THE HOMOSEXUAL ORIENTATION AS AN "OBJECTIVE DISORDER" AND ITS LIMITED MEANING

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Catholic teaching makes a distinction between a homosexual orientation and homosexual behavior.¹ This distinction between behavior and an existing state or condition is fundamental for moral theologians in the Catholic fold. The negative moral judgment of the Church has been and still is directed toward homosexual acts and not toward the homosexual condition. The latter is seen as outside of direct rational control, not voluntary, and therefore never sinful.

The Church’s constant negative moral judgment on homosexual acts has not been left unchallenged. Some say that it is based on fundamentalist biblical exegesis, with a distorted view of sex as evil and unclean. Others say that it is a reflection of an inadequate un-

¹The American Catholic Bishops have acknowledged this distinction in their pastoral letter To Live in Christ Jesus (1976), and it was confirmed by John Paul II when he referred to their section of the letter on the same subject matter in his 1979 address in Chicago. Since that time every Catholic statement on the subject of homosexuality considers the significance of the distinction before any moral judgment. See Robert Nuggent, “Sexual Orientation in Vatican Thinking,” in The Vatican and Homosexuality, ed. Jeannine Gramick and Pat Furey (New York: Crossroad, 1988) 50-51.
derstanding of human biology and personhood. With knowledge provided by the developments in psychology, physiology, sociology and other relevant sciences, more and more moralists are criticizing the Church's teaching as being pre-scientific, physicalist or biologist; and more seriously, not person-oriented. Many in fact are calling for a change, if not a radical revision, of the Church's stand on the issue.²

However, in the discussion of homosexuality, controversial issues are not confined to the question of homosexual behavior. As a matter of fact, the discussion today seriously includes the question of the homosexual condition itself: whether or not the homosexual orientation is in itself a disorder. What triggered this development was the controversial "Letter to the Bishops of the Catholic Church on the Pastoral Care of Homosexual Persons" (PCHP) issued by the Congregation for the Doctrine of the Faith (CDF) in 1986. That

²In 1976, John J. McNeill, a Jesuit priest and psychotherapist, published a book entitled The Church and the Homosexual. The book was the first known theological work in modern times calling for a complete revision of traditional Church teaching on homosexuality. McNeill argued that the Church inherited an erroneous interpretation of the few biblical texts dealing with homosexuality. He also contended that Christianity was unduly influenced by antisexual strains in Stoic philosophy and by a strong aversion toward Greek homosexuality by early Jewish Christians. McNeill examined and rejected the two principal factors often proposed as supporting the traditional Church teaching condemning homosexual acts—the procreative meaning of sexual intercourse and male-female complementarity. In 1977, the Vatican CDF ordered the removal of the book's Imprimi Potest, and Rome imposed a blanket silence on McNeill, forbidding him to discuss homosexuality in public. Unable to maintain his silence, McNeill was later dismissed from the Jesuit order. See Thomas C. Fox, Sexuality and Catholicism (New York: George Braziller, 1995) 140-50.

Other theologians, while accepting that heterosexual relations are normative, seek a more pastoral and compromising approach for individuals who find themselves "constitutively" homosexual. See for example Charles Curran, Critical Consensus in Moral Theology (Notre Dame: University of Notre Dame Press, 1984) and Philip Keane, Sexual Morality: A Catholic Perspective (New York: Paulist, 1977).
letter in itself ignited very strong reactions from the homosexual community and from others sympathetic to their situation. The most controversial part of the letter says that, "although the particular inclination of the homosexual person is not a sin, it is a more or less strong tendency ordered toward an intrinsic moral evil; and thus the inclination itself must be seen as an objective disorder" (PCHP 3). When the new Catechism of the Catholic Church was published in 1994, it did not use the category "objective disorder" to describe the homosexual orientation. However, the recently published definitive edition of the Catechism made the adjustment by stating that the homosexual inclination is indeed an "objective disorder" (CCC 2358).

The phrase "objective disorder" was received by many as inappropriate, especially by those who believed that homosexuality is a sexual variation well within the normal range of psychological functioning, as declared by the American Psychiatric Association in 1973. Others were offended because they thought that the Church was simply declaring homosexually-oriented persons themselves to be disordered, since they interpreted the statement to mean that the orientation itself must be considered a diagnosable psychological or mental disorder. For some Catholic theologians, the category reflects a "classicist" understanding that does not consider the person in his or her totality.

What indeed was in the mind of the Congregation for the Doctrine of the Faith when it stated that the homosexual orientation is

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3The American Psychiatric Association no longer includes homosexuality in its list of mental disorders and sexual deviations, which simply means that it is already considered a normal variant of sexual orientation. See the Diagnostic and Statistical Manual of Mental Disorders, 4th ed. (Washington, DC: American Psychiatric Association, 1994). A survey of the literature on the subject of homosexuality reveals that after the APA decision, there was a growth in the public affirmation by individuals of their own homosexuality. At the same time pressures have been growing to remove prejudicial attitudes toward homosexual persons in almost all aspects of life. See "A Pastoral Letter on Homosexuality," Origins 10 (31 Jul 1980) 106.
in itself an "objective disorder?" Why call it an "objective disorder" in the first place? What is the meaning of the phrase? This category sounds harsh and offensive to homosexual persons, so why use it to describe the homosexual orientation? What is the basis for using this category? Is the Church's understanding of the homosexual orientation mindful of the latest findings in psychology and the other behavioral sciences?

This article seeks to clarify both what the Church teaches and what it does not teach regarding the homosexual orientation as an "objective disorder." This is crucial because there are significant misconceptions today about the Church teaching on the issue of homosexuality. In fact, not a few reject the Church's stance on the matter, but their understanding at times is also muddled by popular misconceptions. Clarity about the Church's teaching will not erase all questions, but it might be a concrete step toward a sound judgment on the problem.

The Intended Meaning and Foundation of the Category "Objective Disorder"

"Because professed homosexual [persons] have deliberately distorted the message of the 1986 Letter to the Bishops of the Catholic Church on the Pastoral Care of Homosexual Persons, many homosexual Catholics believe that the Church said they were 'essentially evil.'" Thus says John F. Harvey in reaction to what he says are some attempts from groups of confessed homosexual persons to muddle the intended meaning of the phrase "objective disorder." It is crucial to explain that the term "objective disorder" has nothing to do with moral worth or the free will of a person. The homosexual condition may only possibly involve a physical evil or perhaps a possible psychological evil, but does not necessarily involve a culpable moral

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evil. It is the tendency to homosexual desires and acts—since such desires or acts are objectively immoral—that the 1986 CDF letter calls an "objective disorder."

**The Limited Meaning of "Objective Disorder"

Concerning the letter's calling the homosexual inclination an "objective disorder," Cardinal Hume explains that although the word *disordered* is a harsh one in the English vocabulary, immediately suggesting a sinful condition or at least implying a demeaning of the person or even a sickness, it should not be so interpreted. He clarifies it this way:

First, the word is a term belonging to the vocabulary of traditional Catholic moral theology and philosophy. It is used to describe an inclination which is a departure from what is generally regarded to be the norm. The norm consists of an inclination toward a sexual relationship with a person of the opposite sex and not of persons of the same sex. Being a homosexual person is, then, neither morally good nor morally bad; it is homosexual genital acts that are morally wrong.

Second, when the church speaks of the inclination to homosexuality as being an "objective disorder," the church can be thinking only of the inclination toward homosexual genital acts. The church does not consider the whole personality and character of the individual to be thereby disordered. Homosexual people, as well as heterosexual people, can and often do give a fine example of friendship and the art of chaste loving.

This second point of Hume is also made by Bruce Williams in his article on the same subject. Williams cautioned that with its 1986 statement the CDF wishes to claim that the homosexual orientation is "objectively disordered" only insofar as it involves a tendency di-

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6Ibid.
rected toward an intrinsic moral evil, i.e., toward a morally forbidden category of sexual practices.\textsuperscript{7} He underlines the fact that the letter articulates the Church's view on homosexuality with greater sensitivity, since the letter makes no mention of the homosexual orientation as "manifesting pathology, psychological deficiency or incompleteness, lack of integration, etc."

Williams explains this restrictive working definition of the "homosexual condition" in terms of the letter's introductory disavowal of any intention to address extensively the "complex" homosexual question, limiting its scope to the "distinctive context of the Catholic moral perspective" (PCHP 2, par. 1). The homosexual orientation of an individual person indeed covers a "much broader range of aspects (affectivity, emotional responses, etc.)." That is why the Church speaks of the human person as "so profoundly affected by sexuality that it must be considered as one of the factors which give to each individual life the principal traits that distinguish it." But Williams suggests that this wider sense goes beyond the point of the letter's present concern, which is to address a challenge to the Church's moral teaching against same-sex genital activity. He thus concludes that the "objective disorder" designation does not refer \textit{globally} to the homosexual orientation in all its broader dimensions, but only to its bearing on genital behavior.\textsuperscript{8}

The former archbishop of San Francisco, John R. Quinn, explains even more clearly that the phrase "objective disorder" is \textit{philosophical language}. The inclination and the object, he says, are in the same order philosophically. The homosexual inclination is a disorder because it is directed to an object that is disordered. But Quinn maintains that, "the particular inclination of the homosexual person is not a sin."\textsuperscript{9} Furthermore, to avoid wrong interpretations, Quinn clarifies two points:


\textsuperscript{8}Ibid.
First, every person has *disordered inclinations*. For instance, the inclination to rash judgment is disordered, the inclination to cowardice, the inclination to hypocrisy—these are all disordered inclinations. Consequently, homosexual persons are not the only ones who have disordered inclinations. Second, the letter does not say that the homosexual person is disordered. The inclination, not the person, is described as disordered. Speaking of the homosexual person, the letter states that the church "refuses to consider the person as a 'heterosexual' or a 'homosexual' and insists that every person has a fundamental identity: the creature of God and, by grace, His child and heir to eternal life (PCHP 16). Consequently, the document affirms the spiritual and human dignity of the homosexual person while placing a negative moral judgment on homosexual acts and a negative philosophical judgment on the homosexual orientation, which it clearly states is not a sin or moral evil.\(^\text{10}\)

In short, "objective disorder" means the homosexual condition involves an inclination to a morally evil act, the practice of homosexual activity.

**WHAT IS BEING AVOIDED**

Why did the CDF feel it necessary to pronounce this judgment on the homosexual condition? The 1986 CDF letter indicates that in the discussion that followed the publication of *Persona Humana*, a misunderstanding arose, consisting in an "overly benign" view of the homosexual condition as something "neutral, or even good" (PCHP 3, par. 2). The Church's recognition of the distinction be-

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\(^9\)John R. Quinn, "Towards an Understanding of the Letter 'On the Pastoral Care of Homosexual Persons,'" in *The Vatican and Homosexuality*, 16.

between orientation and behavior was interpreted to mean simply that there is nothing wrong with being a homosexual person as long as one does not act on one's orientation. The traditional teaching was thus simply understood as “it’s all right, as long as you behave” or “be-but-don’t-do.”

In his commentary on the letter, Bruce Williams adopts the position that the homosexual condition cannot be considered “all right.” He bases his argument explicitly on the scholastic maxim agere sequitur esse (acting follows being). If the action is distorted, so is the condition from which it follows. Williams further argues that:

If it really is good—or even simply “all right”—for someone to “be” homosexual, there can be no plausible basis for a rule which tells such a person “don’t do.” Unqualified affirmation of homosexual “be”-ing must entail the readiness in principle to affirm the “do”-ing. Progay theological advocates have done exactly that; and evidently their logic was not lost on the magisterium. The “overly benign interpretation” of the orientation/behavior distinction (be-but-don’t-do) was seen as dangerous precisely because its manifest incoherence paved the way for rejecting the moral prohibition of homosexual behavior itself. Thus, in the letter, the essential point of insisting that the homosexual condition involves “an objective disorder” is to safeguard the prohibition of homosexual activity by excluding a notion (it’s OK to be gay) which would render that prohibition nonsensical.

The point that is being raised here by Williams is clear: an acceptance that makes no judgment about homosexual orientation, supposing it to be normal or at least simply part of the person’s personal make-up, can lead to the acceptance of the behavior that follows from the orientation. If we fail to make this point, there would be no good reason to call homosexual persons to chastity. For it would be improper to impose an extrinsic limit on an orientation that is deemed to be simply natural and innate.

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11See Williams, 265.

12Ibid.
“Objective Disorder” and the Church Today

Revisionist theologians who are strongly convinced of their critical assessments of the foundations of Catholic teaching on sexual matters conclude that the homosexual orientation is not an “objective disorder.” Many of them believe that the homosexual orientation is a gift from God, a normal variant of human sexuality, judged as a positive human, moral good and central to one’s relationship with God and others. They find their conclusion in close conformity with the findings of modern science, which consider the homosexual orientation well within the range of healthy psychological functioning. Other revisionists who cannot come to this extremely positive evaluation simply maintain that the homosexual orientation is neutral—neither good nor bad—and, like the heterosexual orientation, can be a vehicle for a positive human good.

However, Catholic teaching continues to reject the idea that the homosexual orientation is a given-gift from God or that it is a normal variation of sexual orientation. In the realm of theology, Catholic moral teaching maintains that the homosexual orientation is a consequence of original sin, which if acted out can lead to an intrinsically evil action, and is thus an “objective disorder.”

This article argues that the use of the category “objective disorder” to describe the homosexual orientation leaves much to be desired. Although it is valid in its limited meaning, it is hardly pasto-

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13Human Sexuality, the Catholic Theological Society of America report, represents this position. The authors declare that the “homosexual attraction is the natural sexual orientation of a ‘normal’ minority of persons. It is not a deviance from nature, but rather a part of the natural variety of human nature, much as left-handedness is part of a natural variation in humans.” The same report argues that homosexuality is part of the divinely created “natural” order, rather than a violation of the natural order. Anthony Kosnik, et al., Human Sexuality: New Directions in American Catholic Thought (New York: Paulist Press, 1977). See also Homosexuality in the Priesthood and the Religious Life, ed. Jeannine Gramick (New York: Crossroad, 1989) 27.
rally helpful. A discussion on some important foundational issues in moral theology related to the objections raised by revisionist theologians will help clarify this argument: the relation of the behavioral sciences to moral theology; the proper application of natural law; the place of Scripture in moral theology; and the Magisterium's role in the realm of morality. An extensive study of each of the following issues, however, is beyond the scope of this article. Thus, they will be briefly discussed only to shed light on my opinion that, philosophically speaking, the Church teaching on the homosexual orientation as an "objective disorder" is valid in its limited meaning.

THE RELATION OF THE BEHAVIORAL SCIENCES TO MORAL THEOLOGY

The Church has recognized the significant role of the sciences in doing moral theology.¹⁴ Significantly, the scientific findings of psychology and psychiatry have brought more knowledge of the homosexual orientation and, in turn, contributed to the enhancement of the Church's moral attitude toward homosexual persons. The knowledge, for example, that sexual orientation is not fundamentally a tendency toward acts helps many realize that one's sexual orientation is not primarily a tendency toward sexual activity, but rather an intrapsychic dimension of a person that includes his or her erotic, emotional, and affective attraction. The deeper need of a person is for friendship rather than genital expression. Interestingly, the Church uses the category "objective disorder" for the homosexual orientation only insofar as it involves an inclination to homosexual genital acts, not as a judgment on all dimensions of the homosexual person.

Experts in the medical field of psychiatry suggest that there may not be a direct connection between homosexuality and mental disorder. However, despite the majority vote of the American Psychiatric

¹⁴Vatican II acknowledges in its documents the positive role of the sciences (psychology, sociology and the social sciences, the science of communications, biology, etc.) in doing theology. See Gaudium et Spes 5, 62.
Association in 1973 that removed homosexuality from its list of mental disorders, proponents of the psychoanalytic theory of causation continue to view homosexuality as a result of a profound disturbance in parent-child relationship. Although it is not a mental disease, they claim that the homosexual orientation is a dysfunction or inadequacy that comes out of a pathological adaptation. Though this question of whether or not homosexuality constitutes a psychological problem is still openly debated, it is my judgment that the homosexual person's psychological disturbances, if any, his or her inner conflicts, "hang-ups," insecurities, and fears, are greatly reinforced by the hostile attitude of society.

These scientific insights raise crucial questions in Catholic sexual ethics. If science can prove that there is a genetic/biological cause of homosexuality and that there is definitely no direct connection between homosexuality and psychological disturbance, will this change Catholic judgment of the homosexual orientation as an "objective disorder"? If the homosexual orientation is proven to be a normal variation well within the range of healthy psychological functioning, is there no possibility of seeing it as a positive good that can be meaningfully expressed in sexual relations? These questions specify the limitation of the positive role of behavioral sciences in moral theology.

Among contemporary psychologists and psychiatrists, some hold that the gratification of a person's dominant needs, like sexual needs, is necessary for the person's search for meaning and life fulfillment. In the case of the homosexual person, they say that one with a homosexual orientation has a right to fulfill himself or herself sexually no less than that of the heterosexual person.15 Because they consider the homosexual orientation a normal variation of sexual orientation, these experts would also consider homosexual acts a healthy variation of sexual expression. What is good or bad may depend on other

factors, like the frequency of one's sexual exercise, one's choice of partner, one's method of sexual practice, etc. So that as long as you do it responsibly and in a loving way, without hurting anyone, it is healthy and good.

Where is the objective criterion for discriminating between needs that are morally acceptable and needs that are not acceptable? Does everything depend on the subjective preference of the individual and in one's psychological or physical well-being? This is one clear limitation of the behavioral sciences. They are empirical in their orientation, and they can never really adequately reach the realm of the supernatural. The behavioral sciences are descriptive in their operations, but not prescriptive and normative. Psychology, for example, can help describe the inner world of the moral agent—what is good for one physically or emotionally, what is healthy and what is not—but it cannot strictly define what is morally good or bad in the light of faith and reason. Obviously, it is the role of the sciences to discover the dynamics of the person related to moral development, like seeing the environment where the moral agent is, the person's psychosexual development, the kinds of pressures that s/he is facing, etc. This is where science is most relevant in moral theology. But it is specifically the role of moral theology to see what belongs to the creative order of God and what actions can or cannot be acted out in the moral order. While the Church can learn so much from scientific discovery, she is also in a position to transcend the horizons of science (PCHP 2).

Henceforth, the psychological evaluation of homosexual orientation and behavior should not be confused with the philosophical and moral evaluation of moral theology. The point to consider is

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17Some theologians however hold that empirical data dealing with human behavior should have a decisive factor in justifying actions in some circumstances such as homosexual behavior. See Kosnik et al., 219ff.
that even if science can prove that the homosexual orientation is not a medical disorder, it does not invalidate the Church’s teaching on homosexuality. Suffice it to say that while Catholic teaching declared the homosexual orientation an “objective disorder” (a judgment that belongs to the domain of moral theology), it has not declared the orientation a psychological or medical disorder.

**The Proper Use of Natural Law**

The way human beings participate in the eternal law of God through natural law has been open to a variety of interpretations. There is in these interpretations the constant tension between the “order of nature” and the “order of reason” approaches to natural law. The question “What activity is in accordance with our nature?” gave way to two dominant tendencies. One stresses that right living is “what nature teaches all animals,” the other that right living is “what our reason tells us” and that we find some pointers to that in the inclinations that are characteristic of human beings. The first tendency finds out how to live morally by following the lines of physical/biological nature with its faculties and ends. This is what is known as physicalism. To be moral, one must not disturb the natural processes of nature, its faculty and purpose. The second tendency does not follow this kind of approach. Rather, one is to use reason to find out what it means to live a moral life.

In the works of Aquinas and in subsequent Catholic theology, there is also the tension between these two approaches to natural law. In Thomas, for example, there is an understanding of nature in regard to essential characteristics of human beings and also nature as a rational quest for the human good. Richard Gula says that “the ambiguity of Thomas and the subsequent vacillation between observing the ‘order of nature’ and observing the ‘order of reason’ to arrive at moral norms have caused great confusion in Catholic moral

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thought.” He explains that a “physicalist” interpretation of natural law dominated the Catholic manuals on sexual morality before Vatican II:

While they [the manuals] identified the natural law with “right reason,” that is, with human experience considered in light of the act and circumstances of the agent in other areas of human activity, in matters of human sexuality they reduced the role of reason to discovering the will of God solely on the basis of human biological facticity.

Contemporary moral theologians agree that, in the manuals, there is an inadequate view of human nature and natural law.

While it is true that Catholic sexual morality in the past has been “physicalist” in its understanding of natural law, it is also important to recognize the effort of some theologians to reformulate the natural law tradition. In an attempt to reconcile the order of reason and the order of nature, some Catholic theologians suggest that both approaches to natural law can complement each other. In the area of morality, they are in tension and must be held in tension. Otherwise, any use of the theory risks being “physicalist” or “rationalist.”

Accordingly, the theologian has to avoid a “separatist” or a “dualist” understanding of human nature. The “physicalist tendency” must be rejected because it fails to consider the totality of the person and confuses the person’s biological structure with his or her human nature, accepting the natural order as the moral order. There is, however, another tendency by those who reject physicalism to neglect the bodily dimension of human nature, which also leads to another “separatist” understanding. To take the body as “merely” one’s possession that can be manipulated according to one’s wishes is another form of dualism that must be rejected.

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19Ibid.

The human person and his or her human nature belong to one and the same being. This is the ontological unity of person and nature in the human being that John Paul II is continually teaching in his "theology of the body." The same human being characterized by personal selfhood is characterized by nature. What William May is proposing, which I fully share, is an "integralist" understanding of human nature, one that respects the dignity of human persons—as beings of moral worth and as moral beings—in their biological and spiritual composition.  

The problematic question now is whether or not the judgment of the homosexual orientation as an "objective disorder" is a reflection of a "physicalist" understanding of natural law, as many revisionists would claim. Is it an outcome of a "separatist" understanding of human nature and human sexuality? My judgment is that Catholic teaching today on the subject cannot simply be regarded as "physicalist." The Church also rejects such a simplistic way of making moral judgments, as is evident in today's Catholic understanding of human sexuality.

Catholic teaching, for example, understands human nature not in terms of biological given, but in terms of the human being's creation.

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21 In Veritatis Splendor 48, Pope John Paul II explains that the tendency to treat "the human body as a raw datum, devoid of any meaning and moral values until freedom has shaped it in accordance with its design" contradicts with Catholic teachings on "the unity of the human person, whose rational soul is per se et essentialiter the form of ais body."

"The Holy Father insists that the body expresses the person as it is because God made the body as well as the soul. In other words, people do not govern their bodies absolutely because their bodies belong by God's creative act to the order of nature, not only to the biological order. There is an integral view of the human person in John Paul II's thought, i.e., the body, in all of its functions, is a gift from God just as life itself." See Richard Hogan and John Levoir, "The Family and Sexuality," in Readings in Moral Theology 10, ed. Charles Curran and Richard McCormick (New Jersey: Paulist Press, 1998) 168.

in the image of God. This is the fundamental reason for the person's dignity (CCC 357). The Church also stresses the fact that the human person is a unity, at once corporeal and spiritual. "The human body shares in the dignity of the image of God: it is a human body precisely because it is animated by a spiritual soul, and it is the whole human person that is intended to become, in the body of Christ, a temple of the Spirit" (CCC 364).

Significantly, Catholic teaching recognizes the equality and difference of man and woman. "Being man" or "being woman," in perfect equality as persons, is a reality which is good and divinely ordered (CCC 369-372). Thus masculinity and femininity are not merely biological entities.

It is not merely biological precisely because the body of a human person is not an instrument or tool of the person, something other than the person, but is rather constitutive of the being of the person and an expression or revelation of the person.... The body-self I am, the person I am, is a sexual person, not an asexual one. Sexuality is therefore integral to the human person, and the sexuality of a human person is of necessity either a male or female sexuality.\(^{23}\)

Catholic teaching on homosexuality is rooted in the above understanding of the human person and human sexuality in the light of reason and revelation. The Church teaches that inscribed in human sexuality is a capacity and responsibility for love and communion. "Physical, moral and spiritual difference and complementarity (of man and woman) are oriented toward the goods of marriage and the flourishing of family life" (CCC 2333). And "the union of man and woman in marriage is a way of imitating in the flesh the Creator's generosity and fecundity" (CCC 2335). The homosexual orientation, which the Church understands as a disorder brought about by original sin (CCC 399, 400, 405), is incapable of achieving the goods that God designed for human sexuality.

\(^{23}\)Ibid.
The beauty of sexuality in this teaching is that it is linked with both the relational and the procreational aspects. The loving communion of the Persons in the Trinity is reflected in human sexuality as relational, and the creative power of God is reflected in the willingness of human persons to beget and nurture life. This is why the Church teaches that the sexual union of man and woman that occurs in the context of marriage "is not something simply biological, but concerns the innermost being of the human person as such" (CCC 2361).

Obviously, Catholic teaching is trying to overcome a "physicalist" understanding of natural law. It tries to move toward an "integralist" understanding of human sexuality, one that respects both the "order of nature" and the "order of reason," in order to know what is good and what is bad for the human person.

The Place of Scripture in Moral Theology

Though Vatican II did not issue a document on moral theology, it makes the significant call to renew moral theology in the light of the Scriptures. Recent Catholic teaching, including sexual ethics, has given much more importance to the Scriptural data but contemporary moral theologians hardly show any agreement on how the Bible's authority should be understood with regard to its concrete teachings about morality. Very simply, the Bible today is used in many ways in moral theology. A majority opinion, however, holds that Scripture gives a special context for understanding Christian moral life, and provides a motivation to live a good Christian life. Although contemporary theologians criticize the poor use of Scripture in the past, the Church insists on the centrality of Scripture in any study of moral theology. Because it contains the revealed Word of God, Scrip-

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24Vatican II made a significant call to renew moral theology. "Its scientific exposition should be more thoroughly nourished by scriptural teaching. It should show the nobility of the Christian vocation of the faithful, and their obligation to bring forth fruit in charity for the life of the world" (Optatam Totius 16).
ture is the foundation upon which all moral teachings of the Church are built.

The proper use of the Bible demands that the nature of the Scriptural text be respected. In general, this means recognizing not merely the fact that it is inspired by God, but also the fact that these are written by human hands, at a particular period and setting with a particular readership in mind. In this matter, all the tools of contemporary biblical exegesis (textual, source, form, redaction, and literary criticism) must be used. Thus, the good moral theologian has to respect the opinion of biblical scholars on matters concerning exegesis.

Victor Furnish warns of two dangerous approaches to the Bible’s authority on moral matters. First, the theologian has to avoid what he calls the “sacred cow” approach, which tends to automatically revere and accept anything that the Bible says on a particular moral issue without considering other factors—like the intention of the writers, the sociopolitical-cultural condition facing them, the communities they were addressing, etc. The biblical renewal in the Catholic Church has put an end to the practice of turning to the Bible as a source of prooftexts to defend positions on moral issues. Furnish says that such a literalist and fundamentalist approach has no place in moral theology. Second, the theologian has to avoid the “white

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25 Some take Scripture as a book of revealed morality to govern our actions: the Bible’s prescriptive statements and patterns of life are considered authoritative, and require literal obedience. Others hold the Bible as a source of knowledge of God, and from this knowledge they develop moral principles to guide human actions. Other theologians believe that the Bible provides the context for moral life so that the norms of right or wrong develop in light of biblical themes like creation, sin, incarnation, passion, resurrection and life in Christ. Still many others hold that the central biblical conception of “Christian love” is the only norm under which all action is judged. Clearly, there is no consensus reached by theologians on this issue. See Gula, 33. For an extensive treatment of the subject, you may refer to Readings in Moral Theology 4, ed. Charles E. Curran and Richard A. McCormick, S.J. (New York: Paulist Press, 1984).
elephant” mentality, which is inclined to dismiss the moral teachings of the sacred writers as simply irrelevant and outmoded, with no probative value for our own time. This too is a dangerous approach. Though the Scripture is subject to historical conditions and circumstances, many of its parts are relevant for today in different historical, cultural, and sociological contexts. Some clear examples are Jesus’ teaching on the equal dignity of man and woman, his prohibition of divorce and adultery, and his affirmation of fidelity in marriage. The noble vocation of Bible scholars and moral theologians is to help people see the relevance of biblical data for ethics.

Given all these considerations, I would like to suggest the following points. First, I share the opinion that the concepts “homo-sexual” and “homosexuality” as such were not known during the time of the Bible’s composition. Most certainly, the terms “homosexual,” “heterosexual,” and “bisexual” presume an understanding of human sexuality that has only been made possible by modern science. This is why I maintain that in the area of biblical data on homosexual actions, it remains an open question whether the isolated texts that supposedly deal with homosexuality are dealing with a true, constitutional homosexual person, or whether the writers were simply dealing with heterosexual persons engaging in homosexual behavior. What is not proven is that this knowledge would have made a difference. Biblical data only show that the writers, both in the Old and New Testament, condemned an important element of a homosexual lifestyle, that is, homosexual intercourse, with no suggestion of whether they were performed by homosexual or heterosexual per-

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27 Hamel’s comment is relevant: “Scripture is a rendezvous with God who in it, through it and in each part of it speaks to people of all ages. It is not just history, but history of salvation. We must therefore listen to it and examine it carefully until it can speak to modern people...” See Edouard Hamel, “Scripture: The Soul of Moral Theology?” in Readings in Moral Theology 4, 130.
sons. Paul, too, explicitly treated all homosexual activity, with no distinctions, as evidence of humanity’s tragic confusion and alienation from God.

Second, I respect the opinion that the creation story of Genesis 1 concerns the beginnings of created things, including humankind. However, it cannot be denied that this account also explains the origin of the difference between man and woman and indicates that human beings, made in the image and likeness of God, are called to loving communion and bringing forth new life. I share Cahill’s understanding of the Genesis account that “humanity is constituted male and female, so that sexual differentiation is definitive of humanity from the beginning.”

Without denying the mythological component of this creation account, I understand that what is inspiring portrayed is that male and female are equal but distinct creations made in the divine image and likeness, and are capable of a loving union with one another that guarantees the propagation of the human species and the good of the human family.

Third, I concur with the opinions of Edward Schillebeeckx and Pierre Greloth that the Yahwist account in Genesis 2 is “not so much an account of creation in general as a story of the creation of the human race in two differing yet complementary beings of flesh and blood, male and female.” The complementarity of man and woman (the woman as a “fitting” partner, not another man) is directed toward loving communion and, in loving one another, both man and woman reflect the inner unity of the Creator. This “becoming one flesh” of man and woman is indeed a meaningful symbolism of the union between man and woman in marriage.

Finally, I recognize in the Bible a clear endorsement of heterosexual marital union. The most evident is Jesus’ teaching on the fun-


damental meaning of sexuality, in which he quotes and makes his own what has been said in the first two chapters of Genesis: "But from the beginning of creation, 'God made them male and female,' and for this reason, a man shall leave his father and mother and be joined to his wife, and the two shall become one" (Mark 10:6-8). Nowhere in the Bible is there any affirmation of homosexual unions, whereas from Genesis to Revelation there is an affirmation of heterosexual marital union. Heterosexual marriage becomes a beautiful paradigm both for Yahweh’s love for his people and for Christ’s love for his Church. The integration of the conjugal union of husband and wife into the covenant of God’s love with his people tells us something about what sexual union ideally is and ought to be.

The speculation that all these Scriptural insights are determined exclusively by cultural factors and have no probative value for the Church’s teaching on homosexuality is not a good judgment.

**The Magisterium in the Realm of Morality**

It has been part of Catholic faith that the Magisterium is competent in moral matters and, thus, it can point out authoritatively what values are consistent with Christ’s teaching and are to be accepted, and what values are not Christian and thus need to be rejected. The Second Vatican Council makes clear the right of this Magisterium and the response due it:

In matters of faith and morals, the bishops speak in the name of Christ and the faithful are to accept their teaching and adhere to it with a religious assent of soul. This religious submission of will and mind must be shown in a special way to the authentic teaching authority of the Roman Pontiff, even when he is not speaking ex cathedra.30

The right of the Magisterium to teach is linked to the definitive nature of the covenant between God and his people.

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30*Lumen Gentium* 25.
It is this Magisterium’s task to preserve God’s people from deviations and defections and to guarantee them the objective possibility of professing the true faith without error. Thus, the pastoral duty of the Magisterium is aimed at seeing to it that the People of God abides in the truth that liberates. To fulfill this service, Christ endowed the Church’s shepherds with the charism of infallibility in matters of faith and morals (CCC 890).

Today, however, there are currents of thinking that challenge the teaching authority of the Magisterium in moral matters. Among others, there is the complex question of the right to dissent of individuals who cannot give personal assent to formal Church teachings. There is also the growing feminist movement that questions the presence of sexist language patterns and value formation of Catholic literature and teaching of the living tradition of the Church.

To the question of dissent, I clarify three things briefly. First, contemporary moral theologians accept the legitimacy of responsible dissent to non-infallible Church teaching as a necessary manifestation of legitimate pluralism. The Church’s teaching on homosexuality is non-infallible and the possibility of revision is not ruled out, even if the possibility is very remote. Second, contemporary theologians recognize the fact that Catholic teaching on sexual matters in the past was subjected to human considerations, like poor biblical exegesis. That is why contemporary moral theology must always be guided with good biblical scholarship, the present findings of behavioral sciences, and even the experiences of people of good will. I disagree, however, that these considerations totally disprove all the truths being taught by the living Magisterium. Finally, even if the Magisterium has erred in the past and has changed some of its teachings, its authority to teach in moral matters remains. The Spirit, who guided the Church through the apostles, has never ceased to lead and assist the Church through the Pope and the bishops through the years and through changing human circumstances. The teaching of the Magisterium is not just any other opinion, and the Magisterium has to be respected and listened to as prescribed by the Second Vatican Council. If moral theology is to remain faithful to the teachings of Christ, then it must strive to maintain spiritual and intellectual com-
munion with the Magisterium. Responsible dissent should be the last recourse.

The other serious challenge to the Magisterium is the problem raised by feminist theologians regarding the presence of sexist language and values in Catholic literature and moral teaching. The Church must face the fact that in the past—and even up to the present—she has not done enough to address the unfair discrimination against women in Catholic teaching, life and practice. In my opinion, the feminist movement is a blessing for the whole Church, bringing to her awareness the unwanted reality of patriarchy and sexism. The eradication of sexist language and thought patterns in Catholic moral teaching must therefore be supported.

However, Francis DiLorenzo warns of an exaggerated form of feminism that speaks from an interior posture of hurt, anger, severe disappointment and identity searching. The overall impression of this exaggeration is that Catholic teaching of the living Magisterium has been totally bound up in sexual politics. Thus: “The existing moral insights are the product of an extremely sexist power clique. Hence, because of their sexism, the validity of these moral insights is really questionable. Their claim on us and on our allegiance is little or negligible.”31 In my judgment, though Catholic teaching is expressed in words and statements that are historically and culturally bound, there is in it a wide body of truths that has guided the Church since its conception.

**Final Considerations**

In brief, these are the reasons why I uphold the validity of the Church’s philosophical judgment on the homosexual orientation as an “objective disorder” in its limited meaning, in spite of the objections raised by revisionist theologians. First, even if science defines the homosexual orientation as a normal variation of sexual orientation (not a medical disorder), it does not invalidate the Church teaching

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31DiLorenzo, 71.
that the homosexual orientation is an "objective disorder" that cannot be acted out in the moral order. This judgment belongs to the domain of moral theology. Second, "human nature"—properly understood as the totality of the human person—teaches that the homosexual orientation does not have the potential to fulfill the procreative finality of human sexuality designed by God, and thus an "objective disorder." Third, the Bible—historically conditioned but inspired—clearly endorses a heterosexual, marital union. Though Jesus was silent about homosexuality, he himself exalted the beautiful meaning of the union of man and woman in marriage. No such endorsement is given to homosexual union. Finally, the Magisterium is a competent authority that serves the good of the Christian community. It has the right to be listened to with respect and docility. Consistently, this teaching office rejects homosexuality as a norm for human sexuality.

Allow me to qualify that I assent to the use of the phrase "objective disorder" only in its limited meaning because I reject the idea that the homosexual orientation is an "objective disorder" in all its dimensions. A homosexual person, like any other, is capable of living a good moral life and of establishing healthy relationships. Significantly, the 1986 CDF letter affirms that "homosexual persons are... often generous and giving of themselves" (PCHP 7). They also have the ability to face "challenges to growth, strength, talents and gifts..." (PCHP 16). Thus, I hold that when the Church describes the homosexual orientation as an "objective disorder," she can only be referring to the sexual inclination directed toward an action that is intrinsically disordered, but not to the homosexual orientation in all its dimensions.

Other moral theologians disagree with my opinion. Harvey for one holds that while Catholic teaching does not consider the whole personality of the homosexual person to be thereby disordered, the disorder itself is rooted in emotional disturbance that affects deeply the core of the person.\(^{32}\) Harvey's position is understandable because

\(^{32}\)See Harvey, 155.
he himself presupposes that the homosexual orientation is largely caused by a problematic psychosexual development, and thus, a pathological condition, one thing that I maintain is still an open question.

There are two important things that the Church wants earnestly. First, the Church wants to maintain the norm of monogamous, heterosexual and marital union. To protect this norm, she finds it necessary to say that the homosexual orientation is in itself an “objective disorder.” It is a more or less strong tendency ordered toward an intrinsic moral evil, that is, the homosexual union, and thus, cannot be acted out in the moral order. Whether or not the orientation can be described as humanly normative, the Church says it is not. Second, the Church wants to create a welcoming atmosphere for all homosexual persons. She knows that homosexual persons have been suffering for too long from unjust discrimination and inhuman treatment by homophobic societies. Certainly, this is the reason why the Church shows a more compassionate attitude to persons with this condition. Catholic teaching finds itself in the middle of these two good options, trying to maintain an uneasy balance between a need to preserve the integrity of its teaching with the norm of heterosexual marital union and compassion for homosexual persons.

Will the use of the category “objective disorder” help the Church in its concern to maintain the norm of heterosexual marriage? Philosophically speaking, the category itself provides the Church a plausible ground to say to the homosexual person “do not act on it” or “you cannot act on it” because the homosexual orientation is an “objective disorder” and the homosexual action is not a morally acceptable option. In this way, the category helps to affirm heterosexuality as the “only” norm. But will it help the Church’s pastoral concern to bring back homosexual persons and get rid of homophobia? This is a question that needs to be addressed with utmost sensitivity.

The explanation of Quinn, Hume, and Williams of the intended meaning of the category is relevant. Accordingly, there is no intention whatsoever to use the category in order to demean the homosexual person. The intention rather is to repeal an overly benign interpretation of the orientation/behavior distinction, which if not
addressed could easily lead to the acceptance of homosexual acts. The Church wants homosexual persons to understand that though they equally share the dignity of being created in God’s image and likeness, their homosexual inclination is an “objective disorder” because it is directed toward actions that do not lead them to God and that will always harm their personal integrity. Part of the pastoral concern of the Church is to lead homosexual persons to a life of chastity, a challenge that they share with all unmarried heterosexual persons.

The nobility of the Church’s theological and pastoral concern in this area is highly respected. However, I would like to express some reservations on the use of the category “objective disorder” for the following reasons. First, in my judgment, the category “objective disorder”—being philosophical in nature—is bound to be easily misunderstood by many, especially the media and, later, the masses. A sample reaction from a theologian would surely clarify this point:

What does it mean, after all, to be “disordered” or “out of order”? The “disordered” are askew, impaired, sick, “psychos.” If a thing is “out of order,” it doesn’t work; it is useless until someone “fixes” it. If it can’t be fixed, it should be discarded. That this kind of language should be used about the same people who are “children of God”… is shocking.33

This kind of reaction is certainly the last thing that the Church wants. It is a total departure from the intended meaning of the category “objective disorder.” However, because “disorder” is a harsh word in the English language (more so in the medical vocabulary), more people are expected to react this way, especially those who know nothing of philosophy and theology. If the category is misunderstood, homosexual persons will be the first ones to be offended. Surely this will also increase the level of hostility toward homosexual persons in society.

Second, the category “objective disorder,” being a classical term, is easily and negatively associated with the “classicist” understanding of the world and of human nature. The “classicist” philosophy tends to judge the act apart from the human person and his or her situation in life. Such an approach is not consistent with the “historically conscious” worldview of contemporary philosophy and theology. No less than Pope John Paul II himself insists on the centrality of the human person and the meaning of his or her human existence in every Catholic moral teaching. Pastorally speaking, one can best help the homosexual person if one listens first to his or her story, considers the total situation and the circumstances that s/he is in, rather than judge immediately the objective disorder of his or her orientation.

Third, the Church clearly acknowledges that the homosexual orientation is far more than an inclination to sexual activity. That homosexual persons are more than their sexual expression is clearly

34To understand what the author means by a “classicist worldview” and way of understanding natural law and human nature, read Richard Gula’s two books: What Are They Saying About Moral Norms and Reason Informed By Faith (New York: Paulist Press, 1989). Gula explains how the “classicist” approach arrives at moral norms in contrast to a “historically-conscious” approach. His claim is that the “classicist” is more dominated by the physicalism of the order of nature, while the “new” approach is rooted in the order of reason interpretation of natural law, which, as Gula claims, is more consistent with the worldview of contemporary theology.

35One has to admit that Catholic teaching on sexual ethics cannot simply be classified as “classicist” and not “historically-conscious.” John Paul II himself is often described as a “phenomenologist” and “personalist.” Janet Smith observes that the pope does not begin his teaching with tight definitions and distinctions of scholasticism. Rather, he usually “starts with human experiences that we all have had and by asserting values we immediately find attractive.” See Janet E. Smith, ed., Why Humanae Vitae Was Right: A Reader (San Francisco: Ignatius Press, 1993) 234-35. The “personalism” of John Paul II is best explained by John F. Crosby in his article, “The Personalism of John Paul II as the Basis of His Approach to the Teaching of Humanae Vitae,” in Why Humanae Vitae Was Right, 193-227.
recognized by the CDF letter when it says that, “a homosexual person, as every human being, deeply needs to be nourished at many different levels simultaneously” (PCHP 16). The “different levels” certainly refer to the spiritual, psychological, emotional, affective, and erotic dimensions of the mystery called the human person. Moreover, the letter insists that the human person “can hardly be adequately described by a reductionist reference to his or her sexual orientation” (PCHP 16, par. 2). With due respect then to the mysterious complexity of the homosexual person and his or her orientation, I find it truly difficult to label the homosexual orientation an “objective disorder” just because part of it is an inclination to an intrinsic disordered action.

Moreover, I am convinced that if the Church really respects the equal dignity of all persons and offers a nurturing welcome to all homosexual persons, she should not single out the homosexual orientation as an “objective disorder.” All human persons, heterosexual and homosexual persons alike, have disordered inclinations, and it does not look good if there is a particular negative judgment against a minority group of persons, especially if these persons are wounded members of the Christian community. The singling out of the homosexual orientation as an “objective disorder” will easily ostracize a community of homosexual persons already alienated and hurt.

In place of the category “objective disorder,” Jack Dominian suggests using the category of “handicap.”36 The homosexual orientation is a “handicap” because it prevents one from enjoying married life. He prefers the category of “handicap” because in it there is no connotation of sickness or sin. Some people are born with some “handicap” which separate them from the norm. Handicapped people do not deserve rejection but admiration for the manner in which they accept their handicap. It is very unfortunate indeed that, most often, homosexual persons do not receive society’s encouragement

and support in their search for life and meaning. Instead, what they often receive are rejection and humiliation.

In the end, I still wish to avoid the use of any category. In my judgment, using the distinction between homosexual orientation and homosexual behavior is enough to reasonably convince homosexual persons of good will that the homosexual action cannot be acted out in the moral order. The homosexual orientation is something that a person discovers in life, not a sin in itself. Still, homosexual actions are intrinsically evil acts because they distort God’s procreative design for human sexuality.

All human beings are children of a loving God in heaven. God the Father saves us in Jesus—not on the basis of any category between persons, but solely on the basis of God’s unmerited benevolence. Rich and poor, sinner or saint, male or female, homosexual or heterosexual, we are all saved in Jesus. The love of God is certainly greater than any effect of sin, and there is no human condition that can in itself constitute an obstacle to the grace of God.

The Church is called to seriously extend all possible help and assistance to all homosexual persons. Since homosexual persons are presently highly discriminated against, they should be among the first to be attended to. Jesus himself showed preferential option toward the poor, the sick (who were usually considered sinners), the outcast and the oppressed. Jesus has always been and forever is at the side of the rejected and the unlovable of society. Surely, he is within the homosexual community, which is today a significant part of the anawim of God. The Church, which is the sacrament of Christ, has a serious moral obligation to stand by the side of homosexual persons, provide enlightened and effective pastoral care, fight for their basic human rights, and reject all structures and attitudes that harm or offend any member of the homosexual community. Only when all these are fulfilled can the sacramental life, prayer, and spiritual counsel of the Church have meaningful effects on the life of a homosexual person.
In the end, I would like to use the words of one bishop to encourage homosexual persons to value themselves as whole human beings:

We urge homosexual men and women to avoid identifying their personhood with their sexual orientation. They are so much more as persons than this single aspect of their person. This richness must not be lost.... It is not homosexuality which should be one's claim to acceptance or human rights or to being loved by us all. It is the fact that we are all brothers and sisters under... God.37

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