

Presentation

of Synodal Forum IV

“Life in succeeding relationships

- Living love in sexuality and partnership”

for the First Reading

at the Fourth Synodal Assembly (8-10 September 2022)

for the implementation text

“Dealing with gender diversity”

[Result of the ballot in the Forum: 21 Yes]

Introduction

Intersex and transgender people live among us, in our midst, going through their lives with a steady faith, trusting in God, and with Jesus by their side. Yet the Church not infrequently makes it difficult for them to live their faith. The Church has been observed focusing more closely on transgender and intersex people in recent years - and unfortunately not with a benevolent pastoral eye or in consideration of the latest theological and scholarly research on the subject. With recourse to the Biblical creation stories, and accompanied by the accusation of “gender ideology”, intersex and transgender people (as well as homosexuals) are increasingly being marginalised, pathologised and disparaged. The Roman Catholic Magisterium only recognises bisexuality exclusively in the form of man and woman, as identified by physical criteria. In doing so, the Magisterium largely ignores or disregards insights from psychology, medicine and anthropology, according to which gender also exhibits non-binary variants and displays other dimensions: gender identity (a person’s awareness of his or her own gender), and gender expression (the ways of acting and preferences which society frequently attributes to a specific gender).

This disparagement and exclusion, this wilful negative politicisation of intersex and transgender persons in the Church and in society, often has a major negative impact on those concerned. Transgender and intersex individuals encounter multiple obstacles at many junctures in bureaucracy and society when it comes to obtaining legal and social acknowledgement

and support. Transgender individuals in particular are more often victims of violence and verbal hostility. Within the Church, too, intersex and transgender individuals face a heightened risk of becoming victims of sexualised and/or spiritualised violence, since the Church's doctrine and Her law, given the definition of binarity under natural law, do not cater to their identities at all, assigning them highly-precarious, vulnerable positions at best, whilst offender strategies target such vulnerable people. Their often precarious position in family, social and church contexts leads to minority stress. Mental illnesses such as depression are therefore more prevalent among transgender and intersex individuals. Last but not least, their exclusion from and disparagement by the Church sows doubts about their faith. Their trust in God is massively shaken when their own way of being, which they cannot change, is neither accepted nor supported.

Motion

1. Concrete improvements for intersex and transgender faithful can be implemented at national level in Germany. **We call on the bishops** to implement or facilitate the following aspects in their (arch)dioceses:
 1. It should be possible to leave the gender entry blank in the register of baptisms for intersex children (where their gender identity is unclear), or to enter it as "diverse", as is now envisaged in German law. If it becomes apparent at a later point in time that the intersex individual identifies with a specific gender, there should be an uncomplicated mechanism for changing the gender entry in the register of baptisms.
 2. It should also be made possible for transgender faithful to have their civil status in the register of baptisms, i.e. the entry on gender as well as their first name(s), changed. Standards in the Church's administrative law should be established here in the same way as for item 1.1.
 3. If transgender or intersex believers are denied the sacrament of marriage, blessing ceremonies should be made available to them for their partnership. Corresponding preparation courses should also be open to couples in which one or both persons are transgender and/or intersex.
 4. Spiritual guidance for transgender and intersex faithful, characterised by acceptance, should be ensured at pastoral level. LGBTI* commissioners should be established in all (arch)dioceses for this purpose, and further training should be offered for church employees working in relevant areas. Sensitisation measures should be carried out in parishes and Catholic organisations with regard to the topic of gender and sexual diversity.
 5. Skills training on gender and sexual diversity must become an integral part of priestly training and other training programmes in the Church.
 6. Persons with an intersex or transgender identity are not to be excluded from pastoral ministry or other employment relationships. Gender identity does not constitute a breach of loyalty within the meaning of the Basic Order of Church Service in the Framework of Church Employment Relationships.

2. **We recommend the Holy Father** to ensure that transgender and intersex individuals can live their lives and their faith in our Church in their own way of being as creatures of God, without experiencing harm, hostility or discrimination. This also includes explicitly distancing ourselves as a Church from views which portray intersex and transgender identities as abnormal, negative and/or even sinful. **We recommend the Holy Father** to initiate an open, serious, fundamental debate in theology and in the human sciences on the gender diversity that exists in God’s good Creation. We see an urgent need for theological and practical action in the following areas in particular:
1. The normative gender anthropology based on natural law, and its legitimation by having recourse to Biblical creation stories, needs to be verified with the insights of modern Biblical scholarship and theology¹.
 2. Catholic institutions, individuals holding positions of responsibility in the Church, and Catholic policy-makers, may not continue to disparage our transgender and intersex (as well as homosexual and bisexual) brothers and sisters in the faith, especially under the blanket accusation of “gender ideology” or the “LGBTIQ agenda”. This is how perceived enemies have been created and fuelled in the past, in some cases even involving human rights violations - for example in the form of physical or verbal violence. This creates great suffering for many faithful within the Church. But policy-makers and other players in society also use such group-based misanthropic narratives to increasingly create exclusion and discrimination in the political and societal domain in many countries where pronouncements on the part of Catholicism continue to carry considerable weight.
 3. The Church must respect the physical integrity of intersex people. The Vatican Congregation for Catholic Education must revoke its call for medically-unnecessary interventions on intersex children without delay².
 4. The Church must speak out unequivocally against so-called conversion therapies performed on transgender people (as well as on homosexuals and bisexuals), as these efforts massively endanger their physical and psychological integrity and health, as well as their faith and their trust in God.
 5. All ordained ministries and pastoral vocations in the Church should be open to the intersex and transgender baptised and confirmed who sense a calling for themselves.

¹ An example of such an approach at the pinnacle of the exegetical debate is for example the recent document entitled *Che cosa è l'uomo?* published on the subject of homosexuality by the Pontifical Biblical Commission. Similarly, there is a need for a process of rethinking with regard to the issues of transgender and intersex identity in Biblical studies, as well as in other areas of theology. Pontifical Biblical Commission: “*Che cosa è l'uomo? Un itinerario di antropologia biblica*”, 2019, Nos. 185-195. https://www.vatican.va/roman_curia/congregations/cfaith/pcb_documents/rc_con_cfaith_doc_20190930_cosa-e-luomo_it.html.

² Congregation for Catholic Education: “Male and Female He Created Them. Towards a path of dialogue on the question of gender theory in education”, 2 February 2019, No. 24, https://www.vatican.va/roman_curia/congregations/ccatheduc/documents/rc_con_ccatheduc_doc_20190202_maschio-e-femmina_en.pdf.

Reasoning

Pope Francis describes the core message of our faith in his Encyclical letter *Fratelli tutti* with the guiding principles of universal fraternity and social friendship. This message of love that transcends all boundaries is also a “utopia” (FT 180, 190) or a “dream” (FT 6,8 and frequent other mentions) in the Church that can and should guide actions: He challenges us to acknowledge our respective neighbours in their respective own way of being - beyond all boundaries and differences (cf. the interpretation of the parable of the Good Samaritan in FT, Ch. 2). The first prerequisite for this is to see and acknowledge the suffering of people who have been and are being marginalised in the Church because of their gender identity, and to identify the causes of such marginalisation in the Church’s proclamation and practice as well.

When proclaiming the Kingdom of God, Jesus directly reached out to the marginalised of His time and went to them. The criterion for His reaching out was openness to the message that He proclaimed, and not gender, social status or any form of social “norming”. In order to lend credibility to this standard of universal love of one’s neighbour, the Church must also become a place of acknowledgement for transgender and intersex people who would like to live their Christian faith in the community of the Catholic Church. The Church must be aware that Her actions are hindering evangelisation, and that She Herself shares the responsibility when transgender and intersex faithful, as well as their friends and relatives, turn away from the Church as an institution in order to protect themselves. The Church should rather become a space for life, for encounters, and for protection for all faithful, and should guide and support both them and their gender identity in their life of faith without any reservations.

Recent moral-theological, theological-anthropological, exegetical and pastoral-practical approaches already offer good argumentative foundations for reviewing the traditional, constricted gender anthropology in the Church’s doctrine, and fundamentally revising it in the light of the medical, biological and (neuro-)psychological knowledge that is available today. Transgender and intersex identities are realities which the Church has to face, and She must find a new way of dealing with them. Transgender and intersex individuals are part of God’s good Creation, and share in the inviolable dignity of human beings created in God’s image. Acknowledgement of the diversity of human ways of being, including in relation to gender identities, is part of a credible commitment to protecting this dignity, and must be the highest commandment guiding the Church’s actions, this also being so when it comes to dealing with transgender and intersex people.