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+Vigneron, Same Sex Marriage & Communion

Michael Sean Winters | Apr. 9, 2013 Distinctly Catholic

Yesterday, NCR?s Morning Briefing called attention to an article in the Detroit Free Press [1]regarding recent statements by Detroit?s Archbishop Allen Vigneron and Mr. Ed Peters, a canon lawyer, who teaches at Detroit?s seminary and is a consultor to the Vatican Apostolic Signatura, regarding the issue of those who support same sex marriage presenting themselves for communion. Both men made deeply troubling remarks.

Archbishop Vigneron said, ?For a Catholic to receive holy Communion and still deny the revelation Christ entrusted to the church is to try to say two contradictory things at once: ?I believe the church offers the saving truth of Jesus, and I reject what the church teaches.? In effect, they would contradict themselves. This sort of behavior would result in publicly renouncing one's integrity and logically bring shame for a double-dealing that is not unlike perjury.? Of course, the archbishop is on to something. We should avoid contradiction in our intellectual and moral life. When we fail to achieve an integration of our various commitments, and especially if we let ourselves become nonchalant about that failure, we run the risk of our faith becoming an add-on, something outside of ourselves, like a set of clothes which can come easily on and off.

But, the good archbishop also leaves out plenty of considerations that might have suggested he should temper his remarks. First ? and how many times do I have to point this out ? the principal threat to our Catholic teaching about traditional marriage is not gay marriage. The principal threat is divorce. Gay men and women constitute maybe five percent of the population. Fifty percent of all marriages end in divorce. Yes, the Church teaches that marriage can only be constituted by one man and one woman, but the Church also teaches that marriage is forever. I have not heard the bishop say that those who vote for candidates who support liberal divorce laws should abstain from communion. I have not heard anyone suggest that a Catholic judge or a Catholic lawyer who helps people procure divorces should abstain from communion.

Additionally, our bishops seem to jump from a moral issue to a legal issue a little too readily. The Archbishop was not addressing those who enter into a same sex marriage and whether they should abstain from communion, but those who think a set of civil legal privileges should be extended to gay relationships, that those legal privileges are usually conferred to most people through a civil marriage contract, and that in a spirit of justice, not hostility to Church teaching, they support the idea of extending civil marriage to homosexual couples. I do not share this view and I opposed the referendum on same-sex marriage when it came to a vote in Maryland last year. But, I can easily see how someone could support that view of the law without feeling they are in anyway violating their baptismal promises.

Archbishop Vigneron, perhaps unwittingly, points to the reason why this is so when he uses the word ?perjury.? Catholics believe that lying is wrong. Indeed, lying is an intrinsic evil. But, our civil laws only criminalize lying when it obstructs fair dealing in contracts and becomes fraud or when it obstructs the administration of justice and becomes perjury. The fact that Archbishop Vigneron thinks homosexual acts are sinful, that they are intrinsically evil, does not necessarily require civil laws to enforce that position.

Mr. Peters? understanding of canon law is, as the article pointed out, a minority point of view among canonists. But, hey, sometimes minorities are correct and majorities are wrong. But, Mr. Peters has long put forward his understanding of canon law in a way that I find pernicious because he always seems to miss the fact that all of canon law serves a purpose, the same purpose as all the Church?s laws and teachings, the salvation of souls. The canon law presumes there is a pastor implementing it. The laws of the Church are, as they used to teach seminarians before Vatican II, the ?stars to guide you by.? In Peters? view of the world, all laws are stop signs. His view of the law as a kind of traffic cop is curiously very similar to the view of law held by the most outrageous liberal legal theorists. It led him last week to criticize Pope Francis for washing the feet of two women on Holy Thursday night without first changing the ?rules.? Peters is one of those canonists who recognizes every commandment except the Great Commandment.

The bishops need to take a step back and assess their fight against same sex marriage. As Cardinal Dolan indicated in his recent interview with George Stephanopoulos, they have not done a very good job of making sure that people do not perceive their support for traditional marriage as an ?anti-gay? agenda. I have before suggested that I think the obvious remedy is for the Church to simply separate itself entirely from the conferral of civil marriage, her ministers should not sign licenses, we should follow the example of France where the religious rite and the civil license have nothing to do with one another. The culture no longer understands the word ?marriage? to mean what Catholics mean by that word. And that divergence of views between the culture and the Church did not begin ten years ago with the push for same sex marriage. It began fifty years with the push for no fault divorce laws. The bishops did not address that liberalization of divorce laws effectively then ? and they certainly did not threaten any politicians, still less voters, with withholding communion. They need to find more effective ways to teach what the Church believes on marriage, and that effectiveness will not be forthcoming so long as they are threatening to bar people from the sacraments which most people, rightly, consider churlish, even childish.

Note to readers: Today and tomorrow, Catholic University?s Institute for Policy Research & Catholic Studies, along with many co-sponsors, is hosting a conference on the 50th anniversary of Pacem in terris. This requires me to be on campus all day. Thursday, I must fly to New York to speak about the media and religious liberty. So, until Friday, I will only have morning postings. Please check the rest of NCR?s website throughout the day for breaking stories and analysis.

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[1] http://www.freep.com/article/20130408/NEWS05/304080041/Detroit-area-Catholic-leaders-urge-gay-marriage-supporters-to-skip-Communion