

POPE FRANCIS DECLARES SUPPORT FOR SAME-SEX CIVIL UNIONS

In a new documentary which premiered in Rome on October 21, 2020, Pope Francis declared his support for same-sex civil unions. The pope said that Gay couples deserve legal protections for their relationships. “Homosexuals have a right to be part of a family,” the pope stated. “They’re children of God and have a right to a family. Nobody should be thrown out or be made miserable because of it.” Francis is the first pope to support civil unions for same-sex couples, although he did support them when he served as Archbishop of Buenos Aires before becoming pope.

The pope’s support for same-sex civil unions is perfectly compatible with his acceptance of the church’s teaching on homosexuality and marriage as a union between a man and a woman. A same-sex civil union law is a secular statute of the state which grants same-sex couples the legal rights that are granted to all the citizens in a given country. Same-sex civil laws do not contain any statements about the morality of homosexuality or same-sex marriage. Their intent is not to rule on the morality of homosexuality and same-sex marriage but to protect the legal rights of gay couples. Consequently, same-sex civil union laws should not be identified with the teaching of the Catholic Church on homosexuality and same-sex marriage as if they were an intrinsic part of the church’s teaching. The teachings of the church on homosexuality and same-sex marriage are matters of faith and morals. However, a same-sex civil union law is not a matter of faith and morals but a public legal policy matter upon which informed people, including Catholics, can agree or disagree.

On June 3, 2003, in the document, *Regarding Proposals to Give Legal Recognitions to Unions between Homosexual Persons*, the Sacred Congregation for the Doctrine of the Faith

condemned same-sex civil unions. The document was signed by Cardinal Joseph Ratzinger, then Prefect of the Congregation for the Doctrine of the Faith, later Benedict XVI, and approved by Pope John Paul II. The document states that, “The Church teaches that respect for homosexual persons cannot lead in any way to approval of homosexual behavior or to the legal recognition of homosexual unions.” (*Regarding Homosexual Unions, RHU*, no. 11). Recognizing such unions, the document maintains, would not only encourage deviant behavior, but also would place same sex unions on the same level as marriage, which according to the church is only a union between a man and a woman. (RHU, no.11). As such, the document identifies the Catholic Church’s teachings on homosexuality and same-sex marriage with same-sex civil unions and therefore condemns them. Pope Francis does not identify the church’s teaching on homosexuality and same-sex marriage with same-sex civil union laws and therefore declares his support for them.

What we are seeing in this discussion is another example of Pope Francis’s polyhedron notion of the church and his focus on pastoral concerns rather than the narrow dogmatic approaches of Pope’s John Paul II and Benedict XVI. In its pastoral approach the Catholic Church recognizes the inherent human dignity of all human persons, and, as such, is against any religious or political discrimination against homosexuals. The 2003 document of the Congregation of the Doctrine of the Faith was exclusively concerned with condemning the objective sin of homosexuality and same-sex marriage. In spite of its statements denying discrimination against homosexuals, the document did not adequately address the pastoral needs of homosexuals.