

A Distinction Without A Difference

San Francisco Archbishop George Niederauer, relying on moral theologians out of line with the Vatican, approves a new policy at Catholic Charities that may wind up being as scandalous as the one it replaces.

George Neumayr

Earlier this year, former San Francisco Archbishop William Levada, now prefect for the Congregation of the Doctrine for the Faith, instructed Catholic Charities of San Francisco to end its policy of placing children for adoption in homosexual households. Current San Francisco Archbishop George Niederauer responded to the Vatican order, albeit vaguely. In light of Rome's direction, he told the press, "we currently are reviewing our adoption programs," before quickly adding, "We realize that there are people in our community, some working side by side with us to serve the needy in society, who do not share our beliefs, and we recognize and respect that fact."

The conclusion of this review is now known: a muddled policy that may wind up causing as much scandal and controversy as the one it replaced. In an attempted compromise that moral theologian Monsignor William Smith described to *CWR* as a "distinction without a difference," Archbishop Niederauer announced in early August that Catholic Charities would no longer supervise the "direct placement" of adopted children, including to homosexual households, but would send three staff members to work in Oakland for Family Builders By Adoption, an organization that specializes, according to its Web site, in helping "lesbian, gay, bisexual, and transgender {LGBT} families" adopt children. (Catholic Charities will also provide the group with resources and assist the state's department of social services.)

Advocates for homosexual adoption in San Francisco quickly celebrated the new partnership. "We're about the gayest adoption agency in the country," Jill Jacobs, director of Family Builders by Adoption (which runs the network California Kids Connection), told the *Bay Area Reporter*, a homosexual newspaper. Jacobs confidently said that the new partnership poses no risk to its pro-homosexual policies since she had made it clear to Catholic Charities "who we were, and that in our own adoption program more than half the families we serve are LGBT families."

Tom Ammiano, a homosexual activist and San Francisco Supervisor, called the new policy at Catholic Charities a "decent solution." He also noted to the *Bay Area Reporter* what homosexual activists regard as a happy irony: a Vatican-mandated review that was supposed to terminate Catholic Charities' involvement in homosexual adoptions has ended up increasing it. The resources and employees Catholic Charities plans to send over to Family Builders By Adoption will "enhance the number of adoptions in general but also for same-sex couples," he said.

Ammiano complimented Catholic Charities of San Francisco executive director Brian Cahill, who is a longtime opponent of the Church's teaching on homosexual adoption, for "crafting this; in Boston they just rolled over and didn't do anything. And so I'd say onward and upward, and gayly forward."

Queerty.com, a "daily gay blog for the queer community," hailed the new partnership as a "brilliant answer to a needless problem."

While some news organizations interpreted the casuistry contained in the new partnership to mean the archdiocese was removing itself from the work of assisting in homosexual adoptions – one obtuse headline read "SF's Catholic Charities changes program to avoid gay adoptions" – other outlets grasped the import of it. A *CBS* affiliate in the Bay Area headlined its report simply: "SF Archdiocese Finds Way to Help Gay Adoptions."

That is indeed the bottom line: Catholic Charities of San Francisco will continue to facilitate adoptions by homosexuals. The change in policy represents nothing more significant than a change in "zip code," as Monsignor William Smith, professor of moral theology at St. Joseph's Seminary in New York, put it to *CWR*.

"This is dubious bordering on the devious," he said. "It sounds like they are simply changing venues so that they can keep doing what they were told not to do." The partnership, he added, also puts the Catholic Church in the scandalous position of "running errands for the wrong crowd."

The San Francisco archdiocese, meanwhile, is straining to put the best spin possible on the new partnership, casting it as "expanded outreach" and emphasizing the innocuous elements of the new policy (such as Archbishop Niederauer's simultaneous initiative to get San Francisco parishes to help promote adoption).

In a letter to his priests, Archbishop Niederauer said that the new policy is "compatible" with Catholic moral teaching. How? He hasn't yet offered a full explanation. (*CWR* has requested an interview). But he did suggest to the *Boston Globe* that the compromise is compatible with Catholic moral teaching because the cooperation with homosexual adoption is now only "remote."

But what is "remote" about sending Catholic Charities employees off to work for an adoption alliance that, according to its own literature, is at the "forefront" of helping "LGBT families to adopt"?

"It doesn't sound to me very remote," says Monsignor Smith. "This sounds very fishy," comments William May, a professor of moral theology at the John Paul II Institute in Washington, D.C., also interviewed for this article. "The janitor at the place – that's remote cooperation."

In fact, Brian Cahill has explicitly said that Catholic Charities' partnership with Family Builders by Adoption will entail direct, not remote, cooperation in facilitating homosexual adoptions. "Cahill emphasized that his agency would still help prospective adoptive parents, including gays and lesbians, with information and referral help," reported the *Boston Globe*.

To the *Bay Area Reporter*, Cahill said, "God loves all adoptive parents, especially those who adopt children who are difficult to place. We should be praising them all regardless of sexual

orientation and thanking them for what they are doing." He added that "there is no way we would ever consider anything that is discriminatory."

Cahill, like Ammiano, is pleased that the Vatican-mandated change has produced the "irony" of drawing Catholic Charities of San Francisco deeper into the work of homosexual adoption. "We actually are going to increase our role in adoptions. And working with Family Builders will actually help them double and triple the number of kids who are up on their Web site," he said to the *Bay Area Reporter*, which itself speculated that the "Catholic Charities partnership may even result in more LGBT families adopting children than before."

Perhaps sensing that the new partnership would spark controversy, Archbishop Niederauer has sought cover by saying that he approved it in "consultation" with the Catholic Charities of San Francisco board and "moral theologians." But this is hardly reassuring, as it is no secret that the Catholic Charities board is composed of strong supporters of homosexual adoption. The *Advocate*, a homosexual publication, reported in 2005 that at least four members of the board are openly homosexual. Clint Reilly, the president of Catholic Charities of San Francisco, is a "Roman Catholic who supports gay rights and a woman's right to choose," according to the *San Francisco Weekly*.

The archbishop's reference to "moral theologians" isn't reassuring either: Who are these moral theologians? And do they agree with Church teaching?

CWR has learned from sources that Archbishop Niederauer consulted with two moral theologians: Fr. Gerald Coleman, former rector of St. Patrick's Seminary in Menlo Park, and Monsignor Robert McElroy, who has served as an aide to former San Francisco Archbishop John Quinn. Both moral theologians are known for their elastic views on homosexual issues.

In a stunning column published in 2000, for example, Fr. Coleman came out in support of civil unions for homosexuals. "Some homosexual persons have shown that it is possible to enter into long-term, committed and loving relationships, named by certain segments of our society as domestic partnership," he wrote. "I see no moral reason why civil law could not in some fashion recognize these faithful and and loving unions with clear and specified benefits."

Fr. Coleman is famous for equivocating on the Church's teaching that homosexuality is an "objective disorder" (while technically supporting the teaching that homosexual acts are immoral). He has written that "the homosexual orientation itself is a manifestation of the capacity and the need of human persons to grow in loving relationships that in some way mirror the life-giving love of the God in whose image and likeness we are all created..."

Implicit in Fr. Coleman's position in favor of same-sex civil unions and benefits for homosexuals is a position in favor of homosexual adoption. But *CWR*'s attempt to reach Coleman and ask him his position on homosexual adoption was unsuccessful.

That Archbishop Niederauer turned to Fr. Coleman for advice left moral theologians *CWR* contacted groaning. "He is soft on gay issues," says Monsignor Smith. It doesn't mean much

anymore, he observed, when a bishop cites support from a "moral theologian" for his position. "Bishops could find a moral theologian to tell them that water runs uphill," he said.

Monsignor Robert McElroy, also unavailable for comment, is not as widely known as Fr. Coleman for relativizing Church teaching on homosexual issues. But San Francisco Catholics who have worked with him aren't surprised that he helped craft this partnership. He gravitates to "compromise," says a diocesan source.

Monsignor McElroy worked closely with former archbishop John Quinn, whose tenure was marked by ambiguity on matters related to homosexuality. In 1992, the San Francisco archdiocese under Archbishop Quinn opposed a Vatican letter that condemned homosexual adoption and the broad extension of civil rights to homosexuals.

"SF Archdiocese Opposes Vatican Letter on Gay Bias Law," read the *San Francisco Chronicle* headline, with quotes from Monsignor McElroy contained in the story.

"Local Roman Catholic church leaders said yesterday that they will continue to oppose laws that discriminate against homosexuals – despite a Vatican missive declaring that gays and lesbians do not have the same civil rights as heterosexuals," reported the *Chronicle*. "On Thursday, the Vatican's Sacred Congregation for the Doctrine of the Faith formally released a series of 'observations,' including one that it is morally acceptable to discriminate against homosexuals in public housing, the adoption of children and in certain types of employment."

Archbishop Quinn "was unavailable for comment," reported the *Chronicle*, but Monsignor McElroy, then the archbishop's representative on the archdiocese's Justice and Peace Commission, did comment.

"There is no change in the archdiocese's policy," he told the *Chronicle*. "The archdiocese opposes discrimination in housing and employment, including teachers." The Vatican letter, he said, was merely advisory and "not binding on them."

Archbishop Niederauer has also tried to buttress his new policy by leaving the impression in a *Boston Globe* report that he had cleared it with his predecessor, William Levada, the source of the Vatican's order to Catholic Charities. The Boston paper reported that "he has consulted his predecessor, Cardinal William Levada, the prefect of the Congregation for the Doctrine of the Faith in Rome, on this plan."

But what did that mean? That Cardinal Levada had approved this new partnership with a group deeply immersed in homosexual adoptions? *CWR* has been told that Archbishop Niederauer's discussion with Levada was "informal" and did not involve any endorsement by him. These sources describe Archbishop Niederauer's comment to the *Boston Globe* as a serious gaffe that drags the Vatican into this mess and now forces Vatican clarification. *CWR* is seeking comment from Cardinal Levada.

In a 2003 statement issued by the Congregation for the Doctrine of the Faith, the Vatican said society – much more the Church and its agencies – should resist "same –sex unions" and any

laws that give them "rights belonging to marriage" (such as the right to adoption). "One must refrain from any kind of formal cooperation in the enactment or application of such gravely unjust laws and, as far as possible, from material cooperation on the level of their application."

How does Archbishop Niederauer "square" this new partnership with this statement? asked William May. "This does not seem straightforward," said Monsignor Smith. "They are dancing around."

George Neumayr is editor of *Catholic World Report*.