectical} nature of individuality (freedom, inwardness, self-centeredness) and relation, observed in the ascending levels of organic life, where individuality and sociality are found to be in \textit{direct and positive} relation to each other.\textsuperscript{20} But for de Beauvoir, maternity simply has “no individual benefit to the woman.”\textsuperscript{21} The human female is simply a living, walking contradiction in terms.

It is important to note that at the beginning and the heart of the theory of gender as a “social construct” is a deep malaise about the body itself, in particular the female body. The root of the problem lies there, well in advance of any education or socialization of the famous “girl who will become a woman.” It is the woman’s body that opposes her existence as a person. It is therefore ultimately her own body that the woman must resist. For de Beauvoir this takes the form, predominantly, of

\begin{itemize}
\item \textsuperscript{18} Ibid., 31.
\item \textsuperscript{19} Ibid., 44.
\item \textsuperscript{21} The lack of benefit begins with the \textit{alienating} experience of pregnancy, as de Beauvoir describes it: “Woman experiences an even stronger alienation when the fertilized egg drops into the uterus and develops there; gestation is, of course, a normal phenomenon that is not harmful to the woman if normal conditions prevail: certain beneficial interactions develop between her and the fetus; however . . . gestation is tiring work that offers woman no benefit as an individual but that demands serious sacrifices” (\textit{The Second Sex}, 42).
\end{itemize}
either preventing pregnancy from occurring altogether or stopping it in its tracks should it occur. But there are hints in de Beauvoir’s chapter on biology that suggest maternity per se is not the problem, if one were able to imagine the possibility of it occurring in a different manner than it does now, with its humiliation and tyranny. She shows a special interest in, even preference for, those forms of reproduction at the bottom of the animal chain—where there is, as it happens, the least amount of individualization: asexual multiplication in bacteria and in protozoa; hermaphroditic reproduction in plants, annelid worms, and mollusks; and fertilization outside the female body of fish, toads, and frogs.

Following de Beauvoir, another feminist was willing to call a spade a spade, dropping altogether the nervous (and unconvincing) reference to the outside villains: society, education, and their so-called “constructs.” For Shulamith Firestone, the problem is simply nature (and its body), especially, again, for the woman. Taking up the intuition of Engels and Marx, Firestone holds that all the class antagonisms at the level of society are derived ultimately from the biological family, “an inherently unequal power distribution” by virtue of the natural reproductive differences and the division of labor they suggest of their own accord.

Firestone’s science fiction vision of what needs to occur in order to fulfill the abstract dis-embodied goal of equality (understood as independence, sameness, and interchangeability) is chilling, not because of how aberrant it sounds, but because it has become so normal (and is becoming ever more so):

> [J]ust as to assure elimination of economic classes requires the revolt of the underclass (the proletariat) and . . . their seizure of the means of production, so to assure the elimination of sexual classes requires the revolt of the underclass (women) and the seizure of control of reproduction: not only the full restoration to women of ownership of their own bodies, but also their (temporary) seizure of

22. De Beauvoir dedicates a chapter entitled “The Mother” to the need for access to contraception and abortion (ibid., 524–70).


control of human fertility—the new population biology as well as all the social institutions of childbearing and child-rearing. And just as the end goal of socialist revolution was not only the elimination of the economic class privilege but of the economic class distinction itself, so the end goal of feminist revolution must be, unlike that of the first feminist movement, not just the elimination of male privilege but of the sex distinction itself: genital differences between human beings would no longer matter culturally. (A reversion to an unobstructed pansexuality—Freud’s “polymorphous perversity”—would probably supersede hetero/homo/bi-sexuality.) The reproduction of the species by one sex for the benefit of both would be replaced by (at least the option of) artificial reproduction: children would be born to both sexes equally, or independently of either, however one chooses to look at it; the dependence of the child on the mother (and vice versa) would give way to a greatly shortened dependence on a small group of others in general and any remaining inferiority to adults in physical strength would be compensated for culturally. The division of labor would be ended by the elimination of labor altogether (through cybernetics). The tyranny of the biological family would be broken.25

De Beauvoir says, following Sartre, that human nature is by definition a “historical idea,” a “making of oneself,” not a “fixed reality.” And she says that it is particularly at work when it resists any apparent fixity, especially at the biological level,26 though, once again, women have to do this unequally!27 Firestone clearly shares this view.28 But, writing twenty years


26. “But the definition of man is that he is a being who is not given, who makes himself what he is . . . man is not a natural species: he is an historical idea. Woman is not a fixed reality but a becoming; she has to be compared with man in her beginning; that is, her possibilities have to be defined . . . and it is in her becoming that she should be compared with man; that is to say, her possibilities should be defined” (de Beauvoir, *The Second Sex*, 45).

27. “The male, by comparison, is infinitely more privileged: his genital life does not thwart his personal existence” (ibid., 44).

28. “The ‘natural’ is not necessarily a ‘human’ value. Humanity has begun to transcend nature. We can no longer justify the maintenance of a discriminatory sex class system on grounds of its origins in nature. Indeed, for pragmatic reasons alone it is beginning to look as if we must get rid of it” (Firestone, *The Dialectic of Sex*, 10).
later, she could envision more resources for her older feminist sister’s resistance!

It is Judith Butler who brings together both the malevolent forces (society and the body) to get to the heart of the problem. Taking Michel Foucault’s lead, Butler says that the body itself is a “social construct,” the “effect of discursive practices,” namely all the bad historical (male) views of materiality (Platonic and Aristotelian) which either excluded the body or “imprisoned” it, especially its feminine representative. 29 To be clear, Butler is not aiming only at bad conceptions of the body (and its feminine representative), but at the idea that there be a conception of the body at all, that the body be anything in particular. It is, for Butler, the very idea of the fixity and indisputability of the body that is so pernicious, since this idea “successfully buries and masks the genealogy of power relations by which it is constituted” and by which it is put in its place. 30 According to her, there is no neutral “sex” (nature) to which “gender” (culture) therefore refers, as those before her would have put it. “Sex” itself is the fruit of “gender” (in the bad sense). Thus Butler essentially “throws the baby out with the bath water,” jettisoning the idea of any givenness of the body whatsoever with all of the real (and/or alleged) bad ideas about the body (and the feminine). In this way, she clears the path for a bodily


30. Butler, Bodies That Matter, 148. Following Foucault, Butler says: “[T]he body is not ‘sexed’ in any significant sense prior to its determination within a discourse through which it becomes invested with an ‘idea’ of natural or essential sex. The body gains meaning within discourse only in the context of power relations. Sexuality is a historically specific organization of power, of discourse, of bodies and of affectivity. As such, sexuality is understood by Foucault to produce ‘sex’ as an artificial concept which effectively extends and disguises the power relations responsible for its genesis” (Gender Trouble [New York: Routledge, 1999], 117).
construct of one’s own making, with no opposing bodily evidence in the way, not even the mutually exclusive and complementary positions of our sexually distinct bodies. In so doing, she, following Foucault, puts the idea of “gender as social construct” to good work in the field of “sexual orientation” and eventually “gender identity.”

For all the talk of torture, firstly of women by men, and then of the general population by those imposing the “heterosexual norm,” it is the gender-as-social-construct-theory itself that appears so torturous. Intellectually speaking, it requires us to deny the obvious, then to think, and then to say, that any distinct and complementary behaviors by and between the sexes is nothing but the effect of (bad) outside forces, since there can be no natural basis for these. Physically speaking, it requires us to subject our bodies to the torture of our very own social constructions, beginning with the complete disregard for their obvious cues, either in sexual practice or in conceiving our “identity,” and then by their hormonal or surgical modifications and amputations, as the case may be. What these tortured variations of “gender as a social construct” share is a view of the body as a problematic limit to freedom—freedom conceived as pure self-initiating self-determination. This explains the criticism, and now punishment, of the (bad) “social construction” of the old days when boys and girls were raised and educated in view of each other, according to the suggestion of their very bodies, and the

31. It is clear that Butler sees little if anything in the bodily state of affairs—its obvious difference and complementarity—other than something in thrall to an external power play, when she says: “‘He’ would not be differentiated from her were it not for this prohibition on resemblance that establishes their positions as mutually exclusive and yet complementary. In fact, if she were to penetrate in return or penetrate elsewhere, it is unclear whether she could remain a ‘she’ and whether ‘he’ could preserve his own differentially established identity. For the logic of non-contradiction that conditions this distribution of pronouns is one that establishes the ‘he’ through this exclusive position as penetrator and the ‘she’ through this exclusive position as penetrated. As a consequence, then, without this heterosexual matrix, as it were, it appears that the stability of these gendered positions would be called into question. One might read this prohibition that secures the impenetrability of the masculine as a kind of panic, a panic over what might happen if a masculine penetration of the masculine were authorized, or a feminine penetration of the feminine, or a feminine penetration of the masculine or a reversibility of those positions—not to mention a full-scale confusion over what qualifies as ‘penetration’ anyway” (“Bodies That Matter,” in Engaging with Irigaray, 163).
encouragement of (good) “social construction” by which we are now supposed to raise ourselves according to no other criterion than pure choice, especially when the “choice” resists the evidence staring us in the face.

2. NATURE-CULTURE—A DISTINCTLY HUMAN TENSION

With “gender theory” we find ourselves at the height of what Robert Spaemann calls modernity’s “insurmountable stalemate” between nature (and body) and person (and freedom).\(^{32}\) The sex-gender distinction is of fairly recent vintage,\(^{33}\) but


\(^{33}\) It was the psychologist John Money who borrowed the term “gender” from the grammatical field to describe an inner sense as distinguished from “sex,” used to designate the outer anatomy. See his *Gendermaps: Social Constructionism, Feminism, and Sexosophical History* (New York: Continuum International Publishing Group, 1995), 19. Money was fascinated by the rare condition of hermaphroditism and pioneered the work in “sex assignment”—the complex decision of whether to raise a particular hermaphrodite as male or female—establishing the first American clinic for hermaphrodites at Johns Hopkins University where re-“assignments” were performed surgically on infants with ambiguous genitalia. Money thought that “gender” could be produced culturally, above all through upbringing. Parents were instructed, therefore, to choose the appropriate names, use the corresponding pronouns, and raise the child according to the “gender” associated with the “assigned” sex. But Money’s theory that gender really can be at variance with one’s own physiology went well beyond the rare cases of hermaphroditism. He held the view that everyone was psychologically hermaphroditic, that “sex” was only skin deep in other words. (On this point, see Miriam Grossman, *You’re Teaching My Child What?* [Washington, DC: Regnery Publishing, Inc., 2009], 159–60.) For his general theory, Money was given a perfect test case when a couple brought to him their identical twin boys, one of whom had suffered a botched circumcision. Following his advice, they castrated one of the boys and raised him as a girl (“Brenda”). Money held this case up as a glowing example of the success of his theory. See his “Matched Pairs of Hermaphrodites: Behavioral Biology of Sexual Differentiation from Chromosomes to Gender Identity,” *Engineering and Science* 33 (1970): 34–39. What came to light when “Brenda” became suicidal (at age eleven), however, was that “she” had fought “her” sex assignment from the beginning, tearing off dresses, urinating standing up, etc. When the family psychologist finally urged the parents to tell the boy about the “assignment,” he described the overwhelming relief of knowing that he was not crazy after all. “Brenda” renamed himself David (because of the “Goliath” he had fought all those years as a “girl”). Tragically, both David and his brother committed suicide in their thirties. John Colapinto provides an account of this
it is the product of a long incubation period in modernity during which the “inner perspective” (*res cogitans*—subject—mind—freedom) and the “outer surface” (*res extensa*—object—body—limit) have been progressively alienated one from the other. The result is the pendular swing between natural reductionism on the one hand, “nature” being pure exteriority with no inner self-movement, and utopianism on the other, where “nature” is altogether transcended.\(^{34}\) Assuming the first of these poles, one can only be free by swinging to the other pole, by *overcoming* the “everyman,” as Nietzsche said,\(^{35}\) or, as Sartre said, by being nothing in particular other than pure will.\(^{36}\) The one account of “nature” leads to its corresponding account of “person,” understood now as a *self-maker*.\(^{37}\) To put it in the terms used by Ratzinger, man is no longer what he is by virtue of his being (*verum est ens*) but rather by virtue of what is feasible, makeable (*verum quia faciendum*), what can be changed, molded, by *technê*, in view of an open-ended future.\(^{38}\)

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\(^{36}\) Jean-Paul Sartre held this view most radically: “[T]here is no human nature since there is no God to conceive of it. Man is not only that which he conceives himself to be, but that which he wills himself to be, and since he conceives of himself only after he exists, just as he wills himself to be after being thrown into existence, man is nothing other than what he makes of himself” (*Existentialism is a Humanism*, trans. Carol Macomber [New Haven: Yale University Press, 2007], 22).

\(^{37}\) In this spirit, Giddens writes: “[T]he more we reflexively ‘make ourselves’ as persons, the more the very category of what a ‘person’ or ‘human being’ is comes to the fore” (*Modernity and Self-Identity*, 217).

With the “gender issue,” we are dealing principally with the second of these poles but only insofar as it plays off the first pole, which conceives the human body (and every other kind of body) in biologicistic terms, as a mere substrate of “dumb stuff,” not as the expression of the kind of being it is (human, free, in relation). Indeed the very occasion for thinking that one’s “gender” could be distinct from one’s sex (from the sexually distinct and related male and female bodies) was, and still is in the popular domain, suggested by the body itself, where it presents anomalies. Rare physiological anomalies and/or the experience of “dysphoria” as a resulting chromosomal or genetic defect or from abnormal prenatal conditions (as, for example, the progesterone effect), suggested to some a distinction between “sex” and “gender,” between anatomy (or some physiological feature in the event of a confusion), on the one hand, and an inner psychological sense, either already at variance with the physiology or brought about through upbringing. Based on these phenomena and the associated “genders,” it was thought that there must be a range of possible combinations beyond the hitherto “duo-normative” sexes of male and female. Instead of two bodies perfectly aligned (inside and out) and in polar opposition to the other sex, there could be a spectrum on which to locate a whole variety of sexual identities and corresponding behaviors and combinations. Indeed this had to be the case because of the sheer fact of their appearance in nature. This is the “natural argument.” And it is a successful one, not only for the general public but also among many Catholics who are used to references to the created


40. For a description of these states, see Robert J. Stoller, Presentations of Gender, 22–23, and John Money, Man & Woman, Boy & Girl (Baltimore: Johns Hopkins University Press, 1972).

41. See footnote 34.

42. Ibid.

43. We note here the difficulty of identifying any normative sexual state where there is an abandonment of the hylomorphic idea of the organism in general, that is, where the human form cannot be a point of reference, even if the everyday practice of medicine refers to it tacitly, distinguishing as it does the healthy from the unhealthy.
order, to nature. Leaving aside the glaring fact that some of those who first began speaking about sex and gender as distinct knew themselves to be facing disorders in nature, and the fact that we regularly intervene in many other cases of naturally occurring disorders that have genetic causes, such as Down syndrome, how can anyone argue against the way someone “is”?

But the sex–gender distinction, as we now know it, needs no such “natural” justification. Indeed, the dominant idea of “gender” challenges the very biologistic reductionism that gave rise to it in the first place, and has now become the vehicle for challenging any identity prior to choice (disordered or otherwise). “Gender” now belongs to the realm of the disembodied will, which stands over its body and chooses (“assigns”) an “identity” without any need for justification, especially when such choice is in opposition to its given sex. It is as though we are all effectively hermaphrodites regardless of our anatomy or any other physiological make up. This is seldom recognized in the public arena, where the “natural argument” is used with great success. But Judith Butler, who is perhaps the most responsible for the cultural shift in thinking about gender, is adamant on this point. Indeed, for Butler, “gender” is not some inner sense to which one refers and about which one is conscious, nor is it an adjective—“masculine” or “feminine”—describing what “one is,” even when this “what” is


45. This is the language, for example, of Robert J. Stoller, who observing the sexual variations in question, speaks of biological disorders, be they genetic, hormonal, or genital, as in the case of Turner syndrome, complete androgen insensitivity, and hermaphroditism, respectively (“Primer for Gender Identity,” in Presentations of Gender [New Haven, CT: Yale University Press, 1985], 18–24).
in contrast to one’s own bodily anatomy. And it must not be, even in the case of homosexuality or any other non-“hetero-normative” stance, since this risks consecrating an idea of the sexual person that precedes free choice. It is rather a verb that constructs. “Gender,” says Butler, is a “performance.”\(^\text{46}\) It is an act of pure choice. And because this choice includes everything from the kind of relation one wants to have with one’s own body (“cis” or “trans”), to the way in which one wants to relate to other bodies (same or opposite; lovingly or violently), to the possibility of multiple transformations of both (or multiple) parties, we can begin to understand how the number of “gender identities” has now exceeded the letters in the English alphabet.\(^\text{47}\)

We should note here that this radical view of “gender” is becoming more dominant even with the growing evidence showing that sex goes far deeper than previously thought: biologically speaking,\(^\text{48}\) the brain “has sex”\(^\text{49}\) as do the kidneys.\(^\text{50}\) In the face of all this biological evidence, which is even setting medicine on a new course, Butler could well argue, “Let us subjugate the brain, too! What matters is the identity we choose to have.”

We might ask how it is that we can even think of choosing what our nature will be. Clearly this is a distinctly human phenomenon. Animals do not have “gender identity issues,” at

\(\text{46. Butler, } Gender Trouble, 171–80.}\)

\(\text{47. An example of this ever-expanding list of gender identities is Wesleyan University’s housing offer to the LGBTTQQFAGPBSDM community. The acronym stands for lesbian, gay, bisexual, transgender, transsexual, queer, questioning, flexual, asexual, genderf**k, polyamorous, bondage/discipline, dominance/submission, sadism/masochism. See http://www.nationalreview.com/article/414398/wesleyan-now-offering-lgbtqqfagpbsdsm-housing-not-typo-katherine-timpf.}\)

\(\text{48. Psychiatrist Miriam Grossman has pointed out that the father of “gender theory” (John Money) held a now antiquated view of the effects of the Y chromosome on the body—that it contributed little beyond the outer anatomy (You’re Teaching My Child What?, 163–66).}\)

\(\text{49. See, for example, Anne Moir and David Jessel, } Brain Sex: The Real Difference between Men and Women (New York: Dell Publishers, 1991).}\)

\(\text{50. We note here the growing field of “gender medicine” which looks at bodily organs and disease from the point of view of the patient’s maleness or femaleness.}\)
this level.\textsuperscript{51} Why is this? Without falling into the stalemate between nature and person, we can affirm that the human being is not the only one who has a nature but is the one to whom this nature has been entrusted as a task, so that it might be fulfilled through freedom (not merely instinct).\textsuperscript{52} One does indeed have to become what one is, and so must become a woman or a man. But one becomes what one is already even if only in nuce, not one’s own social construct ex nihilo. Moreover, the persons we are—the ones entrusted with our nature—are always already in relation to the Creator, in and through our parents. Indeed, the more we are persons (individuals), the more we are in relationships of dependence on others. The human body itself testifies to this by demanding from its earliest stages—more than any other animal body—the “outside help” of nurture and education, as de Beauvoir notes (unhappily). Thus we must say that the freedom to which human nature has been entrusted is the mutual freedom of the child and his or her mother and father, and then teachers. Far from being an alien imposition—a “social construct”—then, nurture, or education, belongs to human nature. It is what human nature demands. For this reason, showing the link between the education of girls in the past and their predisposition to marriage and motherhood, for example, is no more proof that this inclination is a social construct than showing that the absence of this inclination, as the result of the newer educational program, “the girl project,”\textsuperscript{53} is proof of something more natural. All this serves to demonstrate is how much human nature is open to nurture and to education, for better or for worse, depending on whether the form of educa-

\textsuperscript{51} We do not deny the incidence of homosexual behavior found in non-human animal species; however, much of this is rare or the result of human intervention (e.g., poaching). See Jelena Čvorović, “Nonhuman Primates Homosexual Behavior: A Critical Review of Literature,” Antropologija 2 (2006): 7–17.


\textsuperscript{53} This is the term used by Barbara Dafoe Whitehead to describe that “self-conscious and highly successful social project whose chief purpose was to prepare young women for adult lives of economic self-sufficiency, social independence, and sexual liberation” (Why There Are No Good Men Left [New York: Broadway Books, 2003], 77).
tion takes its cues, or not, from nature itself. At this intersection between nature and freedom, clearly much can go wrong: neglect and abuse, failures of various sorts to read the bodily cues, and our own disembodied willfulness.

3. THE ROOT OF THE TORTURED CONSTRUCTION OF THE SELF (OR, WHY DO WE TORTURE OURSELVES?)

Let us ask why (not just how) it is that we human beings torture our bodies so, both spiritually and physically, and specifically in the arena of sexual difference. We suggest that, however much the “gender identity” movement has tried to ally itself with the preceding race movement, associating its “minority” with racial minorities, there is not likely to be a culture-wide civil rights movement for those who wish to be “transracial,” for those who, thinking or feeling or even choosing themselves to be the race they are not, wish to resort to skin bleaching or “race-change operations.” The fight for equality by the racial minority was, we note, never a fight to be a member of the majority race, so much as to live with it, in its company. Such a desire hardly represents the objective of “equality” movements in the sexual sphere. What is it, then, about the sexual dimension that is so dramatic, such that we would make it be something it is not?

The reason can be summed up in the fact that to have a sexual body is to find ourselves already in relations we do not simply choose and, even more, in relations that define us—constitutive relations. To have a sexual body places us before three such relations. Being sexual, we are born and as such are children, sons and daughters, owing our existence to others, being, effectively an “inheritance.” Then, being sexual, we are already poised toward the opposite sex. To say “male” or “female” is already to have the other in view.

54. We are aware that there are already such phenomena in pockets here and there. But it is unlikely that this phenomenon will be the focal point of a global civil rights movement. In fact, as the controversy surrounding former NAACP representative Rachel Dolezal—who was born white but claimed to identify as black—suggests otherwise. See Isaac Cohen, “Do Liberals Accept Rachel Dolezal’s Deception,” National Review, June 15, 2015, http://www.nationalreview.com/article/419805/do-liberals-accept-rachel-dolezals-deception-isaac-cohen.
Finally, being sexual, we are potentially mothers or fathers. All of this, then, situates our freedom, and dramatically so, whether we like it or not. Ratzinger, looking at the bodily way in which we come into the world, notes what this means for the kind of freedom we actually have and how much this is at odds with the conception of freedom typical in modernity and post-modernity. Considering the relationship of child and mother, he writes:

To be oneself in this way is to be radically from and through another. Conversely, this being-with compels the being of the other—that is, the mother—to become a being-for, which contradicts her own desire to be an independent self and is thus experienced as the antithesis of her own freedom. We must now add that even once the child is born and the outer form of its being-from and -with changes, it remains just as dependent on, and at the mercy of, a being-for. . . . The child in the mother’s womb is simply a very graphic depiction of the essence of human existence in general. . . . The radical demand for freedom, which has proved itself more and more clearly to be the outcome of the historical course of the Enlightenment, especially of the line inaugurated by Rousseau, and which today largely shapes the public mentality, prefers to have neither a whence nor a whither, to be neither from nor for, but to be wholly at liberty. In other words, it regards what is actually the fundamental figure of human existence itself as an attack on freedom which assails it before any individual has a chance to live and act. The radical cry for freedom demands man’s liberation from his very essence as man, so that he may become the “new man.” In the new society, the dependencies which restrict the I and the necessity of self-giving would no longer have the right to exist.55

Ratzinger is referring here to the problem of abortion and identifying its underlying logic: “the fundamental figure of human existence itself as an attack on freedom which assails it before any individual has a chance to live and act.” But we could say the same for the current attempts to remove from sex the constitutive relations we have with our parents, the

opposite sex, and with any potential children. These relationships are an attack on freedom; and we must be disentangled from them.

Still, why do we consent so readily (and obediently!) to an ideology so much at odds with who and what we are? There is no need for studies to show how dramatic the three constitutive relations are or can be to account for why we go to such lengths to place them under our control. Sartre was not entirely wrong when he said, famously, that the “other is hell.” The other does objectify us. And is it not the body in particular that proves especially fatal for freedom, by making us visible to the other’s objectifying gaze?56 This story is as old as original sin whose first effects, Genesis tells us, were played out precisely in the space between man and woman and father–mother and child. So, in many ways, the French existentialist was putting his finger on something fundamental, and in that sense quite old.

But there is also something new. It is the claim that the relations we find ourselves in already—on account of our being bodily—are by definition “not good,” or at the very least suspect. This is accompanied by the claim that there is a “more natural” state (the “state of nature”) according to which we are really at bottom nonspeaking, apolitical, not-born,57 and androgynous.58


57. Locke thought that Adam was the ideal man because of the fact of not being born. Never having been in the “defective” and “imperfect state,” Adam, said Locke, was “capable from the first instant of being able to provide for his own support and preservation and govern his action” (The Second Treatise on Government, VI, § 56). Commenting on the Lockean childrearing advice given to parents at the dawn of the American Republic, James E. Block notes that parents were to look to “the idyll of an earlier Eden, a land where children form themselves out of their own ribs, becoming individuals self-conceived in the primordial land of the self-made” (The Crucible of Consent: American Child Rearing and the Forging of Liberal Society [Cambridge: Harvard University Press, 2012], ix).

individuals for whom “it is good to be alone.” In sum, what is new here is the turning of what really is a construct—the abstract “individual”—into a new natural, so as to turn what is really natural—constitutive relations—into a “construct,” beginning with the reconfiguration of these relations on consensual terms. What is new then in all the current (torturous) forms of distance we take from our sexual bodies is that these forms are meant to protect the liberal self against inherent dangers of the relations that define us—not merely their aberrations. They are meant to protect us from the reality that we are “from” and “for” others. And contrary to what one might think, none of this individualism is remedied by the newer, more relational view of things. Indeed, it will be the former familial relationships, now fully transformed on democratic (consensual) terms into ever renegotiable “pure relations,”


60. In his Second Treatise, Locke, of course, recognizes a paternal authority over children to which they did not consent (“Paternal Power,” VI). However, in light of the general aim of that treatise, that of arguing for the essential equality of human beings bound to each other by consent alone, he relativizes that authority as much as possible, rendering it merely practical and temporary and ordered to and shaped by (as much as possible) the more essential (consensual) bonds. Jay Fleigleman discusses the effect of this new resituation and reconfiguration of familial bonds on early American thinking about childrearing, where the overarching concern was about parental “tyranny” thwarting the goal of raising independent and self-sufficient individuals (Prodigals and Pilgrims: The American Revolution Against Patriarchal Authority, 1750–1800 [Cambridge: Cambridge University Press, 1982], 9–35). He notes, too, the enthusiasm of early Americans about marriage for the express reason that, in contrast to the paternal-filial bond, it was a voluntary (contractual) union (ibid., 123–53).

61. Giddens, promoting the “pure relationship,” defines it thus: “A pure relationship has nothing to do with sexual purity, and is a limiting concept rather than only a descriptive one. It refers to a situation where a social relation is entered into for its own sake for what can be derived by each person from a sustained association with another; and which is continued only in so far as it is thought by both parties to deliver enough satisfactions for each individual to stay within it” (The Transformation of Intimacy: Sexuality, Love, and Eroticism in Modern Societies [Stanford: Stanford University Press, 1992], 58). Wendell Berry notes how the normal marriage today takes the form of the
which are now on the vanguard of the (still individualistic) liberal project.\textsuperscript{62}

It should be clear then why the newly available “plastic sexuality” is so invaluable to the modern project\textsuperscript{63}: it offers a new layer of “protection.” With it we can protect ourselves against the claims of the opposite sex on us, beginning with the entangling complications of children, by disassociating sex from them, and then, thanks to that disassociation, “compulsory heterosexuality” itself. Finally, so as to complete the circle, we can protect ourselves from the claims of those in whose carnal embrace we had come to be. The new unions incapable in principle of generating children will enact a new form of kinship by reintroducing children to sex through the “deliberate construction”\textsuperscript{64} of assisted reproductive technology.\textsuperscript{65} The ultimate constitutive bond will be broken by separating the child from his or her mother or father, if not both. The child’s “war with all that gives him birth”\textsuperscript{66} will now be “won” (however counterintuitive this may be).

\textsuperscript{62} This is the thesis of Giddens’s \textit{Transformation of Intimacy}, especially “Intimacy as Democracy” (184–204).

\textsuperscript{63} The term is Giddens’s: “Plastic sexuality is decentred sexuality, freed from the needs of reproduction. It has its origins in the tendency, initiated somewhere in the late eighteenth century, strictly to limit family size; but it becomes further developed later as the result of the spread of modern contraception and new reproductive technologies. Plastic sexuality can be moulded as a trait of personality and thus is intrinsically bound up with the self” (\textit{The Transformation of Intimacy}, 2).

\textsuperscript{64} Giddens, \textit{Modernity and Self-Identity}, 220.

\textsuperscript{65} Though wary of allying new gender “performances” with marriage and family, Judith Butler is enthusiastic about assisted reproductive technologies (ARTs) because of their challenge to heterosexual reproduction and with it the whole structure of kinship (and culture) established on the basis of carnal bonds. See her \textit{Undoing Gender} (New York: Routledge, 2004), 11, 26, 102–30, esp. 127.

\textsuperscript{66} This is Manent’s paraphrase of Hobbes (\textit{Intellectual History of Liberalism}, 40).
CONCLUSION

What are we to think and do in the face of such a massive cultural shift? In the first place, the Church should understand properly what exactly is taking place in the world (and in ourselves to the extent that we are part of it). There is, as always, a culture-wide experience of brokenness: broken marriages, broken families, and broken bodies. And this brokenness must be met. But in order to meet it we must first be able to know it as broken. Then too we must know that there is a new level to the brokenness. There is, as we said, a new substitute anthropology which promotes this brokenness, even produces it. Any accompaniment of and pastoral care for the broken world we live in therefore would require an intelligent love. Benedict’s summary of what is ultimately at stake in the new ideology of “gender” is a great example of this:

[T]he attack we are currently experiencing on the true structure of the family, made up of father, mother, and child, goes much deeper. While up to now we regarded a false understanding of the nature of human freedom as one cause of the crisis of the family, it is now becoming clear that the very notion of being—of what being human really means—is being called into question. . . . Man and woman in their created state as complementary versions of what it means to be human are disputed. But if there is no preordained duality of man and woman in creation, then neither is the family any longer a reality established by creation. Likewise, the child has lost the place he had occupied hitherto and the dignity pertaining to him. . . . [N]ow, perforce, from being a subject of rights, the child has become an object to which people have a right and which they have a right to obtain. When the freedom to be creative becomes the freedom to create oneself, then necessarily the Maker himself is denied and ultimately man too is stripped of his dignity as a creature of God, as the image of God at the core of his being. The defense of the family is about man himself. And it becomes clear that when God is denied, human dignity also disappears. Whoever defends God is defending man.  

In the second place, the Church should drink deeply from her own sources, so as to renew her confidence in the goodness of the truth she has received. The lack of confidence in this goodness is sadly evident in observations made sometimes by leaders in the Church who, surveying the dominant patterns of living, suggest accommodations. In light of this, it would be better to recover the connection between what the Church, following Christ, asks of us and what she knows about us, about our deepest desires and yearnings, especially for freedom, since much of what is being practiced and proposed now is done in the name of freedom. In sum, the Church should have a renewed confidence that in holding what she holds, and practicing what she practices, she is “defending man,” as Benedict says.

Along with a deeper reading of the “signs of the times” and a deeper confidence in what the Church has to offer the world, there are two domains to which those in the Church ought to give their attention and energy. First, we must learn to expect that the “majority opinion” will inevitably produce dissatisfaction. As the Canadian philosopher George Grant put it: “Any intimations of authentic deprival are precious, because they are the ways through which intimations of good, unthinkable in the public terms, may yet appear to us.”

The second area to which we ought to give our energy is to the witness of the good, the good that the human heart is already expecting—now with the added “experience of deprival.” A witness is the beautiful, attractive *embodiment* of the goodness of the truth, the truth of

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68. George Grant, “A Platitude,” in *Technology and Empire* (Toronto: House of Anansi, 1969), 141. Grant is particularly aware of the role of “deprival” in reawakening an awareness of the good, especially in a public context where it has been stifled by an idea of freedom as the will to will: “The affirmation stands: how can we think deprivation unless the good which we lack is somehow remembered? To reverse the platitude, we are never more sure that air is good for animals than when we are gasping for breath. Some men who have thought deeply seem to deny this affirmation: but I have never found any who, in my understanding of them, have been able, through the length and breadth of their thought, to make the language of good secondary to freedom . . . if we make the affirmation that the language of good is inescapable under most circumstances, do we not have to think its content? The language of good is not then a dead language, but one that must, even in its present disintegration, be re-collected, even as we publicly let our freedom become ever more increasingly the pure will to will” (ibid., 141–42).
ourselves, now reproposed and fulfilled by Christ in a form that is filial, spousal, fruitful, and open to God. It is only this approach that can take seriously both the demands of the truth and the drama of human freedom in relation to it, the drama we are living now in a particularly torturous way.

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