

Same-Sex Marriage and the Catholic Community

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As I understand it, today is dedicated to “thinking together” about the many questions raised in our Catholic and Mercy communities regarding the inappropriateness (or not) of employing gay and lesbian persons in our ministries, especially gay and lesbian persons who have entered into a legal same-sex marriage. I am extremely grateful for Sharon Euert’s expert description of the “context” we are in regarding the church, and the clarifications she offered us regarding “authority” or agency. My own task this morning is to provide theological and ethical perspectives on the issues raised, and perhaps insights into the controversy that surrounds these experiences and challenges. The goal, as you know, is not to arrive at conclusions, but to expand our ways of “thinking about” these matters, so that as occasions arise, we do not come to them “cold.” I shall try to help with this by exploring the controversies themselves and their historical background. The issues, of course, are multiple, including not only what we think about same-sex marriage in Church and ministry, but moral pluralism, development of doctrine, religious liberty, discrimination, Catholic identity and fidelity, justice and mercy. In this session I will do only two things, as succinctly as I can: (1) consider theological and ethical perspectives on same-sex relationships generally; and (2) reflect on marriage, both civil and sacramental, as an appropriate (or not) context for same-sex relationships. These provide us with issues that are in some sense at the heart of our current controversies.

Same-Sex Relationships: An Ethical Perspective

In this first consideration I attempt to lay some basic groundwork for affirming or negating same-sex relationships as good and just and holy. This seems to me necessary if we are

to understand or reject (in a Catholic context) gay marriage. The groundwork I suggest includes some view of the history of sexual ethics, primarily in Western culture, but in some sense globalized as well. Let me begin, then, by recalling, very briefly, the Jewish and Christian traditions that have impacted Western culture regarding sexual ethics. Within Judaism, for example, there has always been an affirmation of sex as a positive element in human life. Sexuality and sexual activity are considered natural, created by God, necessary for the flourishing of human persons, even a religious imperative. Marriage is a religious duty, affirmed by all the codes of Jewish law. Two elements in the historical Jewish concept of marriage have accounted for many of its major laws regarding sexuality. The first of these is the command to procreate, which is at the heart of the command to marry. The second is the patriarchal model upon which Hebrew Bible ideas of marriage and society were institutionally based. These two elements provided the rationale for prohibitions against adultery, regulations regarding divorce, prostitution, polygamous marriage, concubinage, and to some extent, homosexuality (which was thought both to waste reproductive semen and to be demeaning to males insofar as it made them passive, as females were thought to be).

Christianity emerged in the late Hellenistic age when even Judaism, with its strong positive valuation of marriage, sex, and procreation, was influenced by the pessimistic interpretation of sex and sexual desire taught by some forms of Greek philosophy. The New Testament itself does not provide a systematic code of sexual ethics. The teachings of Jesus and his followers provide a central focus for the moral life in the command to love God and neighbor, with an emphasis on fundamental virtues, ways of acting, and ideals that provide content to this love. Beyond this, the Christian scriptures value marriage and procreation on the

one hand, and celibacy on the other; they affirm a sacred symbolic meaning for sexual intercourse, yet subordinate it to other human values, and also find a possibility for evil within it. More specific guidelines appear in the New Testament only as responses to specific questions arising out of particular situations. These responses have been used to support varying—even opposing—positions regarding such issues as divorce and remarriage, the status and role of women, and homosexuality.

Early Christian understandings of sexual desire and sexual passion were influenced by prevailing Greek philosophical notions, some aspects of Judaism, and the general mores of the time. From the beginning, and in the many centuries of the development of Christian sexual ethics, three elements or motifs have been central: The first is an affirmation of sex as good because it is part of creation, but also a deep suspicion of the irrationality of sex as a powerful biological drive that is disordered as the result of original sin, and that must therefore be restrained and channeled. The second, but closely connected to the first, is the insistence that sex needs special justification; it must in some way be brought back under a rational order. It returns to the order of reason, and is justified, by identifying for it a rational purpose—the purpose and intention of procreation. These concerns yielded certain action guides—for example, Christians ought not to engage in sex for its own sake (that is, for the sake of sexual pleasure) but only for the sake of procreation; and sex ought to be disciplined, domesticated by restricting it to the institution of marriage, where the burdens of raising children and providing for family would tame its otherwise unruly passion. Both the procreative norm for sex (emphasized by the Roman Catholic tradition through the centuries) and the requirement of an institutional context for sex (emphasized in Protestant strands of Christianity) yielded the central principle of Christian

sexual ethics: No sex outside of marriage.

The third motif or element assumed in Christian traditions of sexual ethics was male/female complementarity. This became even more important when the Protestant reformation rejected celibacy and prescribed that all Christians (with few exceptions) ought to marry.

“Complementarity,” of course, turned out virtually always to mean male superiority and female subordination (the husband as head of the family, the wife as helper and follower); so that hierarchical gender relations were affirmed as the structural model for family, church, and society.

So long as the Christian tradition continued to justify sex primarily and even solely for the procreation of children, and the institutionalization of sex in marriage as a corrective to disordered sexual desire; and so long as it assumed gender complementarity as the only “natural” context for sex; there was, of course, little or no room for any positive valuation of homosexuality. Heterosexual marriage had to be not only the general norm for Christian life, but along with celibacy for those who could manage it, the only acceptable choice for Christians regarding sexuality.

Not until the 20th century were these “foundations” of sexual ethics shaken, as we experience them today. There were, it is true, gradual cultural and religious shifts in understandings of marriage, sex, and love (for example, the growing tendency from the middle ages on to connect sex and marriage with romantic love [companionship], rather than primarily with family extension and stability). In the 20th century, however, both Protestant and Roman Catholic traditions were deeply affected by a number of significant factors—for example: new

biblical and historical studies of the roots of sexual norms, new understandings of sexuality itself, new technologies that made possible the separation of sexual intercourse from reproduction, cross-cultural studies, new philosophical and theological insights into what it means to be a “human person,” economic and social shifts that changed the possibilities of gender roles in society and family. Major developments took place even in Roman Catholic sexual ethics. The dominant motifs—i.e. disordered biological/physiological drive, procreative aim, and gender complementarity—all underwent significant changes. In much of Catholic theology and ethics, the procreative norm as the sole or even primary justification of sexual activity is gone (a shift that was visible in the documents of Vatican II). The view of sexuality as fundamentally disordered is also gone from a great deal of Catholic thought. Although moral theologians still underline the potential of sex for evil (as in sexual abuse, rape, exploitation, betrayal, etc.), the previously almost total suspicion of its destructive power has been seriously modified. Moreover, rigid stereotypes of male/female complementarity have been softened: gender and individual equality, mutuality, shared possibilities and responsibilities now appear, for example, in Catholic as well as Protestant theologies of marriage and family.

Still, however, the motifs of out-of-control sex, a procreative norm, and gender complementarity continue to appear in Catholic official (and some popular) assessments of same-sex activity. The procreative norm is relativized for heterosexual relations (even in regard to justifications for some forms of contraception), but it returns when homosexual relations are at issue. The view of sexuality as fundamentally disordered is gone for heterosexual sex, but it seems alive and well in judgments made about gay and lesbian sex. Rigid views of male/female complementarity are modified for general social roles, but the importance of gender

complementarity becomes the final strike against an acceptance of same-sex relations. While in Roman Catholic teachings a homosexual *orientation* in persons is not condemned (it is even accepted), homosexual *activity* is judged “intrinsically disordered” and hence objectively immoral (though it may be subjectively moral).¹

It might seem a matter of simple logic to address the problem of these negative judgments of same-sex relationships and activities. But sexual valuations, especially negative ones regarding homosexuality, often constitute in themselves a social and political force, for some with the power of an unreasoned taboo. Hence, more work needs to be done to bring such understandings under serious ethical reflection and critique. One way to do this is to search the sources of Christian ethics for clues—the traditional sources of Scripture, tradition, secular disciplines, and contemporary experience. All of these sources, of course, require exegesis, interpretation, and communal decision about what they must mean in the church today. Scholarship in each of these regards has grown exponentially in the last half century. My own long probing (with the help of the available respected scholarship) of biblical texts, the Roman Catholic tradition, and the insights generated through secular disciplines (psychology, anthropology, etc.), leaves me with the “modest conclusion” that none of these sources yields an absolute, uncontestable condemnation (or comprehensive blessing) of same-sex relationships.² Contemporary experience, then, which is available in the testimony of women and men whose experience is with others of the same gender, becomes an essential source, necessary for interpreting the other sources and for discerning what they are to mean in the Christian community today. By itself, of course, experience does not provide an incontestable,

foundational, deposit of insight; it cannot be used to establish an “anything goes” conclusion based on any and all experience. Like the other sources for insight and wisdom, it is subject to interpretation. But for some ethical questions it is a primary source, able to be “tested” in significant ways (for example, in terms of the integrity of those whose experiences are being shared) and capable of assisting with the interpretation of the other sources, providing wise guidance for individuals and for the human or church communities. Same-sex relations today present one of these questions.

[the arguments go on; I try to show them all; but now move to my own constructive response]

At least it can be said that if none of the sources of Christian ethics yields final reasons to condemn homosexual relationships as such; and if, indeed, they offer resources for affirming same-sex relationships as an acceptable moral choice for human persons; then our question must become no longer *whether* same-sex relations can be justified and good, but *when*, under what conditions, according to what ethical norms, are they so.

I have suggested for many years that the norms, the ethical criteria, for human relationships in the sexual sphere are more like than unlike the norms for human relationships in other spheres of human life, such as the social, economic, and political. The norms are principles and rules of justice, norms that make love and action “true and just” in taking account of the concrete reality of human persons, including their complex structure, historical and cultural contexts, commitments, and their capacity for self-determination and relationships with God and one another. This is a long task of discernment, and I cannot enter it here.³ But I believe it can be argued (in Catholic terms . . .) that such justice norms can be specified in terms of: do no

unjust harm; maximize free consent; pay attention to mutuality and equality; foster some form of commitment and fruitfulness; and learn the imperatives of social justice on the part of communities and societies in relation to their members. These norms are not mutually exclusive, and they admit of degrees. They provide negative prohibitions (for example, they rule out not only rape and all forms of violence against unwilling victims, but they also proscribe manipulation and lying and not only blatant abuse of personal power but forms of seduction that take advantage of a partner's vulnerability, etc.). They also provide more than negative prohibitions; they offer positive prescriptions and guidelines—as, for example, to the ways of mutuality and fruitfulness. They are ideals, but they are also bottom-line absolute requirements. And, as it can be shown, these norms for sexual relationships and activities turn out to be the same whether for heterosexual or for same-sex activities and relationships. Of these norms, the ones that are most interestingly relevant for considering issues of same-sex marriage are commitment, fruitfulness, and social justice.

I hope this will be evident as I turn now to reflect on not only same-sex relationships in general, but same-sex marriage.

Same-Sex Marriage: Civil and Sacramental

It is readily apparent that opposition to extending the concept of “marriage” to same-sex relationships remains strong among many in our population in the U.S. (though less than half of the Catholic population). Many of those who are not opposed to “civil unions” or even to “blessed unions,” still adamantly insist that these forms of union should not be called “marriages,” lest the meaning of marriage be emptied out, perhaps distorted, or in any case, threatened.

But what *is* marriage that would seem to make it inappropriate for persons in same-sex partnerships? At the end of his massive study entitled *What is Marriage* (especially in a Christian context), the theologian and ethicist Theodore Mackin acknowledged that there is as yet not one agreed upon univocal answer to that question. Most theologians who look for the core reality of marriage look to the consent of the partners in the form of a covenant or contract. In other words, marital commitment, mutually pledged, seems somehow at the heart of the meaning of marriage. But “marital” commitment is a special form of commitment, a special form of covenant. Presumably today (although not always in the past) it is a commitment to love and to accept being loved—with a love that is embodied and inspirited—sexual but more than sexual. As such it is in some significant sense (especially sexual) exclusive. It is a commitment to a “framework” for living and loving, to a permanent blending of loves, a weaving of a “fabric” of life together—one that embraces moments of powerful intensity but also the “everydayness” of life. It is a commitment to fruitfulness in love (not an *egoism a deux*), fruitfulness that can take many forms: the bearing and raising of children, but not only this and not necessarily this; the fruitfulness of service, of the production of beauty, the caring for others’ children, and a multitude of other forms of “fruits” that are the gifts of the committed partners to one another and to those beyond themselves. Finally, the marital commitment is a commitment to community—to family, friends, church, and society; and if it is Christian, it is a commitment made individually and jointly to God.

Now what in this description of the core of marriage would not fit same-sex relationships that are marked by profound commitments to love, to share loves and whole selves, to be faithful to the uniqueness of their love, to be together fruitful in myriad ways through the gift of their

love, and to anchor their love and life in community? Ah, there is still one stumbling block.

That is, many church leaders, and others in society and church, insist there is one other element essential to the meaning of marriage: gender differentiation between partners or spouses. No matter how the forms of marriage change from era to era or culture to culture, the one constant—they assert—is that marriage is between a man and a woman. You can take away love; you can take away genuine choice; you can take away specific ceremonies; but you cannot take away a gender binary “matter.”

But need this be so? Today the meanings of gender, as well as its importance, have become sufficiently problematized that it cannot, without question, be assumed as central to marriage in just the same way it has been in the past. Let me give you a rather benign example. When the theological Karl Rahner reflected on the sacrament of marriage in terms of its symbolic relation to the love between Christ and the church (as in Paul’s instruction to the Ephesians 5:29-33): Husbands, love your wives as Christ loves the church; and wives, love your husbands as the church loves Christ), Rahner says quite simply: the point here is not the gender assignment of roles—which is culturally conditioned; the point is the *unity* between spouses.⁴ Hence, we can just as well reverse roles and say (in this statement of St. Paul): “Wives, love your husbands as Christ loves the church, and husbands, love your wives as the church loves Christ.” This is a significant shift, mutually taken—not only in the removal of gender assigned roles or even identities, but in the correlative removal or relativization of a gendered interpretation of the relation between Christ and the church.

So much more needs to be said about the supposed requirement of a male and female for marriage, and certainly about any assumptions of a hierarchical order within marriage. But for

many, marriage is understood as between persons, equal persons. For them, the gender of one another matters. For the institution and sacrament of marriage, it need not matter. In a world where it would not matter whether persons were gay or straight, marriage would be as important as it is today; or it might finally be as important as it should be.

I will end my consideration of marriage as a positive context and framework for gays and lesbians by reflecting more specifically on Catholic sacramental marriage.

Sacramental Marriage: How Grace Works in Same-Sex Marriages

The scriptures that Christians hold reverent (both the Hebrew Bible and the Christian Second Testament) tell us again and again that God is present with us. If we behold God's presence, we shall be "radiant" at what we see (Isaiah 60:6), and we shall learn "what sorts of persons we must be" to receive and respond to the revelations of God's presence (2 Peter 3:11). In the Roman Catholic tradition we are formed in the belief that all of creation is alive with God's presence; and that Jesus, God incarnate, came is gone but is present still and will come again. Formed in this faith, we believe also that particular human experiences are open to God's self-revelation in remarkable ways. We identify some of these ways as "sacraments." Insofar as we are formed by these beliefs, our sensibilities grow for discerning the presence of God around and in and among us—sensibilities that can include awareness and awe, yearning and partial fulfillment, and the conviction that something is asked of us in the power of this divine presence. We may interpret the sacrament of marriage in the light of these beliefs, and therefore understand that same-sex marriages, for those called to them, are or can be such experiences of the presence of God—manifest not only to partners in marriage but to the church and the world.

The marital sacrament is in the event of covenanting, of "marrying," but also in the life

that continues from there. The grace of committed loves—shaped and grounded in faith—is not all-at-once. The story of commitments (as we well know) is importantly in their beginnings, yes, and in their end (lived out faithfully unto the consummation of fulfillment). But it is the “between” that counts the most. Like our lives in every respect, love has a past, a present, and a future. The meaning of the past is in the present, and the meaning of the present will be revealed more fully only in the future. Lives are stretched out in time; they are not like clocks, but more like rings in a tree or notes in a melody. Time is within them. Hence, the sacrament of marriage (presence and sign) is in the everyday, in the choices to ratify commitments, the efforts to grow in simple patience, kindness, understanding, forgiveness, and the “little by little” of welcoming love.

All of this is true, or can be true, of same-sex marriages, as of all marriages. These marriages include imagining and making a world in which unjust discrimination and alienation cease to exist. Their journeys perhaps require the courage to refuse to be outsiders, refuse to let ignorance and irrational bigotry threaten the hope of everyone for a better world. They have to be more ready, perhaps, than others to behold God’s presence in unfamiliar ways. For this, they can hope in sacramental grace and—because grace is not an automatic track to or guarantee of fuller life—they can work with this grace.

Every marital sacramental love has a context and a *telos*, known and sustained by faith. Its context is a community, a faith community that stretches from this world to the next and back again, because it yearns for and welcomes the presence of God. Marriage as a framework of life and love is both a means and an end; for it partakes of its goal: communion, and the ongoing communion sustained in profound friendship. Its ultimate *telos* reaches upward into the mystery

of God, into radical communion with God and with all other persons in God. Along the way, this is how grace works—not only in peak moments of covenant, but in strategies for compassionate respect, enduring fidelity, hope in an unlimited future, and step-by-step courageous, faith-formed love. The Catholic community can understand all of this, and perhaps help it to come to be.