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## THE CRITERION OF THE PRACTICAL IDEAL Homosexuality as a Laboratory to Explore a Principled Approach to Personal Morality

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### Abstract

The development of moral principles involves analysis of the underlying theory and reflection on their use in practice. This short article examines one type of principle (the criterion of the practical ideal) from these perspectives. The theoretic part is an analysis of the assumptions used in the traditional moral manuals, and how these are being questioned in the light of recent magisterial statements. Homosexuality is the particular subject where the use of the criterion is examined in practice. The article concludes with an explanation of the author's understanding of this criterion, the limits but also its potential in pastoral care.

**Keywords:** Homosexuality, LGBT, Nature, Pastoral Practice, Pope Francis, Procreation, Unnatural

### 1. Introduction

Pope Francis encourages a particular approach to homosexuals: "if a person is gay and seeks God and has good will, who am I to judge?"<sup>1</sup> More recently, Pope Francis is quoted as saying to a gay survivor of clerical sexual abuse: "God made you like that. It doesn't

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<sup>1</sup>During an interview with journalists on his return trip from Brazil to Rome, 28<sup>th</sup> July 2013.

matter.”<sup>2</sup> Media reports are unreliable as a basis for ethical reflections. However, it is legitimate to reflect on the general sense of these remarks, neither of which has been officially denied by the Vatican. The remarks attributed to Pope Francis fit into his preferred pastoral approach: he recommends a benign morality of mercy guided by a deliberate ethical compass.<sup>3</sup>

This article is neither a commentary on nor interpretation of Pope Francis. I am using his comments as an entry point into an issue that has preoccupied me for most of my priesthood. I became conscious of the particular difficulty posed by homosexuality in 1977,<sup>4</sup> and I published my first article on the topic in 1979.<sup>5</sup> The criterion<sup>6</sup> of the practical ideal that I am proposing reflects four decades of pastoral ministry among gays in different countries<sup>7</sup> and occasional writing on the topic.<sup>8</sup>

I am encouraged to undertake this modest venture by something Saint Alphonsus wrote. As an old man in his 70’s, he stated in a letter that morality is a continual chaos. He had studied moral theology for 40 years, kept reading and was always finding something new.<sup>9</sup> I can identify with that.

## 2. Background

In the catholic tradition which I studied, homosexuality was a perversion of the order of nature. Any homosexual action was condemned as intrinsically evil. The emphasis was on the actions that homosexuals performed. These were, quite simply, unnatural

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<sup>2</sup>CNN report of what Juan Carlos Cruz claims the Pope said to him on 20<sup>th</sup> May 2018.

<sup>3</sup>A. Thomasset and Jean-Miguel Garrigues, *Une morale souple mais non sans boussole*, Paris: Cerf, 2017.

<sup>4</sup>The context of my first meetings was unusual. I was appointed as Spiritual Director to a Presidium of the Legion of Mary, whose apostolate was among the homosexuals in Dublin, making contact with them in various public houses or toilets.

<sup>5</sup>Raphael Gallagher, “Understanding the Homosexual,” *The Furrow* 30 (1979) 71-81.

<sup>6</sup>I have chosen the word ‘criterion’ after some hesitation. It could be understood as a ‘principle’ which one uses in pastoral accompaniment, though it is not confined to that.

<sup>7</sup>Ireland, United Kingdom, France, Germany, Italy and the USA. The situation of the LGBTI has a different texture in varying cultures. I intend that my ‘criterion’ may be understood and applied differently in varying circumstances.

<sup>8</sup>A revised edition of Raphael Gallagher *Compreender o homosexual* is scheduled for publication in Brazil in 2019.

<sup>9</sup>“La Morale è un caos che non finisce mai. Io, all’incontro sempre leggo e sempre trovo cose nuove”: *Lettere di Santo Alfonso M. de Ligorio*, Roma: 1887, Volume 111, 144.

because they contravened what was an ‘obvious’ fact of nature: sexual organs are God’s gift for heterosexual procreation. Homosexual actions, of their nature, could never be procreative. It became clear to me early on in my study of the question that the catholic tradition moved very quickly to a judgment of ‘actions’ as if they were the only element that needed to be considered. This was in line with the evolution of moral theology in general during the reception period of the decisions of the Second Vatican Council.

The morality of homosexual acts, like that of all human actions, should be determined according to the general principles of moral theology. The most important implication of this statement is that the morality of homosexuality is not a ‘separate case’: it has to be considered within the range of the criteria used in all moral judgments. I began to study the homosexual question in the light of these criteria, always seeking to relate my knowledge to what I was learning from the experience of ministering with groups of homosexuals. The traditional criteria for moral judgments can be classified: the nature of the action itself, the motivation of the person acting, the circumstances of the action, and the likely foreseeable consequences. This was my approach in the early years of my ministry. It reflects a particular understanding of moral theology that gave a priority to decision-making as the primary focus in the moral life. The principal point of reference was the action chosen.

### 3. Journey towards a Criterion

The standards for making a moral judgment (classically called the *fontes moralitatis*, the sources of morality) were commonly accepted by moral theologians of my generation; actions, intentions, consequences, proportion. There were bitterly contested theological wars about their meaning, and the weighting to be observed between them. That is another story.<sup>10</sup> My own journey has been to become, at this stage, more concerned with the acting person than with the action itself. I chronicle some of that journey through views I studied about homosexuality since the late 1970’s.

(a) Homosexual acts are intrinsically evil. Intrinsic was taken to mean ‘by the nature of the act itself.’ No exceptions could be envisaged. This was the view of the moral manual I studied<sup>11</sup> and it

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<sup>10</sup>Excellently chronicled in James F. Keenan, *A History of Moral Theology in the Twentieth Century. From Confessing Sins to Liberating Consciences*. New York: Continuum, 2010.

<sup>11</sup>J. Aertnys – C. Damen – J. Visser, *Theologia Moralis Secundum Doctrinam S. Alphonsi de Liguorio*, Turin: Marietti, 1958.

seemed unquestionable. The homosexual act was inordinate because it could never correspond to the order written into nature which was presented as unchanging. The advice I would have given at that stage would have been sublimation and abstinence sustained by careful avoidance of all the occasions of sin. Celibate friendships were theoretically possible but, practically, they would have been considered a proximate occasion of sin.

(b) Homosexual acts are essentially imperfect. This is a modification of the first view that was proposed by some theologians in the 1970's.<sup>12</sup> This view accepts the presupposition that the ideal norm of sexuality is within the love-union of male and female. It also accepts that, in reality, some people cannot reach that ideal because of their homosexual orientation. It was proposed that homosexual relationships could be accepted as the lesser of two evils and as the only way in which some people would be able to reach an acceptable human dignity in their lives. It acknowledges that human sexuality has a meaningful purpose beyond marriage and procreation alone. This made initial sense to me, especially as the purposes of marriage were no longer considered in terms of primary and secondary ends. This 'essentially imperfect' assessment of homosexuality had an appeal for me: it did not publicly question the catholic definition of marriage but left room for discrete encouragement of homosexual friendships, provided I was not encouraging these as a moral norm.

(c) Homosexual acts are evaluated in terms of their relational significance. This is a further and more substantial re-interpretation of the traditional view. John McNeill was the important voice in this debate, and the fact that his principal book<sup>13</sup> was eventually granted an *imprimi potest* by ecclesiastical authorities meant that his view could be publicly discussed. The core benchmark offered by this view is the quality of the relationship, implying that homosexuality, in itself, is morally neutral. It becomes moral or immoral according to the absence or presence of expressions of a loving relationship. Many theologians (John Harvey in particular)<sup>14</sup> disputed McNeill's conclusions, but McNeill's book was the instigation of a church

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<sup>12</sup>One of the substantial contributions, in this general line, was by Charles E. Curran, *Catholic Moral Theology in Dialogue*, Washington: Georgetown, 1972.

<sup>13</sup>John J. McNeill, *The Church and the Homosexual*, Kansas: Sheed and Andrews, 1976.

<sup>14</sup>*Counselling the Homosexual*, Huntington: Our Sunday Visitor, 1977. *A Spiritual Plan to Direct One's Life for Today's Homosexual*, Boston: Pauline, 1979. *The Homosexual Person: New Thinking in Pastoral Care*, San Francisco: Ignatius, 1987.

debate on homosexuality. Mutual love, fidelity and human caring are not the exclusive property of heterosexuals.

(d) Homosexual acts are perfectly legitimate. Not many catholic theologians proposed this view. For those who did, the problem was not with homosexuality but with a patriarchal church that made it a problem.<sup>15</sup> Homosexual relationships were actively encouraged by people who held this view. The full physical expression of a stable homosexual relationship was considered to be correct and moral. In coming to a rejection of this view, myself, it became clearer to me that the overall debate on homosexuality had become fixated on the question of actions. I was increasingly unhappy with the distinction I had learned in the moral manual I studied: some actions could be considered objectively wrong but subjectively permissible in certain precise circumstances. My evolving view on homosexuality was, in fact, an evolution of an appreciation that moral theology is not primarily a science of decision making about actions but more an art of character formation.

These four opinions reflect the spectrum of tensions within the church of my generation. At one extreme, they represent the essentialist view of a strictly interpreted natural law, and the other a committed existential option to particular ways of living. Before outlining the formulation of my own criterion, I offer some general reflections.

The challenge of homosexuality cannot be morally assessed outside an understanding of sexuality in general. We must, at this point, recognise the changed emphasis on procreation in the theological understanding of sex. Procreation can no longer be regarded as the single dominant norm by which all sexual behaviour is judged. The reality of personal sexual encounters is too varied to be compressed into the univocal prism of procreation. The majority of sexual activity, even in a heterosexual marriage, is no longer seen to involve procreation at every instance. We have accepted this in our understanding of marriage, and this impinges on our understanding of homosexuality. If we are to credibly challenge the undoubted complications of sexuality in our time, we must make a decisive move from a procreation-dominated interpretation of sex to one that is more personal and relational. It is the trivialisation of sexual encounters, unquestionably aggravated by the tsunami of social media and readily accessible pornography, that is the dominant concern for any moral theologian. Sex has become, for too many, a

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<sup>15</sup>Daniel Maguire was a prominent voice about this.

cheap and disposable commodity. The heart of the contemporary challenge is here. Homosexuality remains a puzzling question for the moral theologian. If we place the question within the wider challenge of understanding sexuality, homosexuality might become less puzzling.

There is a further issue raised by our use of the words 'natural' and 'act.' If we call homosexuality 'unnatural,' we need to be able to explain what being natural means. Does nature refer to the essence of something, is it something that exists ideally, or is it something that exists without any outside (artificial) interference? There are different meanings given to what is called 'natural' which logically means that there are different meanings to what we call 'unnatural.' I do not see how we exclude *a priori* the term 'human nature' in moral theology. We should use it sparingly, and we need to be cognisant of what various sciences are contributing to our understanding. There is the further challenge of attributing a moral quality to a particular 'act.' We need to be constantly on our guard that we do not take action, morally considered, away from the human context within which actions happen. This is not the abstract remark it may seem. Nothing can be evaluated morally unless the freedom of the person acting is first established.

Restating that morality is an analysis of the actions of a human person, not merely the scrutiny of an action considered in a theoretic vacuum, is not a comfortable position to espouse as a theologian. Some would consider this position to be placing such an emphasis on a personalised view of nature and a contextualised view of actions, that it undermines objective morality. I dispute that assessment, because the position encouraged is a consideration of all the objective facets of a particular situation. I am comfortable that this position is a rejection of an overly physical assessment of nature and sexuality. I am also at ease in indicating that the position is also a rejection of a carefree non-physical approach to sexual questions. We are embodied sexual persons. Moral judgments of sexuality have to give appropriate weight to all that this involves: the meaning of the human body, the purpose of God's gift of sexuality, what it means to be a free human person and, most importantly, what does the gift of salvation through Christ mean.

#### **4. The Criterion of the Practical Ideal**

The easier part of moral theology is to outline the ideals of the sexual life. We describe it in terms of an integrated personal gift, formative of true love, life-giving and a harmonious system of

sustaining relationships in a civil society. We present the ideals, while knowing that more often than not we fall short of them. The most important task of moral theology, as I understand it now, is to enable people to form their character in a way that they can live practical and serene lives, always on the journey towards deeper freedom and conversion.

I propose the *criterion of the practical ideal* as a working rule-of-thumb in pastoral ministry with homosexuals.

The criterion implies that we aim at the ideal while being practical at the same time. The way in which Pope Francis uses the word 'practical' is a useful model. For Pope Francis, practical is not the unsophisticated opposite of theoretical.<sup>16</sup> The practical-theoretical contrast is useful pedagogically in an academic setting. Being practical, in a pastoral setting, is different. The first reality is Christ and while contemplating Christ (perhaps using an icon or crucifix) I see the homosexual person in that same image.

My proposed criterion is more convincing formulation than others I have come across in my study, such as: the principle of compromise, the principle of the lesser evil, the principle of the exception allowed by *epikeia*. These principles can be used, but I prefer the formulation as *the criterion of the practical ideal* because of its more positive and inclusive emphasis.

The moral life of the Christian is principally a morality of conversion. We can never lose sight of the ideal of sexuality towards which conversion calls us. Because of our human condition or particular circumstances, we choose what is practically possible at this moment. There are two mistakes commonly made in pastoral accompaniment of homosexual people. One is the sexist mistake of reducing the consideration of a person's life to isolated sexual activity. The other oversight is to give an impression that there is nothing I can do. There is always something we can do. We can present what life in Christ really means, leaving it to the persons we are accompanying to judge what can be done in their circumstances. The pastoral worker proposes: the homosexual judges what is the right choice at this particular stage on the journey of conversion.

The limitation of the traditional catholic assessment of homosexuality is its lack of realism. How can we presume that the charism of celibacy, which is by definition a gift, has been given to this particular lesbian or gay person? The inaccuracy of the extreme

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<sup>16</sup>Pope Francis, *Evangelii Gaudium* (2013), Paragraphs 231-233.

modern view is that it reduces the ideal of conversion to an unacceptable level. The criterion of the practical ideal allows for a positive mediation between these limits. In particular, it leaves space for the irreversible homosexual condition that is a fact in the lives of some people.

Within the spectrum of the four views outlined above, I see my proposal as a more positive formulation of (b). Because of our human condition, there will always be an element of incompleteness in our expressions of sexuality. The critical question that the moral theologian helps to discern is: when is a particular expression of this incompleteness in our actions a *moral* fault? This occurs if we neglect to take into consideration, in a particular decision, the ideals that are realistic. If the decision taken proves to be a wrong decision, the discernment process will guide the person to a better one, in time.

Placing the emphasis on a balance between the Christian ideals of sexuality and a compassionate sensitivity for an individual person is coherent with the tradition of moral theology formulated by Saint Alphonsus:

Some assert that it is sufficient to know the principles. They are completely mistaken. The principles are few, and everyone knows them, even those who have only an elementary knowledge of morality. The greatest difficulty in the science of moral theology is the correct application of the principles to particular cases, applying them in different ways according to different circumstances.<sup>17</sup>

The task of moral theology is to assist people by developing a character capable of accepting the fullness of the truth. This can be a slow, gradual and painful path. Working towards the ideal, ensuring that we are at the same time practically supportive, should be possible for a pastoral worker who wishes his/her counsel to help others in their growth. A burden, wrongly placed, may in fact stunt the possibility of growth.

## **5. The Possibilities and Limits of the Criterion**

What I am proposing should be placed within the pastoral application of the church's teaching on homosexuality for Catholics. This teaching is well-known, but has not always been expressed in the optimal terms. In particular, the implication that the homosexual person is intrinsically disordered has been deeply hurtful to many

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<sup>17</sup>Saint Alphonsus de Liguori, *Dissertatio pro usu moderato opinionis probabilis*. Naples, 1755. (my translation).



gays and lesbians.<sup>18</sup> The statements from Pope Francis at the head of this article has encouraged me to phrase the criterion as carefully as possible. Its usefulness will be primarily within the context of pastoral accompaniment of gay and lesbian Catholics who desire to practice their faith.

There are other issues to be considered by LGBTI Catholics in civil society, from gay rights in general to same-sex marriage in particular. These have not been the focus of this article, which has considered the narrower, though crucial, identity of the gay or lesbian as Catholic. Principles derived from the common good, social justice, or individual rights will need to be formulated for these debates. The criterion of the practical ideal in the personal life of a gay/lesbian catholic can be a contribution to other issues. These will need analysis through the lens of other, but compatible, principles.

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<sup>18</sup>Confer the document on *The Pastoral Care of Homosexual Persons* (Rome, CDF, 1986) and *The Catechism of the Catholic Church* (Rome, Editrice Vaticana, 1994).