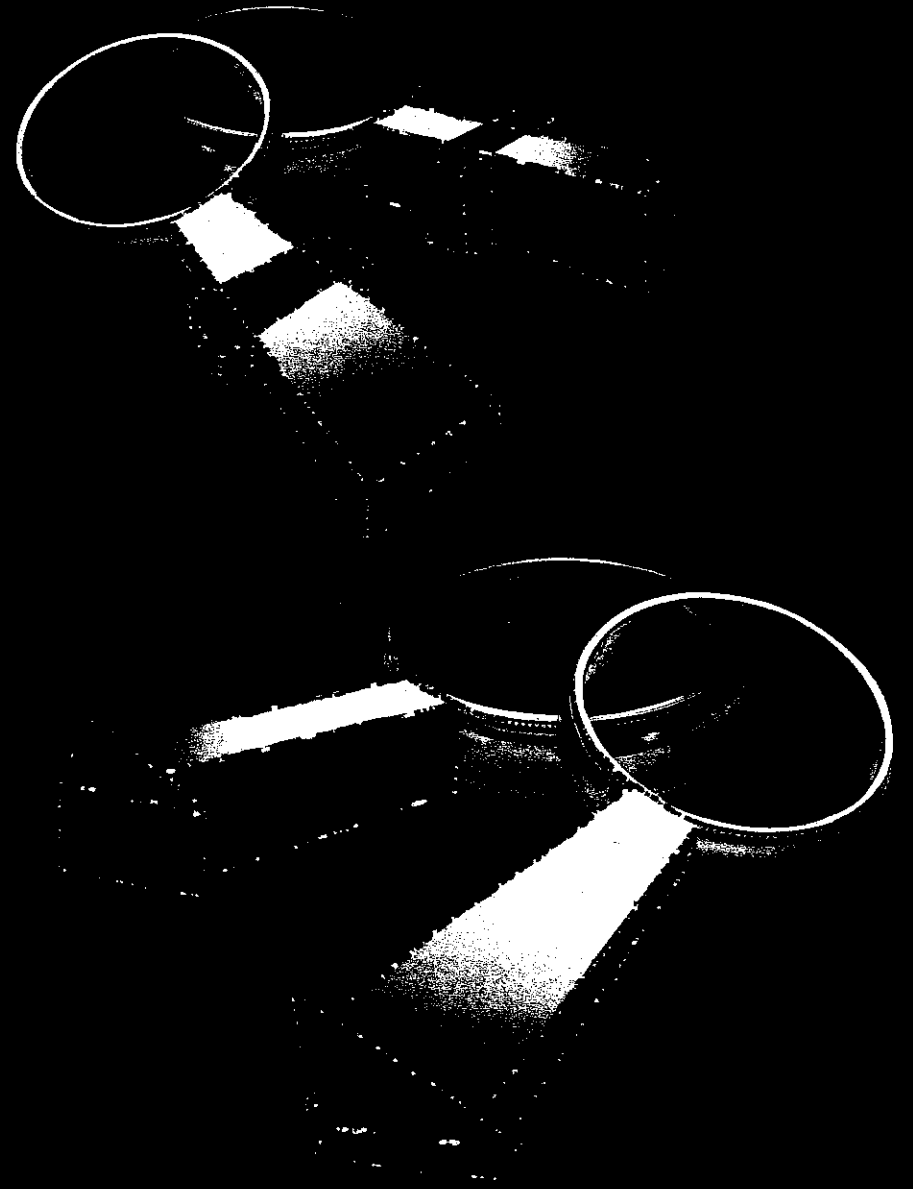


# A Catholic Defense of Same-Sex Marriage

*Catholic same-sex couples are perfectly free to practice their Catholic faith, receive the sacraments, and never feel that God forbids their union—or that their faithful, sexual union is anything but holy.*

*Both views—for or against homosexual marriage—are at home in the Catholic world and neither one of them can be called more orthodox or more official or more Catholic than the other.*





# A CATHOLIC DEFENSE OF SAME SEX MARRIAGE



By

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The Catholic Church is beginning to rediscover what it once knew; that not all persons are heterosexual, that many people are homosexual and that this is just fine. In the past, the Church accepted homosexuality more openly and even had liturgies to celebrate same sex unions.<sup>1</sup> There was a recognition that different sexual orientations are clearly part of God's plan for creation—some people are heterosexual and some are homosexual—this is the way God made us and we have no right to criticize God.

Wherever the human race is found we find persons of differing sexual orientations. (We find the same thing in God's animal kingdom.) Human history shows that some humans have same-sex attractions and unions and others have opposite-sex attractions and unions. The desire to bond lovingly and sexually with persons of the same sex or of the opposite sex, is a fact of life, a fact of God's creation, and we have no right to call it unholy. As the Acts of the Apostles says in the Bible, we have no right to declare unclean anything that God has made (*Acts of the Apostles 10:15*). To do so, in fact, is a sin.

Obviously not all Catholics have heard this message. Prejudice against homosexual persons is common. Theologians call this the sin of *heterosexism*, a sin like racism, anti-Semitism, and sexism. These are sins that condemn people for being what they are, not for what these people do. These sins of prejudice are cruel sins that condemn people no matter how good these people are. If people are not white or are not male or are not heterosexual, they are condemned, even if they are saints. This is what racism, sexism, and heterosexism do. If homosexual persons live out their reality and enter into beautiful, same-sex relationships full of love and commitment and fidelity, we condemn them. Even if their unions are more successful, more lasting, more exemplary than some heterosexual unions, we still condemn them. Surely that is unjust.

Years ago, the Catholic theologian Father Andre Guindon wrote: "Christian communities should begin to receive homosexuals in their midst as full-fledged brothers and sisters and as those to whom God also offers his love."<sup>2</sup> Catholic theologian Mary Hunt asks: "What could possibly be wrong with loving, mutual, safe, consensual, community-building sexual relationships between committed male or female partners?"<sup>3</sup>

### But, are same-sex unions really marriage?

All the religions of the world give marriage a very high place.

*Marriage can be defined as the unique and special form of committed friendship between sexually attracted persons.* This definition does not say that the persons have to be *heterosexually* attracted. Persons attracted to a person of their same sex can still be married. Marriage is a supreme human good involving exclusive, committed, enduring, generous, and faithful love, and this kind of love is not something that only heterosexuals can achieve. (In fact, some heterosexuals are not very good at it. Theologian Mary Hunt points out that “In fact, heterosexual marriages end in divorce as often as in death.”<sup>4</sup>) Friendship and love and commitment are human virtues and gay and lesbian persons are human and fully capable of a healthy human committed love in marriage. We have no moral right to declare marriage off limits to persons whom God has made gay. We have no right to say that marriage, with all of its advantages and beauty, is a reward for being heterosexual.

Dr. Hunt also points out how unfair it would be to say that heterosexual Catholics have seven sacraments but homosexual Catholics only have six if marriage is denied them. Who could imagine God creating people who are gay and then denying them the right to express their sincere and honest love in the holy sacrament of matrimony!

### But what of the objections to same-sex unions?

St. Thomas Aquinas always said that it is important to know the objections to any teaching that you accept. When you face those objections you can come to know your own position better.

#### OBJECTIONS

##### **Objection #1** *The Bible says all homosexual activity is evil and sinful.*

First of all, this is true. There are objections to same-sex activities in the Bible. However, many things in the Bible simply describe how people lived when the Bible was written. Not everything that the Bible tells us is something we could or should do today. For example, the Bible (Leviticus 25:44-46) tells us that we may buy and own slaves and “use them permanently” and will them to our children when we die! In the past, people who did not know how to interpret the Bible used these texts to justify slavery in Latin America and in North America. They did not know that sometimes the Bible is telling you *what people used to do*, not *what people should do today*. Sometimes the Bible

gives you a lot of bad examples of how terrible people can be. The Bible treated slavery as a fact of life and talks about “a man who sells his daughter into slavery” (Exodus 21:7). Surely we would not want to do that today!

The Bible also forbids eating shell fish (Leviticus 11:9-10) but we do not feel we should obey that today.

The Bible also says that wives should obey their husbands as if their husbands were God (Ephesians 5:22-24) and that wives should be “subjects to their husbands in everything.” This made women slaves to their husbands and for along time people justified male control of women by using these Bible texts. The Church then learned that these texts *described* the way life was lived at that time but did not *prescribe* that we should live that way. They found better ideals in the same Bible and used them to correct these texts. Thus interpreters of the Bible went to Galatians 3:28 and there found the liberating ideal that “all persons [male and female] are one person in Christ Jesus,” and that therefore no hostile divisions should be made between male and female, with neither one dominating the other.

When we come to the biblical texts on homosexuality we see right away that we could never treat them as rules for our day. The book of Leviticus says that anyone who has sex with someone of the same sex “shall be put to death: their blood shall be on their own heads” (20:13). St. Paul in the Epistle to the Romans condemns homosexual relationships and lists persons who do such things among those who “deserve to die” (1:26-32).

The Catholic Church today condemns capital punishment and even conservative Catholics and other Christians who condemn all homosexual relationships do not call for the death penalty for gays and lesbians.

Obviously, there are many moral questions that are not answered in the Bible. Homosexuality is one of them. What Catholic and other Christian and Jewish scholars do is to take the main principles of justice, compassion, respect and love for persons as God created (both heterosexuals and homosexuals are created in God’s image) and apply these principles to today’s moral issues such as homosexuality and same-sex marriage. That is why Catholic and other Christian and Jewish theologians defend same sex marriages today. They say that denying all homosexual persons the expression of their sexuality is unjust and sinful.

Do all Catholics and other Christians agree on same-sex marriage? No. Just as some Christians see all war as immoral and become pacifists, some others say there can be a “just war.” Christians, including Catholics, have learned to

live with these differences and to respect one another and live together anyhow. Catholics are now beginning to practice the same tolerance regarding homosexuality.

**Objection #2: The Catholic hierarchy condemns all homosexual sex.**

That is true. When Cardinal Ratzinger, now Pope Benedict XVI, was head of the Congregation for the Doctrine of the Faith he issued a teaching that said: “Respect for homosexual persons cannot lead in any way to approval of homosexual behavior or to legal recognition of homosexual unions.”<sup>5</sup> Undoubtedly that is still the position of the pope. The question is how Catholics should evaluate the pope’s position.

The Church consists of more than the pope and the bishops. In Catholicism there are three sources of truth, (or three “magisteria”): *the hierarchy*, *the theologians*, and the *wisdom and experience of the laity* (called in Latin *sensus fidelium*). In Catholic history, each of these sources of truth has at times been right and each of them has at times been wrong. So, for example, for many centuries the bishops, popes, and theologians taught that it was a mortal sin to take any interest on a loan, even one half of one percent interest. After a while, the laity, through their own experience with lending money, decided that a little interest was reasonable and fair to compensate the lender. Too much interest was wrong but a little interest as payment for the use of your money was reasonable and moral. In other words, the laity disagreed with the hierarchy and the theologians, and the laity was right. A hundred years after the laity made a decision on interest and acted on it, some theologians said they agreed; a hundred years later, the Vatican also decided that the laity was right. The Vatican even went on to open a bank and charge interest.

At other times in history, the hierarchy and theologians taught that slavery was moral and that anti-Semitism was not a sin. Obviously they were wrong and they eventually were corrected.

Something like that is now going on regarding homosexuality. Many Catholic theologians agree now with Protestant and Jewish theologians that same sex unions can be moral, healthy, and holy.<sup>6</sup> Many Catholic people are living in same sex unions and adopting children and still practicing their Catholic faith. Many priests realize this and welcome these couples to Communion at Mass and even have private liturgical celebrations of their unions. Bishop Walter Sullivan of Richmond, Virginia even wrote a welcoming introduction to a book of essays by various Catholic theologians, some of whom defended the right of sacramental marriage for same sex couples.<sup>7</sup>

Obviously, then, Catholic teaching is in transition on this subject and Catholics are free to let their consciences decide either for or against same sex marriages. Both views—for or against homosexual marriage—are at home in the Catholic world and neither one of them can be called more orthodox or more official or more Catholic than the other.

Is the pope then wrong? I would join many other Catholic theologians in saying that he is definitely wrong and he will be corrected some day by one of his successors and by the rest of the church as previous popes who permitted slavery etc. were corrected. This is the way of the Church. After all, Pope Benedict also teaches that a spouse whose partner is HIV positive is still not permitted to use a condom for protection. This is obviously wrong and some bishops have even come out and said so. Almost all Catholic theologians say the pope is wrong on that point. And now it seems that the pope is considering changing his mind on this also. Obviously he should change his mind since his view that you could not protect yourself from an HIV infected spouse is absurd and dangerous. Many popes have changed their minds on moral issues when they realized they were wrong.

There is a clear distinction to be made between “Vatican theology” and “Catholic theology.” As in the above example, Vatican theology says a spouse cannot use condoms for protection from an HIV positive partner! Catholic theology, including the theologians and the *sensus fidelium*, the wisdom of the laity, does not hold that strange and damaging view.

In an old Catholic teaching called Probabilism we find the answer for Catholics. When there is a debate on a moral issue (in this case same sex unions), where there are good reasons and good authorities on both sides of the debate, Catholics are free to make up their own minds.<sup>8</sup>

This means that Catholic same-sex couples are perfectly free to practice their Catholic faith, receive the sacraments, and never feel that God forbids their union—or that their faithful, sexual union is anything but holy.

The view that homosexual people are condemned to involuntary celibacy for life is as cruel as it is absurd. Jesus said of celibacy: “Let those accept it who can” (Matthew 19:12). Voluntary celibacy for a good cause is something some can do but it is seen as a special talent, a special gift that not all have. The Vatican council called it “a precious gift of divine grace which the Father gives to some persons,” but not to all.<sup>9</sup> Abstaining from all sexual activity is seen by the Council as something “unique.”<sup>10</sup> You can not demand from all homosexual people that which is “unique.”

St. Paul recognizes the same thing when he says “it is better to marry than to burn” (1 Corinthians 7:12). What kind of gospel “good news” would it be to tell all gay persons that their only choice is to burn?

***Objection # 3: Homosexuality is a mental illness.***

Some psychiatrists in the past did think homosexuality was an illness. That is no longer the case and it is an insult to homosexual people to keep repeating that old and outmoded theory. Studies of gay couples indicate that they tend “to appear as well adjusted as heterosexuals, or occasionally, even more so.”<sup>11</sup>

***Objection # 4: Children will be damaged unless they grow up in a home with a mother and a father.***

This is not true. Psychologist Charlotte Patterson, among many others, has done extensive research on children of lesbian and gay parents. Her conclusion is that this does not present problems and does not lead to any higher rates of homosexual children.<sup>12</sup> Theologian Mary Hunt writes: “Many lesbian and gay families have adopted children, welcoming them with love and affection, reasoning that a child’s life with one parent or two parents of the same sex is far better than languishing in an institution or, worse, dying from neglect.”<sup>13</sup>

***Objection #5: Homosexuality is unnatural because it is never found in animals.***

This is untrue. In his extensive study, Biological Exuberance: Animal Homosexuality and National Diversity, biologist Bruce Bagemihl shows that homosexuality is part of our evolutionary heritage as primates. He reports that more than 450 species regularly engage in a wide range of same-sex activities ranging from copulation to long-term bonding.<sup>14</sup>

## CONCLUSION

Homosexuality is not a sin. Heterosexism (prejudice against people who are homosexual) is a sin. It is a serious sin because it violates justice, truth, and love. It also distorts the true meaning of sex and thus also harms everyone, including heterosexuals.

It’s what you do with your homosexuality or your heterosexuality that determines morality. Homosexuality like heterosexuality is morally neutral. As Catholic philosophers Daniel Dombrowski and Robert Deltete from the Jesuit Seattle University say “homosexual sexual relations [like heterosexual sexual relations] can be moral or they can be immoral.”<sup>15</sup> Moral theologian Christina Traina says that “the ultimate fruitfulness and durability of any union—heterosexual or homosexual—have everything to do with faith, friendship, generosity, community support, sexual and verbal affection and the hard work that goes into mutual formation of a working partnership.”<sup>16</sup>

Sexuality is a gift to be cherished. We have no right to deny it to those whom God has made gay. As theologian Kelly Brown Douglas says, we have to create “a church and community where non-heterosexual persons are able to love themselves and those whom they choose to love without social, political or ecclesiastical penalty” so that they may enjoy life and enjoy sex with gratitude that life is so full of goodness and enriching variety.<sup>17</sup>

1. John Boswell, Same-Sex Unions in Premodern Europe (New York: Vintage Books, 1995). Boswell writes that in the same sex ceremonies, we see the two persons of the same sex “standing together at the altar with their right hands joined (the traditional symbol of marriage), being blessed by the priest, sharing Communion, and holding a banquet for family and friends afterward... Same sex unions were thus neither a threat to nor a replacement of heterosexual marriage,” 191.
2. Andre Guindon, The Sexual Language: An Essay in Moral Theology (Ottawa: University of Ottawa Press, 1977), 370.
3. Mary Hunt, “Eradicating the Sin of Heterosexism,” forthcoming in Heterosexism: Roots and Cures in World Religions, ed. Daniel C. Maguire.
4. Ibid.
5. Congregation for the Doctrine of the Faith, “Considerations Regarding Proposals to Give Legal Recognition to Unions between Homosexual Persons,” June 3, 2003.
6. See Robert Nugent, ed., Challenge to Love: Catholic Views of Homosexuality (New York: Crossroad, 1983). Daniel C. Maguire, “Catholic Ethics in the Post-Infallible Church,” in The Moral Revolution: A Christian Humanist Vision (San Francisco: Harper & Row, 1986).
7. See Challenge to Love: Catholic Views of Homosexuality.
8. On Probabilism and homosexual marriage, see Daniel C. Maguire, “The Morality of Homosexual Marriage,” in The Moral Revolution, 98-102.
9. See Walter M. Abbott, ed., The Documents of Vatican II (New York: Herder and Herder, 1966), 71, in the “Dogmatic Constitution on the Church.”
10. Ibid., 71-72.
11. Alan P. Bell and Martin S. Weinberg, Homosexualities: A Study of Diversity Among Men and Women (New York: Simon & Schuster, 1978) 208. See also Isaiah Crawford and Brian D. Zamboni, “Informing the Debate on Homosexuality: The Behavioral Science and the Church,” in Patricia Beattie Jung and Joseph Andrew Coray, eds., Sexual Diversity and Catholicism: Toward the Development of Moral Theology (Collegeville, Minn.: The Liturgical Press, 2001), 216-51.
12. See “Lesbian and Gay Parenting: A Resource for Psychologists,” <http://www.apa.org/pi/parent.hym1> Accessed August 15, 2005.
13. Mary Hunt, “Eradicating the Sin of Heterosexism.”
14. Bruce Bagemihl, Biological Exuberance: Animal Homosexuality and Natural Diversity (New York: St. Martin's Press, 1999).
15. Daniel A. Dombrowski and Robert Deltete, A Brief, Liberal, Catholic Defense of Abortion (Urbana and Chicago: University of Illinois Press, 2000), 86.
16. See Christina L.H. Traina, “Papal Ideals, Marital Realities: One View from the Ground,” in Sexual Diversity and Catholicism: Toward the Development of Moral Theology, ed. Patricia Beattie Jung and Joseph Andrew Coray (Collegeville, Minn.: The Liturgical Press, 2001), 269-88.
17. Kelly Brown Douglas, “Heterosexism/Homophobia and the Black Church Community,” in Daniel C. Maguire, ed., Heterosexism: Roots and Cures in World Religions, forthcoming.