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Patrick Hannon

‘Negative’ (2)

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One reaction to last month’s piece on the response of the Congregation for the Doctrine of the Faith to a question about the blessing of gay unions was that it went around the houses, as the saying goes, instead of coming directly to the point; the point on this view being that the *Responsum* and Explanatory Note were singularly ill-judged, as was clear from the comments of Cardinal Schönborn among other senior churchmen. What more is there to say? But there is more to say, for we also saw that the Cardinal’s critique was matched by a defence of the document by two of his brother cardinals, and there have been many contributions to mainstream and social media in favour of what their authors saw as no more than a statement of standard Catholic teaching. And in any case, and more fundamentally, what’s in question is the considered view of the body which is charged with the promotion and defence of Catholic doctrine, the publication of which was approved by Pope Francis. For that reason alone it cannot be ignored, and it requires to be engaged with in terms of Catholic theology.

Of course the disappointment of people who expected more of a pope whose words and actions seemed to reflect a more positive view is understandable, as is the anger of folk hurt by the terms in which the Congregation explained its reply. And there are men and women, straight as well as LGBT+, for whom this set the seal on their disillusionment with the Catholic Church. But there are also people who are disappointed and angry and hurt who do not want to leave, whose faith in the God of Jesus Christ holds them still. They are torn, though, because they want also to believe that the Church into which they were baptised has a place for them, and the *Responsum* and Note have put that in doubt again. What last month’s article tried to do was to signal that Catholic teaching allows a more *nuanced* view than does the blunt response of the Congregation. Or, put another way, that when the CDF’s verdict is read in the light of Catholic teaching in the round, it need not be taken as the last word on the question it addresses. What follows will expand on this.

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WHO SAID NO?

But first, what is the status of the *Responsum*? The standing account is found in another CDF document entitled *Instruction on the Ecclesial Vocation of the Theologian*: ‘The Roman Pontiff fulfils his universal mission with the help of the various bodies of the Roman Curia, and in particular with that of the Congregation for the Doctrine of the Faith in matters of doctrine and morals. Consequently, the documents issued by this Congregation expressly approved by the Pope participate in the ordinary magisterium of the successor of Peter.’¹ The phrase ‘expressly approved’ is important, its force best seen by reference to two technical expressions that are used to characterise a pope’s approval of documents issued by the CDF: *approbatio in forma specifica* and *approbatio in forma communi*. The first refers to an approval in which the pope endorses a document so as to make it his own, and this – which must be explicitly stated – naturally augments its authority. The second is understood as authorising publication, without necessarily approving everything the document contains, and it is *not* assimilated to the ordinary magisterium of the pope.² This doesn’t mean that such a document can be disregarded; obviously the CDF has what one might call an authority of its own. But it is plain at any rate that the *Responsum* and Note were not approved by Pope Francis *in forma specifica*, for this would have had to have been made explicitly clear.³ And its authority is the authority of its reasoning, and doesn’t preclude an analysis of that reasoning, and a respectful questioning of the conclusion that ‘the Church does not have, and cannot have, the power to bless unions of persons of the same sex’.

WHY?

For this conclusion the Note offers a number of interconnected reasons, and the first is based on the nature of a blessing. Blessings belong to the category of sacramentals, the Note says, and

- 1 http://www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfaith_doc_19900524_theologian-vocation_en.html
- 2 ‘This is an assurance that the proper formalities have been observed, but does not mean that the pope has studied the matter in depth and approved all aspects of it. Once approved by the pope, the decision remains that of the dicastery and does not become papal legislation.’ JH Provost, ‘Approval of Curial Documents in Forma Specifica’, *Shorter Studies*, THE JURIST 58 (1998) 213-225
- 3 Some have wondered whether the expression ‘gave his assent to the publication’ suggests a weaker approval than is usually imported by the formula in *forma communi* but perhaps this is no more than a legal nicety. The fact is that Francis is on record as having agreed to the document’s publication, even if the decision is not an exercise of the ordinary magisterium of the pope.

sacramentals have a particular importance among the liturgical actions of the Church. They are ‘sacred signs that resemble the sacraments: they signify effects, particularly of a spiritual kind, which are obtained through the Church’s intercession’ – here is cited Vatican 2’s Constitution on the Liturgy – and ‘by them people are disposed to receive the chief effect of the sacraments, and various occasions of life are sanctified’.⁴ But even if they resemble sacraments, are even ‘a kind of imitation’, they are different, the Note points out, quoting *The Catechism of the Catholic Church*: ‘sacramentals do not confer the grace of the Holy Spirit in the way that the sacraments do, but by the Church’s prayer, they prepare us to receive grace and dispose us to cooperate with it’. Blessings are ‘signs above all of spiritual effects that are achieved through the Church’s intercession’. ‘Consequently, in order to conform with the nature of sacramentals, when a blessing is invoked on particular human relationships, in addition to the right intention of those who participate, it is necessary that what is blessed be objectively and positively ordered to receive and express grace, according to the designs of God inscribed in creation, and fully revealed by Christ the Lord. Therefore, only those realities which are in themselves ordered to serve those ends are congruent with the essence of the blessing imparted by the Church.’ Here we are at the heart of the argument for the Congregation’s judgment, and it calls for close attention.

A ‘LEGITIMATE CONCERN’?

First, though, we might look at what the note offers as a further reason: ‘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, while in fact “there are absolutely no grounds for considering homosexual unions to be in any way similar or even remotely analogous to God’s plan for marriage and family”’. As remarked in the earlier article, this seems to be the kind of concern which Cardinals O’Malley and Turkson had in mind, reiterated by many who welcomed the *Responsum*, and often heard as a reason for what is a perceptible stress on particular moral norms, in this case the danger of confusion about church teaching on marriage. Cardinal Schönborn considers that to be ‘a legitimate concern’ even as he criticises the *Responsum*, and it certainly can’t be discounted.

4 http://www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfaith_doc_20210222_responsum-dubium-unioni.

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However, one can ask: how likely is it that anyone to whom the question matters will mistake a blessing for a sacrament? Couples look for a blessing because they know that they cannot access the Sacrament of Marriage, and those who attend such a ceremony either know the difference or are indifferent to it. In any case, responsible planning by officiants and couples will take care to avoid giving the impression that the ritual is the equivalent of a sacramental marriage ceremony. And on the broader question of the need to reiterate norms, one is reminded of a remark made by the president of the French Episcopal Conference in another context: ‘the Church cannot act as if human beings were children who must be held by the hand’.

A ‘DECISIVE DISTINCTION’?

When we come to the core of the argument, more questions suggest themselves. The appended Article of Commentary says, ‘The Note is centred on the fundamental and decisive distinction between persons and the union. This is so that the negative judgment on the blessing of unions of persons of the same sex does not imply a judgment on persons’.⁵ There is of course a conceptual distinction, but does it work in the way the Commentary claims? The union in question is not as it were an abstraction; it is a union of *persons* who have committed themselves to each other in love, with all that a true love is and will ask of them. What is in question is a loving relationship between two people, each a child of God, each loved by God, each created in God’s image. They commit to each other, to stand by each other, to be there for each other - all the things that are called for in a true love. Such a relationship has, as the *Responsum* acknowledges, ‘many positive elements, which are in themselves to be valued and appreciated’. Yet it nevertheless says that these ‘cannot justify these relationships and render them legitimate objects of an ecclesial blessing, since the positive elements exist within the context of a union not ordered to the Creator’s plan’. So the union turns out to be envisaged in terms only of the physical expression of sexuality, as if this is the key to a moral evaluation, the ultimate basis for declaring a purported blessing illicit. ‘God does not and cannot bless sin.’

But what of a couple who are willing to forego the kind of physical expression which the Note apparently has in mind, as is the case with the Church of English bishop of Grantham, to name one publicly known instance? Is it ‘illicit’ to ask a blessing on such a union? And if there is a distinction between objective and subjective morality, as in the last article we saw to be a staple of

5 Ibid.

Catholic moral theology, how can a same-sex union be predicated as inevitably sinful, or sinful in such a way that God's grace cannot touch it? Compare what Pope Francis has taught: 'Because of forms of conditioning and mitigating factors, it is possible that in an objective situation of sin – which may not be subjectively culpable, or fully such – a person can be living in God's grace, can love and can also grow in the life of grace and charity, while receiving the Church's help to this end'.⁶ And what of the situation of a couple whose conscience tells them that a physical expression of their love is permissible, even if according to Catholic teaching this is a mistaken view? The Catechism teaches that 'A human being must always obey the certain judgment of conscience. If he [*sic*] were to deliberately act against it he would condemn himself'.⁷ It can happen that the judgment is erroneous, but that is not always owing to a culpable ignorance; and we have seen that Catholic teaching also recognises that a mistake made in good faith can eliminate moral fault. When it's contended that the judgment is about the union, not about the persons, the fact is that the Note appears to say that the sinfulness is as it were written into a same-sex union just because it is homosexual. How then can it claim not to judge homosexual persons?

THE HEART OF THE MATTER

A deeper kind of question arises when we look at what the Note says about sacramentals and blessings and grace. The text is dense – inevitably, for it condenses a range of material from papal and conciliar documents, the Catechism, the Roman Ritual, and a document of the Congregation itself concerning the pastoral care of homosexual persons. And it may help if we pick out its essential content with the aid of simpler definitions and descriptions found elsewhere. First, a sacramental: 'any object or prayer or action that can put us in touch with God's grace in Christ'⁸. Then a blessing: the Note's description is comprehensive, perhaps masking what exactly is in question when a blessing is asked upon an individual or couple or group. That type of blessing is described in older accounts as invocative; such blessings 'do not impart any sacred character to the person or thing receiving the blessing, but are mere supplications of some favour from God'.⁹ In the Hebrew

6 *Amoris laetitia* par. 305. www.vatican.va/content/dam/francesco/pdf/apost_exhortations/documents/papa-francesco_esortazione-ap_20160319_amoris-laetitia.

7 *Catechism of the Catholic Church*, # 1790. See further ## 1791-1793, and cf # 1735

8 *The New Dictionary of Sacramental Worship*, ed. Peter Fink SJ, Dublin: Gill and Macmillan, 1990, art. 'Sacramentals'.

9 Roberti-Palazzini, *Dictionary of Moral Theology*, tr. H J Yannone. London: Burns and Oates, 1962. Art. 'Sacramentals', at p. 1080.

Bible, '[b]lessing is conceived as a communication of life from Yahweh [and] Yahweh himself is the only one who can bless; men bless by wishing and praying that Yahweh will bless'.¹⁰ Among the favours asked for often is God's protection, that God may be with someone, or with His people, Israel. In Christian usage, too, a blessing is God's doing, and it is sought through the intercession of the community of the People of God to which we give the name church.

And recall now the description of a sacramental above: 'any object or prayer or action that can put us in touch with God's grace in Christ'; which leads to the question, what is grace? The concept is multifaceted and the word has more than one meaning, and down the Christian centuries there have been various accounts, different aspects accentuated, often in response to erroneous ideas. But its essential nature can be expressed in terms simple enough, for it refers to God's self-communication, supremely in Jesus of Nazareth, whose word and works incarnate the truth of which the psalmist sang: 'The Lord is compassion and love'.¹¹ It is in Christ that God is met, and Christ is rightly called the sacrament of God, for a sacrament is a sign which makes present what it signifies; and Christ is met now in his mystical body the Church, which for that reason can be called the sacrament of Christ. The self-communication of God is called grace because it is God's free gift, undue to us and not only because we are sinners; called grace also because it graces human existence, raises us to a new level of being, makes us sharers in the life of the Trinity.

God's love is constant, never fails: 'Can a woman forget her nursing child, or show no compassion for the child of her womb? Even these may forget, yet I will not forget you'.¹²

And God's love is disclosed in a myriad of ways, and especially in the love that we meet and show in the relationships which constitute our personal world. Adapting a phrase of Enda McDonagh's, it could be said that graced human love is God's love abroad in the world,¹³ and that love reaches us and touches us whenever we are loved by another. From Ezekiel to Paul the message is that God never stops loving us, whatever our situation; and if a blessing is a 'prayer or action that can put us in touch with God's grace in Christ', how can it be wrong for anyone to ask for it, ever?

10 John L McKenzie, *Dictionary of the Bible*, London-Dublin: Geoffrey Chapman, 1966. Art. 'Bless, Blessing', at p. 98.

11 Ps. 103:8.

12 Isaiah 49:15.

13 'The Primacy of Charity', in McDonagh (ed.), *Moral Theology Renewed*, at pp. 131 and 136.

I have not been arguing that same-sex unions are to be blessed indiscriminately: accompaniment and discernment will help tell what a couple and their pastor need to know. And other words of Francis are instructive in this regard: ‘... conscience can do more than recognize that a given situation does not correspond objectively to the overall demands of the Gospel. It can also recognize with sincerity and honesty what for now is the most generous response which can be given to God, and come to see with a certain moral security that it is what God himself is asking amid the concrete complexity of one’s limits, while yet not fully the objective ideal. In any event, let us recall that this discernment is dynamic; it must remain ever open to new stages of growth and to new decisions which can enable the ideal to be more fully realized’.¹⁴

And maybe all our thinking about questions such as those at stake here should be shaped by the thought with which Vincent McNamara ends his reflection on what it means to live a Christian life: ‘We live and move and have our being within a Presence who broods over the long evolution of our race, who knows that we carry the human stain, the elemental wound of human nature, who appreciates the curve of each personal history. Who is more sensitive to the complexity of our lives than any human legislator, even those who purport to represent him/her. Who does not judge as we judge. Who has told us to trust more in God’s loving-kindness than in the righteousness of our doings. Who understands failure. We can only be patient’.¹⁵

14 *Amoris laetitia*, par. 303. In this and the passage quoted earlier, the ‘irregular situations’ with which the Pope is dealing are those involving heterosexual relationships; but there is no reason to think that his reflections can’t be applied also to the relationships of persons who are LGBT+.

15 *The Call to be Human*, Dublin: Veritas, 2010, p. 240.