

regulations are intended, however, not only to protect our borders, but to safeguard the rights of every refugee seeking asylum at our shores—another moral principle receiving highest priority throughout our nation's history.

If the Fund is saying that to abdicate regulations guaranteeing due process will result in abdicating control over immigration, we would agree. It appears, however, that they are confusing "regulations" with "restrictions" and therefore are advocating that the U.S. has a moral responsibility to restrict the immigration flow in order to protect U.S. citizens from the supposed dangers of an alien population.

This proposition suffers from two serious flaws. The Haitians, whose number are comparatively small, are refugees seeking political asylum. The U.S., bound by its own laws as well as by international obligations imposed by ratification of the U.N. Protocol Relating to the Status of Refugees, has a moral and legal responsibility toward these refugees that is profound, concrete, and not subject to imagined threats.

The second flaw in the Fund's proposition that the U.S. has a higher duty to protect against the influx of aliens is that the statement is based on a factually incorrect premise. Innumerable studies, such as those done by the Labor Department and the Department of Health, Education, and Welfare, have demonstrated that the current immigration flow, both documented and undocumented, provides many more benefits than liabilities to the U.S. economic and social infrastructure.

In conclusion, we find the position of the Fund on this issue to be morally, factually, and legally untenable. It is more irresponsible than naive to put our heads in the sand and close our borders to the suffering of others. Such action indicates a regression to narrow nationalism at a time when it is becoming increasingly obvious that our welfare is dependent on the welfare of the rest of the world and when, as in this particular instance, national and international standards demand nothing less than strict adherence to the law.

Amy Young-Anawaty
Executive Director, International
Human Rights Law Group
The Procedural Aspects
of International Law Institute
Washington, D.C.

"Creation Teaching"

To the Editors: Father John Hawley begins his discussion of my book *Love and Sex: A Modern Jewish Perspective* (*Worldview*, November, 1978) with an edifying selection from Bruce Jay Friedman's novel *Stern*, in which the Jewish hero urinates in the snow and is frightened by the imaginary danger of emasculation. Thus the reviewer has laid the groundwork for a new, up-to-date model of the mysterious Wandering Jew, who is completely different from his fellow men and hence a potential menace to them. This figure Father Hawley has conjured up from "contemporary Jewish novelists," who are thus a breed apart from their Christian colleagues. He then proceeds to psychoanalyze my own "ambivalence, verbalized in a mixture of guilt and hauteur," which is expressed in "an aggressive...disparaging of divergent experiences and ideologies."

Obviously, Father Hawley is distressed by my admittedly brief summary of the traditional Christian sex code, with which Catholic and Protestant theologians and laity are valiantly struggling today in order to have it answer to contemporary needs and problems. Equally obviously, he has no desire to establish either the motivation or the thrust of my work.

Instead, he stigmatizes various statements in my book as "irresponsible," "bald," "outrageous," and motivated by hostility to Catholicism. This is nonsense. I have always had a high respect for the achievements of Christianity and sympathy for its problems, as is clear from this book and all my work.

That Father Hawley's approach to the book may tell us as much about the reviewer as about the subject is clear by contrasting his reaction with that of Dr. Seward Hiltner, professor of Theology and Personality at Princeton Theological Seminary. In a review written for *Christianity Today*, Dr. Hiltner describes the argument in my book as "posed in a relaxed and good-humored way," and concludes by saying: "As kindly as it can be done, he has challenged Christian theologians to arrest, at least temporarily, our fancy footwork about human sexuality in our past and to take another look at the creation teaching we have borrowed from the Jews."

Here is the nub of the basic difference I have with Father Hawley. As a

student of a religious tradition two millennia older than that of Catholicism, I am well aware of the variations in viewpoint, the distinctions and limitations, and the refinements of casuistry that find expression during the long history of tradition. This is true of Judaism, as it is of Christianity, and the fact is explicitly noted in my book with regard to both. However, as any unprejudiced reader of the book will note, I was not concerned to present a detailed survey of Christian sexual ethics with all its elaborations in the discussions of theologians and the distinctions of canonists. Since my aim was to delineate the background of the new morality, my concern was to present the perception of the classic Christian teaching on sex as seen by the men and women of the Western world during the past nineteen centuries. It is this perception that has determined the outlook of love and sex in Western society for many centuries and that continues to influence and color the behavior patterns of men and women in the present. To cite one instance, Ernst Renan, in his memoirs, reports that his teachers in the seminary compared woman to a loaded revolver, which must be avoided as dangerous. Perhaps some of his preceptors could have cited texts and footnotes to rebut this notion, but the perception was real.

Today, some Christian thinkers are seeking to revise—or reinterpret—significant elements in this complex of attitudes and practices that affect many within the church and many outside of it. Father Hawley refers to the *Proposals on Human Sexuality* commissioned by the Catholic Theological Society of America. This statement seeks to bring traditional Church teaching into harmony with newer insights into the nature of man/woman and man's/woman's relationship to God. But the uninstructed reader would not learn from Father Hawley's reference that these *Proposals* are far from being official Catholic doctrine. All honor to these intrepid thinkers! Their cause, however, is not advanced by Father Hawley's tactics, to which we may apply Professor Hiltner's apt description, "fancy footwork about human sexuality in our past."

This is not all. In all candor, I must insist that the popular perception of the classical Christian doctrine is not an imaginary construct taken out of the thin air, but is rooted in the sources. Father Hawley rails against my state-

ment that divorce is generally prohibited, which is based on Matthew 5:32; Mark 10:11, 12; Luke 16:18. He declares: "According to Catholic doctrine, divorce is neither sinful nor does it result in excommunication." Thousands of divorced American Catholics today, many of whom are organized to win the right to participate in the rites of the Church, have evidently been under a misconception.

Father Hawley denies the truth of my statement, "Sexual relations are permissible only when they lead to the begetting of children." What then is the basis of the Church's objection to birth control that has been reaffirmed time and again to the present?

He cannot contain his wrath at my statement, "In classical Christianity, the attitude toward sex is decidedly negative;..." But was it not Saint Paul who said: "It is well for a man not to touch a woman. But because of the temptation to immorality, each man should have his own wife and each woman her own husband. I wish that all were as I myself am. To the unmarried and the widows I say that it is well for them to remain single as I do, but if they cannot exercise self-control, they should marry" (I Corinthians, chap. 7).

Or, to cite one statement from Saint Augustine: "The act of generation...is sin itself and determines the transmission *ipso facto* of the sin of the new creature." The objections of Pelagius to Augustine's views were ruled out by the Church as heretical.

Father Hawley conveniently does not cite the clear statement in my book of ameliorating tendencies in the Church:

"Medieval scholars, such as Thomas Aquinas, John Duns Scotus, and Pierre Abelard, tempered the rigor of Augustine's views in varying degree. The Council of Trent (1545-63) declared the view of Aquinas authoritative, according to which Adam's Fall deprived man only of his original righteousness or his superadded grace.

"The Reformers, however, notably Martin Luther and John Calvin, reasserted several elements of Augustine's position which Catholic scholasticism has modified. They stressed the innate depravity of human nature and declared that sexual desire *per se* partook of the nature of sin. Thus, both Protestant theology, which maintained the extreme form of the doctrine, and the Roman Catholic Church, which had modified

its position, agreed in regarding man's nature as inherently corrupted by Adam's sin. To be sure, some modern Christian thinkers have sought to reinterpret these doctrines or to limit their applicability."

Let me be fair—he does refer to this passage, describing it as consisting of one sentence.

Father Hawley ignores the relevance of Protestant teaching to our subject, but Protestantism is also Christianity. Luther's view is embodied in the *Confession of Augsburg*, written in 1520 by Philipp Melancthon as a presentation of Luther's case before the Diet of Charles V. Article II on "Original Sin" reads as follows:

"They teach that after the fall of Adam all men, born according to nature, are born with sin, that is, without the fear of God, without confidence towards God and with concupiscence...that whatever is in man, from intellect to will, from the soul to the flesh, is all defiled and crammed with concupiscence; or, to sum it up briefly, that the whole man is in himself nothing but concupiscence...."

Father Hawley may deplore the record, but he cannot expunge it and should not be allowed to distort it.

I am well aware of the current practice of describing as "simplistic" any position, the essential validity of which cannot be challenged successfully. I submit that I have given a fair description of the major thrust of Christian teaching and its impact on Western man....

It is undeniable that for understanding current attitudes the general perception is more important than the precise formulations of individual scholars, but I submit that I have been basically fair to both.

Father Hawley's review ends on the same lofty note on which it began: "A truly balanced 'Modern Jewish Perspective' on love and sex might demand a ménage à trois: Gordis's book, *Portnoy's Complaint*, and *Annie Hall*." Would he be outraged if, following his example, one were to suggest that a "balanced modern Christian perspective on love and sex might demand a ménage à trois consisting of the Epistles of Paul, Boccaccio's *Decameron*, and *Fanny Hill*?"...

Editor, Judaism
New York, N.Y.

John Hawley, S.J., Responds:

Rabbi Gordis was apparently nettled by my review, as I was nettled by his book. The topics his book discussed went beyond his 256 pages of text, and my review worried as much about what was not said as about the text itself.

It was unfortunately imperative that various misrepresentations be addressed, even if this focused attention on an aspect of the book which could have been (but was not) minor. As Gordis notes, rabbinic sources, too, refer to sex as "the evil impulse." Throughout its historical development Judaism was more consistent in its emphasis on the positive value of sexual pleasure, but both traditions have had to reevaluate their norms and proscriptions. The truth of Gordis's contention that the historical development of Christianity carried with it a suspicious attitude toward sexual pleasure is an old horse by now; if the author hoped to make a contribution in this field, the least that could have been reasonably expected was a more adequate presentation of the influence of apocalyptic thinking on Paul, and anti-Gnostic emphases in early Christian theology. Such a reasoned presentation of the motivating factors in the two traditions has been succinctly detailed by Margaret A. Farley in her excellent entry on sexual ethics in the recently published *Encyclopedia of Bioethics*. Without such a focus, the truth of many of Gordis's statements (those mentioned in my review, and others) becomes distorted through overstatement and lack of nuance.

Rabbi Gordis insists that his intention was not to present a scholarly thesis but rather a discussion of "perceptions." It is unfortunate, therefore, that he apparently finds my review's proposed ménage insulting: the work of Philip Roth and Woody Allen is at least as reflective of contemporary American Jewish sexual mores as Gordis's book. Likewise, the Catholic Theological Society's *Proposals on Human Sexuality* is at least as reflective of contemporary American Catholic sexual mores as *Humanae Vitae*. I would suggest that love and sex, more than most issues, demonstrate the inadequacy of an ecclesiology too narrowly focused on institutions. I agree with Dr. Hiltner's estimation of the book as "relaxed and good-humored," but I would emphasize the first adjective.

Robert Gordis