

On July 14, 2023, this Dicastery received a letter from **H.E. Msgr. José Negri, Bishop of Santo Amaro in Brazil**, containing some questions regarding the possible participation in the sacraments of baptism and marriage by transgender and homoaffective persons.

After a study in this regard, this Department responded as follows.

## **Dicastery responses to H.E. Msgr. Negri**

The following responses reiterate, for the most part, the basic contents of what, already in the past, has been stated on this subject by this Department<sup>1</sup>.

### ***1. Can a transsexual be baptized?***

A transsexual-who had also undergone hormone treatment and sex reassignment surgery-can receive baptism, under the same conditions as other believers, if there are no situations in which there is a risk of generating public scandal or disorientation among the faithful. In the case of children or adolescents with transgender issues, if well prepared and willing, they can receive Baptism.

At the same time, the following should be considered, especially when there are doubts about the objective moral situation a person is in, or about his or her subjective dispositions toward grace.

In the case of Baptism, the Church teaches that when the sacrament is received without repentance for grave sins, the subject does not receive sanctifying grace, although he or she does receive the sacramental character. The Catechism states, "*This configuration to Christ and the Church, brought about by the Spirit, is indelible; it remains forever in the Christian as a positive disposition to grace, as a promise and guarantee of divine protection, and as a vocation to divine worship and service to the Church.*"<sup>2</sup>.

St. Thomas Aquinas taught, in fact, that when the impediment to grace disappears, in someone who has received Baptism without the right dispositions, the character itself "*is an immediate cause that disposes one to receive grace.*"<sup>3</sup>. St. Augustine of Hippo recalled this situation by saying that even if a man falls into sin, Christ does not destroy the character received by him in Baptism and seeks (*quaerit*) the sinner, in whom this character is imprinted that identifies him as his property<sup>4</sup>.

*Unofficial translation,  
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<sup>1</sup> Cf. CONGREGAZIONE PER LA DOTTRINA DELLA FEDE, *Confidential note about some canonical questions concerning transsexualism* (December 21, 2018), Vatican City, *Sub secreto pontificio*.

<sup>2</sup> *Catechism of the Catholic Church*, no. 1121.

<sup>3</sup> SAN TOMMASO D'AQUINO, I Sent IV, 4,3,2,3: "est immediata causa *disponens ad gratiam*"; IDEM, *Summa Theologiae*, III, q. 69 a. 9 ad 1: "Et sic omnes induunt Christum per configurationem characteris, non autem per conformitatem gratiae" ("And in this sense all are clothed with Christ by configuration to him by character, not already by grace").

<sup>4</sup> Cf. SAINT AUGUSTINE OF HYPONA, *Sermo ad Caesariensis Ecclesiae Plebem*, 2; PL 43, 691-692: "Nunc vero ipse desertor, characterem fixit imperatoris sui. Deus et Dominus noster Jesus Christus quaerit desertorem, delet erroris criminem, sed non exterminat suum characterem."

Thus we can understand why Pope Francis wanted to emphasize that baptism "*is the door that allows Christ the Lord to settle in our person and us to immerse ourselves in his Mystery.*"<sup>5</sup> . This concretely implies that "*not even the doors of the Sacraments should be closed for any reason. This is especially true when it comes to that sacrament which is "the door," Baptism [...] the Church is not a customs house, it is the paternal home where there is room for each person with his or her labored life.*"<sup>6</sup> .

Then, even when doubts remain about a person's objective moral situation or about his or her subjective dispositions toward grace, one should never forget this aspect of the faithfulness of God's unconditional love, which is capable of generating even with the sinner an irrevocable covenant, always open to development, also unpredictable. This is true even when a purpose of amendment does not appear in a fully manifest way in the penitent, because often the predictability of a new fall "*does not undermine the authenticity of the purpose.*"<sup>7</sup> . In any case, the Church should always call to live out fully all the implications of baptism received, which must always be understood and deployed within the entire journey of Christian initiation.

## ***2. Can a transgender person be a godparent or godmother?***

Under certain conditions, an adult transsexual who had also undergone hormone treatment and sex reassignment surgery may be admitted to the task of godfather or godmother. However, since this task does not constitute a right, pastoral prudence demands that it should not be allowed if there is a danger of scandal, undue legitimization or disorientation in the educational sphere of the church community.

## ***3. Can a transgender person be a witness at a wedding?***

There is nothing in current universal canon law that prohibits a transgender person from being a witness in a marriage.

## ***4. Can two homo-affective persons figure as parents of a child, who must be baptized, and who was adopted or obtained by other methods such as surrogacy?***

For the child to be baptized there must be a well-founded hope that he or she will be educated in the Catholic religion (cf. can. 868 § 1, 2° CIC; can. 681, § 1, 1° CCEO).

## ***5. Can a person who is homo-affective and cohabiting be godfather to a baptized person?***

According to canon 874 § 1, 1° and 3° CIC, anyone who possesses the aptitude (cf. 1° ) and "*leads a life in conformity with the faith and with the office he or she assumes*" (3° ; cf. can. 685, § 2 CCEO) can be a godparent. Different is the case where the cohabitation of two homo-affective persons consists, not in a simple cohabitation, but in a stable and declared *more uxorio* relationship, well known to the community.

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<sup>5</sup> FRANCIS, *General Audience* (April 11, 2018), available online at [[https://www.vatican.va/content/francesco/it/audiences/2018/documents/papa-francesco\\_20180411\\_udienza-general.html](https://www.vatican.va/content/francesco/it/audiences/2018/documents/papa-francesco_20180411_udienza-general.html)].

<sup>6</sup> FRANCIS, Apostolic Exhortation *Evangelii gaudium*, on the proclamation of the gospel in today's world (Nov. 24, 2013), no. 47.

<sup>7</sup> JOHN PAUL II, *Letter to Card. William W. Baum on the occasion of the course on the internal forum organized by the*

*Apostolic Penitentiary* (March 22, 1996), 5: *Insegnamenti* XIX, 1 [1996], 589.

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In any case, due pastoral prudence demands that every situation be wisely weighed, in order to safeguard the sacrament of baptism and especially its reception, which is a precious good to be protected, since it is necessary for salvation<sup>8</sup>.

At the same time, it is necessary to consider the real value the church community places on the duties of godparents and godmothers, the role they play in the community, and the consideration they show toward the teaching of the Church. Finally, the possibility that there may be another person from the family circle to act as guarantor of the proper transmission of the Catholic faith to the baptizing person should also be taken into account, knowing that one can still assist the baptizing person, during the rite, not only as godfather or godmother but, also, as witnesses to the baptismal act.

**6. *Can a person who is homo-affective and cohabiting be a witness at a wedding?***

There is nothing in current universal canon law that prohibits a homo-affective, cohabiting person from being a witness to a marriage.

EX AUDIENTIA DIE 31 ottobre 2023  
Francisco

Victor Ferrer

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<sup>8</sup> Catechism of the Catholic Church, no. 1277.