Gay Marriage and the Catholic Church:
Is one or the other bound to die?

Brief Presentations, Q & A, with Discussion
Served with Gin from Graham’s Collegeville Ginnery,
Veggies & Cheese

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A FRESH LOOK AT GRACE

Literature prompts us to reconsider what we thought we knew or had concluded. Consider, for example, “Always Our Children: A Pastoral Message to Parents of Homosexual Children and Suggestions for Pastoral Ministers, A Statement of the Bishops’ Committee on Marriage and Family.” Sent forth in 1997, the statement is almost ancient history in the movement toward awareness of what only some will call the Gay Rights Movement.

The bishops took tentative but significant steps in the difficult

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1 An excerpt from the forthcoming “PAGES & GRACE: LITERATURE & ETHICS,” for the journal Listening.
2 Interestingly, people who have, in the course of decades, referred to Colored People, Negroes, Afro-Americans, African-Americans, Blacks, and People of Color, have changed the terms they use as those to whom they refer have made known what they wish to be called and how they wish to be referred to; however, many of these same culturally evolving people will say only “Those with same-sex attraction,” rather than gay, even when those of whom they speak ask refer to themselves as gay. An analysis of this peculiarity is well beyond the scope of this study.
dialogue about human sexuality and how we deal with difference and differences. What a great sadness that they encountered opposition even in reminding parents that they and their children belong always one to another. Our very human tendency, on both sides of most any issue, is to think that the solutions or answers we see as good and just today should be the model for the rest of the Church and all the world. Exploring the frontiers of moral theology and ethics and of what it means to be fully human is not a trek for the pusillanimous.

How homosexuality is or is not part of God’s plan has been discussed out loud only very recently in the course of human history. In 1896, Lord Alfred Douglas coined the phrase “the love that dare not speak its name” in his poem “Two Loves.” Douglas and Oscar Wilde, a nineteenth-century author, were cautious in describing their relationship because homosexuality was then a criminal offense in England. Wilde, in fact, was convicted of “gross indecency” with other men, and imprisoned for two years. In June 1969, the Stonewall riots, a series of demonstrations against a police raid at the Stonewall Inn in New York City’s Greenwich Village, may be the first instance in American history when homosexual people united to speak out against a system that persecuted them. Many regard this moment as the beginning of the gay rights movement.
But if homosexuality has only been openly discussed for less than half a century in Christianity’s two-thousand-year tradition, one can hardly expect to arrive at the fullness of truth before even the questions are formulated. However, we live in a microwave culture; we expect results in seconds or minutes. All of society (or societies), on the other hand, is (or are) more like a Crock-Pot, thinking and moving in blocks of centuries rather than days. The Latin adage *festina lente*, “make haste slowly,” comes to mind, reminding us—as the discussions continue, as we seek to understand the truth—that we should be about our learning and our teaching thoughtfully and expeditiously, and not hurriedly or heedlessly. Even though the matter is urgent, we must be thorough in our consideration and deliberations.\(^3\)

In their missive, the bishops assert, “This message is not intended for advocacy purposes or to serve a particular agenda. It is not to be understood as an endorsement of what some call a ‘homosexual lifestyle.’ *Always Our Children* is an outstretched hand of the bishops’ Committee on Marriage and Family to parents and other family members, offering them a fresh look at the grace present in family life and the unfailing mercy of Christ our Lord.”\(^4\)

\(^3\) For other such considerations, see my *A Catholic Handbook on Sex: Essentials for the 21st Century* (Paulist Press, 2011).

\(^4\) [http://www.usccb.org/laity/always.shtml](http://www.usccb.org/laity/always.shtml)
A fresh look at grace is what is called for; this is the only agenda. But too often, we predetermine what grace should look like, and in asserting what can never change, we fail to observe what has changed and how grace sometimes surprises us. This does not, of course, endorse the much-feared idea of relativism that defends all choices and positions as equal, but it is to suggest that those who are too quick to point to sinful ness sometimes do not see grace. Those too deeply entrenched in their own visions of orthodoxy and good behavior often fail to be open to any discussion at all and miss understanding very vital points both of difference and convergence. Those who see homosexuality as a disorder might do well to read some of novelist Armistead Maupin. While his depictions of sexual activity will surely be offensive to a number of readers, he depicts occasions both of grace and of folly in his Tales of the City and subsequent volumes that detail lives and adventures in San Francisco among a cast of homosexuals, heterosexuals, transvestites and transgendered people. Three television miniseries starring Olympia Dukakis and a movie with Robin Williams followed the publication of the novels.

Among Maupin’s points is that all people seek joy and belonging, and as he explains in his novel, Michael Tolliver Lives, sometimes the biological family is replaced or augmented by what he calls “the logical family.”
Michael Tolliver is a 55-year-old gardener who has survived the AIDS epidemic, seeks both random pleasure and true love, and embraces friends and a former landlady who become true family. He falls in love with a younger man, assists his dying fundamentalist mother, and has a deep filial loyalty to an old friend.

Part of the charm in Maupin’s work is the discovery that there really is no particular gay agenda, as fear-filled people assert. Instead, there are seekers and the sought, Brussels sprouts to be cooked, jobs to be performed, sins to be committed and forgiven, illnesses to be endured, deaths to be mourned, with relationships to be nurtured just as among all of God’s people. Maupin’s gift is to see and present his characters as people with feelings, aptitudes, plans, promises both kept and broken, successes and failures. Parents with gay children who manage to open their hearts and their minds in ways that were not possible in previous generations understand that, yes, as the bishops assert, they are “Always Our Children.”

This is neither advocacy nor the service of any agenda other than that of the gospel’s compassion, understanding and transforming love. Yes, there is sin and sinfulness among us, some of each perhaps relative to the exercise of our own search for meaning as we understand ourselves to have been created. Maupin invites us to listen. If we listen with empathic hearts, we
will be better equipped to continue the conversation. A renewed conversation, even among those who disagree, is part of the produce of a fresh look at grace and hope. Literature is a vehicle that transports God’s grace.

The Courts, the Church and Same-Sex Marriage

Introduction: Who Defines Marriage

Collects for Wedding Mass:

Be attentive to our prayers, O Lord, and in your kindness uphold what you have established for the increase of the human race, so that the union you have created may be kept safe by your assistance. Through our Lord Jesus Christ, your Son, who lives and reigns with you in the unity of the Holy Spirit, one God, for ever and ever.
R. Amen

Or:

O God, who in creating the human race willed that man and wife should be one, join, we pray, in a bond of inseparable love these your servants who are to be united in the covenant of Marriage, so that, as you make their love fruitful, they may become, by your grace, witnesses to charity itself. Through our Lord Jesus Christ, your Son, who lives and reigns with you in the unity of the Holy Spirit, one God, for ever and ever.
R. Amen
Marriage has traditionally been viewed as a durable union, until death, between a man and a woman that may issue forth in progeny. This union is of particular interest socially and ecclesiologically as it produces the next generation both of taxpayers and tithe payers. But the evolution of modern culture with its folkways and mores, together with scientific advancement, has enabled individuals and some segments of society, the courts, and even some ecclesial bodies, to seek to revise the definition of marriage. The question that must be raised, even by those who dispute the Church’s teaching authority, is: in what ways is the Church’s teaching on marriage true? Every intelligent person will have to agree that, at least in certain respects, the teaching is true. For that reason, it deserves reflection and study by all people of good will, even if they do not begin by assuming that the teaching is completely true. Catholic people will assert simply that the teaching is true. The caution is then that while the teaching is true about traditional marriage, it does not explicate completely the truth about all human relationships.

Traditional Christian bodies, and notably the Catholic Church, insist that marriage finds its origin in God in the creation accounts of Genesis (Gen
1:26-27) and will come to its fullness at the wedding feast of the Lamb (Rev 19:7, 9). In this view, it is consequent that, while the Church and civil society may regulate marriage, neither has authority to redefine it. The *Catechism of the Catholic Church* says simply, “The Church does not have the power to contravene this disposition of divine wisdom.”

Who Can Redefine Marriage?

In *Rerum Novarum*, Pope Leo XIII’s 1891 encyclical on capital and labor, Leo, combating socialism, sees distortions in the function of the State (see paragraph 4). He argues that “Man precedes the State, and possesses, prior to the formation of any State,” certain rights (7). States cannot take away rights that they did not grant. Leo notes, “The rights here spoken of, belonging to each individual man, are seen in much stronger light when considered in relation to man’s social and domestic obligations. In choosing a state of life, it is indisputable that all are at full liberty to follow the counsel of Jesus Christ as to observing virginity, or to bind themselves by the marriage tie. No human law can abolish the natural and original right of marriage, nor in any way limit the chief and principal purpose of marriage ordained by God’s authority from the beginning: ‘Increase and multiply’ (3). Hence we have the family, the ‘society’ of a man's house—a society very small, one must admit, but none the less a true society, and one older than any State.

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5 CCC 1640, citing Canon 1141.
6 http://www.vatican.va/holy_father/leo_xiii/encyclicals/documents/hf_1-xiii_enc_15051891_rerum-novarum_en.html
Consequently, it has rights and duties peculiar to itself which are quite independent of the State” (12).

Leo’s sagacity may inform today’s conversation about marriage and rights.

The marriage of a man and woman is unique because of its synergistic effect, the whole (nuclear family with sons and daughters) being greater than the sum of its parts (the husband and wife). This, it seems, is why the Church reserves it first blessing for marriages. American culture, however, aided by readily available and reliable means of birth control, clearly no longer sees procreation, or even the openness to creation, as a constitutive element of marriage. The New York Times may serve as a barometer of this new thinking in pronouncing rather than opining: “procreation is not a necessary goal of marriage.”

To observe that marriage is unique among human institutions should not be a presumption that God does not work through other relationships to build the future of the world and to ensure human happiness. Such an approach is demonstrably false. But to suggest that all partnerships are the same as marriage is also demonstrably false and not particularly helpful in moving along the conversation about human rights and human dignity. All of this is clearly evident in the Church’s Code of Canon Law:

The matrimonial covenant, by which a man and a woman establish between themselves a partnership of the whole of life and which is ordered by its nature to the good of the spouses and the procreation and education of offspring, has been raised by Christ the Lord to the dignity of a sacrament between the baptized.

Should other unions that may have the potential of being demonstrably holy also be blessed or somehow recognized? Thoughtful souls will say that this conversation is

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8 Can. 1055 §1: http://www.vatican.va/archive/ENG1104/__P3V.HTM
today incomplete on two different levels. First, can marriage be redefined and, if so, by whom and on whose authority? Can a church, a legislature, a court or human practice change what they may have regulated but did not create? Secondly, if marriage, as the Church asserts, cannot be redefined, is there room for the recognition of other types of partnerships? Even in the Church, there is the recognition of different types of marriage: sacramental, non-sacramental, and sacramental but Josephite (more on this later). As the courts of law and the court of public opinion both make evident, the public perception of what constitutes a marriage and who can contract marriage has changed.

This letter writer’s view of marriage might seem to find support in *Humanae vitae*, Pope Paul VI’s final encyclical. He writes, “Married love particularly reveals its true nature and nobility when we realize that it takes its origin from God, who ‘is love,’ (HV 6) the Father ‘from whom every family in heaven and on earth is named.’” But Paul distinguishes this union from all others: “Marriage ... is in reality the wise and provident institution of God the Creator, whose purpose was to effect in man His loving design. As a consequence, husband and wife, through that mutual gift of themselves, which is specific and exclusive to them alone, develop that union of two persons in which they perfect one another, cooperating with God in the generation and rearing of new lives.” And, “The marriage of those who have been baptized is, in addition, invested with the dignity of a sacramental sign of grace, for it represents the union of Christ and His Church” (8). Further, married love is then “an act of the free will, whose trust is such that it is meant not only to survive the joys and sorrows of daily life, but also to grow, so that husband and wife become in a way one heart and one soul, and together attain their
human fulfillment” (9). Finally, “this love … is not confined wholly to the loving interchange of husband and wife; it also contrives to go beyond this to bring new life into being. ‘Marriage and conjugal love are by their nature ordained toward the procreation and education of children. Children are really the supreme gift of marriage and contribute in the highest degree to their parents’ welfare’ (Second Vatican Council, Pastoral Constitution on the Church, no. 50)”.

Pope Paul VI was reported to have concerns about what was called then a contraceptive mentality. The fear was that with the easy availability of reliable, artificial means of birth control, people might regard as separate the two purposes of marriage, the unitive and the procreative. That insight seems to have been prophetic as many people appear to consider marriage a partnership that need not necessarily include openness to the possibility of giving birth to and raising children. The Church does not regard such a partnership as a sacramental marriage. Remember, one of the questions asked of prospective brides and grooms and a question that they answer publicly in the wedding ceremony is, “Will you accept children lovingly from God and bring them up according to the law of Christ and the Church?”

We may be living in a culture with a definition of marriage that is different from the Church’s, a change that was made possible when birth control methods became both more reliable and easily accessible. The full implications of this cultural shift, clearly, are

9 http://www.vatican.va/holy_father/paul_vi/encyclicals/documents/hf_p-vi_enc_25071968_humanae-vitae_en.html
not yet known or fully apparent. Thus ongoing dialogue, in a spirit of justice and charity, is both necessary and important, not to mention interesting.

Those who ask if the Church’s teaching is one from which a person can legitimately dissent should be aware that ignoring a teaching is not dissent. Real dissent is not so common as one might think. The number of people who assert that the Church is wrong and they are correct is very small. Martin Luther, for example, is famously reported to have said, “Here I stand; I can do no other.” He was a true dissenter. As was Charles Curran when he opined, “The teaching condemning artificial contraception is wrong; the pope is in error; Catholics in good conscience can dissent in theory and in practice from such a teaching.”

Sometimes folks will hear a Church teaching or be vaguely aware of some facet of a teaching and say, “Well, I disagree.” That is not dissent. Whether or not we understand, agree with or put into practice a particular teaching is not a measure of the truth or beauty of the teaching. Church teaching grows out of the reading of scripture, prayer and study, and the lived experience of generations who have gone before us. When we find a particular teaching problematic in our own lives, the Church invites us to careful reflection on all the issues involved. And reminds us, of course, of the necessity of following our well-formed consciences. This is not to say that when we follow our consciences we are in fact correct, or that following our consciences changes either the law or morality, or even that our conscientious act calls the validity of a particular teaching into question. The complexity of this matter suggests two things: the formation of our consciences will never be complete; and, all of us need an additional dose of humility as we consider the matter at hand. The call to humility includes even and

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especially those who embrace the church’s teaching, see it as correct, and are convinced that their task is, as they put it, “To tell the truth with love.” By this, it sometimes seems, they mean that they have heard what they think the church teaches and embrace it; if they continue to repeat it often enough and with enough force, opponents will finally see the rectitude of the position and submit. This is a not a winning strategy, and it is neither a real understanding of apologetics nor of evangelism.

Simply to assert that homosexuality is a “disordered inclination,” even if this could be defined or proven to be correct, is neither a solution nor a way to “[accept homosexual people] with respect, compassion, and sensitivity.” The number of Catholic parishes is not negligible in the United States which count lesbian, gay or transgendered couples among the registered faithful who are generous in sharing time, talent and treasure. The approach to their inclusion is often modeled after the military’s failed, abandoned policy of Don’t Ask, Don’t Tell. These parishes and these couples are stepping gingerly but bravely into uncharted seas, seeking to pioneer attitudes and approaches in what is clearly the frontier of moral theology. Just as is the case to seek what it means for women to be counted as full and active church members, so also is clarity sought about the role of homosexual people not just in the church but among the People of God. Seeking clarity is to seek the truth. Not every opinion or activity is reflective of the truth or even of the search for truth, but to declare a conversation over

12 “The number of men and women who have deep-seated homosexual tendencies is not negligible. This inclination, which is objectively disordered, constitutes for most of them a trial. They must be accepted with respect, compassion, and sensitivity. Every sign of unjust discrimination in their regard should be avoided. These persons are called to fulfill God's will in their lives and, if they are Christians, to unite to the sacrifice of the Lord's Cross the difficulties they may encounter from their condition” (CCC 2358).
because the Church has spoken is not a model either of dialogue or of truth seeking, and hardly an example of the kind of listening that is essential to dialogue.