

Traditional ethics of sex, life and family, sociobiology, natural law, and the dominant culture

Ética tradicional del sexo y de la familia, sociobiología, derecho natural y la cultura dominante

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Abstract

Our society has largely rejected the traditional and religious norms about sex, family, life generation and safeguard, often considered irrational, like tradition and religion themselves, and as obstacles to individual freedom, civil rights, and a full enjoyment of human potentialities. Many of those norms, however, descend from the sociobiological nature of our species, developed by natural selection and manifested through our instincts. Therefore, we cannot be happier by ignoring them. Since people have the right to live according to their own nature, and the duty to promote the well-being of others and of themselves, many of those norms constitute a "law of nature" by which even the positive laws should abide. When disregarding traditional ethics, therefore, our society contradicts its own humanistic aspirations, failing to defend, or even violating, the rights of some of its weakest members, like women and children.

Keywords: Sociobiology. Natural law. Traditional sexual ethics. Marriage. Violence against women. Abortion.

Resumen

Nuestra sociedad ha rechazado muchas normas tradicionales y religiosas sobre el sexo, la familia, la generación y la defensa de la vida, consideradas irracionales, y como obstáculos para la libertad individual. Muchas de esas normas, sin embargo, descienden de la naturaleza sociobiológica de nuestra especie, desarrollada por la selección natural y manifestada por medio de nuestros instintos. Por lo tanto, no podemos ser más felices ignorándolas. Puesto que las personas tienen derecho a vivir de acuerdo con su propia naturaleza y el deber de promover el bienestar de los demás y de sí mismas, muchas de esas normas constituyen una «ley de la naturaleza» por la que deberían regirse incluso las leyes positivas. Al despreciar la ética tradicional, por tanto, nuestra sociedad contradice sus propias aspiraciones humanistas, al no defender, o incluso violar, los derechos de algunos de sus miembros más débiles, como las mujeres y los niños.

Palabras clave: Sociobiología. Derecho natural. Ética sexual tradicional. Matrimonio. Violencia contra la mujer. Aborto.

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Introduction

Many traditional ethical norms concerning sex, family and the generation and safeguard of life are shunned in current postmodern society, which regards them as grounded on irrational forces, like tradition or religion, and incompatible with individual freedom and the so called “civil rights”. A deeper reflection, however, shows that this attitude creates paradoxes, contradictions, injustices and serious social damages. This is because often tradition and religion simply voice demands of human nature as such.

Now, heeding and safeguarding nature is far from irrational, as witnessed by the growing concern for ecological issues. It is therefore paradoxical that in many instances the nature of the human animal is not considered worthy of the same respect as that of the other animals, plants, and of the entire environment.

It was precisely from the idea that the structure of society and its positive laws should respect the *natural law* (also said *law of nature*) that modernity developed the conception of human, civil and political rights which marked its advancement with respect to ancient and medieval societies. Therefore, assuming that certain fundamental rights may be promoted by denying the basic principles of natural law is another contradiction of postmodern society.

Of course, there is no need to consider natural law as literally a *law*, which then presupposes a legislator (for instance God, as held by Aquinas). It can be considered simply in the ecological sense that individual and social behavior should be in some important ways consistent with our nature.

In turn, this is not to confuse *is* and *ought*, facts and values, rightly distinguished by Hume: natural law is itself a moral and juridical principle, clearly derivable from different meta-ethical and meta-juridical stands. For instance, in the religious foundation of ethics and law (prevailing in the Middle Ages), one argued that since nature was structured by God, it should be respected as a manifestation of God’s will. In the current secularized perspective, however, utilitarianist foundations are more common: if we assume that right and good is what favors individual and social happiness, it’s a short step to argue that nature should be respected, since individuals and society cannot thrive by contradicting human nature.

Some would object that there is no human nature, because the human being is thoroughly cultural, continuously and freely self-shaping. This, however, would be an idealistic or spiritualistic fallacy, ignoring the scientific datum that humans are, to begin with, a biological species like all the others, in need to adapt to a biological environment. Of course, humans also create culture, but that too is a product of evolutionary impulses. Culture and nature are inextricably interwoven, and neither one can be disregarded.

Obviously, not all the rules and prescriptions handed down by the various of traditions and religions are right and rationally acceptable, not even in a natural law perspective. However, rejecting with them also the true requirements of nature is the classical mistake of throwing the baby out with the bathwater. Equally, it would be wrong to reject without critical scrutiny traditional or religions moral codes just because one does not recognize the authority of tradition or religion.

Yet, this is what frequently happens in our society, and often its worst consequences are suffered by its weakest members, like women or children. Sometimes it is actual babies that are thrown away, metaphorically or even non-metaphorically, as with voluntary abortion. Therefore, a thorough rational discussion of these crucial topics is urgently needed.

Sociobiology, mankind and family

2,5 to 3 million years ago australopithecines began to differ from other primates due to a greater brain volume. This is why they are considered the first hominids. Subsequently, the evolution of the human species through the stages of *Homo habilis*, *Homo erectus* and *Homo sapiens* was marked by a further increase of the brain, whose mass, relative to the entire body, became much greater than in any other species.

This allowed us to develop our reasoning abilities and to become the Planet's masters, but also created a particular problem to our species: a skull large enough to contain a brain of adult dimensions could not pass through the birth canal, even at its maximum dilation. Therefore natural selection ensured that human babies are born with a still rather small brain and skull, which take years to fully develop.

This accounts for another typical characteristic of mankind: at birth the babies of most other animals are practically mature from a functional-anatomic point of view, and in a very short time they become independent of parental care. Instead, human babies are still very immature at birth, as their bodies, and especially their brain, must still grow to full dimensions. Hence, they need the care of both their parents, at least until adolescence. This is why natural selection inscribed the pattern of a stable and monogamic parental couple in the instincts, i.e., in the genes, of our species. This pattern is thus part of human nature; therefore, alternative models of family cannot foster social well-being or individual happiness. Such are, for instance, the model based on the myth of romantic love, to be discussed below, or the now prevailing model of a contractual relation between selfish individuals.

This is explained by sociobiology, which studies the biological bases of the social structure of animals, including humans. It shows that from an evolutionary point of view, every individual has a supreme goal, the propagation of its own gene pool, which it pursues by generating and raising its offspring until it can itself reproduce (it is obviously an unconscious biological goal, to which the animal is driven by instinct). In order to achieve this goal, the individual is ready to make some "investments", i.e., to pay certain prices in terms of waste of energy, dangers and renunciations.

For instance, among humans, the female invests the time of pregnancy, much longer than in other animals, nine months of strain, sometimes sickness, reduced mobility, hence dangers, and impossibility to conceive other babies. In order to safeguard such a huge investment, she needs the male's help to feed and defend herself, and later on the newborns. This is clearly pictured by the myth of Medea: abandoned by Jason, she kills their children, thus taking revenge on him by depriving him of the evolutionary profit of their union, but probably also despairing of being able to raise them alone by herself and saving a further probably unsuccessful investment. Besides, both the female and the male invest at least thirteen to fifteen years in which they must feed, raise and educate the children.

Moreover, throughout prehistory and even later, infant mortality was so high that only by giving birth to many children, in practice one a year, the parents could hope that some survived to adulthood, to propagate the species. Therefore, it was evolutionarily advantageous that their cooperation lasted throughout their fertile life. That is why the human couple is tendentially permanent by nature.

The human parental couple is also naturally monogamic. On the one hand, even the male must defend his own investment: if the female left the family, the children, no longer fed and looked after, would die. If instead the female stayed but had affairs with other males, he would risk raising somebody else's babies, so making an investment without any evolutionary profit.

On the other hand, in a natural environment with many dangers and scarce resources, the male couldn't go after other females, because by leaving the family unsupported he would cause the babies to die, so again losing his own investment.

Therefore, in broad terms, the monogamic structure of the couple and its stability have been inscribed in the nature of our species by natural selection. In fact, as we shall see, they can be observed in our instincts, in individual psychology and in the interpersonal dynamics. Moreover, with the rise of civilization they have been codified by the institution of marriage.

There are certain details and exceptions, which however don't substantially change this general picture. Originally and traditionally the family was composed not just of the couple and its children, but of grandparents with uncles, aunts, and in-laws, so it was rather a network of couples of the just outlined kind. Besides, from a merely physiological point of view a male could impregnate two or more females at the same time, and if they gave birth and brought the babies to maturity his evolutionary profit would be greater. As explained, however, in the pre-historic environment one female could not survive in pregnancy and raise the children unless the male dedicates himself totally to her support. Moreover, it would be very difficult and dangerous for a male to impregnate another male's mate, for the latter would defend from this intrusion by all means. This explains why male infidelity (and to a lesser extent female infidelity) exists, but mostly only as a violation of social norms. This is also why when social and technological conditions allowed some to accumulate a surplus of wealth, certain societies introduced polygamy (mainly male), which however was only available to the wealthiest ones.

Instinct, reason and norms

What we call "instincts", both in humans and in other animals, are the forces by which the genetic mechanisms direct individuals to behave in ways which have proved useful to species' success. Animal social structures (including human social structures) are also indirectly shaped by natural selection, as they arise from interactions among individuals which are originally driven by their genetically determined instincts. As humans developed, their behavior progressively begun to be directed by reason and culture, even in constructing social structures. However, those societies which proved unfit to thrive in the natural and human environment themselves died out.

Reason and free will enhance enormously the efficacy of instinct, but they can also disregard or oppose it: humans can decide to act against their instincts. In general, this is an advantage: if I am hungry, my instinct urges me to eat immediately all my wheat, but reason may suggest sparing some, in order to sow it and to produce much more. If my community is in grave danger, I may decide to sacrifice myself for the common salvation, rather than following my own survival instinct.

However, it would be disastrous to ignore those instincts which safeguard the very bases of survival and coexistence. For instance, while instinct forbids to have sexual relations with one's mother, free will would allow one to have them, but it would be very dangerous, because of possible genetic defects of the offspring and for other reasons.

In the long run, therefore, reason has established limits to herself: in the course of history the various human societies have developed traditions, laws or norms to safeguard those natural patterns of behavior which before the advent of reason would have been followed by instinct, but which rational individuals could decide to violate. Often those laws and norms have been strengthened by attributing them a religious character. Such are, for instance, the distinct roles and mutual obligations of parents and children, or wife and husband, and the prohibitions of homicide, theft, lie, nudity and pornography, adultery, incest, homosexuality, abortion. Occasionally also some more particular hygienic or dietetic precautions have been codified as religious precepts, like, for instance, circumcision, or the prohibitions of eating pork or drinking alcohol.

Clearly, not all traditional or religious norms have this origin and this useful function. Many derive from mere superstitions, or from the interests of groups of power. In fact, enlightenment started out by criticizing many of those wrong norms but ended by rejecting more or less all traditions and religions as such. Therefore, in the contemporary western society, heir to the enlightenment culture, 'tradition' is often considered as synonym to 'blameworthy belief', religion is substituted by rational critique and individual decisional autonomy is considered as the supreme rule. This, however, is throwing the baby with the bathwater, rejecting with religions and traditions also all moral norms, and with superstitions also the rules which are grounded in our own nature. On the contrary, we shouldn't lose those rational substitutes for the instincts which guarantee personal well-being and social harmony.

Scientific laws and the natural law

Scientific laws are general truths discovered by science which describe general facts of nature, i.e., how nature works. Some are deterministic, but many other are just probabilistic, i.e., describe behaviors which are not exceptionless, but take place with a specified probability. Since mankind is part of nature, there are scientific laws concerning humans, too: their biology, their psychology, their sociology. That humans reproduce sexually, and that there are two sexes are biological laws, although the latter is rather probabilistic, since a small percent of persons, because of physiological or psychological reasons, don't belong distinctly to either sex, or while mainly characterized by one sex, have also certain features of the other (e.g., the attraction to people of their own sex). Also

the stable and monogamic structure of the couple and that our instincts tend toward that structure can be considered laws, describing facts of our nature.

Switching from science to ethics, since many centuries it has been called “natural law” a moral law grounded on human nature, hence, on scientific laws. Already in the ancient Greece the Sophists distinguished between “*nomos*” e “*physis*”, viz., the positive law, established by the state, and the natural law, whose validity does not depend on the state: in Sophocles’ tragedy Antigone buries her brother Polynices despite the king’s prohibition, because the natural law prescribes to bury one’s relatives. The idea was already that, as a moral principle, the natural law indicates what is intrinsically good, or just, or due, while the positive law, as such, indicates only what the state requires to be done or granted.

The same distinction was drawn in the Middle Ages by Thomas Aquinas (1225-1274). In the modern era the theorists of natural law (Althusius (1563–1638), Grotius (1583–1645), Spinoza (1632–1677), Pufendorf (1632– 1694) and Locke (1632–1704)) held that also the ordering of the state and its laws should be based on (or at least consistent with) the natural law, and this conception was the origin of the present day liberal-democratic system of government.

Even in the antiquity some denied the existence of a natural law, citing the great variety of costumes, institutions, legislations and moral norms in different societies and epochs. However, the natural law is not a scientific law, describing a *de facto* regularity, but a *moral*, i.e., *prescriptive* law. Thus, it remains valid even if more or less disattended. Moreover, as a matter of fact, there are principles which the large majority of societies and individuals obeyed throughout history (except for clear aberrations), like the prohibition of homicide and theft, the respect for blood bonds, or precisely the natural family structure.

Another objection to the natural law is Hume’s principle that one cannot *deduct* ought form is, or values from facts: that things stand in a certain way does not imply that they *should* stand in that way, and the obtaining of scientific laws *per se* does not imply that we *should* behave according to them. This is quite right, because while scientific laws merely describe, the natural law prescribes: it singles out as rights and duties certain things which we need, or seek by nature, or certain ways we tend to behave by nature. That is why those rights and duties hold for human beings as such, not merely as citizens of a state.

However, assuming that since the natural law cannot be justified by scientific laws, it cannot be justified in other ways would be throwing the baby with the dirty water. In the past it was thought to be established by Nature itself, or by God. Nowadays, when we no longer believe in Nature as an autonomous agency, and many don’t believe in God, it can be justified by certain metaethical rational arguments to the effect that it is good, or just, or due, that one behaves, in certain respects, as human nature directs to behave, or that one be granted what nature makes one need or seek. For instance, it can be argued that we cannot be happy unless our behaviors harmonize with nature, and it is right to pursue our own and our neighbors’ happiness; or that, since human nature is common to everybody, it represents the first and foremost criterion of equity.

Rights

More and more often today people invoke and claim what they consider to be their own “rights”. That’s good, but sometimes they forget that there exist also duties¹ and the rights of other people,

or misunderstand the very concept of right. Often anything that a person or group desire or consider as useful or pleasant is called a “right”. Obviously, however, it is not, for if I desire my neighbor’s wife or property, it is not my right to have them.

Some would say that something useful or desirable becomes a right when it is declared to be such by a law of the state. i.e., when it becomes a *legal* right. For instance, if the law establishes free education or medic care, then they become legal rights.

However, not all the legal rights are also morally right, so not all can be considered rights in the absolute sense. For instance, up to the XIX Century many state laws allowed slavery; in the Middle Ages some feudal lord had the *ius primae noctis* (the right to the first night with the bride); in the ancient Rome a father had the right to kill or sell as slaves his children; in the Nazi Germany the government had the right to send to gas chambers the Jews and other groups of people. Although all these practices were considered as legal rights, they were morally repugnant, and cannot be considered rights in the absolute sense. A right in the absolute sense is something intrinsically just and proper, even if not established by law, or something establish by law but not intrinsically unjust.

The basic principle of liberalism, held for instance by Locke (1632-1704) and Voltaire (1694-1778), is that all adult and sane people should be free to do whatever they like, unless it harms others, or the common good and an appropriate social order: both my freedom and my rights end where those of the others begin, and even the state cannot disregard this basic principle.

In particular, certain rights are inviolable, and cannot be abolished even by the positive law, because they are established by the natural law. Therefore, they are called “natural rights”, or “universal rights”, or “human rights”, because they belong to each human person as such. The United Nations *acknowledged* (not *established*) them by the *Universal Declaration of Human Rights* of December 10th, 1948.

Among them are first of all the rights to life, liberty, and equal dignity of every person; then, the rights to the protection of law, to a family, to one’s religious or political opinions, to political participation, to a fairly remunerated job, to health and economic welfare, to education and culture.

No action or behavior is admissible, less alone a right, if it conflicts with human rights, even if it were admitted by the positive law: owning slaves would be unjust even if allowed by the state, because it infringes the natural right to liberty. By the same token, as we shall see, voluntary abortion is not admissible, let alone a right, because it violates the first and foremost human right, that to life. Still further examples are discussed below.

Violence against women

Violence against women is an appalling crime which raises growing social alarm and attracts increasing attention by media. It includes sexual harassment, sexual pretensions from positions of power or influence, abuses, sex with minors, mentally disabled, or handicapped people, rapes,

femicides (i.e., killing of women by men because of jealousy, yearn for sex or affective domination, degenerated sense of honor or other gender-related motives).

Often sexual harassment is considered as a little more than a (regrettable) cultural phenomenon, and it gets the attention of media only when celebrities from politics or the show business are involved. To prevent it, various private or public agencies have conveniently introduced norms or codes of conduct, which occasionally, however, have paradoxical consequences, due to excessive rigidity and the objective difficulty to distinguish between real harassment and improper familiarity.

The more serious offences are continuously covered by the media and in more and more alarmist tones. Moreover, groups, associations and administrations often promote mobilization campaigns, awareness days and protest marches to contrast such phenomena. In particular, the emphasis placed by newspapers and broadcasts on femicides, with big titles and daily stories, is much greater than that reserved to the killing of women for other reasons or to the killing of men.

Unfortunately, however, these strategies are proving ineffective, for those crimes are not diminishing. In Italy, for instance, the rate of homicides within the family or an affective relationship (largely committed by men against women) in 2019 was more than double than in 2002². We must then ask why they are ineffective. We should also worry as to how much and how long these exhortatory efforts by media and institutions will take hold on the public opinion, which in the long run might perceive them as audience strategies or propaganda, or be distracted by other kind of emergencies.

A partial answer is probably that in the last 100- or 150-years western society has largely freed women from a traditional position of subjection to men in all sectors of life, including family and sexual life, where women may now play a more active and fulfilling role and can offer more valuable contributions to social and interpersonal relations. Probably, therefore, certain men are consciously or unconsciously resisting, and use violence to maintain their dominating position. This, however, is only one side of the story, and unless we get clear on the other sides, we risk treating just the symptoms rather than the causes of this disease.

Sexual harassment and rapes are also the degenerated effects of sexual instinct when it is not properly oriented and regulated, but enormously stimulated by pornography for commercial exploitation. The shows, exhibitions and commercials explicitly or implicitly leveraging on it are so many that their effects could hardly be contained by those commendable awareness campaigns, which in the face of them may appear as well-meaning sermons.

Needless to say, sexual instinct is an essential feature of human nature, in view not only of procreation, but also mutual enrichment of people through the deep affective relations binding the couple. For this reason, however, after to advent of reason and free will, it should be oriented to act according to its natural ends and forms. In every age and society this has been the task of sexual ethics, the attempt at a conscious and rational codification of the natural role of sexuality. Its basic prohibition of sexual intercourse and exhibition outside marriage served to stem the unorderly manifestations of the instinctual drives, thus preventing devastating effects, like single

parents, or children deprived of the caring environment of a stable parental couple, siblings and relatives, or even abandoned or killed.

No doubt, in many instances the traditional ethics overstepped its natural function with rigid or distorted norms that hindered a full enjoyment of the whole spectrum of the physical and existential benefits of sexuality. Modern western culture has thus endeavored to lift these excessive constraints, often with valuable effects on people's quality of life. In this process, however, it has progressively weakened the role and hold of sexual morality, leaving it as an exclusive feature of religion. Therefore, once a secularized society has largely abandoned even religion, it has almost completely lost sexual morality itself, so throwing the baby with the bathwater.

Nowadays, sex is socially acceptable and even encouraged in any practiced or represented form, even outside or against marriage. The only rule still considered binding is that of the free consensus of the involved persons, which obviously is a minimal indispensable condition, but certainly not sufficient to the healthy development of people and society. This rule is fully consistent with the illuministic ideas of self-determination of individuals and of the contractualist nature of all relations with others, and on it our society is trying to ground a new minimal and secular ethics.

However, in a cultural environment in which sex is considered almost exclusively as individual pleasure, even this minimal rule is hard to obey, since it obstacles the search of selfish satisfaction. Without the support of tradition and religion, it requires a very strong moral sense and self-domain. While it is a clear requirement of reason, human beings are not purely rational, instincts and physical drives are also strong, in particular in culturally and psychologically fragile individuals.

In a deeper conception, grounded on the sociobiological nature of humanity, sexuality is not only or primarily a market good for selfish enjoyment, but more basically a way of giving and outreaching to the partner and to the offspring, and a contribution to society. Within this perspective, respect of the others, particularly of women, would be much strengthened and become matter of course. Besides, cultural discouragement of the purely hedonistic approaches to sexuality and strong limitations or even prohibition of its commercial exploitation would be just natural.

The same holds for the exhibition of violence: because of its adaptive role in the early stages of development of our species, aggressivity is a deeply rooted pulsion, but today it needs to be strongly curbed, if not banished altogether. Therefore, we cannot hope to control it adequately simply by appealing to people's rationality and moral sense, while continuously exciting it through movies and other spectacles. Today censorship is a politically incorrect concept, but this is just part of a contradiction which has nothing to do with authentic liberalism.

The feminicides because of jealousy or of abandonment are not caused only by male pride and sense of omnipotence, but also from the natural instinct to a stable and monogamic couple. Therefore, hideous and condemnable as they are, if we want to understand and prevent them, the simple mediatic demonization of the culprit is not enough and may even backfire. We should remember that they descend also from an ancestral force which cannot be completely stalled, because it is intrinsic to our species and essential to the upbringing of the new generations and to social harmony. Therefore, marital infidelities, the transformation of marriage in a dissoluble contract, and

the social acceptance of extramarital relationships, beside intrinsically detrimental, are objectively among the causes of feminicides.

Obviously, violent behavior toward one's wife, mother, fiancée or partner also denotes a lacking education to healthy affectivity in family or couple relationships. Since education is an essentially practical, non-theoretical, it cannot be provided by the school or by social media (except marginally) but only by the family.

Yet the family, once considered as the basic cell of society, is seen almost as a nuisance by the dominant culture: its role is not duly acknowledged in taxation and tax exemption; it is in great difficulty or in the impossibility of accommodating the elders and looking after the youngest children, and the public agencies, rather than supporting it in these tasks, tend to take them upon themselves, so stripping the family of some of its natural and necessary components; occasionally it suffers from undue interferences by the administrative or judiciary power. The state, as bearer of the "public" interest, is considered as prevalent over the family, considered as bearer of merely "private" interests.

Above all, the institution of divorce and its ideology are both effects and causes of the belief that happiness is found in the individualistic self-affirmation, rather than in the relationships to one's spouse, parents or children. Thus, our attitude to others is less and less oblique and constitutive of one's personality, and more and more contractual and opportunistic. It would be instructive to find out how many violent men in turn come from broken families, or from parents used to conceive of themselves primarily in terms of "I" rather than "we".

In a nutshell, it is as if our society had demolished a great dam and were trying to stop the flood by piling up sandbags. In fact, it is still actively ruining what is left of the dam, while officially getting appalled and scandalized by the effects of its fall.

Spiritualistic materialism and antiscientific secularism?

This depends also on another contradiction of today's culture: according to religion and traditional metaphysics, humans are created by God as composed of body and soul. Darwin, however, discovered that they are primates like the apes, developed through natural selection. More generally, a basic principle of science is the closure of the physical world: every natural phenomenon must be explained exclusively in terms of matter and energy, without any appeal to the spirit. Many go as far as considering this a refutation of religion and of the existence of the spirit or of spiritual life, in practice substituting to religious beliefs and cults the belief in scientific laws and a sort of cult for nature whose commandments are the respect of its structures and manifestations.

Yet, when our culture deceives itself in thinking that social life, and sexual life in particular, can be regulated just by appeal to pure rationality, without taking into account the instincts, in practice it considers humans as disembodied spirits. When it ignores the forms and roles of sexuality structured in the animal nature of mankind, in practice it denies the evolutionary origin of the species. When it tries to tamper with those forms and roles, altering them at will, it refuses to

extend to our own species that respect of natural order which it recommends for all the other species.

Granted, in place of psychology as a metaphysical or religious doctrine of the spiritual substance, today we have a scientific psychology, which studies our mental life and phenomena like thought, emotions and impulses. Nonetheless, it teaches that these phenomena are intrinsically and inextricably connected to the bio-physiological body, and that instincts, the traces of ancestral evolution, are at the center of this intertwining. This would already suggest a more balanced and productive consideration of sexuality and of its problems. Paradoxically, however, a society which officially believes only in science, appears to disregard precisely what science tells about ourselves.

Abortion

With voluntary abortion our society literally and sadly throws babies with the water of the bath tub. The dirty water to be disposed of, in this case, are the problems it purportedly would solve with abortion:

- The genetic malformations or diseases (real or just hypothetical) of the unborn child. Yet, who says that it is better for him or for her being killed rather than being born sick or handicapped? Above all, who says that he or she would choose the former rather than the latter? By the way, at least half, but often more than half of the aborted babies are girls, so abortion is the most widespread and one of the more hideous forms of violence against women.
- A single or abandoned mother. However, why should it be preferable for the baby to die, rather than being born without a father?
- Parents lacking the economic resources to provide food and shelter for the baby. But the worst possible consequence of lacking food and shelter is death, hence abortion brings about precisely that evil which it purportedly should avoid. In fact, society could easily solve that problem by supplying the needed welfare. Providing for the sick or the needy by killing them was a typical Nazi idea.
- The fact that when abortion was illegal backstreet abortions performed by unqualified practitioners in inadequate structures caused injuries and deaths to the pregnant women. However, it is unacceptable to decide the certain death of the baby in order to avoid the possible injury or death of the mother, when all risks would be avoided by abstaining from abortion at all. Otherwise, by the same token, we should legalize homicide, because as long as it is illegal the would-be homicide risks to die if the would-be victim stabs him in self-defense or the police shoots to prevent the homicide.

It is so obvious that none of these problems justifies the killing of the fetus, that sometimes the supporters of abortion claim that the fetus is not a human being. However, it is neither a mineral nor a plant, so, it is an animal; still, it is neither a dog nor a fish, nor a bird... since it has been conceived by human parents, it is human.

Some grant that the fetus is human but deny that s/he is a human *individual*, because s/he is not distinguished from other individuals (from the pregnant mother, in particular), s/he is not

complete, and above all, s/he is not autonomous, since s/he could not survive outside the mother's womb. On the contrary, s/he has a fully determined genetic makeup, distinct from that of any other individual, including her/his mother or father. Therefore, even if her/his organs are not fully developed yet, they are complete and perfectly functioning in power: it is precisely determined when and how they will develop. On the other hand, even a blind person, a limp, a one-handed person are in some sense incomplete, but they are undeniably human beings.

True, the fetus is not self-sufficient, but no human being is absolutely self-sufficient, we all depend on others in one way or another. The fetus depends on the mother for her/his basic vital functions, but also a preterm infant in the incubator, a person on dialysis, or one in the artificial lung, depend on these machines for their basic vital functions, still they are full title individuals, and their dependency could not in any way justify their killing.

At this point the abortion theoreticians who cannot ignore scientific data resort to an extreme move: after distinguishing between the biological concept of a human individual and the ethico-juridical concept of a *person*, i.e., a subject of rights and duties, they grant that the fetus is a human individual, but deny that s/he is a person. Some also claim that being a human individual is a fact, while being a person depends on an ethical evaluation and, as Hume taught, the latter cannot be derived from the former.

Why, however, that same individual who immediately after birth is certainly a person endowed with all rights, first of all the right to life, should not be a person immediately before birth? Nothing changes in her/him, except location. Lacking full autonomy and a complete physical development cannot be a reason for discrimination, for also a limp or an individual on dialysis are certainly persons.

Sometimes it is argued that personhood is given by thought, conscience, self-consciousness, free will, which the fetus lacks. But also newborn children, certain mental patients and people asleep lack these functions, yet they are persons. At most, one might claim that it is because human nature is characterized by the at least potential exercise of these functions that all human beings must be considered as persons.

As a last desperate move, the supporters of abortion claim that one becomes a person when one is acknowledged as such by society, and this is not the case with the fetus, who doesn't have a name, nor that place in the emotional life of parents and relatives which born babies have, nor a social life or identity.

To begin with, however, there are ways in which society treats the fetus as a juridic subject, for instance in inheritance matters or in issues of civil liability. Besides, normally parents look forward to her/his birth, often get to know his/her sex, or even give her/him a name. Finally, and most importantly, it's an unjust discrimination to let the personhood status depend on the whim of others.

The Greeks and the Romans thought the "barbarians" were non-persons and had no rights. In the ancient Rome a newborn child could be exposed to death by the father if unwanted (for instance because sick or cripple), and only after being accepted by him in the family s/he acquired full citizenship. In most ancient and modern societies slaves were considered as objects, to be bought,

sold or killed. In Nazi Germany people like Jews, Gypsies, or the mentally ill were thought to be “Untermenschen”, unworthy of living. Of course, however, we consider all such discriminations unacceptable.

The very progress of civilization and of our moral and juridical sense has consisted in the continuous overcoming of these discriminations and in the growing awareness that the dignity of personhood belongs to every human being as such. Denying this is yet more absurd now, when even the other animals are acknowledged as bearers of certain rights. Voluntary abortion is therefore a residue of the darkest times of our history, an anti-humanistic regress.

Divorce and the children

Western society is already well on its way to abandon the model of the stable couple inherited from the natural evolution of our species and codified by the Christian teaching of the indissolubility of marriage. This is a consequence of a complex socio-cultural change, of which the introduction of legal divorce is a consequence, but also a concurrent cause and the formalization. With divorce, when two spouses no longer feel they love each other, they are free to break away, dissolving the family and possibly building a new one. Unfortunately, one is also free to divorce the other spouse who still loves her or him, and to dissolve one's family even if it includes children who hate to see their family dissolved. But while one may decide to be no longer the wife or the husband of a certain person, one cannot decide to be no longer the child of certain parents, to have not been born by them.

Once again, children are victims of the abandonment of traditional ethics. Another victim is often the very union of the couple, which as some difficult problems arise is readily sacrificed, even though with patience and sacrifice it could probably have been saved and strengthened, to great benefit of both.

True, in the limiting cases in which one party (typically the wife) is systematically oppressed and abused, and all serious attempt to correct this and save the marriage have failed, she should be allowed to divorce. However, the possibility of getting divorce just at request by any of the two (often the strongest party, the husband), has practically abolished marriage as the institution of the natural family based on the stable monogamic couple.

With the formal or informal end of this model, the freedom of one or both spouses to decide their own future is granted at the expense of the right of children to their natural family. No doubt, each separate or divorced parent can try to carry on individually her or his affective relationship with the children, but due to the new practical and psychological dynamics, especially when a new companion or new children are present, that relationship cannot be the same anymore. Besides, what the children need, psychologically and existentially, is not simply the individual love of their mother and their father, but that of the couple: just like biologically children are conceived only through the union of their parents, even psychologically their personality is shaped by that union as such, not just by their relationship with each of them. Therefore, separation tears away from them an essential part of their personality.

Unfortunately, this is all too evident in the frequent behavioral problems and depressions of the children of broken families. These, in turn, may lead wider social problems, like maladjustment at school or in other social environments, the use of drugs, marginality o juvenile delinquency.

Wouldn't it be worse if the parents stuck together, continuously yelling and screaming to each other in front of the children? Perhaps, but that is not the point: when you have children, you just shouldn't get at that. A good couple relationship requires that each one be able to give up something in order to go towards the other and get along, the "I" cannot be the absolute criterion, but it must harmonize with the "we".

Happiness cannot be reached by selfishly putting one's interest above everything else, but even if it could, it shouldn't be sought to the detriment of a couple's responsibility to its children, if not else because they have not chosen to become children of those parent: the couple did. Nowadays that responsibility is often overlooked as a joint effect of an increasingly widespread selfishness and of the popular internalization of the myth of romantic love.

Marriage and the myth of romantic love

This myth, originally introduced in Plato's Symposium, became central in the literature of the Romantic age and was later vulgarized in thousands of fairytales, plays and films: there exists exactly one person in the world predestined by fate or nature to be one's ideal completion, one's soul mate. The unmistakable sign that one has encountered that person is when one feels the irresistible attraction which is usually called "Love", and the union with her or him gives a true bliss, a lasting and pervasive happiness which nothing can cloud.

Things are not that way, however, there does not exist *the* one kindred spirit. Since there are some five billion men and so many women on the Earth, it would be practically impossible to find her or him. However, happy marriages are not rare at all, and mostly they are between people from the same area or the same environment, so either there are many soul mates, or just things don't work that way.

Love at first sight and eternal bliss are also a myth, love is much more complex and deeper. The union which can make of two "one flesh" and last forever is not predestined, but built through commitment and dedication, like all really important things, even if starts from a romantic attraction and it requires certain affinities and basic dispositions.

The phase of falling in love is only the first one, which provides the passion and enthusiasm to start a construction which will require also effort and patience. However, when the couple encounters its first serious problems, those who believe in the myth of romantic love realize that the relationship does not correspond to the idea of eternal unclouded bliss; so, one may conclude that s/he has married the wrong person, and in order to pursue her or his happiness s/he must leave the spouse in order to find the *true* soul mate.

Divorce has been introduced to allow this new search, and its very possibility appears to confirm the myth. Besides, it removes the motivation to overcome the difficulties the couple is encountering. In fact, if the divorced people cling to that partially misleading conception of love, even upon finding new partners they risk falling prey to the same kind of disappointment, so experiencing frustration and depression.

The myth took hold in the western bourgeoisie of the XIX Century, partly in reaction to the equally unilateral conceptions of the earlier centuries: for the nobility it was essentially a dynastic relation, for the rulers a political treatise, for the rich families a patrimonial contract, and often for the poor an issue of mere biological survival. However, since humans combine a biological nature, spiritual faculties and social relationships, marriage cannot be reduced to just one dimension. In particular, it must save its original natural end of generating biological and spiritual life, hence its stability and monogamcity.

Psychology teaches that the marital relationship is not static, as in the unilateral conceptions, but dynamic. The stage of romantic love is the most emotive one, with strong biological roots and psychological drives. Although it is decisive at the time of the encounter, it cannot last forever, and the couple must grow through the common tasks, especially that of raising the children, and through the endeavor to love and seek the good of the other before one's own. This effort is not sterile, however, because it's a consequence of our social nature that we find happiness especially in establishing deep relationships with partners and making them happy. In this way a couple strengthens and consolidates through those dispositions (or virtues, as they were called in the past) which can bind the spouses even more strongly than erotic passion or romantic attraction: dedication, understanding, patience, benevolence, compassion, forgiveness, emulation, admiration, solidarity, gratitude, etc.

The easy availability of divorce removes the incentive to make of the couple's life such an experience of interpersonal growth. Thus, the illusory freedom to seek the "true" soul mate is attained not only at the expense of the children, but also of the opportunity of building marriage as a deep existential bond, ultimately, therefore, of true happiness.

The complementarity of sexes

Do the sexes exist? Are they just two? And are they complementary? The answer to these questions is no longer so obviously affirmative as it used to be. According to an opinion which is progressively taking hold also in the institutions and in legislation, the sexes need not be complementary, since there can be unions, families and parents of the same sex; they are not just two, because one can also be bisexual or of other intermediate identities; perhaps there are no sexes, but only "gender", understood as an attitude which is not pre-determined, but freely chosen and revocable by the subject. Only in this way, it is believed, we can safeguard the liberty, equal dignity and equal rights of everyone, independently by one's sexual orientation.

Even in this sector, however, one should throw the dirty water, consisting in homophobia, contempt and discrimination on sexual basis, without discarding objectivity, the respect for human nature, a good social ordering and the rights of *all* those involved, especially, again, the children.

That sexes are two, complementary and genetically predetermined is not just common sense, but the report of biology, physiology and psychology. Not only for mankind, but also for most of the advanced species of animals and plants sexual reproduction is the device through which evolution has provided for an ever healthier and successfully adapted offspring. Therefore, babies cannot be born except by a female and a male. Besides, since the biological, mental and social life are inextricably connected, the sexual distinction also pervades psychology and social structures, and it cannot be disregarded or subverted without seriously undermining the well-being of individuals and the proper running of a community.

Granted, there are certain mixtures between the sexes: people of one sex can display certain physical or psychological features of the opposite sex, or experience certain form of attractions for their own sex. From a physiological point of view, one may find some erotic pleasure with persons of the same sex, so that some have a bisexual erotic life. A few people have an uncertain sexual characterization, or display both certain clear feminine features and certain clear masculine ones. This is a fact of nature, and as such it doesn't entail any moral evaluation. Needless to say, therefore, all these people have equal dignity as everybody else, and have an equal right to express and exert their particular sexuality through deep and mutually enriching relationships. Among them are some of the greatest thinkers, writers, artists, scientists. There are also famous warriors or royals, as well as obscure ordinary people.

Nonetheless, these individuals represent just a minor percent, the exception which confirms the rule. They are there because "*natura non facit saltus*": while nature draws very clear distinctions, it doesn't do so by sharp boundaries, but by blurry transitions. The seed is obviously different from the ensuing plant, even if at a certain point of its development it is not clearly still the former or already the latter. The sea is not the shore, even if there are a few centimeters, or occasionally even many meters which are not clearly sea or shore. Equally, the reality of the two sexes is not refuted by the small areas where they get blurred or overlap. Denying the rule in order to acknowledge the exception is throwing the baby with the bath water.

Given the extraordinary strength of the sexual instinct, it can even happen that people of a well-defined sex feel some homosexual impulses and decide to behave accordingly. In order to be morally admissible, however, such behavior must be respectful of others and of the common good.

On the other hand, that many feel some form of discomfort or distress toward homosexuality is also a natural fact: it's a psychological consequence of the bisexual nature of reproduction in our species, and of the fact that since the beginning society had to be structured accordingly.

What matters is that a natural discomfort with homosexuality does not become contempt or exclusion, and this is a task for ethics and education. Even more important, it must not become discrimination or violence, and this must be ensured by the law. It should not be introduced, however, any form of reverse discrimination, granting homosexuals safeguards which are not granted to all other minorities or protected groups, such as children, elders, disabled, etc.

While the biological sexual identity is almost completely genetically determined, the psychological one is partly shaped also by education and social relations. Yet, our biology and psychology are so entangled that for a successful personality realization people must develop their psychological identity in coherence and harmony with the biological one.

Over the millennia society has normally tried to help children and adolescents to achieve a confident and secure sexual self-identification through manners, clothes, games, etc. This kind of help is not only a right of the children and young people, but also of society itself, since confident, harmonic and balanced personalities are essential to a well-functioning community. At the very least, the society and its institutions should not interfere with the autonomous development of the child, which typically leads to a full integration of the biological and psychological sexual identity. Children must not be confused and disoriented with the idea that sex can be freely chosen or changed, or that it is determined by subjective perception rather than by nature.

On the other hand, traditional societies and moral codes have often failed to realize that those people whose sexual identity is actually mixed or uncertain deserve maximum respect and they too should be supported as far as possible in developing an original, rich and integrated self-identification. This may require more attention and creativity, but it can be achieved through a common effort, starting from the conviction of the utmost value of each person as such, hence first of all of oneself and of one's own specificities. From this point of view, contemporary western culture and homosexual awareness movements have probably made an important progress with respect to the past.

Rights of children, not to children

Most people naturally and commendably desire to have children. Therefore, certain barren or homosexual couples adopt and raise as their own children conceived by the sperm or the ovum of a third person, or carried by a hired mother. In order to justify these practices sometimes they speak of a "right to have children". However, as explained by Kant (1724-1804), persons are exclusively *subjects* of rights, they cannot ever be *objects*, because they must always be treated as ends, not as means, and this is the very foundation of morals. Having children as such, therefore, cannot be considered a right, although there is a liberty to marry and to generate children, an obligation to raise one's children, and a right to the social and material conditions that allow all this.

Besides, human nature is such that children can be optimally raised, educated and grow in the happiest way only with their natural parents and siblings. Hence, since everybody has the right to the "pursuit of happiness", children have an inalienable right to their natural family. Natural parents have a corresponding and equally natural right (as well as a duty) to raise their own children.

Hence, raising as one's own children conceived or carried by others not only is not a right, but infringes these inviolable rights, and the state cannot pass any law to this effect. In addition, paying women to carry a child which will then be handed over to others is an abominable commodification of persons and of the most sacred mission of women.

Two adult homosexuals have the right to set up a family life, recognized and defended on the social, juridical and patrimonial levels. For the just said reasons, however, they have no right to raise children as their own, even if born from one of them, since this would mean tearing children away from their other natural parent.

Therefore, by the way, the common life of two homosexuals cannot be completely equated, ethically or juridically, with the natural family made up of man, woman and their children: the legislation which recognizes their union granting it the appropriate civil rights is quite different from marriage, which establishes the basic nucleus of society, in charge of the generation and education of children. All the rights and safeguards pertaining to the married couple for the purpose of bearing and rising children do not pertain to homosexual unions. Giving life to the new generations and educating them in the best way are primary interests of society, which should earnestly pursue them.

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