

# OF SPOUSES, THE REAL WORLD, AND THE “WHERE” OF CHRISTIAN MARRIAGE

• David S. Crawford •

“The condition for the possibility  
of Christian marriage is the virginal  
consent of Christ and of his Mother  
on behalf of the world.”

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## 1. Introduction

The Church’s teaching concerning the indissolubility of sacramental marriage has been a source of controversy for a long time. But the liberalization of divorce in modern western societies has dramatically increased pastoral challenges for the Church. A number of authors have recently addressed the issue by interpreting the indissoluble bond in terms of moral obligation.<sup>1</sup> Others have argued that the indissoluble bond is something to be accomplished as the spouses’ love matures over a lifetime.<sup>2</sup> Indissolubility does not therefore occur

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<sup>1</sup>See, for example, Kenneth Himes and James Coriden, “The Indissolubility of Marriage: Reasons to Reconsider,” *Theological Studies* 65, no. 3 (September 2004): 453–499, where we are told that “[v]ows of marriage are vastly more important than promises to make a dinner engagement. But the pattern of making a commitment through free consent and then breaking it is similar” (489). See also Ladislav Örsy, *Marriage in Canon Law: Texts and Comments, Reflections and Questions* (Wilmington, Del.: Glazier, 1986), 272, n. 10.

<sup>2</sup>See, for example, Michael Lawler, “Blessed Are the Spouses Who Love, for Their Marriages Will Be Permanent: A Theology of the Bonds in Marriage,” *The*

in a single moment of sexual consummation, which in any case is said to be "outside sacrament."<sup>3</sup> Certainly, it is argued, the couple in entering a Christian marriage is entering into a sacrament, and surely this sacramental marriage is supposed to last a lifetime. Certainly, there is a moral obligation of love, care, and fidelity.

However, in a sinful and fallen world we often fail to live up to our obligations or to achieve the ideal. Sometimes, the argument continues, the relationship itself dies. This is a reality that must be taken into account by the Church. Once a given marriage has in fact dissolved, the response of the Church should be to offer the mercy and reconciliation of Christ and of all the faithful. Thus, while it is true that marriage is "indissoluble" in terms of its moral commitment or as an ideal to be achieved, it is not true that it is absolutely indissoluble in the sense that no power on earth can cause the dissolution of a marriage *ratum et consummatum*, at least as this last phrase has been understood by the Church. "Therefore it is not helpful for the Church to speak of indissolubility as being the effect of the sacrament independent of the wills of the spouses. Instead the sacrament's effect is to assist the couple in their efforts to build a consortium of intimate love so that the destruction of their love becomes virtually unthinkable."<sup>4</sup>

Several authors have used the scholastic tradition to buttress these arguments. What is the bond, it is asked, but a relation? This relation does not exist, somehow, somewhere, above and beyond the couple.<sup>5</sup> Therefore it must be "in" the couple themselves. Marriage is not a character sacrament, so the content of this "in" cannot be an indelible sacramental character such as that of Baptism or Holy

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*Jurist* 55 (1995): 218–242. According to Lawler, the point at which marriage is consummated, and therefore "indissoluble," occurs when conjugal love has become perfected (241), a point which he grants lacks precision (236). The effect is to place emphasis on the spouses' own moral development within the obligations of marriage, rather than on the character or nature of marriage as such. See also, Edward Schillebeeckx, "Christian Marriage and the Reality of Complete Marital Breakdown," in *Catholic Divorce: The Deception of Annulments*, ed. Pierre Hegy and Joseph Martos (New York: Continuum, 2000), 82–107.

<sup>3</sup>Lawler, "Blessed Are the Spouses Who Love," 219.

<sup>4</sup>Himes and Coriden, "The Indissolubility of Marriage," 496.

<sup>5</sup>Örsy, *Marriage in Canon Law*, 271; Lawler, "Blessed Are the Spouses Who Love," 221; Himes and Coriden, "The Indissolubility of Marriage," 486. Cf. also Walter Kasper, *Theology of Christian Marriage* (New York: Crossroad, 1981), 49.

Orders. So what type of relation is the bond? From a scholastic point of view, a relation is an accident. Thus the marital relation cannot have some kind of separate or autonomous existence. While, as an accident, the bond is “ontological,”<sup>6</sup> this does not mean that it escapes human freedom. It is “a relationship of obligation,” “sealed by God’s grace and commitment to the spouses.”<sup>7</sup> The bond is therefore essentially moral.<sup>8</sup> As a relation, it therefore has no necessary or essential indissolubility.

Of course, the question of sacramental marriage’s indissolubility raises many important issues, including its ecumenical implications, historical background, and doctrinal status—not to mention the best interpretation or even the theological sufficiency of scholastic understandings of “relation.”<sup>9</sup> However, this essay can only address one basic question. As we can see, an important starting point for the issue of indissolubility is in fact the question of “where” this bond is to be located. Does the bond lie solely within the spouses? If so, is it to be located in the order of being, of freedom? Is it rooted in something above and beyond the spouses, however much it might also arise from and shape their freedom? So, the question returns, “where” is this bond and what does it have to do with the real-world marriages of men and women, of flesh and blood?

## 2. “Pan-sacramentality”

In order to address our question, we must begin with a counterintuitive claim: an adequate understanding of the sacrament

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<sup>6</sup>Lawler, “Blessed Are the Spouses Who Love,” 221; Örsy, *Marriage in Canon Law*, 204f, n. 3.

<sup>7</sup>Örsy, *Marriage in Canon Law*, 204f, n. 3.

<sup>8</sup>Himes and Coriden, “The Indissolubility of Marriage,” 486.

<sup>9</sup>For criticisms of this view of “relation,” see David L. Schindler, *Heart of the World, Center of the Church: Communion Ecclesiology, Liberalism, and Liberation* (Grand Rapids: Eerdmans Press, 1996), 275f; Joseph Ratzinger, “Concerning the Notion of Person in Theology,” *Communio: International Catholic Review* 17 (Fall 1990): 439–454; Hans Urs von Balthasar, “On the Concept of Person,” *Communio: International Catholic Review* 13 (Spring 1986): 18–26; and John D. Zizioulas, *Being as Communion: Studies in Personhood and the Church* (Crestwood, N.Y.: St. Vladimir’s Seminary Press, 1985).

of matrimony emerges only in a consideration of that which is apparently opposed to it, viz. the renunciation of marital and family life in Christian virginity. My warrant for making this claim is the fact that it is precisely through the advent of Christian virginity in Christ’s and Mary’s *fiats* that the possibility for marriage as a modality of belonging to the Church (that is to say, as a sacrament and as an ecclesial *status*<sup>10</sup>) is possible at all. As with so many questions in Christianity, then, the question of sacramental marriage begins in paradox.

Crucial to elaborating the meaning of this paradox is Hans Urs von Balthasar’s claim that, while Christian virginity is not a sacrament, neither is it simply non-sacramental, let alone “anti-sacramental.” It is also not simply outside of or parallel to the sacramental order. Rather, it is “pan-sacramental.”<sup>11</sup> To say that Christian virginity is “pan-sacramental” means not only that it stands above the sacramental order, but that it in fact gives birth to it. Certainly the Church and “all the individual sacraments . . . have their root in the universal sacramentality of the flesh of Jesus Christ (as a historical, Eucharistic, and Mystical Body).” Indeed, “the formation of the hypostatic union,” beginning as it does in Mary’s consent, “is already a nuptial, ecclesial mystery.” It is from within this consent and the Son’s consent to become man that God descends “into the flesh of the Virgin and into his own flesh.”<sup>12</sup>

This starting point helps us to discover the meaning of our specific question by placing it in its proper framework: viz. the wider question of “the ‘where’ of the Christian” and his sacramental life in general.<sup>13</sup> Let us consider this broader and foundational point in greater detail before turning back specifically to marriage.

### 2.1. Christ

Clearly, the “where” of the Christian is in Christ. The Incarnation is the actualization of God’s covenant with his people,

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<sup>10</sup>Cf. *Lumen gentium*, 11.

<sup>11</sup>Hans Urs von Balthasar, “The Layman and the Church,” trans. Brian McNeil, in *Explorations in Theology*, vol. 2: *Spouse of the Word* (San Francisco: Ignatius Press, 1991), 315–331; 330.

<sup>12</sup>Balthasar, “The Layman and the Church,” 15.

<sup>13</sup>Balthasar, *The Christian State of Life* (San Francisco: Ignatius Press, 1983), 212.

described in both the Old and New Testaments in nuptial terms.<sup>14</sup> It is the content of the Son's "taking responsibility" for the risk of creation,<sup>15</sup> as the one "in," "through," and "for" whom all was created (Col 1:15–16). The formula of Chalcedon ("in two natures without confusion, change, division, or separation"—"*in duabus naturis inconfuse, immutabiliter, indivise, inseparabiliter*"<sup>16</sup>) serves to define the radically encompassing meaning of God's commitment in the person of the Son to the world as a whole. It therefore effects and articulates the real relationship between God and the world. In the Incarnation, God joins himself indissolubly to all of humanity and, in an extended sense, to all of the cosmos—to "all flesh."<sup>17</sup> As is reflected in the passages quoted above from Balthasar, this bond has often been thought of by the tradition in nuptial terms. The nuptial analogy is apt because it brings out the unity of the divine and human natures in the "one flesh" of the Incarnation. Like the unity of man and woman in marriage, the unity (*indivise, inseparabiliter*) in the hypostatic union also holds in place the irreducible difference (*inconfuse, immutabiliter*) between the divine and human natures.<sup>18</sup> Hence, in his classic formulation, St. Thomas is able to base the indissolubility brought about by sexual consummation on the analogy with the indissoluble union of the two natures in the person of Christ.<sup>19</sup>

The Incarnation is likewise the condition for the possibility of the nuptial relationship between Christ and the Church. Like Eve,

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<sup>14</sup>Consider the entire legacy of the prophets' use of the analogy of marriage for Yahweh's stormy relationship with Israel (see, e.g., Hos 1–3; Is 54:1–17; Is 62:1–5; Jer 3; Ez 16), culminating in the repeated New Testament use of the image of "the Bridegroom" for Christ (see, e.g., Mt 9:15; Mk 2:19–20; Lk 5:34–35; Jn 3:29; 2 Cor 11:2; Eph 5:27; Rev 19:7–8; 21:2 and 9). For a discussion of the relation of nuptiality to the Old and New Covenants, see Ratzinger, "The New Covenant: A Theology of Covenant in the New Testament," trans. Maria Shradly, *Communio: International Catholic Review* 22 (Winter 1995): 635–651.

<sup>15</sup>Cf. Juan Martínez Camino, "'Through Whom All Things Were Made': Creation in Christ," *Communio* 28 (Summer 2001): 214–229; 226.

<sup>16</sup>Denzinger-Schömetzer, *Enchiridion Symbolorum: Definitionum et Declarationum de Rebus Fidei et Morum*, 302.

<sup>17</sup>*Dominum et vivificantem*, 50 (1986).

<sup>18</sup>Angelo Scola, *The Nuptial Mystery*, trans. Michelle K. Borrás (Grand Rapids: Eerdmans, 2005), 100.

<sup>19</sup>St. Thomas Aquinas, *Suppl.* q. 61, a. 2, ad 1.

taken from the fruitful wound opened in Adam’s side during his paradisaic sleep, the Church springs from the lance-wound opened in Christ’s side while hanging in the “sleep” of the Cross. The nuptial couple of paradise prefigures the nuptial couple of the New Covenant in the Father’s eternal plan and, in fact, is given its fullest meaning only in view of this “second” couple. As Balthasar puts it, “[t]he root from which the Church unfolds is the Incarnation of the Son of God, the Word of the Father, in whom already everything was created and given an orientation toward his coming in the fullness of time.”<sup>20</sup> As in Eve’s relationship to Adam, the Church is both “body” and “bride” of Christ. Christ, like Adam, recognizes in this Bride, presented to him by the Father, his own body. The “members” of the Church are not members in the sense that any community has its members. Rather, they are members in the sense that a body has its members (1 Cor 12:12–17). Christ is the “head” (*kephale*) of the Church, not only in the sense of being the highest and first “member” of the body, but also in the sense that he is its “source,” the body from whom the bride/body is generated.

As Balthasar often emphasizes, underlying the Incarnation and Christ’s nuptial relationship with the Church is the Son’s eternal “yes” to the Father. Unlike the first Adam, he did not “grasp at” equality with God but “humbled himself and became obedient,” even to death on the Cross (Phil 2:5–8). Christ is the Son who lives solely in the truth of his eternal generation from the Father and, in so doing, takes on the “flesh” of the world. But in this taking on flesh, the Son in Christ expresses the inner life of God and the relations of the Persons of the Trinity. As Benedict XVI’s first encyclical puts it, God in Christ “turns against himself,” in the sense that his mercy turns aside his anger at sin, but also in the sense that the Son now stands before the Father as man.<sup>21</sup> He offers himself to all of humanity and on behalf of all of humanity to the Father precisely in the flesh of his Incarnation. Indeed, as we have just seen, his Incarnation—which is not dissolved by his death—is the

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<sup>20</sup>Balthasar, “The Layman and the Church,” 316–317.

<sup>21</sup>Cf. *Deus caritas est* (=DCE), 10, 12 (2005). Benedict tells us that God’s “heart recoils” from abandoning sinful man; his “compassion grows warm and tender” (DCE, 10, quoting Hos 11:8). Man’s situation draws out God’s mercy, which in turn elicits a decisive “turn . . . against himself” (DCE, 10: “*contra se ipsum vertit Deum*”; DCE, 12: “*contra se vertit Deus*”), “his love against his justice” (DCE, 10).

enactment of the indissoluble bond sought by God with the world and made personal with every member of the Church in Christ's ecclesial body and bride.

Nothing in Christ's life is insignificant or unrelated to the hypostatic union and its implications for the Church. Most especially, however, Christ's manner of bodily self-bestowal is crucial for understanding his identity and what it reveals to us about human destiny. This bodily self-bestowal begins in his accepting to take on human flesh and to live among men and women in all of the complexity and ambiguity of their concrete situation in the world and in culture. The fact that Christ's own mission entailed the renunciation of marriage—that he remained a virgin—is therefore deeply significant. Of course, his mission could not have centered on a particular set of children or a wife. Rather, his mission, which as we have seen is nevertheless carried out in the nuptial unity of his divine and human natures and in his relationship with the Church, is for the salvation of all of humanity. His virginity therefore represents an open-ended love that pours forth in universal fruitfulness.

This last point indicates that Christ's virginity cannot be merely juxtaposed to his mission or his taking on flesh and dwelling among us. Rather, it is interior to, and expresses the inner meaning of, his Incarnation. In this sense, then, Christ's virginity is inscribed in the very structure of his Incarnation, as universal mission for the salvation of the world, and indeed is the crucial foundation of the embodied and humanly lived-out "yes" he gives to the Father.

## 2.2. Mary

Likewise, according to Balthasar's provocative claim, Mary's virginity is "pan-sacramental." Mary cannot be separated from either her Son's Cross or his Incarnation without a distortion of both. Her *fiat* is necessary for both because God awaits the "yes" of the world. Mary is the Theotokos, the God-bearer and mother of Jesus. But as the figure of the Church, and as spouse of the Holy Spirit, Mary is the one who prefigures the bride of Christ. It is in both of these capacities that she is found at the foot of the Cross in John's Gospel.

As St. Thomas tells us, Mary's consent, as virgin, is the consent for—stands in the place of—the whole of human nature

(“*consensus virginis loco totius humanae naturae*”).<sup>22</sup> All human yeses are, in the final analysis, enabled by the yeses of Christ and Mary. They are the ones who give consent on behalf of all of creation. Mary gives birth to the God-man Jesus, who is the nuptial consummation of the God-world relation, made absolutely concrete in Christ’s Incarnation.

But what is the place and significance of Mary’s virginity? Like her Son’s, Mary’s *fiat* is *itself* virginal. This does not mean that her *fiat* is simply externally enabled by her virginity, as though we could understand it as an apt moral excellence or one necessary for the magnitude of her yes. The difference between Mary’s yes and that of everyday believers is not simply one of degree. Mary’s yes offers the prototypical form of consent; her virginity *is* in a significant sense this consent. Mary’s aptness and virtue can only be understood in view of the simple fact that Mary’s yes is that of her whole being, rooted even in her body; it is the concrete ground in which the Word can take on flesh.

It is true, of course, that Mary is both married and virgin. In this sense, she is herself paradoxical. But the tradition has not only stressed her unique role, but has also always given a priority to her virginity. Her title as Theotokos, a reality rooted in her virginity, indicates this. And while the tradition has insisted on the validity of her marriage to Joseph, the emphasis in Mariology is decidedly on *Maria-Ecclesia*, that is to say, on Mary as prefiguring the Church, which is itself the virginal bride of Christ. This is why it is sometimes pointed out that Mary is not mother despite being a virgin but *because* she is a virgin.<sup>23</sup> In fact, the truth of this statement goes in both directions: she is also a virgin because she is Theotokos, since her Immaculate Conception is a proleptic participation in the graces of the Cross. She is the one who bears in her womb her own salvation and that of the world.

The virginity of Christ and Mary, therefore, is not additional or marginal to their yeses, or even simply ingredient in their yeses,

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<sup>22</sup>*Summa theologiae* III, q. 30, a. 1, cited in Balthasar, “The Layman and the Church,” 315.

<sup>23</sup>Balthasar, “The Layman and the Church,” 330 (emphasis original); id., *The Christian State of Life*, 205. Cf. also Joseph Ratzinger, *Introduction to Christianity* (San Francisco: Ignatius Press, 1990), 208–212; Alexander Schmemmann, *For the Life of the World* (Crestwood, N.Y.: St. Vladimir’s Seminary Press, 2000), 83.



but at the heart of (indeed the very form of) their “let it be done unto me according to your word” (Lk 1:38) and “according to your will and not mine” (Mt 26:39; Mk 14:37; Lk 22:42). Because the relationships between God and the world and God and every individual can only be mediated through the life of Christ and its universalization in time and space through the Holy Spirit and the Church, Christ and Mary’s consent forms the axis around which all of history and the universe turn. It is in and through their consent that the nuptial “bond” between humanity and God is forged in the hypostatic union of divine and human natures in the person of Christ. Thus, their virginity is, in a significant sense, at the center of the God-world relationship.

### 2.3. Consecrated virginity

Central to Balthasar’s argument is the role of consecrated virginity as a state of life within the Church. As he tells us, “[t]here exist in the Christian life—mediated by the sacraments and the ministry but not identical with these—particularly close and central forms of participation in the . . . pansacramental mystery, viz. those forms of life that explicitly made the Marian-ecclesiological law of life their own . . . .”<sup>24</sup>

Every Christian state of life represents and unfolds the consents of Christ and Mary. However this is especially the case with consecrated virginity. Of the three evangelical counsels the tradition has gathered from Sacred Scripture, obedience is typically (and for good reasons) given priority. However, from another perspective, a primacy may be given to virginity. This priority can be seen in the teaching of John Paul II, when he tells us in *Vita consecrata* (1996), for example, that chastity is “the first and essential . . . sacred bond” among the three counsels (14; cf. also 26, 32). Similarly, in *Redemptionis donum* (1984) he argues that the key to an adequate understanding of the consecrated life is to see that it makes Christ one’s “only spouse” and that its meaning lies in bringing about an “exclusive” nuptial belonging (cf. 3, 5, 8, 11). Virginity “is addressed in a particular way to the love of the human heart. It places greater emphasis [as compared to the other two counsels] on the spousal

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<sup>24</sup>Balthasar, “The Layman and the Church,” 319.

character of this love, while poverty and still more obedience seem to emphasize primarily the aspect of redemptive love contained in religious consecration” (11). Notice that according to John Paul the priority of virginity is based on its representing the complete nuptial-bodily gift of self entailed in the Christian life. The fullness of love is the very vocation of human nature itself precisely because God, as a Trinity of Persons, is love. For human beings, this vocation can only be specified and actualized in the body.<sup>25</sup> The vow of virginity then is a bodily actualization of this vocation precisely according to the pattern established by Christ and his mother. It brings into the time and space of history and culture the visible and explicit form of their consent. It manifests in history and culture the offering made on behalf of all creation.<sup>26</sup>

Directly participating in the pan-sacramental character of Christ and Mary’s virginal consent, consecrated virginity is not a sacrament, although its universal fecundity is also directed toward the salvation of “all flesh.” As such, the common claim that virginity is a rejection of the goods of the body is not only wrong but misses the point entirely. In fact, virginity is a radical affirmation of the foundational character and importance of those goods in relation to God and through God to the world. It is the giving over of oneself—unmediated by the sacrament of matrimony—precisely as *corpore et anima unus* to God. And as such, it shows us that human love and self-giving are always mediated through the body.

Christ and Mary’s virginity constitutes the ground which offers itself to all of humanity and in which every response must be rooted. Consecration’s direct participation so thoroughly embeds itself *ex opere operantis* in that ground that it becomes an explicit and outward participation in Christ and Mary’s consent on behalf of the world. In this sense, then, the “pan-sacramental” character of consecration’s “direct” participation in the *consensus virginis loco totius humanae naturae* stands “within” the foundational source of marriage’s sacramental bond.

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<sup>25</sup>*Familiaris consortio*, 11 (1981).

<sup>26</sup>Cf. Balthasar, *The Laity and the Life of the Counsels: The Church’s Mission in the World*, trans. Brian McNeil, with D. C. Schindler (San Francisco: Ignatius Press, 2003), 13–35.

### 3.1. *The indissoluble bond*

What can be drawn from the discussion up to now with respect to the particular sacramentality of marriage and its indissolubility? A common difficulty today in understanding the theological foundation of the sacramental bond of marriage is the tendency to see the bond as extrinsic to, rather than as a “real symbol” of, foundational Christian mysteries such as the Incarnation and the Christ-Church relation. At the root of this problem is the tendency to treat the relationship of the Christian to these mysteries in exclusively moral and juridical terms. A weakness of the arguments reviewed at the beginning of this essay is to presuppose precisely this extrinsicism. But the very nature of a sacrament is to be a symbol that contains (or is contained within) the reality which it signifies.

Certainly it is true that the marital bond cannot be located “somewhere above and beyond the couple.” On the other hand, the bond cannot be understood as a merely juridical entity or “contractual” obligation existing “in” the couple understood as an essentially autonomous pair of individuals. As we have seen, the “where” of the Christian is in Christ himself. This “where” is not a spatio-temporal one, nor the mere prefiguration of an ideal or life program, nor the external assumption of a task or dignity as would be the case if one were installed in a political or civil office. It is rather a radically real “where.” It entails a new orientation of the whole existence into which all else in life is assumed and thereby given a new significance. But this is not only an ethereal and “spiritual” reality; it is a bodily one, as the Eucharist and the meaning of the Church and the Incarnation testify. Our first conclusion, therefore, must be that the marital bond exists “in” the spouses who are themselves “in” Christ. Like the situation of the Christian in general, the couple *as such* now has a new form of existence in the Incarnation and the nuptials of Christ and the Church. Our question, then, is what this implies for our understanding of the marital bond.

As we have seen, the condition for the possibility of Christian marriage (as well as the other sacraments) is the virginal consent of Christ and his mother on behalf of the world. But their consent is not only consent given on behalf of the world without the active involvement of the world. Rather, human freedom is drawn into their consent on behalf of all of humanity and is invited to share in its outward form, as the state of consecrated virginity shows.

Thus, Christ’s and Mary’s consent is the central axis and ground not only of the world’s consent, but of every individual consent.

Like consecrated virginity, sacramental marriage is a fundamental response to the human vocation to love,<sup>27</sup> a “fundamental choice”<sup>28</sup> in love and faith. This can be seen when we consider marriage’s anthropological significance. It is true, of course, that the consent of marriage does not result in an “indelible character,” as in the character sacraments. Likewise, virginity does not entail such an indelible character. Neither state requires a sacramental character because each in its own way is a further articulation of the interior meaning of Baptism. Thus, marital consent engages the full depth of freedom shown explicitly in the consent of virginity, since each state precludes in absolute terms the possibility of consenting to the other. Once the spouses have given themselves in marriage, the possibility of self-gift in virginity is no longer available. Neither state leaves some remainder portion of one’s life to be bestowed according to the other mode of consent. Rather, in both, the whole of a given life is taken up and given its form. In a profound sense, all else in life either leads up to or flows out of this definitive moment of consent.<sup>29</sup>

Once we realize this fact, it becomes apparent that the difference between marital consent and other types of moral obligation is not one of degree. Rather, it is a difference in kind at the most fundamental level. Marital consent does not simply flow from an agreement between the spouses, which could potentially “not work out.” Rather, spousal “consent” (*consensus matrimonialis*) takes up the freedom and capacity of the human person for God. It tracks the very ordination of human nature itself as *capax Dei*. It therefore necessarily arises within—is enabled and made real by—the consents of Christ and Mary on behalf of all of humanity. Indeed,

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<sup>27</sup>Cf. *Familiaris consortio*, 11.

<sup>28</sup>Cf. *Veritatis splendor*, 65–68 (1993).

<sup>29</sup>As the burden of this essay’s argument already suggests, this fact can in no way be taken to suggest a leveling of the two states into a sterile parallelism, as though they were merely “alternative choices” canceling the irreducible and “objective” superiority of the virginal state (cf. John Paul II, *Vita consecrata*, 32 [25 March 1996]; cf. Ecumenical Council of Trent, Session XXIV [11 November 1563], Canon 10 [*DS*, 1810]). Rather, marriage depends on virginity’s pan-sacramentality for its sacramentality. Nevertheless, it remains true that they occupy the same “space” from an anthropological point of view, in the sense I have indicated.

because the consents of Christ and Mary are not only on our behalf but enable and take up our consent, marital consent is part of the content of what they offer to the Father. Thus, the consent of marriage is a fundamental form of giving oneself—albeit in and through sacramental mediation—to God.

In a way that is analogous to the assumption of human nature in the Incarnation, the Council Fathers tell us, “[a]uthentic conjugal love is assumed into divine love . . . and enriched by the redemptive action of Christ.”<sup>30</sup> Without this “assumption,” there could be no sacrament of marriage. But with it, marriage possesses the character of a kind of (*quasi*) “consecration.” That is to say, Christian marriage entails the orientation of the couple’s life together for an ecclesial task—most fundamentally, the service of life. Sacramental marriage, and the family to which it normally gives rise, constitute an indwelling of the sacred in the time and space of secular life, precisely in the task of marriage to raise members of the Church, society, and, ultimately, the kingdom of God.<sup>31</sup>

The “where” of marriage’s bond, then, is in the virginal and nuptial mystery of the Incarnation and its mission, but not simply in terms of external symbolism. Again, the virginal consent of Christ and Mary is not simply their consent on our behalf “without us.” Marital consent is taken up within the indissoluble bond between God and the world in the flesh of Christ and Mary precisely as part of what they offer “in” their own virginal consent to the Father. But as part of the content of their “vicarious” *yeses*, marital consent must

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<sup>30</sup>*Gaudium et spes*, 48.

<sup>31</sup>E.g., *Code of Canon Law Annotated*, ed. E. Caparros, et al. (Montreal: Wilson & Lafleur, 1993), 1134 (“in a Christian marriage the spouses are by a special sacrament strengthened and, as it were, consecrated for the duties and the dignity of their state”); this passage is also quoted in the *Catechism of the Catholic Church*, 1638. However, marital “consecration” is consistently qualified by the Church with phrases such as “in a manner” or “as it were.” See for example, *Casti connubii*, 41: AAS 22 (1930), 555 (“By [the] sacrament [of matrimony, spouses] will be strengthened, sanctified and in a manner consecrated”) and *Gaudium et spes*, 48 (“Spouses . . . are fortified and, as it were, consecrated for the duties and dignity of their state by a special sacrament”). These qualifications point to the fact that marital consecration exists in a different modality and order than that of virginity. If consecrated virginity, the fullest sense of consecration, is a consecration directly to God in the modality of Christ and Mary, the analogous sense of consecration found in sacramental marriage is a consecration of the spouses *to each other* in God, and only through their mutual mediation, *to God*.

necessarily take on the irrevocable form of their consent. Because marital consent is taken up in the consents of Christ and Mary, the bond to which it gives rise is located in the concrete form those consents take—the Incarnation and the nuptial relation between Christ and the Church that flows out of it.

### 3.2. *The paradox of sacramental marriage*

And what of the role of sexual consummation? Recall that, while the consent of baptized spouses makes a sacramental marriage, it is only the consummation of that marriage (when it becomes *ratum et consummatum*) that renders the bond indissoluble “by any human power or by any cause other than death.”<sup>32</sup> Thus, while consent gives rise to sacramental marriage, only consummation places the bond beyond any human power. As the *Catechism* puts it, the “consent that binds the spouses to each other finds its fulfillment in the two ‘becoming one flesh.’”<sup>33</sup> Sexual consummation, while not necessary for sacramental marriage, nevertheless cannot therefore be reduced to something extrinsic to the sacrament—as if it were only significant as a kind of juridical addition.<sup>34</sup> This fact only deepens the paradox with which we began this essay: while the radical ground for marriage’s indissolubility is the “pan-sacramental” virginity of Christ and Mary, the “fulfillment” or “perfection” of this indissolubility is realized in sexual consummation.

Our question then is why sexual consummation would bring about the “perfection” of the marital bond’s indissolubility. As we saw, the consents of Christ and Mary are made concrete in the bodily realities of their virginity. The fact that their consent culminates in a concrete bodily gift suggests the nature of human giving. Their consent does not suggest that the response to God can

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<sup>32</sup>*Code of Canon Law*, 1141.

<sup>33</sup>*Catechism of the Catholic Church*, 1627. See also, *Casti connubii* 36: AAS 22 (1930), p. 552 (spousal self-giving is “fully perfected [*plene perficitur*]” in marital consummation); *Gaudium et spes*, 49 (“*Haec dilectio proprio matrimonii opere singulariter exprimitur et perficitur*”).

<sup>34</sup>Thus, when Michael Lawler (see note 3, *supra*) argues that the first act of sexual intercourse cannot consummate a marriage because it is “outside” of the sacrament, he is begging the question.

entail a “bodiless” or “angelic” “yes.” Rather, it indicates precisely the opposite. It discloses the centrality of the body in the human response to God and, in God, to others. Indeed, the body, precisely in its masculinity and femininity, manifests the human vocation to love. It is, as John Paul II said, a “sacrament” of the person.<sup>35</sup> By this he means that it expresses the interior reality of the human person’s ordination to love and enables the free actualization of that love. There is, therefore, a “language of the body” expressed in both virginity and marital union.<sup>36</sup>

This is not a question of sexualizing the virginity of Christ or Mary. Nor is it to collapse marriage and virginity into each other as states of life. Rather, it is simply to point to what Angelo Scola calls the “sacramental logic” of the Incarnation.<sup>37</sup> For the Catholic faith, authentic human love always includes and even becomes concrete in the body. The Incarnation, Crucifixion, and Resurrection of Christ are central testaments to this fact. The Eucharistic sharing of his life with the faithful is another, as are the rest of the sacraments. But with respect to what John Paul II called the “nuptial body,” virginity itself is a radical verification of the necessary bodiliness of human love. As an expression of nuptial love, virginity is certainly not a choice for a purely spiritual love from which the body is excluded or irrelevant. If the body were unimportant to love, then virginity would make no sense. Rather, virginity expresses the fact that the body plays a crucial role in the vocation of human nature itself to love. In virginity, the body is given in love directly—that is to say, by way of direct participation in the pan-sacramental yes of Christ and Mary—to God. “As an incarnate spirit, that is a soul which expresses itself in a body and a body informed by an immortal spirit, man is called to love in his unified totality. Love includes the human body, and the body is made a sharer in spiritual love.”<sup>38</sup>

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<sup>35</sup>E.g., John Paul II, *The Theology of the Body: Human Love in the Divine Plan* (Boston: Daughters of St. Paul, 1997), 76. See also Scola, *The Nuptial Mystery*, 41, 129, 135.

<sup>36</sup>E.g., John Paul II, *Theology of the Body*, 357–360. Cf. also *Familiaris consortio*, 11, and *Veritatis splendor*, 48.

<sup>37</sup>Cf. *The Nuptial Mystery*, 98–99.

<sup>38</sup>*Familiaris consortio*, 11.

Indeed, love necessarily requires openness to its characteristic fruitfulness if it is to be fully actualized. Virginity allows the consecrated person to possess a “spiritual” paternity or maternity that is universal in its scope, tracking the fruitfulness of Christ’s and Mary’s love. The virgin is free to give to anyone and to everyone. His or her concern is not centered on a particular family, a spouse, or particular children. Rather, virginal love is free to give to anyone God places in its path.

What is said about virginity is also true *mutatis mutandis* of marriage. Marital consummation is a “fulfillment” of the conjugal love of the spouses because it expresses in the flesh the fullness of the implications and meaning of conjugal love: its full actualization in becoming “one flesh” and its commitment and openness to the characteristic fruit of that love. Because love is by its very nature fruitful, it is not until the bodily commitment and expression of openness to that fruitfulness is realized that the sacramental bond is entirely “fulfilled” or “consummated.” The characteristic fruitfulness of conjugal love is the child. Certainly, the spouses can also give more broadly. But they have a particular and sacred duty, which is characteristic of their vocation to marriage and family, to take into account first of all the welfare of the children and each other. Thus, marriage’s consummation stands for the openness of the spouses to love’s fruitfulness. The sexual consummation of marriage is the fulfillment of conjugal love’s consent in and through the body. It is a way of fulfilling in the flesh the spouses’ consent to the indissoluble consent of Christ and Mary. In this sense, the body “perfects” marital consent.

Sin aggravates the paradox for us. The reality of concupiscence makes it difficult to associate sexuality with the absolute giving away in love implied by indissolubility. The sin of the first couple shattered marital relations, dividing marriage in this world from its primordial oneness with virginity.<sup>39</sup> The physical union of man and woman was reduced to the merely sexual and not yet—or no longer—fully nuptial. Yet, the medieval resolution of the so-called *consensus-copula* debate did, in fact, affirm not only the centrality of consent in making marriage, but also the role of consummation in bringing the perfection of indissolubility to the resulting bond. This development in the Church’s understanding of marriage is only

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<sup>39</sup>Cf. Balthasar, *The Christian State of Life*, 95–103, for an overview of patristic and medieval thought on the unity of marriage and virginity in paradise.



possible given the fact that the virginal consent of Christ and Mary wins back the possibility for the absoluteness of the bond of conjugal love—its existence beyond human authority and power but, nevertheless, “in” the spouses.

What, then, does sexual consummation have to do with the bond that arises in the consent of the spouses? What can it add to this consent? The suggestion that sexual consummation is merely extrinsic to the sacrament implies an angelic anthropology. As virginity shows us, the fullness of human giving is mediated through the body; human love is never fully manifested in a bodiless consent. Human love in its fullness is always a giving away of everything that one is, as *corpore et anima unus*. Sexual consummation therefore carries the mutual belonging begun in consent to its fulfillment. It carries forward what is already implicit in verbal consent and brings it to its culmination and fulfillment in the flesh. It is on this basis that the tradition understands the role of sexual consummation as signifying Christ’s union with the Church or the unity of the divine and human natures in the Incarnation. In short, sacramental marriage’s bond is indissoluble because the union of divine and human nature in the Incarnation and through Mary’s motherhood is indissoluble.

At stake in marital indissolubility is the possibility of freedom in its most important and radical depths. Under the well-intentioned guise of promoting human freedom and autonomy, and to deal with pressing pastoral issues, the tendency to moralize the sacramental bond evacuates human freedom of its central role in bringing man to his destiny in Christ. What is not possible under such an understanding of the sacramental bond of marriage is precisely the freedom to give oneself away, which in the end is rather meaningless if it cannot be done irrevocably. But this irrevocability is precisely the inner character of the Christian freedom inaugurated by Christ and Mary. The effect of moralizing the bond is to abstract the consent of the spouses from the central axis of man’s consent to God. As such, it is radically to de-Christianize sacramental marriage. In the effort to render the teaching on marriage relevant to the world as we “see” it, it thereby alienates the bond from the world as it really is. □

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