

The Holy See
Position Paper on the Question of Gender
March 2017

The architectural edifice of human rights rests on the recognition of the inalienable dignity of every human person, which implies the essential equality of all human beings, without any distinction.

The Holy See is unwavering in its support and promotion of all efforts to ensure respect for basic rights and freedoms with regard to women, and their role at every level and in all areas of society: “The freer women are to share their gifts with society, and to assume leadership in society, the better are the prospects for the entire human community to progress in wisdom, justice and dignified living”.¹ Moreover, Pope John Paul II urged all people to participate in the great cause of promoting women, so that they might be fully involved in both the small and great challenges of our world, and by their own creativity contribute to cultural, social, political and economic life, while having access to all means needed, even juridical.² Along these same lines, Pope Francis frequently insists on the equality in dignity of men and women,³ and on the need not to be rigid concerning the activities generally attributed more specifically to women or men.⁴

Efforts at fostering real parity in dignity and in rights between men and women cannot, however, deny the sexual difference which reveals not only a reciprocity between the sexes, but also the irreducibility of one sex to the other.⁵ If then it is the case that men and women are able to play any role in society, without discrimination – even though the goal of true equality is still far off – then it is also the case that men and women must each make their contribution with their own specificity.⁶ In this regard, Pope Francis has already emphasized the danger of a “kind of emancipation that, in order to fill areas that have been taken away from the male, deserts the feminine attributes with all its precious characteristics”, as well as the danger of the opposite extreme, to “reduce motherhood to a social role, to a task which, though regarded as noble, in

¹ Address of the Holy See, *Fourth World Conference on Women*, Beijing, 5 September 1995.

² John Paul II, *Letter to Mrs Gertrude Mongella, Secretary General of the Fourth World Conference On Women of the United Nations*, 26 May 1995.

³ Apostolic Exhortation, *Amoris Laetitia*, 54.

⁴ *Ibid.*, 286.

⁵ The Holy See reaffirms that this objective difference permits a true complementarity, a source of life, of wealth and of balance. As Pope Francis has written: “*It is enough to recognize that our body itself establishes us in a direct relationship with the environment and with other living beings. The acceptance of our bodies as God’s gift is vital for welcoming and accepting the entire world as a gift from the Father and our common home, whereas thinking that we enjoy absolute power over our own bodies turns, often subtly, into thinking that we enjoy absolute power over creation. Learning to accept our body, to care for it and to respect its fullest meaning, is an essential element of any genuine human ecology. Also, valuing one’s own body in its femininity or masculinity is necessary if I am going to be able to recognize myself in an encounter with someone who is different*” (Encyclical Letter *Laudato Si’*, 155).

⁶ Ontological equality of human beings is expressed notably in the difference between men and women. This difference is unique in two ways. Firstly, because every individual, from his origins right through to his genetic patrimony, is sexed as a man or a woman. Sexual difference marks human beings in all their dimensions: physically, psychologically and spiritually. Secondly, because every individual carries the genetic legacy of the man and woman from whom he or she received life. Thus, sexual difference is linked to generation.

fact, sets the woman and her potential aside and does not fully esteem her value in the structure of the community”.⁷

Sexual difference, which is a primary and insurmountable datum as such, is always experienced within a culture and a history.⁸ Culture, in turn, is never isolated: it is the locus of a process of living dialogue that exists among varying views of the world. Nevertheless, this does not mean that sexual identities can be reduced to a subjective and pliable experience at the whim of the individual. At the very least there exists a fundamental human reality through which the specificity and complementarity of the two sexes is determined, and which cannot be interchanged or modified at will: it is the reality of “generation” which each individual carries within himself or herself. Indeed, every person is always and in a radical way a being generated by a man and a woman, even before being able to generate in turn.

Far from being unaware of the fact that physical or psychological causes can provoke unease in some with respect to sexual identity, the Holy See reaffirms in this regard that the inalienable dignity of each individual is to be respected, that is the whole of their human person including their body.

We cannot, however, share the claims of those who consider that “gender identity” results exclusively from cultural and contingent factors, or that it is entirely subject to individual freedom. Nor can we share the view that deep-seated values within a culture which contribute to interpreting sexual difference must be seen solely as “gender stereotypes”, the only complete elimination of which would be unable to “liberate” women, in particular, from the condition which oppresses them.

It is in this context that Pope Francis expressed concern regarding the so-called *ideology of gender*, “that denies the difference and reciprocity in nature of a man and a woman and envisages a society without sexual differences, thereby eliminating the anthropological basis of the family. This ideology leads to educational programmes and legislative enactments that promote a personal identity and emotional intimacy radically separated from the biological difference between male and female”.⁹

Justifiably, there are strong public reactions when there is a desire to impose upon the educational process an understanding of sexual identity that differs from the anthropological reality.

For all of these reasons, the Holy See warns against the danger of a widespread substitution of the terms “sexual identity” and “equality between men and women” with the terms “gender identity” and “gender equality”, which convey ambiguity and lead to confusion.

By “gender equality”, the Holy See understands equality between man and woman (just as the expression is generally translated in multiple languages). To the extent that it conforms to the ordinary and commonly accepted usage of the term at the international level, the Holy See also similarly approves the definition provided by the *Council of Europe Gender Equality*

⁷ Pope Francis, *Address on the Occasion of the Twenty-fifth Anniversary of the Apostolic Letter Mulieris Dignitatem*, 12 October 2013; cf. also the Apostolic Exhortation *Amoris Laetitia*, 286.

⁸ Pope Francis, *Amoris Laetitia*, 286: “Nor can we ignore the fact that the configuration of our own mode of being, whether as male or female, is not simply the result of biological or genetic factors, but of multiple elements having to do with temperament, family history, culture, experience, education, the influence of friends, family members and respected persons, as well as other formative situations. It is true that we cannot separate the masculine and the feminine from God’s work of creation, which is prior to all our decisions and experiences, and where biological elements exist which are impossible to ignore”.

⁹ *Ibid*, 56.

Strategy 2014-2017, according to which, “gender equality means equal visibility, empowerment, responsibility and participation for both women and men in all spheres of public and private life”.

On the other hand, certain uses of the term “gender” prove ambiguous, to say the least. This is the case, for example, with the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence, of 11 May 2011 (Istanbul Convention). During the process of its negotiation, this Delegation – along with others – drew attention to the novelty of the definition contained in Article 3c, according to which “‘gender’ shall mean the socially constructed roles, behaviours, activities and attributes that a given society considers appropriate for women and men”. This definition in fact differs substantially from the one which had been used in international law until this point, and which was reflected specifically in Article 7.3 of the Rome Statute of the International Criminal Court. It differs similarly from the definition to which it refers in the report of the Fourth World Conference of the United Nations on Women (Beijing, 1995), which uses the word “gender” as a synonym for “sex”.

This ambiguity is even more explicit in another position taken by the Istanbul Convention in Article 4.3, where “gender” is simply listed alongside “sex” in the same paragraph; this could lead to an interpretation of the text whereby gender determines individual identity, independently of sex. Such ambiguity is even more regrettable when the Convention subsequently urges the parties to promote “non-stereotyped gender roles” in the area of education, which thus involves children (Article 14.1).

The consequences of such ambiguity could obviously run counter to what the member States legitimately consider to be an essential element of their cultural and constitutional patrimony, even to the infringement of parents’ right to ensure the education and teaching of their children in conformity with their religious and philosophical convictions, a right which is guaranteed in particular in Article 2 of the first Additional Protocol to the European Convention for the Protection of Human Rights and Fundamental Freedoms.

Finally, it is important to emphasize that the use of such a contested definition of the term “gender” does not serve the goals of the Istanbul Convention. This usage has moreover posed an obstacle to forming a real consensus in support of this Convention. Furthermore, it has contributed to slowing the process of adhesion leading some States to make legitimate Declarations at the moment of accession, Declarations to which other States parties now object, considering them as general reservations. In the end, all that has been done is to shift the debate to this controversial term.

This is even more regrettable when one considers the gravity of the phenomenon of violence against women and domestic violence, which are increasing dramatically in Europe, and which, quite apart from firm and unanimous condemnation, require coordinated efforts to more strenuously prevent lives from being shattered, and to take care of victims and their relatives.

In conclusion, the Holy See remains fully engaged in all initiatives which can truly contribute to improving the condition of women. Yet, given the importance of the anthropological, sociological and societal questions linked to this issue which are at stake, the Holy See deeply regrets that the debate among international authorities is being distorted by the diffusion of widely disputed language and by theories which threaten, among other things, to adversely affect the vital role that marriage and the family play for the common good and stability of our societies.