Family Forum 2017
DOI: 10.25167/FF/2017/75-92

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Marriage, friendship and (civil) partnership: cultural phenomena or predefined entities? A biblical discourse with society

Małżeństwo, przyjaźń i partnerstwo (cywilne): zjawiska kulturowe lub uprawnione jednostki? Dyskurs biblijny w społeczeństwie

Abstract

When, on 30 June 2017, German parliament voted in favour of a bill which became known in the media as the so-called "Ehe für alle" (marriage for all), a significant role player in European society expressed itself on a matter which can be debated from the point of view of either shifting or fixed societal values. This contribution wishes to explore the question of the basic decision between shifting cultural and fixed socio-ethical viewpoints from a biblical stance. Hermeneutic realism calls for the realisation that the arguments to be presented will be informed by a reading which is influenced by the community in which it is set. Catholic social doctrine has been famously, for some observers rather notoriously, tasked with defining the concept of marriage. Which stance may be taken by an exegete amid so many contemporary points of view?

Keywords: *Marriage, politics, socialization, individuality, Old Testament Exegesis, Catholic social doctrine*

Abstrakt

Kiedy 30 czerwca 2017 r. parlament niemiecki głosował za projektem ustawy, która stała się znana w mediach jako tzw. Ehe für alle (małżeństwo dla wszystkich), znaczący podmiot w społeczeństwie europejskim wyrażał się w kwestii, którą można przedyskutować z punktu widzenia zmieniających się lub ustalonych wartości społecznych. Ten przyczynek ma za zadanie zbadać kwestię podstawowej decyzji między zmieniającymi się kulturowymi i utrwalonymi społeczno-etycznymi poglądami z punktu widzenia biblijnego. Hermeneutyczny realizm wzywa do uświadomienia sobie, że argumenty, które będą przedstawione, będą oparte na lekturze, na którą wpływ ma społeczność, w której są osadzone. Katolicka doktryna społeczna miała za zadanie, dla niektórych obserwatorów raczej notoryczne, zdefiniowanie pojęcia małżeństwa. Które stanowisko może przyjąć egzegeta wśród tak wielu współczesnych punktów widzenia?

Słowa kluczowe: *małżeństwo, polityka, socjalizacja, indywidualność, egzegeza starotestamentowa, społeczna doktryna katolicka*

Introduction

That reality is a social construction, is an insight which was brought under the attention of the proponents of the humanities especially through the seminal work of Peter Berger and Thomas Luckmann, The Social Construction of Reality: A Treatise in the Sociology of Knowledge, first published in 1966, thereafter being reprinted several times until the present day. In the introduction to their monograph, Berger and Luckmann explain that reality, as investigated by the sociologist, is intrinsically shaped by the culture in which it is experienced. More than half a century later, the globalisation of industry and financial systems, not least driven by the political decisions of leaders in the United Kingdom, Europe and the USA as well as by technological developments of the last three to four decades, at first lead to a parallel globalisation of cultures and ideas. Both forms of globalisation, the socio-economic and the socio-cultural, are beginning to show signs of deterioration. These can be seen in very recent political developments, again in the UK as well as on the Continent and especially in the USA: political voices positioning themselves right of centre increasingly call for a re-valuation of local instead of global identity.

The sexual revolution of the period round about 1968 marked an influx of ideas into the private realm which brought about changes at least as existential as the parallel developments in the public sphere. Sexual revolutions were,

of course, not limited to the sixties of the previous century. Reflecting on the *fin de siècle* even today has not lost much of its revolutionary force, intensified by the shocks of the First World War. It is not easy to date the following description, referring, admittedly, exclusively to the situation and behaviour of young women, but even today not less true also of men of different ages: "... women lived on excitement and kept themselves going by means of alcohol. Drugs ... might have been added, for evidently women were able to secure drugs to keep themselves going with little or no food and next to no sleep. The girl of the present day, even when still in her teens, had a freedom of action and liberty fraught with more than one danger. ... Girls not long from school were to be seen drinking cocktails, champagne, and liqueurs, while in time whiskies and sodas were added to the list of stimulants required to keep them going. It was certain that a considerable proportion of our girls acquired the habit of living on excitement so much so that they found themselves unable to break the habit and live a normal life with any prospect of happiness, and so unfitted themselves for motherhood and the duties of married life". These words were published on 18 February 1926 in the newspaper *The Guardian*, and it is an opinion voiced by a neurologist, Dr. J.S.R. Russell (the quote was reprinted in the *Guardian Weekly* of 17.02.17 on page 22).

Marriage: an arbitrary social phenomenon?

During their campaign for the 2017 parliamentary elections, the Austrian Green Party presented a poster depicting two amiable young men, glancing lovingly toward a baby boy positioned between them. The poster is accompanied by the words: *Wo die Liebe hinfällt, fallen wir nicht um*, which can be roughly translated with "Where love dictates, we don't let you down". On their official website, the Greens directly address their powerful opponent Sebastian Kurz of the Austrian People's Party, who holds a balanced centre to right-of-centre position, with the words: *Machen wir es, Kurz: Ja zur Ehe für alle* ("Let's do it, Kurz: yes to marriage for all"). These words are underlined by the, by now, typical picture of a wedding cake topped by two grooms. The faces of the two figurines bear no small resemblance to the two main figures of the Austrian pre-election drama: the officiating chancellor Christian Kern of the Austrian Socialist Party and his opponent and pre-election coalition partner Sebastian Kurz.

Marriage as a phenomenon has thus officially advanced to a central political theme[1] in a Central-European country in the year 2017 – but is it marriage?

The sociologist F.-X. Kaufmann has meticulously described many various cultural aspects of the development of the concept of marriage, and has also placed these in relation to the official Catholic doctrine on marriage and sexuality (cf. Kaufmann 2008). Starting with an enquiry into the question of its bio-social universality, Kaufmann sheds light on the aspects of 'relationship', 'marriage' and 'parenthood', which enable him to conduct an intercultural comparison of patterns of social conduct. His institutional perspective especially focuses on the aspect of progeny, which forces adult individuals to take responsibility for youngsters, not only in a 'biologically quantitative', but also in a 'culturally qualitative' sense (Kaufmann 2008, 258). As a result of the contributions of Pope Benedict XVI, thus Kaufmann, the use of evolutionary arguments in Catholic discourse is now also allowed. Referring to the observation of primate behaviour, Kaufmann is able to draw analogies to basic phenomena also occurring in the human world. These include (a) the vulnerability of new-borns and the prolonged dependence of infants and children on adult care; (b) the formation of (familial) groups, which is reinforced by the fact that sexual instincts do not diminish after offspring has been produced; (c) the integration into social groups of males, leading to (d) the differentiation of social duties and responsibilities according to gender (i.e., nurture as primarily female and defence as primarily male sphere of action). These phenomena might arguably be older than 70 000 years, according to many anthropologists (cf. Kaufmann 2008, 258f).

It is indeed true that marriage has had many faces in different cultural situations, over and above the evolutionary scheme sketched by Kaufmann, as described above. Roman civil law knew different forms of marriage, often legitimated neither by means of religious ceremonies, nor through written or oral contracts. Mutual consent sufficed to establish a matrimonial relationship, which could also be nullified in a single sentence: *tuas res tibi habeto*. The informal character of this practice led to legal uncertainties, calling for a stricter determination of the legal status of the offspring resulting from those often

[1] During their 2017 campaign for the German parliamentary elections, the young right-wing party AfD („Alternative for Germany") likewise exploited the motif of interpersonal love on an election poster. It depicted the body of a woman in an advanced stage of pregnancy, commented upon with the words: *Neue Deutsche? Machen wir selber* ("New Germans? We make them ourselves"). This of course represents a highly questionable move towards turning the private issue of family planning into a political-demographic instrument – a matter which deserves to be debated in a separate ethical discourse. We might remind ourselves of the practice introduced into Germany in 1938, of rewarding the so-called *Ehrenkreuz der Deutschen Mutter* ("Honorary Cross of the German Mother"), generally called Mutterkreuz ("Mothercross") to women who had borne numerous children fitting certain biological criteria.

loose associations (cf. Fechter & Sutter Rehmann 2009, 92). B. Luidolt (2010) conducted an extensive study on Roman marriage law and practice, especially with a view to comparing those with the new forms of cohabitation and familial structures emerging currently. Her study is concluded with a draft for legal guidelines for the realisation of these emerging societal structures (cf. Luidolt 2010, 111ff).

Translated into post-modern terms, the functions described above in Kaufmann's evolutionary terms might fairly well be fulfilled within the male-male (or, of course, female-female) constellations envisioned in the pre-election Green Party programme of Ms. Ulrike Lunacek and her team in Austria as well as in many like-minded communities of the West in general. The techniques of modern reproductive medicine have all but eliminated the biological necessity of male-female intercourse. Should surrogate parenthood be legalised in Germany, as is held in the party programme of the German Free Democrats[2], to name but one example, same-sex couples would have easier access to the attainment of offspring according to their private wishes and choices.

It is, of course, the argument of private freedoms onto which the state has no right to exercise undue influence which has carried the day to such an extent that it will hereafter hardly be possible to return to the *status quo ante*. Thus, the German Free Democrats are expressing cutting-edge *Zeitgeist* in formulating that the state should 'keep out of matters of intimacy' and enable its citizens to exercise free choices (*Der Staat sollte sich aus den intimen Angelegenheiten heraushalten und freie Entscheidungen ermöglichen*; cf. footnote 2). Ironically, though, matters of intimacy have been exploited politically in public debates to a previously unthinkable extent, as illustrated in all of the recent cases mentioned above.

Exegetical stocktaking

The Old Testament does not consistently use a single Hebrew term to denote that which we know as 'marriage' (cf. Berlejung 2015, 141). The concept, however, is very present throughout its literature and encounters us through a rich vocabulary. This vocabulary is dispersed primarily through the narrative and legal

[2] The original wording of the policy of the Free Democratic Party on this topic: *Wir Freie Demokraten fordern einen offenen Umgang mit den Möglichkeiten der modernen Reproduktionsmedizin. Allen Menschen muss unabhängig vom Familienstand der Zugang zu reproduktionsmedizinischen Angeboten gegeben werden. Das Kindeswohl hängt von der Liebe der Eltern ab, nicht von der Art der Zeugung. Der Staat sollte sich aus den intimen Angelegenheiten heraushalten und freie Entscheidungen ermöglichen, die ethisch vertretbar sind. Eizellspenden und nichtkommerzielle Leihmutterschaft sind in vielen Staaten der EU bereits legal und sollten auch in Deutschland unter Auflagen erlaubt werden* (www.fdp.de/wp-modul/btw17-wp-a-121; 01.10.2017).

texts of the Pentateuch (Torah) and in the Old Testament Writings. In a number of cases, the Prophets use marriage as a lively enactment of the relationship between God and his People, Israel. Here marriage functions, so to speak, as a metaphor come to life. In the New Testament the Gospels have a few remarks on marriage, its usage there being analogous to that of the legal texts of the Torah. Furthermore, the concept is used in Paul as a metaphor for the relationship between Christ and his Church, which can be related to earlier analogies in the Prophets. The marriage image in the book of Revelation, finally, may be seen as corresponding to the use of the image in the Old Testament Writings. We will now investigate these correspondences between Old and New Testament in the form of an anthology, using vocabulary and textual references to structure our arguments.

In its opening creation account, the Bible defines humanity as intrinsically differentiated into two distinct sexes, male and female (זכר ונקבה, Gen 1:27; for an extensive discussion of this aspect, cf. Schwienhorst-Schönberger 2015a, 959–962 [chapter V]; 963–965 [chapter VII]; 966–968 [chapter IX]). In this, humans reflect an important aspect of God's Being. That man is created as the image (צלם; cf. Gen 1:26; 9:6) of God is a biblical motif of great potency, even if its occurrence is less frequent throughout the Old Testament than that of many other central theological topics (cf. Wagner 2013, 217).

When Adam fathers his son, Seth, the event is described in creation language: "he became the father of a son in his own likeness" (בדמותו כצלמו; Gen 5:3).[3] This account, introducing the genealogies of Gen 5, is directly preceded in verses 1 and 2 by a repetition of the famous creation dictum of Gen 1,26f: "This is the book of the generations (תולדת) of Adam. In the day when God created (ברא) man, He made (עשׂה) him in the likeness (דמות) of God. He created them male and female, (זכר ונקבה בראם) and He blessed them and named them Adam (Man) in the day when they were created". Gen 5,1f applies terminology communicating the ideas of creation (ברא), creativity (עשׂה), fertility (here the verbal root ילד which, applied to a male person, may mean 'to father', to a female means 'to conceive' or 'to birth' and to an infant 'to be born', forms the basis of the word תולדת, meaning 'generations' or 'genealogy') and blessing (ברך) no less than five times. Furthermore, the motif of name giving, occurring in vv. 2 and 3 but already introduced in Gen 2:19f.23, underlines the primeval nature of what is described here.

[3] Biblical citations in English are based on the New American Standard Bible translation of 1977.

The parallel creation account in Genesis 2 has a different underlying message. The account of Adam's and Eve's first encounter in Gen 2:21-25 is preceded in v. 18 by an explanation for what is about to happen: "It is not good for the man to be alone; I will make him a helper (עזר) suitable for him". Until this point, in the creation account of Gen 1, man, Adam, was used generically to denote 'mankind' or 'humanity', which is then differentiated in Gen 2:23 into a male and a female version of that which intrinsically forms a unity, even if incomplete

> (cf. Schwienhorst-Schönberger 2015a, 964: *...ein ursprünglich unvollkommener Mensch [adam] geht in die Differenzierung von Mann [isch] und Frau [ischah]. Mann und Frau sind also keine depotenzierten Formen eines ursprünglich vollkommenen Menschseins, sondern umgekehrt: Mannsein und Frausein sind die differenzierende Ausgestaltung eines ursprünglich unvollkommenen, noch undifferenzierten Menschseins*; cf. furthermore Bratsiotis 1973, 242).

Even if איש and אשה are technically simply designations for the basic variations of human physique, namely 'man' and 'woman', these terms are also used specifically to denote a 'husband' and 'wife' (cf. Bratsiotis 1973, 239f). It is especially in combination with אשה that we encounter the verbs לקח, 'to take' (a wife) or נתן, 'to (be) give(n)' (a wife) as technical terms for the act of marriage or for the marital status. The act of marriage may furthermore be represented with the term בוא, 'to come/go' combined with a preposition, e.g. אל, 'to' (For לקח, cf. Gen 4:19; 6:2; 34:21; 36:2; Ex 6:25; Num 12:1; Dt 24:4f; Dt 25:5; Jdg 15:6; I Sam 25:43; I Ki 4:15; 7:8; Ezr 2:61; Neh 6:18; 7;63. For נתן, cf. Gen. 30:4.18; 34:21. For בוא, cf. Gen 19:31; 29:21; 30:4.16; 38:9; Dt 25,5; Jdg 15:1 Est 2:15). In Gen 30:16 and II Sam 11:11 the act of marriage is furthermore described with the verb שׁכב, which is reserved not only for intercourse within the confines of marriage, but may also refer to extramarital intercourse, cf. Gen 19:31-35; 2 Sam 11:4; 13:14.

Dt 21:13 applies three expressions denoting marriage: תבוא אלה ('you may come to her'); בעלתה ('you may become her husband'); והיתה לך לאשׁה ('and she will be a wife for you'). The word בעל (pron. *ba'al*) is usually encountered in a nominal form and can typically mean 'lord/master/owner/possessor of', in combination with any second noun denoting that which is owned by the בעל. When בעל ('owner of') is thus combined with אשׁה ('woman, wife'), the combination may be translated with 'husband'. The word בעל can also be used in combination with abstract nouns, e.g. בעל פקדת in Jer 37:13, meaning 'lord of the guard/sentry', which can simply be interpreted as a designation of function: 'watchman'. Similarly, the genitive construction בעל משׁה in Dt 15:2 denotes a man exercising the function of a 'creditor'. In describing the function of a man as the husband of a wife, the term

בעל אשה does not necessarily and automatically denote, contra Berlejung (2015, 141), *den Ehemann im Sinn des dominierenden Eheherrn im Verhältnis zu seiner Ehefrau* ('the husband in the sense of a dominating lord in relation to his wife'). In Dt 21:13 the root form of the word בעל is not used in its more typical nominal form, but in its verbal variation with a pronominal suffix, referring to the woman, attached directly to the verb, meaning 'to become her husband'.

We may thus gather, from this cursory glance at Old Testament language usage within the semantic field of marriage, that its vocabulary, especially in the Torah and in many narratives of the Deuteronomic History (i.e. the books Joshua – II Kings), is used not in a structured or systematised way, but is applied pragmatically with a view to depicting either very intimate situations or simple statements concerning a given legitimate marital bond between a man and a woman. Reading the texts listed above reveals certain regularities: romantic love is seldom mentioned, the procurement of offspring is a recurring motif, and the two parties involved always represent one male and one female. Intercourse within the framework of marriage, according to the biblical description, takes place between a male and a female partner.

Leaving the areas of legislation and narratology, it is especially the prophet Hosea who utilises his own marriage to the prostitute Gomer to enact the drama of God's relationship to his people, Israel (cf. Hos 1–3). These chapters excellently lend themselves to a reading according to the concept of performativity, which is an established concept within the discipline of theatre studies. Although relatively less prevalent in exegesis, it can bring fruitful insights into the exegesis of these chapters because of their specific performative character (cf. Pfister 2013, 590–592; Fischer-Lichte 2004; Berns 2013, 703f).

The marriage-related vocabulary governing these chapters has shifted from fulfilling a descriptive function, as was encountered in narratology and legislation, to conveying an emotional appeal to the reader (cf. Winkgens 2013, 30; 353). In contradiction to the vocabulary encountered in the texts we have examined thus far, we now for the first time read about חסד ורחמים ('lovingkindness and compassion', Hos 2:21 [v. 19, NASB]), חסד (pron. *ḥesed*) is a word with rich potential meaning. Traditionally translated 'lovingkindness', and a quality especially exhibited by God, it can also refer to human interaction. In that case, it can be described as the exchange of actions aimed at enhancing and sustaining life. These actions typically take place between husbands and wives, fathers and sons, hosts and guests, relatives, friends and people in general who treat each other with a kindness which cannot be taken for granted (cf. Zobel 1982, 57). Hos 2:22 (NASB: v. 20) similarly has the word אמונה ('faithfulness'), which of course is strongly associated with conduct which can be expected from partners

in marriage. (For more information on the development of these terms in the context of God's actions towards Israel, cf. Jeremias 1983, 50f).

Marital faithfulness is addressed in Mt 5:27-32, where Jesus pronounces a stricter interpretation of Ex 20:14/Dt 5:18 as well as Dt 24:1ff than was customary in his time and in his Jewish environment. L. Schwienhorst-Schönberger quotes the protestant New Testament scholar U. Luz's acknowledgement that his own detailed exegesis of the passage in Matthew had led him to the realisation that the Catholic position on the indissolubility of marriage corresponds most closely to the original intention of this text (cf. Schwienhorst-Schönberger 2015a, 949f).

R. Zimmermann composed an extensive work on the imagery of the relationship between the sexes as applied to the human relation to God (cf. Zimmermann 2001). For the New Testament he especially discusses the pericopes Mk 2:18-22 (Jesus as Groom) and 2 Cor 11:1-4 (the Church as Bride; cf. Zimmermann 2001, 227–325). These two texts, as well as the application of the human marital relationship to Christ's relation to the Church in Eph 5:21-33 (cf. Zimmermann 2001, 327–385) display a degree of correspondence with Old Testament texts such as the description of the royal wedding in Ps 45 and especially with the prophetic imagery of the 'marriage' relationship between YHWH and Israel, an example of which we have noted in Hos 1–3, but which furthermore occurs in Jeremiah 2–3; 13; 22 and 31 (cf. Zimmermann 2001, 112–117) Ezekiel 16 and 23 (cf. Zimmermann 2001, 120–122), and loosely dispersed through Isaiah 40–66 (cf. Zimmermann 2001, 129–137). Whereas the Old Testament Prophets mainly apply the image of marriage in a pessimistic way, highlighting the infidelity of the 'female' partner (Israel) in the God-man-relationship, the New Testament usage, especially in Eph 5, of this imagery is much more positive and optimistic in light of Christ's new beginning with his Church.

Although the book of Revelation contains some dark images of harlotry as enmity towards God (cf. esp. Rev 17 & 18), it is chapters 19–22, especially Rev 21:2.9, which provide valuable comparative material with the Old Testament. The image of the New Jerusalem, "made ready as a bride adorned for her husband" (21:2) is strongly reminiscent of the deep harmony reigning between the bride and groom of the Song of Songs (for an extensive enquiry into the cross-references between the Song of Songs and other Old Testament materials, especially in the Prophets, cf. Schwienhorst-Schönberger 2015b).

Catholic Social Doctrine on marriage

We have noted above that the secular debate on marriage, including that on 'marriage for all', strongly focuses on individual freedoms into which the state should, such is the argument, not meddle. The implication is that the Church, too, should remain silent on matters of personal intimacy and personal freedoms. Given the fact that Central and Western Europe has experienced an enormous drain on Church membership numbers in recent decades, both on account of members actively and officially leaving the Church (secularisation) and because of demographic realities (low birth rates) in traditionally European families, this might seem a legitimate demand coming from a society which has largely detached itself from a structure (the Church) to which it no longer feels itself committed. The Roman Catholic Church has, however, maintained a contrary stance on its 'right' to express itself concerning matters of intimacy. It has chosen to keep its definition of marriage as well as the listing of its characteristics upright and binding for all of its members. According to Roman Catholic Canon Law, marriage is (a) a covenant (b) between a man and a woman; (c) a partnership for life; (d) a sacrament; (e) indissoluble; (f) a matter of free mutual consent (cf. CIC, can. 1055–1057).

It has become clear in the course of our discussion that the respective spheres of jurisdiction of Church and State encounter each other in the question of the way in which individuals fashion their intimate lives. This question has a personal as well as a public dimension. In his Encyclical *Immortale Dei* of 1 November 1885, Pope Leo XIII addresses the very question of the relation between Church and State. He already refers to the problem of those areas of the personal lives of Christians and citizens which are influenced by Church and State simultaneously:

> The Almighty, therefore, has given the charge of the human race to two powers, the ecclesiastical and the civil, the one being set over divine, and the other over human, things. Each in its kind is supreme, each has fixed limits within which it is contained, limits which are defined by the nature and special object of the province of each, so that there is, we may say, an orbit traced out within which the action of each is brought into play by its own native right. But, inasmuch as each of these two powers has authority over the same subjects, and as it might come to pass that one and the same thing – related differently, but still remaining one and the same thing – might belong to the jurisdiction and determination of both, therefore God, who foresees all things, and who is the author of these two

> powers, has marked out the course of each in right correlation to the other (Leo XIII, Encyclical *Immortale Dei* 13).

On considering the encyclical in its entirety, the reader grows aware of the fact that its author writes within a different epoch, one in which the Church still speaks with a more confident voice. Canon Law today increasingly has the character of paraenesis, which places it in a different category than state law, which can be enforced through the instruments of the state's executive powers. However, it may be argued that society today needed the definitely demarcated lines of ecclesial guidance more than ever.

In exegetical literature, paraenesis is generally understood as an exhortation or admonition, adherence to which cannot be enforced by physical means. It rather represents an appeal to the conscience of the individual. J. Milgrom (2001, 2179) speaks of "an ethical and, hence, unenforcable law". Paraenesis may furthermore be understood not only as admonition, but also under certain circumstances as encouragement or as a call for action. Paraenesis wishes to motivate and convince through argumentation and appeal to reason (cf. Braulik 2015, 21f.25). In his description of paraenesis, G. Braulik, as an exegete, applies the principles of speech act theory to the explanation of the character of paraenesis (cf. Berns 2013, 703–705).

Approaching the theme of paraenesis as an ethicist, B. Schüller distinguishes paraenesis from normative ethics – and thus, other than Braulik, works with a divide between paraenesis and argumentation (cf. Schüller 1980, 15ff). Normative ethics, thus Schüller, concerns itself with determining the content of that which is to be done, whereas paraenesis aims at implementing the principles which have been laid down in the process of practising normative ethics (cf. Schüller 1980, 17). Schüller postulates that paraenesis can only be successful when all parties concerned *agree* on the validity of the moral principles involved (*Paränese kann nur gelingen, wenn ihre Voraussetzung erfüllt ist, wenn das Einverständnis aller Beteiligten über das, was sittlich und/oder rechtlich gefordert ist, tatsächlich besteht*; Schüller 1980, 16).

Where that is not the case, i.e., where parties disagree on the normativity of an ethical principle, paraenesis gives way to argumentation ("Jedenfalls ist dort Argumentation und nicht Paränese am Platz, wo kein Einverständnis über eine bestimmte sittliche Weisung besteht"; Schüller 1980, 17). The Church finds itself in exactly this situation with reference to secular society: there is no agreement between these two entities on the normativity of biblical and ecclesial guidelines for the organisation of the private lives of individuals. The Church may argue its case before secular society – it, however, can have no certainty about

the outcome of the debate. Therefore the Church has to turn to the community which *does* accept such normativity, and within this smaller framework it may turn from argumentation to paraenesis. Within the confines of the Church community, paraenesis then takes on the aspect described by G. Braulik and other exegetes. Within this homogeneous community, the subject of intimacy both in its private and its public-social guise may be 'argued' about, but with the basic attitude of encouragement rather than admonition.

E. Schockenhoff has addressed the problem of individual freedoms vs. ecclesial discipline on the basis of the argument of monogamy as an intersubjective relationship between one man and one woman, quoting P. Mikat in stating that it is the expression of an ethos of human dignity. Monogamy, furthermore, is an expression of human rationality and marks historical, irreversible order in the relationship between the sexes (cf. Schockenhoff 2008, 296). Schockenhoff and Mikat, thus, both argue along the lines of natural as well as historical order. L. Schwienhorst-Schönberger (cf. 2015a, 951f) likewise stresses the reparation of the original order of Creation and mentions the New Testament scholar J. Gnilka's view that Jesus, in his treatment in Mk 10:9 of Gen 1:27 and 2:24, deducts God's will from the order of Creation. Schwienhorst-Schönberger then enquires whether Gnilka here commits a naturalistic fallacy, or whether his arguments remain close to moral realism. Referring to a contribution of E. Schockenhoff from 2014, Schwienhorst-Schönberger concludes that an ontological substantiation of ethics serves as an antidote for, in Schockenhoff's words, the basic problem in modern ethics of subjectivism, reductionism and relativism (cf. Schwienhorst-Schönberger 2015a, 952).

Referring to Mikat's mention of historical, irreversible order, Schockenhoff (2008, 296) continues to speak about freedom and discipline as follows:

> *Es beruht auf einer Verkennung dieser geschichtlichen Zusammenhänge, wenn heute vielen Menschen die Ehe als eine von der gesellschaftlichen Entwicklung überholte Lebensform erscheint, während alternative Partnerschaftsformen als Modelle eines attraktiven, zeitgenössischen Lebensstiles gelten, der dem Bedürfnis nach Selbstbestimmung, Autonomie und Freiheit entgegenkommt. Wenn der gesellschaftliche Wandel im Partnerschaftsverhalten und in den familialen Lebensverhältnissen der Menschen zu einer fortschreitenden Erosion des objektiven Sinngehalts der tradierten Lebensformen von Ehe und Familie führt, bringt dies zwar auch einen individuellen Freiheitsgewinn für die Betroffenen mit sich, da dieser Vorgang ihnen faktisch einen größeren Freiraum zur autonomen Disposition über die eigene Lebensführung einräumt. Die Kehrseite dieser Entwicklung ist allerdings eine wachsende Entsolidalisierung der Geschlechter, die sich unter dem Deckmantel gesellschaftlicher Individualisierungsprozesse vollzieht.*

Thus the individual and individualised freedoms demanded by, and in creating new legal possibilities, also offered by contemporary European society, merely represent phantom freedoms, their obverse being a resulting growing detachment of the sexes from each other. Schockenhoff (ibid.) points out that these processes of individualisation in fact lead to the dissolution of reliable interpersonal structures, accompanied by increased vulnerability and legal insecurities.

Spiritual truths

We have noted that a return to the *status quo ante* can hardly be anticipated at the time. Society is experimenting with new means of addressing the objective situation of the said increased vulnerability and insecurity of people in, according to ecclesial definitions, a-typical familial constellations. The Church is confronted with the choice between coming to terms with new societal structures or, on the other hand, offering real alternatives to those modern interpersonal relationships which contradict the biblical draft for human interaction. Schockenhoff (2008, 299f) calls this proffered augmented palette of options an 'epochal challenge' to the Church.

Pragmatic considerations – beginning with the sheer statistical evidence of individual biographies in constant flux – force even Roman Catholic ethicists and moral theologians to reconsider their theoretical points of view (cf. Schockenhoff 2008, 300). Does the ideal of one irreversible choice for life, 'until death do us part', still correlate with the realities of a deeply uprooted society? Schockenhoff (ibid.) connects the ideal of irreversible decisions to the uniqueness of each human individual and the unrepeatable quality of each human life story – an observation which, in fact, honours human individuality far more than many a popular version of the same. The subtle difference between the individuality honoured by the moral choice of life partnership between one man and one woman and the often open-ended individual freedoms into which Church and State, according to Liberal Party policy, has no right to meddle, is such: an irreversible choice for one partner of the opposite sex primarily honours the individuality of the counterpart, whereas the many optional freedoms championed in libertarian policies primarily honour the own, personal individuality of the person exercising his or her choice.

Another challenge can therefore be formulated and presented to the Church: that of offering deeply rooted, secure theological and spiritual support to couples and individuals decidedly and wilfully wishing not to enter into a-typical,

non-biblical relational constellations. This does not mean that individuals struggling with existential questions, possibly having experienced traumata which render them unable to enter into a traditional marriage relationship, should be forced to do so under social pressure. It does, however, mean that the pastoral responsibility of the Church is to remind those wishing to exercise their freedom towards a choice founded in biblical ideals that they are not left alone in that choice, but already, by the very truth of their baptism, live as part of the Bride of Christ, their Groom (Eph 5:22-33).

L. Schwienhorst-Schönberger (2015a, 959–962), in discussing the emotional bond between David and Jonathan (I Sam 18:1-5; II Sam 1:26) or between Jesus and his Beloved Disciple (Joh 13:23.25; 19:26; 21:15-23), points to the fact that the preconditions present in the biblical treatment of interpersonal relations seem to be non-negotiable. Furthermore, authentic human friendship by no means necessarily needs to lead to acts of a sexual nature:

> Die Bibel scheint … mit 'Vorgaben' zu rechnen, die nicht verhandelbar erscheinen. Der biblische Befund dürfte so zu deuten sein, dass die leiblichen Ausdrucksformen von Freundschaft und Liebe nicht notwendigerweise mit sexuellen Handlungen im engeren Sinne korrelieren müssen" (Schwienhorst-Schönberger 2015a, 962).

Schwienhorst-Schönberger then concludes these remarks with the inconspicuous sentence: *Ein analoges Muster liegt der Lebensform der „Ehelosigkeit um des Himmelreiches willen" zugrunde* (*ibid.*). This remark refers to those abstaining from marriage 'for the sake of the kingdom of heaven', cf. Mt 19:12. Deep friendship thus represents a very real and also biblical alternative for all people, married and unmarried, towards leading a fulfilled and enriched life. The life of St. Teresa of Avila proves to be an excellent example of a life lived in deep friendship with God and man. Having had a natural inclination towards and gift for human friendship, she initially, after entering her first monastery, struggled to find a balance between friendship with God and that with humans. In the course of time she learned that prayer was her deepest expression of friendship with God, enabling her to turn her gift of friendship towards humans into a vocation (cf. Kleffner 2016, esp. 129–145).

Ecclesial confines as areas of unexpected freedom?

In a personal communication with an old university friend who, after deep consideration, in recent years decided to join a Christian monastic community, the present author recently had the privilege of gaining insight into the inner processes underwent by this friend in the course of settling into her new life situation. She describes that, living in the monastic community, she has learnt to endure and grow through many small hardships and minor irritations. She goes on to express the suspicion that the development of a marriage relationship presents itself in a rather similar fashion as an opportunity for growth, and that endurance is an equally important principle there, too. Being remoulded within the confines of our choices, in the words of St. Benedict, widens and mildens the heart.

Her words do not represent a fictional account of a utopian ideal, formulated by someone doing a great deal of wishful thinking. They are much rather a reflection on a lived reality, repeatedly mentioning the aspect of human fallibility and of endurance as a prerequisite for the development of maturity. These aspects are rather absent in secular debates arguing in favour of the establishment of the legal procurement of 'personal and individual liberties'. Enshrined libertarianism typically does not gladly engage with concepts such as 'confines', 'boundaries', 'limits', or 'abstinence'.

In a monograph discussing the Rule of St. Clare of Assisi, author E. van den Goorbergh considers the Rule to be a 'model of spiritual transformation' (Van den Goorbergh 2010, 7). The designation 'Rule' represents a concise version of what we may currently understand of St. Clare's document, which had undergone different processes of development before first being approbated on 16 September 1252 by Rainaldus, cardinal bishop and protector of the Order of the Minor Brothers and of the Poor Sisters. On 9 August 1253, two days before the death of St. Clare, it was authenticated by a papal bull issued by Pope Innocent IV (cf. Van den Goorbergh 2010, 17f). This document, however, should technically not be called a 'rule', but rather a 'life form', since the Fourth Lateran Council stipulated in 1215 that no new monastic rules may be added to those already in existence. Clare thus had to designate her writing as *forma vitae* (cf. ibid., 18; 36). Van den Goorbergh elaborates on the meaning of '*forma*' and 'formation': the Latin '*forma*' refers to the way in which inner inspiration leads to an outward concretisation. St. Bernard of Clairvaux considered '*forma*' to be a keyword for an inner, personal movement towards Christ. Wisdom, thus Bernard, equals '*forma*', and the process of formation leads to '*conformatio*' – conforming to the likeness of Christ (Van den Goorbergh 2010, 25).

These considerations guide us back to the vocabulary of the Creation account, in which God formed (יצר) man out of the dust of the earth, breathing life into his nostrils, through which man became a living being (Gen 2:7). Although the reference of man's being made into God's image (צלם), used in Gen 1:26, is absent here, the idea of his breathing life into man's nostrils likewise suggests intimacy with God as well as inspiration – that is, being invigorated with his very breath (נשמה).

An anthropology thus enlightened by creation theology 'widens the heart' towards greater respect, both for the self and, importantly, for the other.

Perhaps the two student friends conversing about human life in its different forms might have the last word. The friend who chose monastic life writes:

> With all of this I wish to say – I think that there essentially is hardly any difference between our lives. People often think that there is at least a universe between "the world" and "the abbey". But that is not true. To this, the friend who chose married life replied: You are so very right in your observations. I remember once sitting in a kind of oral examination at our Faculty, where one professor subjected each candidate to many intricate questions. One of these questions was about an aspect of monastic life – I don't remember which. What I do remember, though, is his friend and colleague, who was chairman of the round, laughing and interjecting: "It's all about the monk in you, my friend. It's about the monk in you".

Monastic life, for the young nun, can be defined as a life led truthfully as a concretisation of the ages-old monastic cry of the heart: "Your face, oh God, I wish to seek".

Where men and women live together in unity (Ps 133) *coram Deo*, be it as brothers and sisters, as married couples or as friends choosing a chaste unity of heart, this monastic ideal turns into a reality in conformity with the order of Creation.

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Data wpłynięcia: 15.10.2017.

Data uzyskania pozytywnych recenzji: 06.11.2017.