

*Instructions: Quiz 04-3QTR will be a closed book quiz. You will be assessed on how to best respond to this article from an orthodox Roman Catholic perspective. I suggest you try your best to ferret out Professor Maguire's errors by determining how some of his points conflict with the Roman Catholic Church's teachings presented during class and found in your class notes and lecture audio. You will not be allowed to use your copy of this article, or your notes during the in-class quiz. The article provided during the assessment will be identical to the one below.*

This article has been abridged in order to keep points relevant to class material, and section numbers have been added.

## A Catholic Defense of Same Sex Marriage

By Professor Daniel C. Maguire, a Catholic Theologian teaching at Marquette University, Milwaukee, Wisconsin, [maguired@juno.com](mailto:maguired@juno.com), April 20, 2006

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

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

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

fidelity, we condemn them. Even if their unions are more successful, more lasting, more exemplary than some heterosexual unions, we still condemn them

4. Surely that is unjust.

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

But, are same-sex unions really marriage?

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

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

But what of the objections to same-sex unions?

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

## OBJECTIONS

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

§8. First of all, this is true. There are objections to same-sex unions in the Bible. However, many things in the Bible simply describe how people lived when the Bible was written. Not everything that the Bible tells us is something we could or should do today. For example, the Bible (Leviticus 25:44-46) tells us that we may buy and own slaves and "use them permanently" and will them to our children when we die! In the past, people who did not know how to interpret the Bible used these texts to justify slavery in Latin America and in North America. They did not know that sometimes the Bible is telling you what people used to do, not what people should do today. Sometimes the Bible gives you a lot of bad examples of how terrible people can be. The Bible treated slavery as a fact of life and talks about "a man who sells his daughter into slavery"(Exodus 21:7). Surely we would not want to do that today!

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

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

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

That is true...

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

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

§12. In an old Catholic teaching called Probabilism we find the answer for Catholics. When there is a debate on a moral issue (in this case same sex unions), where there are

good reasons and good authorities on both sides of the debate, Catholics are free to make up their own minds.[8](#)

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

Objection # 3: Homosexuality is a mental illness.

§14. Some psychiatrists in the past did think homosexuality was an illness. That is no longer the case and it is an insult to homosexual people to keep repeating that old and outmoded theory. Studies of gay couples indicate that they tend "to appear as well adjusted as heterosexuals, or occasionally, even more so."[11](#)

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

This is not true...

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

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

## CONCLUSION

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

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

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

1. John Boswell, *Same-Sex Unions in Premodern Europe* (New York: Vintage Books, 1995). Boswell writes that in the same sex ceremonies, we see the two persons of the same sex "standing together at the altar with their right hands joined (the traditional symbol of marriage), being blessed by the priest, sharing Communion, and holding a banquet for family and friends afterward... Same sex unions were thus neither a threat to nor a replacement of heterosexual marriage," 191.
2. Andre Guindon, *The Sexual Language: An Essay in Moral Theology* (Ottawa: University of Ottawa Press, 1977), 370.
3. Mary Hunt, "Eradicating the Sin of Heterosexism," forthcoming in *Heterosexism: Roots and Cures in World Religions*, ed. Daniel C. Maguire.
4. Ibid.
5. Congregation for the Doctrine of the Faith, "Considerations Regarding Proposals to Give Legal Recognition to Unions between Homosexual Persons," June 3, 2003.
6. See Robert Nugent, ed., *Challenge to Love: Catholic Views of Homosexuality* (New York: Crossroad, 1983). Daniel C. Maguire, "Catholic Ethics in the Post-Infallible Church," in *The Moral Revolution: A Christian Humanist Vision* (San Francisco: Harper & Row, 1986).
7. See *Challenge to Love: Catholic Views of Homosexuality*.
8. On Probabilism and homosexual marriage, see Daniel C. Maguire, "The Morality of Homosexual Marriage," in *The Moral Revolution*, 98-102.
9. See Walter M. Abbott, ed., *The Documents of Vatican II* (New York: Herder and Herder, 1966), 71, in the "Dogmatic Constitution on the Church."
10. Ibid., 71-72.

11. Alan P. Bell and Martin S. Weinberg, *Homosexualities: A Study of Diversity Among Men and Women* (New York: Simon & Schuster, 1978) 208. See also Isaiah Crawford and Brian D. Zamboni, "Informing the Debate on Homosexuality: The Behavioral Science and the Church," in Patricia Beattie Jung and Joseph Andrew Coray, eds., *Sexual Diversity and Catholicism: Toward the Development of Moral Theology* (Collegeville, Minn.: The Liturgical Press, 2001), 216-51.

12. See "Lesbian and Gay Parenting: A Resource for Psychologists," <http://www.apa.org/pi/parent.hym1> Accessed August 15, 2005.

13. Mary Hunt, "Eradicating the Sin of Heterosexism."

14. Bruce Bagemihl, *Biological Exuberance: Animal Homosexuality and Natural Diversity* (New York: St. Martin's Press, 1999).

15. Daniel A. Dombrowski and Robert Deltete, *A Brief, Liberal, Catholic Defense of Abortion* (Urbana and Chicago: University of Illinois Press, 2000), 86.

16. See Christina L.H. Traina, "Papal Ideals, Marital Realities: One View from the Ground," in *Sexual Diversity and Catholicism: Toward the Development of Moral Theology*, ed. Patricia Beattie Jung and Joseph Andrew Coray (Collegeville, Minn.: The Liturgical Press, 2001), 269-88.

17. Kelly Brown Douglas, "Heterosexism/Homophobia and the Black Church Community," in Daniel C. Maguire, ed., *Heterosexism: Roots and Cures in World Religions*, forthcoming.

Source: [http://religiousconsultation.org/Catholic\\_defense\\_of\\_same\\_sex\\_marriage.htm](http://religiousconsultation.org/Catholic_defense_of_same_sex_marriage.htm)