

CONJUGAL LOVE

Conjugal or marital love, a reality central to the teaching of *Gaudium et spes* on marriage and family life,¹ partakes of the mystery of the human person. As such, it is so rich in intelligibility that its meaning can never be exhausted. We can always learn more and more about it. Our inability to say fully what conjugal love is, however, does not mean that we can say nothing true about it.² There are many truths that we do know already about conjugal love, and a knowledge of these truths is indispensable for a proper understanding of marriage and of the meaning of our lives as sexual persons.

My purpose here is to make some claims about conjugal love and, in terms of this love, about marriage and the meaning of our lives as sexual persons. These claims are the following:

1. Conjugal love can exist only between persons who are married.
2. The act bringing marriage into being is, therefore, not properly an act of conjugal love itself but is rather the indispensable prerequisite for the existence both of marriage and of conjugal love and is an act promising this love.
3. Marriage itself is an inherently indissoluble covenant between male and female, giving to them a new identity and obliging them to love each other conjugally until death.
4. The conjugal love made possible and obligatory by marriage is an utterly unique form of friendship love, one that is by nature exclusive. Its exclusive character is reflected in and exhibited by the act properly called the marital act insofar as this act shows that conjugal love is exclusive by reason of its being a love that is integrally an intimate sharing of life and love (a communion in being) and an intimate sharing that is procreative or life-giving in nature.
5. The human act that is, of its own inherent dynamism, integrally a communion in being and life-giving, is by its very nature the marital act. Thus it is inherently wicked to attempt to engage in this act non- or extra-maritally.
6. Marriage is consummated by one true act of marital union; sexual union that violates either the communion-in-being or life-giving

¹ See *Gaudium et spes*, nn. 47-52. I have used the Latin text found in *I Documenti del Concilio Vaticano II (Testo latino-italiano)* (Roma: Edizioni Paoline, 1967). English translations of these passages are found in *The Documents of Vatican II*, general editor, W. Abbott, S.J., translation editor, J. Gallagher (New York: Guild Press, 1966), pp. 249-58 (hereafter referred to as Abbott ed.); and in *Vatican Council II: The Conciliar and Post Conciliar Documents*, general editor, A. Flannery, O.P. (Northport, N.Y.: Costello, 1975), pp. 949-57 (hereafter referred to as Flannery ed.).

² *Conjugal love* is what Herbert McCabe would term a "growing word," one that is constantly expanding in meaning precisely because it is so rich in meaning. Cf. his *What Is Ethics All About?* (Washington: Corpus, 1969), pp. 17-19. It is instructive to relate what McCabe has to say here to Bernard Lonergan's views on the way in which we progress in our knowledge of realities that are the subjects of transcendental as opposed to categorical questions. For this cf. Lonergan, *Method in Theology* (New York: Herder & Herder, 1972), pp. 13-20.

thrust of this act is not marital union and thus violates marriage rather than consummates it.

7. Conjugal love is ultimately ordered to the mutual sanctification of the spouses.

1. *Conjugal Love Can Exist Only Between Married Persons*

Conjugal or marital love is, by definition, the love between spouses, between husband and wife. This love is truly a form of friendship or interpersonal love, but the kind of love in question merits a specific name—conjugal or marital—precisely because the persons united in this love are husband and wife. It is their being husband and wife that makes their love conjugal and not simply neighbor love or parental love or filial love or even the love that exists between two persons who are “in love” and desirous of sharing their lives intimately. There is a true kind of premarital love between a man and a woman who aspire to marriage and to conjugal love, but this love remains pre or non marital or conjugal until the uniqueness that this love foreshadows and toward which it tends is realized in marriage.³ Such persons are not as yet fully established in their uniqueness for each other; although there may be serious moral obligations between such persons, they are not as yet free to love each other as spouses are. If the deep love that they bear for one another is incapable, because of factors beyond their control, of attaining to the conjugal love of which it is a foreshadowing, there is present an element of pathos and of tragedy and a need for them to bring an end to their pre- (and hence non-) conjugal love.⁴

2. *The Act Bringing Marriage into Being*

The human reality of marriage is brought into being by the irrevocable act of personal consent whereby a man and a woman surrender themselves to each other, and nothing can substitute for this act of consent, of commitment.⁵ This act is unique in that it is the conjoint act

³The subject of premarital love as preparing the way for conjugal love is not, so far as I can determine, the subject of much investigation at present. An interesting presentation of the nature of premarital love as distinct from marital love is offered by Michael F. McAuliffe in his *Catholic Moral Teaching on the Nature and Object of Conjugal Love* (Washington: The Catholic University of America Press, 1954), pp. 1-27.

⁴On this point, it is worth consulting the observations of A. A. A. Terruwe, M.D., *The Abode of Love*, trans. by R. Ware (St. Meinrad, Ind.: Abbey Press, 1970), pp. 39-60, on the unfolding and restraint of authentic love.

⁵*Gaudium et spes*, n. 48: “intima communitas vitae et amoris coniugalis . . . foedere coniugii seu irrevocabili consensu personali instauratur” (Abbott ed., p. 250; Flannery ed., p. 950). The Church has constantly taught that the free personal consent of the man and the woman to live together alone makes marriage to be marriage. A good history of this constant tradition is given by E. Schillebeeckx, *Marriage: Human Reality and Saving Mystery* (New York: Sheed & Ward, 1965), pp. 292ff and by G. Joyce, *Christian Marriage: An Historical and Theological Study* (New York: Sheed & Ward, 1948), pp. 39-84. The Council of Florence taught that “the efficient cause of marriage is the mutual consent duly expressed in words relating to the present” (DS 1327). In his encyclical *Casti connubii* Pius XI clearly taught that “each marriage . . . arises solely out of the free consent of the two partners; and this free act . . . is so necessary for the constitution of marriage that it cannot be supplied by any human power” (par. 6).

of two persons, male and female, whereby they freely give and freely receive the person of the other. Through it they establish the uniqueness of each other for each other; as Helmut Thielicke put it, "not uniqueness establishes marriage, but marriage establishes uniqueness."⁶ Through this act the man and the woman give to themselves a new identity: he becomes her husband and she becomes his wife and together they become spouses, *coniuges*. Since this is an act of irrevocable personal consent, through it the man and the woman give to one another their own "word" or person.⁷ Through it they promise conjugal or marital love to one another and in virtue of this act and of the marriage that it brings into being have henceforward the obligation and indeed the freedom to love one another with conjugal or marital love.⁸

3. *Marriage as an Inherently Indissoluble Covenant*

The reality brought into being by the act of irrevocable personal consent of the man and the woman giving to and receiving from one another their very selves is the covenant of marriage,⁹ "an intimate partnership of life and of conjugal love."¹⁰ This human reality can rightly be called covenantal, for in it the man becomes bone of her bone and flesh of her flesh and the woman becomes bone of his bone and flesh of his flesh.¹¹ It is to this kind of human reality and to no other to which the words of Genesis 1:27ff, 2:18ff, Mk 10:6ff and par., and Eph 5:28-33 refer.¹² This kind of human reality is by divine will lasting and gives rise

⁶H. Thielicke, *The Ethics of Sex* (New York: Harper & Row, 1963; reprinted, Grand Rapids: Baker, 1975), p. 95.

⁷On the significance of the "word" and of giving one's "word" see J. L. McKenzie, "The Biblical Meaning of Word," in his *Myths and Realities* (Milwaukee: The Bruce Publishing Company, 1963).

⁸The act of matrimonial consent, thus, is not an act concerning property rights. As Aquinas put it, the act of matrimonial consent is precisely that, a consent to marriage and to all that marriage involves, and it involves a life of friendship between husband and wife, a friendship that is, next to the friendship between the individual person and God, the most intimate of friendships (cf. *In IV Sent.* d. 26, 2, on matrimonial consent and *Summa Contra Gentes* 3, 123, on the greatness of the friendship between husband and wife). It is to misconceive the nature of marital consent and to misconceive the intent behind canon 1081.2 to conceive of it as being simply the intent to convey a perpetual and exclusive right to a body for specific sorts of acts if the body is considered as some sort of "property" that the person owns. The intent here, despite misconceptions, must surely be the giving of the whole person.

⁹On the subject of marriage as a covenant and not as a simple contract see P. F. Palmer, "Christian Marriage: Contract or Covenant?" *Theological Studies* 33.4 (December, 1972), 617-65; cf. Palmer's article "Marriage," in *The New Catholic Encyclopedia* (Washington, D.C.: Publishers Guild Inc. & McGraw Hill, 1974) 16 (Supplement 1967-1974), 278-83.

¹⁰*Gaudium et spes*, n. 48, text cited in note 5 above.

¹¹On this point see Walter Brueggemann, "Of the Same Flesh and Bone (Gn 2, 23a)," *Catholic Biblical Quarterly* 32 (1970), 532-42. Brueggemann shows that this formula, used by Adam to express the relationship between himself and Eve, is one that was commonly used in executing covenants in the Old Testament.

¹²This point is brilliantly elaborated by Schillebeeckx in Vol. 1 of his *Marriage: Human Reality and Saving Mystery*. It is at the heart, too, of the exegesis provided of these biblical passages by P. Grelot in his *Man and Wife in Scripture* (New York: Herder & Herder, 1965).

to or better is a holy, sacred bond.¹³ This kind of human reality, and it alone, is by its inherent nature capable of being integrated into God's covenant of grace and of serving as the vehicle for a sacramental act of Christ's Church.¹⁴ This kind of human reality, and it alone, can image and make efficaciously present in the world the covenant between God and his people, Christ and his Church.¹⁵

This is the kind of reality that marriage is. Because it is this kind of reality and because it comes into being only by virtue of the irrevocable personal consent of the covenanting partners, it both makes it possible for the spouses to exercise conjugal love and places them under the enduring obligation to do so. The spouses, the *coniuges*, freely assume the responsibility to love one another conjugally until death. This is precisely what they freely undertake to do in determining themselves and in giving to themselves a new identity in the act whereby they bring their marriage into being. They can and, tragically, sometimes do fail to carry out this responsibility. Their failure or refusal to do so violates their marriage, their covenant, but it in no way destroys the reality of this covenant.¹⁶

4. *The Uniqueness of Conjugal Love*

Conjugal or marital love is unique because it is exclusive. Its exclusive character, however, needs to be understood rightly. Husband and wife are not, through conjugal love, locked in an *egoisme à deux* and through it cut off from friendship with other persons;¹⁷ to the contrary, they are enabled, precisely in virtue of their conjugal love, one "merging the human with the divine,"¹⁸ to realize "the goodness and loveableness of all people, in fact of all living things."¹⁹ Nor is conjugal love exclusive

¹³On this see *Gaudium et spes*, n. 48: "Ita actu humano, quo coniuges sese mutuo tradunt atque accipiunt, institutum ordinatione divina firmum oritur, etiam coram societate; hoc vinculum sacrum intuitu boni, tum coniugum et prolis tum societatis, non ex humano arbitrio pendet" (Abbott, ed., p. 250; Flannery ed., p. 950).

¹⁴Cf. *Gaudium et spes*, n. 48: "Christus Dominus huic multififormi dilectioni, ex divino caritatis fonte exortae et ad exemplar suae cum Ecclesia unionis constitutae, abundanter benedixit. Sicut enim Deus olim foedere dilectionis et fidelitatis populo suo occurrit (Hos 2, Jer 3:6-13, Ez 16 et 23, Is 54), ita nunc hominum Salvator Ecclesiaeque Sponsus (Mt 9:15, Mk 2:19-20, Lk 5:34-35, Jn 3:29, cf. 2 Cor 11:2, Eph 5:27, Ap 19:7-8, 21:2 et 9), per sacramentum matrimonii christifidelibus coniugibus obviam venit." (Abbott ed., p. 251; Flannery ed., p. 950.)

¹⁵On this whole point see Schillebeeckx, *op. cit.*

¹⁶This clearly is the teaching of the Church on this matter. It is precisely for this reason that *Gaudium et spes* teaches that, because of Christ's love, spouses are to love each other with perpetual fidelity (cf. n. 48; Abbott ed., p. 251; Flannery ed., p. 951) and that the love obligated by marriage "ab omni adulterio et divortio alienus remanet" (n. 49; Abbott ed., p. 253; Flannery ed., p. 952). On this subject see my "Marriage, Divorce, and Remarriage," *The Jurist* 37.3/4 (1977), 266-86.

¹⁷On this question see J. Pieper, *About Love* (Chicago: Franciscan Herald Press, 1974), pp. 50-52; see also E. Fromm, *The Art of Loving* (New York: Harper, 1962), p. 55.

¹⁸*Gaudium et spes*, n. 49: "Talis amor, humana simul et divina consocians, coniuges ad liberum et mutuum sui ipsius donum, tenero affectu et opere probatum, conducit totamque vitam eorum pervadit (cf. *Casti connubii*, DS 3707)" (Abbott ed., p. 253; Flannery ed., p. 952).

¹⁹See Pieper, *op. cit.*, p. 51.

in the sense that husband and wife are now the "property" of each other. Such possessive language is utterly foreign to and destructive of true conjugal love.²⁰

Conjugal love is exclusive both because it is an intimate sharing by the spouses of their whole life (a communion in being) and because it is a personal sharing that by its very nature is ordered to giving life to and sharing life with new human persons.²¹ The reason why conjugal love is exclusive in this sense can best be grasped by reflecting on the meaning of the act that specifies this love and to which it dynamically inclines the spouses, namely the marital or conjugal act. Although the spouses may freely choose never to engage in this act,²² and although this act is not necessarily the greatest expression of conjugal love,²³ it is certainly true that conjugal love is inherently inclined toward and specified by this act, whereby it is uniquely expressed and perfected.²⁴

The marital act is the act of marital coition. This act exhibits or symbolizes the exclusive character of conjugal love both as a communion in being (conjugal love as unitive) and as a life-giving and life-sharing reality (conjugal love as procreative). This is the meaning rooted in the marital act and intelligibly discoverable in it; it is not a meaning arbitrarily imposed upon or given to the act. The act is unitive, i.e., a communion in being or an intimate sharing of personal life because through it and in it the spouses come to know each other in a unique way. In it they disclose or reveal themselves to each other and open themselves to each other. It is a way of touching each other that is uniquely personal and intimate. In it they become one flesh, that is, humanly and personally one; through it they renew the covenant they have made with each other in the act that made them husband and wife.²⁵

²⁰Many contemporary critics of the Judeo-Christian notion of marriage seem to misconceive it as a matter of property rights. This is certainly the view of such authors as Robert and Anna Francoeur, as evidenced by their essay "The Technologies of Man-Made Sex," in *The Future of Sexual Relations* (New York: Harcourt, Brace, Johovich, 1974).

²¹*Gaudium et spes*, n. 48 and n. 50 (Abbott ed., pp. 251-52, 253-54; Flannery ed., pp. 950, 953).

²²Man and woman become husband and wife in and through the act of matrimonial consent; the marital act does not make them to be husband and wife; it is the marital act because it is an act elicited by persons who are husband and wife. They can freely choose not to engage in the marital act, and some Christian couples, for reasons rooted in Christian love, choose not to do so. On this see R. and M. Joyce, *New Dynamics in Sexual Love* (Collegeville, Minn.: St. John's University Press, 1974).

²³I think it necessary to state this. I believe that the marital act is indeed an act that perfects and ennobles married love, but it is by no means exhaustive of that love nor is it necessarily its greatest expression. There is a time for embracing, and there is a time not to embrace, and at times husband and wife can show the greatest love for one another by choosing not to embrace coitally.

²⁴On the fact that the marital act is perfective of and expressive of conjugal love see *Gaudium et spes*, no. 49: "Haec dilectio proprio matrimonii opere singulariter exprimitur et perficitur" (Abbott ed., p. 253; Flannery ed., p. 952).

²⁵On this point see J. Kippley, *Birth Control and the Marriage Covenant* (Collegeville, Minn.: The Liturgical Press, 1976), pp. 105-13; D. von Hildebrand, *In Defense of Purity* (Chicago: Franciscan Herald Press, 1968), pp. 54-76; M. R. Joyce, *Love Responds to Life* (Kenosha: Prow Press, 1970), pp. 8-26.

The act is procreative insofar as through it they exercise their power of procreation, a personal sexual power and not a mere reproductive function, a power given to them by the God, whose own love is the fountain and origin of conjugal love,²⁶ and who have given them the marvelous personal and sexual power of procreation precisely so that he might share with them his own creative love.²⁷

The marital act is, therefore, integrally unitive and procreative²⁸ and exhibits the exclusive nature of conjugal love insofar as spouses alone are capable of loving each other and obliged to love each other exclusively and in so far as spouses alone are capable of giving to each other procreative love, that is, a love capable of giving life to new human persons and of sharing life and love with those persons. Spouses alone are capable of this because marriage, and marriage alone, both establishes the uniqueness of spouses for each other and capacitates them for procreative-parenting acts. Persons who are not spouses may have sexual intercourse, but their acts cannot express an exclusively unitive or a procreative love.

5. *The Inherent Wickedness of Non-Marital Sexual Intercourse*

The exclusive character of conjugal love as exhibited in the marital act provides the reasons why sexual coition that is non-marital is inherently wicked. Non-marital sexual coition desecrates the meaning that human sexual coition has; that is, it violates its unitive (communion-in-being) and procreative (life-giving) dynamism. Although there may be some tenderness and affection between non-married persons who choose this act, there can be no authentic love in it precisely because it is both an offensive personal touch, even if it is not subjectively experienced as such, and threatens the good of any human person who may come into being as a result of this act.

It is an offensive touch because it is a touch between persons who are not, precisely because they are not spouses, joined in a covenant of love and personally dedicated to each other. One human person can hardly be said to love another with any depth or understanding unless he or she is willing to be with and for that person, ready to sacrifice for him

²⁶ *Gaudium et spes*, n. 48, text cited in note 14 above.

²⁷ *Ibid.*, n. 50: "Matrimonium et amor coniugalitatis indole sua ad prolem procreandam et educandam ordinantur. Filii sane sunt praestantissimum matrimonii donum et ad ipsorum parentum bonum maxime conferunt. *Ipsae Deus* qui dixit 'non est bonum esse hominem hominem solum' (Gn 2:18) et 'qui hominem ab initio masculinum et feminam fecit' (Matt 19:4), *volens ei participationem specialem quamdam in Sui ipsius opere creativo communicare, viro et mulieri benedixit dicens: 'crescite et multiplicamini'* (Gen 1:28)" (emphasis added) (Abbott ed., pp. 253-54; Flannery ed., p. 953). On this point, namely, that our power to generate new human life is a human personal sexual power and not a "reproductive function" biological and subpersonal in nature, see my *Sex, Love, and Procreation* (Chicago: Franciscan Herald Press, 1976).

²⁸ The fact that this is indeed the intrinsic nature of the marital act is commonly recognized. Genital coition is, after all, both genital (procreative) and coital (involving union). See P. Ramsey, *Fabricated Man* (New Haven: Yale University Press, 1971), pp. 32-33.

or her when the need arises, ready to forgive and to seek reconciliation if needed, ready to suffer and even to die. Coition, as a deed revelatory of one's personal being and as an exposure of one's vulnerability, is offensive touching unless the persons choosing it are able to share their personal being and their vulnerability, and it is only marriage, a reality rooted in the spouses' act of irrevocable personal consent to life with and for each other, that makes persons capable of this sharing.

Nonmarital sexual coition threatens the good of any human person who may come into being because of this act because it simply does not take place between persons who can give this person the home and the love to which he or she has a right.²⁹

6. *The Consummation of Marriage by the Marital Act*

Today there is some debate going on about the "consummation" of marriage, with some suggesting that marriage is not consummated until it is "psychically" consummated, and presumably this may not be accomplished until many years have gone by.³⁰ I believe that marriage, the intimate partnership and covenant of life and love, is consummated by one act of truly marital intercourse, by one marital or conjugal act. But a marital act is an act of sexual union between spouses that renews or participates in their covenant of love, in the marriage itself. It is, thus, an act that renews the unitive and procreative dimensions of conjugal love. An act of coition between spouses that is anti-unitive or anti-procreative is, therefore, an act that violates the marital covenant itself. Such an act, consequently, cannot count as a consummation of marriage, insofar as this would entail a contradiction; such an act is not a marital act.³¹ Thus an act of sexual coition forced upon one of the spouses by the other, by violating its unitive, communion-in-being nature, would not be a marital act.³² Thus, too, acts of contraceptive intercourse, in so far as these are not simply non-procreative but anti-procreative,³³ would not be marital acts in as much as they violate the procreative, life-giving nature of the marital act.

²⁹On the points developed in the previous paragraphs see my *The Nature and Meaning of Chastity* (Chicago: Franciscan Herald Press, 1977).

³⁰This is the view one finds, for instance, in J. T. Finnegan, "Marriage," in *The Pastoral Guide to Canon Law*, a special issue of *Chicago Studies* 15, 3 (1976), 286. I have a serious problem with this view. I have been married almost twenty years now, but whether my marriage is "consummated" in the full psychic sense is not clear even to me. Yet I am quite certain, and so is my wife, that the marriage has been consummated.

³¹No matter how one interprets Paul's words in 1 Cor 7:3 about the fulfillment of conjugal obligations, it is surely not in accord with Paul's thought to interpret these to mean that one spouse has the obligation to engage in coition when demanded.

³²On this see Paul VI, *Humanae vitae*, n. 13: "It is in fact justly observed that a conjugal act imposed upon one's partner without regard for his or her condition and lawful desires is not a true act of love."

³³For arguments showing the anti-procreative character of contraceptive intercourse see the following: my own "Contraception, Abstinence, and Responsible Parenthood," *Faith and Reason* 3 (1977), 34-52; James O'Reilly, *The Moral Problem of Contraception* (Chicago: Franciscan Herald Press, 1976); Kippley, *op. cit.*, and Germain Grisez, *Contraception and the Natural Law* (Milwaukee: Bruce Publishing Company, 1964), chap. 4.

7. *Conjugal Love and the Spouses' Sanctification*

True conjugal love is an "eminently human love," a love that ultimately arises in the love of God himself,³⁴ and a love that is enriched and ruled by "the redemptive power of Christ and the salvific action of the Church."³⁵ It is, therefore, a love that consists "in the mutual interior conformation of husband and wife, the persevering endeavor to bring each other to the state of perfection."³⁶ It is, therefore, a love that is ultimately ordered to the deification and sanctification of the spouses, for this is the will of God. This love is, therefore, truly a sacramental love, for it is a love made possible by that human reality—marriage—which by its inherent thrust is capable of being caught up into God's covenant of grace and love and which has been touched by the grace of Christ and made by him into a sacrament, one that can truly be termed the "sacrament of divine friendship." Thus marital acts, which participate in and renew the marital covenant, are truly acts of grace and enable the spouses to grow in grace.³⁷

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³⁴ *Gaudium et spes*, n. 48.

³⁵ *Ibid.*, n. 48: "Germanus amor coniugal is in divinum amorem assumitur atque virtute redemptiva Christi et salvifica actione Ecclesiae regitur ac datur" (Abbott ed., p. 251; Flannery ed., p. 952).

³⁶ Pius XI, *Casti connubii* AAS 22 (1930), 547-48.

³⁷ On the question of conjugal love and the sanctification of the spouses, see McAuliffe, *op. cit.*