

Sexual Ethics and Marriage*

1. *Some Introductory Remarks*

Vatican II reminds us that we are a pilgrim people on the move towards the Kingdom of God. A pilgrim openness to new knowledge and understanding comes over powerfully in Vatican II's, "The Church in the Modern World":

It is for God's people as a whole, with the help of the Holy Spirit, and especially for pastors and theologians, to listen to the various voices of our day, discerning them and interpreting them, and to evaluate them in the light of the divine word, so that revealed truth can be increasingly appropriated, better understood and more suitably expressed.¹

In the light of this, a "renewed" Christian sexual ethics is what we should expect of a people on the move.

Our human nature is not some finished product of God with "do not touch" on the label! It is something on-going here and now. It is a "doing" of God, in which human persons, as intelligent beings made in God's image, are called to play an indispensable role.

A Christian theology of nature, therefore, does not imply a "hands-off" approach, as though all we had to do was to obey the Maker's instructions inscribed in nature. "Nature" does not carry its own in-built moral rules. Moral rules are the fruit of our reflecting on how to live in a way which best respects the kind of persons we are. And the kind of persons we are means facing our responsibilities to the rest of creation as well as to future generations. Moreover, we are becoming much more aware, especially in environmen-

tal issues, that what we tend to call "nature" has already been affected – and, sadly, polluted – by the effects of "human civilization" over many centuries.

In a sense God invites us to "play God". It shows little respect for God to use the phrase "playing God" to mean taking decisions that are likely to harm or even destroy ourselves and our world. That is plain stupid rather than playing God. The wise application of human technology to "nature" is part of our God-given invitation to "play God" in the sense of continuing God's creative work in the world. It is to respect who we are as human persons.

Our being thinking, evaluating, relational, social, historical and loving persons is as much part of our nature as our bodies. Therefore, to be truly human, we need to interpret this knowledge in the light of the best understanding available to us in our contemporary culture. I elaborate that point in my book, *New Directions in Moral Theology*:

The natural law...consists in our trying to discern what kind of personal and social living is most conducive to the safeguarding and promotion of the dignity of human persons... the word "natural" in the term "natural law" does not refer to natural in contradistinction to artificial. "Natural" in "natural law" really means "reasonable"... Living as befits a human person means living in a way which takes proper account of all the dimensions of human personhood.

Whatever the contraception debate in the Roman Catholic Church is about, it should not hinge on the fact that certain methods of contraception are

“artificial”. What is “artificial” can in fact be more “natural” in natural law terminology since it can be “more reasonable”.²

However, the raw material we are handling is not raw at all. It is historically conditioned. While it cannot be denied that we are inheritors of grace, we are also victims of sin living in a sin-infected world. Theology cannot put creation and redemption into two separate compartments. We are wounded healers, handling precious but damaged material. Nicholas Lash draws attention to the social dimension of sin:

The effects of human sin have spread across the surface of the globe. Pollution of the air and seas, deforestation and expansion of the deserts’ range, annihilation of innumerable species and exhaustion of non-renewable resources – all these and similar phenomena are caused by human arrogance, short-sightedness and greed. Famine and mass starvation are no more “natural” disasters than are deaths caused by the collapse of a building which the landlord neglected to repair. They are the consequences of someone’s wickedness or sin.³

2. *Six Building Blocks for a Renewed Sexual Ethics*

2.1. *The Full and Equal Dignity of Women*

In marriage most women are looking for a relationship which fully respects them as women and acknowledges their equal dignity as human persons. If that is lacking, no other compensating qualities can really redeem the situation.

One of the major signs of the times in our age is a growing awareness among women – and men – that there has been a cultural assumption over the centuries that women are inferior to men and so are naturally subordinate to them. This assumption has had a major impact on the experience of marriage – and even of heterosexuality itself. Consequently, the criterion of the dignity of human person leads us to examine whether our current understanding of marriage

and heterosexuality adequately safeguards and promotes the full and equal dignity of women. This criterion has far reaching implications, in society and in the church. Anything that fails it has no place within a Christian sexual ethics.

2.2. *Human Freedom*

Freedom is an essential dimension of who we are as human persons. We are responsible for ourselves and cannot abdicate that responsibility to others.

For many centuries, going back to Roman Law, marriage was viewed as a *contract*. That meant that where freedom mattered most was with regard to entry into marriage. A contract is null and void if not consented to freely.

Consequently, in the Roman Catholic Church, for instance, a marriage could be declared null, if one of the parties did not consent freely to it. Once past the point of entry, however, the freedom dimension faded more into the background. The 1917 Code of Canon Law repeated the centuries-old teaching that in marriage a couple gave each other “a perpetual and exclusive right over the body, for acts which are of themselves suitable for the generation of children”.⁴ This implied that each had proprietary rights to the other’s body. In practice, therefore, a husband had the right to demand sex from his wife whenever he wanted. Hence, there could be no such thing as rape within marriage. A wife had no freedom if her husband wanted to demand his right to have sex with her.

With Vatican II there was a radical change. Marriage was spoken of as a *covenant* rather than as a *contract*. This biblical image of “covenant”

* This is a shorter and considerably re-written version of chapter 6 of the author’s out-of-print book, *New Directions in Sexual Ethics*, London: Geoffrey Chapman, 1998.

1 *Gaudium et Spes*, 44, cf. also 58.

2 K.T. KELLY: *New Directions in Moral Theology*, London: Geoffrey Chapman, 1992, 75.

3 N. LASH: *Believing Three Ways in God*, London: SCM Press, 1992, 114-115.

4 CIC 1917, can. 1081, §2.

enriched marriage with the image of God's one-flesh covenant with humanity in Christ. This change moved the marriage commitment up enormously on the freedom scale. Today's emphasis on the "quality" of the relationship insists on the couple's shared responsibility for the well-being and growth of their partnership. Consent in marriage is seen as a shared *exercise* of personal freedom. Each partner is effectively saying to the other: "In our shared life and love together, our decisions and choices will be governed by our mutual consent. I am not surrendering my freedom to you nor am I taking over your freedom. But we are agreeing to exercise our freedom together through our mutual consent." Such a life-commitment belongs to the highest level on which human freedom can be exercised. Love is another name for this amazing exercise of freedom.

The fact that many marriages are breaking down does not imply that couples do not believe in this higher-level understanding of marriage or that they do not enter marriage with a real desire to make a go of it. It is more likely that they have not reached the level of personal maturity needed to undertake such a fundamental commitment or that they do not have the interpersonal skills needed to build a marriage relationship of this kind.

2.3. *Friendship, Intimacy and Love*

Our sexuality is an important ingredient of our being relational persons. It is a kind of magnet drawing us out of ourselves to others and attracting others to us, whether in the heterosexual or same-sex magnetic field. It is linked to our connectedness as human persons. This glorious gift provides the precious raw material out of which human beings fashion personal relationships, some of them more explicitly sexual than others. The deeper our personal relationships become, the more intimate is our sharing of ourselves in them. A loving friendship is about two persons opening themselves out to each other in an atmosphere of mutual trust.

Not all intimate relationships involve specifically sexual activity. Most people enjoy a number of intimate relationships which are not "sexual" in the strict sense of the word. Relationships of parents with their children or between siblings are an obvious example; but even beyond the family circle most people enjoy intimate friendships of a non-sexual character. Such intimate friendships can be a very healthy part of a celibate life too.

This longing for intimacy belongs to the very heart of our being human persons. We all long to be loved and we only discover our true selves in this experience of loving and being loved. The relational dimension of being human touches the very core of what it means to be a human person. In fact, it engages the level of our personal being at the point where we are most profoundly fashioned in the image of God. Through encountering the "other" the door is opened to our encountering God.

Most Christian churches now recognize the key importance of the intimacy context for sexual ethics. While not denying the link between human sexuality and the continuation of our human family, they recognize that the relational dimension is profoundly tied up with our being made in the image of a relational God.

This is almost turning the earlier tradition on its head. For many centuries, the mainstream of Christian tradition regarded the joys of sexual intimacy as dragging human persons down to the level of brute animals. In other words, they "brutalized" men and women. Today, the joys of good sexual intimacy are seen as "divinizing" the human persons involved. God can be experienced not just in the dizzy heights of mystical experience but also in the ecstasy of sexual intercourse within a truly loving and faith-filled intimate relationship.

Clearly, an intimate relationship needs to respect certain basic ground rules regarding trust, self-disclosure, communication, confidentiality, commitment etc., if it is to do justice to the two persons involved.

While intimacy is a human need, common to both men and women, women seem more aware

of this and are more naturally endowed with the skills needed to fashion intimacy. To the extent that men are becoming more appreciative of the importance of intimacy, it could be said that our age is moving from a predominantly masculine to a more feminine experience of human sexuality. This is to the mutual advantage of both women and men!

2.4. *The Goodness of the Human Body, Sexuality and Sensual Joy*

Our relationships are mediated through our bodies. We communicate as body-persons. Consequently, in a specifically sexual relationship a couple's sexual loving can be the medium for expressing a whole rich variety of human feelings and emotions.

Theologians in the past, being exclusively male, have tended to focus almost exclusively on the male experience of sexual pleasure. Thank God, that is beginning to change. The following profound theological reflection on the female orgasm written by Mary D. Pellauer could never have been written by a male theologian:

To touch and be touched in ways that produce sweet delights affirms, magnifies, intensifies, and redoubles the deep value of our existence. It awakens rejoicing, but more: wonder and reverence, the poignant astonishment that we are here, that we live, that anything at all is here, that life can enfold such bursting joy. In my experience, female orgasm is so rich, so superabundant in meaning. Women wondering, women marveling...⁵

Sadly, the above description is not to be true of every woman's experience of sexual intercourse.

Some years ago I asked some Catholic couples involved in running marriage preparation courses to think of one key thing about marriage they had never heard mentioned in the pulpit. Their almost unanimous reply was: "Sex is good and enjoyable." They felt that this is something which the Christian churches should now be saying loud and clear.

"Sex is fun." Many young people subscribe to this and live their lives accordingly. Sadly, the

church's teaching on sex has tended to give the opposite impression, sex should not be fun! However, if young people neglect the other relational and social dimensions of themselves, they may discover too late that the fun is short-lived and can even dull their senses to much deeper sexual pleasures they are capable of enjoying.

Due to its profound physical intimacy, when sexual activity is used negatively, as in rape, the victim experiences it as a horrendously invasive violation of her or his person. Tragically its effects can be long-term, seriously wounding a person's capacity to experience love through intimate touching. This adds an extra dimension of horror to the evil of child sexual abuse. It can do enormous damage to the development of the child's God-given capacity to love and be loved as a sexual person.

2.5. *Giftedness of Human Life*

Our sexuality is part of the "pro life" thrust of our being. It draws us into life since it draws us out of our isolation and attracts us to other people. The relational dimension of our sexuality is already "pro life", even before we consider its procreational dimension. Marriage is primarily a covenant relationship of love rather than simply an institution to serve the procreation of children. Hence, in Vatican II children are referred to as the "fruit" of their parents' love.

A healthy sexual ethic is committed to the inseparable connection between love and life. Love is a powerful life-giving force. If we fail to love, we dry up as human persons. Our life begins to wither. Because of the inseparability of love and life, this same truth can be expressed the other way round. If we do not open ourselves to life, our capacity to love will wither. If we are not open to other people, we are not open to life.

5 M.D. PELLAUER: "The Moral Significance of Female Orgasm: Toward Sexual Ethics that Celebrates Women's Sexuality", in: J.B. NELSON/S.P. LONGFELLOW (eds.): *Sexuality and the Sacred: Sources for Theological Reflection*, London: Mowbray, 1994, 149-168, at 162.

To accept procreation as a basic human value does not mean that everyone necessarily has to be directly involved in the procreative process. For instance, that is true of the fundamental mind-set of people like myself who have embraced a celibate life and so will never procreate off-spring. The same is true of most lifelong single people and also of married couples who, whether by accident or choice, do not have children.

The procreative enterprise is about far more than giving birth to children. It is also about the qualitative growth and development of the human family. Therefore, it also involves passing on to future generations the benefits of a rich culture.

2.6. The Uniqueness of the Human Person and Respect for Personal Conscience

Each of us is a unique human person. The paradox is that this uniqueness is an essential dimension of being human that we all share in common. At a very profound level of our person we are all different from each other. If we are to respond to the human dignity of our fellow human beings, we need to respect the “otherness” of each person.

Our uniqueness as human persons permeates all the other dimensions of our being human. For instance, there is something unique about the way we embrace our freedom as well as about our bodies, our personal and social relationships, our personal histories and especially our relationship with God. Our uniqueness as human persons can only grow and develop as each of us embraces and lives out positively these other dimensions of our humanness. And we will do that each in our own unique way.

Our uniqueness has profound implications for a renewed sexual ethics, especially with regard to the role of conscience in the discernment process of our personal decision-making.

2.6.1. To Your Own Self Be True

Our uniqueness is part of our giftedness. We receive ourselves as gift, as responsibility, as vocation. We are called to be ourselves, not someone else. The fact that each of us exists as pure gift gives the lie to any claim to self-sufficiency and absolute autonomy. Ultimately we are not our own.

Personal uniqueness is also tied in with our freedom and responsibility. Not only do we have to accept personal responsibility for our moral decisions. We also have to ensure that our moral decisions really are *our own* decisions. Consequently, we cannot shift on to another person – or institution – either the responsibility for the decisions we make or *the actual making* of those decisions. When we decide that such and such an action is what we must do, it must be *we ourselves* who are making that decision. That is not to deny that there may be many occasions when we decide to heed the advice of others or when we obey the legitimate orders of someone who has authority over us and whose authority we respect. In such cases we are still the ones who are making this decision, provided we are not abdicating personal responsibility by acting out of unthinking blind obedience or slavishly following teaching we do not believe in.

Acknowledging our uniqueness does not mean that each of us is a law unto ourselves. Our decision-making also has to take account of what we share in common as human persons. However, as noted earlier, abstract moral principles have a limited value. Our conscience is also formed and colored by our own unique personal experience. It will also have been affected by the various people who have played an important part in our lives and particularly in our moral education. The result of the combined influence of such people and many other factors, including our family and cultural background, forms the conscience which is unique to each of us.

2.6.2. *Personal Goodness and Conscience*

The German moral theologian, Josef Fuchs, referred to “personal goodness” as “morality in the truest sense of the word” because it is dealing with “the inner integrity of the person”.⁶ That is why it goes to the heart of a person-centered approach to moral theology.

“Personal goodness” is when people are trying to honor their personal integrity in the reality of everyday life to the best of their ability. They do this if they have with openness and integrity tried their best to discern what course of action in their particular circumstances and taking account of their personal moral capacity is most in keeping with the criterion of the dignity of the human person, integrally and adequately considered – a criterion to which they are fully committed. They realize that their judgement is fallible and so it is possible that they may be mistaken. Nevertheless, as long as they have made a serious conscientious judgement according to their best lights (= conscience), they are respecting their personal integrity.

Within the Roman Catholic Church, for instance, this means that no official teaching on sexual ethics can oblige a Catholic to act against their conscience or to accept as true any ethical ruling of the church which they conscientiously believe not to be true. It also means that a person is abdicating their moral responsibility as a human person if they decline to follow their own convinced conscience purely because a church directive on sexual ethics forbids them to do what they know they really should do.

This is traditional Roman Catholic teaching. Conformity with official church teaching has never been accepted as an adequate criterion for assessing an individual’s “personal goodness” in decision-making. Catholic theology has always accepted that a person must always be faithful to his or her conscience, even when it is inculpably erroneous. And it has always been traditional teaching that the respect due to authoritative non-infallible moral teaching in the church does not rule out the possibility of responsible disagreement.

Gerard Hughes SJ makes this point very clearly: “We cannot confidently lay claim to the guidance of the Spirit, whether as individuals or as a church, unless we take the normal human means to try to arrive at the truth.”⁷ His fellow Jesuit, Jack Mahoney, applies this directly to *Humanae vitae*:

The influence of the Holy Spirit in the hearts of the faithful, as described by Pope Paul in HV, is envisaged purely as disposing them to be receptive, whereas it might be a more positive one of refining, qualifying, or even correcting the papal teaching.⁸

Hence, if a couple are convinced in conscience that the church’s official teaching on contraception is erroneous, they are not obliged to accept this teaching as true. In fact, they would be wrong to do so while they remain in their present state of mind. If they go on to decide that the good of their own marriage dictates they should use contraception themselves, they should regard their decision as well taken and so they can rest assured that they remain pleasing to God. The same would hold even for a couple who are in substantial agreement with the church’s teaching on contraception. If they have reached a conscientious decision that, all things considered (including the church’s teaching), the good of their marriage and their family requires them to use some form of contraception. Once again they should regard their decision as well taken and they too can feel at peace with God.

Something similar holds true across the board in the whole field of sexual ethics. So, for instance, it applies to similar conscientious decision-making by gay men and lesbian women expressing their love sexually in a committed, faithful relationship or cohabiting heterosexual couples or people entering a second marriage after divorce.

6 J. FUCHS: *Moral Demands and Personal Obligations*, Washington, DC: Georgetown University Press, 1993, 157.

7 G. HUGHES: “Natural Law Ethics and Moral Theology”, in: *The Month* 1430/2 (1987), 100-103 at 103.

8 J. MAHONEY: *The Making of Moral Theology*, Oxford: Oxford University Press, 1987, 295.

In none of these cases is it a matter of people just doing whatever they like in any trivial sense. We are dealing with people committed to being faithful to the basic moral criterion of the dignity of the human person, integrally and adequately considered. They are also trying to behave responsibly in both conscience-formation and their conscientious decision-making. That being the case, in all these instances people are obliged to follow their conscientious judgement as to what is the right thing to do; and this remains true, even when their conscientious judgement seems to be at odds with church teaching.

2.6.3. *The Uniqueness of Each Person's Story of Moral Growth*

Our striving to live a good moral life is profoundly influenced by where we are in terms of moral growth and development at this moment. For most of us such personal development embraces all the ups and downs of our unique and often very unpredictable personal stories. The story of some people's lives can be very turbulent indeed. It might include deeply wounding experiences such as being abused as a child, or the separation of one's parents, or the breakdown of one's marriage, or subjection to physical violence or even rape, or drug or alcohol dependence, or sudden and tragic bereavement. Such experiences may have a major impact on a person's unique life-story and on his or her capacity to cope with the demands of interpersonal or social relationships. Understandably, such experiences will often have a negative impact on an individual's personal development, though, paradoxically, with loving and patient support they can sometimes be turned into positive growth points in a person's life. Hopefully, the story of most people's lives is principally made up of experiences which help to develop their capacity to cope with life. These growth factors are relevant to personal goodness. Personal goodness is about being true to ourselves at our present stage of growth in moral development.

A person-centred sexual ethics accepts that growth is a sign of life and is part of the God-given reality we have to grapple with. Growth in moral maturity and understanding is a sign of life not just in individual persons but also in institutions, including the Christian community.

The mystery and ambiguity of human becoming is overlooked if we reduce the meaning of "morality" simply to what a person does and leave out of the equation where the person is at who is doing the action. That only presents a partial picture of what is going on.

I would like to conclude with some comments on a few issues which will have been on the agenda of the Synod on the family.

3. *Remarriage after Divorce*

Remarriage in a Catholic church is only permitted if the previous marriage is either null or invalid. In all other cases it is forbidden by official church teaching which also denies such couples reception of the Eucharist.

However, fidelity to official teaching is not the only criterion to be considered. An ancient piece of church wisdom says: "*Salus animarum suprema lex*" – i.e. what matters most is the pastoral good of people. This echoes the words of Jesus, "The Sabbath is made for the human person, not persons for the Sabbath." Jesus was confronting religious leaders criticizing his healing on the Sabbath.

When some of the early Christians found it impossible to live with their Gentile partners, Paul did not see this as violating the teaching of Jesus on life-long marriage. Paul's comment was: "In these circumstances the brother or sister is not tied: God has called you to live a life of peace." (1 Cor 7,15)

In the Eastern Orthodox Church a Christian whose first marriage fails is allowed to remarry. This part of the Eastern Church's pastoral approach is based on the mercy and compassion of God in the face of our human weakness ("*economy*").

Moreover, as we have already seen, the age-old teaching on the primacy of conscience was proclaimed with renewed emphasis by Vatican II.

People who have suffered the pain of marriage breakdown and seen the impact it can have on children may be more convinced of the value of a stable marriage than the rest of us. If they are in a second marriage, their heart-felt prayer will be to be blessed with a home and family where they and their children can find love, peace and security.

The church sees its current law as defending the stability of marriage. That is important. But pastoral care has some other values to consider. For instance, healing in cases where sticking to the letter of the law would leave people “starved” of the sacramental food needed to keep them spiritually healthy. This kind of pastoral care is called “*epikeia*”. It is about making sure people are not treated unjustly by priests sticking rigidly to a general law without considering their unique circumstances. For Aquinas *epikeia* is part of justice.

In certain circumstances someone in a second marriage after divorce could be making a fully responsible decision in presenting themselves for Holy Communion. The kind of circumstances are: (1) The first marriage is irretrievably broken down and there is no possibility of its being restored again; (2) All obligations in justice towards the other partner and the children of the first marriage are being fulfilled as far as is humanly possible; (3) The second marriage is being lived in good faith. In other words, they genuinely believe that, all things considered, it is the best they can do in the imperfect and ambiguous situation in which they find themselves; (4) The desire for the sacraments is motivated by their faith.

This has been my own pastoral approach⁹ and I have the impression that many (most?) moral theologians agree with me. It is very frequently followed in practice by priests and people.

4. *Living together before Marriage*

A few years ago I wrote an article entitled, *Cohabitation: Living in Sin or Occasion of Grace?*¹⁰ It

was an attempt to “make faith sense of experience and experience sense of Faith”.¹¹ I was reflecting on my experience at the time in two parishes in Liverpool and Widnes.

When couples who had been living together for some time, many with children of their own, came to me to arrange their wedding, I could never bring myself to tell them that they were “living in sin”. I did not believe they were! They were coming to me because they wanted to make a more formal commitment before God to a living and growing relationship which they had already experienced as a grace from God. They had caught a glimpse of God in the midst of the storms and struggles they had been through. To describe that as “living in sin” would betray something they had experienced as sacred and a gift from God, “holy ground”. In my experience, most of these couples were grateful that they could come to the church to celebrate the gift of their love for each other and give it a deeper permanence through their marriage vows to each other and to God.

Vatican II recognizes that marriage involves a growth process which neither begins nor ends with the marriage promises. At the heart of this process is the couple’s growing together into a communion of life and love. The sexual expression of their love in intercourse is such an intimate part of this growth process that the consummation of their marriage lies in achieving an integrity between their making love and their living together. It is not just a single post-wedding act. Even their consent, which the church has always put center-stage, is subject to the demands of growth. Time is needed for them to grow in an appreciation of what they are undertaking together. They also need time to develop together the capacity and commitment needed

9 Cf. K.T. KELLY: *Divorce and Second Marriage: Facing the Challenge*, London: Geoffrey Chapman, 1997.

10 K.T. Kelly: “Cohabitation: Living in Sin or Occasion of Grace?”, in: *The Furrow* 56/12 (2005), 652-658.

11 Cf. J. MAHONEY: *Bioethics and Belief*, London: Sheed & Ward, 1984, 112.

for this life-long creative task. All this needs more than a “contractual” moment on their “wedding day”.

Certainly, for many couples today, at least in Britain, cohabitation is part of the process of getting married. They do not seem to be rejecting marriage nor seeing cohabitation as a preferable alternative. Rather they are very aware that the happiness of their marriage depends on the healthy growth of their love relationship. In their minds, to commit themselves before experiencing this initial part of the growth process and discovering whether as a couple they are up to it, would be foolhardy and irresponsible. In religious terms, it would be like making final vows before going through a novitiate.

One negative aspect of cohabitation is that it contains no built-in expression of commitment or binding framework of rights and responsibilities. In practice, if things do not work out, the partner in the weaker economic, social or legal position could be left in a desperate situation. It has been commented that men show less commitment than women. It is not by accident that many young mothers are left literally “holding the baby”!

Sadly, for some couples today their relationship is a transitory affair, lasting only as long as it satisfies their needs. The children have no say in it. It is an “adults only” relationship. The cohabiting couples I dealt with would have been horrified by such an approach. They would have seen it as immature in its self-centeredness – nothing “adult” about it. It would be a complete contradiction to how they see themselves as human persons and to the kind of relationship they were struggled to build up as a couple.

Love, tenderness and stability were the values they believed in and which they wanted to be hallmarks of their marriage. They also saw these values as offering the right environment for the upbringing of their children, whether already born or hoped for in the future.

In making faith-sense of cohabitation, I am left wondering whether some cohabiting couples at least implicitly – perhaps even unconsciously

– were laying claim to the holiness of “the ordinary” in their relationship. They were holding back from celebrating their marriage as a sacrament until they have sufficiently appreciated the wonder and beauty of this ordinary everyday miracle of their relationship of which they are the co-creators and which is a window onto God.

If there is any truth in my reflections on cohabitation – and I believe there is – maybe it is also a challenge to us theologians. Perhaps our Christian theology of sexuality needs to develop so that it makes “experience-sense” for Christians who are living the reality of “pre-nuptial cohabitation”? If it did, perhaps some imaginative and innovative developments in the fields of liturgy and even canon law might result. The best liturgy usually emerges out of life – just as custom often produces the best canon law.

5. *Same-Sex Relationships*

Does the freedom dimension we have been considering throw any light on gay and lesbian sexual relationships? For most people the sexual orientation we find ourselves with as we emerge from the turbulence of early adolescence seems to be a given. Being true to that given means accepting it as a key part of the sexual giftedness of our lives.

A sexual ethics which demands that gays or lesbians enter into a heterosexual marriage seems to be asking the impossible of them. Given the relational interpretation of marriage accepted by the Christian churches today, the only person with whom a gay man or lesbian woman could have such a “free total giving of self” relationship will surely be another gay man or lesbian woman.

This means that homosexual relationships can fully respect the “freedom” criterion for a high-quality human relationship. Hence, to deny gays and lesbians the possibility of choosing to commit themselves to such a relationship would be denying them the freedom to be themselves at a most profound level of their being. That would be immoral. To say that they can still freely

choose life-long celibacy presents celibacy as a burden rather than as a gift.

6. Conclusion

I conclude with two quotations. The first is an application of the parable of the wheat and the darnel from my article, *Moral Theology in the Parish*. The second is from Timothy Radcliffe OP speaking to the National Conference of Priests in 2002. I suspect Pope Francis would fully approve of both of them:

The owner of the field has faith in the healthy growth of his wheat, despite all the darnel mixed in with it. He wants to protect his wheat from the misguided zeal of those intent on destroying the darnel without any regard for the harm this might do to the wheat. The pastoral role of moral theology is to help the seed to grow, despite soil deficiency, adverse weather, surrounding weeds and lots of other threatening dangers. ...

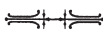
Moral theology is not meant to condemn the plant emerging from the seed simply because it does not live up to the promise of the idealized picture on the packet. Rather it appreciates the growth that occurs.

Sometimes what might look like a puny and undeveloped plant might, in fact, be a miracle of growth, given the adverse conditions under which it has had to struggle.¹³

When Jesus ate and drank with tax collectors and prostitutes, it was not a duty. It was utter delight in their company, in their very being. When he touched the untouchable, it was not a clinical gesture, but a hug of joy. So we should rejoice in the very existence of people, with all their fumbling attempts to live and love, whether they are married or divorced or single, whether they are straight or gay, whether their lives are lived in accordance with Church teaching or not... The Church should be a community in which people discover God's delight in them.¹⁴

12 K.T. KELLY: "Moral Theology in the Parish", in: *Priests and People* 8 (1994), 370-371.

13 T. RADCLIFFE: *The Joy and Sorrow of Priesthood Today*. Address given at the National Conference of Priests at Digby Stuart College, Roehampton, UK on, available at http://www.kbroszko.dominikanie.pl/andrew/timothy_priest.htm; retrieved 19.10.2015.



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• Summary

This article outlines six “building blocks” for a renewed sexual ethic: 1. Full and equal dignity of woman; 2. Freedom; 3. Friendship, intimacy and love; 4. Goodness of the human body, sexuality and sensual joy; 5. Giftedness of human life; 6. Uniqueness of the human person and respect for

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personal conscience. The sixth building block develops three factors related to the role of conscience in the discernment process of our personal decision-making: 1. To your own self be true; 2. Personal goodness and conscience; 3. The uniqueness of each person’s story of moral

growth. The article concludes with some personal reflections on some of the neuralgic issues being discussed at the recent Synods of Bishops: remarriage after divorce, living together before marriage and same-sex relationships.