

Gender Theologies and LGBT Catholics

Preliminary Paper

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Introduction

The goal of this research project is to provide the Catholic hierarchy with a critical evaluation of the arguments behind official Catholic teaching on LGBT people and relationships.

The most comprehensive Vatican exposition of those arguments dates back to 1986 – a document by the Congregation for the Doctrine of the Faith (CDF) called “On the Pastoral Care of Homosexual Persons”, also known as *Homosexualitatis problema (HP)*. Some minor documents published since do not substantially expand the reasons provided in that document for a negative moral evaluation of all homosexual relationship as intrinsically immoral.¹

HP affirms that the church’s teaching is accessible to human reason and in agreement with, the natural sciences. Since the time it was written, however, biology and genetics have made some progress towards understanding the causes of homosexuality.

The same can be said of biblical studies on what the Bible affirms with regard to the meanings and purposes of human sexuality and sexual diversity. The question of homosexual acts is sometimes regarded as settled from the earliest days of Christianity and indeed in the Hebrew Bible. A process of debate and consultation would be tantamount to putting this in doubt, and so no such process has been initiated or encouraged by the Vatican. This reports aims at filling that gap.

Finally, another major development since that document was written has been the legalization of homosexual partnerships, including marriage, in many countries. The significance of this development is that it provides for the first time a wide empirical basis for checking the church’s teaching that lived homosexuality is immoral, and thus damaging to human and Christian flourishing.

The report will integrate those new findings, and investigate their compatibility with current Catholic teaching.

August 2018

¹ CDF, “Some Considerations Concerning the Catholic Response to Legislative Proposals on the Non-Discrimination of Homosexual Persons” (July 1992, “Considerations 1992”), “Considerations Regarding Proposals to give Legal Recognition to Unions between Homosexual Persons” (Aug. 2003, “Considerations 2003”), in the Congregation for Catholic Education’s Instruction “Concerning the Criteria for the Discernment of Vocations with regard to Persons with Homosexual Tendencies in view of their Admission to the Seminary and to Holy Orders ” (2005), and in the *Catechism of the Catholic Church* (1992, CCC). *HP* also referred to an earlier document on sexual ethics, *Persona humana* (Jan. 1976, henceforth *PH*).

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The Official Arguments on the Immorality of Homosexual Intercourse

The Natural Law Argument: Sex is for Procreation

HP's argument condemning homosexual acts (as distinct from the homosexual tendency or orientation) as always "intrinsically disordered" is extremely simple. It is based on a single foundational belief, namely that biological procreation is an "essential and indispensable finality" of each and every act of sexual intercourse (*HP*§3, quoting *PH*§8). As natural, that intrinsic finality of sexual intercourse has been established by God. Homosexual intercourse is biologically sterile, and so it goes against that divine order:

To choose someone of the same sex for one's sexual activity is to annul the rich symbolism and meaning, not to mention the goals, of the Creator's sexual design. Homosexual activity is not a complementary union, able to transmit life... (*HP*§7)

The Catechism makes the point unambiguously: homosexual acts "close the sexual act to the gift of life. They do not proceed from a genuine affective and sexual complementarity. Under no circumstances can they be approved".²

In turn, the justification for the foundational belief that sex, whatever other purposes it may have, must always have procreation as one of its goals, is also remarkably simple: because the biological "laws of conception" reveal that sexual intercourse has a "capacity to transmit life" (*HV* §13), each and every act of sexual intercourse has a "procreative significance" (*HV* §12) and "finality" (*HV* §3), and an "intrinsic relationship" (Lat. *per se destinatus*) to procreation (*HV* §11).³

The Biological Evidence

As noted, the papal condemnation of homosexual attraction is based on the same belief used to prohibit so-called "artificial" contraception: namely, that these acts close off sex from the transmission of life, thus missing its "procreative" finality.

As the Wijngaards Institute's earlier Research Report on the Vatican teaching on contraception has shown, that belief contradicts the unambiguous evidence from (evolutionary) biology.

² CCC 2357, as quoted in "Considerations Regarding Proposals To Give Legal Recognition To Unions Between Homosexual Persons", available at http://www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfaith_doc_20030731_homosexual-unions_en.html; compare *HP*§3.

³*HV* §13 rightly notes that to "impair[] the capacity to transmit life" of the act of sexual intercourse is to "depriv[e] it, even if only partially, of its meaning and purpose [or finality: Lat. "significationem et finem"]."

The causal relationship between insemination and, on the other hand, fertilization, implantation, and ultimately procreation, is statistical, not necessary. No act of sexual intercourse has "per se" (i.e. in itself, by nature) an independent biological capacity for procreation. If it were not so, every act of insemination would result in a conception. Rather, such a biological capacity is relative, i.e. dependent on the fulfilment of numerous other conditions. This fulfilment is statistical, not necessary.

Because no single act of sexual intercourse has an *independent* (absolute) capacity for procreation, it is erroneous to affirm – as *HV* does – that each and every act of sexual intercourse has, by nature, procreation as their "finality" or "significance."

The Naturalistic Fallacy: Drawing a Moral Obligation directly from the Biological Laws

From the above mentioned mistaken biological "fact" that each and every act of sexual intercourse has a procreative "finality" and "significance", *HV* derived the moral obligation for human beings to never hinder them. In turn, *HP* derive the moral obligation – exclusively for homosexuals – never to have sexual intercourse (inasmuch as it is intrinsically sterile).

However, it is always mistaken to derive a moral norm directly from biological laws. This is because our behavior, as rational agents, is not entirely determined by biology. Rather, biological laws are subsumed and controlled by our rationality and responsibility.

This is particularly evident in the area of human sexuality, whose distinctive evolution suggests precisely a move away from a purpose which was exclusively that of reproduction – to the extent that sexual intercourse only occurred during the female *oestrus* – and towards a variety of additional purposes, including socialization, pair-bonding, and so on.

HV further justified the inference of a moral obligation from a supposed biological "fact" on the basis that it is God who established the biological laws expressing the procreative finality and significance of each and every act of sexual intercourse, and therefore to thwart them would be tantamount to going against God's will.

This is deeply mistaken from the point of view of fundamental theology. According to mainstream Christian theology, unless one can prove an explicitly revealed absolute divine command never to interfere with the biological laws of the generative process – and biblical exegesis has excluded the existence of such a divine command – one must assume no exceptions exist to the rule according to which human beings are understood as enjoying both the mandate and the responsibility to *steward* creation, "interfering" with it for theirs and creation's mutual flourishing.

In this, as noted, the position of mainstream Christian theology coincides with the philosophical position which maintains the impossibility of deriving a moral obligation directly from a factual description, i.e. a judgment of value (about what morally ought to be) directly from a judgment of fact (about what is).

The Arguments from Authority: The Bible and Church Tradition

Does the Bible support the contention that sex must always be for procreation?

As noted, *HP* bases its condemnation of homosexual intercourse on the belief that sexual intercourse must always be preserve the procreative finality which is said to be intrinsic to it.

However, this is contradicted by the seminal biblical texts directly addressing the meaning and purpose of sexuality: namely, Gen 2:18 and 24 (“It is not good for the man to be alone” and “That is why a man leaves his father and mother and is united to his wife, and they become one flesh”) and the Song of Songs.

Those two passages of Genesis highlight the “unitive” function (i.e. fellowship, relationship, affective union/communion in love) as the only *raison d’être* distinctive of human sexuality. In contrast, procreation is introduced only separately (Gen 1:28: “God blessed them and said to them [i.e. to man and woman], “Be fruitful and increase in number...”), and described merely as a blessing, rather than a command, and a blessing which is not distinctive of human beings but rather is given to all animals.⁴ Thus Richard M. Davidson, one of the foremost experts on sexuality in the Old Testament, on Genesis 1:26-28 and 2:18, 24:

[S]exuality cannot be wholly subordinated to the intent to propagate children. Sexual differentiation has meaning apart from the procreative purpose. The procreative blessing is also pronounced upon the birds and fish on the fifth day (v. 22), but only humankind is made in the image of God. Genesis 1 emphasizes that the sexual distinction in humankind is created by God particularly for fellowship, for relationship, between male and female.

The complete absence of any reference to the propagation of children in Gen 2 highlights the significance of the unitive purpose of sexuality. This omission is not to deny the importance of procreation (as becomes apparent in later chapters of Scripture). But by the “full-stop” after “one flesh” in v. 24, sexuality is given independent meaning and value. It does not need to be justified only as a means to a superior end, that is, procreation. The interpretation given by some that husband and wife become one flesh in the flesh of their children is not warranted by the text.

Sexual love in the creation pattern is valued for its own sake. When viewed against parallel ANE [Ancient Near Eastern] creation stories, this biblical

⁴ Richard M. Davidson, *Flame of Yahweh: Sexuality in the Old Testament* (Hendrickson Publishers Peabody, MA, 2007), pp. 49-50; Phyllis A. Bird, “‘Male and Female He Created Them’: Gen 1: 27b in the Context of the Priestly Account of Creation,” *Harvard Theological Review* 74, no. 02 (1981): 129–160.

view of marriage also seems to be a polemical corrective to the prevailing ANE perspective represented, for example, by the Atrahasis Epic, which "links marriage and procreation closely as if to suggest that the primary function of marriage is procreation." For the biblical narrator, by contrast, "the communitarian, affective function of marriage takes precedence over the procreative function of marriage."⁵

Commenting on Davidson, David Instone-Brewer added:

*The concept of "one flesh" implies a sexual unification separate from any connotation of childbearing, and linked with the "clinging" it implies a permanence in the relationship.*⁶

"Sexual differentiation has meaning apart from the procreative purpose [...] [S]exuality is given independent meaning and value. [...] Sexual love in the creation pattern is valued for its own sake."

Interestingly, such an understanding was seemingly ground-breaking and counter-cultural for the times: other Ancient Near Eastern cultures regarded marriage in a much more reductionist and utilitarian way, i.e. as first and foremost for procreation. Ironically, by affirming that each and every act of sexual intercourse must always preserve the goal of reproduction, *HV* (and *HP* after it) contradict such a groundbreaking insight of the bible, and revert to the same reductionist and utilitarian view of sexuality common among other Ancient Near Eastern cultures.

In summary: Genesis 1-2 affirms that the primary *raison d'être*, meaning and purpose of human sexuality is the affective or unitive one, i.e. the fellowship and relationship between male and female, the union/communion of love, affectivity, etc.

In contrast, procreation is not included in the core statements describing the *raison d'être* of sexuality (Gen. 2:18, 24). Instead, it is described separately, and as a blessing (rather than a command), a blessing moreover which is not exclusive or distinctive of humans, but is rather repeated to all other animals.

Accordingly, Genesis 1-2 does not regard procreation as a finality which needs to be present always, in each and every act of sexual intercourse. Genesis 1-2 describe human sexuality as good independently from the existence of a procreative finality in each and every

⁵ Davidson, *Flame of Yahweh*, emphases added.

⁶ David Instone-Brewer, "Review Article: Richard M. Davidson's *Flame of Yahweh: A Theology of Sexuality in the Old Testament*," *Andrews University Seminary Studies* 46, no. 2 (2008): 6, emphasis added. Instone-Brewer also observes: "The HB [*Hebrew Bible*] portrays fertility as a gift to the creation and to humans, whereas the gods of surrounding cultures demanded cultic prostitution or priestly reenactments of divine sexual acts in order to maintain this fertility. Mesopotamian and Canaanite religions in particular demanded that the general population take part in cultic prostitution."

act of sexual intercourse. Therefore, Genesis 1-2 contradicts what is in fact the central claim of *HV* (and *HP* after it).

Does the Bible condemn homosexual intercourse absolutely?

Homosexual sexual acts are not only ontologically defective or "intrinsically wrong" ("*intrinsicse inhonestum*") because non-conceptive. The Bible is invoked to present them as gravely evil.

The Church's doctrine regarding this issue is thus based, not on isolated phrases for facile theological argument, but on the solid foundation of a constant Biblical testimony.... The Scriptures are not properly understood when they are interpreted in a way which contradicts the Church's living Tradition.... (*HP* §4).

This is preemptive hermeneutic, which forestalls the attempt to find anything in the Bible that might be in tension with the tradition of condemnation of LGBT people, their sexual affectivity, and their sexual acts.

On this basis, the document offers a reading of Genesis in which homosexuality appears as a result of Original Sin:

In Genesis 3, we find that this truth about persons being an image of God has been obscured by original sin. There inevitably follows a loss of awareness of the covenantal character of the union these persons had with God and with each other. The human body retains its 'spousal significance' but this is now clouded by sin. Thus, in Genesis 19:1-11, the deterioration due to sin continues in the story of the men of Sodom. There can be no doubt of the moral judgement made there against homosexual relations (§6).

A text condemning rape (not necessarily by homosexually oriented men) is thus read as a moral judgement on all homosexual intercourse.

Again, reference is made to the apostle Paul who, following Leviticus,

lists those who behave in a homosexual fashion among those who shall not enter the Kingdom of God. In Romans 1:18-32, still building on the moral traditions of his forebears, [...] Paul uses homosexual behaviour as an example of the blindness which has overcome humankind. Instead of the original harmony between Creator and creatures, the acute distortion of idolatry has led to all kinds of moral excess. Paul is at a loss to find a clearer example of this disharmony than homosexual relations (§6).

Here a superficial interpretation of Paul is used to justify very negative value judgment on even the most loving homosexual relations.

By the same token, the Vatican might have quoted Titus 1:12-13 on Cretans. However, biblical scholars have increasingly undercut the idea that the texts in Leviticus, echoed by Paul, apply to homosexuality as such. Furthermore, the Bible contains a number of negative value

judgments on other ethical issues whose correctness, however, is today rejected: for example, slavery, polygamy, adultery, animal sacrifice, keeping the Sabbath, and even touching a pig's skin. As Matthew Olgivie put it:

it vital to analyze texts according to their historical origins and cultural context and to recognize that some Biblical texts "contain some things which are incomplete and temporary." However, the analysis of texts and the relativization of their moral authority should be done through a method that is both historical and critical.⁷

This is what this section of the report will do.

Introductory Bibliography:

- Martti Nissinen, *Homoeroticism in the biblical world: A historical perspective* (Fortress Press, 2004)
- Erin E. Fleming, Political Favoritism in Saul's Court: נעם, הפץ, and the Relationship between David and Jonathan, *Journal of Biblical Literature*, 135 vol. 1 (2016), 19-34.
- Graham Davies, "The Friendship of Jonathan and David," in *Studies on the Text and Versions of the Hebrew Bible in Honour of Robert Gordon*, ed. Geoffrey Kahn and Diana Lipton, vol. 149, *Supplements to Vetus Testamentum* (Leiden and Boston: Brill, 2012), 65–76.
- Denis B. Saddington, "The Centurion in Matthew 8: 5-13: Consideration of the Proposal of Theodore W. Jennings, Jr., and Tat-Siong Benny Liew," *Journal of Biblical Literature* 125, no. 1 (2006): 140–142.
- Christopher B. Zeichmann, "Rethinking the Gay Centurion: Sexual Exceptionalism, National Exceptionalism in Readings of Matthew 8: 5-13//Luke 7: 1-10," *The Bible and Critical Theory* 11, no. 1 (2015).
- Susan Ackerman, *When Heroes Love: The Ambiguity of Eros in the Stories of Gilgamesh and David* (Columbia University Press, 2005).
- Kenneth A. Locke, "The Bible on Homosexuality: Exploring Its Meaning and Authority," *Journal of Homosexuality* 48, no. 2 (2005): 125–156.

Arguments from Tradition

The constant teaching of the *magisterium* is another authority to which *HP* appeals, this time in a manner savouring of "magisterial fundamentalism." However, this authority is

⁷ Matthew Olgivie, "Catholicism and Same Sex Marriage," *Australian EJournal of Theology* 5, no. 1 (2005).

compromised by clear and grave mistakes made by the magisterium in his area in the past, as in its promotion of capital punishment for "sodomy" in European jurisdictions and in the courts of the Inquisition worldwide (for instance in Chile, Goa, and Manila). The evidence is accumulating that the magisterium has been a source of great human suffering to homosexual persons, most of it hidden from view. Cardinal Reinhard Marx called for a church apology for this in Dublin in 2016, and this was faintly echoed by Pope Francis a little later.

It could be objected that the magisterium founded by Christ and led by the Holy Spirit could not be so gravely wrong about an issue that affects millions of human beings. Indeed, the condemnation of homosexual acts (whatever about the more recent determination that the orientation itself is disordered) is certainly regarded as infallible by some Catholics. But the category of infallibility sits ill with moral, as distinct from dogmatic, teachings. Such teachings are hortatory rather than doctrinal in nature (as Juan Masía, SJ, argues). In fact, there are strict conditions for a doctrine to be regarded and officially declared as infallible.

According to Catholic theology, for a doctrine – including a moral doctrine – to be able to be defined infallibly and thus irreformably it must be either revealed or required for the defense or explanation of revealed truth. If it is not, then it cannot be defined infallibly.

The teaching that same-sex sexual acts are "intrinsically evil" always and everywhere is not revealed in the Bible. Nor has it ever been shown to be essential for the truth of the Christian revelation. Accordingly, it cannot become the object of an infallible definition.

Hence, the appeal to a supposed constant tradition of magisterial teaching on the subject cannot by itself settle the question and foreclose the discussion, because the requirements for an infallible definition are not met.

Finally, because the ethics of homosexual relationships is a matter pertaining to the so-called non-revealed "natural moral law", its correctness can only be proved by reason.

As noted, *HP* affirms that its teaching on the immorality of homosexual acts is "support[ed] in the more secure findings of the natural sciences, which have their own legitimate and proper methodology and field of inquiry" and so it is "founded on human reason" (§2). However, neither *HP* nor subsequent official Vatican documents provide references to scientific evidence to support their conclusions.

This research report will assess whether and to what extent the Vatican's position is based on current knowledge from the relevant disciplines.

Meanings and Purposes of Human Sexuality and Marriage

Christianity, like other religions, has been particularly preoccupied with procreation as the predominant reason for human sexuality.⁸ Modern developments both in science and socio-cultural anthropology, as well as in spirituality, have illuminated sexuality such that its reaches and concerns extend far beyond its mere “genital aspects.” Such developments have shed light on our understanding of both heterosexual and homosexual relationships, and the church must be informed by these developments.

This section will provide some evidence from evolutionary biology and sociology concerning the relationship between procreation and other meanings and purposes of human sexuality and marriage. It complements from a natural science and sociological perspectives section ????? above, concerned with the various “arguments from authority”, concerning the biblical evidence on that same relationship.

Mainstream Catholic theology currently understands human sexuality in general, and marriage in particular, as natural and established at Creation. As such, their purposes can be rationally accessible by anybody.⁹ Hence, the evidence from biology, psychology, and sociology about the finalities of sexual intercourse and marriage has the same normative value as that given to the so-called “arguments from authority”, from the Bible and church Tradition.

Introductory Bibliography:

- Peter B. Gray and Justin Garcia, *Evolution and Human Sexual Behavior* (Cambridge, MA: Harvard University Press, 2013).
- Cindy M. Meston and David M. Buss, “Why Humans Have Sex,” *Archives of Sexual Behavior* 36, no. 4 (July 3, 2007): 477–507.
- Giuseppe Benagiano and Maurizio Mori, “The Origins of Human Sexuality: Procreation or Recreation?” *Reproductive Biomedicine Online* 18 Suppl 1 (2009): 50–59.
- Christine E. Gudorf, *Body, Sex, and Pleasure: Reconstructing Christian Sexual Ethics* (The Pilgrim Press, Cleveland, OH, 1994).

⁸ Christine E. Gudorf, *Body, Sex, and Pleasure: Reconstructing Christian Sexual Ethics* (The Pilgrim Press, Cleveland, OH, 1994).

⁹ As *HV*§12 put it with regard to its own interpretation of the finality of sexual intercourse: “We believe that our contemporaries are particularly capable of seeing that this teaching is in harmony with human reason.”

- Margaret A. Farley, "Same-Sex Relationships and Issues of Moral Obligation," *Anglican Theological Review* 90, no. 3 (2008): 541–547.
- -- *Just Love: A Framework for Christian Sexual Ethics* (New York ; London: Continuum, 2006).
- Adrian Thatcher, *God, Sex, and Gender: An Introduction* (Oxford: John Wiley & Sons, 2011).
- -- (ed.), *The Oxford Handbook of Theology, Sexuality, and Gender* (Oxford University Press, 2014).

The Evidence from Evolutionary Biology: Non-Conceptive Purposes of Human Sexuality

For most mammals, sexual intercourse is limited by biology to fulfil the function of genotype transmission or reproduction. Sexual activity is determined biologically by the reproductive hormones, which regulate its exercise and *generally* limit it to the female oestrus, a regularly occurring period of sexual receptivity and fertility in most female mammals (excluding humans).

It is distinctive of the evolutionary development of highly intelligent animal species that sexual intercourse moved away from an *almost exclusive* reproductive finality and related biological determinism on the reproductive hormones and the female oestrus. In particular, "Humans have the distinction of being comparatively free of hormonal determinism in our reproductive activities. Female fertility does not depend on limited periods of oestrus, and male sexual arousal does not require the perception of hormonal cues."¹⁰

Rather, female sexual receptivity broke free of the hormonal determinism of the oestrus, and sexual intercourse acquired other meanings and ends than the mere transmission of the genotype, or reproduction: namely, sexual pleasure, pair-bonding, and many other purposes influencing socialization. This is particularly evident in the evolutionary development of primate sexuality: already in the great apes, and even more clearly in humans.¹¹

The advantages of retaining sexual receptivity at all times, including those when conception is not a physiological option, is obvious. Such a strategy clearly helps to maintain long-term relationships. It is an evolutionary device

¹⁰ Kelly Bulkeley, *The Wondering Brain: Thinking about Religion With and Beyond Cognitive Neuroscience* (2004), p. 60.

¹¹ See a concise account in Adrian Thatcher, *God, Sex, and Gender: An Introduction* (John Wiley & Sons, 2011).

to maximize parental care of the young and provide sexual pleasure and comfort for the highly sexed human being.¹²

The evolution of primate sexuality, and particularly the sexuality of human beings, shows a shift away from an exclusively reproductive function and related biological dependence on the reproductive hormones and the female oestrus, towards a sexuality more subsumed under the control of the brain and, consequently, responsive to rational agency.

In other words, "nature" itself shows that the sexuality of humans, differently from that of most other animals, is not simply determined biologically, i.e. regulated by the reproductive hormones. Rather, human sexuality and sexual intercourse are subsumed under the control of rational intentionality.

Such an integration of the reproductive hormones under the control of rational intentionality is precisely the distinctive "nature" of human sexuality in comparison with most non-human animals.

In this sense, what is "natural" for the sexual intercourse of human beings is what is in agreement with their rational faculties, rather than what follows blindly the patterns of the biological laws regulating reproduction. *HV* is accordingly mistaken to derive a moral obligation always to respect the supposedly natural procreative finality of each and every act of sexual intercourse.

As noted, the non-conceptive motives for sexual intercourse include pleasure, love, comfort, celebration and companionship. As evolutionary biology suggests, such "finalities" are natural in the sense that they are intrinsic to and distinctive of human sexual intercourse. They can be morally worthy even without the concurrent intention to procreate. If sexual intercourse in general is a good in itself, independently of the concurrent existence of either a biological capacity or the agents' intention to procreate, then the same moral judgment must apply to same-sex intercourse.

In summary: *HP* is reductionist and mistaken in following *HV* and deriving a moral obligation with regard to human (homo)sexual behaviour from the biology of human reproduction (which in any case it misunderstands at the factual level itself). Doing so ignores that the very distinctiveness of human sexuality and (homo)sexual intercourse is that they have "broken free" of the biological and hormonal determinism controlling the sexual behaviour of most other animals. It reduces human (homo)sexuality to a mere functionalist and utilitarian

¹² Irina Pollard, "Fertility Awareness: The Ovulatory Method of Birth Control, Ageing Gametes and Congenital Malformation in Children," in *Bioscience Ethics* (Cambridge, Mass.: Cambridge University Press, 2009), 90–105 (at 94).

understanding, whereby each and every use of it must aim to biological reproduction. Instead, in human beings, because they are “rational” animals, the biological and hormonal “laws” have been subsumed under the higher control of human rationality and responsibility, which can and does routinely direct them for ends other than biological reproduction alone, such as affectivity, communion, commitment, and love.

The Evidence from Psychology and Sociology

Do People Consider Sexual Intercourse to be Always Related to Procreation?

Historically, the reasons people have sex have been assumed to be few in number and simple in nature—to reproduce, to experience pleasure, or to relieve sexual tension. [However,] motives for engaging in sexual intercourse may be larger in number and psychologically complex in nature.¹³

Surveys have identified the following, among others: love and commitment, spiritual transcendence, kindness, stress reduction and relaxation, duty, conformity, experience seeking, self-esteem and self-confidence, social status, money, revenge, and so on.

Procreation is but one of the meanings and finalities of sexual intercourse. Biologically, in the human species the vast majority of acts of sexual intercourse does not have a procreative capacity, and therefore does not have a procreative finality. There are no other grounds – whether in the bible, or indeed in the experience of people – to affirm that procreation need to be present as one of the finalities each and every time people engage in sexual intercourse.

LGBT Relationships in the light of Human Sexuality and Marriage

The official Vatican condemnation of *same-sex acts* (as distinct from same-sex relationships) as “intrinsically disordered” is based on its belief that biology supposedly demonstrates that each and every act of sexual intercourse has procreation as its natural finality. As argued in a previous section, that is a misunderstanding of the very “biological laws” of human sexuality which magisterial teaching appeals to.

Similarly, official Vatican documents condemns same-sex relationships on the basis that they lack what is supposedly an essential element of marriage, namely procreation:

Homosexual unions are totally lacking in the biological and anthropological elements of marriage and family which would be the basis, on the level of

¹³ Cindy M. Meston and David M. Buss, “Why Humans Have Sex,” *Archives of Sexual Behavior* 36, no. 4 (July 3, 2007): 477–507.

reason, for granting them legal recognition. Such unions are not able to contribute in a proper way to the procreation and survival of the human race (§7).¹⁴

LGBT relationships are condemned inasmuch as they are regarded as biologically sterile, incapable of procreation.

Such an official Vatican position is at odds with what the Catholic theology of marriage says about the relationship between procreation, on the one hand, and the other meanings and purposes of human sexuality and marriage. Current Catholic theology affirms that procreation is not the primary end of marriage: rather, companionship between the spouses is. Indeed, sterile couples can legitimately marry in the Catholic Church.¹⁵ Similarly, with regard to fertile couples "Sexual activity [...] does not [...] cease to be legitimate even when, for reasons independent of their will, it is foreseen to be infertile."¹⁶ Biological procreation is not understood as necessary, strictly speaking, to the existence of marriage itself.

Instead, Catholic theology nowadays tends to understand marriage as embracing a more expansive concept of "generativity" which goes beyond mere biological reproduction. This is implicit in Pope Francis' affirmation that "procreation and adoption are not the only ways of experiencing the fruitfulness of love".¹⁷ Indeed, some couples decide not to have children in order to devote themselves to other worthy endeavours at the service of society and the common good. They do not thereby intend to forfeit the possibility of maintaining sexual intimacy. As Bernard Häring put it:

Love's fecundity is a reality totally different from biological fertility [...]. Conjugal love has a value in itself: Its proper fecundity is in love and for love itself. It enriches not only the spouses but all whom they meet who become sharers of the overflow of their love.¹⁸

In contrast, "Considerations 2003" denies that homosexual relationships "proceed from a genuine affective and sexual complementarity," affirming instead that homosexuality is "a

¹⁴ Compare §8: "Not even in a remote analogous sense do homosexual unions fulfil the purpose for which marriage and family deserve specific categorical recognition."

¹⁵ CCC 1084, §3: "Sterility neither prohibits nor nullifies marriage, without prejudice to the prescript of canon 1098."

¹⁶ HV§11.

¹⁷ Pope Francis, *Amoris Laetitia*, §181 (p. 137), available at https://w2.vatican.va/content/dam/francesco/pdf/apost_exhortations/documents/papa-francesco_esortazione-ap_20160319_amoris-laetitia_en.pdf.

¹⁸ Bernhard Häring, *Free and Faithful in Christ: Moral Theology for Priests and Laity - The Truth Will Set You Free*, vol. 2 (Slough: St Paul Publications, 1979), p. 516. Also Cristina Richie, "Disrupting the Meaning of Marriage? Childfree, Infertile and Gay Unions in Evangelical and Catholic Theologies of Marriage," *Theology & Sexuality* 19, no. 2 (2013): 123–42; and Kathryn Lilla Cox, "Toward a Theology of Infertility and the Role of Donum Vitae," *Horizons* 40, no. 01 (2013): 28–52, at 44.

troubling moral and social phenomenon" (§4, quoting the *Catechism of the Catholic Church*, n. 2357).

To sum up: biological procreation is not essential – or, put differently, sterility is no impediment to – Christian marriage. Secondly, procreation is not to be understood as merely biological reproduction: rather, it is the “generativity” of life- and self-giving love, which gives life through selfless commitment to and love of the evangelical neighbor. This sort of “generativity” is the vocation of all Christians – indeed all people of good will – whether married or celibate. Thirdly, marriage has long been understood within the Catholic tradition as first and foremost a communion of life and love between the spouses, which is a sign of God’s love.

“Intrinsically disordered?” – Etiology of (Homo)Sexual Orientation

HP only provides a passing reference on the debate about the genetic and social causes of homosexuality:

It has been argued that the homosexual orientation in certain cases is not the result of deliberate choice; and so the homosexual person would then have no choice but to behave in a homosexual fashion. Lacking freedom, such a person, even if engaged in homosexual activity, would not be culpable. [...]

What is at all costs to be avoided is the unfounded and demeaning assumption that the sexual behaviour of homosexual persons is always and totally compulsive and therefore inculpable. What is essential is that the fundamental liberty which characterizes the human person and gives him his dignity be recognized as belonging to the homosexual person as well. As in every conversion from evil, the abandonment of homosexual activity will require a profound collaboration of the individual with God's liberating grace. (§11).

This suggests that in most cases homosexual orientation is a result of deliberate choice, and one that can be intentionally reversed by the person concerned. Both affirmations are not supported by current evidence. This section will examine the current scientific knowledge on the etiology of sexual orientation in general and same-sex attraction in particular.

For the moment, it can already be observed that the Vatican’s position is illustrative of what a number of studies have observed, namely that

individuals who believe homosexuality is biological or genetic, and therefore immutable, hold more favorable attitudes about lesbian and gay people (Haslam & Levy, 2006; Hegarty, 2002; Hegarty & Pratto, 2001). Conversely, individuals who believe homosexuality is a lifestyle choice or learned, and

therefore mutable, hold more negative attitudes about lesbian and gay people (Has-lam & Levy, 2006; Hegarty, 2002; Hegarty & Pratto, 2001).¹⁹

Introductory Bibliography:

- A. R. Sanders *et al.*, "Genome-Wide Scan Demonstrates Significant Linkage for Male Sexual Orientation," *Psychological Medicine* 45, no. 7 (2015): 1379–1388, <https://doi.org/10.1017/S0033291714002451>;
- Simon LeVay, *Queer Science: The Use and Abuse of Research into Homosexuality*. (The MIT Press, 1996), <http://doi.apa.org/psycinfo/1996-97909-000>;
- Simon LeVay, *Gay, Straight, and the Reason Why: The Science of Sexual Orientation*, (Oxford: Oxford University Press, 2nd edn 2016);
- J. Michael Bailey *et al.*, "Sexual Orientation, Controversy, and Science," *Psychological Science in the Public Interest* 17, no. 2 (2016): 45–101;
- Lawrence S. Mayer and Paul R. McHugh, "Sexuality and Gender: Findings from the Biological, Psychological, and Social Sciences," *The New Atlantis*, 2016, 10–143;
- Emmanuele A. Jannini *et al.*, "Male Homosexuality: Nature or Culture?," *The Journal of Sexual Medicine* 7, no. 10 (2010): 3245–3253;
- Emmanuele A. Jannini *et al.*, "Genetics of Human Sexual Behavior: Where We Are, Where We Are Going," *Sexual Medicine Reviews* 3, no. 2 (2015): 65–77;
- S. Marc Breedlove, "Prenatal Influences on Human Sexual Orientation: Expectations versus Data," *Archives of Sexual Behavior* 46, no. 6 (2017): 1583–1592;
- Christopher CH Cook, "Science and Theology in Human Sexuality," *Theology & Sexuality*, 2018, 1–17;
- Tuck C. Ngun *et al.*, "The Genetics of Sex Differences in Brain and Behavior," *Frontiers in Neuroendocrinology* 32, no. 2 (2011): 227–246;
- Conrad Ryan, "The Lure of the Gay Gene," *The Gay & Lesbian Review*, 2016, 25–28.

LGBT Long-term Relationships and Families – Effects on Partners and Children

"Considerations 2003" states that homosexual unions are "activities which do not represent a significant or positive contribution to the development of the human person in society." Indeed,

¹⁹ Stacey S. Horn and Justin Heinze, "'She Can't Help It, She Was Born That Way': Adolescents' Beliefs about the Origins of Homosexuality and Sexual Prejudice," *Anales de Psicología/Annals of Psychology* 27, no. 3 (2011): 688–697.

Not even in a remote analogous sense do homosexual unions fulfil the purpose for which marriage and family deserve specific categorical recognition. On the contrary, there are good reasons for holding that such unions are harmful to the proper development of human society, especially if their impact on society were to increase (§8).

Similarly, *HP* affirmed that homosexual relationships are “a way of life which constantly threatens to destroy” the people who engage in it (*HP* §12).

The above statements concerning the harmful effects of homosexual relationships on the people involved, and on society at large, were not backed by any reference to empirical evidence. Since 1986 and 2003, the years they were written, homosexual partnerships and marriages have been legalised in a number of countries: it is therefore possible to test those affirmations against a larger body of evidence than it was possible at the time.

Specifically, this section will report on the evidence from psychological and sociological studies – both qualitative and quantitative – in an attempt to evaluate the consequences of long-term homosexual relationships.

Introductory Bibliography

- Andrew J. Perrin, Philip N. Cohen, and Neal Caren, “Are Children of Parents Who Had Same-Sex Relationships Disadvantaged? A Scientific Evaluation of the No-Differences Hypothesis,” *Journal of Gay & Lesbian Mental Health* 17, no. 3 (2013): 327–336;
- Simon Cheng and Brian Powell, “Measurement, Methods, and Divergent Patterns: Reassessing the Effects of Same-Sex Parents,” *Social Science Research* 52 (July 1, 2015): 615–26.
- Ellen C. Perrin et al., “Promoting the Well-Being of Children Whose Parents Are Gay or Lesbian,” *Pediatrics* 131, no. 4 (2013): e1374–e1383;
- Susan Golombok et al., “Parenting and the Adjustment of Children Born to Gay Fathers through Surrogacy,” *Child Development*, 2017;
- Fiona MacCallum and Susan Golombok, “Children Raised in Fatherless Families from Infancy: A Follow-up of Children of Lesbian and Single Heterosexual Mothers at Early Adolescence,” *Journal of Child Psychology and Psychiatry* 45, no. 8 (2004): 1407–1419;
- Guido Pennings, “Evaluating the Welfare of the Child in Same-Sex Families,” *Human Reproduction* 26, no. 7 (2011): 1609–1615;
- Paige Averett, Blace Nalavany, and Scott Ryan, “An Evaluation of Gay/Lesbian and Heterosexual Adoption,” *Adoption Quarterly* 12, no. 3–4 (2009): 129–151;

Some Principles for Pastoral Practice

As in the case of *Humanae Vitae* the rigors of the church teaching, even if not contested, are greatly lessened by the distinction between objective and subjective morality, notably expressed by Paul VI in a letter to Cardinal O'Boyle of Washington, which stated that objective immoral acts could be "diminished in guilt, inculpable, or subjectively defensible." Furthermore, the insistence on the role of conscience and on the value of "freedom of conscience" in recent church teaching provides a leeway for flexibility in the reception and application of moral rules. Theologians have meanwhile explored the right to informed dissent from the teachings themselves, especially in light of the many instances of change and development in church teachings across the ages. But while all of these factors have made the teachings less burdensome for enlightened Catholics, they continue to weigh heavily on more vulnerable consciences, especially on the young, and to wreak great havoc when bishops seek to have the teachings implemented in civil legislation, as in the Philippines and Africa.

While exhortations to sexual restraint are by no means a dead letter, as long as people have a sensitive conscience, the language of blunt condemnation used by *HP* does seem to come from another age. Fr Juan Masía, SJ, argues that moral declarations are "hortatory" and not "doctrinal." If so, the Congregation for the Doctrine of the Faith, the former Roman Inquisition, is perhaps not the best institution for handling them. Convincing moral teaching is best conveyed in a context of pastoral dialogue. By erecting a set of non-negotiable rules to be applied blindly the CDF may in fact be blocking the communication of the Church's moral wisdom and the growth of that wisdom.

Even those who agree with the Vatican that homosexual acts can never be countenanced might still, on the pastoral level, invoke the principle that "love covers a multitude of sins" (1 Pt 4:8). After all, for long stretches of Christian history sex in marriage was seen as a site of venial sin, which has to be tolerated for a greater good. The testimony of gay couples that physical acts deepen and strengthen their affective union should be taken into account before the non-unitive nature of gay sex is dogmatized.

Moral teaching cannot abstract from the lived situation of those to whom it claims to apply. If one insists exclusively on principles, leaving their application to pastoral wisdom, which in its turn is impoverished by an exaggerated fear of betraying the principles, one risks finding one day that these principles have become anemic and sterile. A credible moral reflection demands attention to the testimonies of those who have lived the different possibilities of gay

and lesbian experience, so as to measure soberly the various values in play. This dialogue could be enriched by steeping our reflections in literature, which illuminates the complexity and variety of human relationships. Such exposure threatens theology with the loss of its certitudes about the unalterable essences of love, marriage, and friendship. Humanity remains a territory unknown to itself, for the more it is explored, the more the enigmas multiply. The Bible, if well read, in a liberative key, espouses and deepens this complexity; church discourse, to do the same, needs a new praxis of dialogal openness and self-critique.

Some believe that it will be enough to apply pastoral tact in tolerating imperfect situations, according to the approach of Jan Visser, one of the authors of the CDF document *Persona humana*:

“When one is dealing with people who are so deeply homosexual that they will be in serious personal and perhaps social trouble unless they attain a steady partnership within their homosexual lives, one can recommend them to seek such a partnership, and one accepts this relationship as the best they can do in their present situation” (*L’Europa*, 30 January 1976).

When secular society is recognizing the dignity of LGBT couples in new legislation, this pastoral respect seems to fall short of the welcome these couples want from their churches. Regrettably, the Church did not develop more this pastoral encouragement of faithful couples in the 1970s: it would have diminished the ravages of AIDS.

While some churchmen have suggested that the ethical assessment of homosexual acts should be lenient when they are performed within the context of a faithful partnership, in view of the moral goods resulting from such partnership (e.g. as a remedy for promiscuity, an antidote to loneliness, and a source of positive loving behaviors), and while in its pastoral practice Catholic officials often tolerate same-sex faithful partnerships as the lesser of two evils, there is no official teaching on such leniency, and no basis provided for it in Vatican sponsored pastoral or educational material.

Even a culture of chaste friendship among homosexuals, which is the obvious alternative to the sexual behaviour that the Vatican proscribes, is not clearly promoted by the Vatican. No discussion of such possibilities has been organized or sponsored by the Vatican.

The report will include a section listening to the experiences, insights, and values of LGBT people, especially those who are Catholic.

Its conclusions will offer recommendations for change at both the doctrinal and the pastoral level.