

## A Plea for the traditional family: Situating marriage within John Paul II's realist, or personalist, perspective of human freedom<sup>1</sup>

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*This article is an attempt to defend the rights of the traditional family: not simply against the redefinition of marriage, but more fundamentally against a re-conceptualization of human freedom and human rights. To this end, it contrasts what Saint John Paul II calls an individualistic understanding of freedom and a personalistic notion of the same in order to argue that human freedom is called by the Creator to be in service of, and not in opposition to, the good of the human family. From this perspective—that of the social doctrine of the Catholic Church—it argues for the harmony between natural marriage and the respect of fundamental human rights, and it presents the social dimension of marriage as fundamental with respect to the legal and social protection of the family.*

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The challenge posed to the traditional human family by the redefinition of marriage is, I am convinced, a symptom of a much larger cultural phenomenon regarding the manner in which we have come to perceive not only the concepts of human rights, personal dignity, and individual freedom, but also and especially the world itself. This larger phenomenon is due to what the German philosopher Josef Pieper recognized as the overpowering of “authentic reality” by what he called “pseudoreality” (Pieper 1992, 34). This in turn, Pieper argued—at least two decades before the emergence of virtual reality as we know it—is due to an “abuse of the word” by reason of its detachment from the notions of truth and reality. “To be true means, indeed, to be determined in

speech and thought by what is real” (Pieper 1992, 17). “[W]e speak in order to name and identify something that is real, to identify it for *someone* [original emphasis], of course—and this points to the second aspect in question, the interpersonal character of human speech.” It is, in other words, the “reality of the word” that makes “in eminent ways ... existential interaction happen. And so, if the word becomes corrupted, human existence itself will not remain unaffected and untainted” (Pieper 1992, 15). Indeed, “the most miserable decay of human interaction” is correlated by this philosopher, who witnessed Hitler’s efficient rise to power, “in direct proportion to the most devastating breakdown in orientation toward reality” (Pieper 1992, 33).<sup>2</sup>

Particularly illustrative of this abuse of speech by its detachment from reality is, I would like to suggest, last year's transnational campaign for gay rights and in particular for the "right to marriage for all." Homosexuals have, after all, always been granted the right to marry: with, that is to say, a person of the opposite sex. What their wide victories of the past year have meant is that they now—for the first time in human history—possess the right to be intimately joined to a person of the same sex and to *call* it marriage. Welcome to the 2014 version of "Newspeak": the chillingly "real"-world rendition of Orwell's 1984.

In the original account, the philosophy of Newspeak meant that you could control thought by controlling language. In the 2014 version, you can apparently change reality—at least human reality in what was previously regarded as the most fundamental cell of its necessarily social dimension—by an act of the human will, notwithstanding the transformation of language. Hence, our children and grandchildren are not only confronted with a new definition of marriage than the one that we—and all previous generations—knew. They are also confronted with a new way of looking at the world. Unlike most of us who grew up believing that the human being and human society were objective realities whose meanings could be discovered by the sciences in union with our senses and reason, if not by faith, our children are being taught that human persons and society have *no* meaning until they have been manipulated by human wills and human technology.

What does this mean for the traditional family, by which I mean a man and a woman vowed to one another in life-long fidelity for the purpose of not only expressing their mutual love but also of procreating and educating children? To speak positively of this increasingly

endangered species—and let us be honest, approximately half of first marriages end in divorce, according to the US Department of Health and Human Services (US Dept. HHS 2012)—is to risk the charge of homophobia. Is it not time to recognize that the tables have been turned?

If, to be more specific, the last decade found philosophical realists arguing against the so-called right to gay marriage, can it be otherwise that 2014 inaugurates a new decade wherein these same realists will find themselves defending the rights of the traditional family: not, to be sure, against this new species of marriage, but rather, I would argue, against a rampant notion of human freedom that seeks to change the face of human reality by the imposition of the human will, and all of this in the name of human rights?

To admit to this proposition requires, of course, that we admit that *marriage* is not the only term whose content has changed within the present conversation. Human dignity and human rights have also been charged with new meaning. Whereas, to be more specific, they were once understood as the basis of human freedom in a world order that was given (*datum* and *donum*) as a consequence of creation—whence the idea of *God-given* rights and dignity—today we all too often tend to reverse that relation: we base human dignity and rights upon the sovereign power of freedom, which in turn is far too often reduced to subjective interests and personal desires. Indeed, laws are presently considered "good" by mainstream juridical positivism "not because they *aim at the good* of the human person," but because they "conform to the will of the majority" (Trujillo 2005, 7).

The necessary plea for the preservation of the human family in 2014—on the thirtieth anniversary of Orwell's 1984 and the sixty-fifth anniversary of the concept of "Newspeak"<sup>3</sup>—will thus require that we

reexamine the relationship between human rights and human dignity, on the one hand, and between human freedom and a created world order on the other; and I suggest that we turn to the social doctrine of the Catholic Church, and most particularly to the rich insights of Karol Wojtyła/St. John Paul II, for some help in this matter. For, in emphasizing the Church's "deep esteem for man, for his intellect, his will, his conscience and his freedom," John Paul II presented human dignity as "part of the content" of the Church's "proclamation." Because, he reasoned more specifically in his first encyclical, "man's true freedom is not found in everything that the various systems and individuals see and propagate as freedom, the Church," in virtue of "her divine mission, becomes all the more the guardian of this [authentic] freedom, which is the condition and basis for the human person's true dignity." Indeed, the powerful words of Christ, "You will know the truth and the truth will set you free" (Jn 8:32), point to what the saintly pope recognizes as a

fundamental requirement and a warning: the requirement of an honest relationship with regard to truth as a condition for authentic freedom, and the warning to avoid every kind of illusory freedom, every superficial unilateral freedom, every freedom that fails to enter into the whole truth about man and the world. (John Paul II 1979, n. 12)

In the pages which follow I propose to contrast what John Paul II calls an individualistic understanding of freedom and a personalistic notion of freedom in order to argue that human freedom is called by the Creator to be in service of, and not in opposition to, the good of the human family. After expositing, in part one, the socially rampant understanding of freedom from an individualistic perspective—that is to say, an understanding of freedom as

self-designating—I will thus set out to contrast it with a personalistic one. This, I will argue in part two, presupposes a created world order, which might be discerned by reason in accord with natural law. As the participation of the rational creature in God's own reason, natural law cannot, I will argue with reference to John Paul II's thought, be reduced to biological norms. Rather, it calls upon human nature to discern God's intentions within the created order and to willingly cooperate therein. From this perspective, freedom is recognized as essentially teleological in character: as, that is to say, ordered to certain goods that befit it as such (as free and as created). This order, John Paul recognized already in his pre-papal writings, is accessible—as we will see in part three—to human experience, wherein we recognize our agency as self-determining and thus as either perfective or debasing of our persons. This experience of self-determination meanwhile is also the avenue that John Paul II uses to exposit his personalist notion of freedom, which, as we will see in part four, he recognized as summed up in the important teaching of *Gaudium et spes*, n. 24: "man, who is the only creature on earth which God willed for itself, cannot fully find himself except through a sincere gift of himself" (Vatican Council II 1965). It thus follows, as John Paul II saw it, that the only attitude befitting the human person—both as the subject and as the object of human action—is love; whence, as we shall see in part five, the radical incongruity between personalism, with its profound respect for human dignity, and utilitarianism, which is willing to set pleasure above the objective value of the person. In part six, I will draw upon this personalistic notion of freedom in my defense of natural marriage and of the right of the child to be born in a family; and in part seven, I will extend this analysis to include the rights of

mother and father. Finally, I will conclude by presenting the social dimension of marriage as foundational with respect to the protection of the traditional family based upon natural marriage: upon, that is to say, the life-long union of a man and woman in view of the conception, bearing, and educating of children.

### AN INDIVIDUALISTIC UNDERSTANDING OF FREEDOM

To begin with our critique of an individualistic understanding of human freedom, we do well to acclaim the “more lively awareness of personal freedom,” which Pope John Paul II accredited for various positive phenomena characterizing the family in the early years of his pontificate, including “greater attention to the quality of interpersonal relationships,” the promotion of “the dignity of women” and “responsible procreation” as well as a heightened sense of responsibility for the education of children. At the same time, however, he mourned a certain “corruption of the idea and the experience of freedom” to which he in turn attributed “a disturbing degradation of some fundamental values.” Human freedom was, more specifically, being understood and lived “as an autonomous power of self-affirmation, often against others, for one’s own selfish well-being,” rather than “as a capacity for realizing the truth of God’s plan for marriage and the family” (John Paul II 1981, n. 5). Here, in the very heart of the family, which in turn he recognized as the heart of human civilization, John Paul II thus pointed to a confrontation between two conflicting interpretations of human freedom: “*the antithesis between individualism and personalism*” (John Paul II 1994b, n. 14).

The first of these—an individualistic understanding of freedom—is, he explains in his 1994 *Letter to Families* on the

occasion of the United Nation’s Year of the Family, “*a freedom without responsibilities.*” As such, it is proper to utilitarian manners of thinking, which instrumentalizes persons to one’s own gain and represents “a systematic and permanent threat to the family” by opposing freedom to love. The individualist

does not tolerate the fact that someone else “wants” or demands something from him in the name of an objective truth. He does not want to “give” to another on the basis of truth; he does not want to become a “sincere gift.”

Of course, this opposition between freedom and love in the form of a sincere gift is, the pontiff observes, subverted by the popular slogan of “free love,” giving it a “certain ‘veneer’ of respectability, with the help of seduction and the blessing of public opinion,” in an attempt to “soothe” consciences by creating a ‘moral alibi’” (John Paul II 1994b, n. 14).

This blessing of public opinion, in turn, leads to what Georges Cottier signals as a confusion between the so-called “normal” and the normative (Cottier 1996, 99ff).<sup>4</sup> Hence, when certain behaviors or manners of acting are observed with frequency among a given population, they are regarded as suitable, or corresponding, to human nature regardless of their consequences for the social order.<sup>5</sup> Within our present cultural situation, marked by rampant, but nonetheless isolated individualism, this means that it is considered “normal” to accord to individual consciences “the prerogative of independently determining the criteria of good and evil and then acting accordingly,” as Pope John Paul II remarks. It follows that each individual is “faced with his own truth, different from the truth of others” (John Paul II 1993, 32). The social norm has become, in other words, that of living and acting *without norms*: without, that is to

say, norms transcending the “sovereignty” of the human will.

In, however, the absence of a transcendent order, or of a universal understanding of human nature—a good which cannot simply be determined by my changing interests and desires regardless of their consequences for the human community—it is, as recent history demonstrates, much too easy to manipulate others in favor of one’s own private end, egotistical desires, or subjective interests. The rule of the land becomes that of the survival of the fittest: not only from a biological perspective, as Darwin theorized, but also socially, as Thomas Hobbes would have it; politically, as we witness in various tyrannical forms of government; and morally, as is the case in utilitarianism.

The latter, as it is described by the pope who lived through the tyranny of the Nazi Regime in Poland and likewise witnessed the effects of rampant materialism in eastern Europe after the cold war, is

a civilization of production and of use, a civilization of “things” and not of “persons,” a civilization in which persons are used in the same way as things are used. In the context of a civilization of use, woman can become an object for man, children a hindrance to parents, the family an institution obstructing the freedom of its members. (John Paul II 1994b, n. 13)

Within our present cultural situation, utilitarianism manifests itself within the astonishing contradiction between a world community acclaiming the idea of human rights—“rights inherent in every person and prior to any Constitution and State legislation”—and “a tragic repudiation of them in practice.” How, in fact, John Paul II asks, “can we reconcile these declarations with the refusal to accept those who are weak and needy, or elderly, or those who have just been conceived?” This

denial, moreover, “is still more distressing, indeed more scandalous,” he observes,

precisely because it is occurring in a society which makes the affirmation and protection of human rights its primary objective and its boast. (John Paul II 1995, n. 18)

This contradiction can, of course, only be explained by the exaltation of an individualistic notion of freedom over and above any other form of human rights.<sup>6</sup> This exaltation of an individualistic notion of human freedom above even the right to life itself implies, in turn, the denial or refusal of an objective moral order, knowable to the human person in virtue of his or her rational nature so as, in turn, to be freely chosen as a fitting guide for human activity. Instead, freedom is its own guide, which is to say that its “only reference point” is, as Cardinal Joseph Ratzinger observed in 1991, what the individual conceives as “his own good” (Ratzinger 2007b, 382). In short, many of our contemporaries have opted for an often aggressive assertion of subjective interests or desires as an adequate expression of human freedom. Freedom, in other words, is being unequivocally associated with social, cultural, and moral autonomy, as typifies the so-called self-made man, “whose tough, pragmatic, no-nonsense code is,” as Jean Elshtain fittingly expresses it, “‘free choice,’ ‘no constraints,’ and ‘my life is my own’” (Elshtain 1982, 299). Or, as John Paul II put it straightforwardly in his encyclical *Veritatis Splendor*, this is “a freedom which is self-designing” (John Paul II 1993, n. 50), or “self-defining,” a

phenomenon creative of itself and its values. Indeed, when all is said and done man would not even have a nature; he would be his own personal life project. Man would be nothing more than his own freedom! (John Paul II 1993, n. 46)<sup>7</sup>

As differing from what Servais Pinckaers calls “freedom for excellence”—that is to say, freedom “rooted in the soul’s spontaneous inclinations to the true and the good” (Pinckaers 1995, 332)<sup>8</sup>—this fundamentally selfish conception of freedom is, Ratzinger explains,

no longer seen positively as a striving for the good, which reason uncovers with help from the community and tradition, but is defined rather as an emancipation from all conditions that prevent each one from following his own reason, [whence its designation,] freedom of indifference. (Ratzinger 2007b, 382)<sup>9</sup>

As the “average opinion” thus “spontaneously understands” it, freedom has become “the right and opportunity to do just what we wish and not to have to do anything we do not wish to do” (Ratzinger 2007a, 338).

Lost is what John Paul II points to in *Veritatis splendor* as the “essential bond between Truth, the Good and Freedom” (John Paul II 1993, n. 84),<sup>10</sup> whence his attempt in this encyclical to correct the current tendency of “detaching human freedom from its essential and constitutive relationship to truth” (John Paul II 1993, n. 4). As he put it in his encyclical *Centesimus annus*,

If there is no transcendent truth then there is no sure principle for guaranteeing just relations between people. Their self-interest as a class, group or nation would inevitably set them in opposition to one another. If one does not acknowledge transcendent truth, then the force of power takes over, and each person tends to make full use of the means at his disposal in order to impose his own interests or his own opinion, with no regard for the rights of others. People are then respected only to the extent that they can be exploited for selfish ends. (John Paul II 1991, n. 44)

This notion of freedom is thus one “which exalts the isolated individual in an absolute way”: in a way, which “gives no

place to solidarity, to openness to others and service of them.” In short, it gives no place to the notion of common, or shared, goods, as proper to our nature as human and thus as social. Instead, this individualistic notion of freedom tends to pit the “strong’ against the weak who have no choice but to submit” (John Paul II 1995, n. 19).<sup>11</sup>

### FREEDOM AND NATURAL LAW

In recovering the “constitutive relationship” (John Paul II 1993, n. 4) between human freedom and truth, which he considered proper to a personalist notion of freedom as it will be explicated below, John Paul II appealed to natural law. This law, he explained, cannot be reduced to “norms on the biological level.” Nor, on the other hand, does it “allow for any division between freedom and nature” (John Paul II 1993, 50).<sup>12</sup> Indeed, the challenge, as he saw it already in his prepontifical writings, was to distinguish between the order of nature and the biological order, which were too often confused by an empirical perspective that had profoundly influenced “the mind of modern man.”

The “biological order,” as a product of the human intellect which abstracts its elements from a larger reality, has man for its immediate author. The claim to autonomy in one’s ethical views is a short jump from this. It is otherwise with the “order of nature,” which means the totality of the cosmic relationships that arise among really existing entities. It is therefore the order of existence, and the laws which govern it have their foundation in Him, Who is the unfailing source of that existence, in God the Creator. (Wojtyła 1993a, 57)

From this second (metaphysical and creational) perspective, human nature is recognized as purposefully organized in its “spiritual and biological inclinations” in view of its specific end as intended by the Creator and as willfully appropriated by

the human person, who is called to “direct and regulate his life and actions and ... make use of his own body,” in accord with those purposes (John Paul II 1993, nn. 50, 51). Precisely because the human person is characterized by reason, God provides for him or her

differently from the way in which he provides for beings which are not persons. He cares for man not “from without,” through the laws of physical nature, but “from within,” through reason, which by its natural knowledge of God’s eternal law is consequently able to show man the right direction to take in his free actions. (John Paul II 1993, n. 43)

In virtue of his or her reason, the human person knows, for example, that his or her natural perfection requires that he or she

do good and avoid evil, be concerned for the transmission and preservation of life, refine and develop the riches of the material world, cultivate social life, seek truth, practice good and contemplate beauty. (John Paul II 1993, n. 51)

Natural law does not, in other words, simply lead to the abolition of norms as it does “when we conceive of the person in a totally subjectivistic way as pure consciousness” (Wojtyła 1993f, 287). After all, the meaning of nature that is implied by this term (natural law) is one that is specifically human: one that is “the participation of the eternal law in a rational creature,” as Wojtyła puts it with implicit reference to St. Thomas Aquinas (Wojtyła 1993b, 183).<sup>13</sup> As such, it does not merely refer to what happens or is passively actualized in the human person as “the subject of instinctive actualization” (Wojtyła 1993b, 182): in, that is to say, “the somatic and even psychic nature of this subject,” or what the tradition refers to as *actus humanis* (acts of man), that is to say, acts lacking moral significance.<sup>14</sup> Instead, it refers to what is specifically human in human nature: to acts that are

willed, so as to be rendered by the tradition *actus humanus* (human acts) (Wojtyła 1993b, 183).<sup>15</sup> Still more specifically, it refers to acts that are willed in accord with divine governance of the world and of human persons.

“Through natural law, human beings participate in God, in God’s reason, in God’s relation to the whole of reality created by God,” Wojtyła (1993b, 185) explains. After all, “all norms, including the personalistic norm,” as it will be explained below, are—precisely as “based on the essences, or natures, of beings”—“expressions of the order that governs the world” (Wojtyła 1993f, 287). Two planes are thus brought together—nature and person—precisely

by pointing to the person as a subject who is conscious of the order of nature [including his or her *own* nature as a physical-psychological-spiritual whole], and responsible for preserving it. (Wojtyła 1993f, 293)<sup>16</sup>

Natural law therefore “does not imply some sort of arbitrary interference of subjective reason in the objective world,” such that human reason might “impose its own categories on reality, as was ultimately the case in Kant’s anthropological view.” Rather, it implies “the attitude of reason discerning, grasping, defining, and affirming, in relation to an order that is objective and prior to human reason itself,” namely, the order originating from “the divine source of law,” that is to say, “divine reason” (Wojtyła 1993b, 184). As such, it also entails “a certain subordination of the human person in relation to God, a subordination that is, after all, very honorable” (Wojtyła 1993b, 185).

#### THE EXPERIENCE OF FREEDOM AS SELF-DETERMINATION IN ACCORD WITH OBJECTIVE VALUES

Armed by this profound conviction that the Creator cares for the human person

“from within,” John Paul II turned to the experience of human action as revelatory of freedom’s essentially teleological character: to that fact that freedom is naturally orientated to the good of the human person and thus also of the human community. This was a particularly important move in light of the prevalent cultural mindset, which was preoccupied with what Kenneth Schmitz points to as “experience, inwardness, and subjectivity” (Schmitz 1994, 31).<sup>17</sup> Wojtyła was keenly aware that the modern understanding of these concepts was significantly different from that of the ancient and medieval traditions. These traditions regarded every nature as directed *from within* to its specific end, or perfection, as was verified by the experience of causality. In modern philosophy, on the other hand, this teleological orientation *from within* had been co-opted by human subjectivity, as Wojtyła articulated in an essay published two years before he assumed Peter’s Chair. Consciousness, Wojtyła observed, had been rendered absolute by the moderns, whence the dethroning of “the metaphysical attitude” (the idea that being literally transcends [*meta-*] the physical realm) of the ancient and medieval traditions by “the gnosiological attitude” of the moderns. This latter attitude, he explains, is characterized by the idea that “being is constituted in and somehow through consciousness” (Wojtyła 1993d, 226),<sup>18</sup> whence the notion, as we saw above, that the human being is “nothing more than his own freedom” (John Paul II 1993, n. 46). “The reality of the person,” however, requires, Wojtyła knew,

the restoration of the notion of conscious being, a being that is not constituted in and through consciousness but that instead somehow constitutes consciousness. (Wojtyła 1993d, 226)

As soon as we begin to accept the notion of “pure consciousness” or the “pure

subject,” we abandon the very basis of the objectivity of the experience that allows us to understand and explain the subjectivity of the human being in a complete way. (Wojtyła 1993d, 222)

It was this attention upon consciousness as *manifesting*, rather than as *constituting*, created being that emerges in much of the magisterial teaching of John Paul II. His decisive turn to experience is, in other words, in service of explicating the ontological truth, or objectivity, of created being. “Experience,” writes Wojtyła, “dispels the notion of ‘pure consciousness’ from human knowledge”: the idea that knowledge is self-constituting rather than based upon objective reality. The Archbishop of Kraków thus suggested that we turn to experience to serve our understanding of the world as *given* to human consciousness rather than as created thereby. Experience, after all, “is always an experience of ‘something’ or ‘somebody’” (Wojtyła 1993d, 221).

Convinced of the truth of the metaphysical claim that nature determines operation (*ordo essendi est ordo agendi*: the order of essence, or nature, is the order of operation), Wojtyła thus capitalized upon the revelatory function of action: *operari sequitur esse* (operation follows essence). “[T]he causal dependence of activity on existence ... also implies yet another relation” between operation and essence (or nature), he explains, namely “a gnosiological [or epistemological] dependence. From human *operari*, then, we discover not only that the human being is its ‘sub-ject,’<sup>19</sup> but also who the human being is as the subject of his or her activity,” that is to say, the actor (Wojtyła 1993d, 223). In other words, precisely through the experience of his or her own agency (*actus humanum*) and of “everything that happens” in him or her “on both the somatic and the psychic level, or, more



precisely, on both the somatic-reactive and the psychic-motive level” (what was designated above as *actus hominis*), the human being comes to understand the nature of his or her own person: what it means to be human (Wojtyła 1993d, 224).<sup>20</sup>

It is the properly human act (*actus humanus*), however, which most particularly

reveals the inwardness and in-selfness of the person and also activates the self-possession and self-governance proper to the structure of the person. (Wojtyła 1993d, 232)

In determining myself—and this takes place through an act of will—I become aware and also testify to others that I possess myself and govern myself. In this way, my acts give me a unique insight into myself as a person. By virtue of self-determination, I experience in the relatively most immediate way that I am a person. (Wojtyła 1993e, 193)<sup>21</sup>

This particular willed act whereby I determine myself thus points to a more profound understanding of the faculty of the will than that implied by an individualistic understanding of freedom as it was explicated above. To recognize the will as

a “wanting” that is directed toward a corresponding object (i.e., towards a value that is also an end) does not fully explain its [the will’s] dynamism. (Wojtyła 1993e, 191)

Such a desire, or longing, is recognized by Wojtyła as belonging more properly to *what happens* in the human person, and it is on this level that he identifies the sexual urge. Because it takes place “without any initiative on his part,” it is not proper to the human person as such. Indeed, animals also know the sexual urge. But

this internal “happening” creates as it were a base for definite actions, for considered actions, in which man exercises self-determination, decides for himself

about his own actions and takes responsibility for them. (Wojtyła 1993a, 46–47)

Within the specific context of the sexual act, this also means taking “responsibility for the natural purpose of the [sexual] instinct,” namely, the conception of children as

the fruit of conjugal love between man and woman. The will makes this purpose its own, and, in consciously working towards it, seeks greater scope for its creative tendency. (Wojtyła 1993a, 137)

In short, the human person is

not responsible for what *happens* to him in the sphere of sex since he is obviously not himself the cause of it, but he is entirely responsible for what he *does* [even internally, i.e., by willing] in this sphere. (Wojtyła 1993a, 47)<sup>22</sup>

It is this distinction between what merely *happens* in the human person and what he or she actively determines that thus points to the proper domain of the will. “An act of will is an act of a subject ... directed toward a value that is willed as an end and that is also, therefore, an object of endeavor,” Wojtyła explains. For the will “cannot ... allow an object to be imposed upon it as a good. It wants to choose, and to affirm its choice, the object chosen” (Wojtyła 1993a, 136). As such—as actively directing the human subject towards a value chosen as an end—the will is responsible for a certain (horizontal) transcendence of the subject, who “actively ‘goes out’ beyond itself [that is to say, beyond him- or herself] toward this value” (Wojtyła 1993e, 191). This means that although “the personal subjectivity of the human being” is internal, it “is not a closed-in structure” (Wojtyła 1993d, 233).

As if to respond to the particular challenge of modernity with its emphasis upon the inwardness of the subject, Wojtyła thus teaches that

Neither self-consciousness nor self-possession encloses the human self within itself as a subject. Quite the contrary. The whole “turning toward itself” that consciousness and self-consciousness work to bring about is ultimately a source of the most expansive openness of the subject toward reality. In the human being, in the human self as a personal subject, self-fulfillment and transcendence are inseparably connected. (Wojtyła 1993d, 233)

At stake in willed action is, therefore, not simply “the efficacy of the personal self”—that is to say, the choosing of the ends of one’s own action—but also the determination of one’s own *self*. By willing—in the sense of choosing—a particular value, I simultaneously define myself “as a value”: I become “‘good’ or ‘bad’” (Wojtyła 1993e, 191–192).<sup>23</sup> I am, in other words, responsible not only for my actions, but also for myself as a person.

The dynamic structure of self-determination reveals to me that I am given to myself and assigned to myself. This is precisely how I appear to myself in my acts and in my inner decisions of conscience: as permanently assigned to myself, as having continually to affirm and monitor myself [that is to say, in accord with an objective moral value], and thus, in a sense, as having continually to “achieve” this dynamic structure of my self, a structure that is given to me as self-possession and self-governance. (Wojtyła 1993 g, 214)

In short, this “dynamic structure of self-determination” reveals the true meaning of freedom as implying transcendence, which in turn requires of the human subject that he or she move beyond the instinctual manner of acting, as characterized by a utilitarian search of pleasure. “Sexual values, after all, tend to impose themselves, whereas the value of the person waits to be chosen and affirmed” (Wojtyła 1993a, 136).<sup>24</sup>

To be free means not only to *will*, but also to *choose* and to *decide*, and this already suggests a transcendent subordination of the good to the true in action. Conscience, however, is the proper place of this subordination. The person’s authentic transcendence in action is realized in conscience, and the *actus humanus* takes shape as the willing and choosing of a “true good” thanks to conscience. Thus the element of conscience reveals both in action and in the efficient subject of action the transcendence of truth and freedom, for freedom is realized precisely through the willing and choosing of a true good. (Wojtyła 1993d, 234)<sup>25</sup>

What emerges in these passages is the understanding of freedom as orientated by love for the authentic good, as differing from the superficial or fleeting good that characterizes the search for pleasure.<sup>26</sup> And this in turn means that while we naturally desire what is good for us,<sup>27</sup> this good must nonetheless be freely chosen in accord with reason. It cannot be otherwise, Wojtyła explains, because by endowing the human being with an intellect and will, God

has thereby ordained that each man [or woman] alone will decide for himself the ends of his activity, and not be a blind tool of someone else’s ends. (Wojtyła 1993a, 27)

It follows that, as Immanuel Kant expressed it in his categorical imperative, no one—not even God the Creator, Wojtyła insists<sup>28</sup>—can use another human being as a means to an end. Hence, utilitarianism is diametrically opposed to Wojtyła’s form of personalism.

#### FREEDOM AND THE PERSONALISTIC NORM

Wojtyła is not satisfied to found an ethical perspective upon this negative formulation,

however. Instead, he suggests that we propose the Gospel imperative to love

as the only clear alternative to using a person as the means to an end, or the instrument of one's own action. (Wojtyła 1993a, 28)<sup>29</sup>

Concretely this means

that each of us must continually set ourselves the task of actually participating in the humanity of others, of experiencing the other as an *I*, as a person. Thus, the impulse that the commandment expresses from without must in each instance arise from within. (Wojtyła 1993c, 203)<sup>30</sup>

This attitude, which he calls *personalistic*,<sup>31</sup> does not, therefore, automatically result from categorical knowledge—from my conceptualization of the essence “human being”—“but from an even richer lived experience,” whereby I “transfer what is given to me as my own *I* beyond myself to *one of the others*, who, as a result, appears primarily as a different *I*, another *I*, my *neighbor*” (Wojtyła 1993c, 200).

The very point in this phenomenological exercise is that it reveals the objective value, or intrinsic dignity, of the person: a value that is not simply accorded by my desire for him or her, nor by my choice of him or her as a beloved friend, partner, or spouse. Indeed, as differing from divine love, human love is not the cause of goodness, as St. Thomas observes.<sup>32</sup> Rather, it is the “good [that] is the proper cause of love”<sup>33</sup>: not just any good, the angelic doctor specifies, but that good, “which is akin and proportionate” to the lover; for “love implies a certain connaturalness or complacency of the lover for the thing beloved.”<sup>34</sup> This, of course, is not to deny what was said above about self-determination by action: the perfecting or debasing of oneself by way of one's own actions. After all, the very point is that not all goods are good *for me*.

Nothing [explains Aquinas] is hurt by being adapted to that which is suitable to it; rather, if possible, it is perfected and bettered. But if a thing be adapted to that which is not suitable to it, it is hurt and made worse thereby. Consequently love of a suitable good perfects and betteres the lover; but love of a good which is unsuitable to the lover, wounds and worsens him.<sup>35</sup>

Unlike St. Thomas, however, who follows Aristotle in using the word *love* to describe even the attraction of planetary bodies to their centers—the “love” whereby they are naturally drawn into orbit<sup>36</sup>—John Paul II reserves this word for willed acts, as distinct from those based upon a particular law of nature or instinct. Hence, his important formulation: “Only a person can love and only a person can be loved” (John Paul II 1988, n. 29).

With this simple but highly significant formulation, John Paul II invited us some twenty years after the Second Vatican Council to return to one of its insights, which was destined to be of key importance for his papal writings and which “crystallized for him many of the cardinal ideas he had been striving to express in his [pre-pontifical] philosophical anthropology” (Shivananden 1999, 8)<sup>37</sup>: the number 24 of the Pastoral Constitution of the Church. There we read that

*Man—whether man or woman—is the only being among the creatures of the visible world that God the Creator “has willed for its own sake,”*

and John Paul II adds in his commentary:

that creature is thus a person. Being a person means striving towards self-realization (the Council text speaks of self-discovery), which can only be achieved “*through a sincere gift of self.*”

This in turn means, he explains, that the human person “is called to exist ‘for’ others, to become a gift” (John Paul II 1988, n. 7).<sup>38</sup>

As this passage might serve to clarify, the distinction between an individualistic, or utilitarian, understanding of freedom and a personalist one hangs upon the meaning of this little word “for.” The question, more specifically, is whether this word is understood in a *utilitarian manner*—such that the person is accorded value on the basis of his or her function, usefulness, or desirability, so as to be conceived as a means to the other’s end, or (which amounts to the same) as the object of the other’s *freedom to dominate*—or whether, instead, the word *for* is understood in a *personalistic manner*. In this second sense, the person is, in contrast, regarded in terms of his or her fundamental and intrinsic dignity or value and thus as worthy of the other’s self-gift. “The person *must be* loved,” John Paul II instructs us, “since love alone corresponds to what the person *is*” (John Paul II 1988, n. 29). It is not enough, in other words, to exclude from our behavior all “that reduces the person to a mere object of pleasure.” We must also, and more positively, *affirm* “*the person as a person*” (John Paul II 1994a, 201). The ethical requirement—that the person must be loved—is, in other words, derived from an ontological fact: only love befits the metaphysical content, or meaning, of personhood.<sup>39</sup> Only the person, in other words, is “good for me” in the sense that he or she is capable of receiving and of responding to the self-gift that is the highest expression of my own humanity. It is thus not surprising that in his first encyclical letter we are told:

Man cannot live without love. He remains a being that is incomprehensible for himself, his life is senseless, if love is not revealed to him, if he does not

encounter love, if he does not experience it and make it his own, if he does not participate intimately in it. (John Paul II 1979, n. 16)

Given the importance that Wojtyła accords to human action in the “personal structure of self-determination,” as we saw above, this important phrase “participating in love” cannot be taken in a merely passive sense. What is implied thereby is not only the experience of oneself as an object of love (as beloved), but also and especially the experience of oneself as an actor, or subject, of love (as lover). In the second sense, Wojtyła addresses what he refers to as the “law of the gift’ ... inscribed deep within the dynamic structure of the person” according to which it is “precisely when one becomes a gift for others that one most fully becomes oneself” (Wojtyła 1993c, 194), and thus authentically free.<sup>40</sup>

From this perspective, there need be no disparity between our conception of the person as existing for him- or herself and the admission that he or she can only really discover or realize his- or herself by freely becoming a gift for others: by using, in other words, his or her freedom for the good of others. What makes the simultaneity of both of these affirmations possible is the positive value that is thus accorded to the notion of freedom. Instead of regarding freedom in a negative sense—as, for example, *freedom from* constraint or responsibility, for example—it is herein understood in the positive sense, so as to be rendered *freedom for*: freedom for the other, that is to say, freedom for communion, for service, or for responsible action. Far from being an end in itself, freedom is thus understood as orientated at the outset to the higher good of communion and thus also of love.

Love consists of a commitment which limits one’s freedom—it is a giving of the

self, and to give oneself means just that: to limit one's freedom on behalf of another ... Love commits freedom and imbues it with that to which the will is naturally attracted—goodness. The will aspires to the good, and freedom belongs to the will, hence freedom exists for the sake of love, because it is by way of love that human beings share most fully in the good. (Wojtyła 1993a, 135–136)

This is why, he concludes, “man longs for love more than for freedom—freedom is the means and love the end” (Wojtyła 1993a, 136).

If, on the other hand, “we deprive *human freedom* of this possibility”—that of submitting itself to the good of love—

if man does not commit himself to becoming a gift for others, then this freedom can become dangerous. It will become freedom to do what I myself consider as good, what brings me a profit or pleasure, even a sublimated pleasure. *If we cannot accept the prospect of giving ourselves as a gift, then the danger of a selfish freedom will always be present.* [original emphasis] (John Paul II 1994a, 202)<sup>41</sup>

When, for example, one invokes the notion of “free love” to follow “a ‘real’ emotional impulse ... ‘liberated’ from all conditionings,” he or she readily becomes “a slave to those human instincts which Saint Thomas calls ‘passions of the soul.’ ‘Free love’” all too easily “exploits human weaknesses.” The free “lover,” after all,

does not tolerate the fact that someone else “wants” or demands something from him in the name of an objective truth. He does not want to “give” to another on the basis of truth; he does not want to become a “sincere gift.”

It is thus not surprising that John Paul II mournfully exclaims: “How many families have been ruined because of ‘free love!’” (John Paul II 1994b, n. 14).

### LOVE STRONGER THAN PLEASURE: THE FINAL BLOW TO UTILITARIANISM

From the foregoing we might conclude that although it is entirely legitimate to acknowledge desire as a certain aspect of love and even as the first or primary act of love motivating all the others<sup>42</sup>—indeed, Wojtyła notes that it reveals the human person as a “limited being” who “needs other beings”—love for another human being cannot simply be limited to sensual desire. When it is—when my actions toward another person are motivated exclusively or primarily by pleasure—then the personalistic norm is violated because “that person will become only the means to an end” (Wojtyła 1993a, 33), namely that of my pleasure. Again, this is not to deny that an authentically loving relationship with another person is also pleasurable.<sup>43</sup> Passion, or erotic love, and desire are integral to love, precisely insofar as they point to the spontaneous, or natural, estimation of a created good, in this case, the intrinsic value of the person. They are a *reaction* to—and in this sense an affirmation of—this intrinsic good and *not creative* of this good.<sup>44</sup> Or, as Pieper would have it, they are “*simply the elemental dynamics of our being itself, set in motion by the act that created us*” (Pieper 1997, 222).

From this perspective, Pope Benedict XVI has good reason to defend Christian moral teaching against Friedrich Nietzsche's claim that Christianity has “poisoned *eros*,” turning “to bitterness the most precious thing in life” (Benedict 2005, n. 3). *Eros*—that ecstatic love, which literally transports us outside of ourselves (*ex-stasis*)—cannot, however, Benedict suggests, be reduced to merely instinctual love.

*Eros*, reduced to pure “sex,” has become a commodity, a mere “thing” to be bought

and sold, or rather, man himself becomes a commodity. (Benedict 2005, n. 5)

In this sense, we return to the utilitarian framework. Indeed, St. Thomas points to the fact that while ecstatic love can be a means of perfecting the lover by way of the latter's transcendence,<sup>45</sup> the lover can also be "placed outside" (*ex-statis*) of him- or herself in the form of a debasement, namely, by loving that which is unfitting to his or her nature.<sup>46</sup> In the case at hand, "if we do not love the person in another human being, we thereby also degrade the person in ourselves" (Wojtyła 1993f, 294).

It follows that the goal of authentic transcendence is achieved

not simply by submitting to instinct [to, that is to say, the desire of concupiscence, as it will be explicated below]. Purification and growth in maturity are called for; and these also pass through the path of renunciation. (Benedict 2005, n. 5)

The will to renounce certain attractive goods implies, in turn, what Wojtyła identifies as the "transcendent subordination of the good to the true" by the exercise of conscience (Wojtyła 1993d, 234). Pope Benedict thus concludes, "Far from rejecting or 'poisoning' *eros*," purification and maturity "heal it and restore its true grandeur" (Benedict 2005, n. 5). Or, as Wojtyła puts it, the limitation of one's freedom on behalf of another, which is implicit to the loving gift of one's self to another, "might seem to be something negative and unpleasant, but love makes it a positive, joyful and creative thing." Hence, it bears repeating, "*Freedom exists for the sake of love*" [original emphasis] (Wojtyła 1993a, 136).

Similarly, when Pope John Paul II argues against the pleasure principle of utilitarianism—the greatest pleasure for the greatest number—he is not simply

defending the person against the reductionism that claims him or her as a means to another's good. He is also and simultaneously arguing *to defend the subject against the debasement of his or her own humanity by choosing a "good" that is unfitting* of it (humanity) as rational, and thus as capable of a love, which literally transports (*ex-stasis*) the subject toward a higher (transcendent) good, rather than one which debases him or her. There is, in fact, no real transcendence in the instinctual love that the tradition labels *concupiscence*, for in seeking to have a good *for oneself*, the subject "does not go out [*ex-stasis*] from himself simply, and this movement remains finally within himself." Hence, for example, wine or chocolate are not desired for their own sake, but for the sake of my pleasure. In the love of friendship, on the other hand, which is a characteristically human (and thus perfecting) good, one's "affection goes out from itself simply," because, as St. Thomas reasons, one "wishes and does good to his friend, by caring and providing for him, for his own sake."<sup>47</sup>

Of course, in friendship this benevolent goodwill is also joined to genuine affection and thus to a certain emotional attraction. Wojtyła has good reason to insist that pure emotion "is no substitute" for wishing what is good for one's beloved, "but," he adds, "divorced from emotion that wish is cold and incommunicable" (Wojtyła 1993a, 91). It thus bears repeating that it is not pleasure as such that is forbidden by Wojtyła's personalistic norm, but rather the "quest for pleasure for its own sake, accepting it as a superlative value and the proper basis for a norm of behavior" (Wojtyła 1993a, 43).<sup>48</sup> Concupiscent love for another person is a "sinful love," Wojtyła argues, because it represents "a latent inclination of human beings to invert the objective order of values": namely, the "consistent tendency to see

persons ... as ‘objects of potential enjoyment,’ rather than “through the medium” of their specific values as persons (Wojtyła 1993a, 159).<sup>49</sup> Such, moreover, is the case *even when there is mutual consent to a relationship based upon the pleasure principle*. Each of the consenting parties is then

mainly concerned with gratifying his or her own egoism, but at the same time consents to serve someone else’s egoism, because this can provide the opportunity for such gratification—and just as long as it does so. (Wojtyła 1993a, 39)

True reciprocity, on the other hand, “pre-supposes altruism in both persons.” It simply “*cannot arise from two egoisms*” [original emphasis] (Wojtyła 1993a, 88).<sup>50</sup>

As these passages serve to illustrate, “instinct alone does not necessarily imply the ability to love.” This ability is, however, “inherent in human beings,” Wojtyła maintains, “and is bound up with their freedom of will” (Wojtyła 1993a, 29).<sup>51</sup> It implies, to summarize,

a particular readiness to subordinate oneself to that good, which “humanity,” or more precisely, the value of the person represents, regardless of ... sex. (Wojtyła 1993a, 31)

As such, it also implies the “willingness consciously to seek a good together with others and to subordinate” oneself “to that good for the sake of others, or to others for the sake of that good” (Wojtyła 1993a, 29).

The sexual instinct makes the will desire and long for a person because of the person’s sexual value. The will, however, does not stop at this. It is free, or in other words, capable of desiring everything relating to the unqualified good, the unlimited good, that is happiness. And it commits this capacity, its natural

and noble potentiality, to the other person concerned. It desires the absolute good, the unlimited good, happiness for that person, and in this way compensates and atones for the desire to have that other person ... for itself. (Wojtyła 1993a, 137)<sup>52</sup>

Clearly, then, Wojtyła is not implying that lovers might simply stare starry-eyed at one another. The “affirmation of the value of the person,” which he identifies as the “essence” of love (Wojtyła 1993a, 42), is after all, an acknowledgement of the transcendent good of the person: an acknowledgement that is accessible to the human being in virtue of the judgment of conscience. Authentic love, as Wojtyła understands it, is thus

conditioned by the common attitude of people towards the same good which they choose as their aim, and to which they subordinate themselves. *Marriage is one of the most important areas where this principle is put into practice* [original emphasis]...

For in marriage two people, a man and a woman, are united in such a way that they become in a sense, “one flesh” (to use the words of the Book of Genesis), i.e., one common subject, as it were, of sexual life. How is it possible to ensure that one person does not then become for the other—the woman for the man, or the man for the woman [or in the case of homosexual relationships, the man for the other man or the woman for the woman]—nothing more than the means to an end—i.e. an object used exclusively for the attainment of a selfish end? To exclude this possibility they must share the same end. Such an end, where marriage is concerned, is procreation, the future generation, a family, and, at the same time, the continual ripening of the relationship between two people, in all the areas of activity which conjugal life includes. (Wojtyła 1993a, 30)

Or, to put it still more straightforwardly, in terms borrowed from the *Catechism of the Catholic Church*:

Fecundity is a gift, an *end of marriage* [which thus defines marriage as such], for conjugal love naturally tends to be fruitful. A child does not come from outside as something added on to the mutual love of the spouses, but springs from the very heart of that mutual giving, as its fruit and fulfillment. So the Church, which “is on the side of life” teaches that “each and every marriage act must remain open to the transmission of life.” (CCC 1997, n. 2366)<sup>53</sup>

In refuting the “right” to gay “marriage,” it is thus important to point out that the Church is not calling into question the fact that homosexuals are truly capable of loving one another with an altruistic, or benevolent, form of love, and thus of giving themselves selflessly to one another in authentic friendship. In question rather, as we shall see more fully in the following section, is the common good of their sexual “union.” What is the transcendent, and thus objective, good that defines their coming together in “marriage”? Or, in terms supplied by John Paul II’s personalist notion of freedom, we might ask: what is the truth that orientates their freedom to love and thus also to responsibility?

The person [writes John Paul II] realizes himself by the exercise of freedom in truth. Freedom cannot be understood as a license to do *absolutely anything*: it means a *gift of self*. Even more: it means an *interior discipline of the gift* [original emphasis]. The idea of gift contains not only the free initiative of the subject, but also the aspect of *duty*. All this is made real in the “communion of persons.” We find ourselves again at the very heart of each family. (John Paul II 1994b, n. 14)<sup>54</sup>

As for homosexual persons, they, the *Catechism of the Catholic Church* teaches,

are called to chastity. By the virtues of self-mastery that teach them inner freedom, at times by the support of disinterested friendship, by prayer and sacramental grace, they can and should gradually and resolutely approach Christian perfection. (CCC 1997, n. 2359)

#### FREEDOM AT THE SERVICE OF THE FAMILY

This ethical requirement to love the person in virtue of his or her singular dignity, but also in virtue of the meaning of freedom itself, is foundational with respect to John Paul II’s defense of the family. This, more specifically, is a defense against the many attacks directed against the family on the basis of an extreme individualism, including an individualistic understanding of freedom. But it is also a defense pointing to the irreplaceable value of the family itself for the good of the human person: for each and every child born into this world.

God the Creator calls him [each human being] into existence “for himself”; and in coming into the world he begins, in the family, his “great adventure”, the adventure of human life. “This man” has, in every instance, *the right to fulfill himself on the basis of his human dignity* [original emphasis]. It is precisely this dignity which establishes a person’s place among others, and above all, in the family. The family is indeed—more than any other human reality—the place where an individual can exist “for himself” through the sincere gift of self. This is why it remains a social institution which *neither can nor should be replaced* [emphasis added]: it is the “sanctuary of life.” (John Paul II 1994b, n. 11)

Far from challenging human freedom, John Paul II thus seeks to protect it by rooting it within the objective context of transcendent values and antecedent



realities, namely human nature and thus also the human community of the family, which is implicit to that nature *as social*. Or to put it in other words, human dignity is presented as the basis of the protection of human freedom, which implies that human freedom must also serve human dignity and thus submit itself to human dignity whenever the two enter into conflict.

It is, in fact, precisely in defense of the dignity of the human child and thus also of what the Church presents as the “first right of the child” to be “born in a family” (PCJP 2004, n. 244),<sup>55</sup> or more specifically, “to be born of a father and mother known to him and bound to each other by marriage” (CCC 1997, n. 2376), that the Church defends heterosexual marriage against all tendencies to otherwise define the term. It is, after all, this particular *communion* of persons, and it alone, that is intrinsically ordered—that is to say, from within—to the procreation and education of children.<sup>56</sup>

To admit that this ordering is *by nature* is particularly significant. It means that this fundamental characteristic is neither arbitrary, nor accorded by social convention or cultural practice, far less by individual freedom, nor even by the sacramental economy of Christ: as a gift of redemption proper to Christians, so as to be administered by the Church.<sup>57</sup> Nor still is this fundamental characteristic of marriage accorded to it by the State. Rather, to admit that conjugal love is ordered to procreation and education *by nature* means that these ends belong to it in virtue of creation: that they reflect God’s purpose in creating us “male and female” (cf. Gen 1:27).<sup>58</sup>

To be sure, even a heterosexual couple may choose not to procreate, but that does not mean that the conjugal act, whereby they express themselves in a one-flesh union, is not in and of itself ordered to procreation. Nor can it be denied that a

homosexual act is fundamentally sterile. A gay or lesbian couple simply cannot express their love in a procreative manner: in an act, which makes them capable of becoming “cooperators with God for giving life to a new human person” (John Paul II 1994b, n. 14).

It is important to add in this context, as does Pope John Paul II, that when we affirm that

the spouses, as parents, cooperate with God the Creator in conceiving and giving birth to a new human being, we are not speaking merely with reference to the laws of biology. Instead, we wish to emphasize that *God himself is present in human fatherhood and motherhood* [original emphasis] quite differently than he is present in all other instances of begetting “on earth.”

Because, in fact, only the human person of all of visible creation is endowed with freedom, whereby he or she is considered the “image and likeness” of God, the begetting of a human child is considered by the Church as “the continuation of [the divine act of] Creation” (John Paul II 1994b, n. 9). Hence, the child who is begotten is not only “the fruit” of the “mutual gift of love” of the couple; he or she is also “a gift [from God] for both of them” (John Paul II 1995, n. 92).

This fact that the child is a gift from God, who alone remains the author of life, is extremely important to underline in the debate between those who defend the traditional family and those who attack it under the banner of new rights or that of the so-called right to marriage “for all.” When, more specifically, homosexual couples insist upon the “right” to adoption, the Church never tires of proclaiming the right *of* the child over any presumed right *to* a child.

A child is not something *owed* to one, but is a *gift* [original emphasis]. The “supreme gift of marriage” is a human

person. A child may not be considered a piece of property, an idea to which an alleged “right to a child” would lead. In this area, only the child possesses genuine rights: the right “to be the fruit of the specific act of the conjugal love of his parents,” and “the right to be respected as a person from the moment of his conception.” (CCC 1997, n. 2378)<sup>59</sup>

Or, to put it in personalistic terms, the child possesses the right to be loved, since love alone befits his or her personhood. To be sure, there will always be those who would challenge these rights as such, but in so doing they cannot avoid resorting to an individualistic understanding of human freedom.

#### MARRIAGE AND THE RESPECT OF FUNDAMENTAL HUMAN RIGHTS

With regard to the first of these rights of the child—that of being the fruit of the conjugal act of his or her parents—the Church insists upon the fact that “*Motherhood necessarily implies fatherhood*, and in turn, *fatherhood necessarily implies motherhood* [original emphasis]” (John Paul II 1994b, n. 7). Indeed, despite all advances in reproductive technologies, scientists are not able to overcome this vital fact of human nature: it takes a female ovum and a male sperm for human reproduction. Furthermore, this new life—which is absolutely unique, so as to have its own genetic code, unique from that of both his or her mother and father—is, despite all scientific efforts to create artificial wombs—still dependent upon his or her mother during the early months of its gestation.<sup>60</sup> Even the so-called test-tube baby, who is conceived outside of his or her mother, is not viable outside of her womb or that of another woman.

Far more fundamental than the question of whether science might someday

accord artificial wombs to the human race are, however, questions such as “the very meaning of human pregnancy: the meaning of the mother-child relationship, the nature of the female body, and the significance of being born, not ‘made,’” explains ethicist Christine Rosen.

Let’s say, for example, that scientists perfect the artificial womb to the point where it becomes a “healthier” environment than the old-fashioned human version. Artificial wombs, after all, wouldn’t be threatened by irresponsible introductions of alcohol or illegal drugs. They could have precisely regulated sources of temperature and nutrition and ongoing monitoring by expert technicians in incubation clinics. Like genetic testing of unborn fetuses, which is fast becoming a medical norm rather than a choice, people might begin to ask: “Why take the risk of gestating my child in an old-fashioned womb?” With an eye to avoiding costs and complications, insurance companies might begin to insist that we don’t. (Imagine “expectant mothers” stopping by the incubation clinic once a week to check up on their “unborn” child.) (Rosen 2003, 72)

Perhaps the warning of Pope Paul VI in his encyclical *Humanae vitae* was never so powerful:

if the mission of generating life is not to be exposed to the arbitrary will of men, one must necessarily recognize unsurmountable limits to the possibility of man’s domination over his own body and its functions; limits which no man, whether a private individual or one invested with authority, may licitly surpass. (Paul VI 1968, n. 17)

As for Rosen, she concludes,

There is something about being born of a human being—rather than a cow or an incubator—that fundamentally makes us human. Whether it is the sound of a human voice, the beating of a human

heart, the temperature and rhythms of the human body, or some combination of all of these things that makes it so, it is difficult to imagine that science will ever find a way to truly mimic them. (Rosen 2003, 76)

Similarly, John Paul II asks:

On the human level, can there be any other “*communion*” comparable to that *between a mother and a child* whom she has carried in her womb and then brought to birth? (John Paul II 1994b, n. 7)

This, of course, is also an important question to raise within the context of soliciting surrogate mothers to meet the demands for children by gay couples: a practice that the French philosopher, Sylvaine Agacinski, rightfully denounces as similar to prostitution in that it too is “a particular sexual service,” which implies “a humiliation of the person” by putting her private life and personal desires “in parenthesis” (Agacinski 2009, 19). The usage of the woman as an instrument for a child’s gestation amounts, more specifically, Agacinski explains, to removing motherhood from the personal and private sphere in order to transform it into a task or a service “that one might soon pay for with ‘employment-service checks.’” Perhaps more frightening still, it leads to the idea that

no one is irreplaceable any longer; anyone can be substituted for anyone else [as is already apparent in the meaning of the word “surrogate” in English]: one sex [might be substituted] for another, one womb for another.

Soon, one child, Agacinski suggests, might even be substituted for another. In fact, the feminist philosopher points to the fact that eBay recently featured babies up for sale by surrogate mothers, who hoped to raise prices by promoting competition (Agacinski 2009, 98). Even in the case of

what might appear a more respectable agreement between a surrogate mother and a couple who “order” her services, Agacinski invites us to open our eyes “to reality: the fruit of a pregnancy is a child.” It is thus also a child who is the object of the “agreement” between the surrogate and the “beneficiaries’ of the operation” (Agacinski 2009, 109). Under these circumstances, of course, the child “who is carried ‘for another’ is inevitably perceived as an exchangeable being” (Agacinski 2009, 107).

Underlying the question of the dignity of children in these frightening circumstances and even the question of the dignity of surrogate mothers, who presumably resort to “renting” out their wombs for lucrative gain,<sup>61</sup> we are thus reminded again of a common fact of nature: a truth that cannot simply be thrust aside for the sake of convenience or so-called new rights. This, more specifically, is the fact that only the natural institution of marriage allows for the procreation of children in a manner that respects the rights of mother and child, not to mention those of the father, who is frankly far too often forgotten in this discussion.<sup>62</sup> This, moreover, is a fact which remains as such in the case of a lesbian woman, who might well carry in her own womb a child, whom she intends to raise with a female partner. In this case, after all, the right of the child to a father as well as a mother—that is to say, the right “to be born in a real family” (PCJP 2004, n. 244)—is again sacrificed for the sake of an individualistic conception of freedom, which ignores the social consequences, including most especially those affecting the child. As for the so-called right to adoption of orphaned children by homosexual couples, this entails the redefining of the family in accord with a redefinition of marriage based upon the rhetoric of the “right” to marriage for all.

This rhetoric does not, however, simply create new rights by creating new entities: namely, new sorts of marriages and new sorts of families. It also endangers the traditional family by discriminating against it, as we shall see, and also the fundamental rights of children to be born within the context of a natural marriage between his or her own father and mother. Indeed, if the State acts to recognize, protect, and promote marital stability—as is currently the case throughout most of the world—it does not do so in view of simply private interests, but rather in recognition of the contribution of natural marriage itself “to the general interest,” as the Pontifical Council for the Family teaches, “especially [the interests] of the weakest [members of society], i.e., the children” (PCF 2000, n. 14).

#### THE SOCIAL DIMENSION OF MARRIAGE AS THE BASIS OF THE PROTECTION OF THE FAMILY

From this perspective, it is quite clear that natural marriage, precisely as orientated to the generation and education of offspring, is “a relationship with a social dimension, that is unique with regard to all other relationships” (PCJP 2004, n. 227). As the foundation of the family, it is not only a relationship, which is “absolutely vital, basic and necessary for the whole social body” (PCF 2000, n. 3). It also “proceeds and exceeds, in an absolute and radical way, the sovereign power of the State” (PCF 2000, n. 9). For this reason, the State has no power to create the institution of marriage, upon which the family is based, nor even to “freely legislate with regard to the marriage bond” but only “to regulate its civil effects” (PCJP 2004, n. 216). Or, to put it more straightforwardly,

The family possesses inviolable rights and finds its legitimization in human nature

and not in being recognized by the State. *The family, then, does not exist for society or the State, but society and the State exist for the family.* (PCJP 2004, n. 214)

It follows, as a direct consequence of this precedence of the family over the State, that *no legislative power “can abolish the natural right to marriage or modify its traits and purpose.”* In other words, marriage is “endowed with its own proper, innate and permanent characteristics” (PCJP 2004, n. 216), namely, unity, indissolubility, and openness to fertility (see CCC 1997, n. 1664). As belonging to it by nature, these characteristics are not—it bears repeating—accorded to it by the State, who nonetheless has the responsibility of “protecting and promoting the family as a fundamental natural institution” (PCJP 2004, n. 225).<sup>63</sup>

Civil law thus follows natural law, which is to say that the former must serve the common good and the truth of the human person, who in turn must be served by freedom, rather than instrumentalized by it. This fundamental ethical conviction meanwhile requires that we acknowledge certain transcendent values to which freedom is accountable. And this, in turn, requires that we cannot regard freedom as auto-foundational or self-referential. Instead, freedom itself is rooted within human nature, which is *per se* rational and social. *As rational*, this nature grants to human freedom the guiding force of objective truth over relativism, for reason allows the human being to know and thus to distinguish truth from falsehood, and to likewise discern between good and evil. *As social*, this nature gives to freedom what John Paul II calls “an inherently relational dimension” (John Paul II 1995, n. 19), which necessarily challenges the extreme individualism of our time.

Both of these dimensions—the rational and the social—come together in marriage, wherein “commitments and

responsibilities are taken on publicly and formally,” precisely because they “are relevant for society and exigibile in the juridical context” (PCF 2000, n. 11). The same cannot be said of *de facto* or private unions, such as a so-called gay marriage. Indeed, the “undifferentiated exaltation of individuals’ freedom of choice, with no reference to a socially relevant value order,” is “blind” to “the objective social dimension” of marriage, as the Pontifical Council for the Family rightly points out (PCF 2000, n. 15). “Two or more persons may decide to live together with, or without a sexual dimension but this cohabitation is not for that reason of public interest,” the pontifical council continues.

The public authorities can not get involved in this private choice. *De facto* unions [such as those between gay men or lesbian women] are the result of private behavior and should remain on the private level. Their public recognition or equivalency to marriage, and the resulting elevation of a private interest to public interest, damages the family based on [natural] marriage, [by discriminating against it]. (PCF 2000, n. 11)

When, more specifically, the State grants marital status to gay and lesbian couples<sup>64</sup> or honors *de facto* unions—whether of same-sex or heterosexual couples—it simultaneously grants to these private unions the same privileges of law that it accords to public ones. In other words, it takes on certain obligations towards these partners, who in turn do not assume “the essential obligations to society that are proper to marriage” (PCF 2000, n. 16), namely that of giving birth to and educating the citizens of tomorrow. It is for this reason that the pontifical council also insists upon the principle of justice, which “means treating equals equally, and what is different differently: i.e., to give each one his due in

justice” (PCF 2000, n. 10). This principle of justice is in fact violated when homosexual unions are granted a juridical treatment similar or equivalent to that enjoyed by the family based on natural marriage, precisely because these unions are granted the same rights without assuming the same public responsibilities proper to natural marriage.

The real question of justice, however, lies in determining whether individual rights trump over human dignity. This, more specifically, is the question of whether human dignity is regarded as rooted in human nature, wherein human freedom lies, or whether instead human freedom is a wild card in virtue of which we create ourselves and simultaneously manipulate others to our end. The answer that we give to this question will in turn determine whether our public policies will be concerned with preserving a future worthy of the person.

*We cannot afford forms of permissiveness that would lead directly to the trampling of human rights, and also to the complete destruction of values which are fundamental not only for the lives of individuals and families but for society itself,*

John Paul II rightly insists. Instead, the Church proposes “responsible parenthood” as

*the necessary condition for authentic conjugal love, because love cannot be irresponsible. Its beauty is the fruit of responsibility. When love is truly responsible, it also truly free. [original emphasis] (John Paul II 1994a, 208)<sup>65</sup>*

Far more fundamental than our public policies is thus the responsibility of individual couples and families to preserve and nurture God’s plan for the human family, and thus for every family. This, as John Paul II has separately asserted,

is to serve life, to acknowledge in history the original blessing of the Creator—that of transmitting by procreation the divine image from person to person. (John Paul II 1981, n. 28)

As John Paul II put it in terms resonant of his personalist notion of freedom:

The family finds in the plan of God the Creator and Redeemer not only its *identity*, what it *is*, but also its *mission*, what it can and should *do*. The role that God calls the family to perform in history derives from what the family is; its role represents the dynamic and existential development of what it is. Each family finds within itself a summons that cannot be ignored and that specifies both its dignity and its responsibility: family, *become* what you *are* [original emphasis]. (John Paul II 1981, n. 17)<sup>66</sup>

#### ENDNOTES

1. This is an expanded and newly adapted version of a conference, “The Human and Legal Base for Protection and Support of the Family,” delivered at the invitation of the Holy See’s Permanent Mission to the United Nations and Specialized Agencies in Geneva on March 18, 2013, within the context of a parallel event on “Promoting human rights and freedoms by upholding legal and social protection for the traditional family” in conjunction with the 22nd Session of the United Nations Human Rights Council, Geneva, February–March 2013. The original conference has been published in Working Papers on *Promoting Human Rights and Freedoms by Upholding Legal and Social Protection for the Traditional Family*. Caritas in Veritate Foundation. Geneva. <http://fciv.org/downloads/Schumacher.pdf> (Schumacher 2013)
2. To be sure, this is not a phenomenon uniquely characteristic of the modern or contemporary world, for Pieper also cites Plato’s disputes with the sophists as an example of the same. As for Louis Dupré, he traces the detachment of words from reality to nominalism. “Nominalist thinkers,” he explains, “detached words from concepts and thereby undermined the assumption that language merely mirrors a reality internalized by the mind. This detachment enabled words to function as more than referential signs. Meaning was first established by the mind and subsequently expressed in conventional signs. Early humanists went further; they regarded language itself as creative of meaning. Reversing the traditional order of reference, they began to envision reality itself through the prism of language.” (Dupré 1994, 6–7).
3. Orwell’s book was published in 1949.
4. The philosopher, Cardinal Cottier, is also a retired theologian of the pontifical house and secretary of the International Theological Commission.
5. Ironically, this thinking logically leads to that of Judith Butler, who recognizes a “heterosexual imperative” working “in a performative fashion to constitute the materiality of bodies, and, more specifically, to materialize the body’s sex, to materialize sexual difference in the service of the consolidation of the heterosexual imperative” (Butler 1993, 2). In other words, “bodies only appear, only endure, only live within the productive constraints of certain highly gendered regulatory schemas.” In fact, without these constructions “we would not be able,” Butler claims, “to think, to live, to make sense at all.” They have “acquired for us a kind of necessity” (Butler 1993, xi). Butler’s final goal, however, is *to change the regulatory norm*: “to understand how what has been foreclosed or banished [by the so-called heterosexual imperative] from the proper domain of ‘sex’ [i.e., the homosexual, the transsexual, and the bisexual] ... might at once be produced as a troubling return, not only as an *imaginary* contestation that effects a failure in the workings of the inevitable law, but as an enabling disruption, the occasion for a radical rearticulation of the symbolic horizon in which bodies come to matter at all” (Butler 1993, 23). *Regulatory norms*, in Butler’s sense of the term (namely that of cultural determinism), are thus necessarily very different from *natural norms*: when,

- that is to say, nature itself is understood as endowed with a metaphysical meaning, as will be increasingly evident in what follows.
6. Or, as the editors of the French edition of *Nova et Vetera* have put it, individual rights are being substituted for human rights (see *Nova et Vetera ed. 2014*).
  7. For a concrete example of this thinking, see Sartre (1957).
  8. “For St. Thomas,” Pinckaers explains, “the natural inclinations to goodness, happiness, being and truth were the very source of freedom. They formed the will and intellect, whose union produced free will” (Pinckaers 1995, 245).
  9. Cf. Pinckaers (1995, 242–243; 327–53); and Pinckaers (2001, 65–81).
  10. Similarly, Pope Benedict XVI points in his first encyclical letter to “the need to link charity with truth” (Benedict 2005, n. 2).
  11. See also John Paul II (1979, n. 16), wherein freedom is acknowledged as being “confused with the instinct for individual or collective interest or with the instinct for combat and domination.”
  12. Similarly, he points out that natural law receives its name “not because it refers to the nature of irrational beings [so as to be identified with inclinations of a sub-rational nature], but because the reason which promulgates it is proper to human nature” (John Paul II 1993, n. 42).
  13. Cf. Thomas Aquinas, *Summa theologiae* I–II, q. 91, a. 2; and CCC (1997, n. 1955).
  14. Hence, in the case of a misinterpretation of the doctrine of *Humanae vitae*, for example, “natural law was [incorrectly] taken to mean merely the biological regularity we find in people in the area of sexual actualization” (Wojtyła 1993b, 183). Similarly, “the [sexual] urge appears as something that merely ‘happens’ in the human being” (Wojtyła 1993f, 294).
  15. Cf. Thomas Aquinas, *Summa theologiae* I–II, q. 1, a. 1. See also Wojtyła (1993b, 183). Willed acts, in turn, are acts, Wojtyła explains, that are self-determining. See Wojtyła (1993e, 189–190).
  16. Within the specific context of the natural regulation of birth, this means that “the order of nature connected with using the sexual urge in accord with its nature and purpose has, in a sense, been turned over to human beings for conscious realization. This accounts for the possibility of regulating conception by taking advantage of the regularity of nature in the operation of the sexual urge—and human persons who do so (in appropriate circumstances, of course) somehow confirm themselves in their role as subjects conscious of the order of nature. On the other hand, by using a method of artificial contraception, they somehow compromise themselves in that role and degrade themselves as persons” (Wojtyła 1993f, 293). See also Wojtyła (1993f, 289).
  17. See also Schmitz (1993, especially 121–146).
  18. It follows from this perspective that consciousness is considered as creative with respect to values rather than responsive to them.
  19. Wojtyła thus points to the etymology of the word “subject”: *sub-* (under) + *jacere* (to throw), whence the idea of being “brought under,” or owing obedience to, another. Within the context, the point is made that the human being is not only the (active) subject of his actions, but also the (passive) subject (that is to say, the object) of his own reflection. In short, Wojtyła points here to the idea of reflective consciousness.
  20. In this way and in light of the “gnosiological attitude” of his contemporaries, Wojtyła thus recognized the need for a “confrontation of the metaphysical view of the person that we find in St. Thomas and in the traditions of Thomistic philosophy with the comprehensive experience of the human person” (Wojtyła 1993e, 195).
  21. “The lived experience of the fact ‘I act’ differs from all facts that merely ‘happen’ in a personal subject. This clear difference between something that ‘happens’ in the subject and an ‘activity’ or action of the subject allows us, in turn, to identify ... *self-determination*... ‘I act’ means ‘I am the efficient cause’ of my action and of my self-actualization as a subject, which is not the case when something merely ‘happens’ in me, for then I do not experience the efficacy of my personal self.” The latter, he specifies, “Is intimately connected with a sense of responsibility for that activity” (Wojtyła 1993e, 189).
  22. Wojtyła specifies that concupiscence, understood as sensual desire, is not an act of the will. It is something that “happens” within us. However,

- “concupiscence of the senses tends to become active ‘wanting’, which is an act of will. ... As soon as the will consents it begins actively to want what is spontaneously ‘happening’ in the senses and the sensual appetites. From then onwards, this is not something merely ‘happening’ to a man, but something which he himself begins actively doing—at first only internally, for the will is in the first place the source of interior acts, of interior ‘deeds.’ These deeds have a moral value, are good or evil, and if they are evil we call them sins” (Wojtyła 1993a, 161–162).
23. It is in this very specific sense that Wojtyła dares to state that I am “in some sense the ‘creator of myself’” (Wojtyła 1993e, 191). See also his more extensive development of these ideas in Wojtyła (1979).
  24. Hence, the will is often “the arena for a struggle between the sexual instinct and the need for freedom.”
  25. Similarly, “Our decisions of conscience at each step reveal us as persons who fulfill ourselves by going beyond ourselves toward values accepted in truth and realized, therefore, with a deep sense of responsibility” (Wojtyła 1993 g, 215).
  26. Wojtyła recognizes an inherent contradiction at the heart of the utilitarian principle of “the *maximum* pleasure (‘greatest happiness’) for the greatest number”, for “pleasure is, of its nature, a good for the moment and only for a particular subject, it is not a super-subjective or trans-subjective good. And so, as long as that good is recognized as the entire basis of the moral norm, there can be no possibility of my transcending the bounds of that which is good for me alone” (Wojtyła 1993a, 37–38).
  27. Far from denying the natural appetite for a sexual good—what the tradition refers to as the desire of concupiscence—this perspective admits its authentic value, which must nonetheless always be subordinate to the good of the person. “‘Sinful love’ comes into being when affirmation of the value of the person, and intentness on the true good of the person (which are at the care of true love), are absent, and instead a hankering after mere pleasure, mere sensual enjoyment connected with ‘sexual experiences’ invades the relationship between man and woman [or in the case of a homosexual relationship: between man and man or woman and woman]. ‘Enjoying’ then displaces ‘loving’” (Wojtyła 1993a, 164). See also Thomas Aquinas, *Summa theologiae* I–II, q. 27, a. 1, where he writes that “the proper object of love is the good; because, as stated above (Q 26, AA1, 2), love implies a certain connaturalness or complacency of the lover for the thing beloved, and to everything, that thing is a good, which is akin and proportionate to it. It follows, therefore, that good is the proper cause of love.”
  28. “God allows man to learn his supernatural ends, but the decision to strive towards an end, the choice of course, is left to man’s free will. God does not redeem man against his will” (Wojtyła 1993a, 27). Concretely within the context of procreation, this means that the Creator “does not utilize persons merely as the means or instruments of his creative power but offers them the possibility of a special realization of love,” namely, by giving them “a rational nature and the capacity consciously to decide upon their own actions” and thus also “to choose freely the end to which sexual intercourse naturally leads.” It follows that it is up to them “to put their sexual relations on the plane of love, the appropriate plane for human persons, or on a lower plane. The Creator’s will is not only the preservation of the species by way of sexual intercourse but also its preservation on the basis of a love worthy of human persons” (Wojtyła 1993a, 59–60).
  29. See also Wojtyła (1993f, 288–289).
  30. This ability to participate in another’s humanity is, of course, a human prerogative, pointing to our spiritual nature. “For a human being is always first and foremost himself (‘a person’), and in order not merely to live with another but to live by and for that other person he must continually discover himself in the other and the other in himself. Love is impossible for beings who are mutually impenetrable—only the spirituality and the ‘inwardness’, of persons create the conditions for mutual interpenetration, which enables each to live in and by the other [to enter, that is to say, into the other’s interiority]” (Wojtyła 1993a, 131).



31. “[T]o understand the human being inwardly ... may be called *personalistic*” (Wojtyła 1993 g, 213). The personalistic principle, he explained many years later, “is an attempt to translate the commandment of love into the language of philosophical ethics. *The person is a being from whom the only suitable dimension is love.* We are just to a person if we love him” (John Paul II 1994a, 1994b, 1994c, 200–201). Hence, the “dual content” of the personalistic norm: “a positive content (‘though shalt love!’) and a negative content (‘thou shalt not use!’)” (Wojtyła 1993a, 171).
32. Obviously, this is not to deny the previously cited insight according to which the human person determines him- or herself as morally “good” or “bad” in virtue of his or her actions. Reference here is made instead to the *ontological* value of the human person.
33. Thomas Aquinas, *Summa theologiae* I–II, q. 20, a. 2. Aquinas thus contrasts the divine will, which “infuses and creates goodness,” with the human will, which “is not the cause of the goodness of things.” Instead, it is the goodness of the beloved object or person that “calls forth our love,” which in turn incites the action to obtain the object or to be united to the beloved person (*ibid.*). See also *ibid.*, III, q. 110, a. 1; and *idem*, *Super Ioan.* 5, lect. 3, n. 753 (Aquinas 2013). See also the marvelous treatment of the primacy of affirmation with respect to the willed act by Pieper (1997, 139–281).
34. Thomas Aquinas, *Summa theologiae* I–II, q. 27, a. 1. See also *ibid.*, q. 26, aa.1–2.
35. *Ibid.*, a. 5. See also Kwasniewski (1997).
36. See Aquinas, *Summa theologiae* I–II, q. 26, a. 2.
37. On the importance of Vatican Council II (1965, n. 24), for the magisterial teaching of Pope John Paul II, see Ide (2001).
38. Similarly: “Here [in Vatican Council II 1965, n. 24] we truly have an adequate interpretation of the commandment of love. Above all, *the principle that a person has value by the simple fact that he is a person* finds very clear expression: man, it is said, ‘is the only creature on earth that God has wanted for his own sake.’ At the same time the Council emphasizes that the most important thing above love is the sincere gift of self. In this sense *the person is realized through love*” (John Paul II 1994a, 202).
39. This point is explicit in the passage: “This statement is primarily ontological in nature, and it gives rise to an ethical affirmation. Love is an ontological and ethical requirement of the person... This explains *the commandment of love*, known already in the Old Testament (cf. *Deut* 6:5; *Lev* 19:18) and placed by Christ at the very centre of the Gospel ‘*ethos*’ (cf. *Mt* 22:36–40; *Mk* 12:28–34). This also explains the *primacy of love* expressed by Saint Paul in the First Letter to the Corinthians: ‘the greatest of these is love’ (cf. 13:13)” (John Paul II 1994a, 201).
40. Hence, the fundamental question addressed by John Paul II in *Veritatis Splendor*, as read by his biographer, George Weigel: “How is freedom to be lived so that freedom does not destroy itself?” (Weigel 1999, 694). Cf. John Paul II (1993, n. 96).
41. Similarly, “If freedom is not used, is not taken advantage of by love it becomes a negative thing and gives human beings a feeling of emptiness and unfulfilment” (Wojtyła 1993a, 135).
42. This means, as Michael Sherwin has fittingly argued, that before love is a principle of action, it is “a response to goodness,” particularly in the form of “a pleasant affective affinity” that St. Thomas calls *complacentia* (literally, “with pleasing assent”: *cum + placentia*). See Sherwin (2007, 181–204); and Sherwin (2005, 63–118). “This affinity,” Sherwin specifies, is “the aptitude, inclination, or proportion existing in the appetite for the loved object” (Sherwin 2005, 70). See also the long development of the primarily affirmative value of love in Pieper (1997).
43. Likewise in the particular context of conjugal love, the *Catechism of the Catholic Church* teaches, in words borrowed from Pope Pius XII: “The Creator himself ... established that in the [generative] [sic] function, spouses should experience pleasure and enjoyment of body and spirit. Therefore, the spouses do nothing evil in seeking this pleasure and enjoyment. They accept what the Creator has intended for them. At the same time,

- spouses should know how to keep themselves within the limits of just moderation” (CCC 1997, n. 2362).
44. As Josef Pieper puts it straightforwardly, “We must have experienced and ‘seen’ that the other person, as well as his existence in this world, really is good and wonderful; that is the precondition for the impulse of the will that says, ‘It’s good that you exist!’” (Pieper 1997, 198).
  45. St. Thomas points, for example, to the transcendence caused by the elevation of one’s apprehensive and appetitive powers “to comprehend things that surpass sense and reason” (Aquinas 2012, *Summa theologiae* I–II, q. 28, a. 3).
  46. In that case, the subject is “cast down” in, for example, drunkenness or “violent passion or madness” (ibid.).
  47. Thomas Aquinas, *Summa theologiae* I–II, q. 28, a. 3.
  48. Helpful to this analysis, Wojtyła explains, is the Augustinian distinction between *uti* and *frui*. The former “is intent on pleasure for its own sake, with no concern for the object of pleasure.” The latter “finds joy in a totally committed relationship with the object precisely because this is what the nature of the object demands” (Wojtyła 1993a, 44).
  49. Similarly: “Sin is violation of the true good... ‘Sinful love’ is simply a relationship between two persons so structured that emotion as such and more particularly pleasure as such have assumed the dimensions of goods in their own right, and are the sole decisive consideration, while no account at all is taken of the objective value of the person” (Wojtyła 1993a, 165–166). “Its sinfulness is not of course due to the fact that it is saturated with emotion, nor to the emotion itself, but to the fact that the will puts emotion before the person, allowing it to annul all the objective laws and principles which must govern the unification of two persons, a man and a woman.” Hence Wojtyła observes that “*Authenticity’ of feeling is quite often inimical to truth in behaviour* [original emphasis]” (Wojtyła 1993a, 163).
  50. Similarly, if “reciprocity is created only by self-interest, utility (a utilitarian good) or pleasure, then it is superficial and impermanent” (Wojtyła 1993a, 86).
  51. He thus concludes: “*Love is exclusively the portion of human persons* [original emphasis]” (Wojtyła 1993a).
  52. When, on the other hand, “love” is reduced to a desire motivated by pleasure or gratification, a “superficial view of happiness” is also implied: one that is “identified with mere enjoyment” (Wojtyła 1993a, 172).
  53. Or, in the words of Paul VI in *Humanae vitae*, there is “an inseparable connection, established by God, which man on his own initiative may not break, between the unitive significance and the procreative significance which are both inherent to the marriage act” (Paul VI 1968, n. 12). This passage is likewise found in the CCC (1997, n. 2366).
  54. See also CCC (1997, n. 2347); and [http://www.vatican.va/roman\\_curia/congregations/cfaith/documents/rc\\_con\\_cfaith\\_doc\\_19861001\\_homosexual-persons\\_en.html](http://www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfaith_doc_19861001_homosexual-persons_en.html)CDF (CDF 1986).
  55. “The first right of the child is to ‘be born in a real family,’ a right that has not always been respected and that today is subject to new violations because of developments in genetic technology” (PCJP 2004, n. 244).
  56. “By its very nature the institution of marriage and married love is ordered to the procreation and education of the offspring and it is in them that it finds its crowning glory” (Vatican Council II 1965, n. 48). Cf. CCC (1997, n. 1652).
  57. “The family is the primary cell of society and is solidly grounded in the natural law that links all people and cultures,” John Paul II explains. “Indeed, the Church’s insistence on the ethics of marriage and the family is frequently misunderstood, as though the Christian community wished to impose on all society a faith perspective valid only for believers... In fact, marriage, as a stable union of a man and a woman who are committed to the reciprocal gift of self and open to creating life, is not only a Christian value, but an original value of creation” (John Paul II 1994c).
  58. “According to the plan of God, marriage is the foundation of the wider community of the family, since the very institution of marriage and conjugal love are ordained to the procreation and education of

- children, in whom they find their crowning” (John Paul II 1994b, n. 14).
59. See also PCJP (2004, n. 235): “The desire to be a mother or a father does not justify any ‘right to children,’ whereas the rights of the unborn child are evident. The unborn child must be guaranteed the best possible conditions of existence through the stability of a family founded on marriage, through the complementarities of two persons, father and mother.”
  60. See, for example, Kugelman et al. (2012) <http://archpedi.jamanetwork.com/article.aspx?articleid=1149497>; EXPRESS Group (2009) <http://jama.jamanetwork.com/article.aspx?articleid=184015>; Barfield et al. (2010) <http://www.cdc.gov/mmwr/preview/mmwr.html/mm5944a4.htm>.
  61. Indeed, Agacinski rightly asks whether this humiliating commerce would continue if it were not profitable. See Agacinski (2009, 102).
  62. Indeed, although paternal rights were supreme throughout much of history, they are often enough forgotten or simply neglected in contemporary political and social discussions.
  63. This, more specifically, is a responsibility, which “arises from the basic requirements of social nature” (PCJP 2004, n. 225).
  64. This is, in fact, already the case in some countries, such as France, Argentina, Belgium, Canada, Denmark, Iceland, Netherlands, Norway, Portugal, Spain, South Africa, Sweden, as well as several states of the USA.
  65. For the Church’s teaching regarding responsible parenthood, see CCC (1997, nn. 2366–2372); Paul VI (1968); John Paul II (1995, n. 97); John Paul II (1994b, nn. 12–13); John Paul II (1981, nn. 11, 28–32).
  66. Similarly, “The social community of the *we* is given to us not only as a fact but also always as a task” (Wojtyła 1993d, 252).
- St. Thomas Aquinas. Lander, WY: The Aquinas Institute for the Study of Sacred Doctrine.
- Aquinas, T. 2013. *Super Ioan.* Super Evangelium S. Ioannis lectura. In Commentary on the Gospel of John, trans. Fr. F.R. Larcher, OP and ed. by the Aquinas Institute. Vols. 35–36 of the Latin/English Edition of the Works of St. Thomas Aquinas, biblical commentaries. Lander, WY: The Aquinas Institute for the Study of Sacred Doctrine.
- Barfield, W.D., S.E. Manning, C. Kroelinger, J.A. Martin, and D.T. Barradas. 2010. Neonatal intensive-care unit admission of infants with very low birth weight—19 states, 2006. *Morbidity and Mortality Weekly Report* 59(44).
- Benedict XVI, Pope. 2005. *Deus Caritas Est.* [Encyclical letter]. “On Christian love - God is love.” December 25. [http://www.vatican.va/holy\\_father/benedict\\_xvi/encyclicals/documents/hf\\_ben-xvi\\_enc\\_20051225\\_deus-caritas-est\\_en.html](http://www.vatican.va/holy_father/benedict_xvi/encyclicals/documents/hf_ben-xvi_enc_20051225_deus-caritas-est_en.html).
- Butler, J. 1993. *Bodies that matter: On the discursive limits of “sex.”* New York and London: Routledge.
- Catechism of the Catholic Church* (CCC). 1997. New York, London, etc.: An Image Book/Doubleday.
- Congregation for the Doctrine of the Faith (CDF). 1986. Letter to the Bishops of the Catholic Church on the pastoral care of homosexual persons. [http://www.vatican.va/roman\\_curia/congregations/cfaith/documents/rc\\_con\\_cfaith\\_doc\\_19861001\\_homosexual-persons\\_en.html](http://www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfaith_doc_19861001_homosexual-persons_en.html).
- Cottier, G. 1996. *Défis éthiques.* Saint-Maurice, Switzerland: Editions Saint-Augustin.
- Dupré, L. 1994. *Metaphysics and culture.* Aquinas Lecture. Milwaukee, WI: Marquette University Press.
- Elshtain, J.B. 1982. “Thank heaven for little girls”: The dialectics of development. In *The family in political thought*, ed. J.B. Elshtain, 288–351. Amherst: University of Massachusetts Press.
- EXPRESS Group. 2009. One-year survival of extremely preterm infants after active perinatal care in Sweden. *JAMA* 301(21): 2225–2233.
- Ide, P. 2001. Une théologie du don. Les occurrences de *Gaudium et spes*, nr. 24, § 3 chez Jean-Paul II. *Anthropotes* 17(1): 149–78; 17(2): 313–44.

## REFERENCES

- Agacinski, S. 2009. *Corps en miettes.* Paris: Flammarion.
- Aquinas, T. 2012. *Summa theologiae*, trans. Fr. L. Shapcote, OP and ed. J. Mortensen and E. Alarcón. Vols. 13–20 of the Latin/English Edition of the Works of

- John Paul II, Pope. 1979. *Redemptoris hominis*. [Encyclical letter]. “On the redeemer of man.” March 4. Vatican translation. Boston, MA: Pauline Books and Media.
- John Paul II, Pope. 1981. *Familiaris consortio*. [Apostolic exhortation]. “On the role of the family in the modern world.” November 22. Vatican translation. Boston, MA: Pauline Books and Media.
- John Paul II, Pope. 1988. *Mulieris dignitatem*. [Apostolic letter]. “On the dignity and vocation of women.” August 15. Vatican translation. Boston, MA: St. Paul Editions.
- John Paul II, Pope. 1991. *Centesimus annus*. [Encyclical letter]. “On the hundredth anniversary of *Rerum Novarum*.” May 1. Boston, MA: St. Paul Editions.
- John Paul II, Pope. 1993. *Veritatis splendor*. [Encyclical letter]. “On the splendor of truth.” August 6. Vatican translation. Boston, MA: St. Paul Editions.
- John Paul II, Pope. 1994a. *Crossing the threshold of hope*, ed. V. Messori and trans. J. McPhee and M. McPhee. New York: Alfred A. Knopf.
- John Paul II, Pope. 1994b. *Gratissimam sane*. “Letter to families.” February 2. [http://www.vatican.va/holy\\_father/john\\_paul\\_ii/letters/documents/hf\\_jp-ii LET\\_02021994\\_families\\_en.html](http://www.vatican.va/holy_father/john_paul_ii/letters/documents/hf_jp-ii LET_02021994_families_en.html).
- John Paul II, Pope. 1994c. Natural law must be measure of all human legislation. Sunday Angelus of June 19, 1994. *L'Osservatore Romano*. June 29.
- John Paul II, Pope. 1995. *Evangelium vitae*. [Encyclical letter]. “On the Gospel of life.” March 25. Vatican translation. Boston, MA: St. Paul Editions.
- Kugelman, A., D. Bader, L. Lerner-Geva, V. Boyko, O. Levitzki, A. Riskin, and B. Reichman. 2012. Poor outcomes at discharge among extremely premature infants: A national population-based study. *JAMA Pediatrics* 166(6): 543–550.
- Kwasniewski, P.A. 1997. St. Thomas, *extasis*, and union with the beloved. *Thomist* 61: 587–603.
- Nova et Vetera*, ed. 2014. Editorial: Substitution des droits de l'individu aux droits de l'homme. *Nova et Vetera* 84 (3):242–7.
- Paul VI, Pope. 1968. *Humanae vitae*. [Encyclical letter]. “On human life.” July 25. [http://www.vatican.va/holy\\_father/paul\\_vi/encyclicals/documents/hf\\_p-vi\\_enc\\_250719\\_68\\_humanae-vitae\\_en.html](http://www.vatican.va/holy_father/paul_vi/encyclicals/documents/hf_p-vi_enc_250719_68_humanae-vitae_en.html).
- Pieper, J. 1992. *Abuse of language, abuse of power*, trans. Lothar Krauth. San Francisco: Ignatius Press.
- Pieper, J. 1997. *On love*, trans. M. McCarthy, R. Winston, and C. Winston. In Josef Pieper, *Faith, hope, love*. San Francisco: Ignatius Press.
- Pinckaers, S. 1995. *The sources of Christian ethics*, trans. M. T. Noble from the 3rd edition. Washington, DC: The Catholic University of America Press.
- Pinckaers, S. 2001. *Morality: The Catholic view*, preface by A. MacIntyre and trans. M. Sherwin. South Bend, IN: St. Augustine's Press.
- Pontifical Council for Justice and Peace (PCJP). 2004. *Compendium of the social doctrine of the Church (Libreria Editrice Vaticana)*. London, New York: Burns & Oates.
- Pontifical Council for the Family (PCF). 2000. Family, marriage and ‘de facto’ unions. [http://www.vatican.va/roman\\_curia/pontifical\\_councils/family/documents/rc\\_pc\\_family\\_doc\\_20001109\\_de-facto-union\\_s\\_en.html](http://www.vatican.va/roman_curia/pontifical_councils/family/documents/rc_pc_family_doc_20001109_de-facto-union_s_en.html).
- Ratzinger, J. 2007a. Truth and freedom, trans. A. Walker. In *The essential Pope Benedict XVI: His central writings and Speeches*, 337–53. Originally published in *Communio* 23(1): 15–35.
- Ratzinger, J. 2007b. “The problem of threats to human life” (from the April 8, 1991 issue of *L'Osservatore Romano*). In *The essential Pope Benedict XVI: His central writings and speeches*, ed. J.F. Thornton, and S.B. Varenne, 381–92. New York: HarperCollins.
- Rosen, C. 2003. Why not artificial wombs? *New Atlantis* 67(Fall): 67–76.
- Sartre, J.P. 1957. *Existentialism and human emotions*. New York: Philosophical Library.
- Schumacher, M. 2013. The human and legal base for protection and support of the family. In Working Papers on *promoting human rights and freedoms by upholding legal and social protection for the traditional family*. On the Occasion of the 20th Anniversary of the United Nations International Year of the Family and the 30th Anniversary of the Holy See's Charter of the Rights of the Family.

- Geneva: Caritas in Veritate Foundation. <http://fciv.org/downloads/Schumacher.pdf>.
- Sherwin, M.S. 2005. *By knowledge and by love: Charity and knowledge in the moral theology of St. Thomas aquinas*. Washington, DC: The Catholic University of America Press.
- Sherwin, M.S. 2007. Aquinas, Augustine, and the medieval scholastic crisis concerning charity. In *Aquinas the augustinian*, ed. M. Dauphinais, B. David, and M. Levering, 181–204. Washington, DC: The Catholic University of America Press.
- Schmitz, K. 1993. *At the center of the human drama: The philosophical anthropology of Karol Wojtyła/Pope John Paul II*. Washington, DC: The Catholic University of America Press.
- Schmitz, K. 1994. Modernity meets tradition: The philosophical originality of Karol Wojtyła. *Crisis* 12(4): 30–6.
- Shivanandan, M. 1999. *Crossing the threshold of love: A new vision of marriage in the light of John Paul II's anthropology*. Edinburgh: T & T Clark.
- Trujillo, A.L. 2005. Préface. In *Léxique des termes ambigus et controversés sur la famille, la vie et les questions éthiques*, ed. Conseil Pontifical pour la Famille, 7–14. Paris: Pierre Téqui.
- U.S. Department of Health and Human Services, Center for Disease Control and Prevention, National Center for Health Statistics. 2012. First marriages in the United States: Data from the 2006–2010 national survey of family growth. Study conducted by Casey E. Copen, Kimberly Daniels, Jonathan Vespa, and William D. Mosher. *National Health Statics Reports* 49. <http://www.cdc.gov/nchs/data/nhsr/nhsr049.pdf>.
- Vatican Council II. 1965. Pastoral Constitution on the Church in the modern world, *Gaudium et spes*. December 7. [http://www.vatican.va/archive/hist\\_councils/ii\\_vatican\\_council/documents/vat-ii\\_cons\\_19651207\\_gaudium-et-spes\\_en.html](http://www.vatican.va/archive/hist_councils/ii_vatican_council/documents/vat-ii_cons_19651207_gaudium-et-spes_en.html).
- Weigel, G. 1999. *Witness to hope*. New York: Cliff Street Books.
- Wojtyła, K. 1979. *The acting person*. Dordrecht: D. Reidel Publishing Company. *Analecta Husserliana*, vol. X.
- Wojtyła, K. 1993a. *Love and responsibility*, trans. J.T. Willetts. San Francisco: Ignatius Press. The Polish original was published in 1960.
- Wojtyła, K. 1993b. The human person and natural law. In *Person and community: Selected essays*, trans. T. Sandok, 181–5. New York: Peter Lang.
- Wojtyła, K. 1993c. Participation or alienation? In *Person and community: Selected essays*, trans. T. Sandok, 197–207. New York: Peter Lang.
- Wojtyła, K. 1993d. “The person: Subject and community.” In *Person and community: Selected essays*, trans. T. Sandok, 219–61. New York: Peter Lang.
- Wojtyła, K. 1993e. The personal structure of self-determination. In *Person and community: Selected essays*, trans. T. Sandok, 187–95. New York: Peter Lang.
- Wojtyła, K. 1993f. The problem of Catholic sexual ethics: Reflections and postulates. In *Person and community: Selected essays*, trans. T. Sandok, 279–99. New York: Peter Lang.
- Wojtyła, K. 1993g. Subjectivity and the irreducible in the human being. In *Person and community: Selected essays*, trans. T. Sandok, 209–17. New York: Peter Lang.

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