

Homosexuality from the Perspective of Theological Ethics: An Analysis of the Problem¹

1. Sexual Orientation: Conceptuality and Evaluation

The fact that sexuality not only exists in an opposite-sex constellation, but that many people feel primarily attracted to persons of the same sex and that such an attraction can be expressed in sexual activity, has been observed in all historical periods. It has tended to be thematized primarily with regard to men.

Homosexual feelings are accompanied in many cultures by shame or fear. In the Christian tradition, such actions have long been the object of a moral reflection that issued strong condemnations in their regard. These condemnations were seen to be justified by the unnatural character of the actions themselves (in the sense of an offense against the natural end of sexuality, namely, the procreation of children) and by relevant passages in sacred scripture.

The term “homosexuality/homosexual” for both feeling attracted to, and desiring, persons of one’s own gender and for the resulting actions has existed only for about one hundred and fifty years. Until that time, people spoke of the “sin of the inhabitants of Sodom and Gomorrah,” in keeping with the episode of the peril from which Lot rescued the two men (or angels) in Gen 19:1-29;² this was known in short as “sodomy”, or more generally as “fornication”.

The interpretation of this behavior declared it to be a freely chosen (unnatural) satisfaction of the sexual instinct that deliberately intended to frustrate the possibility of procreation. This appeared to offer an adequate explanation of why the scriptural narrative speaks of an abhorrent action and sees it as the reason for a harsh punishment by God – just as in Gen 38, in the condemnation of Onan’s sexual intercourse with his widowed sister-in-law Tamar, which avoids procreation.

A more recent explanation begins from the view that homosexuality is a pathological disturbance. This saw homosexual feelings and corresponding modes of conduct as not (or not wholly) intentional but rather the need and the form

1 This is the revised and updated version of the essay by K. HILPERT: “Gleichgeschlechtliche Partnerschaften”, in: IDEM (ed.): *Zukunftshorizonte katholischer Sexualethik*, Freiburg i. Br.: Herder, 2011, 288-299; English translation: Brian McNeil.

2 For details, see H. LUTTERBACH: “Gleichgeschlechtliches sexuelles Verhalten: Ein Tabu zwischen Spätantike und früher Neuzeit?”, in: *Historische Zeitschrift* 267 (1998), 281-311, esp. 300-309.

of expression of persons whose sensibility was limited. The obvious consequence of this view was the use of therapeutic treatment in order to reorient them towards the opposite gender, an orientation which was regarded as normal.

Both positions were widespread, not only in religious and church contexts, but also in the spheres of education, medicine, and science, and consequently also in the public awareness. Intensive research led years ago to the abandoning of the view that a homosexual orientation is a pathological disturbance. And this in turn led to the removal of homosexuality from the two standard systems of classification of mental illnesses, the classification system DSM-III (1973) and the ICD-10 of the World Health Organization (1994). The World Medical Association declared in 2013: “A large body of research indicates that homosexuality is a natural variation of human sexuality.” It is therefore impossible in principle to suppress it or reverse it; on the contrary, those who have this tendency must accept this sexual orientation as a given reality that determines the task of shaping and affirming their personal identity, just like persons with a heterosexual inclination.³

The term “homosexuality” does not refer to particular behavioral intentions. Its starting point is the orientation that is different from the usual heterosexual orientation. As in the latter, pleasure is important, there is a drive towards partnership and intimate expression, and homosexuality can become a part of the self-perception of a person. Unlike heterosexuality, homosexuality directs the emotions to persons of the same gender, and it is not suited to procreation.

One of the remarkable developments in the Church’s teaching on sexuality is that it has not only recognized that homosexuality occurs in various historical periods and cultures but has also acknowledged as a fact that there is a large number of men and women who have a homosexual disposition, and that they themselves have not chosen this disposition.⁴ This acknowledgement locates the homosexual gender identity and also homosexual feelings in a deep anthropological stratum that the individual concerned cannot personally form. This already eliminates the traditional view that homosexuality is *per se* an abomination or a sin. It, however, does not automatically entail that we must regard it as genetically founded; one can certainly think of it as conditioned by prenatal developments and influenced by impressions received in early childhood. The

3 WORLD MEDICAL ASSOCIATION: “WMA Statement on Natural Variations of Human Sexuality”, October 2013, available at www.wma.net/policies-post/wma-statement-on-natural-variations-of-human-sexuality/ (accessed 10.01.20). For more detail, see S. TIMMERMANN: “Sexuelle Orientierung”, in: R.-B. SCHMIDT/U. SIELERT (eds.): *Handbuch Sexualpädagogik und sexuelle Bildung*, Weinheim-Munich: Beltz-Juventa, 2008, 261–270, at 262f. See also G. BLEIBTREU-EHRENBERG: *Tabu Homosexualität: Die Geschichte eines Vorurteils*, Frankfurt a. M.: Fischer, 1981.

4 See the differentiations in the evaluation by the Declaration by the Congregation for the Doctrine of the Faith, *Persona humana, Declaration on certain questions concerning sexual ethics* (1975, n. 8: *Persona humana*), via the *Letter to the Bishops of the Catholic Church on the Pastoral Care of Homosexual Persons* by the same Congregation (1986, n. 3 and 11: *Letter to the Bishops*), to n. 2358 of the *Catechism of the Catholic Church* (promulgated in 1992: CCC).

church accepts the findings of the human sciences that the causes of this tendency are largely unexplained. The church does not commit itself to particular explanations or hypotheses.⁵

The concept of homosexuality as an orientation that is a given in the person has been adopted in declarations of the magisterium of the Catholic Church from the 1970s onwards. This has the advantage of acknowledging that the homosexual inclination is not chosen by the individual and that it therefore cannot be altered, as so-called conversion therapies assume or promise. The disadvantage is that it can expose those concerned to the unreasonable demand that they allow themselves to be perceived by others as human beings of a different kind, and sometimes even as problem cases that demand special endeavors on the part both of the persons themselves and of the church's pastoral praxis.

At any rate, the acknowledgement of a specific homosexual orientation makes it possible in principle for the reality of sexual desire to manifest itself as more plural and multilayered than has often been supposed. This is indicated by ongoing discussions in sexology⁶ and in gender anthropology.⁷ The distinction between "sex" and "gender" has been employed for several decades to mark the fact that the physiological reality of being a man or a woman does not establish without any alternative the social roles of men and women that have developed in a lengthy cultural history. And recent gender research has emphatically insisted that biological gender and sexual identity do not always coincide; the phenomena of intersexuality and transsexuality have widened the spectrum. Besides this, the non-coincidence between sex and gender seems to vary in degree.

2. *The Right to Sexual Self-Determination*

The explicit acknowledgment of a homosexual disposition implies certain rights in living with others. In addition to the universal right to remain free from every kind of sexual violence and from every coercion with regard to partnership and the education of one's children,⁸ the specific rights include the right to one's own sexual identity, which includes protection against being compelled against one's will to be an object of therapeutic measures that aim to convert the homosexual orientation to a heterosexual orientation. This right is in fact protected in some countries by an explicit legal prohibition of such proposals.

5 See CCC 2357.

6 See, e.g., G. KOCKOTT: *Die Sexualität des Menschen*, Munich: C.H. Beck, 1995, 102-104; S. TIMMERMANN: "Sexuelle Orientierung", 261-267; E. TUIDER: "Diversität von Begehren, sexuellen Lebensstilen und Lebensformen", in: R.-B. SCHMIDT/U. SIELERT (eds.): *Handbuch Sexualpädagogik*, 251-260.

7 See, for example, J. BUTLER: *Bodies that Matter: On the Discursive Limits of "Sex"*, New York: Routledge, 1993.

8 See UNITED NATIONS: "Universal Declaration of Human Rights", 10 December 1948, art. 16; available at www.un.org/en/universal-declaration-human-rights/ (accessed 10.01.20).

Another specific right, which is of particular importance because of the minority situation of persons with a homosexual orientation in comparison to those with a heterosexual orientation, is the claim to respect and to protection from discriminatory prejudices and the practical disadvantages to which these lead. Work on one's own identity is made harder for persons with a homosexual orientation by the presence and the continued existence of traditional ways of looking at homosexuality, which can lead to a stigmatization of the individual persons or to the collective discrimination of the entire group of those concerned. The specific problem connected with this pattern of categorization is that it tends to reduce the human beings with this orientation to this one characteristic, thereby incurring the risk of diminishing their personal character and their dignity as moral subjects, and of denying that they are capable of personal love. From an ethical point of view, therefore, one must reject not only disrespectful behavior towards men and women with a homosexual orientation but also all the societal conventions and legal regulations that structurally consolidate or reproduce discrimination or even criminalization, or that prompt people to confirm, or even simply to accept, such a state of affairs. In addition to the necessity of rejecting the discrimination of homosexuality, we must ask how it is possible to give structural protection to persons with a same-sex orientation from disparaging and condemnatory behavior, and to support them in the biographical process of the discovery and stabilizing of their identity. The spectrum of relevant measures that society must make available here runs from public information and educational work, via health protection and prevention, to the guarantee of particular needs for care in crisis situations, the creation of the right to establish homosexual relationships, and the obligations that come into existence through these relationships on a reliable legal basis. A right to information about one's own orientation and about the possibilities and difficulties regarding one's behavior as a homosexual person is an important specification of the right to self-determination – a right that applies to human beings with a homosexual orientation just as much as to everyone else.

With regard to the intentional endeavors to elaborate standards of human rights from the mid-1990s onward, there is no doubt that the right to sexual health (including an effective prevention of HIV), the right to decide freely about sexual activity or inactivity, as well as the right to consensual sexual relationships and to a satisfying sex life,⁹ are the expression and the consequences of the right to self-determination that applies to all human beings.

9 See WORLD HEALTH ORGANISATION: *Defining Sexual Health: Report of a Technical Consultation on Sexual Health*, 28-31 January 2002; INTERNATIONAL PLANNED PARENTHOOD FEDERATION (IPPF): *Charter on Sexual and Reproductive Rights*, 1995. For a good overview of the agreements in international law about sexual rights, see E. THOSS: "Sexuelle Rechte – eine Grundlage weltweiter sexueller Bildung", in: R.-B. SCHMIDT/U. STELERT (eds.): *Handbuch Sexualpädagogik*, 507–514.

The actual wording of the official church texts on homosexuality¹⁰ does not criticize these conclusions. Instead, they shift the criticism, which goes as far as actually denying the truth of these conclusions, into the sphere of moral theology and of spirituality. First of all, the church texts appeal to the ecclesial tradition, which “has always declared that ‘homosexual acts are intrinsically disordered’”.¹¹ Secondly, they affirm that living with this orientation entails suffering and difficulties for those concerned.¹² And thirdly, they declare that all human beings with a homosexual disposition “are called to chastity”.¹³ The recognition of a homosexual inclination is thus accompanied in the church’s official position, until further notice, by the strict rejection of all homosexual acts: “Under no circumstances can they be approved.”¹⁴ Despite all the possible objections to this conclusion (especially the objection that many of those concerned find the demand for abstinence excessively hard), it holds fast to the distinction in principle between an orientation (that one has not chosen) and homosexual actions; and the prohibition of discrimination maintains that homosexual persons, like all those with a heterosexual orientation and life, are human beings and as such have a right to societal respect. It also maintains that the perception of these persons by others must not be reduced to their sexual disposition and their sexuality.

3. *Personal Love, Fidelity, Responsibility*

One of the reasons given in church documents for the strict rejection of homosexual acts is the affirmation that these acts “do not proceed from a genuine affective and sexual complementarity”.¹⁵ It is, however, not immediately obvious how this affirmation is to be understood. Does it have the status of a conclusion based on observations? Or the status of a speculative supposition about the character of such relationships? Or the status of a suspicion, or a critical reservation, vis-à-vis the excessively naïve ignoring of the fact that the fleeting contact, and the rejection of the ideal of a lifelong exclusive relationship, are statistically more common in this milieu than in heterosexual relationships? Personal testimonies and experiences of persons with a homosexual disposition show that there are also some who endeavor to integrate their sexual orientation into a partnership that is built upon a personal bond, in which they seek to give the other person appreciation, acceptance, care, and the assumption of responsibility.¹⁶

10 *Persona humana* (1975); *Letter to the Bishops* (1986); CCC 2357.

11 *Letter to the Bishops*, n. 3; CCC 2357.

12 CCC 2358.

13 *Ibid.* 2359.

14 *Ibid.* 2357.

15 *Ibid.* 2357.

16 See B. FRALING: *Sexualethik: Ein Versuch aus christlicher Sicht*, Paderborn: Ferdinand Schöningh, 1995, 235.

This is certainly different from those homosexual activities and relational constellations that aim *a priori* at fleetingness and see in the partner merely a sexual partner rather than also a unique person. Here, it is only the experience of sexual pleasure that is sought; emotional involvement and the assumption of responsibility are excluded, something that can also be observed in heterosexuals. For them, homosexual activity may result from immaturity, from the lack of relatives of the other gender, or from fear of the other gender, where there is a lack of the “genuine affective complementarity” that is an essential presupposition for the ethical evaluation of sexual relationships. This, at any rate, makes it clear that the question whether homosexual acts take place *outside of* or *within* the context of a relationship that aims at solidarity and permanence makes a decisive difference, ethically speaking. The majority of moral theologians have long since taken a step further: they emphasize the “integration of the homosexual orientation and of the behavior to which this leads into a homosexual partnership that aims at permanence”.¹⁷ “What is decisive...is in every instance the measure of the love that is lived in it and with it.”¹⁸

4. Problems of Biblical Hermeneutics

The biblical support for the negative evaluation of homosexuality and of the corresponding praxis appears at first glance, compared to other questions of sexuality, both abundant and unambiguous. This is emphasized by the 1986 *Letter to the Bishops* from the Congregation for the Doctrine of the Faith, which explicitly argues against affirmations that the Bible either says nothing about homosexuality, or else approves of it.¹⁹ Apart from the narrative about the sin of the inhabitants of Sodom and Gomorrah, mentioned above (Gen 19:1-29), the relevant texts also include Lev 18:22 and 20:13 (where homosexual acts are condemned and indeed are to be punished with the death penalty), as well as Rom 1:24-27, 1 Cor 6:9-11, and 1 Tim 1:9f.

The impression of unambiguousness soon proves to be superficial, however, when one understands these passages on the basis of their specific contexts. Genesis 19 relates how two messengers are charged to examine whether there are at least ten righteous persons in Sodom, for whose sake the Lord will spare the city at Abraham’s request. In the evening, the inhabitants of the city demand that Lot hand over the visitors to them, so that they may have sexual intercourse with

17 W. KORFF: “Homosexualität III: Theologisch-ethisch”, in: *Lexikon für Theologie und Kirche*, vol. 5, 3rd ed., Freiburg i. Br.: Herder, 1997, 255-249, at 257. A similar position is taken by J. GRÜNDEL: “Katholische Kirche und Homosexualität”, in: *Münchener Theologische Zeitschrift* 45 (1994), 509–520, at 515 and 518f.; K. ARNTZ: “Gelingendes Leben in Ehe und Familie – Grundlagen der Sexualmoral”, in: K. ARNTZ/M. HEIMBACH-STEINS/J. REITER/H. SCHLÖGEL: *Orientierung finden: Ethik der Lebensbereiche*, Freiburg i. Br.: Herder, 2008, 61-126, at 116.

18 B. FRALING: *Sexualethik*, 242.

19 *Letter to the Bishops*, n. 4, cf. n. 5-8.

them. Lot is absolutely determined not to violate the hospitality that he has offered the visitors, and he gives the men of Sodom a “replacement”: his two daughters, who are engaged but still virgins. When even this does not dissuade the men of the city from persisting, the visitors strike them with blindness. Later, when Lot has left the city with his family, Sodom and Gomorrah are destroyed, together with all their inhabitants and the fields. Most exegetes agree that in this narrative Sodom is not destroyed because of homosexuality. “The real guilt of the men of Sodom is the violence with which they disregard every law – in this case, the law of hospitality – and compel their fellow human beings against all law and customs to submit to their lusts.”²⁰ This is also confirmed by other biblical texts that speak of the sin of Sodom.

The regulations of Lev 18 and 20 deal with the question how the cultic purity of the family can be protected by avoiding customs and sacral practices that were widespread among the Canaanites and Egyptians. Intercourse between men is found here alongside the sacrifice of children, necromancy, soothsaying, cursing one’s parents, adultery, incest, intercourse with animals, intercourse with a menstruating woman, and other religious “abominations”. There still remain the passages in Paul and in the Pastoral Letters. In 1 Cor 6 and 1 Tim 1, it is a matter of demarcation vis-à-vis the pagans with their cults and with the praxis of pederasty by heterosexual men. Rom 1 presents homosexual practices as something that contradicts the order of creation (Rom 1:26, *para physin*); they are a consequence of the godlessness of the heathens. God has handed over the godless to error, so that they have exchanged natural intercourse for an unnatural intercourse. This behavior is part of a list of transgressions that include idolatry, falsehood, greed, murder, and deceit, all of which are the expression and the consequence of the pagans’ distance from God. It is thus a question of homosexual practices as an element and a characteristic of the worship of foreign gods and of submission to these gods.

All these passages envisage homosexual acts by heterosexuals. None of these passages envisages the possibility that there could be a permanent disposition of continuing as an adult to be attracted to persons of the same gender; nor does any of them envisage the possibility that activities of this kind could be the expression and the means of deepening a relationship based on partnership. But today’s discussion of homosexuality concerns precisely this group of persons, for whom homosexual feelings are not an option they can choose instead of heterosexual feelings. This means that not only the framework around the theological statements in which each passage stands, but also the historical and cultural epistemological presuppositions,²¹ are different from our present-day situation.

20 J. SCHARBERT: “Genesis 12–50”, in: J.G. PLÖGER (ed.): *Die neue Echter Bibel: Kommentar zum Alten Testament mit der Einheitsübersetzung*, Würzburg: Echter, 1986, 154.

21 On this, see also B. FRALING: *Sexualethik*, 237 and 239, as well as K. ARNTZ: “Gelingendes Leben”, 110f. From the exegetical perspective, see also M. THEOBALD: “Biblische Weisungen zur Homosexualität? Plädoyer für einen vernünftigen Umgang mit der Schrift”, in: *Wort und Antwort* 39 (1998), 92–94; W. SCHLICHTING: “‘Wer denn schuld ist, werfe den ersten Stein...’:

Accordingly, the immediate recourse to individual sentences and concepts, and *a fortiori* to the evaluations they contain, is excluded because it is inappropriate.

5. *A Problem in Social Ethics: The Legal Form of Homosexual Couplehood*

In recent decades, the endeavor has been made in many countries to improve the legal position of persons with a homosexual disposition. The first step involved above all the decriminalization of homosexual actions; the second step involved the creation of an institutional framework for same-sex life partnerships, within which specific requirements of the partners for protection and rights could be regulated in a binding manner or enforced. There was a particular need for specific rights such as the right to refuse to give testimony, to receive information from third parties, to visit the partner, to sign rental contracts, to receive support, to make a will in favor of the partner, and to claim payments from health and nursing insurance. In many countries, the legislature created the possibility of recording these partnerships in the civil registry. This maintained the claim of heterosexual marriage to be an institution of a special kind, but with other institutional kinds of life partnership alongside it. A number of other countries (including Germany in 2017) decided to open the existing institution of marriage “for all”, including partners of the same gender; in other words, the opposite gender of the two partners was no longer to be a constitutive presupposition for contracting a valid marriage. This means that marriage is now constructed only on the association of two persons based on love and on the intention of permanence. Its internal character is to be characterized by reciprocal care and responsibility, and by the preservation of the integrity and freedom of the other partner. The *de facto* and symbolic consequences of such an opening are considerable and entail a potential for societal conflict. Particularly disputed issues are whether the openness to having children together is a constitutive element of marriage, the access to adoption by both partners, and the access to the methods of reproductive medicine.

In its official statements up to now (Congregation for the Doctrine of the Faith, 1986 and 2003; the German bishops, 2004), the Catholic Church has rejected both ways of offering same-sex partnerships a recognized legal form in civil law. The appeal is made to reasons that are logical (the contradiction of the support given to marriage), anthropological (the indispensability of children’s experience of bipolar parenthood), societal (the alteration of the concept of marriage), and

Homosexualität in biblisch-theologischer Sicht”, in: B. KITTELBERGER et al. (ed.): *Was auf dem Spiel steht: Diskussionsbeiträge zu Homosexualität und Kirche*, Munich: Claudius, 1993, 254-261; W. STEGEMANN: “Keine ewige Wahrheit: Die Beurteilung der Homosexualität bei Paulus”, in: B. KITTELBERGER et al. (ed.): *Was auf dem Spiel steht*, 262-285. On the history of the interpretation and reception of the central passages, see the informative remarks by H. LUTTERBACH: “Gleichgeschlechtliches sexuelles Verhalten”, esp. 284-300.

legal (the significance for the common good).²² The family based on marriage appears to the church to be the only way of life that is standard for society, and it therefore sees the legal protection of same-sex life partnerships as an attack on the normative order of society. Their institutionalization “would result in changes to the entire organization of society, contrary to the common good”.²³ From the perspective of social ethics, however, one must bear in mind that the Second Vatican Council affirmed the decisiveness of the quality of a relationship in the paradigmatic marital relationship (*Gaudium et spes* 49), and that numerous documents underline the church’s commitment to seek righteousness (e.g., *Justitia in mundo* 41; *Centesimus annus* 57; *Caritas in veritate* 13f. and 20). One must therefore ask whether the political endeavor to offer same-sex partnerships of love a recognized institution that promotes reliability in the long term, and that prescribes the reciprocal obligations in a binding manner, can continue to be rejected as immoral. And one must ask whether individual Catholics who are employed by the church, and who enter a partnership in civil law, can justifiably be exposed to sanctions in terms of employment law.

The logical coherence of this position depends on two factors: first, on whether “fertility” or offspring is a constitutive element of a life-partnership between two adults that aims at permanence, and secondly, on whether making it possible for homosexual couples to enter into a legally recognized form would in fact be a rival to marriage and the family.

The obvious difference between same-sex life partnerships and the concept of marriage is that the former are not, of themselves, capable of bringing new human life into existence. This is true not only in individual cases (as can happen where a married couple is incapable of having children); in this constellation, it is excluded in principle. This, however, means that same-sex partnerships are excluded from a fundamental biological and anthropological possibility of experiencing, of self-realization, and of shared growth. Substitutive measures such as adoption, or the inclusion of a third person of a different gender (a man who is willing to “donate” his sperm, or a woman who makes herself available for insemination, pregnancy, and birth), are of course possible. However, an assisted procreation entails risks with regard to the unambiguous assignment of the child to persons who are parents; it is important for one’s later identity to know where one comes from; and a child’s welfare entails that it should have the chance of growing up with caregivers of both genders. These are the most important reasons why the legislators in several European countries continue to have reservations about the legal regulation of the possibilities of reproductive medicine, or why they link these possibilities to strict requirements, even if they have long since been practiced in other countries.

22. CONGREGATION FOR THE DOCTRINE OF THE FAITH: *Considerations Regarding Proposals to Give Legal Recognition to Unions between Homosexual Persons*, 3 June 2003; CONFERENCE OF GERMAN BISHOPS: “Grundsätzliche Kritik am Entwurf zum Lebenspartnerschaftsgesetz”, 2 July 2004, with references to earlier statements.

23. CONGREGATION FOR THE DOCTRINE OF THE FAITH: *Considerations*, n. 6.

6. *A Problem within the Church: How to Care Pastorally for Persons who Lead a Homosexual Life*

The opening of the institution of marriage “for all”, that is, for partners of the same sex, in the law of many countries creates for church praxis a problem both in the concept of marriage and in its practical operation. This intensifies the already existing tension in the church’s own position between the acknowledgment that human beings with such an orientation do in fact exist, and the continuing insistence on condemning homosexual acts and relationships in principle, because they offend against the link between loving sexual union and procreation (which has been declared to be a basic principle of human sexual morality since *Humanae vitae*).²⁴ At the same time, all the official statements about homosexuality from *Persona humana* (1975) onwards not only criticize the discrimination of homosexual persons but also demand that the church itself provide them with pastoral support and accompaniment.²⁵

The persons concerned deserve this pastoral attention just as much as all the other believers, with whom they share the same human dignity and rights on the basis of their baptism. But they also need pastoral support and accompaniment in a special measure, depending on the specific sociocultural context and the biographical background to their experiences. This is because their orientation exposes them to painful experiences of discrimination and exclusion in very various contexts of life, and not least in the church itself. Another factor is the experience in their partnerships of responsibility, solidarity, fidelity/infidelity and perhaps also guilt and reconciliation: these experiences can have a religious dimension for the persons involved.

Most of the discussions in the church of the pastoral care of homosexual persons focus immediately on the question of the blessing of such life partnerships. Many couples desire such a blessing in order to be assured that their partnership, with all the elements of experience we have mentioned, is integrated into their individual moral existential context and into their religious self-understanding.

Such a blessing could be a step that makes God’s assistance concrete and explicitly assures the partners of this in the context of a lengthy process of accompaniment that is both individual and private, in the sense that it is wholly oriented to the existential situation, the personalities, and the history of the relationship of the two persons, and that it is shielded from the public eye. (This includes the obligation for the pastor to keep silent about what the partners tell him.)

Mostly, however, the debates about the blessing of same-sex partners envisage an official blessing commissioned by the church and approved by it; this has been introduced by some Christian churches and practiced in recent decades. It involves not only the request for a blessing but also an element of the public, or the community that represents the public sphere. Representatives of the Catholic Church

²⁴ CCC 2357.

²⁵ E.g., *Letter to the Bishops*, 1986, nos. 13 and 15-17.

have hitherto always expressed reservations about this practice, firstly, because an official church blessing would also include the approval of lived homosexual relationships, and secondly, because such a practice is usually accompanied by violent conflicts in the churches that offer a public ritual of blessing.


The Catholic Church does not yet officially have such a ritual of blessing. Another, specifically Catholic, problem would be whether (if it were possible) it would be a sacrament or “merely” a so-called sacramental, that is to say, a lower-level symbolic act and intercession officially commissioned by the church. In this special question, as already in the social-ethical problems connected with the legal form, the answer would depend on the role attributed to generativity in the existential decision of a couple, and on what substantial difference exists between unions with a same-sex and an opposite-sex orientation. In the tradition of the Catholic Church since the Council of Trent, at any rate, the opposite genders of the partners and the basic openness to have children together are among the essential characteristics of marriage. Today, the church is confronted by the question whether it wishes to see these essential characteristics as restricted to marriage alone, or whether it is willing to follow the new legal development that recognizes several forms and degrees of levels of obligation in life partnerships – something that does not necessarily exclude the special appreciation and the institutionally guaranteed solidarity with the family that consists of adult partners and children, in the sense of a “preferential option” that the church promotes in other instances.

SUMMARY

Homosexuality from the Perspective of Theological Ethics: An Analysis of the Problem

The article sets out different issues in regard to same-sex relationships, highlighting the theological implications and how the relationships have been treated in Catholic Church teaching. The first section gives a brief overview of the grounds given for the negative attitude toward homosexuality in the Christian tradition, showing that it was first treated as an unnatural sinful state and then as a disordered state that was only sinful if acted upon sexually. The shift in Church teaching was occasioned by the increasing recognition in recent decades that same-sex orientation is not something that can be explicitly chosen or changed. The second section discusses the rights that are implicit in the recognition of the unchangeability of sexual orientation. If sexual orientation is a natural component of one's identity, then those who are same-sex oriented cannot be discriminated against for that, nor compelled to undergo procedures to change. Social and legal norms must also not privilege heterosexuality over homosexuality and should treat homosexual persons as a minority to be protected. Church teaching has not accepted this development in full. While it affirms that no one can be treated badly because of an inclination or orientation, it still insists that a homosexual orientation is disordered and should not be acted upon. The third section analyzes the reasons for the rejection of homosexual acts by the Church's magisterium. It raises the question of whether the Church's position is truly addressing the reality of lasting homosexual partnerships and not dismissing homosexual acts based solely on expressions that are recognized as inadequate

even in heterosexual relationships. The fourth section takes up the biblical texts cited as prohibitions of homosexual relations and shows that modern readings take the texts out of context and miss their central point, which in no way concerned the current reality of homosexual partnerships. The fifth section considers the legal developments in regard to same-sex relationships. While many countries have extended full partnership rights to homosexual partnerships, with some allowing for same-sex marriage, the Catholic Church has continued to condemn such legal acceptance. It does so by seeing heterosexual marriage as an essential component to any just society. However, the author shows that this is in tension with other magisterial teachings on the quality of love as constitutive of marriage and on the commitment of the Church to promote justice in society. He suggests that the rejection of same-sex unions is inconsistent with Church doctrine as a whole, but he shows that the key issue is whether the possibility of procreation is essential to any life-long sexual relationship and whether assisted reproductive techniques would be appropriate. The final section sketches out the various issues involved in the pastoral care of homosexual persons in which the Church must practice the tension present in the documents: supporting homosexually oriented persons while rejecting any sexual expression of such an orientation. In today's society, the author shows, this is practically impossible since the potential objects of the Church's care are engaged in relationships that it refuses to recognize. He concludes by asking whether the Church is willing to expand its understanding of marriage.



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