A thesis

entitled

Friendship, Marriage, and the Good Life: Stoic Virtue in a Contemporary Context

by

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Submitted to the Graduate Faculty as partial fulfillment of the requirements for the

Master of Arts Degree in Philosophy.

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May 2011

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Utilizing the framework of Stoic virtue ethics, I endeavor to examine how Stoicism is valuable for thinking about the common relationships of friendship and marriage. Friendships are helpfully understood as social relationships where two people are committed to fostering virtue and happiness between each other. Marriage is taken to be the deepest possible friendship into which two people can enter, and by understanding marriage this way, marriage can be understood as a union between either a man and woman, a man and man, or a woman and woman. The issue of homosexual marriage will be examined from a Stoic perspective in an attempt to avoid the criticisms of the traditionalist perspective which holds that marriage is only possible between man and woman.

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Preface

Whether homosexuals can marry is a debate that finds polarizing responses on both sides, one side being the traditionalist perspective which holds that marriage is only possible between a man and a woman. The other side of the debate is that which claims that two men or two women can legitimately enter into marital relationship. This thesis takes the second perspective, and argues that marriage is the deepest friendship into which one can enter, and that while the physical aspect of sexual intercourse is going to be a part of any marriage, it is secondary to the friendship that is established. The goal of the friendships of marriage is to foster virtue and happiness in oneself and to aid one's spouse in achieving the same.

I argue for the acceptability of homosexual relationships coming from Stoic background, and this can be seen in Chapter One which takes on the task of setting forth a general account of Stoic ethics. In this chapter, one will discover the helpful resources of Stoic ethics that includes focusing on the state of one's character and how one reacts to the circumstances in which one finds oneself. This is to say that for the Stoics, ethics is more concerned with achieving virtue, or the proper disposition to action, than the actual actions one performs. One may be prevented from performing certain actions because one's external circumstances prevents one from doing so, but one is still able to be virtuous because virtue is something that is developed in the soul, or the mind, rather than in the particular actions which one performs.

Chapter Two addresses frames the concept of friendship within the Stoic tradition, and attempts to frame friendship as a relationship into which one enters as a means to foster virtue. This goal of Chapter Two is to set up the transition between the general framework of Stoic ethics and the defense of homosexual marriage against the attacks coming from the traditionalists. Particularly important for this chapter will be Seneca and Cicero's conceptions of friendship which arise from their Stoic backgrounds. Chapter Two's presentation of friendship will set up the argument that marriage is entering into the deepest possible friendship. Marriage does not require a man and a woman to engage in certain types of "proper" or "natural" sexual behavior; rather marriage requires two people, whether man and woman, man and man, or woman and woman to come together with the conviction to give themselves entirely to each other, not only for their own good but for the good of their spouse. Marriage is thus understood as the relationship that fosters the deepest virtue and happiness in oneself and in one's spouse, and this is possible between both heterosexuals and homosexuals.

Chapter Three argues for this conception of marriage as the deepest possible friendship. It does so by considering the objections of traditionalist natural law ethicists such as Robert P. George, John Finnis, and Germaine Grisez. The goal is to faithfully present their case for heterosexual only marriages, in order to demonstrate the flaws in their thinking, and how this alternative Stoic perspective offers a better framework in which to think about marriage.

This thesis results from the conviction that every person has the responsibility to become the best person that she can possibly become. Virtue and happiness know no

sexual orientation, and since humans are social creatures, virtue and happiness are often developed between individuals. This being said, it is time to present an alternative framework for thinking about marriage that responds to the common arguments against homosexual marriages. By looking at the Stoic tradition, we are firmly within the tradition of Western Philosophy, as it is one of the movements of the Hellenistic period and captured the thought of such influential thinkers as Epictetus, Musonius Rufus, Seneca, and Cicero, to name just a very few.[1] Stoicism's place in history does not suggest that it is without meaning today, however. The value of Stoicism is precisely that its ethical perspective offers relevant insights into contemporary ethical issues. In this thesis, it will be demonstrated that Stoicism offers a valuable framework in which to think about marriage, and particularly it offers a means by which homosexual marriage can be defended from the attacks of the traditionalists.

[1] Baltzly, Dirk, "Stoicism", *The Stanford Encyclopedia of Philosophy (Winter 2010 Edition)*, Edward N. Zalta (ed.), URL = <http://plato.stanford.edu/archives/win2010/entries/stoicism/>.

Chapter 1

The General Framework of Stoic Ethics

In general, Stoic ethics focuses less on external circumstances that one is unable to control and more on the interior dispositions of the individual which one can control and use for either good or bad. The wisdom of Stoic ethics recognizes that there are many things outside of one's control, and these things are not relevant when it comes to evaluating one's moral status. Consider Diogenes of Laertius' summary of Stoic ethics:

> They [the Stoics] say that some existing things are good, others are bad, and others are neither of these. (2) The virtues ---- prudence, justice, courage, moderation and the rest ---- are good. (3) the opposites of these ---- foolishness, injustice and the rest ---- are bad. (4) Everything which does neither benefit nor harms is neither of these; for instance, life, health, pleasure, beauty, strength, wealth, reputation, noble birth, and their opposites, death, disease, pain, ugliness, weakness, poverty, low repute, ignoble birth and the like. . .Furthermore they say: that which can be used well and badly is not something good. But wealth and health can be used well and badly. Therefore wealth and health are not something good.[2]

According to the Stoic understanding, moral value is not determined by the body but by the state of one's soul.[3] Virtue is considered the only thing of moral value and vice is the only thing of disvalue. Since circumstances outside of the soul can be used for good or

[2] Long, A A, and D N. Sedley. *The Hellenistic Philosophers*. (Cambridge: Cambridge University Press, 1987. Print): 354.
[3] Stephens, William O. *Stoic Ethics: Epictetus and Happiness As Freedom*. (London: Continuum, 2007. Print) 8.

bad, the Stoic doctrine is that moral value resides only in the character of one's soul. Even circumstances as close to the individual as the condition of one's body are considered irrelevant for whether one is living a morally good life. Good health, for instance, has no moral value because one can just as easily perform vicious actions with good health as one can perform virtuous actions. One's good health could lead one to be a healthy tyrant or a healthy humanitarian, so good health indicates nothing of moral value. Similarly, poor health is not a detriment to moral value because even when one is bedridden, for instance, one can still live consistent with virtue while not being capable of getting out of bed.

The consequence of the Stoic emphasis on the state of the individual's character is that ethics cannot be understood as simply determining right action. Adhering to a list of promoted actions and avoiding a list of prohibited actions is not going to be enough to insure that one is morally good. Charity, for instance, should not be thought as simply giving time or resources to the poor; rather charity is a disposition to perform actions consistent with the virtue of charity insofar as one's circumstances will allow. One is not charitable simply by performing charitable actions for any reason whatsoever. A wealthy person, for instance, who gives large sums of money to restore his reputation is not virtuous, but is simply performing certain actions as a means to try to achieve something that he desires, a good reputation, which is ultimately something that is outside of his control. The Stoic Epictetus, in the *Encheiridion*, summarizes how one should understand what is within one's control:

> Of things some are in our power, and others are not. In our power are opinion, movement toward a thing, desire, aversion (turning from a thing); and in a word,

> whatever are our own acts: not in our power are the body, property, reputation, offices (magisterial power), and in a word, whatever are not our own acts.[4]

Epictetus rightly recognizes that the only one's own tendencies toward certain actions are within her control. She might desire to be charitable, for instance, but may be physically restrained through something like illness or imprisonment. The location of her body or the influence that other people have on it is not as important as her disposition to be charitable within the given circumstances in which she finds herself.

Seneca offers further insight into this Stoic notion that it is the disposition of one's character and not the external circumstances that affects one's virtue. In *Letter 92*, Seneca distinguishes between good choices and the things that are actually chosen, and in doing this he is able to show why one would prefer comfort to pain while refusing to accept that being in comfort is morally relevant. Even though things like "health, rest and freedom from pain" are not morally relevant characteristics in any context, Seneca claims that one chooses them "because they are according to nature and because they will be acquired through the exercise of good judgment on my part."[5] As an example Seneca offers the following passage:

> Hence the choice of neat attire, and not neat attire in itself, is a good; since the good is not the thing selected, but the quality of the selection. Our actions are honourable, but not the actual things we do. And you may assume that what I have said about dress applies also to the body. For nature has surrounded our soul with the body as with a sort of garment; the body is its cloak. But who has ever reckoned the value of clothes by the wardrobe which contained them? The scabbard does not make the sword good or bad. Therefore, with regard to the body I shall return the same answer to you,----that, if I have the choice, I shall

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[4] Epictetus. *Encheiridion: The Manuel for Living*. Trans. George Long. (New York: Barnes & Nobel Books, 2005): 1.

[5] Seneca, Lucius A, and Richard M. Gummere. *Ad Lucilium Epistulae Morales*. Vol 2. (Cambridge: Harvard University Press, 1961. Print): 453. (Cited hereafter as "Seneca, *Epistulae Morales* 2).

> choose health and strength, but the good involved will be my judgment regarding these things, and not the things themselves.[6]

It will be valuable to keep this passage in mind through the discussion of Stoic ethics because one criticism of the Stoic perspective might be that it is detached from ordinary experience insofar as the Stoics believed that even the worst pain is not to be counted as a contributing factor to the good life. One might criticize the Stoics as being complacent with suffering and to simply blindly accept whatever is placed before them. The passage from Seneca does not allow one to make this criticism, however, because he recognizes that the good life is determined by choosing the right action, even if one is prevented from successfully achieving that action by circumstances outside one's control. Seneca recognizes that humans find themselves in a world where they need certain things to survive such as food, health, strength, shelter, etc. These items are not always forthcoming, however, and though it is natural for humans to seek them, what is morally good is that one rightly seeks these things that he needs to survive. It does not make any moral difference, however, whether one actually achieves the good that one is seeking, because circumstances outside one's control often prevents success in action.

Further it can be said that the Stoic indifference to externals such as pleasure and pain is not to be taken as absolute indifference to pleasure and pain. Pain is something that reasonable people avoid, and the pleasures of good health can be enjoyed. The point is not that one must entirely forget about the externals, rather one must put these externals in the correct perspective. A.A. Long points out that the Stoics desired to avoid ambiguity, and their evaluation of pain and moral value was a part of this project. Physical pain and moral badness are two different things, and to call pain an "evil"

[6] Seneca, *Epistulae Morales* 2: 455.

obscures this difference. Long points out that "We do not praise men for being healthy or blame the sick where the healthy are naturally sound in body and the sick have contracted an unavoidable disease. To call pain an evil in normal situations is not to make a moral judgment."[7] Calling pain an "evil" does not do anything to actually alleviate the pain and since it obscures the difference between pain and the person inflicting the pain, there is no reason to put moral language onto a non-moral concept because pain and moral goodness are "categorically different."[8] Giving moral labels to the people who intentionally cause pain is acceptable, but to confuse the intentions of the people who cause pain with the pain itself by calling pain "evil" is a category mistake.

The distinction between the person causing the pain and the experience of pain itself is thus helpful and important because it allows us to think about moral situations with greater clarity. There is no doubt that pain is not indifferent to the extent that any reasonable person will avoid pain when given the opportunity, but the experience of pain is indifferent insofar as it makes no difference to one's moral standing. Someone who is suffering from terrible pain is able to be just as virtuous as the person who has never experienced terrible pain, and similarly a vicious person does not become less vicious just because his actions failed to cause pain. When someone tries to set off a bomb in a public place but is prevented from doing so by other people or through some defect in his device, he is no less vicious than the person who succeeds at setting off the bomb. Even though the person who fails does not actually cause suffering, this does not make any difference in terms of his moral evaluation because, although unsuccessful, his intention

[7] Long, A.A. "The Stoic Concept of Evil." *The Philosophical Quarterly*. 18.73(1968): 329.
[8] Long, "The Stoic Concept of Evil": 330.

was to create.[9] Since the success of causing the suffering does not increase the moral viciousness of the person who intends to cause suffering, it follows that it does not make sense to evaluate suffering in moral terms.

Refusing to ascribe moral value to pleasure and pain is not to say that suffering should not be avoided, however, because there is no reason to think that seeking or avoiding certain things is always a moral issue. One might seek to avoid poor tasting food, for instance, but this is hardly a moral situation. Similarly, one will reasonably seek to avoid pain and will seek basic comforts, but these need not be evaluated in moral terms. Moral evaluation can only take place at the realm of one's soul or character, and this is done because as Long points out, "if we desire to be happy all the time (and most of us do), a source of happiness in spite of pain is needed."[10] In other words happiness is not necessary an experience of bliss where one is unencumbered by pain and is surrounded by pleasure; rather happiness is the state of virtue that is cultivated through reforming one's desires and intentions.

A very basic framework of Stoic ethics has thus far been established, and from here I am going to discuss and defend the Stoic notion that virtue is achieved in humans through the use of the reason that nature provides. Recall how Seneca claimed that humans seek health and other positive qualities because these things are "in accordance with nature," and by seeking after these things one is using good judgment. Seneca is establishing the basic principle of how humans are to act properly in their everyday lives, and this proper action is the result of humans knowing what is in accordance with nature.

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[9] Certainly there will be a difference in how the successful bomber and the unsuccessful bomber are treated from a legal standpoint, but that is a different realm of evaluation than the moral.

[10] Long, "The Stoic Concept of Evil": 330.

The Stoics began a tradition that developed into a popular form of ethics, namely the natural law tradition of ethics. The goal now is to show the relationship between virtue, the natural, and reason in order to create a sensible version of natural law ethics based on the Stoic theory.

The Stoic notion of virtue requires what they called *orthos logos*, or right reason. Long points out that "*Orthos logos* is defined as 'moral goodness,' 'universal law,' 'natural law prescribing what should be and should not be done,' 'that in accordance with which the wise man always acts,' and other variants of these."[11] It is important that *orthos logos* is understood as right reason, universal law, and natural law because these various aspects of the definition will allow us to understand natural law as a type of law that humans are able to create through their use of reason rather than as law that is written absolutely into human nature. It is a mistake to think of natural law as one would think of the laws of a commonwealth, for instance. The citizens of a commonwealth are bound by the laws that the governing body creates, and once the laws are written the individual does not have the ability to go against the predetermined laws without being subsequently punished. The laws of a commonwealth only require that one obeys the laws, and if one is caught not obeying the law then one will suffer the consequences through various means of punishment. Speed limit laws are a good example because one can either operate at the speed required by law or be prepared to pay the penalty, and the individual citizen has no right to claim he is exempt from the law because there were extenuating circumstances. One accepts such laws on the authority of the governing bodies that create them.

[11] Long, "The Stoic Concept of Evil": 334.

The Stoic understanding of reason begins with their understanding of the relationship between humans, the universe, and God. Maryanne Cline Horowitz points out that in Cleanthes' "Hymn to Zeus:

> God's reason flows through the universe, giving order and direction to all things. Man, distinct in this from all other things, has a reason of his own, through which the divine *logos* flows: man may spurn this divine gift and lead a wicked life, or he may be guided by reason to God's universal law and accordingly lead a life of righteousness.[12]

Humans are thus understood by the Stoics to have the gift of participating in divine reason, and according to Seneca this ability to reason is a common attribute between the gods and humanity. He goes on to say that reason "in the gods is already perfected, in us it is capable of being perfected."[13] Since human reason is overwhelmingly imperfect, humans never have a perfect understanding of the moral good, natural law, or virtue. Since all these things are a product of reason, and since human reason is imperfect, it makes sense to claim that no human would ever have a perfect understanding of the moral order. So in addition to no two humans having the same needs in terms of achieving virtue, it is unlikely that anyone actually achieves the state of moral perfection. Since people change and the context within which humans live constantly changes, it only makes sense that we must continually use our reason to rethink anew how people should act, in general. Actions that were once permissible may no longer be so, and actions that were once considered taboo may become perfectly acceptable. Later this will be worked out in terms of homosexual marriage, because we will see how the traditionalist argument holds that marriage has always been between man and woman, so it should always remain that way. My argument will be that there is nothing preventing

[12] Horowitz, Maryanne Cline. "The Stoic Synthesis of Natural Law in Man: Four Themes." *Journal of the History of Ideas*. 35.1(1974): 4.
[13] Seneca, *Epistulae Morales* 2*:* 465. See also Horowitz: 13.

our understanding of marriage from changing because any good inquiry into ethics will be open to positive changes as our understanding of the human situation develops.

It is worth discussing, at this point, an objection that might be made about the Stoic's conception of God's relationship to the universe and humanity. It is easy to imagine an objection to the Stoic claim that the universe makes manifest God's rational order in which humans participate because as Lawrence Becker points out contemporary science no longer supports a teleological view of the universe.[14] This is to say that there is little objective basis for the idea that the universe has any ultimate purpose or that humans have any significant role in the universe. "When we face the universe," Becker observes, "we confront its indifference to us and our insignificance to it. It takes no apparent notice of us, has no role other than Extra for us to play, no aim for us to follow."[15] When contemporary humans take an honest look at their place in the universe, the picture is much bleaker than what the Stoics could have imagined for there is little reason to think that we participate in some cosmic *teleos* or share in divine reason. Some could take this to be an indication that Stoic ethics are of little value because they are predicated on an outdated cosmology that gives humans a much more significant role in the universe than we actually have.

There is, however, at least one important aspect of humanity that has not changed in the two and a half millennia since the ancient philosophers and the Stoics began to make sense of humanity's place in the universe. This aspect is, of course, the ability of the human mind to think about the past, present, and future. In terms of ethics, humans must still come to terms with what is proper human action and what is best for the

[14] Becker, Lawrence C. *A New Stoicism*. (Princeton, N.J: Princeton University Press, 1998. Print): 8.
[15] Becker: 11.

individual and for the society in which people find themselves. Even if the contemporary understanding of the universe is radically different than it was in the time of the Stoics, we do still find ourselves needing to rationally determine the best way to live our lives individually and socially. Humans are not merely compelled to act by the forces of nature, but we can to some extent manipulate the circumstances in which we find ourselves to fit our own desires. Even when we are unable to change our external circumstances, we are able to fight against them regardless of how fruitless such a struggle may be. Inhabiting this unique place in the world, we must determine what the best course of action is in the many different situations we find ourselves in throughout our lives.

So while it may be objectionable to claim that humans participate in the rationality of God that is present throughout the universe, it should remain unobjectionable that humanity's best resource for overcoming problems is our ability to reason, regardless of how imperfect it might be. So while the particulars of Stoic cosmology do align with contemporary understandings, it does not follow from this that nothing of value can be taken away from their ethical approach. The human ability to reason was important to the Stoics, and it ought to remain an important part of any contemporary approach to ethics because it is the only tool available to humans for understanding our relationship to the world. We need not understand reason as taking part in divine reason because we may simply begin with assumption that humans are able to reason and that it is the best tool we have for understanding the world. Seneca claims, for instance, that reason is humanity's best quality and he says that "by virtue of reason

[humanity] surpasses the animals, and is surpassed only by the gods."[16] One need not even accept that the human ability to reason makes us "surpass" animals in the sense that it makes humans a superior being in order to accept that the human capacity for reason is a quality that at least distinguishes us from other animals insofar as it allows us to understand the world. Humans do not have to remain content with what is the case, because we have the ability to make progress and to some extent overcome our limitations. Other animals may not be able to overcome the brute forces of nature, but somehow humans have developed this ability to some extent create the world we would like to live in.

Natural law, being a result of human reason used for moral evaluation, is not the type of law that one can simply look somewhere and find it. In a real sense, the individual must create this law through her use of reason. This is not to say that all actions are permissible because clearly only actions that are consistent with virtue will be acceptable under the Stoic version of natural law this is being defended here. However, there is a sense in which various courses of action can be acceptable, depending on the circumstances in which one finds herself needing to decide how to act. Natural law can be understood as an adherence to general principles of wellbeing, but the specifics of how one is going to act in a particular circumstance will largely be determined through one's capacity to reason or examine the situation and determine what is best. Consider the following passage commenting on the Stoics from Stobaeus:

> (1) Some indifferent things are in accordance with nature, others are contrary to nature, and others are neither of these. (2) The following are in accordance with nature: health, strength, well functioning sense organs, and the like . . . (3) They [the Stoics] hold that the theory on these starts from the primary things in

[16] Saunders, Jason L. *Greek and Roman Philosophy after Aristotle*. (New York: The Free Press, 1966. Print): 123.

> accordance with nature and contrary to nature. For difference and indifference belong to things which are said relatively. Because, they say, even if we call bodily and external things indifferent, we are saying they are indifferent relative to a well-shaped life (in which living happily consists) but not of course relatively to being in accordance with nature or to impulse and repulsion . . . (4) All things in accordance with nature are to-be-taken, and all things contrary to nature are not-to-be-taken.[17]

Those things in accordance with nature[18] are understood fairly generally because to say that health, strength, and properly functioning sense organs are things which one should seek does not suggest that there are specific courses of actions that one should take in achieving them. So long as actions legitimately seek these ends, one might seek these ends through a countless number of means. One must choose the means to achieve these ends in the particular context in which one finds herself.

We can think again about the virtue of charity, because there is no doubt that charity is a disposition that is natural insofar as it promotes the wellbeing of other people. Humans are by nature social beings and as Seneca points out, humans are "born for mutual help" and desire union.[19] So while each individual must become virtuous for oneself, there is no denying that since humans live in society together we must learn to get along with each other and do what is best not just for ourselves but for other people as well. Charity entails helping other people achieve some good which they may not be able to achieve on their own, but this does not mean that one has to perform any action in particular to be charitable. In one situation one might determine that charity requires giving money to someone asking for it, but in another situation it might require not giving that person money if it is determined that the person might do something self-destructive

[17] Long and Sedley, 354-5.
[18] I take "in accordance with nature" to mean "natural" in this context.
[19] Seneca, "On Anger." See: Seneca, Lucius A, and John W. Basore. *Moral Essays*. (W. Heinemann, Itd, 1965. Print): 119

with the money. In the latter situation, charity might require getting someone therapy to deal with some addiction with which that person is dealing. In other situations charity might simply require that one be present to another person going through a difficult time. Charity is a disposition that is consistent with virtue, but one cannot simply give a list of necessary and sufficient conditions that create the disposition of virtue. No two situations that require a person to be charitable are exactly the same, so one must determine how to act charitably as the situations present themselves and as one's own capabilities allow. The healthy and wealthy humanitarian may put her charity to work in a socially active way by reaching out to many groups of disadvantaged people whereas someone who is bedridden may put charity to work by serving as an inspiration to the limited number of people with which she interacts. In other words, one cannot work out in advance how one is going to be charitable because unforeseen circumstances are bound to arise that will change how one can actually act. Charity is best thought as a disposition to help others within the particular situations one finds herself.

Seneca proposes how humans begin to come to knowledge of how to act, and in *Letter 120* he says of nature that "she has given us the seeds of knowledge, but not knowledge itself." [20] The "seeds of knowledge" that Seneca refers to can be thought along the lines of those thing "in accordance to nature" that Stobaeus mentioned. We know that health, strength, and the like are things that humans should legitimately pursue but nature certainly does make it obvious to humans how to achieve these things. Infants, for instance, come with a type of knowledge that it is necessary to eat but they do have to eventually learn what is proper for food and what is not. Nature does not program into

[20] Seneca, Lucius A, and Richard M. Gummere. *Ad Lucilium Epistulae Morales*. Vol 3. (Cambridge: Harvard University Press, 1961. Print): 383. (Cited hereafter as "Seneca, *Epistulae Morales* 3").

humans exactly what foods are suitable for health and strength as can be evidenced by the fact that so many people are unhealthy because of their diets. Most people would prefer to be healthy, but it is much harder to know how exactly to be healthy. Humans are born into a world where they naturally begin to interact with other people, but it takes much time to learn how to successfully get along with other people amidst their competing interests.

Seneca offers a helpful starting point for understanding how humans begin to turn the seeds of knowledge into more sophisticated knowledge. This comes about through a process of reasoning that requires close observations of the world, how humans act, and attempting to determine how humans ought to act. Seneca thinks that part of the recognition of what is good comes from "inference due to observation, a comparison of events that have frequently occurred."[21] This process includes the use of analogies and reasoning about various occurrences in the world, and Seneca describes this process in the following passage:

> We understand what bodily health was: and from this basis we deduced the existence of a certain mental health also. We knew, too, bodily strength, and from this basis we inferred the existence of mental sturdiness. Kindly deeds, humane deeds, brave deeds, had at times amazed us; so we began to admire them as if they were perfect. Underneath, however, there were many faults, hidden by the appearance and the brilliancy of certain conspicuous acts; to these we shut our eyes. Nature bids us amplify praiseworthy things; everyone exalts renown beyond the truth. And thus from such deeds we deduced the conception of some great good.[22]

Seneca is speaking in fairly general terms because it is certainly not the case that all people admire kindly, humane, and brave deeds because it is often very clear that many people have strange obsessions with the very opposite and turn out to be very bad people.

[21] "Seneca, *Epistulae Morales* 3: 383.
[22] "Seneca, *Epistulae Morales* 3: 383.

Those are special cases that need not be dealt with here, however, but we shall proceed with the assumption that Seneca's argument works for the vast number of people who do desire to be good. What is important in this passage is that humans begin to learn what is good by observing how other people actually act. One might see other people acting kindly and determine that kindness is a virtue that all people ought to possess. Similarly, there are other actions that are not so pleasant, such as selfishness in other people which one might be disgusted by and determines that no one ought to possess that characteristic. From these observations and evaluations one is able to begin to create a moral system that determines how people should typically act.

What should be emphasized here is that this ability to reason about moral problems through the use of *orthos logos* is that this ability does not mean that people should think about virtue as being a mere calculative capacity where one simply performs a sort of logical deduction based on the information present. The capacity for reasoning in natural law is, rather, an ability to clearly perceive circumstances and learn to respond appropriately. Sometimes there may not be one simple solution, because one may be able to manifest virtuous behavior in a variety of ways. For instance, the charitable person may choose various means to be charitable, all of which are legitimate displays of the virtue. This is to say that there might not always be clear answers to problems, but the virtuous person has cultivated a temperament in which he is able to perceive the situation at hand and respond in an appropriate manner. Responding appropriately requires rational reflection and choosing the course of action that seems best even when one does not know what the final outcome will be. There are external circumstances that are outside one's control in any decision that one makes, and the virtuous person will recognize that

this does not mean he should never act; rather it means that one must be able to choose the best course of action given one's perception of the circumstances and one's best ideas on what ought to be preferable within a particular context. Learning how to act can also result from observing others and seeing the consequences of their actions. Essentially, living out virtue requires a keen sense of observation and the ability to determine the best course of action to the best of one's ability.

One is also able to determine that there is a certain type of health for the mind just as there is with the body. Just as there are states of the body that are healthy and unhealthy, the mind (or soul) can experience similar states with virtue being the state of health and vice being a state of disease. It is through the continued use of reason that one will continue to perfect one's knowledge of what the health of the soul entails and how to achieve it. If the health of the mind is compared to the health of the body, then it makes sense that the wellbeing of the mind will not be something that can be determined by rules that apply equally for all people at all times. For physical health, there are general rules that all people can benefit from like having a well balanced diet and exercising, but one must consider a well balanced diet and exercise on an individual basis when applying it to people. A diabetic, for instance, is going to have a much different diet and exercise routine than someone without diabetes, and the diabetic's conception of healthy is going to be different than the non-diabetic's. Similarly, people have different personality traits and interpersonal skills and these factors are going to affect how individuals are capable of acting in various situations. No two humans are exactly the same, so it only makes sense that virtue will not appear uniformly in all individuals.

One might object that my claim could easily turn into a relativist ethic that allows individuals to justify any course of action they want simply on the grounds of that is how they naturally tend to act, but this is not the intention. Humans are social beings and need to have basic common principles in order that we can live peacefully together, but the claim is that these basic principles do not require specific actions. It is reasonable to expect all people to work toward unity rather than division because humans are social beings that need the larger community to survive. A community that is united for the common good has a better chance to survive than the community where the members are constantly at war with each other. Part of living in a community, however, is recognizing that no two people have the same personality and different people have different needs. Accordingly, the types of actions through which one person lives out his virtue are going to be different than the actions of other people.

It is now time to consider what exactly it means for something to be natural and desirable as opposed to unnatural and undesirable. Consider Stobaeus' account that the things in accordance with nature are health, strength, and properly functioning sense organs. Few would argue that these things can be natural and that they are desirable, but at the same time some might argue that "natural" is the wrong word to use because there are many natural things that are not desirable. Disease, weakness, and malfunctioning sense organs can appear in nature through no mistake of the individual, so one may be inclined to call these things natural as well. One might argue that the word "natural" should not be applied to moral evaluation because it can have both positive and negative connotations.

There is no doubt that undesirable states of affairs occur in nature sometimes more frequently than desirable states. At this point, however, it is helpful to distinguish between "natural" and "normal." A.A. Long points out that "natural" should not be taken to mean that something is "regularly realized," because that is the meaning of the word "normal." Remember the discussion of Stobaeus where he discusses the idea that some actions are "in accordance with nature" because this is what the word "natural" is taken to mean in the context of natural law ethics. Another way to put it is that when one chooses the natural option, one is acting in accordance with one's proper function.[23] People typically have two choices in terms of relationships with other people, for instance, because they can either choose to get along with each other or they can choose to remain in divisive turmoil. There may be many times when remaining in turmoil is the normal decision because turmoil may be more common than relationships that unite people. Division and turmoil are never natural, however, because virtue demands that humans recognize that people choose actions that promote stability.[24] Choosing what is natural is thus choosing what promotes human wellbeing. Certainly nature makes present a number of possibilities for choice, some helpful others destructive, but what is natural are those things which allow humans to flourish. Consider the process of food selection because certainly eating poison is an option that nature provides, but this would not be the natural choice because this would be destructive to the human person. Nature, as an entity in which humans find themselves, provides many options for food, but some are

[23] Long, "The Stoic Concept of Evil," 336.
[24] For now it is good enough to accept that social stability is a natural virtue that individuals should seek to attain. This virtue will play a prominent role in the defense of homosexual marriage.

better than others. We must determine which choice is natural, which is to say determine what choice allows us to continue successfully living as humans.

The last topic of this chapter is to discuss in a little more detail the Stoic notion of virtue because virtue is ultimately the goal sought when one attempts to determine what is natural. Remember that the Stoic notion was that humans are able to recognize order in the universe and to create laws of proper action to serve the purpose of properly ordering their lives. Seneca determined that the gods had reason perfected, whereas humans have the ability to perfect their reason. The Stoics understand virtue as reason perfected in terms of living the good life. The virtuous person is one who is able to choose the right action in any given situation because one recognizes that the right action is required by reason and is consistent with perfect virtue. Moral perfection is required for virtue in Stoic thought because the good life is to become the embodiment of virtue, and the Stoics call this person a Sage. The Sage is perfectly virtuous, and has no vicious inclinations whatsoever because everything she performs is a perfect manifestation of virtue.[25] It should be recognized that this is perhaps a nearly impossible standard to meet, but it is the goal which to which the person desiring the good life should aim.

The counterpart to the Sage for the Stoics is the non-Sage who is the "the embodiment of vice."[26] To find the model of the non-Sage, one needs to do nothing more than examine one's own life because practically everyone is a non-Sage. The Stoics are not claiming that the non-Sage is the person who performs the worst acts possible for a human because virtually everyone is a non-Sage. Brennan points out that in "Greek [the non-Sage] is called the Wretch (*phaulos*),or the Witless (*aphron*), but using these terms

[25] Brennan, Tad. *The Stoic Life: Emotions, Duties, and Fate*. (Oxford: Clarendon Press, 2005. Print): 36.
[26] Brennan, 36.

in English might suggest that the Stoics were referring only to an extreme sub-class of vicious types, instead of referring to all of us, no matter how upstanding and respectable."[27] The standard for becoming a Sage is demanding though it is, in principle, possible for the Stoics. Brennan puts the issue as such:

> The Stoics did allow that virtue was possible for human beings----it is not an unrealizable ideal, merely a very demanding one---and they described what it would be like to make progress toward virtue. They even allowed that some people do make progress. They simply denied that making progress toward virtue was the same thing as becoming more virtuous, or less vicious. The person making progress is not in an intermediate stage between virtue and vice. Progressors are wholly vicious---they are full-fledged non-Sages, as vicious as those making no progress at all.[28]

Attaining the state of virtue is thus not something that happens in degrees because one is either entirely virtuous or not virtuous at all. A helpful image to think about this standards is to consider a drowning person because the person who is five feet under water is drowning just as much as the person who is fifty feet under water. The fact that the person five feet is closer to fresh air does not mean that he is any more in fresh air than the person fifty feet under water. Both people are drowning, and it does not matter how deep they are under water.[29] Similarly, the person who only has a little vice is still vicious because he is still stained by his vicious actions. As such, he cannot be considered a Sage, or entirely virtuous. Virtue is the ideal that all people should set to achieve; it is not something that allows for one to be content with simply making progress, because one should always be able to recognize that more progress is always possible and necessary.

Given the rigorous demands of virtue presented here, one might determine that the Stoic position is practically impossible and without value. This would be a mistake,

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[27] Brennan: 45.
[28] Brennan: 36.
[29] Brennan: 36.

however, because there are a number of reasons for understanding virtue as something that few, if any, people ever actually achieve. First of all, the Stoic demands do not allow for complacency because one cannot be satisfied simply being "good enough," rather one must continually work to become better. Virtue is a destination at which one can theoretically arrive, but one at which most people do not arrive, so it only makes sense for people to continue in the process of becoming better. The Stoics recognize that even their philosophic heroes Socrates and Diogenes the Cynic never attained virtue and they were considered exceptional among all humans.[30] This being the case, it only makes sense that the rest of us should patiently continue on the path toward virtue without becoming complacent and stalling our progress.

This emphasis on the perfection of virtue is also beneficial relationally among humans, because the idea is that everyone who is not a Sage is entirely a non-sage and can claim no moral superiority over other people. The vast majority of people (very likely everyone) is imperfect, even though all people are imperfect in various ways. Some people may be weak and disinclined to even desire virtue, whereas other people may be strongly attracted to virtue but have some particular defects that prevent them from being entirely virtuous. The fact that every person who is not a Sage is equally a non-sage, this does not mean that the Stoic needs to shun the idea of progress. Lawrence Becker points out that we "prefer strong to weak, then, not because one is better than the other, but because it gets us closer to the only thing that is good----virtue." This is not to say, however, that hardened criminals and the lifelong philanthropist are to be treated in the same manner, because clearly the philanthropist is closer to virtue than the hardened

[30] Brennan: 36.

criminal.[31] Certainly the hardened criminal has much longer way to go than the philanthropist, but the point is that both are equal to the extent that both are equally non-sages because there are no levels between Sage and non-sage. Consequently, both have work to do in order to get to the goal of virtue. Certainly the hardened criminal has a longer way to go than the philanthropist and may have to be treated more harshly by society for his vicious actions, but the hardened criminal and the philanthropist are both people in need of reformation in their lives.

The final point to recognize, in defense of the Stoic conception of virtue, is that although the state of achieving virtue does not admit of degrees, virtuous actions do admit of degrees.[32] Although one does not achieve the state of virtue until her virtuous character is perfected, one's actions can be more or less consistent with the state of virtue. This recognition allows one to recognize one's own virtuous tendencies and how they are flawed while also recognizing the same thing in others and learning from them. One can be both a teacher and learner of virtue because everyone has their own strengths and weakness and no two people are identical. Consequently, people should attempt to live in relationship with other people in a manner that allows one to learn from other people's strengths and also to help other people with their weaknesses. The social life can be understood as individuals living in relationship with one another to attempt to seek the good life for one's self and to help other people achieve the good life.

[31] Becker: 119.
[32] Becker: 82.

Chapter 2

Stoicism and Friendship

It is a basic fact of nature that humans are social beings, meaning that humans must interact peacefully with each other in order that individuals and the larger society can flourish. The focus of the previous chapter was to discuss how virtue appears in individuals, but now the goal is to examine the role of basic human relationships. Using Stoic principles, I will demonstrate that the value of these basic relationships, which are typically called friendships, is that they allow humans to develop and demonstrate their virtue. While virtue is something that each individual must realize for himself, friendship is one of the means nature provides for developing virtue. This chapter will examine the goal of friendship in order to set up the argument of the next chapter, which argues that marriage is essentially the deepest friendship that two people can develop, whether that relationship is between a man and a woman or between two members of the same sex.

Perhaps the most valuable aspect of human sociability is that it provides certain standards of proper human action to individuals. When one interacts with other people or simply observes them, one can learn from other people's successes and failures. One does not have to make every mistake for himself because one can avoid certain mistakes by watching other people fail, and one can learn what acceptable social behavior is by

interacting with people who engage in unsuccessful social behavior. Similarly, one can learn positive traits from those people who manifest their virtue. One does not have to be a friend or acquaintance of another person in order to learn from him because one can simply observe other people in action, whether by observing people in public or on television, or by reading news or historical accounts of peoples' actions. Humans can be both the teachers and learners in social relationships, and this is a practical good because it allows people to order their lives efficiently by learning from others. One can save time and energy by learning from others rather than learning entirely by trial and error.

One certainly does not need friends in order to observe human behavior, but friendship is helpful because it allows for two people to engage in honest conversations with each other. One can learn from a friend's behavior, but one can also seek from a friend. When one sees a friend that is disposed to virtue in some realm, for instance, one is able to talk to that friend and receive advice on how to achieve that virtue. One is also able to give advice when a friend fails in some way. Friendship basically offers the opportunity for mutual support where two or more people are able to engage in a relationship that is not reducible to the good of one particular individual in that group, but instead is focused on the giving and receiving of support from all the individuals involved.

Looking at what some of the Stoics had to say about sociability and friendship will further our understanding of the good of friendship. The following passage from Gretchen Reydams-Schils offers a nice starting point for this understanding:

> The Stoic correlation between reason and sociability goes much further than the stance that Aristotle defended, that by nature human beings tend to form communities. In fact, the Stoic correlation challenges yet another distinction, that between the contemplative life and practical wisdom: even when we appear the

> most withdrawn, whether in ourselves or on the remotest of islands, we are actually still involved in community and cannot be otherwise. Such a strong correlation between reason and sociability could also explain Cicero's startling claim that even if his other needs were abundantly provided for, a sage who was entirely cut off from human society would die (*Off*. 1.153). Diogenes Laertius too takes the stance that "the wise man will not live in solitude; for he is naturally made for society and action" (7.123 trans. Hicks). If, as the Stoics claim, sociability belongs to reason itself, other people can never be *reduced* to mere preferred indifferents. Even if in *some respects* they do fall under this category, unlike other externals they are never *merely* the "material" for our exercise of virtue.[33]

This passage make an important point that help make sense of what Stoic ethics requires, socially, of humans. Recall that Stoic ethics is based largely on the development of reason within the individual, but this reason is never developed within a vacuum. Humans cannot learn how to act without having seen other people in actions, and even success in solitude would require some connection to society, even if that connection is only memories of the past. It is true that individuals can only control their own virtue and the state of their own character, but this does not mean, however, that human sociability is not important. It is ultimately the responsibility of the individual to create virtue in oneself, but one could not recognize the need for virtue if one were unable to see other people in action. If one could never learn from other people, then she would likely die because she would be unable to know how to obtain and wisely use the basic necessities of life. If one is not fed as a baby and taught how to obtain food, for instance, one is never going to know how to feed oneself and will die. The Stoics recognize the basic point of human sociability, namely that humans can only learn how to act themselves by seeing other people in action. Humans do not learn how to live by mere instinct.

[33] Reydams-Schils, Gretchen. *The Roman Stoics: Self, Responsibility, and Affection*. (Chicago: The University of Chicago Press, 2005): 74-5.

Seneca recognizes the value of establishing healthy human relationships for the formation of virtue in the individual. In *Letter 109* Seneca states:

> Good men are mutually helpful; for each gives practice to the other's virtues and thus maintains wisdom at its proper level. Each needs someone with whom he may make comparisons and investigations. Skilled wrestlers are kept up to the mark by practice; a musician is stirred to action by one of equal proficiency. The wise man also needs to have his virtues kept in action; and as he prompts himself to do things, so he is prompted by another wise man. How can a wise man help another wise man? He can quicken his impulses, and point out to him opportunities for honourable action. Besides, he can develop some of his own ideas; he can impart what he has discovered. For even in the case of the wise man something will always remain to discover, something towards which his mind may make new ventures.[34]

So, in general, it is good for people to establish relationships with other wise people because wise people can learn from each other. No one ever knows all that there is to know about how to live, and presumably even the Sage who has perfected virtue might learn different ways to manifest that virtue. Part of being a Sage, or having perfected virtue, is a willingness to learn new ways to manifest that virtue because no one could possibly know every situation in which one might manifest virtue.

On the other hand, social relationships because just as virtuous men can benefit each other, vicious people can lead each other and those who may be on the path to virtue to destruction. Seneca warns people to be on constant guard against the destruction that often comes from other people. Speaking on the evils caused by humans, Seneca states in *Letter 109*:

> There is no evil more frequent, no evil more persistent, no evil more insinuating. Even the storm, before it gathers, gives a warning: houses crack before they crash; and smoke is the forerunner of fire. But damage from man is instantaneous, and the nearer it comes the more carefully it is concealed.[35]

[34] Seneca, *Epistulae Morales* 3: 255.
[35] Seneca, *Epistulae Morales* 3: 187-9.

Natural disasters do not plan themselves, and there are often some warning signs that can be determined in advance, but humans often can plan their evils and attack without any warning. Seneca's point is that people must be on guard against other peoples' evil intentions because they happen with such frequency. Seneca even goes so far as to say that "man delights to ruin man."[36] So while humans should work to help each other achieve virtue, it must be recognized that all human action influences other people. People are necessarily going to be influenced by others, but one should seek to only be influenced by virtuous people.

Friendship should be understood as the type of relationships that two people enter into with the intention of seeking the common good of virtue. One must choose friendships that are beneficial and one should not seek friends who are going to damage one's self-interest or wellbeing. In the *Discourses*, Epictetus points out that people only seek those things which are in accord with their own interest. Since it is the good life that is in one's ultimate interest, it is only with other good people that one can establish legitimate friendships. Epictetus claims that friendships can only arise in the presence of such traits as faith and honor and by the giving and taking of what is good. In the event that these noble aspects are not present within a human relationship Epictetus claims:

> If you cannot do this, yet you can do in all other respects as friends do, drink together, and lodge together, and sail together, and you may be born of the same parents; for snakes also are: but neither will they be friends nor you, so long as you retain these bestial and cursed opinions.[37]

A friendship is thus not simply the relationship of two or more people who enjoy each others' presence, but it must consistent of a relationship where the people are genuinely

[36] Seneca, *Epistulae Morales* 3: 189.
[37] Epictetus, and George Long. *The Discourses of Epictetus: With the Encheiridion and Fragments*. (New York: International book company, 1885. Print): 185.

concerned with achieving what is good. Relationships that are damaging to one, or both, of the individuals' wellbeing only appear to be friendships, but are in fact destructive relationships.

Establishing and maintain friendships can thus be understood as being the result of hard work and reflection. Seneca makes a similar point in *Letter 3* where he discusses the difference between true and false friendships. He claims that entering into a friendship is not something that one should take lightly, and in fact one must "Ponder for a long time whether you shall admit a given person to your friendship; but when you have decided to admit him, do so with all your heart and soul."[38] It is up to individuals to decide who they are going to give the honor of friendship, but once one enters into this relationship one should take it entirely seriously. This Stoic understanding of friendship is valuable because it recognizes that there are two people involved in a relationship and that both parties must give their full consent. There is no friendship between two people where one person is attached to another, but where one person is not actually committed to the friendship. A friendship requires equal, full commitment from all involved agents. One is not able to use a friendship for one's own selfish purposes because that goes against the nature of a friendship. Certainly, one enters into a friendship with the intention of gaining some benefit for himself, namely a relationship in which to foster virtue, but one cannot overlook the needs of his friends. One is not in the relationship simply for his own good; rather one also seeks to be of service to his friends so that they might grow in virtue as well.

[38]Seneca, Lucius A, and Richard M. Gummere. *Ad Lucilium Epistulae Morales*. Vol 1. (Cambridge: Harvard University Press, 1961. Print): 11. (Cited hereafter as "Seneca, *Epistulae Morales* 1")

Perhaps the most important aspect of friendship is the trust that grows within the relationship. Trust is a willingness to let another person into one's life and to let that person know thing that one would not otherwise let just anyone know. Trust allows people to share information about personal struggles or life's difficulties without the fear of the released information being used to manipulate. Friends might share the daily struggles that prevent them from being entirely virtuous, for instance, and if the bonds of trust are strong enough, neither friend needs to worry about whether that information is going to be shared with other people such that it might cause undue damage to their reputation. If friendship is to be understood as people forming relationships such that they can help each other manifest their virtue, it will be necessary for friends to share those times when they have not exemplified virtue so that they can help each other achieve virtue. This sort of sharing is only possible, however, when there is trust present within the relationship because if one fears that information being used against him, then he is not going to share the information necessary to help him.

Seneca recognizes the value of trust in a friendship, and he thinks that friendship is not possible without trust. In *Letter 3* he argues:

> But if you consider any man a friend whom you do not trust as you trust yourself, you are mistaken and you do not sufficiently understand what true friendship means. Indeed, I would have you discuss everything with a friend; but first of all discuss the man himself. When friendship is settled, you must trust; before friendship is formed, you must pass judgment.[39]

Notice that Seneca thinks that perfect friendship requires perfect trust of the other person; indeed the trust is so perfect that one trusts the other person just as one trusts oneself. At the same time, however, Seneca recognizes that this trust is not something that one should take lightly. One must first evaluate that person and determine whether that person

[39] Seneca, *Epistulae Morales* 1: 11.

is worthy of trust, but once one determines that the other person is worth of trust, one should not hold back. It is possible to interpret Seneca as claiming that, in a friendship, one owes trust to the worthy person. Friendship is not possible when one holds back from the trust that is appropriate in such a relationship.

Seneca recognizes the value of trust, but he also recognizes that there are two extremes that one should avoid. The first extreme is to trust everyone; the second extreme is to trust no one. Seneca says:

> There is a class of men who communicate, to anyone whom they meet, matters which should be revealed to friends alone, and unload upon the chance listener whatever irks them. Others, again, fear to confide in their closest intimates; and if it were possible, they would not even trust themselves, burying their secrets deep within their hearts. But we should do neither. It is equally faulty to trust everyone and to trust no one. Yet the former fault is, I should say, the more ingenious, the latter more safe.[40]

The first point worthy of discussion in this passage is the notion that the person who trusts no one may be inclined not even to trust himself. This is to say that the inability to trust and create friendships is a result of personal insecurity because one would rather bury one's deepest secrets than even think about them, much less share them with a friend. The inability to trust can thus be a hindrance to virtue because it gets in the way of the self-examination necessary to understand one's faults and to overcome them. Thus trust of others must begin with self-trust, because if one does not trust oneself enough to even ponder one's deepest secrets in one's own mind, then there is little chance that one will be able to share those secrets with other people.

The opposite extreme is no better and perhaps more dangerous, namely trusting everyone. It is easy to see how it is dangerous to trust those whom one has no reason to think are worthy of trust. If one simply begins sharing everything about one's self to any

[40] Seneca, *Epistulae Morales* 1: 12.

person willing to listen, there will no doubt come a time when someone will take advantage of one's situation. For example, if one is inclined to tell strangers one's vices, there might come a time when he tells a very bad person the wrong thing. If the person is struggling with being a spendthrift, he might tell a stranger that he cannot control his spending habits and is often inclined to buy things for others to gain their approval. This person might be frustrated with this behavior because he is not able to afford all these purchases and has run himself into financial trouble. The evil person who hears this might become inclined to take advantage of this person's weakness by appearing to be a friend while reaping in the benefits of the trusting person's spending habits. This type of information should not be shared with just anyone; rather it should only be shared with someone that one can actually trust to help him. The main danger of being too trusting is that there are plenty of people who are willing to appear like they are worthy of trust, while actually intending to manipulate other people once the sensitive information has been offered.

Seneca recognizes that there is a sense in which trusting no one is safer than trusting everyone, but this does not mean that trusting no one should be preferred. One might be able to create a wall of protection against people who will manipulate him, but this wall of protection will also be a wall that will keep one from experiencing many greater goods. The wall might keep intruders out of one's life, but it may also effectively keep vice in one's life because there will be no easy way to deal with this vice for one will not be able to easily get input from other people. True friendship is the remedy for this problem, and it serves as a balance between trusting no one and trusting everyone. One should also trust those who are worthy of trust, and one should determine who is

worthy of trust by examining that person's character. Trust is a good thing because it allows people to live freely and not live in fear of their shortcomings; when a person trusts oneself and others, one is free to share less than flattering information with people who will not use such information against him. By doing so, one is able to confront the shortcomings in one's life and overcome them rather than living in fear of addressing one's shortcomings.

Seneca perhaps demands too much trust as the basis of an ordinary friendship, however, because it is probably not practical for someone to trust anyone to the extent that one ought to trust oneself. Seneca clearly thinks that the virtuous person would have nothing to hide because the Sage could disclose nothing to another person that would bring him shame. Seneca says "although you should live in such a way that you trust your own self with nothing which you could not entrust even your enemy, yet, since certain matters occur which convention keeps secret, you should share with a friend at least all your worries and reflections." Further, Seneca thinks that when one regards a friend as loyal, that friend will become loyal in turn.[41] It might be true that the entirely virtuous person would have nothing to hide, except those things which are kept hidden by societal conventions but realistically, most friendships do not happen between people who have perfected virtue. Most people enter into relationships while on the path to virtue such that these relationships can develop into friendships as a way to foster the growth of virtue in the individuals rather than as a way to perfect the manifestation of an already present virtue.

When friendships are understood as relationships between two imperfect people, it becomes clear how trust might come in degrees. One can make the decision to become

[41] Seneca, *Epistulae Morales* 1: 11.

friends with another person, but it is not possible to judge everything about that person before entering into a friendship. One might judge that person based on how well he presently knows him, and trust that person to the appropriate degree. After all, it would not be prudent to trust a friend of two weeks to the same degree as one would trust a friend of twenty years because relationships can grow, develop, and perhaps even deteriorate. When trusting another person, one is releasing information that one believes the other person will not use inappropriately. For instance, if one shares her fears with another person, there is an expectation that the other person will not exploit those fears to manipulate her. One should realize, however, that this is always a possibility because ultimately one cannot control what another person does. There might come a point where the other person breaks off the relationship and betrays one's trust by sharing sensitive information, and certainly one will desire to minimize the possible damage by easing one's way into a friendship by only gradually sharing deep secrets or only sharing trusting a friend with information that is pertinent to that particular friendship.

The fact is that one may enter into friendships for a variety of reasons, and few friendships are established on the basis of having everything in common with the other person. One may have a deep relationship with a childhood friend where there are many interests held in common because the interest were developed mutually as the two people grew up and lived their lives together. In this friendship, certainly there will be a wide-ranging trust that will encompass many different aspects of their lives. They might know a lot about each other's work, hobbies, romantic relationships, moral lives, etc., and be able to talk freely about all these things because they know each other well enough such that they know that they can trust each other in conversations about their triumphs and

struggles in some of their most personal areas. They may speak freely and give advice about their marriages, children, personal habits, etc., because they trust each other enough to know that such information is safe with the other person. The trust that has developed between these two friends is such that they make themselves present to each other for sharing and advice in the most sensitive areas of live because they know that the other person is not likely to abuse the trust by using the information as a weapon against oneself. The trust exists such that the friends know that even when they have disagreements or quarrels, this does not allow exposing the sensitive information as a means for revenge. Breaking the trust within a deep friendship is so damaging to the friendship and to the victim precisely because there was the expectation that this exploitation would not happen, and that trust is often difficult or impossible to reestablish once it has been severely broken.

On the other hand, two colleagues from work might develop a friendship that is based on their work relationship where they have only the common interest of working together. Being a work, they may rarely or only superficially talk about their romantic relationships and other activities outside of the work environment. Certainly, there will be a level of trust here that these friends must have. If someone comes to work and expresses general frustration about relationships that are going on at home, she would expect her friend not to bring up those conversations at the company picnic where the spouse or children are present. Being a friendship that happens within the context of the work environment, they might feel comfortable talking about their displeasure with their bosses or coworkers, but they will perhaps be less inclined to go into the specifics of personal matters such as particular marital problems or deep personal insecurities. One

may not trust a colleague with such information because one does not get a chance to develop that level of trust with a coworker. If the friendship remains one that never leaves the workplace, there may never be a chance to allow discussions to go down those paths because most of the time they feel that such personal discussions are not appropriate for the workplace. Consequently, one may not be inclined to trust such a friend with sensitive information because she has no way of knowing how that friend might react because they have not explored the deeper level of friendship.

The fact that two coworkers might not have the same level of commitment and trust that close friends of many years might have is not to say that either friendships is better or that only close friendships should be preferred over work friendships. People might be perfectly content with a friendship that stays at work where there is little or no interaction outside that context. It is good to have trusting relationships that do not demand full commitment because it is not possible to develop a deep, committed friendship with every person that one might trust at some level. It is good to establish friendships with many people because having pleasant relationships is good for one's own peace and for the peace of the community. There is also nothing wrong with expecting that one will be more comfortable trusting sensitive information with one's closest friends than with a friend with whom one enjoys having conversations at her job. None of this suggests that she respect her work friend less than her best friend, only that friendships and the trust present within them develop over time and it is only possible to develop close relationships with a certain number of people. Close relationships are hard work and deep trust requires time and commitment, and one can recognize within a friendship that she has other, deeper relationships and that her friend also has other

deeper relationships. Such friends can be satisfied that their relationship is mutually beneficial at work while recognizing that they have not developed the level of friendship that would entail talking about the most personal of matters.

Looking at some of Cicero's work on friendship might help clarify some of the details about what various levels of friendship may look like. Cicero claims, for instance, that the "real limit to be observed in friendship is this: the character of the two friends must be stainless. There must be complete harmony of interests, purpose, and aims, without exception."[42] This is too strong of a claim, but Cicero is getting at something fairly important. It seems that the characters need not be "stainless" in the sense of having achieved perfection; rather the character should be such that it is aimed to virtue. This is to say that two people can become friends before their characters are perfect, but friends should only seek what is good. Cicero claims, for instance, that "we should ask from friends, and do for friends, only what is good."[43] There is no doubt that most people are imperfect, but the ideal within a friendship should be that those involved support each other in doing good rather than harm. There may be times when then ideal is not realized and friends support each other in becoming better people, but certainly one should avoid becoming friends with someone who is intent on doing bad and insists on the other person aiding in doing evil. Friendship, at its best, allows two people to support each other in becoming the best that they can be, so presumably friends should also be there to hold each other accountable for their failure, not out of self-righteous condemnation but out of a spirit of charity that desires the best for one's friend and oneself.

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[42] Cicero. "Treatise on Friendship." *Friendship: Philosophic Reflections on a Perennial Concern*. Ed. Philip Blosser and Marshell Carl Bradley. (Lanham, Md: University Press of America, 1997. Print) 92.
[43] Cicero, 89.

Cicero's claim that there must be in friendship, without exception, "complete harmony" of interests, aims, and purpose is onto something valuable, although there is little reason to think that this harmony must encompass all aspects of their lives. The example of two friends at work again makes for a good example. These two friends do not need to have complete harmony of interests because the basis of their friendship is not what goes on outside of their work lives. Certainly, some of what goes on outside of their work life will be pertinent because the person who is a swindler off the clock will likely not be able to cover up that behavior during work hours. So there is a sense that if someone discovers that a coworker is a bad person outside of work and shows no desire to reform, then it makes sense to avoid trusting that person as a way to protect oneself from being influenced by his negative character. At the same time, however, coworkers can be friends based on their common interest of their jobs without having any common interests outside of work. They may be involved in various projects outside of work in which the other has no interest being a part, but the friendship can still be valuable at work because they have the common interest of doing their work the best that they possibly can. So that one common interest, their work, can serve as an interest that allows for the formation of a friendship.

One can recognize, however, that they do need to have a fairly complete unity in the interests and aims that bring them together, however. If one's coworker is lazy and does not care about doing his job, then he is probably not a worthy friend. One should only choose as a friend someone who is going to support him in doing a good job and someone who will allow himself to be helped in doing a good job. It is not wise to choose a friend that is going to make one lazy or apathetic about one's job. Similarly in a deep

relationship, one is going to have to have unity in their interests, desires, and aims because if two peoples' interests are irreconcilable, a friendship is not going to be possible. For instance, one might have grown up with a friend who has become involved in irresponsible behavior such as carefree relationships, drugs, a refusal to hold down a job, and similar destructive activities. One who is intent on becoming a family man, having a strong marriage, and raising children will likely grow apart from such a person. With such radical differences in interest, the responsible person will likely decide that such a person is not worthy of continued friendship unless the other makes some real indication that he would like to change for the better. To say that one should not be this person's friend is not to say that he should not help him see the error of his ways, but it does not seem possible for two people with such radically different interests and values to maintain a friendship if the irresponsible person shows no desire to become good.

The value of having good friends can be summed up in the following passage from Seneca's *Letter 109*:

> Evil men harm evil men; each debases the other by rousing his wrath, by approving his churlishness, and praising his pleasures; bad men are at their worst stage when their faults are most thoroughly intermingled, and their wickedness has been, so to speak, pooled in partnership. Conversely, therefore, a good man will help another good man. "How?" you ask. Because he will bring joy to the other, he will strengthen his faith, and from the contemplation of their mutual tranquility the delight of both will be increased. Moreover, they will communicate to each other the knowledge of certain facts; for the wise man is not all-knowing.[44]

Seneca is essentially claiming that having vicious company encourages vice in one, whereas virtuous company fosters virtue. It does not seem quite as important that two people have perfected their virtue before becoming friends; rather it is important that friends are committed to becoming virtuous. One ought to seek friends who will not sit

[44] Seneca, *Epistulae Morales* 3, 257.

back and allow one to self-destruct morally, but instead should seek friends who are will be an encouragement and will offer insights into becoming a better person.

One need not, then, focus on making sure every friendship involves the deepest possible level of trust and communication; rather one should just make sure that all one's friendships foster virtue in both oneself and the other. Along with Cicero, one should expect that one not only receive what is good from other people, but give what is good as well. Friendship is not merely something one desires for oneself, but as a manifestation of one's basic human sociability, it should be something that is desired for the good of other people in addition to being good for one's own wellbeing.

Recall Seneca's advice that one should consider and judge the other person as worthy of friendship before admitting them as a friend. This is central for understanding how one ought to choose one's friends. Cicero offers helpful advice for thinking about one's friends:

> As a general rule, we must wait to make up our mind about friendships till men's characters and years have arrived at their full strength and development. People must not, for instance, regard as fast friends all whom in their youthful enthusiasm for hunting or football they liked for having the same tastes. By that rule, if it were a mere question of time, no one would have such claims on our affections as nurses and slave-tutors. Not that they are to be neglected, but they stand on a different ground. It is only these mature friendships that can be permanent. For difference of character leads to difference of aims, and the result of such diversity is to estrange friends. The sole reason, for instance, which prevents good men from making friends with bad or bad with good, is that the divergence of their characters and aims is the greatest possible.[45]

One may not require the long time of reflection on other peoples' characters before calling them a friend as Cicero suggests, but one would certainly be wise to continually consider who their friends are and whether some people are worthy of friendship. There

[45] Cicero, 93-4.

might come a time when some friendships must be scrapped because they are detrimental to one's wellbeing, and one will do well to constantly be on watch for such situations.

Cicero's advice does become extremely important, however, for marriage, and this will be seen in greater detail in the next chapter. It is not advisable to simply enter into marriage without the proper reflection on one's own and the other's character because doing so may cause one to enter into a marriage that is ultimately unsustainable. One can recognize, however, that it is certainly not possible to put off marriage until one is absolutely sure that her partner will be a permanent friend because that sort of certainty will not come in advance. She must, after due reflection and judgment, determine whether the friendship is worthy of the life long, and ultimate[46] friendship of marriage. The point is that one should not enter into such a relationship without the proper reflection and judgment for what is best for oneself and the other person with whom one wants to establish a relationship.

The final topic to discuss in this chapter is the role that friends should have in one's life. One should remember from the discussion of Stoic ethics the notion that everything outside of one's virtue is, strictly speaking, indifferent. This is to say that since one is only able to control one's own virtue, things external to one's virtue are taken to be indifferent to the good. At most, one might say that these externals outside one's control are preferred. For instance, one prefers health over sickness, for instance, but neither health nor sickness matter for virtue. It has been established that friendships can help foster virtue, but whether friendships are themselves simply preferable though indifferent and not legitimate goods is an important issue to address. In short, the issue is to determine the status of friendships. It has been argued that friendships should be

[46] Marriage as the ultimate friendship will be discussed in Chapter Three.

pursued because humans are social beings and are inclined to establish social relationships. It is thus worth looking at exactly how these relationships fit into the moral life.

There is certainly a sense in which one does not need friends to be happy, and the Stoics certain recognized this. Martha Nussbaum, for instance, claims that the Stoics think that "if we imagine a wise person living in the worse possible natural circumstances, so long as she is good---and once good she cannot be corrupted---her *eudaimonia* will still be complete."[47] So one could have all her family and friends taken away from her and still be entirely happy, so it is possible for happiness to be achieved without friendships or other relationships, at least when one's uncontrollable external situation demands it. Seneca brings out this point with a vivid story about Stilbo, a man who saw his country captured, lost his wife and children, but arose from the situation "alone and happy." Seneca recognizes that Stilbo lost all his meaningful relationships, but praises his response to Demetrius, the man ultimately responsible for his plight. Stilbo addressed Demetrius by claiming "I have all my goods with me" and "I have lost nothing!," and Seneca praises this response partially because Stilbo's indifference caused Demetrius to begin to question whether his conquest was worthwhile.[48] Furthermore, Stilbo's response was appropriate because the "Supreme Good calls for no practical aids from the outside; it is developed at home, and arises from entirely within itself. If the good seeks any portion of itself from without, it begins to be subject to the play of Fortune."[49] One might argue that Seneca does not think that friendships are ultimately

[47] Nussbaum, Martha C. *The Therapy of Desire: Theory and Practice in Hellenistic Ethics*. (Princeton, N.J: Princeton University Press, 1994. Print): 360.
[48] Seneca, *Epistulae Morales* 1, 53-7.
[49] Seneca, *Epistulae Morales* 1, 51.

valuable because of his praise for Stilbo's apparently chilling response to losing his entire family and country.

Furthermore, Seneca compares losing a friend to losing a bodily member. For instance, he claims in *Letter 9*:

> . . .the wise man is self sufficient. Nevertheless, he desires friends, neighbors, and associates, not matter how much he is sufficient unto himself. And mark how self-sufficent he is.; for on occasion he can be content with part of himself. If he lose a hand through disease or war, or if some accident puts out one or both of his eyes, he will be satisfied with what is left, taking as much pleasure in his impaired and maimed body as he took when it was sound. But while he does not pine for these parts if they are missing, he prefers not to lose them. In this sense the wise man is self-sufficient, that he can do without friends, not that he desires to do without them. When I say "can," I mean this: he endures the loss of a friend with equanimity.[50]

Epictetus makes a similar claim when he says, "So too remind yourself that you love a mortal, something not your own; it has been given to you for the present, not inseparably forever, but like a fig, or a bunch of grapes, at a fixed season of the year, and that if you yearn for it in the winter, you are a fool."[51] Friends and social relationships are understood in Stoic thought as being similar to other possessions such as bodily members or even fruits in season. The idea is that whether a friend is present or not is outside one's control and although it is reasonable to desire friends, it is not reasonable to pine for them once they are gone. Just as wishing that one's hand had not been lost or that grapes grew in a different season will not change the reality, being crippled by grief will never bring back the friend that one has lost.

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[50] Seneca, *Epistulae Morales* 1, 45.

[51] *Disc*. 3.24.84-7; cf. *Ench.* 3., as cited in Stephens, William O. "Epictetus on How the Stoic Sage Loves." Creighton University. 1996. 21 March 2011. <http://puffin.creighton.edu/phil/Stephens/OSAP%20Epictetus%20on%20Stoic%20Love.htm>.

One will likely immediately object to what appears to be a callousness of the Stoics, comparing the loss of other people to the loss of a hand or a certain type of food. After all, friendships can provide the support that people need to cope with being maimed or not having enough food to eat. Certainly, losing these impersonal objects is different than losing something as personal as a friend within whom one can interact, get support, and offer support. The callousness of the Stoic position appears to be that Seneca and Epictetus are treating other people simply as objects that one might not value any more than a bunch of grapes.

This objection misses the point in an important way, however. Reydams-Schils points out, for instance, in respect to Seneca's ninth letter that "it is not because the *loss* of a friend is structurally analogous to the loss of indifferents that the *possession* of a friend has exactly the same value as the possession of external and bodily things." The Stoic could possibly say, for instance, that "I would have preferred things to turn out otherwise," but it would not make sense for the Stoic to claim that things would have been better had there been a different outcome.[52] The latter claim would be "not only a fruitless rebellion against the order of things but also an aphilosophical ignorance of what it is humans can and cannot control."[53] This is to say that humans can recognize that friendships can be deeply desired and one may prefer to hold onto one's friendships as much as possible, but ultimately one does not have any more control over *losing* a friend than one does over losing any other external possession. One can just as easily lose a friend as one can lose any other possession, and oftentimes there is nothing that one can do about either. One's desire to hold onto either a friendship is not going to change the

[52] Reydams-Schils: 76.
[53] Reydams-Schils: 77.

reality that people will live and die regardless of one's own desires, and no matter how much one wills for a friend to come back, one does oneself no favors by wishing things had been different. There is, after all, literally nothing she can do about the death of her friend.

The main point of this discussion is that the virtuous person will desire friends because friendship is something that is natural, something that nature typically provides. Basically, people ought to accept the opportunities that are offered to them to develop meaningful relationships while accepting that sometimes things happen that are outside of their control. Friends will undoubtedly be lost in the course of one's life through circumstances that she could not control. There may be some grief present, to the extent that she would have preferred that things had been otherwise, but she must not let this grief impede her virtue or happiness. She must learn to move on after tragedy occurs. The similarity between losing an arm, losing a favorite possession to a thief, and losing a best friend to a terminal illness is not that people prefer keeping a friend just as much as a favorite possession; certainly most people would rather lose their favorite possession or their arm than lose their best friend. The similarity between all three of these cases is that they often happen as a result of forces outside of one's control, and no matter how much one might want them back, one must be prepared to seek happiness and virtue without these things.

In conclusion, friendship is something that all humans should seek because it is something that can be a great aid attaining virtue, happiness, and the good life. Healthy relationships should be preferred and sought because it is a natural human inclination. One should not think, however, that one's friendships are the basis for one's happiness.

Instead, one should try to seek friendships, value them, and take advantage of every situation that nature provides her for establishing meaningful relationships. It is a part of human life, however, that nothing is permanent and that things change against one's will and there is often nothing one can do about it. When friends are lost one should cherish the memory of one's friend, but also be able to move on and take advantage of whatever new situations arise that allow one to live out her virtue and seek happiness. One does not need to move on as if the friend never existed; rather she can cherish the moments spent with her friend while realizing that the past will not change but that there is always an opportunity to make the best of whatever present situation in which she might find herself.

Chapter 3

A Defense of Homosexual Marriage

In the previous chapter, it was established that friendship is something that humans naturally desire because humans are social beings. Friendships are essentially stable social relationships that are beneficial to the individuals involved because friendship is a means to foster virtue. Since it was also argued in the previous chapter that friendship and trust can come in degrees, I will argue in this chapter that marriage is the deepest level of friendship possible. Consequently, marriage is a relationship to be understood as lifelong, or "till death do us part." The main goal of this chapter will be to establish that marriage is possible between a man and a woman, two men, or two women. This conception of marriage will be argued by use of Stoic principles, and will be used as a response to what will be called the traditionalist understanding of marriage that holds that marriage is only possible between a man and a woman.

Perhaps the best way to set up the argument supporting same-sex marriage is to present the argument in support traditional marriage. This will be done by focusing on the arguments of the traditionalist natural law ethicists Robert P. George, Germaine Grisez, and John Finnis. Since these three writers present what appears to be the strongest possible case for heterosexual only marriages, it will be by critiquing these arguments that the case for same-sex marriage will be established. The goal is to demonstrate that

the traditionalists have overemphasized the physical aspect of males and females in their understanding of marriage, and have underemphasized the role of friendship in the relationship. By looking at some of the Stoic principles of ethics and friendship, a case for homosexual marriage will be made.

The traditionalist understanding of marriage rests largely on the understanding of the role of sexual intercourse within a marriage. George argues that marriage seeks to establish "comprehensive union" between the spouses. In order to establish comprehensive union, one must take seriously the notion that the body and mind are both essential to the human person. George wants to avoid dualism which claims that there exists within the human a body and a mind, but that the mind is merely trapped inside the body. This is to say that George wants to make the body an important part of human personhood rather than claim that it is simply another possession that someone has. In other words, George holds that the "unity of body, sense, emotion, reason, and will" is "central to our understanding of humanness itself."[54] One might have external possessions like a car, but the body is not simply a possession of the person but is an essential part of the person. If someone damages another person's car, for instance, injury has been done to one's property but not to the person himself. If someone loses an arm, on the other hand, it is the person himself who has been injured.[55] Since the body is taken to be a necessary part of the human person, George holds that comprehensive union requires a union of body and mind. Not all forms for bodily union constitute comprehensive unity, however.

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[54] George, Robert P. *The Clash of Orthodoxies: Law, Religion, and Morality in Crisis*. (Wilmington, Del: ISI Books, 2001. Print): 84-5.

[55] Girgis, Sherif, George, Robert and Anderson, Ryan T., What is Marriage?. *Harvard Journal of Law and Public Policy*. 34.1(2010): 252-3. Available at SSRN: http://ssrn.com/abstract=1722155

The traditionalist argument holds that only coitus[56] allows two individuals to unite comprehensively, because this is the only means by which nature allows for biological unity. Biological unity is taken to be the type of activity that allows two people to create a "single reproductive principle,"[57] and activities such as mutual masturbation, fellatio, and other non-coitus sexual acts cannot establish the single reproductive principle. Since activities other than coitus are not, in principle, open to procreation, they are not taken to be directed toward the common marital good of both individuals involved in the marriage; rather even when performed by two consenting adults, non-coitus sexual activity can only seek certain ends within each individual. These ends would be pleasure, sexual release, etc., and these are not taken to be a common good, but rather as seeking to satisfy urges of the individual. Coitus, on the other hand, establishes an "organic unity" between husband and wife, and this is a common good that cannot be achieved alone, whereas the pleasure coming from sexual release is something that a solitary individual can achieve without any help from another person. George elaborates, pointing out that "reproduction is a single act, in humans (and other mammals) the reproductive act is performed not by individual members of the species, but by a mated pair as an organic unit."[58] So, the value of coitus is not primarily that it gives pleasures to the individuals, but that it establishes an "organic unity" that is impossible to achieve through any other sort of bodily union.

Marriage, for the traditionalist, is thus understood as a relationship between two people that can establish actual bodily union, not through any particular consequences

[56] Coitus is to be understood as sexual intercourse of the reproductive kind. That is when the male penis enters into the female's vagina and satisfies the conditions that, in principle, can lead to reproduction.
[57] George, *The Clash of Orthodoxies*: 77.
[58] George, *The Clash of Orthodoxies*: 77.

which result from sexual intercourse, but from the act of sexual intercourse itself. While all sexual activity must be reproductive-in-type, two people can properly engage in coitus knowing that they cannot, in practice, procreate. Coitus is proper even within a sterile couple because it is not the consequence of having children that makes coitus an appropriate expression of sexual behavior; rather what makes it appropriate is that it creates actual biological unity between two individuals. Consider the following passage from Grisez:

> The joining of male and female to which nature inclines human beings is generically like that to which inclines other animals that reproduce sexually. In sexual intercourse, the mated pair engages in one reproductive act. Though male and female are complete individuals with respect to other functions---nutrition, sensation, locomotion---with respect to reproduction they are only potential parts of a mated pair, which is the complete organism capable of reproducing sexually. Even if the mated pair is sterile, intercourse, provided it is the reproductive behavior characteristic of the species, makes the copulating male and female one organism.[59]

Furthermore, "a mated man's and woman's reproductive behavior makes them one organism. 'Two in one flesh' is no mere metaphor."[60] Coitus itself is thus understood as the activity which establishes the common marital good, and marriage needs no justification outside itself to be pursued; this is to say that marriage is good in itself. The traditionalist understands coitus, as the proper marital act, as actually creating "two-in-one-flesh," and that this one flesh is not a metaphor, but an actual entity that is valuable in itself.

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[59] Grisez, Germaine. "The Christian Family as Fulfillment of Sacramental Marriage." *Studies in Christian Ethics*. 9.1(1996): 28. See also George, *The Clash of Orthodoxies*, 78.
[60] Grisez: 29.

Given this understanding of marriage, it is easy to see that homosexual couples could not possibly marry under the traditionalist conception of marriage. The primary reason that homosexuals could not marry each other is not that they cannot, in principle, conceive children, because infertile couples cannot do so either. The reason that two men or two women cannot marry one another is that any kind of sexual activity between them is not reproductive-in-kind. Infertile heterosexual couples may not succeed in conception, but the sexual activity is essentially the kind of activity that leads to procreation, so it is a marital act. Homosexual activity, on the other hand, is understood by the traditionalists to be masturbatory in nature, meaning that it is not open to the common marital good. Homosexual activity, lacking this ability to establish a common biological good between two individuals, cannot consummate a marriage. So, the traditionalist is forced to say that two men or two women cannot establish a comprehensive union, and without this union, marriage is not possible. The traditionalist thus might claim that homosexuals are not being denied marriage through bigotry or hatred; rather they can claim that when two men or two women couple, they are unable to perform the kind of activity that makes a marriage possible. Since coitus is considered necessary for marriage and members of the same sex cannot engage in coitus with one another, marriage between members of the same sex is not possible.

Recall that the traditionalists think that sexual activity between two males or two females can only result in pleasure in the individuals rather than a common good. Finnis elaborates on this point in the following passage:

> But the common good of friends who are not and cannot be married. . .has nothing to do with their having children by each other, and their reproductive organs cannot make them a biological (and, therefore personal) unity. So their sexual acts together cannot do what they may hope and imagine. Because their

> activation of one or even each of their reproductive organs cannot be an actualizing and experiencing of the *marital* good---as marital intercourse (intercourse between spouses in a marital way) can, even because spouses who *happen* to be sterile---it can *do* no more than provide each partner with an individual gratification. For want of a *common good* that could be actualized and experienced *by and in this bodily union*, that conduct involves the partners in treating their bodies as instruments to be used in the service of their consciously experiencing selves; their choice to engage in such conduct thus dis-integrates each of them precisely as acting persons.[61]

The concern that George had about dualism is also present here in Finnis writings. Finnis is concerned that when the purpose of sexual activity is removed from its biological purpose, the human person begins to disintegrate. Coitus creates a biological unity, and this type of unity is only taken to be possible within the context of a male-female marriage. When people engage in sexual activity that is not within a marriage or not reproductive in type, people begin to view the body as a possession of the conscious self rather than the self and the body as being both integral to the human person. Disintegration occurs because one begins to separate the body from the mind by making the body nothing more than a servant of the mind. Any non-coitus sexual activity is thus seen as being little more than pleasure-seeking and thus disintegrating.

It is worth pointing out that Finnis' position is not to denounce homosexual activity alone, but it can be taken to denounce any type of sexual activity that is not coitus or within the context of marriage. Certainly, solitary masturbation, fornication, adultery, and non-coitus sex within marriage are off-limits as well. The traditionalist understanding of sexuality makes a variety of actions, even between male and female, off limits so it would be wrong to claim that their argument against homosexual marriage is nothing

[61] Finnis, John. "Law, Morality, and 'Sexual Orientation.'" *Same Sex: Debating the Ethics, Science, and Culture of Homosexuality*. Ed. John Corvino. (Lanham, Md: Rowman & Littlefield, 1997. Print): 34-5.

more than a justification of their bigotry against homosexuals. Their position on homosexual marriage flows, rather, from their understanding of the role of human sexuality. It just so happens that their understanding of the role of sex within marriage precludes homosexual marriage, but there is no need to question the intentions of the traditionalists or claim that their position is a manifestation of their attitude towards homosexuals as people.

The final part of the argument against homosexual marriage that is relevant for this thesis is the argument that coitus is the only type of activity that is possible for establishing monogamy. George claims that with the conjugal view of marriage "it is clear why marriage is only possible between two people" whereas there can be no assurance that homosexual marriage needs to be monogamous. Coitus establishes monogamy because comprehensive union "can be achieved by two and only by two because no single act can organically unite three or more people at the bodily level, or therefore, seal a comprehensive union of three or more lives at other levels."[62] Since the only way to establish organic and comprehensive union comes through an actual bodily union and since nature provides no way for more than two people to unite bodily, marriage necessary must be monogamous. Homosexual relationships have no such biological basis for monogamy because homosexuals have no way to unite biologically, so any defense of homosexual marriage will have to recognize that monogamy is not essential to marriage. The traditionalist thus argues that any "principle that would justify the legal recognition of same-sex relationships would also justify the legal recognition of polyamorous and non-sexual ones."[63]

[62] Sherif, et. al.: 272.
[63] Sherif, et. al.: 273.

Finnis further argues that there is nothing preventing more than two people from entering into a relationship with each other, but this does not constitute a marriage. For instance, there might be a common interest for several people to do so, such as when a group of people need to come together to raise a child. He claims that "two, three, four, five, or any number of persons of the same sex can band together to raise a child or children. That may, in some circumstances, be a praiseworthy commitment. It has nothing to do with marriage."[64] Essentially, there are no counterexamples that one might give to change the traditionalist's mind because marriage is not understood as something that comes about as a result of certain social responsibilities, but as something that is formed, at least in part, by the physical union of two people. Three or more people might be able to raise children, or do any number of things that a married couple does, but the important thing for the traditionalist is that there is no possibility of comprehensive unity in any relationship except that of one man and one woman.

Furthermore, Finnis argues that sexual relationships between homosexuals have no basis for faithfulness since the traditionalists think that homosexual relationships cannot establish a biological basis for monogamy. Finnis argues, in a fairly dismissive manner, that "the plain fact is that those who propound a homosexual ideology have no principled moral case to offer against (prudent and moderate) promiscuity, indeed the getting of orgasmic sexual pleasure in whatever friendly touch or welcoming orifice (human or otherwise) one may opportunely find it."[65] The idea is that since at most two males or two females can only seek individual pleasure during sexual contact and there is no way for them to establish a common good between them with their sexual activity,

[64] Finnis: 42.
[65] Finnis: 42.

there is nothing preventing them from being promiscuous. Married couples are thought to have a common good established by the organic unity created by the sexual activity. Since this type of unity cannot be established between more than two people, married couples have good reason to be faithful because they cannot establish an organic unity with a third person. Individuals in a homosexual relationship, on the other hand, can presumably seek orgasmic pleasure wherever they desire to seek it. For this reason, the traditionalists think that homosexuals have no solid basis for faithfulness whereas heterosexual married couples do.

Now that the traditionalist argument has been set forth, it is time to propose an alternate understanding of marriage that accounts for the acceptability of same-sex marriages. The main problem with the traditionalist understanding of marriage is that it gives far too much significance to the sexual aspect of the relationship and underemphasizes the relationship of the selves as conscious, thinking beings who are capable of virtue and happiness. The traditionalist understanding of marriage puts far too much emphasis on the biological function of sex, and in fact gives it a role in relationships that does not seem justified.

The emphasis of coitus as creating an "organic unity" and a "single reproductive principle" is perhaps the most controversial aspect of the traditionalist perspective. George claims, for instance, that it is a "plain biological fact" that reproductive sex is a single function carried out between two people which creates a "single organism" and "one flesh."[66] The problem, however, is that it is by no means a "plain biological fact" that a single organism is created through the act of coitus. George carelessly moves from describing what goes on during legitimate sexual intercourse as being a single function

[66] George, *The Clash of Orthodoxies*: 83.

and creating a single organism. There is nothing controversial about the claim that two people engaged in reproductive sex are performing a single function, but this does not mean that a new organism is created as a result. Coitus might be considered a single function because it can be directed toward the end of conception, which requires the male to give his sperm to the female's egg in order for conception to occur, but this is not the same thing as claiming that a single organism arises from such a union of two bodies. After all, during sexual intercourse, there are still two individuals present and although they may be engaged in the activity of mutual self-giving, there is no distinct organism that has been created which was not present before the sexual act and ceases to be present after the act is complete. Once intercourse is over, the two bodies no longer engage in the reproductive function, so there is no basis for claiming that coitus creates a new, single organism.

The traditionalist understanding of marriage thus puts too much focus on sexual activity, and while there is little doubt that sex will be a major part of many relationships, it should not be necessary for a marriage. Comprehensive unity is preferable in a marriage to the extent that married couples should seek to be united to the greatest extent that it is possible for them to be united. This is to say that what constitutes comprehensive unity is going to be different for each particular couple. Establishing comprehensive unity will require couples to examine the particular aspects of their relationship because given the diverse makeup of individuals, it does not seem likely that what makes a comprehensive union will be the same for all couples.

For example, an elderly man and woman may desire marriage, for instance, even when neither of them have any desire for sexual intimacy. Certainly, this couple can

benefit as a couple from marriage and can participate in the societal benefits of marriage. Just like every other married couple, the elderly couple can live as a couple within a community, participate in the larger community, and be role models for other couples in the community. Their social interaction with the larger community will benefit from the deep friendship that should result from marriage that allows them to bring out the best in each other and become more virtuous. Their relationship is asexual in nature, so according to the traditionalist perspective, there is no basis for marriage because there would be no physical consummation of the marriage. Yet there does not seem to be any reason to claim that elderly couples should not marry because they have no desire for sexual activity. Sexual intercourse is only one thing to consider before getting married because more importantly couples need to decide if both parties are able to get along with each other at a basic interpersonal level. If two people cannot tolerate each other's personalities, this becomes a greater detriment to marriage than no desire for sexual intercourse or a preference for non-coitus intercourse.

Basically, there is no reason to think that marriage cannot exist simply because coitus is not present. Marriage can be understood as two people being recognized by the larger community as being lifelong partners who are committed to one another. This is a preferable relationship because it offers the deepest kind of friendship that is possible for a couple that is committed to live their lives together can be committed to the deepest and most trusting friendship that they can possibly experience. Recall from the previous chapter Seneca's claim that one ought to trust a friend as one trusts oneself.[67] This is perhaps not possible in ordinary relationships because it is not possible to devote oneself to ordinary friends at that level. If one has ten reasonably close friends, for instance, it is

[67] Seneca, *Epistulae Morales* 1: 12.

not possible to spend the necessary time with all of them to develop the level of trust that is necessary to trust that friend as one would trust oneself. In a world where time is perhaps one's most valuable resource,[68] one can only devote a limited amount of time to any given friendship. Marriage can be understood as the deepest form of friendship that one might possibly enter into, because in marriage one is committed to another person to the greatest possible degree. All other friendships and activities can be understood as secondary to the friendship that is formed within a marriage. While Seneca does not make this connection in his letters, it is reasonable to think that Seneca's ideal friendship can find its home within the context of marriage.

When a couple faithfully enters into marriage and publically vows to make the marriage a lifelong commitment, ideally this would allow for a greater level of authenticity in the relationship because one does not have to fear the ending of the relationship. Certainly ending a marriage is a common event, but the point is that if one takes seriously the lifelong commitment of marriage, there is a sense in which the members of the marriage can be free to be their entire selves, without putting on a show for acceptance, around their spouse. In an ordinary friendship, there are bound to be some walls put up as a way to safeguard the friendship from ending unexpectedly, and this will perhaps prevent these friends from developing as close and intimate a union as possible. In a marriage, on the other hand, where the commitment is explicitly lifelong, one can be free to be himself or herself within the relationship because the relationship is supposed to grow through the troubles it might encounter. This is not to say that the goal of a

[68] In *Letter One* Seneca discusses the value of time and how it is the only resource that we are given over which we have full control. Time is a finite resource, but how one allots one's time within the particular circumstances in which one finds oneself is within one's control. See: Seneca, *Epistulae Morales* 1: 2-5.

marriage is to create problems that need to be worked out, but one spouse can be free to let his desires and needs known even when they are in conflict with the other spouses, because their lifelong commitment allows them to work through serious problems. Certainly ordinary friendships can work through problems, but in a marriage the difference is that if one desires to stay true to the vows, breaking off the relationship is off-limits. Ordinary disputes which may lead two casual friends to drift apart should not do the same for the married couple because the couple is committed to working through such issues.

Recall the discussion from Chapter One about how reason works for problem solving with moral issues. It is this capacity for reason that works to address marital issues that need to be worked through in order to have a successful marriage. Let's consider how this might work by considering a problem in a marriage. One of the problems of friendships in general, and more so in marriage, is that it is impossible to read other peoples' minds. It is not possible to know exactly what one's spouse is thinking, so one must attempt to perceive through observations when there are problems and one must be willing to listen to one's spouse. One's spouse may be having problems at work for instance and may come home in an irritable mood, while his spouse is perplexed at what the situation. Perhaps this leads to disagreements and stress within the marriage when resolutions to the problem are not forthcoming. For instance, the worked stress spouse may want to go on an expensive vacation because he senses that this will relieve his stress. His spouse does not agree to the vacation because they are not financially secure and the spouse is worried that spending such money on a vacation will become a further burden that will make things worse in the future. The spouses disagree

and there is no obvious resolution to the problem in front of them. In an ordinary friendship, serious disputes may lead to friends drifting apart, but in marriage this is not an option since the commitment was made until the death of one or the other spouse.

The virtuous person will recognize the problem here as being that there are two people, himself and his spouse, who are committed to being in the marriage but have personal desires and problems that need to be addressed. Virtue in a marriage demands that each spouse take seriously the desires and problems of the other. When one spouse complains about work, for instance, the other should take his problem seriously and not make light of it by claiming that things are not really as bad as they seem, for instance. Taking seriously one's spouses experiences allows for addressing the problem rather than remaining in turmoil and constant disagreement. The second step is to address the disagreement about how to address the problem. Perhaps an expensive vacation would relieve his stress, but it will cause more stress for his spouse by increasing the financial burden of the family. They can work to compromise by agreeing that they should do something out of the ordinary, but it should be something reasonably priced. So perhaps they decide to go out for an evening to a nice dinner and a movie, or perhaps they decide to go on an overnight visit to some family or friends outside of town. They may also agree to start saving money for a vacation so they can afford it in the future. This is a compromise that addresses both spouses' concerns; he who is stressed at work is able to get his mind off of work for a while and enjoy some recreation while the spouse concerned about money is able to be less concerned about their financial security. They both get something that is valuable to them as individuals but do so in a way that is

unselfish so that both spouses are able to be more satisfied than they would be had they obstinately held onto their initial desires while refusing to compromise.

It seems, based on the discussion of how to deal with problems within a marriage, that the ability to engage in give and take and the ability of each spouse to perceive the problems of the other and respond to them is the most important part of any marriage. Ideally, the commitment of marriage is that each spouse works to foster the happiness of the other in addition to one's own happiness. Within the Stoic framework, this emphasis on virtue and reason allows marriage to be understood as a friendship into which two people enter with the expressed agreement that they will do their best to ensure the happiness not only of their own selves, but also the happiness of the other. The Stoic recognition that external circumstances are not important for happiness allows the couple to understand each other's desires and preferences and work around them in such a way that both can be satisfied. The role of reason in the relationship is that a couple learns, through experience, how to sense each other's needs and attempt to work out a solution that is satisfying for each other rather than just giving in to the desires of one or the other.

It is worth pointing out that what has been presented is an ideal version of marriage, and certainly few marriages will perfect this ability to compromise but this does not take away from the legitimacy of the marriage. Few people ever perfect their virtue, but virtue is still a goal worth seeking. Similarly, married couples are bound to experience disappointments and occasional failures in communication. The important thing, however, is the commitment to remaining in the friendship even through the most serious of trials. Some marriages may even fail in the end, and this is unfortunate, but the wisdom of the proposed view of marriage is that serious problems should not cause a

married couple to drift apart. Marriage is hard work, and being committed until "death do us part" allows a couple the comfort and security that each individual is committed to working through such problems.

When marriage is framed in this way, it begins to become clear how same-sex couples can enter into marriage. Indeed, from a Stoic point a view one might stay that placing the focus of marriage on two people working on becoming virtuous and achieving happiness is what is important rather than the external, uncontrollable circumstances in which one finds himself. One's biological sex is determined by nature and this is something outside of one's control, barring some sort of procedure to change one's sex. It is also likely the case that it is outside of one's control to be attracted to members of the same sex or opposite sex. More fundamentally, however, it is not clear that one's sex or the sex of the person that one desires to marry is terribly important because for the Stoic, what is going to be important is that any relationship is going to foster virtue in the people involved. It is not even necessary to frame the issue in terms of one's sexual orientation because all that needs to be said is that one should marry the person who is most likely to foster virtue and happiness to their fullest potential in that person. Sexual orientation will undoubtedly have a large role in the person someone chooses, but the principle for establishing a marriage should not be to choose a member of a particular sex; rather the principle should be to choose to marry the person who will most likely foster virtue and happiness.

The traditionalist may immediately object that same-sex marriages cannot foster virtue because sexual activity between two men or two women is inherently a manifestation of vice. He might argue that the natural purpose of sexual intercourse is

procreation, and should not merely be used for pleasure. This understanding of sexual activity is certainly not foreign to Stoicism, as John Finnis recognizes that the Stoic Musonius Rufus found all homosexual conduct shameful and further thought that "the point of marriage includes not only procreation and raising of children but also, integrally and essentially, a complete community of life and mutual care and affection between husband and wife."[69] Rufus certainly had a negative view toward any sexual activity that was directed toward pleasure rather than begetting children, whether in marriage or outside of marriage. Consider the following passage:

> Men who are not wantons or immoral are bound to consider sexual intercourse justified only when it occurs in marriage and is indulged in for the purpose of begetting children, since that is lawful, but unjust an unlawful when it is mere pleasure-seeking, even in marriage. But of all sexual relations those involving adultery are most unlawful, and no more tolerable are those of men with men, because it is a monstrous thing and contrary to nature.[70]

So it is true that Musonius, coming from the Stoic tradition, found homosexual conduct unacceptable. He does not offer good support of the traditionalist perspective, however, because he would be against infertile sex as well, because he understood sexual intercourse as something that can only be done properly within a marriage when procreation is the intention of the action. He does not speak of sexual intercourse as the type of thing that creates a marriage; rather Musonius speaks of sexual intercourse as something that can only take place legitimately within a marriage. Sexual intercourse is thus not that which creates a marriage for Musonius, but is something that can only take place within a marriage.

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[69] Finnis: 33.
[70] Lutz, Cora E. *Musonius Rufus: "The Roman Socrates."* (New Haven, Yale University Press, 1947): 87.

Recognizing that Musonius comes from the Stoic tradition does not mean that one has to take his position on homosexual activity as the necessary Stoic position. Musonius objects to all sexual activity that is not meant for procreation as "monstrous" because he thinks that sexual activity is naturally only for procreation. This is mistaken, however, because while sexual intercourse may be the means by which nature provides for procreating, it does not follow that procreation is the only acceptable use of sexual intercourse. John Corvino points out that pleasure is one reason that people may engage in sexual activity, but it is not the only reason. Pleasure is not the only reason that either homosexuals or heterosexuals who do not, or cannot have kids would have sexual relations:

> But [sex] is also much more than [pleasure]: a sexual relationship can unite two people in a way that virtually nothing else can. It can be an avenue of growth, of communication, and of lasting fulfillment. These are reasons why most heterosexual couples have sex even if they don't want children, don't want children yet, or don't want additional children.[71]

Sexual intercourse that is non-procreative-in-type need not be considered unnatural simply because it cannot lead to conception. Non-procreative intercourse can still achieve other goods if it is an expression of commitment and love. The pleasure that results from sexual activity will certainly be one of the compelling reasons that two people will engage in sex, but this is not to say that two men engaging in sexual activity are simply using each other for pleasure. The couple might engage in the pleasurable activity because it is the means by which each person is able to show his (or her) deep commitment to the other person.

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[71] Corvino, John. "Why Shouldn't Tommy and Jim Have Sex?: *A Defense of Homosexuality*." *Same Sex: Debating the Ethics, Science, and Culture of Homosexuality*. Ed. John Corvino. (Lanham, Md: Rowman & Littlefield, 1997. Print.): 4.

In terms of Musonius' objection, then, it is not that his objection to homosexual activity principally comes from his Stoicism; his position comes from his failure to recognize that sexual activity can itself be a type of language to express love and commitment between two people. His concern seems to be that people who engage in sex for pleasure, whether they are homosexual or heterosexual, are abusing a natural activity for selfish purposes. After all, simply using another person for one's own pleasure is wrong because when doing so, one does not respect the other person as a human capable of virtue and happiness; rather when one uses another for pleasure, one treats that person as an object to satisfy one's own urges. Homosexual sexual activity need not be, in principle, pleasure seeking only, as Musonius assumes. Since sexual activity can serve as a type of language between two people, a couple can engage in it even when it is not reproductive-in-type.

The role of sexual activity in a marriage should not be overemphasized, however, because although a sexual relationship may be an important part of the marital relationship, there are other much more important aspects of marriages that need to be taken into account other than the physical aspect of sex. Consider the following passage from Musonius, which gives guidance regarding the "chief end of marriage":

> Therefore, those who contemplate marriage ought to have regard neither for family, whether either one be of high-born parents, nor wealth, whether on either side there be great possessions, nor for physical traits, whether one or the other side have beauty. For neither wealth nor beauty nor high birth is effective in promoting partnership of interest or sympathy, nor again they significant for producing children. But as for the body it is enough for marriage that it be healthy, of normal appearance, and capable of hard work, such as would be less exposed to the snares of tempers, better adopted to perform physical labor, and not wanting in strength to beget or to bear children. Or how could one that is good be in harmony with one that is bad? No more than a crooked piece of wood could be fitted with a straight one, or two crooked ones be put together. For the crooked

> one will not fit another crooked one, and much less the opposite, a crooked with a straight one. So a wicked man is not friendly to a wicked one, nor does he agree with him, and much less with a good man.[72]

This passage is important for understanding what is important for establishing a marriage. Musonius does assume that marriage is between man and a woman and that children will result within a marriage, but he does not go as far as to say that marriage is formed by the sexual union of a man and woman. Physically, he requires very little of those who wish to be married, and it seems that he is only concerned that those who would be marry will be fit to carry out the roles which they will be expected to carry out within that marriage. He requires only that the body be capable of hard work, and that the body be capable of begetting and bearing children. Musonius does not elaborate on what he means here, but one might use his general point which downplays the state of the physical bodies of those being married to make a further point about marriage. One could say that the only requirement for the bodies of the individuals being married should be that the body is actually capable of the work which is expected of each individual entering into a marriage. A couple might, for instance, put off marriage until one or the other partner is in a position to support a family. This is a reason that some couples may wait to enter into marriage until they are out of school and have stable jobs. They are waiting until they pick up the necessary skills to do the work necessary to provide income for the family. If the individuals do not yet have the ability to become independent and support themselves financially with dependable careers, then they might wait until they develop such work skills to get married. The point is to not marry until the couple is in a position where the success of that marriage is reasonably possible.

[72] Lutz: 91.

Musonius does require that couple be able to beget and rear children. One can interpret this in light of the previous discussion of Musonius' view of sexual activity. The assumption Musonius seems to be making is that married people will have sex, but he clearly believed that the only proper function of sex is to conceive children. Given that assumption, it is clear why he would think that the body needs to be capable of reproduction because if two people are incapable have children for any reason, no sexual activity is acceptable. Since it has been established that sexual activity can be used for other purposes, such as communication and commitment, the requirement of the body to be capable of reproduction need not understood as important for marriage. Couple who know they are incapable of conceiving children, whether infertile heterosexuals or homosexuals, can legitimately marry.

The most important part of Musonius' passage that can be used in support of homosexual marriage is the focus on virtue. When thinking about marriage, two people should examine whether their personalities are compatible and whether they will be able to foster virtue in one another. Someone committed to virtue should not marry someone who is not committed to virtue, because the chance of such a marriage succeeding seems pretty slim. There will be a conflict of desires that will likely lead to quarrels that will either be a hindrance to the virtue of the partner committed to virtue or the quarrels may tear apart the marriage altogether. Similarly, two people who are committed only to vice do not make good candidates for marriage because their vicious behavior will only bring out the worst in each other. Their desires might well be consistent, but vicious behavior can ultimately ruin the marriage. If two people are unwilling to work hard or be prudent with their money, this might work out for a while, but it will likely lead to problems

within the marriage in the future because neither partner will be equipped to properly deal with problems they begin to face when the consequences of their vice begin to take place. They might spend their way into unmanageable debt, for instance, and this will likely lead to serious problems that can tear apart their marriage.

It is important, however, not to require too much of the virtue of those entering into marriage because if the standard is that each individual must be perfectly virtuous, then no one would be able to marry. On the other hand, a reasonable understanding of this virtue-based understanding of marriage is that each individual should be committed to becoming virtuous and helping one's partner to become virtuous. This is where the friendship of the marriage comes into sight, because the ideal of friendship is that people become present to each other in such a way that they allow each other to grow in virtue. Marriage can be understood as the deepest friendship into which two people could possibly enter, and it makes no difference whether those individuals are man and woman, two men, or two women. Marriage is not created by two people engaging in a certain type of sexual behavior, because any two people can engage in sexual behavior even without having any sort of commitment to each other. A much better understanding of marriage is to understand it as two people giving themselves to one another in a manner where they are entirely devoted to the good of the other person. Musonius has a beautiful passage which makes precisely this point because he recognizes that the birth of a child does not have the capacity to establish what is necessary for a marriage:

> The birth of a human being which results from [a marriage] is to be sure something marvelous, but it is not yet enough for the relation of husband and wife, inasmuch as quite apart from marriage it could result from any other sexual union, just as in the case of animals. But in marriage there must be above all perfect companionship and mutual love of husband and wife, both in health and sickness and under all conditions, since it was with desire for this as well as

> having children that both entered upon marriage. Where, then, this love for each other is perfect and the two share it completely, each striving to outdo the other in devotion, the marriage is ideal and worth of envy, for such a union is beautiful.[73]

This passage seems to be the central thrust of Musonius on marriage because he recognizes that any sexual union between man and woman outside marriage might conceive children, but in marriage there is the possibility of perfect companionship.

Given this understanding of marriage formed by an interpretation and slight reworking of Musonius Rufus, one can see that a general Stoic framework supports including same-sex marriages as real possibilities. The traditionalist understanding of marriage focuses too much on the fact that sexual intercourse between man and woman is the biological means to reproduce human life. While it is true that humans naturally reproduce through sexual intercourse, this does not mean that all humans must reproduce, even if they desire to enter into marriages. The Stoic perspective offers a framework in which to think about relationships, in general, as being valuable because humans are naturally social; that is, humans naturally seek out relationships with one another and these relationships are helpful for developing virtue. Virtue is something that humans ought to seek because through virtue one is able to develop character traits that moderate one's desires such that one will seek only those things that are valuable. The quest for virtue is also a quest for happiness because the virtuous person realizes that there is nothing else one must have in order to have a completed life. It is in the spirit of virtue that one should seek after relationships, because one regards virtue as something that is the only true good for one's own happiness but also part of this virtue would be to recognize that virtue is the one true good for other people as well. So by entering into a

[73] Lutz: 89.

relationship with another person, one is not selfishly trying to use another person as a means to achieve virtue, because virtue is not selfish; rather in a relationship, one seeks virtue for oneself while being present to another person as an aid in their virtue. Seeking virtue in this way, in a marriage, is both possible for heterosexual and homosexual couples.

The emphasis on marriage as an endeavor to achieve the deepest possible friendship as a means to establish virtue avoids one of the traditionalist criticisms of support for homosexual marriage, but it will bring attention to another which can then be addressed. Consider the traditionalist perspective on what "redefining" marriage to include homosexual unions would do to the institution of marriage:

> In redefining marriage, the law would teach that marriage is fundamentally about adults' emotional unions, not bodily union or children, with which marital norms are tightly intertwined. Since emotions can be inconstant, viewing marriage essentially as an emotional union would tend to increase marital instability---and it would blur the distinct value of friendship, which is a union of hearts and minds.[74]

Furthermore, the traditionalist claims that people who are unable to marry because of their attraction to members of the same sex ought to experience the same thing that people who are unable to marry for other reasons ought to experience, namely "rich and fulfilling lives." Furthermore, he thinks that two of the mistaken assumptions of proponents of homosexual marriage are: to be happy people need a forum for sexual release, and that "meaningful intimacy is not possible without sex."[75] He comments on the second assumption particularly, in the following passage:

[74] Sherif, et. al.: 260-1.
[75] Sherif, et. al.: 282-3.

> Belief in the second hidden assumption, that meaningful intimacy is not possible without sex, may impoverish the friendships which single people could find fulfillment---by making emotional, psychological, and dispositional intimacy seem inappropriate in nonsexual friendships. We must not conflate depth of friendship with the presence of sex. . .By encouraging the myth that there can be no intimacy without romance, we deny people the wonder of knowing another as what Aristotle so aptly called a second self.[76]

Both of these objections to homosexual marriage can be adequately answered when thought about in the Stoic context presented in this thesis.

There is a sense in which the traditionalist is correct when claiming that defining marriage as an emotional union would destabilize marriage. Viewing marriage as the deepest possible friendship does not, however, claim that marriage is simply an emotional union that might change on a whim; rather marriage is a relationship that is directed to the concrete good of achieving virtue. Virtue is primarily a state of the character because objects that do not have minds cannot be virtuous. Achieving the state of virtue, in the Stoic sense, assumes that one is able to choose how to react to external situations. Humans can determine how they will react to adversity, for instance, such as when injury is done to one's body; one can either accept the injury and move on with life or refuse to accept it and become bitter. A rock that is broken in half has no capacity to make such decisions, and consequently no possibility to be virtuous, because it has no mind. It is primarily at the level of the mind that humans interact on an interpersonal level, and even coitus should only come about when two people consciously decide to engage in such activity. All sexual activity must be consensual, which means that all legitimate sexual activity is governed by the mind. So even in a marriage as the traditionalist would understand it, sexual intercourse can only come about when the husband and wife *decide*

[76] Sherif, et. al.: 283.

to have sex, and this decision is going to largely be based on various factors within the mind, whether they are emotions, physical strength, sexual desire, or prudential decisions.

The traditionalist claim sets up a false dilemma because it assumes that either marriage is established by coitus which is unchanging and thus a stable foundation or it is established by emotional bounds which would be unstable since emotions can change. The third option, which does unmentioned by the traditionalists, is that marriage is based in virtue and seeks the best for both individuals in the relationship. This basis in virtue is not a fleeting emotion like admiration of another's physical qualities, but virtue in marriage recognizes that one must take into account the needs and desires of one's partner even when doing so might be a terribly inconvenience. Coitus within a heterosexual marriage can never be taken for granted, for instance, because the availability of that behavior results from the needs and desires of the individual partner. No sexual activity between spouses can legitimately take place without the consent of both individuals, so even for the traditionalist, marriage must be seen as in some sense the combination of two wills. The establishment of marriage cannot be understood primarily as the physical union of man and woman because before that physical union is possible, there is a need for two people to make a conscious choice to live their lives together.

So it is not that marriage is based on unstable emotions, but that it is based on the desire for the objective well-being of the other person. In marriage, one is not just a friend who offers help asked for it; rather in marriage each partner's life is devoted to helping the other achieve her potential for virtue and happiness. Marriage is the deepest possible friendship because there is ideally no holding back in what one gives to the other

person in terms of one's self. One gives one's entire self to the other, in exchange for the other's entire self. In doing so, they each commit to doing what is best for one's self and for one's partner. It differs from an ordinary friendship where one may make a life decision even against that friend's will because in an ordinary friendship, one does not make the commitment to order her life around that of her friends. For example, if she is offered a job a thousand miles away, she can take that job even though she will leave her friends behind and they might not like her decision. In a marriage, however, it is not acceptable to make such a decision without the acceptance of one's spouse. She could not tell her spouse that she is moving across country regardless of the will of her spouse because when she entered into marriage, she agreed that the marriage would consist of the spouses being devoted to each other and that such life decisions cannot be made without the agreement of both partners.

Musonius recognizes this need to think in terms of "we" rather than "me" in a marriage, as he says:

> But where each other looks only to his own interests and neglects the other, or, what is worse, when one is so minded and lives in the same house but fixes his attention elsewhere and is not willing to pull together with his yoke-mate nor to agree, then the union is doomed to disaster and though they live together, yet their common interests fare badly; eventually they separate entirely or they remain together and suffer what is worse than loneliness.[77]

This is an important passage and is helpful as a response to the traditionalists, because heterosexuals can just as easily fall into the traps of selfishness as homosexuals. There seems to be no good reason to think that the presence of coitus is sufficient for establishing commitment between two couples because commitment is the type of thing

[77] Lutz: 89.

that a couple chooses. A married man and woman may have reproductive sex, but the fact that they perform what the traditionalists label the "marital act" does not ensure the faithfulness or stability of the couple. Either the husband or wife could make the decision to be unfaithful, or if they are selfish and fail to think about the good of their spouse, their marriage will fail. The real "marital act" is not the physical act of sex; rather it is the commitment that is expressed between two people to live their lives together through better and worse.

There is a sense in which the traditionalists are correct, however, in claiming that intimacy does not require sex. That is true, because a strong marriage will last even when the availability of sexual intercourse is not present. This is because it is not in the sexual intercourse that the marriage was established, but it was in the commitment into which two people entered. Homosexual couples do not need sexual intimacy to be married, and neither do heterosexual couples, but it is certainly likely that this will be an aspect of their marriage when it is possible. That sexual behavior can serve as an expression of the intimacy which they share, but that intimacy can still exist even when sexual activity is not possible. It seems that it is best for all couples, whether heterosexual or homosexual, to keep this principle in mind because basing a marriage on the availability of sex is basing it on something that might not always be available. The wisdom of the Stoics is that virtue should be based on something that is entirely within our control, namely our responses to external situations. Since marriages foster virtue, they should be grounded in two people being committed to living and being happy with each other regardless of the external circumstances which are outside their control. Sexual intimacy may not always be available, but so long as they both have full control of their minds, it is possible for

any couple to continually renew and live out their devotion to one another. This sort of devotion is possible regardless of the biological sex or gender of the individuals involved in the marriage.

At this point, the traditionalist may wonder what prevents more than two people from entering into one marriage if marriage is simply the deepest friendship in which one can enter. After all, more than two people can be involved in a friendship. There may be nothing, in principle, preventing more than two people from being involved in the same marriage, although societies might have their own reasons for restricting marriage to two people.[78] There does seem to be a practical reason to think that marriage, at its best, is between two people, and this reason is because the more people involved in a relationships, the more complicated that relationship becomes. It is difficult enough to give oneself entirely to another person, and to reconcile the needs and desires of two people. Adding a third individual would complicate this because instead of giving oneself entirely to another person, one would be giving oneself entirely to multiple people with the expectation that each person could develop the deepest possible relationship. There would be a much greater chance for division within the relationship because there would be a chance that two (or more, depending on the number of people involved) partners could turn against the others. Where there are only two people involved, there is still hard work to do to maintain the relationship, but it can be done with the assurance that oneself is the primary concern of the spouse and that one's spouse his own primary concern.

[78] This thesis has not been concerned with the legal status of marriage because that would require going into the nature of government, which is not really within this thesis' scope. Instead, this thesis is arguing that marriage is possible between same-sex couples. The status of government recognition of same-sex marriage is outside the scope of this thesis, however.

In casual relationships, there can be multiple people involved because the commitment is not the same as in a marriage. Friendships among ordinary friends can help foster and sustain virtue, but it is not as if one has to give one's entire self to the other people. One can be generally concerned about their wellbeing, but one does not commit one's entire life to them. Marriage, on the other hand, is deep and such that one order's one's life around that relationship. One's every day decisions must keep in mind the good of the marriage, which may mean sacrificing important dreams and goals to hold onto one's marriage. In friendships with non-spouses, one may develop deep and meaningful relationships, but ultimately one is not responsible for making sure all his decisions are acceptable within the framework of that relationship. In a marriage, one cannot make important decisions without the acceptance of the spouse, and certainly if one were to add additional people to a marriage, it would become increasingly problematic and complicated to create unity because the possibility of jealousy, favoritism, and unequal allocation of time and resources would pose a significant threat to the relationship. Thus, pragmatically, marriage seems like something that would be best experienced between two individuals where there is only one relationship rather than between more than two where there are multiple relationships between individuals for which all the partners would have to account.

To conclude, it is enough to say that given the Stoic framework of virtue, friendship, and marriage that has been presented, there is no reason to think that marriage should not be open to members of the same sex. So long as there is commitment to virtue and a commitment to doing what is best for each other, marriage seems to be a sensible possibility for any couple. This understanding of marriage allows for the deep personal

growth of the individuals involved, and this type of personal growth in virtue and happiness is something that should be open to both heterosexual and homosexual couples.

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