



The Personalist Basis of the Church's Teaching on Human Sexuality and the Natural Law in the Work of John Paul II. Part I¹

The Linacre Quarterly
2024, Vol. 91(1) 39-51
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DOI: 10.1177/00243639231196720
journals.sagepub.com/home/lqr



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Abstract

Responding to Pope John Paul II's call to give the "ethical grounds and personalistic reasons" behind the Church's teaching on sexual morality, this reflection written over the span of two articles analyzes the norms of the natural law related to human sexuality from a personalist perspective. The key ideas of this study are drawn from two passages: one from *Gaudium et spes* which states that "The sexual characteristics of man and the human faculty of reproduction wonderfully exceed the dispositions of lower forms of life", the other from *Humanae vitae* stating that "Conjugal love reveals its true nature and nobility when it is considered in its supreme origin, God, who is love ... and it is of supreme importance to have an exact idea of these." Part I provides an overview of natural law theory, explaining what it means that the natural law is not arbitrary, but the moral norms governing our actions in relation to the beings in the world are rooted in the nature and value of those things. Second, on the background of John Paul II's idea that "the body is the person," this article brings to light a type of bodily act (which I call an "embodying act") that is not only bodily, but one that forms an organic union with an act of the spirit. Finally, we examine here the nature of love as consisting of two dimensions: of mutual self-giving as well as the fruitfulness arising from mutual self-gift. The analysis of "embodying acts" together with the analysis of love will be crucial for arriving at one of the main conclusions in Part II, namely, that the Church's moral norms governing the use of the spousal act are not grounded in the biological structure of sex, but in the laws of love.

Keywords

natural law, sexuality, personalism, John Paul II, embodiment

The work of Pope St. John Paul II (both before and during his pontificate) has unearthed the personalist foundations of the Catholic Church's teaching on human sexuality and of the natural law largely grounding that teaching. In this article (written in two parts) I will reflect on these personalist foundations, which reveal first, the intrinsically personal character of the sexual sphere within the human person, and secondly, the truth about Catholic sexual morality as being rooted

wholly in love, its laws being nothing but a concrete expression of the laws of love. After offering a brief introduction, Part I will

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contain (1) an overview of natural law theory, (2) a reflection on the special relation between body and soul within the human person, generally, and on how this special relation manifests itself in certain kinds of acts called “embodying acts,” and (3) a reflection on the nature of love and its laws. Part II brings the conclusions of Part I to bear on the interpretation of human sexuality and the Church’s teaching concerning it, considering (1) the spousal act as an embodying act, (2) how the spousal act embodies spousal love in particular, and (3) how the Church’s moral laws relating to sex are derived from this truth about the spousal act as love-embodying, considering each specific teaching in turn.

Introduction

The extreme opposite of the Church’s view of sex is that it is simply something biological, that it is about pleasure, and that it is therefore at our disposal to be used in any way we wish.² In this view, acts of fornication (which includes any use of sex before marriage), adultery, masturbation, same-sex acts, and contraception are not morally wrong—indeed, perhaps have no moral significance at all—but are legitimate choices.³ One more recent teaching made explicit over the last century would certainly be rejected in this view, namely, the requirement of chastity within marriage. As a prohibition, this norm states that the spouses may not use one another as means (usually for pleasure, but it could also be for procreation); as a positive command, it would state that the spouses must treat one another as ends.

All of this makes a great contrast with the Church’s view of human sexuality. I begin with the noteworthy fact that the Church in her documents always refers to the act of sex as a *conjugal* or *marital* or *spousal act*; we almost never find her speaking of “sex acts” or “sexual intercourse.” The Church’s choice of words, and of the concept behind them, is not arbitrary nor euphemistic and in it a host of truths, and even a whole worldview,

comes to light. Taken as conjugal, sexual intercourse is by its very nature an act of love uniting husband and wife destined to overflow into the creation of new human persons, each unique and with an immortal soul. Every other use of sex can in this light immediately be understood as a *misuse* and even an *abuse*. Because of the exalted nature of the human person, and because of the centrality of sexuality to her being, the misuse of this sphere cannot be spiritually, morally, psychologically, and physically problematic. Every person exists as a kind of “ultimate” reality: a person is a “who” and not a “what,” wholly unique in her being and therefore irreplaceable; one who is a true *subject* of all that happens to her, and of all that she does, genuinely sovereign over herself and thus responsible for her own destiny; one whose inner life—containing suffering, joy, convictions, hopes, fears, and so on—is not a matter of slight importance, but matters greatly. Anyone would agree that not just any comportment is fitting with respect to a being of this kind, whether it be toward oneself or toward another; anyone would agree that there are rules of behavior surrounding such a being and that our way of acting in relation to it is not up to our whims. Rather, great reverence is in order, and no one is surprised that there should be norms governing human relations, forbidding that we use persons rather than treating them as ends in themselves. One who has any sensitivity to the great dignity of the person will immediately recognize that these norms are not simply about a “rational” or “smart” way of acting; nor are they conditional, telling us we should follow them if we want some desired outcome; nor are they created by us, and merely relative to our own culture. Rather, the norms governing our conduct toward persons are *transcendent* and *unconditional*—or in more classical language, they are *moral* norms, addressing our conscience, making us *good* if we obey them, or *evil* if we disregard them. It is no surprise to us that violations of these norms are harmful to human persons. The Church in her teaching on sex is guiding anyone willing to listen in the

ways of due reverence toward the sphere of human sexuality, by its nature so bound up with the depth of the human person and therefore with her dignity. We ignore her teaching at the peril of wreaking havoc in our own lives, in the lives of others, and in society as a whole.

When we say that the Church's teaching on sexuality is not arbitrary, we mean that it is (at least in large part) intelligibly grounded in the nature of the human person and of sexuality—and we at the same time begin to explain what it means that Catholic sexual morality is part of the *natural law*. The task of this essay is first, to explain what natural law is and second, to show how the Church's norms on sexuality belong to the natural law insofar as they are grounded in the nature of the human person and of human sexuality. There are several major differing interpretations of natural law in some of its aspects, but our purposes here only require addressing the theory in general terms, on which (as far as I can tell) all proponents of the theory agree.

As for the second question, of how the nature of sexuality gives rise to the precepts of the natural law, I will deepen the traditional natural law theory by adding to it the personalism that has so enriched the Church's view of human sexuality over the last century. After echoing *Humanae vitae's* reaffirmation of the Church's teaching on contraception, John Paul II issues the following call in his apostolic exhortation *Familiaris consortio*:

I feel it is my duty to extend a pressing invitation to theologians, asking them to unite their efforts in order to collaborate with the hierarchical Magisterium and to commit themselves to the task of illustrating ever more clearly the biblical foundations, the ethical grounds and the *personalistic reasons* behind this doctrine. Thus it will be possible, in the context of an organic exposition, to render the teaching of the Church on this fundamental question truly accessible to all people of good will, fostering a daily more enlightened and profound understanding of it: in this way God's plan will be ever more completely fulfilled for the salvation of humanity

and for the glory of the Creator (*Familiaris consortio* 1981, 31; emphasis added).

I will take the former pope's invitation as addressed to philosophers as well as to theologians, and as including in its scope the Church's teaching on human sexuality as a whole. Taking key texts from the work of John Paul II/Karol Wojtyła as a point of departure, I would like to offer a reflection on human sexuality illuminating its personalist dimension. This account will ultimately show love to be central to the equation, and the norms governing the spousal act to flow from the laws governing love.

Natural Law

Overview of Natural Law Theory

I begin with an overview of natural law theory itself. The term "nature" here has two references which though wholly distinct will be seen to correlate to one another. The term first refers to the idea that the moral laws of human behavior can be discovered by (natural) human reason, or that our knowledge of them does not depend on a supernatural act of revelation by God. Here, "natural" stands in contrast to "supernatural."

The second reference to "nature" is to the fact that the norms of action at issue are ones grounded in the *natures* (or essences) of the things to which the act governed by the law is directed. Consider that moral actions consist of our *responses* to things in the world around us; consider that the moral law *governs* those responses; the point here is that in the norms that are part of the *natural law*, there is an *organic* relation between the content of the law and the being to which we are relating. Put another way, a norm of the natural law dictates the proper or "just" response to a being due to it in view of its nature and the value or goodness that it has because of its nature. For example, it is because of the kind of being the human person is, and the kind of value that arises from her nature, that we are bound to comport ourselves toward her in a certain

way, and to avoid other ways of comporting ourselves; the same norms do not arise with respect to animals because they have a different nature and a different value—which ground different norms governing our comportment towards them.⁴ The natural law prohibits cruelty to animals, but does not prohibit owning them, or using them for our benefit as one might, for example, harnessing an ox to plow a field. For another example, to the divinity of God, worship is the proper response. Here, being grounded in a “nature” (essence) is understood by contrast with being arbitrary, that is, a norm not having any connection in its own content with the thing to which the norm refers. An example of an arbitrary rule would be a rule made in play forbidding stepping on a crack in the pavement; there is nothing about the nature of a crack that would dictate avoiding stepping on it as a response due to it. By contrast, when we obey laws grounded in the nature of a thing, assuming we enter into their spirit, we are exercising *reverence* toward the being grounding the law; the “theme” of such a law is that we are *just* in our behavior toward the being.

The reader will notice that the first reference of nature, while wholly different, is inseparable from the second reference. We can discover by natural reason (first reference of “natural”) that something is prohibited or commanded as a result of the fact that the norm is intelligibly grounded in the nature and value (second reference of “nature”) of a thing that we encounter. If some law were arbitrarily attached to a being, we would not be able to discover the law for ourselves, by looking at that being; to use the example above, we could not know that cracks are to be avoided simply by knowing the nature of a crack. By contrast, the rules of human moral conduct that are part of the natural law are *intrinsically rational*, or to put it colloquially *make sense in themselves and make sense to us*.⁵

Moral laws that are arbitrary may and do exist, and considering them more carefully by contrast with the natural law will help highlight the rational character of the natural law. The content of an arbitrary law is not

connected organically with the nature and value of a being, directing us to give a response that is due to the being; rather, the entire source of such a law is simply a commanding will. This means firstly, that (as stated above) because there is no organic connection between the content of such laws and the beings they refer to, we cannot discover them on our own, but must rather have them revealed to us by the one who commands them. Secondly, this means that the theme of these laws is not the giving of a just response to (or reverencing of) a being on the basis of its nature and goodness, but obedience to the commanding will as such. (This is what a parent has in mind in saying to their child, “Do it because I said so.”) Though occurring infrequently, this kind of law does have a role to play in the human drama, particularly in our relation to God, to whom unconditional obedience is due on the basis of his divinity and goodness (and not because we can understand that what he commands is rational). I gave an imaginary example above, of a child’s rule in play not to step on cracks, but to give a real one, we can take something like the Church’s prohibition against eating meat on Fridays in Lent. The Church teaches that if we disobey this law, we commit a “grave sin”—that is, we lose our salvation if we fail to confess the sin. There is nothing about eating meat on Friday as such that would make doing it result in the loss of our soul; rather, one loses one’s soul because of the *disobedience itself*, and not because one fails to act justly toward some being. These kinds of commands do not have the intrinsic rationality of the natural law, but they do have a rationality of their own, namely, that it “makes sense” to do something “just because some legitimate authority (in this case, God) says so.” Chesterton believes that fairy tales play a crucial role in the proper formation of the person because they mark out in bold colors the importance of these kinds of commands, which often feature centrally in their drama—just as such a law was at the center of the human drama of the Fall. Chesterton writes,

In the fairy tale an incomprehensible happiness rests upon an incomprehensible condition. A box is opened, and all evils fly out. A word is forgotten, and cities perish. A lamp is lit, and love flies away. A flower is plucked, and human lives are forfeited. An apple is eaten, and the hope of God is gone (Chesterton 2005, IV).

Theologians tell us that Adam and Eve did not lose Eden because of the evil of eating the fruit as such, but because of their disobedience. While such arbitrary laws exist, the moral norms belonging to the natural law are not of this kind.

This dual reality of the meaningful structure of the precepts of the natural law and man's corresponding capacity to understand it, and thus to discover the precepts on his own, Aquinas sees as a special source of dignity within the human person. All beings are subject to God's providence. But man, he says, is subject to God in "the most excellent way," having a "share of providence." Because he himself, as *rational*, is able to discern what is good and what is evil, man is able to *legislate the law to himself*, as it were, and direct himself to his own end (*Summa Theologiae* I–II q. 91 a. 2). The idea is that when we ourselves can *understand* the justice of some moral norm we will (a) feel respected as subjects and (b) want to do what the moral norm dictates because it "makes sense." We will participate in God's governance of us and in this sense be "self-governing."

I want to highlight that this capacity of the human person is not simply about avoiding guilt by obeying the law. It is about her capacity to revere things in their value, to receive them as a gift—and as a result, to achieve a beatitude she would not know if she simply subordinated everything to her whims and subjective desires. It is true that the role of the moral law is primarily negative; it gives us a kind of "outer limit" in terms of how to treat reality around us, warning us not to violate it. But let us keep in mind that each being that the moral law warns us not to do violence to

is more fundamentally something given to the human person *as a gift to be received*, destined to enrich her life, to contribute to her good, to her happiness, and to her fulfillment. Obeying the natural law positions the person to be able to receive these goods.

As for disobeying the natural law—it is evident that because these norms are responsive to the nature at hand, it will always be the case that violating them will not only be morally evil (that is, leave a "black mark" on our soul for failing to justly revere the being at hand) but will also necessarily have negative consequences both within and outside of the agent. Any time we interact with something in a way that goes against what is due to it disruptions will inevitably occur. Just as in revering and receiving things according to their nature we are benefitted, so also in mistreating them do we "break" our relationship with things, and no longer can they bestow on us the benefits that flow from their nature and value. When it is our very own being that is at issue, such "mistreatment" will have profoundly negative consequences for us as well as for society.

Before turning to the second part of our topic, in which we will consider how the nature of human sexuality intelligibly grounds the moral norms of the natural law surrounding it, we note a few things related to what has been said above. Firstly, it is possible that some law relating to a thing be rooted in the nature of that thing, but that this intelligible relation not be wholly accessible to our knowledge, or rather, not be clearly enough present to our minds for a full conceptual grasp of it. An example of this would be something like the fact that there is an added evil to sexual abuse when the victim is an immediate family member of the perpetrator.⁶ Secondly, it is possible that there be some absolute moral norm intelligibly related in its *content* to the nature of a thing, but not in its *absolute-ness*. As an example, we might find that on the basis of the nature of marriage, it makes sense that it should be indissoluble, as the Catholic church holds; and yet, divorce was allowed

in the Old Testament, suggesting that indissolubility, while perhaps even highly meaningful, does not flow by an absolute necessity from the nature of marriage.⁷ In this case, the absoluteness would have to be added to the norm “from the outside,” by a commanding will; and in the New Testament, Christ added just such an absoluteness to the prohibition against divorce. Thirdly, it is important to mention that while the content of a moral law may arise intelligibly from a thing in its nature and value, every moral law also has behind it, as a cosource, the will of a lawgiver; this is simply in the nature of a law. (As an important aside, this means that if we trust the lawgiver—for example, because we know he loves us—it can be perfectly rational to obey a command we do not ourselves understand.) This third point is connected with our final one, one that is reflected in Aquinas’s idea that the natural law is “the rational creature’s participation in the eternal law”⁸; ultimately grounding this “self-government” of the human person is the divine being itself, in a two-fold way. Because all creatures have their “archetype” in the being of God as their creator, their *natures* reflect his; this means that the norms governing creatures have their ultimate source in God’s own being. And secondly, God is also the ultimate *legislator* of the natural moral law, as the one who has ultimate authority over and cares for the good of creatures, and for directing them to their fulfillment and end by means of his laws.

The Catholic theological and philosophical tradition has always held that the Church’s norms surrounding sexuality are not arbitrary but makeup part of the natural law. Since this is so, we can conclude that there is something in the nature of human sexuality that, once discovered, will “make sense” of the commands and prohibitions of the Church. Recognizing for ourselves these norms as guides to acting “justly” with respect to this dimension of our being, we will be able to “be provident for ourselves” and not only “blindly obedient” to the Church’s rules.

Personalism and Natural Law Theory

The traditional natural law theory holds that there is a teleology (trajectory toward a proper end) to sex that must be respected, namely, the conception of new human life. Though grounded in facts about the body, this teleology—the theory holds—is not merely a matter of physical fact for the reason that it is embedded in a personal being, and so has personal-existential, and therefore ethical, significance. Because of the moral relevance of this procreative teleology, moral norms about sex can be derived from it. The factor of pleasure is also often taken as morally relevant, giving rise to the norm that the act may not be sought purely for pleasure, which would instrumentalize the beloved. As stated at the start of this article, I will drill down into the personal dimension of the equation and offer a “personalist metaphysics” of the spousal act⁹; this, in turn, will allow us to discover the personalist dimension of the natural law theory. We will see that the spousal act has *two* salient features, both of which must be taken into account if we are to adequately understand its nature: in addition to its *procreative power*, which characterizes the “outer” dimension of the act, there is also its *intimacy*, which constitutes the “interior” dimension of the act. Both are constitutive of the nature of the spousal act, and both are morally relevant, giving rise to moral norms. But it is the inner dimension of the act that reveals its *inherently personal character*, a character which—unlike in the case of the animal world—makes the sexual act between man and woman a *unitive act*, and makes the coming into existence of new human life not “reproduction,” but a genuine “cocreation” with God flowing from love.¹⁰ John Paul II refers to this inherently personal character of human sexuality when he says that the body is “spousal from the beginning” (TOB 15, 1), “oriented from within by the sincere gift of the person” (TOB 15, 4); and this idea, the seed out of which the *Theology of the Body* grows, might in turn have been inspired by the following passage from

Gaudium et spes: “The sexual characteristics of man and the human faculty of reproduction wonderfully exceed the dispositions of lower forms of life.” Following immediately upon this the document tells us, “Hence the acts themselves which are proper to conjugal love and which are exercised in accord with genuine human dignity must be honored with great reverence” (Paul VI. Pope 1965, 51).

Though the analysis will not be completed until Part II of this article, it is necessary at this point to give an overview of how our reflections will proceed: First, we will see that the sexual act is not just a bodily act, but what I will call an *embodying act*, that is, a bodily act intrinsically fashioned to contain an act of the spirit as its animating principle. Secondly, we will discover that the spiritual reality it is objectively structured to embody is *spousal love*. This will, thirdly, lead us to see that the laws governing its use are not biological laws, but the *laws of love*. I believe that this point has been brought out of the shadows only in recent Church teaching (beginning with Pius XII’s *Casti connubii*), and illuminating it is one of the main contributions I hope to make in this article. Finally: in light of the reality of love, and in connection with the high dignity of the human person as the subject of love, the requirement of great reverence toward the sexual sphere will become evident, as will also the highly meaningful character of the concrete sexual norms of the natural law.¹¹ Indeed, I hope it emerges that the burden of proof rests on those who deny this teaching. From these reflections, the connection between faithfulness to the natural law and the human person’s spiritual, psychological, physical, and social well-being should also become evident.

We now turn to the first step of understanding the nature of human sexuality, by examining the body–soul relation as it exists within the human person, generally, and the nature of “embodying acts”—a particular kind of act possible only to bodily beings whose body is animated by a personal soul.

The Personal Nature of the Human Body, and “Embodying Acts”

The Body Is the Person

We begin with a foundational point about the bodily-soul relation, generally, within the human person brought into popular Catholic consciousness by John Paul II, namely, the idea that “the body is the person.” Not an instrument that the person uses, or some container she inhabits, the human body is rather the personal soul’s having “broken through,” as it were, into the realm of matter, and *become bodily*—not losing its spiritual nature, but merging with a bodily one that it forms and animates from within. We could say that in the human person, a rational soul comes to exist in two dimensions. Because of the formative priority of the soul over the bodily dimension, the human body is, as John Paul II insists, no animal body, but is wholly personalized—even while it incorporates elements of the natural world, as we will see.¹² The other item of significance in this connection is that the concrete, particular form of the human body is not arbitrary, but in its shape, its features, its functions, and so forth, “imitates” analogically the characteristics of the rational soul; the body is truly “in the image” of the soul. Aquinas speaks of the form of the human face, for example, and the upright posture of the human person as imaging the spiritual soul, and contrasts this with the way animals are fashioned in their bodies.¹³

Embodying Acts

The status of a soul’s existing in this particular kind of relation to a body we will call “embodiment.” Now, this relation between the bodily and the spiritual also exists in the realm of human *acts*, in what Damian Fedoryka has called “embodying acts.”¹⁴ Certain kinds of human acts are not complete as human acts simply in the aspect of physical behavior; rather, they have an “interior

(metaphysical) space” fashioned to be filled out with a personal act of the spirit. This means that there is an immaterial-spiritual dimension *constitutive of their very nature* (in its original structure). Here, too, as in the case of the human body, the act in its concrete outlines is formed on the analogy of the spiritual act it has been fashioned to “repeat” in bodily form; it “imitates” in the physical realm the spiritual features it is meant to bear. The astonishing reality of the way the soul truly “takes on flesh” in the mysterious realm of embodied being becomes strikingly clear in considering the following about embodying acts: because of their essential relation to an act of the spirit, *we can understand the meaning of these acts already in an encounter with their bodily-behavioral aspect*. We do not have to be *told* their meaning. This makes sense: If an act of the spirit truly “takes on flesh,” then we will be seeing the spiritual attitude or response in seeing the bodily aspect. This also means that when we engage in physical behavior, we *simultaneously* and *necessarily* engage in (or claim to—more on this below) a personal-spiritual act.¹⁵

Two helpful reference points for understanding the nature of these acts are first to consider some examples, and then to contrast them with another kind of bodily act. We can take the hug and the kiss as two instances of embodying acts. In engaging in these, we do not only *symbolize* friendship, devotion, self-giving, and so on; we *enact* these realities. In acts such as giving flowers, or doing an act of kindness, or even saying words such as “I’m so glad that you exist!”¹⁶ we point to a reality *beyond* these acts or words themselves, to immaterial realities that are not themselves contained *in* these acts or words. But our devotion, self-giving, affirmation, and so on, are *in* the hug and the kiss.¹⁷ The *meaning* of these acts is self-evident; because they are “incarnations” of a spiritual reality they convey meaning “without further ado.”

Contrasting with this kind of act are “instrumental acts.” In these acts, we use the body to signify some meaning, but the meaning is

given to the behavior “from the outside”—usually by convention—and so attaches to it only externally. Waving, or giving a “thumbs up,” or certain signs made by a referee in a sports game, are acts of this kind. There is no question here of coming to know the meaning of these acts simply by seeing the physical behavior, as we can do in the case of embodying acts. In this case, the body is used as an “instrument” to point to some meaning beyond itself.

One other marvelous feature of embodying acts is important to include here. Because the bodily dimension of the person truly *is* the person, the experience of the soul is *enlarged* and *augmented* in embodying acts. Though eluding conceptual grasp, this truth about embodying acts is unmistakably given to us intuitively. How relieving it is to the urging of the soul’s love to give a hug to the beloved! Left to itself, the act of the spirit did not have full scope; not until it has been joined to the bodily act for which it is fashioned does it really “have its say.” And furthermore, the (spiritual) reality is *grown* when we engage in these embodying acts; an embrace not only enacts but also *deepens* one’s love for another.

I said above that the meaning of an embodying act is intrinsic to it, not attaching to it externally. We can now bring more precision to this statement. Because of the personal nature of the body and of embodying acts, the meaning that they are intrinsically fashioned for is not automatically present but has to be brought to them by the agent engaging in the behavior. We must immediately make a related point of paramount importance: because these acts, as embodying, “incarnate” a spiritual meaning, when a person engages in the bodily behavior, she is *morally bound* to “fill out” the act with the act of the spirit for which the bodily act is fashioned. A person does not have to engage in the behavior; but when she does, she must “mean” what she “says” with the bodily act—in exactly the way a person is required to mean the words that she says.¹⁸

This leads us to our next point about embodying acts. A human agent is able, by

an act of “violence,” to empty such acts of their meaning. The fitness of the term violence should by now be clear: in these cases the person separates a bodily act from what belongs to it as intimately as, to make an analogy, the three dimensions of a material thing belong to it. And when we do this, we lie in a wholly literal sense: we enter into some bodily behavior that by its nature “speaks” a meaning—but we contradict that meaning by not bringing to the bodily act the act of the spirit proper to it. Judas’ betrayal of Jesus with a kiss was fitting in a terrible way: his interior betrayal of Our Lord was consummated in an embodying act vacated entirely of its meaning. When we use an embodying act without meaning it, we do in some sense betray the one to whom it is directed; we also become divided against ourselves in the separation of body and soul that takes place in them.

The Nature of Love, and the Laws of Love

We now turn to consider the nature of love; for it will turn out to be that the norms of the natural law governing sex are ultimately grounded in the laws of love. Pope St. Paul VI seems to say just this in *Humanae vitae* when he states, “Conjugal love reveals its true nature and nobility when it is considered in its supreme origin, God, who is love,” and that in light of this love, “there clearly appear the characteristic marks and demands of conjugal love, and it is of supreme importance to have an exact idea of these” (Paul VI. Pope 1968, 9; emphasis added).

Love consists of two dimensions: firstly, of the mutual belonging of two persons to one another coming about through mutual self-giving and receiving, which the parties enter into on the basis of each one’s having been touched—as a gratuitous gift—by the unique other in his/her individual preciousness and beauty¹⁹; and secondly, of the “new life” to which this sublime act of mutual self-surrender gives rise. This factor of “new life”

is not easy to capture in concepts or in words, and even its exact locus is not easy to pinpoint. Is it the fuller existence each finds in the union consequent upon mutual self-giving? Is it the happiness the lovers experience in living not in and for themselves, but in and for one another? And even capturing its character is not easy. Sometimes it is said that “one plus one equals more than two” in the self-giving of love. Sometimes we speak of the “inherent generosity” of love. Sometimes we speak of the “innate superabundance” of love.²⁰

In any case, one thing is clear: “*new life*” is *essential to the reality of love*. It is not something *added* to love or a *result* of love; it is *constitutive of its own essence*. Consider associating death, decay, diminution, negation, and sterility with the glorious gesture of self-abandonment of two persons to one another, and it will become clear how essential to it is “new life” in some form. And secondly, notice that this new life has the character of *fruit*. That is, the whole meaning of whatever is generated by the mutual self-donation of love cannot be captured by seeing it as “self-standing,” but can be seen only in understanding its *organic relation to its source*. This characteristic of being a fruit is a metaphysical characteristic—that is, it is part of the very structure of the new life generated. We are not worried by the paradoxical structure of love: by the idea that *superabundance* is *strictly necessary* to the essence of love, by the idea that *generosity* is *only what is required* by the nature of love; that “excess” is not extra, but just exactly what is proper to love itself. Because though speaking about it strains our concepts and our words, we have no difficulty in *intuiting its essence*: it is of the very nature of love that it is “more” than itself.²¹

Considering the two features of love together, we note two things. First, that union and fruitfulness mutually comply one another; neither is fully itself without the other. And secondly, there is indicated between them a particular order, namely, that on the one hand, mutual self-donation is temporally prior to and at the source of

fruitfulness, and on the other, that fruitfulness is consequent upon and completes the mutual gift of self.

We now have only to consider what the modifier “spousal” adds to love, which the short scope of this article allows us to do only in the broadest outlines. Spousal love, firstly, involves the depth of the self in a way that no other love does. Wojtyla says of this love, “It is evident that here the whole ‘I’ must be engaged, one must ‘give the soul,’ speaking with the language of the Gospel” (Wojtyla 2013, 108). And secondly, it includes the special quality deriving from the complementary difference between the masculine and feminine, which John Paul has called “enchantment.” Man and woman hold a unique charm for one another not present in the relation between persons of the same gender. This charm or enchantment, coupled with the depth of the self this love involves, gives rise to the special quality of the “spousal” we see witnessed to throughout the ages in art, literature, poetry and other cultural expressions. The complementary difference between them, further, makes possible the unique closeness proper to the spousal union, consequent on a mutual entry of persons into one another not possible between persons of the same gender. Finally, the union of love between man and woman makes for a special kind of enrichment and completion of the parties based on the complementarity of gender, as the first spiritual fruit of this love. This spiritual fruit takes on a kind of substantial fulness in the definitive mutual gift of self in marriage: the parties “rise” to a new moral life in one another through “dying to themselves” in mutual self-gift.

While there are many things we could say about it, at the heart of spousal love is the *intentio* of the parties to be united, wholly and in their depth; indeed, each seeks to no longer belong to him or herself but wholly to the other, in response to the other in his/her unique preciousness and beauty. It should be clear that because of the depth level of the person involved, this love, in addition to being (a) total, is in its *intrinsic orientation*

necessarily also (b) exclusive, as well as (c) permanent. In this connection, I offer the reader a striking quote from a short essay of Joseph Ratzinger (later Pope Benedict XVI) on the indissolubility of marriage, an indissolubility he attributes to it precisely because the person as a whole is at issue in it:

Marriage is one of those fundamental decisions of human existence that can only be made completely or not at all, precisely because therein man as a whole is involved, as his very self, unto that depth where he, touched by Christ, transformed, is taken into his ‘I’ opened on the cross and open for us all. (Ratzinger 2011)

We are not able to conceive what existence in the next life will be like, but in the context of our earthly existence, there is no possibility of giving oneself entirely from one’s deep center in love to more than one person; and such a depth of self-donation in love is by its inner logic also faithful, or lasting. Marriage is just the institution that brings to a definitive realization of these three features of spousal love.

I restate the conclusion of this section, as it is most important for achieving the main goal of this two-part article, which is to show that the Church’s teaching on sex is grounded in the nature of love and of spousal love in particular. Spousal love, as the highest instance of natural love, is a spiritual reality constituted by a total and therefore exclusive and lasting mutual self-giving/receiving of man and woman which by its inner structure “overflows” into new life; all of this is first spiritually considered, since love is first a spiritual reality existing in the souls of the persons. These features of love give rise to the “laws of love,” governing any reality that purports to be love, “passing judgment” on it as truly being an instance of love, or not, as being adequate to the demands of love, or not. In the next article I will show that the spousal act, according to its original metaphysical structure, *embodies* love in a *concrete way*, and as such, is also governed by the laws of love.

The use of the bodily sex, then, is governed by love and must conform to its laws. Please continue to the second part of these reflections in “The Personalist Basis of the Church’s Teaching on Human Sexuality and the Natural Law in the Work of John Paul II. Part Two.”

Declaration of Conflicting Interests

The author declared no potential conflicts of interest with respect to the research, authorship, and/or publication of this article.

Funding

The author received no financial support for the research, authorship, and/or publication of this article.

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Notes

1. My thanks to Deacon William Williams and Peter Colosi for their helpful comments on an earlier draft of this article.
2. Some who hold this view could still say that there are limits put on our treatment of our bodies based on the factor of physical health: if something damages our health, it is wrong. However, firstly, it is interesting to see how contemporary culture tends to be in denial about the bodily harm caused by certain uses of the sexual faculty. And secondly, though many of the things that the Church forbids *do* in fact damage our health, I do not here want to argue from this point of view. I want to show that there is something about *sex itself* that guides a correct use of it and that not conforming to these requirements is irreverent—a failure to give the response due to the sexual sphere on the basis of its nature and value—and therefore immoral. There is, of course, an additional moral evil to, for example, chemical contraception in the fact that great harm is done to the woman’s health in the use of such

contraceptives; but my focus will not be on this aspect of the equation.

3. Pornography would of course also be morally permissible in this view.
4. Approaching the matter in just this way, Janet Smith gives this as an example in her account of this aspect of the natural law: “The moral truth about murder is based on our knowledge of the intrinsic worth of human life and also on our knowledge of justice” (Smith 1991, 71).
5. The reader familiar with scholastic philosophy will know, of course, that these two are organically related; the notion of the transcendentals captures the fact that “to be” is at the same time “to be intelligible,” that is, to have a relation to a knowing mind.
6. Aurel Kolnai gives this as an example of our inability to be able to explain evils that we nevertheless unmistakably sense (Kolnai 2005, 13).
7. Aquinas, for example, does not believe that the indissolubility of marriage belongs to it by virtue of the natural law, but by virtue of its being a sacrament.
8. See *Summa theologiae* I–II q. 91 aa. 1–2 and q. 93. We do not know the eternal law as such, according to Aquinas; but because the natural law is “patterned” after the eternal law, natural law is said to “participate in it.”
9. The term “metaphysical” here means having to do with the fundamental structure of a thing. The term “personalist” refers to a philosophical approach that resists interpreting the person in terms of nonpersonal realities, and remains attuned to the personal character of the object of study.
10. John Paul considers the interior dimension of sexuality more important when seeking to understand that true nature of the human body in its sexuality. He writes: “the dimension of man’s personal subjectivity is an indispensable element present in theological hermeneutics, which we must discover and presuppose at the basis of the problem of the human body. Thus, not only the objective reality of the body, but far more so, as it seems, the subjective consciousness as well as the subjective “experience” of the body, enter at each step into the structure of the biblical texts and therefore require that one considers and reflects

- them in theology. Consequently, theological hermeneutics must always consider these two aspects. We cannot consider the body as an objective reality outside of man's personal subjectivity" (TOB 60, 1).
11. I believe that that *Humanae vitae* places the normativity of love at the center of its teaching on contraception. Paul VI begins his exposition of the Church's teaching with a consideration of the nature of love, as we will see.
 12. John Paul spends no fewer than three audiences on this point. Here are two of the many passages we could cite in this connection: "The body, as the expression of the person, was the first sign of the presence of man in the visible world. In that world, from the very beginning, man was able to distinguish himself, to identify himself as it were—that is, to confirm himself as a person—also through his body. In fact, the body was from the beginning marked, so to speak, as the visible factor of transcendence, in virtue of which man, as person, surpasses the visible world of living beings (*animalia*). In this sense, the human body was from the beginning a faithful witness and a perceptible verification of man's original 'solitude' in the world" (TOB 7, 4). "The analysis of the Yahwist text will allow us to link man's original solitude with the awareness of the body, through which man distinguishes himself from all the *animalia* and 'separates himself' from them, and through which he is a person" (TOB 6, 3). (In this article, citations from Pope John Paul II's catecheses known as the "Theology of the Body" (1979–1984) are taken from the translation of Michael Waldstein and follow the format (TOB weekly audience number: paragraph number).)
 13. See for example *Summa theologiae* I q. 91 a. 3 and q. 93 a. 6 for Aquinas's discussion of the human body as fitted to expressing a rational soul. Though we cannot see clearly how it is that physical realities can be analogous to spiritual realities in their form, it is an indisputable part of our experience that they do so. Plato wrote eloquently about this in *Republic* Book 3, insisting that all physical things (buildings, furniture, textiles, and so on) admitted into his perfect city be of such a kind as to "speak" only of good and noble spiritual realities.
 14. The concept of embodying acts was articulated by Damian Fedoryka in his 1993.
 15. There is another sphere of embodiment, besides that of our embodied *being as a whole* and of embodied *acts*, namely, embodying *expressions*, which are found primarily though not only in the human face. Here belong things such as a smile, or a frown, which embody happiness/friendliness/and so on, and disapproval/anger/and so on, respectively; indeed, countless spiritual attitudes can be embodied in a facial expression: irony, dispiritedness, shrewdness, compassion, and so on. It is not difficult to see that in these cases, the physical arrangement of the facial features does not symbolize or point to something beyond itself, but actually "incarnates" these attitudes of the soul, and thus contains them. The philosopher Merleau-Ponty gives a lovely characterization of this: "A face is a center of human expression, the transparent envelope of the attitudes and desires of others, the place of manifestation, the barely material support for a multitude of intentions" (Merleau-Ponty 1963, 167). "Body language"—which can embody everything from great dignity, to "attitude," to meekness, and so on—is another locus of this third kind of embodiment.
 16. "It is good that you exist!" is the central "word" of love according to Josef Pieper in his essay "On Love" in *Faith, Hope, Love*.
 17. It creates no difficulty for the point made here that there are different kinds of kisses that enact different degrees of the gift of self; or, that there are different shades of meaning to these acts in different cultures.
 18. A minimum here is sufficient: the person should at least *wish* to mean what the embodying act expresses.
 19. Notice that the gift of self instantiates most fully the element of "being for another" at the heart of love, including within itself the desire for union with the beloved in response to her preciousness as well as the desire for the good of the beloved—for the greatest good one can offer to another is one's self.
 20. I thank Deacon William V. Williams for pointing out that this truth about love becomes

- particularly manifest in the reality of marriage, in which a bond arises as a kind of concrete instantiation of the “new life” essential to love. In the case of a Catholic couple’s seeking an annulment, the Church always appoints a “defender of the bond” and in doing so witnesses to her recognition that some new reality has come into existence, one that—if the marriage has in fact truly taken place—now transcends the freedom of the spouses.
21. Wojtyła seems to capture both these dimensions of love in a beautiful passage of *Love and Responsibility*: “By its nature, because it is what it is, the person is its own master (*sui juris*), and cannot be ceded to another or supplanted by another in any context where it must exercise its will or make a commitment affecting its freedom. (It is *alteri incommunicabilis*.) But love forcibly detaches the person, so to speak, from this natural inviolability and inalienability. It makes the person want to do just that—surrender itself to another, to the one it loves. The person no longer wishes to be its own exclusive property, but instead to become the property of that other. This means the renunciation of its autonomy and its inalienability. Love proceeds by way of this renunciation, guided by the profound conviction that it does not diminish and impoverish, but quite the contrary, enlarges and enriches the existence of the person. What might be called the law of *ekstasis* seems to operate here: the lover ‘goes outside’ the self to find a fuller existence in another.” He then adds a line relevant for our upcoming consideration on spousal love: “In no other form of love is this law realized so clearly as in spousal love” (2013, 108).
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