

A More Complete Reading of Saint Thomas's Claims Regarding Same-Sex Inclinations and Same-Sex Unions

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IN 2015, ADRIANO OLIVA, O.P., released a text in both Italian and French considering two major themes in the Catholic Church under discussion: Catholics who have divorced and remarried outside the Church and persons in same-sex unions.¹ Employing Saint Thomas Aquinas as well as Sacred Scripture and Tradition, Oliva claims that both can be lived in an acceptable way within the Catholic Faith.² While the two arguments are seemingly connected only temporally, Sébastien Perdrix, O.P., shows how Oliva has sought to connect the two in a logical manner, namely, that sexual union between married couples is primarily about a union of spiritual love, while the physical aspect of their union is secondary and accidental.³ Therefore, stable unions between members of the same sex who share a spiritual love for one another is likewise acceptable. Oliva's monograph led to a number of direct responses from both his Dominican confreres⁴ and

¹ Adriano Oliva, *L'amicizia più grande: Un contributo teologico alle questioni sui divorziati risposati e sulle coppie omosessuali* (Firenze: Nerbini, 2015); Adriano Oliva, *Amours: L'Eglise, les divorcés remariés, les couples homosexuels* (Paris: Cerf, 2015).

² Oliva, *L'amicizia più grande*, 85, 126.

³ Sébastien Perdrix, O.P., Philippe-Marie Margelidon, O.P., and Pavel Syssoev, O.P., "À Propos d' 'Amours' d'Adriano Oliva: L'Église, Les Divorcés Remariés et Les Couples Homosexuels," *Revue Thomiste* 116 (2016): 476–77. See also Henry Donneaud, O.P., "Questions disputées sur l'essence et les fins du mariage selon Thomas d'Aquin," *Revue Thomiste* 125, no. 4 (2015): 614–15. Donneaud's article was written in response to a 2014 article by Oliva on the ends of marriage, but with an awareness of the publication of *Amours*.

⁴ Bernhard Blankenhorn, O.P., et al., "Aquinas and Homosexuality: Five Dominicans

academic peers,⁵ which have addressed some of his arguments in summary fashion. While the two topics are connected in Oliva's understanding, I wish to focus on the arguments given in favor of same-sex unions.

The discussions regarding same-sex inclinations and unions are particularly complicated by the fact that for at least some individuals, same-sex attractions feel natural, and they seek an explanation for such seemingly natural attractions. Likewise, sexual activity between members of the same sex does feel pleasurable to some individuals who thereby reason that such actions are natural and therefore good. This can lead to authors and intellectuals constructing an edifice to justify their feelings or intuitions. Such an argument and its conclusions as Oliva has put forward, however, will be placed in the wider context of human nature to give a proper sense of pleasure, goodness, and what is natural in light of man's final end. After summarizing Oliva's claims, therefore, I will argue that he fails to acknowledge and/or respect a variety of Thomistic distinctions in order to arrive at his false conclusion regarding the integration of same-sex unions into full communion with the Catholic Church.⁶

Adriano Oliva's Argument

Because Perdrix and his coauthors and Thomas Osborne have already summarized Oliva's arguments, I will only present his arguments in the briefest manner. Oliva rightly notes that the magisterium's argument against same-sex unions is based in large part upon the teachings of Saint Thomas Aquinas; therefore, he intends to use the Angelic Doctor's own words to show how we might understand same-sex unions in a new and morally acceptable light.⁷

Respond to Adriano Oliva," *Angelicum* 92 (2015): 297–302; Perdrix et. al., "À Propos d' 'Amours.'"

⁵ Thomas M. Osborne Jr., Review of *Amours: L'Église, Les Divorcés Remariés, Les Couples Homosexuels* by Adriano Oliva, *The Thomist* 80, no.1 (2016): 137–40.

⁶ Though they deserve consideration, I do not intend to respond to Oliva's arguments as presented in the first half of his work, namely, on the reception of Holy Communion in the Catholic Church by those who are divorced and remarried outside the Church. Neither do I intend to treat of pastoral care for those who have same-sex inclinations, which is a consequence of a proper understanding of such inclinations. Further, this topic has been treated in the following magisterial document by the Congregation for the Doctrine of the Faith: *Letter to the Bishops of the Catholic Church on the Pastoral Care of Homosexual Persons* (1986).

⁷ Oliva, *L'amicizia più grande*, 93.

Metaphysical Argument in Favor of Same-Sex Unions

Oliva begins with a metaphysical argument based upon the text of *Summa theologiae* [ST] I-II, q. 31, a. 7. In this text, Thomas asks whether there are any pleasures *contra naturam*. Aquinas begins his response by distinguishing between nature understood *qua species* and *qua individua*. Man understood specifically refers to that which separates man from other animals, namely, his intellectual powers.⁸ His examples of the pleasures which follow from these features confirm this position: contemplation of the truth and doing what is virtuous.⁹ Man understood individually is associated with those powers which man shares in common with irrational beings. The pleasures which follow from this aspect of man's nature include bodily preservation and pleasures related to food, drink, and sexual activity.¹⁰ Obviously, these pleasures correspond to the vegetative and sensitive powers of man's soul, which Aquinas understands *condivitur rationi*.¹¹ According to Saint Thomas pleasures following from man's specific nature are natural without qualification. Among the pleasures following from man's individual nature, which pertain to one's lower powers, some are unnatural *simpliciter*.¹² As examples of unnatural pleasures, Thomas lists the eating of earth or coal as well as cannibalism, bestiality, and sexual activity between two men.¹³ These pleasures deriving from one's individual nature are only natural *secundum quid*, that is, as a result of some corruption.¹⁴

It is significant to note here that Oliva translates Thomas's *corruptio* as an alteration.¹⁵ Whereas alteration is an accidental change in quality may

⁸ *Summa theologiae* [ST] I-II, q. 31, a. 7: "Intellectus et ratio est potissime hominis natura, quia secundum eam homo in specie constituitur."

⁹ ST I-II, q. 31, a. 7. See also q. 78, a. 3 and *In VII eth.*, lec. 5, in which Saint Thomas argues nearly the same point with the same conclusions.

¹⁰ ST I-II, q. 31, a. 7.

¹¹ ST I, q. 78, a. 1; *De veritate*, q. 25, a. 6, ad 4.

¹² ST I-II, q. 31, a. 7.

¹³ ST I-II, q. 31, a. 7.

¹⁴ ST I-II, q. 31, a. 7; see also Anthony C. Daly, "Aquinas on Disordered Pleasures and Conditions," *The Thomist* 56, no. 4 (1992), 611: "Thomas's answer is that unnatural pleasures are in a way natural to unnatural states."

¹⁵ Oliva's Italian translation introduces a significant change into Thomas's original. Thomas writes: "Contingit enim in aliquo individuo *corrumpi* aliquod principiorum naturalium speciei . . . Quae quidem *corruptio* potest esse vel ex parte corporis vel etiam ex parte animae . . ." (emphasis added). Oliva's Italian translation reads, in English, approximately: "One may understand, in fact, that in this particular individual, one of the principles of the specific nature is accidentally altered" (*Lamicizia più grande*, 98). The central issue is that Oliva feels justified in changing the term *corruptio* to *alterazione* (my "corruption") because such would be more

be good or bad for the subject who undergoes the change,¹⁶ corruption involves a change from being to non-being wherein a subject is destroyed.¹⁷ Such a translation masks the very specific sense of Aquinas's understanding of such unnatural pleasures. Oliva claims that because these "alterations" (*corruptiones*) are found in the soul, they are to be considered equal with the pleasure of the contemplation of the truth and acts of virtue. Thereby what may be *contra naturam speciei* becomes *secundum naturam* for the individual.¹⁸ Therefore, since the principle of homosexual inclinations is in that most intimate part of man which expresses affection and love, it must be in accord with this individual's *human* nature.¹⁹ It is important to note that Oliva distinguishes *coitus masculorum* from sodomy. In his understanding, while *coitus masculorum* is something *ex parte animae*, sodomy is opposed to reason and not in the soul but rather is a matter of purely venereal and physical pleasure is assigned to the body.²⁰ Therefore, *coitus masculorum* cannot be *contra naturam* even if it does not correspond to one's specific nature.²¹

While Aquinas concludes that all corruptions *ex parte corporis* or *ex parte animae* are *non . . . secundum naturam humanam*, Oliva argues that man only exists as a singular individual. Therefore, nature cannot simply be considered generically or at the level of species, but must be recognized as only existing in the individual.²² While he does not say so explicitly, what is natural to the individual is assumed to be according to nature *simpliciter*.

Moral Argument in Favor of Same-Sex Unions

Oliva's second Thomistic claim is considered a moral argument. Because man, made in the image of God, is meant to exercise his intellect and will, man needs to realize himself in concrete actions.²³ Since Oliva claims to

appropriate to a modern audience."

¹⁶ *In V phys.*, lec. 4, no. 2 See also Battista Mondin, *Dizionario Enciclopedico del Pensiero di San Tommaso d'Aquino*, 2nd ed., "alterazione" (Bologna: Edizioni Studio Domenicano, 2000), 32–33.

¹⁷ *In V phys.*, lec. 2, no. 7. See also Henri-Dominique Gardeil, O.P., *Introduction to the Philosophy of St. Thomas Aquinas: Metaphysics*, vol. 4 (Eugene, OR: Wipf and Stock, 2012), 303.

¹⁸ Oliva, *L'amicizia più grande*, 96.

¹⁹ Oliva, *L'amicizia più grande*, 100–101.

²⁰ Oliva, *L'amicizia più grande*, 101.

²¹ Oliva, *L'amicizia più grande*, 101.

²² Oliva, *L'amicizia più grande*, 104. In defense of his claim, Oliva cites *In VI metaphys.*, lec. 3, no.1205.

²³ Oliva, *L'amicizia più grande*, 104.

have proven that homosexual inclinations, like the inclinations toward truth and virtue, are natural for man, individuals with such inclinations must exercise those inclinations for the realization of the image of God within him. While Oliva acknowledges the necessity of considering general principles of morality and exercising right judgment in accord with prudence, he argues that these considerations must be adapted to the singular, individual nature to seek the good of the individual.²⁴ Further, every person is called to realize him or herself as such.²⁵ Because homosexuality is connatural to certain individuals, those individuals can do nothing else but actualize their nature through particular actions, which includes following those inclinations which arise from homosexual inclinations. Oliva understands this principle of connaturality to be a rule of life for the individual.²⁶ As such, this rule of life is used to aid the person with same-sex inclinations in verifying and living according to his or her inclinations. If one truly has such inclinations, one must follow this nature which he or she possesses.²⁷

Furthermore, because such an inclination, if it is truly present, is to be considered natural for this or that individual, the natural right of such persons must be recognized, including their right to come together in love and to have that love recognized as both natural and supernatural.²⁸ Having shown that such inclinations flow from their individual dignity as made in the image of God and are a natural expression of love, Oliva concludes that homosexual unions and homosexual acts are to be governed in the light of the law of Christian charity.²⁹ By this, he means that persons in same-sex unions need only observe chastity in the same way that a husband and wife would in their marriage.

Overcoming Difficulties Related to the Sexual Acts in Same-Sex Unions

Having presented the arguments as to how one can understand same-sex inclinations and unions can be morally good, Oliva seeks to overcome objections regarding the nature of sexual activity within such unions. He considers Saint Thomas's analysis of the command of God in Genesis 1:28 to "be fruitful and multiply."³⁰ In the *Commentary on the Sentences*, Aquinas explains why those called to celibacy for the sake of the Kingdom of

²⁴ Oliva, *L'amicizia più grande*, 105.

²⁵ Oliva, *L'amicizia più grande*, 106–7.

²⁶ Oliva, *L'amicizia più grande*, 108.

²⁷ Oliva, *L'amicizia più grande*, 107.

²⁸ Oliva, *L'amicizia più grande*, 109.

²⁹ Oliva, *L'amicizia più grande*, 110–11.

³⁰ *In IV sent.*, d. 26, q. 1, a. 2, ad 4; *ST Suppl.*, q. 41, a. 2, ad 4.

God do not violate this command in Genesis. Oliva applies this conclusion of Saint Thomas to the current considerations. Thus, if one should have a connatural inclination toward sexual acts with members of the same sex in which procreation is clearly impossible, one should be considered freed from observing the command.³¹ According to the teachings of the Second Vatican Council, the Code of Canon Law,³² and §10 of Paul VI's *Humanae Vitae*, the twofold good of the sexual act, unitive and procreative, need not always be present in cases where a husband and wife, for a just reason, abstain from sexual activity during fertile periods. In such cases, individuals are called to exercise their free will and responsibility in deciding such matters themselves.³³ Oliva uses these principles from magisterial teachings to bolster his position that same-sex couples can rightly engage in sexual activity even if there is not an openness to new life in their act.

Oliva claims that, in Saint Thomas's presentation of the secondary precepts of the natural law, a second grade of inclinations regards individual inclinations and admits of exceptions such as polygamy or *coitus masculorum*.³⁴ With that, Oliva is confident in having shown the support of natural law, metaphysics, anthropology, theology, Sacred Scripture, and the magisterium for his position regarding same-sex inclinations and unions.³⁵ Therefore, the Church and the state need only to help such couples to live out their love in a virtuous and authentically Christian manner.³⁶ To the best of my understanding, these are the arguments which Oliva puts forward to support the naturalness of same-sex inclinations and the moral acceptability of same-sex unions from both a Thomistic perspective and a magisterial perspective.

Analysis of the Arguments according to a Few Major Principles

According to the claims which Oliva makes, it seems that one would be

³¹ Oliva, *L'amicizia più grande*, 113.

³² Oliva, *L'amicizia più grande*, 114.

³³ Oliva, *L'amicizia più grande*, 114–15, 117 (see also 126).

³⁴ See *ST* I-II, q. 94, a. 2, and Oliva, *L'amicizia più grande*, 118. When one compares Oliva's interpretation with the text of *ST*, one finds grave discrepancies. Nowhere in the text of Aquinas is there mention of exceptions to the natural law save in the case of those who are ignorant of its conclusions or those who are impeded by some obstacle (q. 94, a. 4). By definition, it applies to all. Further, there is no mention of the example of polygamy as something which permits certain individuals to take exception to such precepts; on the contrary q. 94, a. 3, ad 2, explicitly identifies *concubitus masculorum* as being against nature and therefore against the natural law.

³⁵ Oliva, *L'amicizia più grande*, 116, 120.

³⁶ Oliva, *L'amicizia più grande*, 122.

going against several major sciences and sources of authority if one is to go against the conclusions which Oliva himself makes. Perdrix, citing Bernhard Blankenhorn's collaborative article and work by Thomas Osborne, shows that Oliva's claims violate elementary rules of textual interpretation in two ways. First, Oliva ignores Thomistic texts which contradict his position, and second, he fails to read texts in their entirety.³⁷ Osborne notes that Oliva's claims are supported by secondary sources and textual interpretations which are "questionable," scholarly "deficient," and "polemical."³⁸ Blankenhorn and his coauthors find his interpretation of Aquinas to be "objectionable" and irresponsible.³⁹ In addition to the criticisms presented by these authors, it is my intention to respond in a more complete way to Oliva's claims, by focusing primarily on the philosophical arguments of Saint Thomas Aquinas, upon which the veracity of Church teachings are grounded. In order to sustain his position, Oliva has either ignored or equivocated on several key Thomistic distinctions in order to arrive at the bold claim that his position has the backing of both philosophical and theological sources. These include both general metaphysical and anthropological distinctions as well as particular distinctions which apply directly to his arguments regarding same-sex inclinations.

General Distinctions Improperly Acknowledged

In total, I wish to consider seven key Thomistic distinctions which, understood properly, lead one to conclusions contrary to those at which Oliva has arrived. The first distinction is that of specific and individual nature. This notion, which Saint Thomas employs in a variety of texts, can be understood in several, complementary ways. First, it must be recalled that in two significant discussions on the notion of nature, Thomas reduces *natura* to two principles: form and matter.⁴⁰ As a result, specific and indi-

³⁷ Perdrix et. al., "À Propos d' 'Amours,'" 480. As an example of ignoring the integrity of a text, one need only look at the passage from *ST* I-II, q. 31, a. 7 and the strong disagreement between Thomas's text and Oliva's reading of it, discussed in note 15 above.

³⁸ Osborne, Review of *Amours*, 139: "He relies in this matter on the work of such figures as John Boswell, and he does not mention that this work is widely regarded as deficient in its scholarship and polemical." See also 140: "Oliva relies on highly polemical and questionable scholarly works without indicating that they are controversial."

³⁹ Blankenhorn et al., "Aquinas and Homosexuality," 302: "Overall, we find Oliva's reading of Aquinas not only objectionable but irresponsible."

⁴⁰ See *De principiis naturae* I and *In II phys.*, lec. 3. See also John F. Wippel, *The Metaphysical Thought of Thomas Aquinas: From Finite Being to Uncreated Being* (Washington, DC: Catholic University of America Press, 2000), 311: "Thomas

vidual natures distinguish that which all men share in common from that which individuates one man from another.⁴¹ In *ST I-II*, q. 31, a. 7, Aquinas uses it to distinguish that which all men enjoy as human beings from that which men share with other animals. While it seems to contradict the previous usage, it actually is closely connected. That which sets man apart from other beings is his rational power, which is completely immaterial, while that which man shares with other animals includes sensitive and vegetative powers, which are closely tied to one's bodily principle.⁴² Thus, what Thomas assigns to an individual according to his specific nature pertains to his reason and will. That which he assigns to the individual according to his individual nature pertains to the lower powers of the soul as well as his material principle which the individual holds in common with irrational animals. That which pertains to an individual human according to his specific nature is not simply his or her soul, but more specifically, the rational powers of that same soul. That which *condivitur rationi . . . ex parte animae* is not that which pertains to man as a man, but to that which man shares with other animals. For this reason, we find Aquinas periodically referring to man's nature simply as a rational nature so that one might understand that what is most fitting to man's nature is what is most fitting according to reason, as the highest power in man and that to which the lower powers are subject.⁴³ A proper understanding of Thomas's use of the notions of specific and individual nature is, therefore, the first key to a correct understanding of *ST I-II*, q. 31, a. 7, and the notion of disordered inclinations.

The second distinction which is at play in Oliva's arguments is that of the existence of a generic nature and the existence of an individual. As he rightly points out, generic natures only exist in concrete individuals; this is one of the key differences between a Platonic understanding of univer-

finds it necessary to distinguish between that whereby a given material being belongs to its kind or species, and that whereby it is only an individual instance of that kind or species. As he sees things, the first point is accounted for by a principle of actuality within such a thing's essence—its substantial form. The second finds its explanation in the presence of a distinct principle of potentiality within the same essence—prime matter. Because the receiving and potential principle limits the form or act principle, we may also say that the former, the matter, participates in the latter, the form."

⁴¹ *De veritate*, q. 25, a. 6, ad 4; see also *De ente et essentia* VI and *ST I-II*, q. 51, a. 1; q. 63, a. 1.

⁴² *De anima*, a. 13, corp.:

⁴³ *ST I-II*, q. 71, a. 2. See also q. 91, a. 2.

sals and a properly Aristotelian-Thomistic understanding of universals.⁴⁴ Further, he rightly argues that in *ST* I-II, q. 31, a. 7, Saint Thomas is making a metaphysical claim about inclinations rather than a logical claim. Therefore, the specific nature must really exist, albeit only in the individual. Oliva wrongly implies that whatever is found in the individual, regardless of his specific nature, must be of the nature of the individual, precisely as a human being.⁴⁵ Understanding the distinction between specific and individual natures, as given above, one grasps that the individual nature is not something over and above the specific nature. Nor is the specific nature subsumed into the individual nature when the individual comes to be, as Oliva seems to suggest.⁴⁶ Rather, the specific nature, always remaining what it is, is realized in this individual which enjoys certain unique characteristics which distinguish him from other members of the species. This, however, does not cancel out the features of the specific nature. To allow for an individual nature to change or cancel out a specific nature would lead to different specific natures. By such a position, we would end up in nominalism, rejecting the reality of a common nature shared by all members of the same species.⁴⁷ To say that Socrates is a man and Plato is a man would be void of intelligible content. Thus, we must acknowledge that a specific nature persists in the individual, and the individual nature does not have the power to alter the specific nature.

The third key distinction is closely related to the previous two; it is the proper understanding of the relation and ordering of the body and the soul. As Oliva rightly points out, man is not a soul in a body as Plato might have understood man, but rather a unity of both body and soul.⁴⁸ As we have seen above, the specific nature pertains more to man's soul while the individual nature pertains to his body. We could go further in saying that man, in some way, is a union of a specific nature and individual nature or a specific nature, realized in this individual. One should not conclude, however, that the two principles of man's nature are on equal footing. Thomas clearly holds that matter is for the sake of form, not vice versa.⁴⁹ Therefore, where contradiction and opposition arises between these two principles, the form—man's rational soul—takes priority over the matter—man's suitably composed body. Thus, if something is according to

⁴⁴ Oliva, *L'amicizia più grande*, 104.

⁴⁵ Oliva, *L'amicizia più grande*, 104.

⁴⁶ Oliva, *L'amicizia più grande*, 105; see also 123–24.

⁴⁷ *Summa contra gentiles* [SCG] II, ch.123.

⁴⁸ Oliva, *L'amicizia più grande*, 115.

⁴⁹ *De anima*, a. 8, obj. 3: "Materia sit propter formam et non e converso."

his individual nature, but contrary to his specific nature, then according to Thomas, inclinations of the individual nature must be subordinated to inclinations of the specific nature. Of course, Oliva claims that same-sex inclinations are in the individual, not the species, which in Thomistic terms means it more properly pertains to the body than the soul. The right relation of body and soul, therefore, clarifies what Oliva seems to have obscured regarding the principles of man's inclinations.

Of course, Oliva has argued that because same-sex inclinations are in the soul, they therefore align with that part of man's nature which is properly human, that is, man's specific nature.⁵⁰ This brings us to the fourth distinction which he fails to clearly incorporate, namely, that the soul can be divided into the lower and higher powers which are the sensitive and rational powers, respectively. Oliva follows Aquinas in stating that same-sex inclinations are *ex parte animae* and in ascribing them to the individual. Falsely, Oliva assumes that because same-sex inclinations are in the soul, they are therefore the result of man's rational powers.⁵¹ Following *ST* I-II, q. 31, a. 7, from which Oliva has chosen to argue, it is clear that Thomas assigns the corruption of *coitus masculorum* to the sensitive powers of the soul, not the rational powers.⁵² Again, a proper understanding of Saint Thomas would lead one to conclude that because lower powers are subject to higher ones, the inclinations and operations of the sensitive soul must be governed by and judged in light of man's intellectual inclinations and operations.⁵³ With this principle rightly understood, one can read Oliva's argument against sodomy as an argument against same-sex sexual activity as well.⁵⁴ Therefore, one cannot simply follow same-sex inclinations because they are *ex parte animae* because one has to take account of both the sensitive powers of the soul and the rational powers.

The fifth distinction pertains properly to the rational powers of the soul: the intellect and will. While these two powers are highest among all other powers of the soul, Thomas clearly understands them to enjoy a hierarchical relation as well. Because the inclinations of appetites follow upon a form, the object of the will is a good which is first apprehended.⁵⁵

⁵⁰ Oliva, *L'amicizia più grande*, 116.

⁵¹ Oliva, *L'amicizia più grande*, 100. See also Perdrix et al., "À Propos," 485.

⁵² Perdrix et al., "À Propos," 485.

⁵³ *De veritate*, q. 16, a. 1, ad 11. See also *ST* I, q. 63, a. 4, ad 2.

⁵⁴ Oliva, *L'amicizia più grande*, 101; see also 121.

⁵⁵ *ST* I-II, q. 8, a. 1. See also: *ST* I, q. 80, a. 1; q. 82, aa. 3–4. Lawrence Feingold writes: "A faculty of the soul can 'desire' its object in two fundamentally different ways: (1) as the object of the innate natural appetite, or (2) insofar as it is known to be a good for the creature as a whole (elicited and conscious desire) [citing

While in one passage Oliva seems to implicitly acknowledge the role of the intellect in determining moral principles and prudential judgment,⁵⁶ he more frequently uses language which suggests that man ought to act under the influence of his free will without reference to his intellect.⁵⁷ Such a position would imply that man's most authentic acts involve the choice made in accord with his free will,⁵⁸ especially when considering the exercise of his sexuality.⁵⁹ The frequent reference to the free will or the exercise of one's freedom and choice without a balancing reference to the will comes dangerously close to William of Ockham's voluntarism. On the other hand, Saint Thomas is very clear regarding the interaction of the intellect and will. While the intellect is more noble than the will, absolutely considered,⁶⁰ Aquinas does acknowledge that the will moves all powers of the soul.⁶¹ This should not lead one to conclude that the will dominates the intellect in such a way that it enjoys supremacy over judgments of the intellect. Rather, the intellect moves the will as an end moves an agent while the will moves the intellect as an active power moving that which is in potency.⁶² Lest one fear an infinite regression between these two rational powers, Thomas says that the will is always dependent upon a prior apprehension by the intellect, but the contrary is not true.⁶³ Therefore, in man's exercise of his rational powers, a command by the will must be preceded and informed by a right judgment of the intellect, seeking the truth *universaliter* and *particulariter*.

Cajetan's commentary on *ST* I, q. 80, a. 1, ad 3, no. 5, and on I, q. 19, a. 1, no. 6]. In the former case, the desire for the object is always present in the very nature of the potency itself, as the *unconscious* tendency of the potency for its proper and fitting or proportionate act. Thomas speaks of this as the natural inclination or natural appetite of the potency. Beginning at the time of Suárez, this natural appetite or inclination is referred to by the technical term 'innate appetite' in order to distinguish it more clearly from a natural elicited act of the will. . . . Elicited desire, on the other hand, refers to a passage or movement from potency to act in the appetitive faculty itself. It is a *conscious act* of a man or animal. What previously was not desired, is now actually desired on account of the presence of knowledge of the goodness of that object which *draws out* (*elicits*) an act of desire from the sensitive or rational appetite" (*The Natural Desire to See God according to St. Thomas and His Interpreters*, 2nd ed. [Ave Maria, FL: Sapientia Press, 2013], 14–15).

⁵⁶ Oliva, *L'amicizia più grande*, 105.

⁵⁷ Oliva, *L'amicizia più grande*, 120–21; see also 125.

⁵⁸ Oliva, *L'amicizia più grande*, 104.

⁵⁹ Oliva, *L'amicizia più grande*, 114–15.

⁶⁰ *ST* I, q. 82, a. 3.

⁶¹ *ST* I, q. 82, a. 4.

⁶² *ST* I, q. 82, a. 4.

⁶³ *ST* I, q. 82, a. 4, ad 3.

The sixth distinction to be considered pertains to the Thomistic notion of inclinations. A more comprehensive reading of Aquinas's texts as well as the contemporary literature demonstrates a much clearer understanding with regard to his notion of natural inclinations than Oliva suggests.⁶⁴ Following the principle that that which is natural is good, Oliva concludes that individual inclinations, which are natural to this individual, must be good. This, however, is an over-simplified reading of the Angelic Doctor. As Saint Thomas writes in *ST* I-II, q. 8, a. 1, there are three kinds of appetites: a natural appetite, a sensitive appetite, and a rational appetite.⁶⁵ Each of these three appetites is always inclined to what is good insofar as they are inclined to objects which exist, and to the extent that they exist, they are good.⁶⁶ The natural inclinations of the natural appetite, which are simply the general objects to which the soul and its powers are naturally ordered, are always necessarily good. This is because the natural appetites are oriented *ad unum*, by the Author of our nature, and cannot be bad.⁶⁷ On the other hand, the elicited appetites, as the sensitive and rational appetites are sometimes called, have the potential of being inclined *ad multa*, including things which are objectively evil.⁶⁸ In addition to the distinction of inclinations as natural and elicited, we must also keep in mind the explanation of Aquinas with regard to the teaching of the Catholic Church as a result of original sin. As a result of original sin, all men have inherited the stain of concupiscence which is a natural inclination

⁶⁴ Daly, "Aquinas on Disordered Pleasures"; Robert Loyd Kinney III, "Homosexual Inclinations and the Passions: A Thomistic Theory of the Psychogenesis of Same-Sex Attraction Disorder," *The Linacre Quarterly: Journal of the Catholic Medical Association* 81, no. 2 (May 1, 2014): 130–61; Steven Jensen, "Is Continence Enough?," *Christian Bioethics* 10, no. 2–3 (January 1, 2004): 161–76; Janet E. Smith, "Are Natural and Unnatural Appetites Equally Controllable? A Response to Jensen's 'Is Continence Enough?'," *Christian Bioethics* 10, no. 2–3 (August 1, 2004): 177–88.

⁶⁵ *ST* I-II, q. 8, a. 1. See also *De virtutibus*, q. 1, a. 8.

⁶⁶ *ST* I-II, q. 8, a. 1.

⁶⁷ *De veritate*, q. 22, a. 3, ad 2. See also *De veritate*, q. 25, a. 1, corp.

⁶⁸ William Wallace writes: "The first *division* of appetite is into natural and elicited appetites. Because things exist as they are and tend to continue in existence for a while, and because they operate as they ought to operate, they are said to have a *natural appetite* to exist and to operate. . . . *Elicited appetites* are those aroused by cognitive acts, and they are considered to be distinct parts or powers of the nature of a cognitive being." (*The Elements of Philosophy: A Compendium for Philosophers and Theologians* [Eugene, OR: Wipf and Stock, 2012], 75). See also Feingold, *Natural Desire*, 14–15 (quoted in note 55 above).

toward evil.⁶⁹ Therefore, a Catholic ought to be all the more cautious with his natural inclinations, knowing the state in which he finds his human nature, both in its specific and individual features, disordered with respect to its inclinations. The examples of *corruptiones* given in *ST* I-II, q. 31, a. 7, are clear examples of inclinations toward things which are disordered because they are not properly ordered to the end of man's rational nature.⁷⁰ In the case where one finds contradictory inclinations, we can follow the principle laid out above with respect to the various powers of the soul, namely, the ordering of lower to higher.⁷¹ Thus, it is not the standard of "connaturality" which determines something to be morally acceptable for the individual, but rather the rule of reason which determines the goodness or evil of man's elicited inclinations.⁷²

Closely connected to this consideration of the variety of inclinations is the seventh and final Thomistic distinction which I wish to identify: moral choices among various goods. It may seem painfully obvious, but there is a clear difference between deciding between something good and something evil and deciding between two things which are both good. As discussed above, in order to demonstrate that the command of Genesis 1:28 to "be fertile and multiply" need not apply in all cases, Oliva makes references to a text in Aquinas's *Commentary on the Sentences*.⁷³ In this Thomistic consideration of the binding nature of the precept to marriage under the New Law of Grace, Thomas argues that what binds in a general way for mankind may not be binding for particular individuals. Thus, he uses the examples of the farmer, the builder, and the contemplative. Each is necessary for the good of the community, but not all should be engaged in these tasks, for then other offices and tasks which are necessary for the good of the community would go unfulfilled.⁷⁴ From the text, it is clear that Thomas wishes to show how celibacy for the sake of the kingdom is acceptable in light of the general precept to "be fertile and multiply."⁷⁵ These options all represent things which are objectively good and are

⁶⁹ See, for example, *ST* II-II, q. 136, a. 3, ad 1; see also q. 85, aa. 1 and 3. Daly draws a parallel between Aquinas's treatment of original sin and the disorder of desire for pleasure from men having sexual interaction with other men ("Aquinas on Disordered Pleasures," 605).

⁷⁰ *ST* II-II, q. 118, a. 1, ad 3. For an example of disordered inclinations and dispositions, see *ST* I-II, q. 78, a. 3.

⁷¹ *ST* I-II, q. 49, a. 2.

⁷² *ST* I-II, q. 56, a. 4, ad 3.

⁷³ Oliva, *L'amicizia più grande*, 120.

⁷⁴ *In IV sent.* d. 26, q. 1, a. 2.

⁷⁵ *In IV sent.* d. 26, q. 1, a. 2, ad 4.

suitable according to the rule of reason or according to divine law.⁷⁶ Thus, one is free to choose among these goods insofar as it is suitable to the individual, including not obeying the general precept to “be fruitful and multiply.” To be more explicit, one may choose among any of these goods without performing some act which is morally evil. On the other hand, if one is always seeking that which is good, there can be no authentic deliberation when choosing between something objectively good and objectively evil. Any free choice in favor of something which is objectively disordered, when truly understood by the intellect, is a choice in favor of what is evil, leading one to vice. Oliva has falsely chosen to use Aquinas’s principle for making a choice among goods when making a choice between what is morally good and what is morally evil. Therefore, the comparison of the celibacy of religious life and the sexual activity of same-sex unions cannot apply as Oliva claims.⁷⁷

Points Particular to Same-Sex Inclinations and Unions

Employing the general, Thomistic anthropological and ethical considerations given above, I now address certain particular points which pertain directly to the argumentation presented with regard to the alleged moral goodness of *coitus masculorum*.⁷⁸ The first point pertains to Oliva’s distinction between same-sex unions and sodomy. He holds that same-sex unions are based on a love which is exclusive and faithful, while sodomy is an inappropriate use of one’s sexuality for the sake of bodily pleasures.⁷⁹ He claims that such a distinction is justified because the inclination for *coitus masculorum* is *ex parte animae* while sodomy regards venereal pleasures. By way of defense for his claim regarding sodomy, he cites *ST* II-II, q. 154, aa. 11 and 12, wherein Aquinas deals with the “unnatural vice.” While we have already shown the proper location of the corruption of *coitus masculorum ex parte animae sensitivae*, an analysis of articles 11 and 12 in question 154 brings same-sex unions and sodomy much closer than Oliva would make us think. In article 11, Thomas begins by showing how one might determine various species of the vice of lust. The first division is according to that which is contrary to right reason, but all forms of lust are contrary to reason. The

⁷⁶ *ST* I-II, q. 63, a. 2.

⁷⁷ Oliva, *L'amicizia più grande*, 121–22.

⁷⁸ I exclude one point which directly relates to the matter of same-sex inclinations and unions, that of permitting intemperance as incontinence, because the matter has been sufficiently addressed by Perdrix et al., “À Propos,” 475–77.

⁷⁹ Oliva, *L'amicizia più grande*, 101; see also 121.

second involves that which is contrary to the sexual act.⁸⁰ Within this second division, he speaks of four particular operations which are contrary to the sexual act, the third of which consists in sexual acts of men with men or women with women. Such acts are what Saint Paul refers to as the vice of sodomy.⁸¹ For Thomas, there does not appear a distinction between *coitus* (or *concubitum*) *masculorum* and *sodomia*. Rather, they are one and the same, and furthermore the unnatural sin is the worst of all species of lust.⁸² To be honest, it seems hard to imagine how one might act upon a same-sex inclination if not by means of *coitus masculorum*, which Aquinas identifies with sodomy. If Oliva views same-sex unions as merely Platonic friendships without any “sexual” activity, then he might have a case for dividing it against sodomy. Two facts, however, raise questions about such a position. First, we have seen Oliva describe same-sex unions as exclusive, free, and faithful, which is the same language used to describe marriage between a man and a woman, wherein sexual activity is a key element.⁸³ Second, he employs distorted readings of the documents of Vatican II, the *Code of Canon Law*, and *Humanae Vitae* to justify separating the unitive aspect of the sexual act from the procreative aspect for the sake of justifying same-sex unions. Based on these two points, it seems clear that Oliva understands same-sex unions as including genital activity between two men or two women. In comparing these claims with Aquinas's texts, such a claim that Saint Thomas would distinguish same-sex unions from sodomy is patently false. Even Oliva's suggestive readings of the Condemnations of 1277 by Bishop Etienne Tempier of Paris and Cardinal Cajetan's singular omission of a commentary for *ST* I-II, q. 31, a. 7, or the baseless claim that the context of the discussion has changed between Aquinas's day and ours cannot support the claim that same-sex unions are somehow understood by Aquinas or by the Church as being anything other than sodomy.⁸⁴

⁸⁰ *ST* II-II, q. 154, a. 11.

⁸¹ *ST* II-II, q. 154, a. 11. See also *In I Super Rom* 4 and *SCG* III, ch. 122.

⁸² *ST* II-II, q. 154, a. 12.

⁸³ Oliva, *L'amicizia più grande*, 116; see also 122.

⁸⁴ According to Oliva, the Condemnations of 1277 by Bishop Etienne Tempier of Paris, forbidding the teaching of the connaturality of inclinations of the individual nature, and Cardinal Cajetan's singular omission of a commentary for *ST* I-II, q. 31, a. 7, both imply that Thomas's position on the connaturality of same-sex inclinations was seen even in the thirteenth century as supporting same-sex unions (*L'amicizia più grande*, 95n7). A proper reading of specific and individual natures, however, disproves such a hypothesis. Oliva also claims that today's socio-cultural context is much different from that of Saint Thomas; therefore, what may have been *contra naturam* in the thirteenth century need not be so in the twenty-first century [Oliva, *L'amicizia più grande*, 96. Not only has Daly shown that Thomas's

The second particular point regards three ways in which Oliva employs the principle of love with respect to same-sex inclinations and unions. First, Oliva claims that because two individuals of the same sex love one another in a way which is exclusive and free, their inclinations and union are morally permissible.⁸⁵ So long as the love between two persons of the same sex has certain good qualities, it must be good. This claim seems to risk severing love, a virtue rooted in the will, from truth, which is derived from the intellect. As we have shown above, the rule of reason measures the goodness of an act and, in this case, determines *coitus masculorum* to be morally unacceptable as being against man's rational nature. Love without the balance of a true judgment of the intellect puts us on the path to Ockham's voluntarism, as we noted above.⁸⁶ On the contrary, love is properly understood as a virtue and every virtue, according to Saint Thomas, must be fitted to the rule of reason and reason to the eternal law.⁸⁷ As shown above, *coitus masculorum*, that is, sodomy, is contrary to both. Therefore, if one persists in arguing that love is the foundation of same-sex unions, then one has rendered love as something contrary to the end of man's nature and to man's reason. Second, because Oliva attributes this love to persons as persons, it seems to be understood as including their biological sex,⁸⁸ yet a person, as Oliva rightly states, is a union of body and soul. Thus, biological sex must play an important role in the expression of a love which is in according with the fullness of man's nature and his end. Additionally, persons with same-sex attractions who choose to love someone with the same biological sex over and against those of the other biological sex do so precisely because of the person's particular biological sex. That is, men with same-sex inclinations seek out other men and women other women, for that is the nature of such inclinations. Therefore, one cannot pretend that a person's particular biological sex is not relevant in a person's love for another. Third, Oliva seeks to link the notion of connatu-

understanding of same-sex inclinations and unions is much closer to the contemporary debate than Oliva suggests, but Oliva's claim completely ignores the fact that Aquinas's position is not based upon cultural norms, but upon the stable, unchanging nature of man ("Aquinas on Disordered Pleasures," 611–12: "There are no grounds for asserting in the first place that St. Thomas was unacquainted with the essential elements of today's concept of homosexual orientation. The main ingredients of it are implicit in his view, expressed in [ST I-II, q. 31] Article 7 and in his commentary on the *Nicomachean Ethics* [7.5]").

⁸⁵ Oliva, *L'amicizia più grande*, 101; see also 119.

⁸⁶ Oliva, *L'amicizia più grande*, 117.

⁸⁷ ST I-II, q. 63, a. 2; see also q. 61, a. 2, and q. 62, a. 2.

⁸⁸ Oliva, *L'amicizia più grande*, 119.

rality in inclinations with its use in the context of the notion of love.⁸⁹ As stated above with respect to various appetites and their inclinations, such love in a rational animal must be subject to reason if it to be something truly good for the individual as a human being. Simply claiming that something is connatural to the individual does not suffice for moral acceptance, especially if it contrary to one's specific nature. On all three points, Oliva's modern, subjective notion of love as the foundation for same-sex unions, as contrasted with Aquinas's objective notion of love as grounded in a stable, metaphysical order, fails to support same-sex inclinations and unions which Saint Thomas clearly holds as being *contra naturam*.

The third particular point involves Oliva's use of the notion of friendship. As the title of the Italian text suggests, the author wants the reader to understand same-sex unions in the same way that Aquinas understands marriage between a man and a woman, namely, the highest form of friendship.⁹⁰ Oliva rightly presents friendship as something stemming from the rational powers of the soul, enhanced by the operations of the lower powers. Since he claims that the corruption which is *coitus masculorum* is rooted in the soul, it must clearly be a candidate for friendship. Oliva then conscripts the example of the friendship of David and Jonathan as a model for friendship between persons of the same sex.⁹¹ Given these claims, let us consider for a moment Aquinas's words on friendship. In *ST* II-II, q. 25, a. 7, Saint Thomas provides five features proper to friendship: they wish to live and be together, they desire good for one another, they do good for one another, they take pleasure in one another's company, and they are of one mind in what brings joy and sorrow.⁹² Conveniently, this article is considering whether sinners can love themselves, and in answering the question, Aquinas explains how these five features are applicable both to friendships among those who are good and among those who are wicked.⁹³ Of the five, I would simply like to focus on the second and third features. In those who are good, friendship involves desiring and doing good for one another according to the standard of the interior man. On the other hand, those who are wicked desire and work against the spiritual goods of one another. Because this text is situated in the discussion of the theological virtue of charity, the interior man should not simply be equated with Oliva's *coitus*

⁸⁹ *ST* I-II q. 26, a. 1. See also: q. 32, a. 3, ad 3; *In II eth.*, lec. 5; Oliva, *L'amicizia più grande*, 116.

⁹⁰ Oliva, *L'amicizia più grande*, 108–9.

⁹¹ Oliva, *L'amicizia più grande*, 110. Perdrix et al., "À Propos," 482.

⁹² *ST* II-II, q. 25, a. 7.

⁹³ *ST* II-II, q. 25, a. 7.

masculorum ex parte animae sensitivae, but rather the highest spiritual goods which are determined according to human reason and divine law, as we have discussed above. This is confirmed by a statement in *Summa contra gentiles* III in which Aquinas explicitly states that in desiring the good for one's friend, one desires the other's goodness and perfection.⁹⁴ He then goes on to speak of the goodness and perfection which God seeks for his creatures. More specifically, when Aquinas does write on marriage as the highest form of friendship, he clearly states that it is between a man and a woman because only they have the potential to perfectly fulfill each of the conditions of friendship seen in *ST* II-II, q. 25, a. 7.⁹⁵ In particular, Saint Thomas notes that only man and woman can be perfectly united in the conjugal act, thus being one in body as well as in soul. Because this is the particular feature which Aquinas highlights as a particular cause of the uniqueness of friendship between husband and wife, same-sex unions are necessarily excluded from being identified as sharing in this highest form of friendship. To be very clear and direct, two individuals of the same sex engaging in any sexual activity by which they join themselves to one another by the insertion of one's body parts into various orifices of the other person for the sake of sexual arousal and pleasure is not the conjugal act.⁹⁶ It is not the two becoming one flesh. Rather, the conjugal act must involve a man and a woman and by its very nature be open to procreation.⁹⁷ Therefore, Oliva's claim that same-sex unions can be the highest form of friendship in the same way as

⁹⁴ *SCG* III, ch.95.

⁹⁵ *SCG* III, ch.123.

⁹⁶ Perdrix et al., "À Propos," 491.

⁹⁷ *Codex Iuris Canonici*, can.1055, no. 1; see also can. 1061, no. 1. Osborne writes: "[A. Oliva] compares such gay sex to polygamy among the patriarchs. Since there was a need for the patriarchs to beget many children, it was licit for them to pursue procreation with several women at the expense of their union with one spouse. Similarly, since gay persons are inclined to sexual acts that are not reproductive, it is licit for them to pursue sexual union with their partners apart from procreation. Oliva does not entirely separate procreation from marriage even if he fails to indicate their exact relationship. Although he thinks that gay sex is valuable for the sake of the homosexual union, he thinks that such union cannot be marriage precisely because its sex is not procreative" (Review of *Amours*, 140). Of course, Oliva uses *Humanae Vitae* §10 to defend his separation of the unitive and procreative ends of marriage, a claim which involves a false reading of that text, which is intended to explain how a husband and wife can exercise natural family planning by abstaining from intercourse during periods when the woman is fertile. This fails to respect the seventh distinction above regarding moral choices among goods or between things good and evil.

marriage between a man and a woman cannot be supported.

Lastly, and perhaps most problematically, is a question regarding the other inclinations *ex parte animae* which Saint Thomas includes in *ST* I-II, q. 31, a. 7, and in the parallel text of *lectio* 5 of the eighth book of the *Commentary on the Ethics*. Recall that he speaks of *coitus masculorum* as well as *coitus bestiarum* and *comendus homines* as things which become connatural to certain individuals.⁹⁸ If connaturality *ex parte animae individui* is a basis for justifying what is otherwise contrary to man's specific nature, then it would seem that one would likewise have demonstrated that cannibalism and bestiality are morally acceptable for certain individuals. In attempting to argue that the modern discussion of homosexuality is different from that of Aristotle and Aquinas, a point which Anthony Daly convincingly refutes,⁹⁹ Oliva states that we need to use different language and leave aside certain 'superfluous examples' in order to properly use Thomas's claims in the contemporary discussion of homosexuality.¹⁰⁰ Without ever addressing the consequences of his argument for cannibalism or bestiality anywhere in the text, the passage just cited may be the way in which Oliva argues that his position does not in fact justify cannibalism or bestiality. He might perhaps provide other distinctions for cannibalism or bestiality akin to the distinction between same-sex unions and sodomy. Nonetheless, such a simple and shallow dismissal of a very problematic conclusion does not suffice, given the consequences of such a conclusion.¹⁰¹ If Thomas is not interested in defending cannibalism or bestiality, it is difficult to see how he could be interested in defending *coitus masculorum*.

Conclusion

As Oliva repeatedly claims in his text, his conclusions justifying the moral goodness of same-sex inclinations and unions rest upon arguments which are taken from a variety of sources.¹⁰² Most importantly, he claims to have shown how Aquinas in fact upheld arguments in favor of same-sex unions. As has been shown above, such a claim is not as solid as Oliva would like the reader to think. In fact, a proper and complete reading of Saint Thomas's philosophical anthropology leads one to the conclusion directly contrary to Oliva's. Further, if Aquinas's anthropology and ethics forms the foundation of the Church's teaching, then Oliva's claims to be in line with

⁹⁸ *ST* I-II, q. 31, a. 7.

⁹⁹ See Daly, "Aquinas on Disordered Pleasures," 592–97.

¹⁰⁰ Oliva, *L'amicizia più grande*, 98.

¹⁰¹ Blankenhorn et al., "Aquinas and Homosexuality," 301.

¹⁰² Oliva, *L'amicizia più grande*, 116.

Church teaching also fall apart. By a detailed consideration of the basic distinctions of Aquinas's treatise on human nature in all its logical and ontological complexity, I have shown that the Angelic Doctor's positions with regard to same-sex inclinations and unions is not what Oliva leads one to believe. Considering the relation between man's specific and individual nature, between the body and soul, the lower and higher powers, the intellect and will, natural and elicited inclinations, and choices among various moral objects, we have laid the metaphysical grounding necessary for a proper consideration of same-sex inclinations and unions. If act follows being, then a proper understanding of what man is will lead to a proper understanding of how man is to act. On the other hand, when one does not respect man in his fullness, he will fail to rightly understand the end to which man's nature is rightly directed. Building upon these fundamental, anthropological, and ethical distinctions, I have addressed particular arguments by which Oliva argues in favor of same-sex unions. These claims, however, are based on false readings of Thomistic texts with regard to sodomy, love, and friendship.

As stated at the beginning, I limited our considerations to the anthropological and ethical claims of Oliva. As such I have not directly considered the matter of the pastoral care of individuals with such inclinations, which deserves to be considered in greater detail.¹⁰³ Nonetheless, such care should reflect this authentic metaphysical understanding of human nature and its ethical consequences. Osborne concludes at the end of his critique that few Thomists will be convinced by Oliva's arguments.¹⁰⁴ I would posit that, based on Aquinas's arguments given above, we are only convinced that same-sex inclinations remain intrinsically disordered and the sexual acts which follow therefrom remain morally unacceptable. N.V

¹⁰³ See Congregation for the Doctrine of the Faith, *Letter to the Bishops of the Catholic Church on the Pastoral Care of Homosexual Persons* (1986); see also the contribution by Pavel Syssoev, O.P., in Perdrix et al., "À Propos," 493–502.

¹⁰⁴ Osborne, Review of *Amours*, 140.