Opinion
Guest Voices



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On June 13, the USCCB, along with the Colorado Catholic Conference and the Catholic University of America, filed a brief at the U.S. Supreme Court opposing Colorado's 2019 Minor Conversion Therapy Law. But their defense of conversion therapy fails to align with Catholic teaching.

In 2019 Colorado passed the Minor Conversion Therapy Law, or MCTL, joining more than 20 states with similar legislation. While "conversion therapy" can be broadly defined as any practices which seek to change sexual orientations, gender identities or sexual desires, the law focuses on therapeutic practices by licensed professionals. The law prohibits licensed mental health professionals from engaging in any practice with minors that "attempts or purports to change an individual's sexual orientation or gender identity." It does not, however, prohibit conversion therapy by religious leaders or professionals acting outside the scope of their licenses.

Kaley Chiles, a Christian therapist from Colorado Springs, sued in 2022 to overturn the MCTL, arguing that it violates her First Amendment rights.

Both the U.S. District Court for the District of Colorado and the U.S. Court of Appeals for the 10th Circuit denied Chiles' motion to prevent enforcement of the law. In March, the Supreme Court of the United States agreed to review the case, with the question: "Whether a law that censors certain conversations between counselors and their clients based on the viewpoints expressed regulates conduct or violates the free speech clause of the First Amendment." Oral arguments are scheduled for Oct. 7.

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In their brief, Colorado officials claim that conversion therapy is a discredited practice that should be barred in the name of public health and safety and that the First Amendment allows regulation of professional health care treatments.

The other side argues that conversion therapy is harmful, that there are a range of available therapeutic practices that respect various religious convictions, and that Chiles and her supporters misrepresent studies and the arguments.

The bishops' brief opposing MCTL correctly argues that questions of gender and sexuality are "fundamental and enduring questions about human existence" and that people need the freedom to seek guidance from others who share their values. But in stating that "seeking counsel from a trusted advisor to discern right from wrong in confusing or complex situations," the brief mistakes the role of the licensed mental health professional.

The Catechism of the Catholic Church affirms the use of a "homosexual identity," stating: "Homosexual persons are called to chastity." So, too, does the catechism exercise deference to scientific findings, noting that the "psychological genesis [of homosexuality] remains largely unexplained."

Clinical psychology research affirms the church's restraint with data that documents both the inefficacy of conversion therapy and the fact that conversion therapy nearly doubles the risk of suicide for lesbian, gay and bisexual people.

Adherents of conversion therapy — which often pathologizes homosexuality, framing it as a result of a childhood trauma or socio-emotional wounds — claim that treatment practices can increase heterosexual desires and identities, as well as decrease homosexual ones. Catholics that promote some form of this approach include Joseph Nicolosi Jr., Bob Schuchts of the John Paul II Healing Center, Christopher West and Andrew Comiskey of Desert Stream Ministries. Mary Rice Hasson of the Person and Identity Project endorses conversion therapy for transgender and nonbinary identities as well. These theories that they promote are not rooted in the Catholic tradition, but rather in overly simplistic interpretations of Freudian theory.

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The Archdiocese of Indianapolis offers a helpful distinction between spiritual direction and psychological counseling in its Guidelines for Spiritual Direction: Psychological counseling focuses on developing tools and life changes to improve daily functioning, while spiritual direction is "a process of seeking to understand and follow God’s will." Theologians and ministers help with moral and vocational discernment; licensed therapists use professional best practices to pursue psychological goals. To confuse the two is to risk unprofessional and dangerous boundary-crossing.

"Boundary crossings may also occur when a Catholic therapist weighs in on theological matters and beliefs outside of their area of professional competence and licensure," writes Thomas Plante in the Journal of the Catholic Psychotherapy Association. "They may integrate their personal beliefs and practices into their professional work in a way that is inappropriate, unprofessional, unethical, and potentially exploitive."

To avoid that, Plante said, "Catholic psychotherapists may encourage their Catholic clients to receive ongoing and separate consultation with a spiritual director, cleric, or other appropriate representative within the Church."

Further, the USCCB brief argues that the government may not regulate content when therapists are "talking with their clients." It acknowledges that "talking" is "the *only* relevant service that Petitioner [the therapist] proposes to provide." With this, the USCCB is inadvertently arguing that these paid licensed services should not be regulated at all. This is an extraordinary claim, and is inconsistent with a properly Catholic understanding of free speech, or even religious liberty.

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Dignitatis Humanae, the Second Vatican Council's Declaration on Religious Freedom, argues that "society has the right to defend itself against possible abuses committed on the pretext of religion." It warns against the dangers of an unbridled false "religious liberty" and argues that defense against this is "the special duty of government." The USCCB brief waves away this Catholic teaching and instead adopts a contemporary American understanding of liberty, one in which rights are absolute. It hearkens to past USCCB arguments that the church ought to be immune from liability for clergy abuse, in the name of religious liberty. As we know, courts have rejected this argument, which has forced Catholic leaders to take accountability, including financial accountability, for the abuses throughout our church.

As a gay Catholic, I find the U.S. bishops' defense of conversion therapy to be a source of ecclesial scandal and personal pain. Time and time again, I've seen Catholic leaders wave away church teaching and accountability to the detriment of LGBTQ+ lives. If we are to follow the teaching of *Dignitatis Humanae,* faithful Catholics will do what we can to work against this, whether by protest, seeking

change in our church, educating others about these harms or by seeking to live our own lives with greater integrity and accountability.

At the same time, Catholic leaders' bad arguments can also be a source of freedom. Their lack of care and credibility only emboldens LGBTQ+ Catholics to decide for ourselves how to best live and love. This may not be the freedom that the USCCB wants. But in a church where grace is a mystery, it's the freedom they have to give.