

## MEMO TO NZCBC - PRE-SYNODAL DISCUSSION

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The Synod is to be about Marriage and Family Life. Homosexuality is but one aspect of that. But it is rightly included, and has already been included in the Lineamenta and our people's response.

In our summary of the Catholic people's responses to the Lineamenta's questions, under the heading of "Homosexuality", we said:

The overwhelming majority of respondents want a change in the Church's approach to homosexuals and homosexual relationships. A small group (including several parents of gay children) strongly support the Church's teaching but not the hurtful way in which it can be presented. There were a number of requests for the Church to take into account scientific research on the origins of homosexuality. Homosexuality is seen by many a "part of God's divine plan", and not "abnormal".

But I don't think we have discussed what the Bishops' Conference wants to say. While we must be open to new insights, the presumption is that they will be in substantial continuity with what the NZCBC has previously taught. I offer the following summary of what the NZCBC has been teaching, and some related questions.

Within the short space of approximately four decades there has been a rapidly moving cultural shift, involving legislative changes focused on

- Homosexual law reform
- Civil unions
- Same-sex marriage, and
- Adoption by same-sex couples

Like other Bishops' Conferences around the world, we tried to contribute to the public discussion around each of these four inter-connected focal points.

1) Homosexual Law Reform:

This was the historical context of our 1986 Letter entitled *Dignity, Love, Life*. That letter was addressed to Diocesan Directors of Religious Education, Directors of Catholic Social Services, Directors of Religious Studies, Major Superiors, Parish Priests, Principals of Catholic Secondary Colleges, Seminary Faculties, Tertiary Chaplains, and Youth Ministry Personnel. We were formally exercising our teaching role.

The letter dealt, albeit briefly, with the paramount need and right of homosexuals to be respected, loved and accepted, and the need for the Church's teaching on homosexuality to be enshrined within

homosexuals' experience of the Church's love for them. We noted that the Church's teaching on homosexuality is directly related to its teaching on marriage. We elaborated on the relationship between love and life, and between love and truth. We wrote in the vein of Catholic ethical realism, and therefore the need to take biological differentiation fully seriously. We welcomed the role of the human sciences. We dealt briefly with popular misconceptions regarding "unjust discrimination" and "equality". We spoke of freedom, and the significance of chastity. Our letter acknowledged the situation of people (not just homosexuals) who are unable to marry. It dealt with moral development, gradualism (though that term was not used), and the right of all people to sacraments who are doing their best in their circumstances. Given the readability of this letter, and given what respondents to the Lineamenta's questions are asking for, I suggest that this letter merits being re-printed, at some future right moment.

2) The second focal point was around legislation approving civil unions:

In a Statement in 2000, the NZCBC said it would support legislation aimed at protecting the rights of people in homosexual relationships, but not support legislation that made the homosexual relationship the basis of their rights. Our concern was to maintain the unique status of marriage. Marriage does constitute a basis for rights.

In a clarification, we wrote:

In legislation of this kind, the first duty of society and its government is to promote the unique status of marriage and the well-being of family life. This is a basic requirement of the common good, and cannot be construed as constituting "unjust discrimination" against those who make other choices.

We do not propose that same-sex relationships as such constitute a basis for entitlements in law. Rather, it is the rights of people as individuals, based on their dignity as persons and their right to equity, that is the basis for their entitlements in law. Insofar as their living together affects their individual rights, including their proprietary rights, we see the need for some legally enforceable method of upholding those rights...

3) The third focal point was around re-defining marriage to include same-sex relationships:

Though it was denied at the time of the Civil Unions legislation, some advocates of same-sex marriage later acknowledged that the Civil Unions legislation was a strategy for softening up the public for this next stage.

The Catholic bishops had been pretty much alone in drawing the distinction between protecting the civil and human rights of individuals who happen to be in same-sex partnerships, and regarding those partnerships as the basis of rights. But when it came to opposing the re-definition of marriage itself, we found ourselves supported by some other Christian churches and other faith communities. We had in common our belief that marriage between one man and one woman was part of God's original purpose: "male and female God created them". This is at the heart of revealed anthropology and what it means to be created in the image of God. (cf GS 12)

In a Submission to the relevant government committee, we pointed out that marriage is a “basic human institution that existed before legal and religious constructs were put around it..” Our position was that

Same-sex unions may meet the requirements for a loving, life-long commitment which is essential for marriage. Same-sex unions cannot meet the defining requirement of marriage, the sexual difference and complementarity of the partners which is ordered to the procreation of children. (n.18)

We repudiated the idea of homogenizing partnerships for the sake of false and absurd understandings of “equality” and “unjust discrimination”. It is no coincidence that in countries where marriage has been re-defined to include same-sex partnerships, the terms “husband” and “wife” have been removed from other legislation and official documents.

4) The fourth focal point was around granting to same-sex couples the right to adopt children:

This was already part and parcel of the move to re-define marriage, and the NZCBC’s comments on adoption were included in its comments on same-sex marriage.

Our position was based squarely on the rights of children. We drew attention to the evidence of psychiatrists and others who maintain that the love of a father and of a mother are different and contribute differently to the child’s development. And because children need to experience their own father’s and mother’s love for each other, communal forms of same-sex families do not provide a genuine alternative.

A spurious interpretation of adults’ “right to choose”, and the gay lobby’s efforts to get social approval, were being given priority over the deep, formational needs of children, contrary to the provisions of the UN Convention of the Rights of the Child, 1989, to which NZ is a signatory.

The cultural shifts illustrated under the above four headings hold sway in society at large, and are influencing the thinking of Catholic people too. For example:

- When Catholics call for homosexuality to be accepted as “part of God’s plan” and “not abnormal”, do they have in mind only its statistically predictable occurrence within the population, or are they calling for it to be put on a par with heterosexual marriage?
- Have some Catholics fallen into thinking that we do not really respect and accept homosexuals if we do not also accept their sexual relationships?
- Is it possible to condone a sexual relationship between homosexuals without implicitly denigrating marriage, and in turn diminishing the rights of children?

These are the kind of questions would-be advocates of change to the Church’s teaching should be challenged to answer.

Some make much of the fact that relationships between men and women have changed historically. They have less to say about the fact that the relationship has a biological basis that does not change. The Church’s traditional and continuing insistence on respecting biological differences and the

complementarity of male and female is not reductionist, i.e. it does not equate human nature with human biology. But nor does it side-line biological nature from its evaluation of what it means to be authentically human – “whole and entire, body and soul, heart and conscience, mind and will” (GS 3) - and, on that basis, what constitutes authentic relationships and authentic human behavior.

To justify homosexual activity it would be necessary to disregard, or regard as having no moral significance, that aspect of reality which is biological differentiation and the complementarity of male and female.

It is sometimes argued that because homosexuals did “not choose” their homosexuality, and were “born that way”, this must be considered “natural” for them, and indeed “God’s will” for them. However, it is one thing to grant that God’s love for them is unconditional. It is another to equate “born with” and “God’s will”. People with Downs syndrome, Aspergers syndrome, autism and other conditions that have pre-natal origins were also “born that way”. The point being made here is that what one is “born with” does not necessarily tell us that such is that person’s “nature”, or constitute that person’s “identity”, or is “God’s will” for them.

I recognize compassion in those who sometimes speak of “enforced celibacy” to describe the predicament of those who “did not choose” their homosexuality. But the question we have to ask ourselves is: does the meaning of anyone’s life really depend on their being able to enjoy life’s normal joys and the fulfillment of all their rights, within the horizons of this life? As much as we would wish them all the joys of God’s creation, we know - but only from the perspective of a faith based on Christ’s death and resurrection – that in different ways deep joy can still be their lot, even in this life, and that this is how it is for many, not just homosexuals.

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If any of the bishops do not have a copy of our 1986 Letter, I have a few extras. I also have more sophisticated papers dealing homosexuality and personal identity, individual freedom and human nature, a survey of various researches regarding impact on children, etc.