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LOVING UNION AND PROCREATION: THE ESSENTIAL
SIGNIFICATIONS OF THE CONJUGAL ACT.
*A MORAL-THEOLOGICAL REFLECTION IN OCCASION OF THE JUBILEE
YEAR OF "HUMANAE VITAE"*

Abstract

=Following the jubilee year 2018 of Pope Paul VI's encyclical *Humanae vitae* (1968), the invitation of Pope Francis in *Amoris laetitia* should be accepted to rediscover the message of *Humanae vitae*. In this context it seems important to grasp the intimate conjunction of the significations of the marital act, namely loving union and procreation. In this way the fundamentals for an adequate understanding of the normative dimension are laid, by pointing to the dignity of the person and the marital acts. The application of those methods of family planning which ground on the natural times of fertility might be encouraged.

Keywords: human dignity, human sexuality, *Humanae vitae*, fertility, contraception

ZJEDNOCZENIE W MIŁOŚCI I PROKREACJA:
ISTOTNE ZNACZENIE AKTU MAŁŻEŃSKIEGO.
TEOLOGICZNO-MORALNA REFLEKSJA NA KANWIE JUBILEUSZU „HUMANAE VITAE”

Abstrakt

Jubileusz opublikowania encykliki Pawła VI *Humanae vitae* (1968) stał się dobrą okazją do ponownego odkrycia jej przesłania, do czego zresztą zachęcał papież Franciszek w *Amoris laetitia*. W tym kontekście ważne wydaje się uchwycenie ścisłego związku znaczeniowego aktu małżeńskiego wyrażonego poprzez zjednoczenie w miłości małżonków z prokreacją. Pozwoli to odkryć fundament dla właściwego zrozumienia wymiaru normatywnego poprzez wskazanie na godność osoby i aktu małżeńskiego, a także zachęcić do stosowania tych metod planowania rodziny, które opierają się na naturalnych okresach płodności.

Słowa kluczowe: godność osoby ludzkiej, ludzka seksualność, *Humanae vitae*, płodność, antykoncepcja

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INTRODUCTION

On July 25th, 1968, Pope Paul VI released his encyclical *Humanae vitae* on the regulation of birth. This is the opening statement of that document:

“The transmission of human life is a most serious role in which married people collaborate freely and responsibly with God the Creator. It has always been a source of great joy to them, even though it sometimes entails many difficulties and hardships. The fulfilment of this duty has always posed problems to the conscience of married people, but the recent course of human society and the concomitant changes have provoked new questions. The Church cannot ignore these questions, for they concern matters intimately connected with the life and happiness of human beings.”²

50 years later, this encyclical – which was subject to controversy within and outside of the Catholic Church – has proved to be “prophetic” in many aspects (cf. Ernesti 2012², 216-233; Bischof 2017; Gałuszka 2017; *Humanae vitae – die anstößige* 2018; Lintner 2018; Marengo 2018). The task of a personal appropriation of its main statements and contents should be met anew (cf. Grisez et al. 1988; Duff 2004; Cozzoli 2017 and 2018).

The following analysis will, in its focus, concentrate on the indissoluble connection, in the marital act, of the significations of loving union and of openness for the transmission of human life, i.e. for the generation and acceptance of children. This connection has been inserted into the nature of the human person and into the human actualization of the marital act by God the Creator. This article, in a philosophical and theological way, intends to explicate these significations, as they have been formulated and presupposed by Pope Paul VI and the Magisterium of the Church as such. Only on the basis of morally important values, the moral norms which are connected with them and which are derived from them can be grasped and accepted according to their essential contents.³

² „HUMANAE VITAE tradendae munus gravissimum, ex quo coniuges liberam et consciam Deo Creatori tribuunt operam, magnis semper ipsos affectu gaudiis, quae tamen aliquando non paucae difficultates et angustiae sunt secutae. Quod munus sustinere si omni tempore coniugum conscientiae arduos facessivit quaestiones, at recens humanae societatis cursus eiusmodi mutationes invexit, ut novae quaestiones sint exortae, quas Ecclesiae ignorare non liceat, utpote quae cum rebus conectantur, tantopere ad hominum vitam et felicitatem pertinentibus“ (Paul VI 1968, 1).

³ The Popes who followed Paul VI have confirmed and deepened the teaching of *Humanae vitae*. In a special way Saint John Paul II addressed this theme in his Apostolic Exhortation *Familiaris consortio* of November 22nd, 1981. His series of catecheses regarding the *Theology of the Body* in his general audiences from 1979-1984 had been conceived as a commentary to *Humanae vitae*, as he himself declared in catechesis no. 133 from November 28th, 1984. Pope Francis, by quoting the Synod of Families in 2015 (Relatio Finalis 2015, 43), in his Post-Synodal Apostolic Exhortation *Amoris laetitia* (no. 222) explicitly appreciated the contribution of *Humanae vitae* to bring out “the intrinsic bond between conjugal love and the generation of life” (no. 68). The message of “*Humanae vitae*”, “which highlights the need to respect the dignity of the person in morally assessing methods of regulating birth”, should be rediscovered (cf. no. 82 by repeating the statement of the Synod

1. THE INDISSOLUBLE CONNECTION OF THE SIGNIFICATIONS IN THE CONJUGAL ACT ACCORDING TO *HUMANAE VITAE*

Paul VI – who was canonized on October 14th, 2018 – wrote in *Humanae vitae*:

“The Church, nevertheless, in urging men to the observance of the precepts of the natural law, which it interprets by its constant doctrine, teaches that each and every marital act must of necessity retain its intrinsic relationship to the procreation of human life. This particular doctrine, often expounded by the magisterium of the Church, is based on the inseparable connection, established by God, which man on his own initiative may not break, between the unitive signification⁴ and the procreative signification which are both inherent to the marriage act. The reason is that the fundamental nature of the marriage act, while uniting husband and wife in the closest intimacy, also renders them capable of generating new life – and this as a result of laws written into the actual nature of man and of woman. And if each of these essential qualities, the unitive and the procreative, is preserved, the use of marriage fully retains its sense of true mutual love and its ordination to the supreme responsibility of parenthood to which man is called. We believe that our contemporaries are particularly capable of seeing that this teaching is in harmony with human reason.”⁵

What are the main contents of this paragraph from *Humanae vitae*?

– The Pope refers to a doctrine which has often been affirmed and explained by the Magisterium of the Church. Not only the doctrine as such, but also the reasons for its truth are important.

– A main element of this doctrine is presented in *Humanae vitae*, namely “that each and every marital act must of necessity retain its intrinsic relationship to the procreation of human life.” (Paul VI 1968, 11).⁶

of Families, Relatio Synodi 2014, 58). In following their vocation to responsible parenthood, the spouses should be encouraged in “the use of methods based on the ‘laws of nature and the incidence of fertility’ (Paul VI 1968, 11).”

⁴ Instead of the term “significance” which is found in the translation available on the Vatican website, here the word “signification” is used, according to the Latin text.

⁵ „Verumtamen Ecclesia, dum homines commonet de observandis praeceptis legis naturalis, quam constanti sua doctrina interpretatur, id docet necessarium esse, ut quilibet matrimonii usus ad vitam humanam procreandam per se destinatus permaneat. Huiusmodi doctrina, quae ab Ecclesiae Magisterio saepe exposita est, in nexu indissolubili nititur, a Deo statuto, quem homini sua sponte infringere non licet, inter significationem unitatis et significationem procreationis, quae ambae in actu coniugali insunt. Etenim propter intimam suam rationem, coniugii actus, dum maritum et uxorem artissimo sociat vinculo, eos idoneos etiam facit ad novam vitam gignendam, secundum leges in ipsa viri et mulieris natura inscriptas. Quodsi utraque eiusmodi essentialis ratio, unitatis videlicet et procreationis, servatur, usus matrimonii sensum mutui verique amoris suumque ordinem ad celsissimum paternitatis munus omnino retinet, ad quod homo vocatur. Putamus nostrae aetatis homines aptissimos esse ad perspiciendum, quam haec doctrina sit humanae rationi consentanea.“ (Paul VI 1968, 11-12).

⁶ Conjugal acts do not lose their dignity as true expressions of the love of the spouses if they are naturally infertile. There is no manipulation from the human side, which would destroy their very openness for life.

- The basis for this doctrine can be found in the intimate connection of the two significations of the marital act (“significationes” vel „essentiales rationes”); this connection has been established in human nature by God the Creator himself.
- Those significations are the union of the spouses in marital love (“unitas”) and the order towards procreation (“procreatio”).
- Man is not allowed to separate this indissoluble connection (“nexus indissolubilis”).⁷
- These are laws which are inscribed into the very nature of man and woman.
- The most intimate structure of the marital act, i.e. its very essence or its true meaning (“intima sua ratio”), is directed towards the intimate union of the spouses (“artissimo sociat vinculo”) and their qualification to generate new life.⁸
- If these two significations are respected, the conjugal act is totally (“omnino”) preserved in its meaning as an expression of true and mutual love (“sensum mutui verique amoris”) and in its order towards the task of parenthood (“suumque ordinem ad celsissimum paternitatis munus”).
- This doctrine is in conformity with human reason, i.e. all men and women generally may grasp it and can agree with it.

2. CONTEXTUALIZATION OF THE CONJUGAL ACT WITHIN THE BOND OF MARRIAGE

It might be taken for granted to localize and to contextualize within the bond of marriage these sexual acts, in which a man and a woman unite in love and which are by their very nature capable of life-giving. In truth, there is not only a juridical and sociological difference, but also an anthropological and moral one between sexual acts which are accomplished between partners who are not definitively bound together in marriage, and sexual acts which are realized by a married couple as an expression of irrevocable and mutual personal commitment in love. Therefore, it seems necessary to highlight the nature of the marital bond or covenant, since only on this basis the nature of the marital act as a mutual and total surrender of man and woman to each other, in openness for the generation of new life, can be grasped and accepted.

Marriage can be determined as a life-long bond of love between a man and a woman which is contracted freely and in mutual agreement. This bond, from its very essence, includes an obligation to mutual fidelity until death will separate the spouses. Marriage is essentially ordered to the procreation and education of children who are accepted in love and who are, by parental care and education, made acquainted with the requirements of life. According to Catholic doctrine

⁷ Against this view one could argue: If the connection is “indissoluble”, Man cannot dissolve it. This is true, according to the normative approach. But in fact, Man can act *as if* this indissoluble connection would not exist, and in this way, he manipulates the marital act.

⁸ It is not subject to the power of the spouses, that a generation takes place. But the spouses are asked to contribute to it in the way that the spousal act is realized in its integrity which enables it to the task of generation („eos idoneos etiam facit ad novam vitam gignendam“).

and understanding, a valid marriage between two baptized spouses is a sacrament. Marriage, which opens itself to a family, is the germ cell of society and an elementary unit of ecclesial community, a so called “ecclesia domestica” (house church) (Spindelböck 2016).

If in the sexual act the bodies of man and woman should express the truth of a total surrender of their persons to each other in irrevocable love, then this act must be localized within marriage. Sexual acts before and outside of marriage are, at least, imperfect and reveal an anthropological contradiction, since they try to express and communicate something by the language of the body, which does not match with the intimate disposition of the sexual partners. Against such a provisional view of sexuality, we have to affirm: Sexuality cannot be tested; the partner is not a field for training; this would imply a sublime instrumentalization of human persons, so the judgement of Klaus Demmer (2003, 156).⁹

“Fornication” (which is a term that is often regarded as antiquated and obsolete, but nevertheless is used by Holy Scripture, Church tradition and the *Catechism of the Catholic Church*¹⁰) is primarily an offense against the truthfulness of the persons and the authenticity of their self-surrender. The sexual act, which is addressed in *Humanae vitae*, is a marital act and must be contextualized within a marriage between man and woman and according to the values and attitudes belonging to marriage. All what has been said so far can be illustrated in more detail by some comparison with those sexual acts which are defective in a way, due to the fact of their being not conjugal.

This seems to be quite clear in the case of a “one-night stand”. Even under the condition that such a sexual experience is made on mutual agreement, this is only for the moment, and by its nature it excludes a contextualization in a marital bond. A long-term sexual relationship is not intended and may be denied explicitly. Here a utilitarian view of the sexual act is given which is connected almost with necessity with an assessment of the sexual partner according to the sum of pleasure expected, i.e. with her or his usefulness for sexual gratification. The value and the dignity of the person are replaced by the promises of sexual pleasure in this short time. As soon as this sexual adventure has taken place, there is no reason whatever for the sexual partners to continue this relationship on a level of personal love. Persons who live their sexuality in this way will not attain a truly human fulfilment thereby. Such acts for the purpose of mere satisfaction of one’s needs are egoistic even if they

⁹ “The complete sexual communion between a man and a woman finds its legitimate place only within the exclusive and definitive bond of personal faithfulness in marriage. The definitive character of marital fidelity, which seems to be incomprehensible for many in present time, is as well an expression of the unconditional dignity of man. You cannot live just on trial; you cannot die just on trial. You cannot love just on trial, accepting a human person only on trial and for some time.” (John Paul II 1980).

¹⁰ “Fornication is carnal union between an unmarried man and an unmarried woman. It is gravely contrary to the dignity of persons and of human sexuality which is naturally ordered to the good of spouses and the generation and education of children. Moreover, it is a grave scandal when there is corruption of the young.” (Congregation for the Doctrine of the Faith 2000, 2353).

are realized by two persons together. The natural possibility of generating offspring is excluded both in intention and in practical realization, even systematically, since it would constitute a disturbing factor. And if a child is begotten in such a one-night stand, against the wish of the parents, then they will have trouble accepting the child in love. A common acceptance of the child would require that this sexual experience, limited to the moment, was allowed to receive now a personal quality and, in this sense, became open for a continuation of the relationship. Although this is not impossible, the utilitarian understanding of sexuality and relationship must change if this might happen.

On the other end of the spectrum, there might be a sexual relationship of an engaged couple who have already decided to marry and who are preparing for the wedding ceremony. They may think that premarital sexual acts have no negative moral quality in their case or that they are even beneficial for their relationship which will be conjugal in near future. A moment of customization may be relevant, if a couple already has lived together for a longer time and if it was taken for granted by them to express their nearness also in a sexual way. Or if a couple has abstained from sexual activity during their engagement, however now that their wedding is approaching, they feel justified to unite in a sexual way. It seems for them that they are already in a spousal relationship like that of marriage.

And yet, although this view may seem logical, there is a lack of truthfulness in relation to the status of the engaged couple. Emotional nearness may conceal what is absent in comparison with marital consent which will be expressed by the wedding vow. In the case of some disharmony of the couple (and this might occur even after a longer period of wonderful harmony which leads them to the impression that they are already like a married couple), the engaged man and woman suddenly become aware that they are *not* yet married. They discover that in their union a definitive commitment is not present and that their sexual encounter cannot express this ultimate unity of “becoming one flesh”, as expressed in the words of Holy Scripture (Gen 1:24; Mk 10:8; Mt 19:5; Eph 5:31).

Only conjugal love and fidelity attribute to the sexual act of man and woman the character of a marital act. This act as such participates in everything which marriage in its essence and obligation is and should be.¹¹ According to the truth of the language of body, the spouses in the conjugal act express their mutual personal surrender; they make themselves a total gift of oneself and accept the other spouse in his or her integrity and totality. Their love is not limited to the moment and doesn't allow a voluntary reservation. They do not deprive the marital act from its ability to be fruitful, and they know about the possibility to become father and mother by this act. They agree to this at least implicitly and often explicitly. The satisfaction of their sexual needs is embedded into a personal view of marriage, which respects the persons of husband and wife and excludes every instrumentalization of their

¹¹ Cf. the characterization of conjugal love (fully human; total; faithful and exclusive; fecund) by Paul VI (Paul VI 1969, 9).

persons. Both become one in mutual love and are willing to be fruitful in this love. It should be a matter of course, that only a truly human realization of this act meets all the demands of the marital self-giving of the spouses to each other.¹²

3. THE ANTHROPOLOGICAL MEANING OF THE MARITAL ACT

A single marital act which is embedded in such a comprehensive perspective of marriage becomes a culmination of the personal encounter of the spouses. In sexual union, the integral gift of self is realized by the husband and the wife, which is connected with the mutual acceptance of the other person in love. In this way, the sexual act is an expression of a unity already established in marriage; and at the same time, this act deepens and promotes that unity. The unity of the spouses is condensed in the real symbolism of this act of giving and accepting; the spousal act as such expresses a fullness of meaning which is formative and decisive for the whole of marital life.

The sexual union of the spouses constitutes an act which is potentially procreative. The openness for children is inscribed into this act; it belongs to its natural grammar. The fact that a child will be generated is not subject to the arbitrary decision of the spouses. As potential parents, they cooperate with the work of God who, in the moment of conception, creates the immortal soul of the child in the way of a “*creatio ex nihilo*”.¹³

The love of the spouses transcends themselves; it becomes fruitful. In this openness for children, their love is also open for God the Creator. If this openness in the sexual act is excluded manipulatively, then the marital quality of this act is questioned. It would result not only in the separation of the significations of loving union and procreation. The active intervention against the fruitfulness of the marital act has the effect of a consciously realized reduction of its meaning; a sexual act of the spouses which has been made sterile by manipulative intervention is no longer unitive in the depth of its realization. The spouses are degraded to the status of objects, and this utilitarian tendency is at work even when both spouses wish to exclude it.

In scientific discussions, the concepts of “person” and of human “nature” are relevant which may indicate some richness and tension in content. If a contradictory meaning of the terms is constructed and defended, then the freedom or the autonomy of the person is strictly opposed to a determination by

¹² “The actions within marriage by which the couple are united intimately and chastely are noble and worthy ones. Expressed in a manner which is truly human, these actions promote that mutual self-giving by which spouses enrich each other with a joyful and a ready will.” (Vatican Council II 1965, 49).

¹³ “The Church teaches that every spiritual soul is created immediately by God – it is not ‘produced’ by the parents – and also that it is immortal: it does not perish when it separates from the body at death, and it will be reunited with the body at the final Resurrection.” (Congregation for the Doctrine of the Faith 2000, 366).

the laws of nature. This implies an anthropological dichotomy according to which the properly human is localized in the sphere of spirit, whereas the material or bodily element is either an obstacle for a free and autonomous self-development or is totally made subject to the arbitrary formation by human freedom. In this way, man would not respect nature altogether, and his own nature specifically, but could regard it as some material devoid of an innate meaning and to be formed at will by man's arbitrary decisions.¹⁴ Pope Paul VI therefore reminds us "of the reverence due to the whole human organism and its natural functions", and he affirms:

"Consequently, unless we are willing that the responsibility of procreating life should be left to the arbitrary decision of men, we must accept that there are certain limits, beyond which it is wrong to go, to the power of man over his own body and its natural functions – limits, let it be said, which no one, whether as a private individual or as a public authority, can lawfully exceed."¹⁵

In an integral anthropology, which affirms the actualization of the human person in the unity of spiritual soul and body, the philosophical concepts and terms of "person" (including freedom) and "nature" are not mutually exclusive. In such an understanding, the concept of "person" points to man's responsibility in free self-determination towards the good, and ultimately to God. The terminology of human "nature" refers to the undisposability of being human and to the significations of this reality which are not disclosed by a mere empirical and causal analysis.

¹⁴ Such a perspective is characterized by Pope Francis in this way: "The basic problem goes even deeper: it is the way that humanity has taken up technology and its development according to an undifferentiated and one-dimensional paradigm. This paradigm exalts the concept of a subject who, using logical and rational procedures, progressively approaches and gains control over an external object. This subject makes every effort to establish the scientific and experimental method, which in itself is already a technique of possession, mastery and transformation. It is as if the subject were to find itself in the presence of something formless, completely open to manipulation. Men and women have constantly intervened in nature, but for a long time this meant being in tune with and respecting the possibilities offered by the things themselves. It was a matter of receiving what nature itself allowed, as if from its own hand. Now, by contrast, we are the ones to lay our hands on things, attempting to extract everything possible from them while frequently ignoring or forgetting the reality in front of us. Human beings and material objects no longer extend a friendly hand to one another; the relationship has become confrontational." (Francis 2015, 106). Cf. (John Paul II 1993, 48): "A freedom which claims to be absolute ends up treating the human body as a raw datum, devoid of any meaning and moral values until freedom has shaped it in accordance with its design. Consequently, human nature and the body appear as *presuppositions or preambles*, materially *necessary* for freedom to make its choice, yet extrinsic to the person, the subject and the human act." (Italics in the Original).

¹⁵ "Quare, nisi velimus ut procreandae vitae officium hominum arbitrari concedatur, necessario aliquos fines, quos ultra progredi non liceat, agnoscamus oportet illi potestati, quam homo in proprium corpus in eiusque naturalia munera habere potest; fines, dicimus, quos nemini, sive privato sive publica auctoritate praedito, violare licet. Qui limites non aliam ob causam statuuntur, quam ob reverentiam, quae toti humano corpori eiusque naturalibus muneribus debetur, secundum principia, quae supra memoravimus, et rectam intelligentiam principii totalitatis, ut aiunt, quod Decessor Noster v. m. Pius XII illustravit." (Paul VI 1968, 17).

Only in a comprehensive view of nature and person it is possible to accept the fundamental dynamics of human self-actualization and self-perfection according to those existential ends or purposes which can be identified in the organic unity of human aspirations (Messner 1965, 19; idem 1984⁷, 42).¹⁶ This is the result of interpreting the natural inclinations (“*inclinationes naturales*”) of man in the light of reason (Thomas Aquinas, STh Ia-IIae q. 94 a.2). Acting reasonably helps to develop all this which is inherent in the “intellectual nature of the human person”¹⁷ and which should find its perfection by the cooperation of Divine grace and human freedom.

In this perspective, the conjugal act is *not* only a biological process which is “naturally” open for the generation of offspring. There is a meaning in this act which signifies what is uniquely human and not merely animalistic. Sexual drive, which, in the case of the realization of the biological conditions, is the fundament of the union of man and woman, is not simply determined; it is open for the formation by the personal love of the spouses (Wojtyła 1960, 45-66).¹⁸ The child as a fruit of this act of love is a human person. Every child has a natural and God-given right – and this corresponds to the dignity of the human person – to be generated as the fruit of a marital act in love.¹⁹

If the innate connection of the significations of loving union and fruitfulness is not consciously respected but violated, then in the case of successful contraception no child is generated, and the marital act is deprived of its essential signification of being open for the transmission of life. This will affect the signification of loving union which is connected to it, and so the character of expressing and realizing a total gift of self in this act is objectively questioned or even destroyed.²⁰ If the case

¹⁶ The existential ends or purposes may be summed up in this or a similar way: self-preservation, self-perfection, competence in arts, family sense, humanity, social and political participation, religion. Roos (2008), 112 (“Johannes Messner und das Naturrecht”).

¹⁷ Cf. *Gaudium et spes*: where the terminus “*humanae... personae intellectualis naturae*” is used as the result of a combination of philosophical and theological personalism with the doctrine on natural moral law (Vatican Council II 1965, 15).

¹⁸ It is worth noting that Cardinal Wojtyła stimulated a group of theologians to prepare an important statement on the fundamentals of the doctrine of the Church concerning the principles of conjugal life (“Kraków Memorandum”) which was presented to Pope Paul VI 1967 in French and helped him to prepare his encyclical. *Memoriał grupy teologów krakowskich* (1969); Smith (2012).

¹⁹ Instruction *Dignitas personae* on certain bioethical questions: “The origin of human life has its authentic context in marriage and in the family, where it is generated through an act which expresses the reciprocal love between a man and a woman. Procreation which is truly responsible *vis-à-vis* the child to be born ‘must be the fruit of marriage.’” (Congregation for the Doctrine of the Faith 2008, 6). The techniques of *in vitro* fertilization are in a similar way an expression of a separation of the two significations of the marital act, although they are opposed to measures of contraception according to their goals. The act of conjugal love is separated from the act of procreation (which is realized in the laboratory as an artificial fertilization). At the root of such acts there is an attitude of self-relatedness which lacks respect for the nature of the human person and the sexual expression of personal love and which is in its last dimension also a disrespect of the Creator’s order and of his wisdom and love.

²⁰ „When couples, by means of recourse to contraception, separate these two meanings that God the creator has inscribed in the being of man and woman and in the dynamism of their sexual

is the other way around, i.e. if the loving union is not respected in its signification, then a child might be generated; but at least one spouse is instrumentalized in service of the goal of procreation.²¹

4. THEOLOGICAL APPROACH TO THE CORRELATION OF LOVE AND LIFE

In the light of creation and yet more according to the theology of the sacrament, the marriage bond of husband and wife – and the sexual act of the spouses as its bodily expression – stands in an intimate relationship to the mystery of the spousal union of Christ and the Church and to the mystery of God who lives in three divine persons in one divine nature (Eph 5:21-33).

In formulating propositions about God, the analogy of being has to be observed. Our predications about God are made in the way of similarity; in doing so, each and every similarity expressed in relation to God includes a greater dissimilarity.²² With that being said, it is true, that God has created man as male and female according to his image and similitude.²³ Before man can and does form an image of God, God himself has already impressed his own image and similitude on man. This dynamic of imaging is realized and surpassed in the incarnation of the Son of God. Jesus Christ is the image of God in man in the most perfect way.²⁴

In the light of these theological premises, we can formulate the following: The one and triune God is a mystery of love and life. In himself we find the fulness of being, of life and love.²⁵ God is the origin and source of everything good in creation. Whatever perfection we can meet in the sphere of creatures is fully and infinitely realised in the way of an original image or an archetype in God himself.

communion, they act as 'arbiters' of the divine plan and they 'manipulate' and degrade human sexuality and with it themselves and their married partner by altering its value of 'total' self-giving. Thus, the innate language that expresses the total reciprocal self-giving of husband and wife is overlaid, through contraception, by an objectively contradictory language, namely, that of not giving oneself totally to the other. This leads not only to a positive refusal to be open to life, but also to a falsification of the inner truth of conjugal love, which is called upon to give itself in personal totality" (John Paul II 1982, 32).

²¹ This could be a fatal misunderstanding of the traditional doctrine of the ends of marriage. Wojtyła (1960, 64-66) has proposed a personal interpretation of these ends in the context of love.

²² Fourth Lateran Council, November 11th – 30th, 1215, c. 2: "For between Creator and creature no similitude can be expressed without implying a greater dissimilitude" ("quia inter creatorem et creaturam non potest tanta similitudo notari, quin inter eos maior sit dissimilitudo notanda"). In Denzinger-Hünemann 806.

²³ Gen 1:27: "So God created man in his own image, in the image of God he created him; male and female he created them."

²⁴ "He is the image of the invisible God, the first-born of all creation." (Col 1:15)

²⁵ This is emphasized by Pope Paul VI by indicating the original place of marital love in God and by relating the sacramental quality of this love to the covenant of Christ with his Church: "Married love particularly reveals its true nature and nobility when we realize that it takes its origin from God, who 'is love (cf. 1 Jn 4:8)'; the Father 'from whom every family in heaven and on earth is named' (Eph 3:15)." ("Iamvero coniugalis amor tunc nobis maxime veram suam naturam nobilitatemque ostendet, si illum, quasi a supremo quodam fonte, a Deo manare cogitaverimus, qui *Caritas est*, quique Pater est, *ex quo omnis paternitas in caelis et in terra nominatur.*") (Paul VI 1968, 8; cf. Paul VI 1968, 25).

If marriage between man and woman has been instituted by God (since it corresponds to the social nature of man, and this nature has received its being and goodness by God the Creator), then the image of God in man can be recognized not only in the individual human person, but in an eminent way in the marital bond of man and woman²⁶. This bond or covenant is an expression and realization of the unity of the spouses in love and is open for the acceptance of new life, i.e. for the generation and education of children. The sexual act of the spouses will participate in all this, and in this act, there exists a normative indissolubility of the significations of loving union and of its order towards the procreation of children. Man is not allowed to destroy this unity in an arbitrary way by manipulating the act, since in doing so he attacks the divine order, namely the laws by which this holy act is endowed by the Creator. Yet if the spouses, in the obedience of love, respect the divine standards in their own nature, then their marital unity in the act of love, which is potentially fecund, comes to its fulfilment.

The relationship between Christ and his Church is deeply spousal and even nuptial. In his death on the cross, our Lord Jesus Christ gave his life in love for mankind and in obedience to the will of his heavenly Father. In this way, his death became the origin of new life with God for us. The sacrifice of his love became fruitful for the Church, i.e. for all who believe in Jesus Christ and are baptized in his name. Some Church fathers and authors compare the death of Christ with the sleep of Adam, out of whose rib God formed a woman: Eve. From the side of Christ who had passed away on the cross, i.e. from his most Holy Heart, the Church was formed in the signs of blood and water which point to the sacraments of the Holy Eucharist and Holy Baptism.²⁷

Jesus Christ is united forever with his Church through the gift of the Holy Spirit; in heaven, the bridal union becomes a spousal one when the “wedding of the Lamb” is celebrated (Rev 19:7-9). In this nuptial union of Christ and the Church, in which the spouses participate in sacramental marriage, the correlation and indissoluble connection of loving union and fecundity is manifest. The union of each individual believer and of all the faithful together with Christ the Lord by the life of grace, i.e. by their participation in Divine life, is the origin and fundament of supernatural effectiveness and fruitfulness. In the way of an archetype, the role of the Church as the virginal bride of Christ and fruitful mother of the faithful is

²⁶ Pope John Paul II in his ninth catechesis on the “Theology of the Body” on November 14th, 1979, declared, “that man became the image of God not only through his own humanity, but also through the communion of persons, which man and woman form from the very beginning. ... Man becomes an image of God not so much in the moment of solitude as in the moment of communion.” (1980, 14th catechesis from January 9th).

²⁷ Saint Augustine commented about Jn 19:34: “Dormiat moriendo, aperiat eus latus, et Ecclesia prodeat virgo: ut quomodo Eva facta est ex latere Adae dormientis, ita et Ecclesia formetur ex latere Christi in cruce pendentis. Percussum est enim eius latus, ut Evangelium loquitur, et statim manavit sanguis et aqua, quae sunt Ecclesiae gemina Sacramenta. Aqua, in qua est sponsa purificata: sanguis, ex quo invenitur esse dotata.” – *Sermo de symbolo ad Catechumenos* 6,15 (in PL 40, 645). (Cf. Rahner 1954ab, 19-72).

represented by Mary, the blessed virgin and Mother of God, who is also called the “new Eve” (Hofmann 2011).

5. LAST BUT NOT LEAST: THE NORMATIVE QUESTION

After having clarified the indissoluble correlation of the significations of the marital act – namely loving union and procreation, i.e. fruitful openness for children – and having tried to enlighten the anthropological and theological context of the marriage covenant and sacrament, the normative question cannot be put aside. In sloppy language: “How do you deal with contraception?”²⁸

Do the considerations made above remain mere theory or do they have an influence on practical life which should be directed by the demands of moral normativity? Is the normative judgement, as Pope Paul VI makes it, only an approach in the form of a guidance in the right direction, such as a lighthouse to show a good way toward a goal, or is it a “moral absolute” about the exclusion of intrinsically evil acts with universal obligation and without any exceptions from the objective side?²⁹

The precise formulation of the moral norm expressed in *Humanae vitae* should be acknowledged: “Similarly excluded³⁰ is any action which either before, at the moment of, or after sexual intercourse, is specifically intended to prevent procreation – whether as an end or as a means”³¹

What is the correct interpretation of this Magisterial statement?

– In the centre of this reprobation Paul VI refers to the illegitimate prevention of procreation (“ut procreatio impediatur”); i.e. an intervention of man with this special effect of impeding procreation is excluded in the moral perspective.

– The impeding act (“impedire”) can take place before, at the moment of, or after the sexual act.

– The prevention of procreation can be intended as such or as a means to an end.

– The moral assessment of such an act by *Humanae vitae* is strictly negative (“respuendus est actus”).

The formula of Paul VI is morally concrete, but not in a technical way. No special means, devices or substances are mentioned in the way of a catalogue. But it is clear for the reader that the “anti-baby pill”, the condom, a withdrawal (“coitus interruptus”)

²⁸ This is formulated in analogy to the famous question of Grete (“Gretchenfrage”) to Doctor Faust: „Nun sag, wie hast du’s mit der Religion? Du bist ein herzlich guter Mann, allein ich glaub, du hältst nicht viel davon.” (Goethe 1749, Faust I, verse 3415).

²⁹ This last view is presented in a convincing way by Schulz (2008).

³⁰ In the passage previous to this statement, Paul VI denounces abortion and direct sterilization as illegitimate means of birth control. The word “similarly” refers to this (1968, 14).

³¹ “Item quisvis respuendus est actus, qui, cum coniugale commercium vel praevideatur vel efficitur vel ad suos naturales exitus ducit, id tamquam finem obtinendum aut viam adhibendam intendat, ut procreatio impediatur.” (Paul VI 1968, 14).

etc. are included in this verdict. The encyclical is not a “pill encyclical”; the word “pill” is simply not used by Paul VI. Notwithstanding, every contraceptive means, device or substance which interferes with the conjugal act in the way of preventing procreation is addressed and morally excluded. In contrast to abortion, which is the killing of an unborn human being, in the contraceptive act a manipulative and impeding separation of the correlation between the unitive and the procreative meaning of the marital act takes place. God himself has inscribed this connection into the very essence and structure of the sexual act of man and woman.³²

Therefore, let us ask again: In the face of the present conditions for the understanding and communication of this doctrine which, albeit comprehensible by reason, remains demanding – should the Church give a new interpretation in the way of defining the moral normativity of *Humanae vitae* no longer in an absolute sense (i.e. universally obligatory and binding for each and every case), but only as a general description of the direction which is helpful for the formation of conscience but could be overruled by an opposite “authentic” judgment or even by a creative decision of conscience? This question is a serious one.

The answer has to remain negative.³³ What is at stake is not a Magisterial positivism which would not allow a further questioning of this case, but the dignity of the human person and her or his acts, and in a special way the integral meaning of the marital act. In this sense Pope Francis in *Amoris laetitia* confirms the normative statement of *Humanae vitae*: “From the outset, love refuses every impulse to close in on itself; it is open to a fruitfulness that draws it beyond itself. Hence no genital act of husband and wife can refuse this meaning, even when for various reasons it may not always in fact beget a new life.”³⁴

³² Concrete and individual pastoral care shows greater openness of people for secondary arguments than for the anthropological and theological main argument against an arbitrary separation of the significations in the marital act, as it has been presented here. In this way, most Catholic believers would agree that abortion can never be a solution for a pregnancy conflict since it is the direct killing of an unborn child. There is also an openness of many women for the arguments in regard of the negative side effects of contraceptives which have been proven by empirical studies. The application of natural methods of birth control (NFP, natural family planning) can exclude all this and guarantees a high degree of certainty if applied correctly. In this case, it is not simply another method of preventing offspring but a fundamentally different attitude to life and to the fecundity of the marital act. The moral attitude on the level of persons and of the personal gift of self is relevant; the conjugal act is seen as an expression and bodily realization of the unity of the persons in love.

³³ Notwithstanding the validity of the objective moral norm which reprobates certain acts in every single case (since they are qualified as intrinsically evil), under all conditions and even in spite of a good intention, it is necessary to see the differences in subjective responsibility. This is not equal in all cases. Indeed, there are factors which limit and reduce the clear knowledge of a moral norm and of the values which are protected by it. Additionally, the voluntariness of an act may be not realized in full degree, so that not all persons who act in this way are equally guilty of mortal sin. (Cf. Francis 2016, 301-303) (“Mitigating factors in pastoral discernment”). Paul VI refers to the pastoral service of confessors as they should help in the formation of conscience and in the encouragement to realize morally good acts (1968, 25 and 29).

³⁴ „Inde a principio se in se ipse claudendi omnem impulsu refellit amor atque ad fecunditatem patet, quae eundem ultra propriam ipsius existentiam producit. Itaque nullus coniugum genitalis

CONCLUSION

Of course, love is demanding. But the spouses who accept this will receive a blessing and even a fulfilment according to the conditions of this life on earth (“in statu viae”). Eschatological beatitude will exceed all earthly expectations, and marriage is seen in its relative value. In the heavenly Kingdom people will no longer marry but will have perfect communion with God and with each other in the virginal state.³⁵

The immediate vision of God in heaven will provide to the human soul, united with the glorified body after the resurrection, a possibility of communication beyond all human thoughts and aspirations here on earth. In the communion of saints even the holy covenant of marriage will be definitively surpassed. In the virginal state of heaven, the glorified body will become a strong sign of personal subjectivity. The experience of the vision of God will confirm and perfect this personal subjectivity and will be the basis for a perfect form of intersubjectivity, i.e. of the communion of persons in the “communion sanctorum” (cf. Spindelböck, 2017², 105, referring to John Paul II, 68th catechesis regarding the *Theology of the Body* from December 16th, 1981).

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actus hanc significationem infitiri potest, quamvis varias ob causas haud semper novam vitam re generare possit.” (Francis 2016, 343-344). In footnote 86 which belongs to this passage, he refers to Paul VI (1968, 11-12).

A wrong application of the principle of totality has sometimes led to denying the single spousal act a moral quality which must be acknowledged irrespectively of circumstances and intentions. In the way of situational ethics concrete modes of behaviour are justified which would separate the correlation of the significations of loving union and fruitfulness in an arbitrary and manipulative way – in the name of a comprehensive principle of the totality of marital life (Paul VI, 1968, 3).

This opinion which relativizes the single moral act is as erroneous in the interpretation of the anthropological correlation as the view which disregards the context of marriage and only emphasizes the single act. “Consequently, it is a serious error to think that a whole married life of otherwise normal relations can justify sexual intercourse which is deliberately contraceptive and so intrinsically wrong.” (“Quapropter erret omnino, qui arbitretur coniugalem actum, sua fecunditate ex industria destitutum, ideoque intrinsece inhonestum, fecundis totius coniugum vitae congressionibus comprobari posse.”) (Paul VI 1968, 11-12).

³⁵ “But those who are accounted worthy to attain to that age and to the resurrection from the dead neither marry nor are given in marriage.” (Lc 20:35; Mk 12:25; Mt 22:30).

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