

SYMPOSIUM: A CELEBRATION OF THE TWENTIETH ANNIVERSARY OF MULIERIS DIGNITATEM, PART II: ARTICLE: MARRIAGE AND MULIERIS DIGNITATEM

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Text

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It is a great pleasure to be with you here at The Catholic University of America on this twentieth anniversary of Pope John Paul II's apostolic letter *Mulieris Dignitatem*.¹ My assigned task is to speak about the theology and canon law of marriage in light of the apostolic letter. With this focus in mind, it seems helpful to recall that one of the document's central themes is the universal call to holiness lived out through sacramental marriage or virginity. In the first part of my remarks this morning, I shall discuss St. Augustine's teaching on the relation between marriage and virginity. In the second part, I shall mention several prominent features of *Mulieris Dignitatem*, including the complementarity of marriage and virginity, the personalist interpretation of Ephesians 5, and the Eucharistic understanding of marriage and virginity. I shall discuss these features in relation to the Augustinian tradition.

I. The Augustinian Tradition on Marriage

St. Augustine provided the classical description of the goods of marriage as fidelity (*fides*), children (*proles*), and sacrament (*sacramentum*).² According to Augustine, fidelity is the understanding and intention of the married couple to exercise exclusive sexual faithfulness to one another. As the fruit of fidelity, parents accept children in love, nurturing them in affection, and educating them in [*350] religion. The sacrament constitutes a symbol of the permanence and stability in marriage.³

A. The Debate Between St. Jerome and Jovian

¹ Pope John Paul II, *Mulieris Dignitatem* [Apostolic Letter on the Dignity and Vocation of Women] (1988) [hereinafter *Mulieris Dignitatem*]

² St. Augustine, *The Literal Meaning of Genesis*, Bk. IX, Ch. 7 (John Hammond Taylor, S.J. trans., Johannes Quasten et al. eds., *Ancient Christian Writers* No. 42, 1982).

³ Id.; see also St. Augustine, *On the Good of Marriage* P 32 (C.L. Cornish trans.), in 3 *The Nicene and Post-Nicene Fathers of the Christian Church: First Series* 395, 414 (Philip Schaff ed., 1993) [hereinafter *St. Augustine, On the Good of Marriage*] (discussing the indissolubility and the goods of marriage); St. Augustine, *Of Holy Virginity*, Ch. 12 (C.L. Cornish trans.), in 3 *The Nicene and Post-Nicene Fathers of the Christian Church: First Series*, supra, at 415, 420 (discussing the goods of marriage).

In describing the goodness of marriage, St. Augustine did not set out to afford a systematic theological and canonical treatment of the subject. Rather, his teaching on marriage was formed through his experience as a bishop writing to address pastoral situations in Northern Africa. During the end of the fourth century, Augustine faced a challenge raised by an ascetical movement in the Church that had Manichean overtones.⁴ Some full-fledged Manicheans, the "Elect," adopted the ascetical practice of sexual continence. The Manicheans thought that sexual reproduction is a trick employed by an evil deity to trap the human spirit in a physical body.⁵ This view was in conflict with the Christian interpretation of the Book of Genesis and its doctrine about the fundamental goodness of creation.⁶ As Christian asceticism developed, St. Jerome entered into a debate with his fellow Christian, Jovian, over the nature of sexual reproduction and marriage.⁷ Jerome taught the superiority of virginity over marriage,⁸ and he urged married persons to end marital relations and **[*351]** to live a chaste asceticism.⁹ In extolling the goodness of marriage, Jovian argued that the married state is equal in status to virginity. He insisted that the married person who adheres to Christian belief could be just as virtuous as the Christian virgin. He accused Jerome and other Christian ascetics of tending toward a Manichean denigration of the human body and sexual reproduction.¹⁰

B. St. Augustine's Middle Course

As Bishop of Hippo, Augustine attempted to steer a middle course in the debate between Jerome and Jovian. Augustine believed that the procreation of children is the "primary, natural, and legitimate purpose of marriage."¹¹ At the same time, he concurred with Jerome that virginity and the chastity of continence are ways of Christian ascetical practice superior to the chastity of marriage.¹² Marriage is, according to Augustine, a cure for

⁴ See Peter Brown, *Augustine of Hippo: A Biography* 35-37, 141-44 (2000).

⁵ See Elizabeth A. Clark, *Introduction to St. Augustine on Marriage and Sexuality* 1, 3 (Elizabeth A. Clark ed., *Selections from the Fathers of the Church* no. 1, 1996) [hereinafter *St. Augustine on Marriage and Sexuality*].

⁶ See St. Augustine, *On the Good of Marriage*, *supra* note 4, PP 1-2.

⁷ See St. Jerome, *Against Jovinianus*, Bk. I, Ch. 37, in *6 Nicene and Post-Nicene Fathers of the Christian Church: Second Series* 346, 375 (Philip Schaff & Henry Wace eds., W.H. Fremantle et al. trans., 1995) ("If corruption attaches to all intercourse, and incorruption is characteristic of chastity, the rewards of chastity cannot belong to marriage."). Although St. Jerome apparently did not think that marriage could be chaste, the Christian tradition has long held that spouses who live in fidelity to each other and whose sexual relations are open to children live in a chaste relationship. See *Catechism of the Catholic Church* P 2349 (2d ed. 1997).

⁸ See Letter of St. Jerome to Eustocum [Letter XXII] P 19 (384), in *6 Nicene and Post-Nicene Fathers of the Christian Church: Second Series*, *supra* note 8, at 22, 29 ("I do not detract from wedlock when I set virginity before it... Wedded women may congratulate themselves that they come next to virgins.").

⁹ See St. Jerome, *supra* note 8, Bk. I, Ch. 7. St. Jerome writes:

If we abstain from intercourse, we give honour to our wives: if we do not abstain, it is clear that insult is the opposite of honour. [St. Peter] also tells the wives to let their husbands "see their chaste behaviour, and the hidden man of the heart, in the incorruptible apparel of a meek and quiet spirit." Words truly worthy of an apostle, and of Christ's rock! He lays down the law for husbands and wives, condemns outward ornament, while he praises continence, which is the ornament of the inner man, as seen in the incorruptible apparel of a meek and quiet spirit. In effect he says this: Since your outer man is corrupt, and you have ceased to possess the blessing of incorruption characteristic of virgins, at least imitate the incorruption of the spirit by subsequent abstinence, and what you cannot show in the body exhibit in the mind. For these are the riches, and these the ornaments of your union, which Christ seeks.

Id. (discussing 1 Peter 3:2-4).

¹⁰ See Edward L. Cutts, *Saint Jerome* 87 (London, Soc'y for Promoting Christian Knowledge, 4th ed. 1897).

¹¹ St. Augustine, *Adulterous Marriages*, Bk II, Ch. 12 (Charles T. Huegelmeier trans.), in *Treatises on Marriage and Other Subjects* 53, 117 (Roy J. Deferrari et al. eds, *Fathers of the Church Series* No. 27, 1955).

concupiscence. ¹³ In Augustine's view, sexual intercourse even between married persons always involves a degree of corruption, but sexual intercourse for the [*352] purpose of procreation is not sinful. ¹⁴ Although Augustine describes a faithful marriage between Christians as chaste, he thought that such chastity is not as good as the chastity of continence. ¹⁵

At the same time, in *The Good of Marriage*, he wrote, "The marriage of male and female is something good And this seems not to me to be merely on account of the begetting of children, but also on account of the natural society itself in a difference of sex." ¹⁶ As a bishop, Augustine feared that the unity of the Christian community might be threatened if sexual abstinence became a line of demarcation between morally perfect and less perfect Christians. ¹⁷ This pastoral crisis early in his episcopate led Augustine to confirm the fundamental position of St. Jerome even as he developed a doctrine of creation that attested to the goodness of the human body and sexuality. ¹⁸ Specifically, he identified procreation of children (*proles*) and the natural companionship of the spouses (*fides*) as aspects of the goodness of marriage.

C. Response to Jovian

In response to Jovian, Augustine found it necessary to deny that he himself was a Manichean. ¹⁹ Prior to his conversion to Christianity, Augustine had in fact enlisted in a lower rank of the Manicheans as an "Auditor." ²⁰ Auditors were permitted to have sexual relations as long as they practiced certain contraceptive techniques. ²¹ In his *Confessions*, Augustine reports that during the time of his Manichean [*353] belief, he lived in fidelity with a woman for fifteen years who in the first year of the relationship bore their only child, a son, Adeodatus. ²² He mentions other sexual relationships that were apparently childless. ²³ After his conversion, Augustine adopted a pro-reproductive and anti-contraceptive attitude toward sexual relations in marriage. At the same time, Augustine

¹² St. Augustine, *On the Good of Marriage*, supra note 4, P 28; see also St. Augustine, Preface to Book II of *On Marriage and Concupiscence*, in 5 *The Nicene and Post-Nicene Fathers of the Christian Church: First Series*, supra note 4, at 257, 281 (Peter Holmes et al. trans., 1991) [hereinafter St. Augustine, *On Marriage and Concupiscence*] (noting a distinction "between the good of marriage and the evil of carnal concupiscence, - an evil which is well used by conjugal chastity").

¹³ See St. Augustine, *On the Good of Marriage*, supra note 4, P 9.

¹⁴ St. Augustine, *On Marriage and Concupiscence*, supra note 13, Bk. I, Ch. 17; see also id. Bk. II, Ch. 15 (arguing that original sin is inherited through the "union of the sexes, which cannot even accomplish its own honourable function without the incident of shameful lust").

¹⁵ St. Augustine, *On the Good of Marriage*, supra note 4, P 28 ("We may no way doubt that the chastity of continence is better than marriage chastity, whilst both are good"); St. Augustine, *On Marriage and Concupiscence*, supra note 13, Bk. I, Ch. 18 (arguing that continence is better than marriage, but marriage is better than fornication).

¹⁶ St. Augustine, *On the Good of Marriage*, supra note 4, P 3.

¹⁷ Cf. St. Augustine, *On Marriage and Concupiscence*, supra note 13, Bk. I, Ch. 8 (noting disagreements concerning whether lust is good or evil).

¹⁸ See id. Bk. I, Ch. 6 (arguing that marriage and sexuality were created good and remain so, but Adam's sin disordered sexuality and introduced lust).

¹⁹ Id. Bk. II, Ch. 38; see also Brown, supra note 5, at 198-99, 271-72.

²⁰ Brown, supra note 5, at 35; see also St. Augustine, *Confessions*, Bk. V, Ch. 6 (Roy Joseph Deferrari et al. eds., Vernon J. Bourke trans., *Fathers of the Church Series No. 21*, 1953) [hereinafter St. Augustine, *Confessions*].

²¹ St. Augustine on *Marriage and Sexuality*, supra note 6, at 32.

²² St. Augustine, *Confessions*, supra note 21, Bk. IV, Ch. 2; see id. Bk. IX, Ch. 6.

²³ See id. Bk. III, Ch. 1.

exhibited a suspicion of sexual relations. Based upon his experiences as revealed in the Confessions, Augustine adopted the view of St. Paul that a conflict between spirit and flesh is characteristic of human existence.²⁴ In his work *On Contenance*, which was composed sometime after AD 412, Augustine rejected the negative perspective of the Manicheans on creation and the human body, as well as the ethical consequences derived from it.²⁵ Contrary to the ascetical practice of the Manichean Elect, who refrained from sexual relations on account of the evil of the human body, Augustine held that continence should be understood as God's gift and should be practiced out of love for God.²⁶ He also rejected the Manichean position that some persons are compelled to commit sexual sins because the power of evil is stronger than the power of God.²⁷ In the face of the deterministic strain of Manicheism, Augustine emphasized the role played by free will.²⁸

D. Tempered by Pelagian Doctrine

Augustine's emphasis on the goodness of marriage and free will was tempered by the conflict with the Pelagian heresy, which became the focus of his writing for much of the last two decades of his life.²⁹ Pelagius was alarmed by the number of professed Christians who excused their sinfulness on account of the weakness of human nature as a result of original sin. According to Pelagius and his followers, [*354] God created human nature as good and endowed it with the intellectual and volitional capacity to live virtuously.³⁰ Augustine responded that human nature, although created good, had been corrupted through original sin. He believed that original sin is passed on through sexual intercourse and that sinful lust is a primary manifestation of original sin.³¹ As a result of original sin, all persons are born into a world doomed and unable to choose the good without special divine assistance. Sin, for Augustine, is not just the consequence of inadequate teaching or bad habit, but rather the result of the darkness of the soul, the effects of which remain even after the cleansing of Baptism. The *mysterium iniquitatis*, Augustine observed, cannot be explained through the use of human reason alone.³²

Augustine interpreted feelings of shame about the sexual organs and the desire for privacy during intercourse that remain even after Baptism for married Christians as indications of the continuing effects of original sin.³³ However, he continued to affirm the fundamental goodness of creation and sexual intercourse. Referring to Adam and Eve, Augustine wrote:

God's blessing on their marriage, with the command to increase and multiply and fill the earth, was given before the fall. The blessing remained even when they had sinned, because it was a token that the begetting of children is part of the glory of marriage and has nothing to do with the penalty for sin.³⁴

²⁴ Id. Bk. VII, Chs. 17, 21; cf. Romans 7:22-23.

²⁵ St. Augustine, *On Contenance* P 18 (C.L. Cornish trans.), in 3 *The Nicene and Post-Nicene Fathers of the Christian Church: First Series*, supra note 4, at 377, 386 [hereinafter *St. Augustine, On Contenance*].

²⁶ Id. PP 17-18.

²⁷ Id. P 18.

²⁸ Id. PP 17-21; see also St. Augustine, *The City of God*, Bk. XIV, Ch. 23 (Roy Joseph Deferrari et al. eds., Gerald G. Walsh & Grace Monahan trans., *Fathers of the Church Series No. 14*, 1952) [hereinafter *St. Augustine, The City of God*] (discussing the struggles between the will and lust).

²⁹ Brown, supra note 4, at 340-53.

³⁰ See St. Augustine, *Against Julian*, Bk. IV, Ch. 3 (Hermigild Dressler, O.F.M. et al. eds, Matthew A. Schumacher, C.S.C. trans., *Fathers of the Church Series No. 35*, 1957) [hereinafter *St. Augustine, Against Julian*]; St. Augustine, *On Marriage and Concupiscence*, supra note 13, Bk. II, Ch. 34.

³¹ St. Augustine, *On Marriage and Concupiscence*, supra note 13, Bk. I, Ch. 27.

³² See id. Bk. II, Chs. 15, 55; St. Augustine, *Against Julian*, supra note 31, Bk. V, Ch. 39.

³³ St. Augustine, *The City of God*, supra note 29, Bk. XIV, Ch. 18.

Contrary to the view of St. Jerome and other patristic writers, Augustine held that if original sin had not been committed, there would still have been sexual intercourse in the Garden of Paradise. Augustine speculated, "In Paradise, then, generative seed would have been sown by the husband and the wife would have conceived as need required, and all would have been achieved by deliberate choice and not by uncontrollable lust." ³⁵ Prior to original sin, Augustine thought that the sexual "organs which are now excited only by lust [*355] could have been completely controlled by deliberate choice." ³⁶ Sexual intercourse remains a good within marriage even though it has been disordered as a consequence of original sin. Marriage, for Augustine, is an objective social and sacramental reality that serves as a remedy for the concupiscence caused by original sin and a stable structure in which to procreate and educate children.

Augustine's use of the word *sacramentum* does not imply that he understood marriage as a sacrament in the systematic and technical sense of the medieval theologians and canonists, which was eventually expressed as a doctrine of the faith at the Council of Trent. ³⁷ In *On the Good of Marriage*, Augustine describes marriage as sacred and permanent. ³⁸ Marriage in Augustine's view does not depend on either the continued love or fidelity of the spouses. Nor does the bond of marriage require that the union produce children. Augustine's emphasis is on the understanding of the mind and the act of the will by which the couple is united in marriage. Once marriage is formed by a man and a woman, it "bears a certain sacramental character [and] can no way be dissolved but by the death of one of [*356] them." ³⁹ He claims that the Virgin Mary and her husband Joseph enjoyed all three goods of marriage: "Faithfulness, because of no adultery; offspring, our Lord Christ; and sacrament, because no divorce." ⁴⁰ A newly discovered letter of St. Augustine distinguishes between lawful concupiscence in marriage and the disordered concupiscence of the fallen human condition. In this letter, which is dated to about AD 421, Augustine writes to the Bishop of Constantinople acknowledging that there may have been a sinless sexual desire in prelapsarian Paradise. ⁴¹ This possibility seems consistent with his thought concerning the fullness of the threefold

³⁴ Id. Bk. 14, Ch. 21.

³⁵ Id. Bk. 14, Ch. 24.

³⁶ Id.

³⁷ The meaning of the concept *sacramentum* in the writings of patristic figures such as Augustine, Ambrose, and Tertullian is equivocal and has bequeathed as its legacy the perennial problem of interpretation. One of the earliest uses of the term *sacramentum* in relation to marriage appears in Tertullian. It seems to have had the meaning of a religious oath or promise and also of a type or image. See Quintus Septimius Florens Tertullianus, *De Monogamia* [On Monogamy], Ch. 5, reprinted in Qu. Sept. Flor. Tertulliani Opera 112, 118 (E.F. Leopold ed., Leipzig, Bernhard Tauchnitz 1839) ("Monogamus accurrit in spiritu, unam habens ecclesiam spousam, secundum Adam et Evae figuram; quam Apostolus in illud magnum sacramentum interpretatur, in Christum et ecclesiam competisse carnali monogamiae per spiritalem."), translated in 4 *The Ante-Nicene Fathers*, supra, 59, 62 (1956) ("[Christ] stands before you a monogamist in spirit, having one Church as His spouse, according to the figure of Adam and of Eve, which (figure) the apostle interprets of that great sacrament of Christ and the Church" (S. Thelwall trans.)); see also Lucius Caelius Firmianus Lactantius, *Epitome Divinarum Institutionum* [The Epitome of the Divine Institutes], Ch. 66, reprinted in 6 *Patrologiae Cursus Completus, Series Latina* 1017, 1080 (J.P. Migne ed., Paris, Excudebat Sirou 1844) ("Qui habet conjugem nihil quaerat extrinsecus : sed contentus ea sola, casti et inviolati cubilis sacramenta custodiat."), translated in 7 *The Ante-Nicene Fathers* 224, 250 (Alexander Roberts & James Donaldson eds., 1857) ("Let him who has a wife seek nothing further, but, content with her alone, let him guard the mysteries of the marriage-bed chaste and undefiled." (William Fletcher trans.)). Ambrose employed the word *sacramentum* in a text in which he urges husbands not to engage in extramarital intercourse with prostitutes or slaves, but it is not at all clear from the context whether the word refers to baptism or marriage. See Santus Ambrosius, *De Abraham*, Bk. 1, Ch. 4, reprinted in 14 *Patrologiae Cursus Completus, Series Latina*, supra, 442, 452 (1882); see also Theodore Mackin, S.J., *The Marital Sacrament* 131, 164-77, 190-92, 196-97, 215-27 (1989) (discussing the historical development of the term *sacramentum*).

³⁸ St. Augustine, *On the Good of Marriage*, supra note 4, P 3.

³⁹ Id. P 17; see also St. Augustine, *On Marriage and Concupiscence*, supra note 13, Bk. I, Ch. 11 (discussing the indissolubility of marriage).

⁴⁰ St. Augustine, *Against Julian*, supra note 31, Bk. V, Ch. 12 (internal quotation marks omitted).

goodness of the marriage between the Virgin Mary and her chaste spouse Joseph. It is also consistent with contemporary developments in the Church's teaching on marriage.

E. Vatican II and the Canon Law of Marriage

The classical Augustinian description of the three goods of marriage is reflected, but not repeated verbatim, in the 1983 Code of Canon Law. The 1983 Code defines the twofold ends of marriage as "the good of the spouses" and "the procreation and education of offspring."⁴² The language of the canon situates the two ends of marriage in the context of marriage as a covenant and a sacrament.⁴³ It then lists unity and indissolubility as the essential properties of marriage.⁴⁴ The elements of the Augustinian description of the goods of marriage - fidelity, children, and sacrament - inform the present law of the Church describing marriage as sacramental covenant in terms of ends and properties: the love of the spouses, children, unity, and indissolubility.

When the Code defines the coequal ends of marriage as the good of the spouses and the procreation of children, it reflects a development in the Church's understanding that is rooted in the traditional Augustinian analysis. The 1917 Code of Canon Law stated **[*357]** the Augustinian perspective about the ends of marriage: "The primary end of marriage is the procreation and education of children; the secondary [end] is mutual support and a remedy for concupiscence."⁴⁵ In 1930, Pope Pius XI promulgated *Casti Connubii*, in which he affirmed St. Augustine's view that the procreation and education of children is the primary end of marriage.⁴⁶ Unlike the 1917 Code and *Casti Connubii*, Vatican II's *Gaudium et Spes* declined to articulate a hierarchy in the ends of marriage.⁴⁷ It employed the term "good of the spouses" (*bonum coniugum*) rather than "mutual support and a remedy for concupiscence" of the 1917 Code.⁴⁸ *Gaudium et Spes* states that true love between husband and wife "is directed from one person to another through an affection of the will" and "involves the good of the whole person."⁴⁹ The ends of marriage as described at Vatican II and encoded into the 1983 Code are inseparable. According to this theological approach, the reciprocal gift of self renders the married couple capable of participating in the creative power of God, through which life is given to a new human person.

II. The Relation Between *Mulieris Dignitatem* and the Augustinian Tradition

How does Pope John Paul II's apostolic letter about the dignity of women relate to the Augustinian tradition on marriage? I shall discuss the relationship in terms of the complementarity of marriage and virginity, personalism and the metaphor from Chapter 5 of St. Paul's Letter to the Ephesians, and the Eucharistic understanding of marriage and virginity in *Mulieris Dignitatem*.

A. The Complementarity of Marriage and Virginity

⁴¹ For an English translation of the letter, see St. Augustine on Marriage and Sexuality, *supra* note 5, at 99.

⁴² 1983 Code c.1055, § 1, translated in Code of Canon Law: Latin-English Edition 335 (Canon Law Soc'y of Am. trans., 1989).

⁴³ See *id.*

⁴⁴ *Id.* c.1056.

⁴⁵ 1917 Code c.1013, § 1, translated in The 1917 or Pio-Benedictine Code of Canon Law 352 (Edward N. Peters ed., 2001) (alteration in original).

⁴⁶ Pope Pius XI, *Casti Connubii* [Encyclical Letter on Christian Marriage] P 17 (1932).

⁴⁷ See Second Vatican Council, *Gaudium et Spes* [Pastoral Constitution on the Church in the Modern World] PP 48-50 (1965), reprinted in The Sixteen Documents of Vatican II 513, 561-65 (Nat'l Catholic Welfare Conference trans., 1967) [hereinafter *Gaudium et Spes*].

⁴⁸ Compare *id.* P 48, with 1917 Code c.1013, § 1, translated in The 1917 or Pio-Benedictine Code of Canon Law, *supra* note 46, at 352.

⁴⁹ See *Gaudium et Spes*, *supra* note 48, P 49.

In *Mulieris Dignitatem*, the late Holy Father posits that marriage and virginity are complementary. Pope John Paul II states:

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Spousal love always involves a special readiness to be poured out for the sake of those who come within one's range of activity. In marriage this readiness, even though open to all, consists mainly in the love that parents give to their children. In virginity this readiness is open to all people, who are embraced by the love of Christ the Spouse.⁵⁰

The Pope identifies "spousal love" as the common factor of marriage and virginity. He explains that "[a] woman is 'married' either through the sacrament of marriage or spiritually through marriage to Christ."⁵¹ The married woman and the virgin share a "spiritual motherhood," which is the basis of both Christian physical motherhood and the motherhood of the consecrated virgin.⁵²

Acknowledging that "there exist many reasons for discerning in these two different paths ... a profound complementarity," John Paul identifies marriage and virginity as the two distinct vocations that reflect "a profound union within a person's being."⁵³ In terms of these distinct modes of living as a human person, the Pope agrees with St. Augustine that marriage is good but virginity is superior. John Paul II locates the superiority of virginity in the New Testament: "In the First Letter to the Corinthians (7:38), St. Paul proclaims the superiority of virginity over marriage, which is a constant teaching of the Church in accordance with the spirit of Christ's words recorded in the Gospel of Matthew (19:10-12)" ⁵⁴ According to the Pontiff, the traditional claim about virginity's superiority does not in any way detract from the goodness of marriage and physical motherhood.⁵⁵ To the contrary, the reference to motherhood in the New Testament as a way of describing apostolic ministry points to the dignity of marriage and physical motherhood.⁵⁶ John Paul suggests that although virginity is "essentially feminine," it remains open to both women and men and is a special characteristic of apostolic service.⁵⁷

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B. Personalism and Ephesians 5

Pope John Paul II adds a personalist perspective to the metaphor of Ephesians 5, which compares marital love to the love of Christ for the Church.⁵⁸ During the twentieth century, the Catholic discussion about the nature of marriage reflected an emerging personalist approach. The writing of Karol Wojtyla on marriage and sexuality is representative of the new personalism.⁵⁹ In *Love and Responsibility*, the future pope wrote, "Neither sensuality nor even concupiscence is a sin in itself, since only that which derives from the will can be a sin - only an act of a conscious and voluntary nature (*voluntarium*)."⁶⁰ In his battle with Pelagianism, Augustine had stressed concupiscence as a consequence of original sin.⁶¹ Wojtyla emphasized that "a sensual reaction, or the 'stirring of'

⁵⁰ *Mulieris Dignitatem*, supra note 1, P 21.

⁵¹ Id.

⁵² Id.

⁵³ Id.

⁵⁴ Id. P 22.

⁵⁵ Id.

⁵⁶ Id.

⁵⁷ See id. PP 20-21.

⁵⁸ Ephesians 5:21-33.

⁵⁹ See, e.g., Pope John Paul II, *The Theology of the Body* (1997); Karol Wojtyla, *Love & Responsibility* (H.T. Willetts trans., Ignatius Press 1993) (1960).

⁶⁰ Wojtyla, supra note 60, at 161.

carnal desire which results from it, and which occurs irrespectively and independently of the will, cannot in themselves be sins." ⁶² Wojtyla contrasts the "love that is a gift of self" with "the superficial view of sex." ⁶³ The superficial view involves mutual exploitation instead of the experience of marital love rooted in the renunciation of self. ⁶⁴ Marital love in this sense does not diminish the human person as a result of self-renunciation, but to the contrary "enlarges and enriches the existence of the person." ⁶⁵ The self-sacrifice of the spouses in remaining faithful to each other, in being open to children and raising them, and in remaining within the indissolubility of the marital relationship actually functions to render each of the spouses more fully a human person. Marital love is inherently linked to fidelity, children, and indissolubility. These three traditional goods distinguish marital love from all other types of love.

St. Augustine's identification of the three goods of marriage may be said to contain the seeds of the twentieth century Church teaching on marriage that flowered at Vatican II. Reflecting upon the Pauline comparison drawn between marital love and the love of Christ for the Church in Ephesians 5:23, Augustine interpreted the metaphor as a **[*360]** rebuke to the Manicheans who attributed human flesh "to some ... fabled 'race of darkness,' which they [claim] hath had its [evil] nature without any beginning." ⁶⁶ In contrast, Augustine saw in the union of the flesh in marriage the goodness of creation and the love of Christ for the Church. ⁶⁷ Christ's love for the Church is the self-emptying love. In drawing a comparison between Christ's spousal love for the Church and the love between a husband and wife in marriage, the Pauline metaphor attributes a great dignity to marital love. The traditional three goods of fidelity, children, and permanence remain objectively verifiable criteria. Vatican II's interpersonal approach to the good of marriage is fully consistent with the objectivity of the three traditional goods.

In discussing marriage, the 1983 Code of Canon Law relies on Augustine's three goods of marriage. Canon 1055 defines marriage in terms of the objective criteria of fidelity, children, and sacrament. ⁶⁸ Consistent with Vatican II's interpersonal approach, the canon also describes marriage in terms of the good of the spouses, covenantal relationship, and a communion for the whole of life. ⁶⁹ The understanding of marriage as a sacred covenant and communion enhances both the objective and subjective dimensions of the marital relationship. As a covenant, marriage is not merely a contractual relationship to be breached at will. Rather, the canon's description of marriage as a covenant recalls the lasting nature of the biblical relationship between God and his chosen people. ⁷⁰ Such an objective sacred relationship does not depend on subjective preference. The covenantal relationship is also a deeply personal and intimate one. Likewise, communion means that marriage is no ordinary partnership. The English word "partnership" does not adequately reflect the objective and interpersonal relationship of communion. Communion recalls the purification and self-renunciation that comes only from unity with the Mystical Body of Christ. ⁷¹ A member of the Body of Christ participates in an objective ecclesial reality in a deeply interpersonal way. The love of the spouses, their covenantal relationship, and their communion transforms the family into a "domestic church" in which children may first come to know God and the **[*361]** salvation offered through Christ. ⁷² If the

⁶¹ See supra notes 30-37 and accompanying text.

⁶² Wojtyla, supra note 60, at 161.

⁶³ Id. at 126.

⁶⁴ See id. at 125-26.

⁶⁵ See id. at 126.

⁶⁶ St. Augustine, On Continenence, supra note 26, P 22 (footnote omitted).

⁶⁷ Id. P 23.

⁶⁸ See 1983 Code c.1055.

⁶⁹ See id.

⁷⁰ See, e.g., Genesis 9:8-17.

⁷¹ See Catechism of the Catholic Church, supra note 8, P 1644.

spouses in marriage are faithful, open to children, and committed for life, their love for each other will necessarily reflect the self-renunciation of Christ as a sacred unity of covenant and communion indissoluble for the whole of life.

This is not to suggest that identification of the good of the spouses as a coequal end with the procreation and education of children adds nothing new to the Church's understanding of marriage. The identification of the good of the spouses and procreation as inseparable and coequal ends represents a legitimate development in the Church's teaching.⁷³ In *Mulieris Dignitatem*, Pope John Paul reflects on additional personalist aspects of the Church's teaching on marriage. He finds in the analogy of Ephesians 5 a fundamental affirmation of woman as person.⁷⁴ According to John Paul, Christian marriage requires "a mutual subjection out of reverence for Christ."⁷⁵ In this regard, Christian marriage recalls the original unity of man and woman from the beginning.⁷⁶ As John Paul points out, the tradition has held that "in marriage a man and a woman become "one flesh."⁷⁷ The personalist perspective not only affirms the equality of the spouses in marriage, but each of the spouses as a full human person is called to surrender self in accord with the complementarity of being male and female.

C. The Eucharistic Understanding of Marriage and Virginit

In *Mulieris Dignitatem*, John Paul II refers to the Eucharist as "the Sacrament of the Bridegroom and of the Bride."⁷⁸ The Church understands the Eucharist as the gift of Christ's love in which Christ is united in his body as the bridegroom to the Church as his bride.⁷⁹ In this sense, John Paul points out that in the Church, "every human being - male and female - is the "Bride."⁸⁰ The bride is to become the mother. Her love for her spouse is inseparable from the desire to **[*362]** have children. The Eucharist calls all Christians to spousal love and to the love of motherhood, in which both manifestations of love require the gift of self for the other. The Sacrament of Christ's redeeming love contains both marital love and virginal love. It is the Sacrament of fecund grace and of chaste consecration. In the Eucharist, women and men are both the chaste bride and the fruitful mother in response to the love of Christ the Bridegroom, who surrenders himself for the love of all. Like the threefold goodness that Augustine attributed to marriage (*fides, proles, and sacramentum*), the Eucharist elicits fidelity, fruitful service, and sacramental meaning in one's life. As described by Pope John Paul II in *Mulieris Dignitatem*, the Eucharist signifies that the dignity of women and men is ultimately found in the universal call to holiness.⁸¹

Conclusion

The contemporary theology and canon law of marriage reflected in *Mulieris Dignitatem* traces its ancient roots to St. Augustine of Hippo's understanding. The Augustinian understanding of marriage contains elements of idealism and realism. Augustine embraced the Gospel ideal that the human person, with the help of grace, has the capacity to make a lifelong commitment to chastity. Contemporary secular society expresses skepticism about this ideal. Nonetheless, Pope John Paul II observes that the human person has been endowed with the capacity for chastity and only flourishes through the attempt to live it with the help of grace. With specific care for women in *Mulieris*

⁷² See Second Vatican Council, *Lumen Gentium* [Dogmatic Constitution on the Church] P 11 (1964), reprinted in *The Sixteen Documents of Vatican II*, supra note 48, at 107, 121.

⁷³ See Wojtyla, supra note 60, at 68.

⁷⁴ See *Mulieris Dignitatem*, supra note 1, P 24.

⁷⁵ *Id.* (internal quotation marks omitted) (emphasis omitted) (citing Ephesians 5:21).

⁷⁶ See *id.* PP 7, 18.

⁷⁷ *Id.* P 24 (citing Genesis 2:24; Ephesians 5:31).

⁷⁸ *Id.* P 26 (emphasis omitted).

⁷⁹ See *id.*

⁸⁰ *Id.* P 25.

⁸¹ See *id.* PP 26-27.

Dignitatem, John Paul teaches that this commitment is lived-out either in the virginal or married state, both of which entail motherhood - spiritual or real. Although the tradition sees marriage as a fundamental good of life, it maintains the superiority of virginity. *Mulieris Dignitatem* acknowledges the excellence of virginity even as it focuses on the complementarity of virginity and marriage.

At the same time, the Augustinian understanding contains a healthy dose of realism about human sexuality. Based on personal and pastoral experience, Augustine knew that many if not most adult human persons experience powerful interior drives that are not always consistent with the virginity or chaste marriage. Given the reality of original sin, Augustine realized that both women and men are prone to fall short in their attempts to live in accord with Gospel [*363] chastity. In describing the ideal, Pope John Paul II fully appreciates the reality of the fallen human situation and its Redemption by Christ. The human person, as a woman or a man, can only hope to fulfill the ideal of chastity through prayer, penance, and the gift of self to others, which are responses to Christ's healing and sanctifying grace. In reconciling the ideal and real, it seems helpful to recall John Paul's consistent focus on the superabundant mercy of God that has changed human destiny.⁸² As Pope Benedict XVI has observed, his predecessor in the See of St. Peter, who died on Divine Mercy Sunday, might rightly be described as the "Apostle of Mercy."⁸³

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⁸² See Pope John Paul II, Homily for the Feast of the Divine Mercy (Apr. 22, 2001), in *Divine Mercy: The Gift of Easter!*, L'Osservatore Romano (English ed.), Apr. 25, 2001, at 1.

⁸³ See Pope Benedict XVI, Regina Caeli Address at St. Peter's Square (Mar. 30, 2008), in "Divine Mercy: Our Only Hope!", L'Osservatore Romano (English ed.), Apr. 2, 2008, at 1.