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Patrick Hannon

‘Negative’

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‘At best it is experienced as cold and distant, at worst hurtful and offensive’: words of Achonry Bishop Paul Dempsey, and an exact description of the impact on many people of the *Responsum* or reply by the Congregation for the Doctrine of the Faith (CDF) to the *dubium*, doubt or question, ‘Does the Church have the power to give the blessing to unions of persons of the same sex?’ As is the practice, the response is expressed in the Latin monosyllable ‘*Negative*’, and the reasons for this decision are set out in an attached Explanatory Note. The Note ends with the sentence: *The Sovereign Pontiff Francis, at the Audience granted to the undersigned Secretary of this Congregation, was informed and gave his assent to the publication of the above-mentioned Responsum ad dubium, with the annexed Explanatory Note.*¹ The hurt and offence have been obvious in the reaction, in mainstream and social media, of couples affected by the decision, and their families and friends; but also on the part of Catholics not personally affected by its content, including priests and others who accompany such couples pastorally; to which can be added bishops, archbishops, and cardinals, some of whom have expressed their disapproval in very strong terms. When Bishop Bonny of Antwerp said ‘I feel ashamed for my Church. I mainly feel intellectual and moral incomprehension’, he wasn’t what is nowadays called an outlier².

BUT ISN’T IT RIGHT?

The *Responsum* was also defended of course, including by two members of the Council of Cardinals appointed by Francis

- 1 Italics original. The Note can be accessed at both the Congregation’s website and that of the Vatican, together with an ‘Article of Commentary on the *Responsum ad dubium*’. All official church documents are accessible in English at the Vatican website, <http://www.vatican.va/content/vatican/en.html>, which also provides links to the websites of the offices of the Roman Curia, that of the CDF being <http://www.vatican.va/content/romancuria/en/congregazioni/congregazione-per-la-dottrina-della-fede>.
- 2 <https://cruxnow.com/church-in-europe/2021/03/belgian-bishop-lashes-out-at-vatican-over-gay-unions-decree>

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to advise him in the government of the Church. In a webinar organized by Georgetown University which took place three days after the document's release on March 15, Cardinals O'Malley and Turkson both sounded a note which echoed what appears to be a concern of the Congregation: in O'Malley's words, 'the church has a very clear teaching about marriage that needs to be proclaimed'³, a sentiment reiterated by many who welcomed the decision. That this was a concern is suggested by what the Explanatory Note offers as one reason for the decision: 'since blessings on persons are in relationship with the sacraments, the blessing of homosexual unions cannot be considered licit. This is because they would constitute a certain imitation or analogue of the nuptial blessing invoked on the man and woman united in the sacrament of Matrimony'. A fear of misleading people about church teaching is a familiar explanation when emphasis is laid on certain norms, often in the area of sexual ethics, giving the impression that church leaders are obsessed with these. We'll return to this when we look at the Note more closely.

OR WHAT?

In fact confusion was probably the most common reaction upon the appearance of the *Responsum*: how was it to be reconciled with words and actions of Pope Francis, what he teaches in *Amoris laetitia* and models in his own life, his meetings with LGBT+ individuals and same-sex couples, his insistence on the primacy of God's mercy, his picture of the Church as a field hospital, when he says that Eucharist isn't a prize for the perfect, not to mention what he says about civil unions of same-sex persons in the documentary *Francesco*, currently streaming. One view was that Francis might be open to an accusation of hypocrisy and the suggestion that in these matters he speaks out of both sides of his mouth; a possibility which led others to wonder whether critics of the Pope hadn't staged the episode as a way of embarrassing him and undermining his authority. Some critics did seize on the confusion, adducing it as yet more evidence that Pope Francis is unfit to lead the Church. And that kind of critic wasn't mollified when within a week of the document's publication there was an Angelus address which included what reliable Vatican sources interpreted as signs that Francis might be distancing himself from the *Responsum*. All of which led the usually well-informed Gerard O'Connell to write 'Given the controversy that has followed the publication of the CDF statement, sources in Rome told *America* they would not be

3 <https://www.ncronline.org/news/people/cardinals-omalley-turkson-defend-vatican-decree-against-gay-union-blessings>.

surprised if the pope were to return to the whole question more explicitly at some future date’.⁴

Another and perhaps more telling sign was the intervention of Cardinal Schönborn of Vienna, more telling because he is a member of both the Congregation of the Doctrine of the Faith and the Council of Cardinals, a key influence in the drafting of the *Catechism of the Catholic Church*, a distinguished theologian, and thought to be particularly close to the pope. In an interview for the Vienna edition of the Catholic weekly *Sonntag* he was put a question sent in by a father: ‘All people are equal before God. Jesus treated all people equally. My son is also homosexual and happily married, was an altar boy for years and a devout Christian. Once again, I am sorely disappointed in the Catholic Church. You can’t be surprised when many people say, “I have a good relationship with God, but I have big problems with the Church”’. The Cardinal replied that he was ‘not happy’ with the *Responsum* and Note. ‘The church, as is traditionally said, is mater et magistra, mother and teacher. She must teach, but she is first of all mother. And many people who have same-sex feelings and who are living same-sex lives are particularly sensitive to this very question: “Is the church a mother to us?” And they remain children of God. And they also want to see the church as a mother, and that is why this declaration has hit many so particularly painfully, because they have the feeling that they are being rejected by the church’. His own position: ‘if the request for the blessing is sincere, if it is truly a request for God’s blessing for a path in life that two people, in whatever situation, try to walk, then they will not be denied this blessing’⁵.

so?

Dismay, a welcome, confusion: the effect of the publication of the CDF’s *Responsum* about the blessing of same-sex unions. This article is the first of two which will examine the Congregation’s statement: the case it makes for the conclusion that the Church – meaning, presumably, the bearers of magisterium or official teaching role - does not have ‘the power to give the blessing to

4 <https://www.americamagazine.org/faith/2021/03/21/pope-francis-same-sex-unions-statement>, which includes the text of the Angelus message. For another well-informed account of the *Responsum* and its reception see John Allen at <https://cruxnow.com/last-week-in-the-church/2021/03/gay-unions> and <https://cruxnow.com/last-week-in-the-church/2021/03/gay-unions-update>. Cf also Christina Pongratz-Lippitt at <https://international.la-croix.com/news/religion/cardinal-schborn-says-church-cannot-refuse-blessing-for-gay-couples>

5 A detailed report which includes key excerpts from the interview is found at <https://www.catholicnews.com/vienna-cardinal-not-happy-with-vatican-same-sex-statement/>

unions of persons of the same sex', and the significance the verdict has for church teaching and pastoral practice. To people affected by the decision of the CDF, what follows here may seem to be concerned with technicalities as cold and distant as Bishop Dempsey says of the *Responsum*. But the Congregation for the Doctrine of the Faith is charged with oversight of Catholic thinking and teaching, and its utterances cannot be disregarded, and it's a particular responsibility of those professionally involved in the work of theology to reflect on and engage with what it says. Nor is such reflection of 'academic' interest only, rather is it in aid of pastoral practice, for pastoral practice is informed by the teaching of those who are bearers of the Church's official magisterium.

Confusion was probably the most common reaction to the *Responsum*, as already said, and I shall take it as our entry-point to what will follow here and in the second article. The confusion is part of a wider perception of a kind of incoherence in the teachings and actions of Pope Francis: on the one hand he constantly reiterates church teaching about, say, the indissolubility of marriage or homosexuality; on the other hand he speaks always of the priority of God's mercy and compassion, and he says that the Eucharist is not a reward for the perfect, and he speaks of the Church as a field hospital; and he calls for 'discernment' and 'accompaniment' as the appropriate attitudes in pastoral ministry to people who are in irregular situations from the standpoint of church law. As well as confusion, this gives rise to disappointment and even anger. One kind of critic says that he doesn't go far enough; in the case of church teaching on homosexuality, for example, they believe that what's needed is a radical revision of Catholic sexual ethics. But others accuse him of compromising Christian principle by blurring the claim of moral norms.⁶ You don't have to subscribe to this second view to recognise that there is room for confusion on the part of people unacquainted with everything the Catechism says about how we are to understand the Christian way of life. But one is baffled when the second view, even in less extreme forms, is expressed by prelates and others who may be supposed to have studied Catholic moral theology and the teaching of Jesus into which all of this must be fitted if we are to interpret it correctly. The crucial point is that, important as moral norms are, they do

6 'Norm' has several meanings, the chief of which according to Merriam-Webster's dictionary is 'an authoritative standard... a principle of right action binding upon the members of a group and serving to guide, control, or regulate proper and acceptable behavior'. In that sense it carries the meaning of precept, commandment, or action-guide - what we might call 'do's and don'ts' - and for brevity's sake I use it here. But it's important to keep in mind that right action is rooted ultimately in 'the kind we are', expressed in terms of character and virtue. Its use here implies these aspects of right action too.

not constitute the whole of Catholic teaching about morality. To which one might add that, important as *that* teaching is, it will make complete Christian sense only if it is presented in terms of a response to the Gospel of Jesus Christ.

POPE FRANCIS AND CATHOLIC THEOLOGY

When Pope Francis said ‘Who am I to judge?’ one could think of him as only following the prescript of Jesus, ‘Judge not, that you may not be judged’. True, but he was speaking also from a place in Catholic teaching which makes a distinction between what it calls ‘objective’ and ‘subjective’ morality. Objective morality is what a norm or principle or precept requires one to do, or to be, or to avoid; the Ten Commandments are familiar examples. Subjective morality refers to a person’s capacity to implement the norm, a capacity which is ours because we have minds and some power of choice. That is, reason lets us see the claim of a norm, and what we call will allows us to choose to implement it or not.

The distinction is made in the context of an account of moral responsibility, of when and to what extent we’re answerable for our choices, and so may be praised or blamed: what the textbooks call imputability or culpability. And since their appearance early in the seventeenth century the textbooks have recognised factors which affect responsibility because they affect our power of choice, including psychological conditions that make a grasp of a norm difficult or impossible, or otherwise limit or deprive one of the freedom to choose. Same-sex orientation is not a psychological disorder, it must immediately be stressed, though it took until the Seventies before psychiatric orthodoxy acknowledged this. But it is deeply seated in the personality of some men and women, making heterosexual relationship impossible for them. It’s inevitable that norms premised upon heterosexuality seem as it were beside the point for the constitutionally homosexual; and what this implies for the expression of their sexuality is what’s in debate when the moral status of same-sex unions is discussed.

This isn’t the place to consider the arguments made by theologians in favour of a revision of traditional norms; these are not to our purposes here. For now we need to notice only that, given its recognition of the difference between objective and subjective morality, it’s also an item of Catholic teaching that only God can judge the actual morality of persons in a homosexual relationship. So when Pope Francis said ‘Who am I to judge?’, he wasn’t saying something foreign to Catholic theology. The distinction between objective and subjective morality, and what it implies about moral responsibility, is as characteristic of Catholic teaching as are the

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norms the Catechism reproduces. We can verify this immediately from the Catechism itself: ‘Imputability and responsibility for an action can be diminished or even nullified by ignorance, inadvertence, duress, fear, habit, inordinate attachments, and other psychological or social factors’ (CCC 1735). And when Francis insists on the dignity of persons of whatever sexual orientation, he’s repeating an elementary Christian truth.⁷

PATRONISING AND A SLIPPERY SLOPE

Of course, to say that subjective factors affect the capacity of a person to implement a norm doesn’t mean that the norm is wrong, which is one reason why this way of talking provokes impatience and irritation and outright anger. For it seems to say, what you’re doing is wrong but you can’t help it, and this will come across at best as patronising; and it won’t satisfy people who believe that what’s needed above all is a revision of Catholic teaching about sexual ethics. And this way of talking is rejected by a different kind of critic for a different reason: that it weakens the force of a norm’s claim, is but a step upon a slippery slope toward excusing or even justifying wrong-doing. But the CDF will doubtless be familiar with an adage of the canonists and moralists of yore, *abusus non tollit usum*; roughly, the fact that something can be misused isn’t an argument against its use. It’s a common sense point really – would anyone say that the misuse of cars or phones shows that they shouldn’t have been invented?

What we are called to is one thing, what we are able for is another, even with the help of God, for God’s grace builds on nature as it is embodied in each of us uniquely and at any particular time - another point to be developed in the second article. A pastoral practice that’s meant to help people follow the way of the Lord Jesus must start from where each person is, and that’s why Pope Francis speaks of ‘discernment’ and ‘accompaniment’. The idea of discernment is associated especially with St Ignatius, whose spiritual exercises were formative for Francis’s own life-path, but it’s a mistake to think of them as belonging only to an Ignatian spirituality which one might or might not find congenial. A web search shows that there has been considerable interest in the idea in recent decades, not just among Jesuit scholars or others writing about spirituality but also by some resolutely secular thinkers. And as far as Pope Francis is concerned, his training will have included also an introduction to the concepts and distinctions that we’ve

7 The foregoing three paragraphs are a lightly edited adaptation of material from my ‘Transgender and Catholic: What Has the Church to Say?’, *Reality*, September 2019.

been looking at, standard in Catholic moral theology for centuries, even as fresh light on them is now available from the various human sciences. So he’s not introducing vague and dangerous ideas from a suspect source in Jesuitry, epithets to be found in more than a few characterisations of his style, and not just in social media but in the comment sections of some self-described Catholic organs.

What I’ve tried to do in this article, as a preliminary to further analysis, is to point to a way out of a confusion that has been reactivated by the publication of the CDF’s *Responsum* about the blessing of gay unions, a confusion that is owed in part to a failure to recognise that there is more to Catholic teaching about morality than the various do’s and don’ts of which we’re regularly reminded. There’s yet more to it indeed, as we’ll see when we look at the Explanatory Note itself, for there are aspects of the Note’s reasoning which are hard to understand in the light of the totality of the Catholic teaching that has a bearing upon the matters of the *Responsum*’s concern.

Death. Confronted with death, its anguish and loneliness – especially spiritual death, of which our biological end is merely a sign – people today are perhaps more defenceless than ever before. It seems that our civilization is the first in history to do all it can to brush death aside, and in so doing perhaps discloses its very essence. Funeral rites are expedited as quickly as possible, or else disappear altogether. People no longer know what to say, what to do.

– OLIVIER CLEMENT, *The Other Sun*. 2021. (Herefordshire: Gracewing Publishing) P. 69.