

# Homosexual Marriage

## The Catholic Position

The current official Catholic position on homosexuality and homosexual marriage is clear. An important distinction is made between a *person* who is a homosexual and *homosexual activities*. The homosexual person is seen as a child of God, loved by God, called to holiness and possessing the same human dignity and rights as heterosexual persons. There is no moral guilt associated with being a homosexual.

Homosexuals are also called to sanctity and there is no intrinsic reason why homosexuals cannot be saints. Discrimination of any sort against homosexuals based solely on their orientation is forbidden or if you like, sinful. Officially the homosexual person is welcome in the Catholic Church. In fact, homosexual priests and even bishops continue to function within the Church.

Overt sexual homosexual activity, however, is judged to be immoral. Heterosexual genital expression is viewed as normative. This is based on a certain view (not the only view) of natural law focused on the physical acts themselves. The Church, however, asks us not to define a person simply by their sexual orientation, rather we are to look at the whole person -- psychologically, culturally, genetically etc..

In recent times, confessors have been instructed to be less judgmental and more sensitive to the reality of a homosexual person who is trying to lead a Christian life, but who has the same need for human companionship and love that all humans have. The demand for a celibate life style is difficult, which any priest will tell you. Traditionally, in Catholic thought, celibacy is seen as a special gift or calling. This is based on Matthew's Gospel where Jesus says that living a single life is not for all and indeed is a gift given only to certain people: "But he said the them 'Not all men can receive this precept, but only those to whom it is given'". However, current Catholic teaching sees celibacy as a demand for all homosexuals (Mt. 19:11), while no such blanket demand could or should be made for heterosexuals. Some current moral theologians find it unlikely that all homosexuals have a "call" to celibacy and to demand it for those without such a calling seems problematic.

An individual's subjective culpability or sinfulness must, therefore, be judged with prudence, while maintaining the objective norm. Of course, adultery and fornication, while heterosexual, are also judged to be immoral and can be judged in certain circumstances as greater evils than some kinds of homosexual activities, e.g. fornication and adultery that are linked to abortions.

As with all human activities that are judged to be morally wrong, there are degrees. The case of homosexual rape is certainly judged to be on a different moral plane than an occasional lapse between homosexuals with a life long relationship, who may have

chosen to lead a celibate life, but “fail” from time to time. We are all sinners in some way and we profess that God loves sinners, we are called by the Lord to do no less. “Let he who has no sin cast the first stone etc.”

Homosexual marriage is not possible in the Catholic perspective because marriage is defined as between a man and a woman. Civil relationships are also not approved because they would indicate that these unions are recognized as distinct from heterosexual marriage in name only. Adoption of children by homosexual couples are also condemned because, again, the couple is treated as a family and it is believed (actual data not clear) that it is possible for children to reach their full potential as human beings only when raised by a heterosexual couple.

### **The Biblical Data**

People use the Bible in different ways. There are those who decide that something is wrong, e.g., homosexuality and then run to the Bible to find some “proof text” to support their position and declare that God’s vengeance will seek out transgressors. They usually take a literal, fundamentalist approach to Scripture seeing every passage - as they interpret it - as coming from the “mouth of God” without considering the cultural, historical and linguistic dimensions of the sacred text or the context in which it was written.

For what it is worth, neither the Old Testament nor the New Testament mention homosexual marriage as such. The famous quote from **Leviticus 18:22** “You shall not lie with a male as with a woman, it is an abomination” does not treat of homosexual marriage, since this practice was not part of the cultural landscape at the time when Leviticus was written. Interestingly, from a fundamentalists point of view, there is no parallel condemnation of females engaging in sexual activity. Are we then to understand that Leviticus gives silent approval to lesbian activities?

Leviticus 18:22 is part of a laundry list of various instructions concerning the regulation of sexual relations. This is all prefaced with the dictum “And the Lord spoke to Moses and said, “Speak to the Israelites in these words:” Now if you read the entire list, it includes in verse 19 this command: “You shall not approach a woman to have intercourse with her during her period of menstruation”. I don’t see Fred Phelps carrying many signs condemning people for infractions of this “command” that supposedly also comes with equal authority from the word of God.

If you continue to read in **Leviticus 20:13**, you again have God condemning homosexual acts as in Chapter 18:22, but this time it is added that “both of them shall be put to death”. No one, even Fred Phelps teaches that God demands the death penalty for homosexual activity. Obviously the Bible needs to be interpreted by scripture scholars who understand the nature and intent of OT laws within in their cultural context.

Again, in an example closer to home for many of us, Deuteronomy 21:18-21 directs that a stubborn and rebellious son who is a glutton and a drunkard and who refuses to heed

his parents is to be stoned to death by the men of the city. Certainly no one would allow this as commanded by God and thus permissible in Christian practice.

One other example: The Ten Commandments are found in Exodus 20 and immediately following in Exodus 21, verse 7 (the Lord says:) “When a man sells his daughter into slavery, she shall not go free as a male slave may” (males were to be released after six years). Is God giving directions for the proper conduct of the slave trade and discriminating against women at the same time? Of course not. .

**The point is that pulling texts at random out of scripture does not guarantee a divine pronouncement on the matter.** It might, but not necessarily. The inspiration of scripture and its (non-biblical) corollary inerrancy do not demand that we view this process as one where Moses, the prophets and others sit with tablet in hand while a “divine voice” dictates the whole of scripture. The nature of inspiration and the process of understanding the sacred text is much more complicated and mysterious than most suppose.

But it is true that whenever homosexual activity is mentioned in the Bible it is condemned. It is even judged to be worthy of death, Leviticus 20:13. Interestingly enough, looking forward to the New Testament Jesus indicated in his teaching on marriage that the Old Testament law was somewhat deficient and that while a woman caught in adultery could be stoned to death according the OT law, Jesus said “let he who is without sin cast the first stone”. And, concerning marriage, Jesus said that divorce was allowed because of the “hardness of your hearts”, but that this was not the plan of the Creator. For Jesus, divorce was not an option.

Therefore, the OT by itself was not a sufficient plumbing of the “mind of God”. As Christians we believe that Jesus was the fullness of the revelation of the word of God. OT revelation began with the religious experience of Moses and continued throughout the history of the OT people, however, it was primitive and incomplete. It was to be completed in Jesus.

While homosexual activity is roundly condemned in the OT and in the NT (however, not once by Jesus) we need to investigate why it was condemned. One reason for the OT condemnation was that various forms of sexual intercourse, including homosexuality, were considered a necessary part of worship by pagan groups that were part of the OT cultural setting. In a world where worship permeated every aspect of life, anything suggestive of pagan cultic practice --e.g., the fertility rites of the Canaanites -- would be for the Israelite tantamount to infidelity to God. In later Judaism the prohibition was left in place, but the death penalty removed.

The most famous example still used in modern times is the story of Sodom and Gomorrah. **Genesis 18:16 -19:38.** Of course, this is where we got our word sodomy. In any event, the direct reference to homosexual activity in 19:4-11 has to do only with the *threat* or homosexual rape, which in fact never happened. All the men young and old of the city were struck blind by the two angels (or men) who had been threatened by

homosexual rape. This is no indication that all the men of Sodom were homosexual rather than heterosexual. In fact Lot offered the crowd his two virgin daughters as a sexual substitute. The condemnation in this story is primarily for violation of hospitality and secondarily attempted homosexual rape, not homosexuality *per se*. There is no mention of homosexual marriage being part of the life-style of the people of Sodom.

The Sodom and Gomorrah story is a parable about a God who punishes sinners. It is not history. But it does serve various types of etiological points which the OT is fond of presenting. For example, the destruction of Sodom and Gomorrah by sulfurous fire and brimstone provided an explanation of why this area of the southern end of the Dead Sea has, even in modern times, the look of a lunar landscape. Popular explanations of the phenomenon were ascribed to an act of God and provided a motif for the parable.

The comment about Lot's wife being turned into a pillar of salt probably arose from the peculiar formations of salt that sometimes resemble a human figure that can be seen in a great salt mass some five miles long and 600 ft. high still known as "the mountain of Sodom".

The condemnation of the intention of the men of Sodom to rape the visitors taken in by Lot also provides an opportunity to condemn local pagan religious practices which often included ritual male and female prostitution that took place at the various pagan shrines located on the "high places". Pagan religious practices provided a temptation not always resisted by the Israelites as they sometimes fell into idolatry.

This use of a parable to condemn pagan practices is also seen in the story of Abraham and Isaac. The story of God instructing Abraham to sacrifice his son (Gen 22:1-19) focuses primarily on Abraham's willingness to obey. Secondly, it provided an opportunity to condemn the practice of child sacrifice that was common in Canaan and the Phoenician colonies of North Africa and, perhaps, is even found among the Israelites (2Kings 16:3, Micah 6:7).

As a footnote, it is interesting to note that immediately following the story of Sodom, we find in Ch 19:30-38 an account of incest by both of Lot's daughters without any condemnation at all. Are we to presume that God thought incest was okay? Again the story is not historical, but the reported acts of incest by Lot's two daughters, which resulted in the birth of Moab and Ben-ammi, the ancestors of the Ammonites and Moabites, was a great way to "put down" or ridicule the Moabites and the Ammonites who were to become enemies of the Israelites. It was a way to mock the birth of their nations. It was a typical Near Eastern put down.

**Ezekiel 16:48-50** is also sited as a condemnation of Sodom for homosexual activity. However, the people of Sodom are condemned here primarily for pride and indifference to the needs of the poor.

As for St. Paul in **Romans 1:18 ff**, he says that even the Gentiles could have known God through creation "the things that have been made (v.20). But since they refused to

acknowledge God and turned instead to idolatry, then God “gave them up in the lusts of their hearts to impurity, to the dishonoring of their bodies among themselves” (v.24). Among other things Paul was rightly condemning the Greek practice of heterosexual men using young boys for sexual pleasure (pederasty), common in the Hellenized culture from the time of Socrates, gay prostitution and any homosexual rituals connected with certain pagan religions, rather than taking up the modern problem of homosexuality and/or homosexual marriage as we know it today.

If you asked St. Paul or OT and NT people if homosexual activity was wrong, they would undoubtedly have said yes. Can you use the texts we have been discussing to “prove” that homosexual marriage is wrong or specifically condemned by God? Well probably not. Homosexual marriage was not an issue in first century Judaism.

### **Natural Law**

On the subject of homosexuality, Catholic moral theology, uses primarily the natural law approach, rather than these “proof texts” from Scripture. Since the time of St. Thomas Aquinas in the 13th century, Catholic moral teaching has relied heavily on the theory of natural law. Coming from the Greeks, through the Romans and the comments of St. Paul, natural law theory is based on the presumption that human nature is in some sense normative for human action.

The natural law is not envisioned as some kind of ethical code existing above and beyond human experience and imposed on humans and their societies from the outside. It is not an extrinsic set of laws or ethical principles.

Natural law is not a theoretical knowledge of propositions; ...Our discovery of the natural law occurs by way of reflection upon our natures and then by discovery of the necessary means for achieving or constituting the goods of our natures. (*Narrative of the Natural Law* - Pamela Hall p.37)

For the ancient Greeks and for most natural thinkers the “goods of our natures” mentioned by Pamela Hall speak to the fulfillment or flourishing of one’s human nature. In other words, how are we to act so that we flourish (reach our potential as humans) both as individuals and as a society? Child abuse is against the natural law, because it does not help us reach our full human potential, it may well restrict our ability to mature as full human beings. This notion of the natural law covers the entire spectrum of human fulfillment.

There is a narrower version of natural law which was introduced by a Roman jurist named Ulpian (d.228 AD). He introduced a term, *ius naturale*, -- the law of nature -- which emphasized that which is common to humans and animals. It focused on the physical structure of human beings as normative for morality. Thus if the physical structure of human sexuality seemed to be directed toward childbearing, any interruption of this function of the act was seen to be morally wrong, e.g., contraception. Also, the

physical structure of human beings seems to imply that only heterosexual activities are normal and thus moral under this understanding of natural law.

While the Church's official stance on the judgment that homosexual activity is morally wrong seems firm, some theologians are suggesting that we should look at the wider notion of natural law which looks to the flourishing of the complete human nature. This would include not only the physical aspects of a human being but also intellectual and emotional dimensions. They are asking, how does a person whose nature is homosexual find the maximum degree possible of human flourishing? What about the need for companionship, the need to establish family, the need to express love in some physical way? This is the arena in which the questions are being asked.