



# **MISSION TERRITORY**

**POPE FRANCIS, IRELAND AND THE  
WORLD MEETING OF FAMILIES 2018**

*Towards a renewed understanding of Marriage,  
the Family and the Domestic Church  
for Christian faith and society*

Patrick Treacy SC

In appreciation  
of my parents

Today, every land is a 'mission land',  
every dimension of human life is mission territory  
awaiting the proclamation of the Gospel.

Pope Francis  
The Vatican  
7 October 2016



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*Integritas* is a domestic centre of Christian spirituality located at Ennisnag, Stoneyford, County Kilkenny, Ireland. Within it, there is a contemplative garden which contains wooden sculptures that are symbolic of different spiritual truths. These sculptures were made by members of the Camphill, Kingsriver and L'Arche communities in the local area. The sculpture, at the end of the path, pictured above, is entitled *Enfolding Presence*. It is carved from the trunk of a tree, with three ways of entering into its body. It stands on three feet made from black marble and is crowned by a marble bowl. The piece is symbolic of the presence of the persons of the Holy Trinity, *the* holding environment, which sustains every creature and all of creation. The crowning bowl represents the truth that their presence holds us and cares for us – the family of God - Father, Son and Holy Spirit.

I could see no difference between God and our own being; it seemed to be all God. Yet my mind understood that our being is in God, that is to say, God is God, and our being is created in him. For the almighty truth of the Trinity is our Father: he made us and keeps us safe in himself; the deep wisdom of the Trinity is our Mother, in whom we are all enfolded; and the tremendous goodness of the Trinity is our Lord, in whom we are enfolded and he in us. We are enfolded in the Father, in the Son and in the Holy Spirit, And the Father, the Son and the Holy Spirit are enfolded in us: all-mighty, all-wisdom, all-goodness, one God, one Lord.

Lady Julian of Norwich  
(14th century)

The triune God is a communion of love, and the family is its living reflection.

Pope Francis, *Amoris Laetitia*, 11

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*A domestic centre of Christian spirituality*

# integritas

*Integritas* is a domestic centre of Christian spirituality, which commenced in 2000 at Ennisnag, Stoneyford, County Kilkenny, at the home of Linda Rainsberry and Patrick Treacy. They continue to live in this home with their four children. This centre, at their home, has evolved into concentrating upon the following eight areas, which are seen as pivotal in the promotion of Christian faith in an era that is increasingly secularist:

## *1. Contemplation and Vocation*

The cornerstone of this centre is prayer. On each Wednesday evening, from September to June, a programme of contemplative prayer and reflection is offered which is based upon the Spiritual Exercises of St. Ignatius of Loyola for its content. This way of prayer emphasises that through the practice of reflective prayer, one discerns one's unique vocation or calling from God. These evenings, therefore, seek to deepen the personal experience of God, while also clarifying how one is called by God to live one's life.

## *2. The Body in Christian Faith*

A programme is being developed at this centre which seeks to address how the loss of connection with the human body can be recovered in Christian spirituality. It is ironic that the centrality of the human body has been lost in Christian faith even though it is Christianity alone which professes that God became fully incarnate in the human person of Jesus Christ. This objective is pursued in direct response to the number of people who have recourse to hatha yoga, mindfulness and other Eastern spiritual practices arising from the absence of finding ways of connecting with God, through the human body, within the tradition of Christian faith. This emphasis is also seen as increasingly important because of emerging transhumanist philosophies in gender and anthropology, which deny the truth of the human body and the complementarity of man and woman.

## *3. The Integrity of Marriage*

This centre promotes the Christian truth that marriage is based upon the natural complementarity of man and woman and the union of both sexes, for it is from this union that each of us is conceived. Whilst acknowledging that this understanding of marriage is rooted in the Judeo-Christian tradition, it is also based upon the objective, unchanging truth that the fullness of the human person can only be known from man and woman and their union. The integrity of marriage is based upon this reality which, in addition to being fundamental to Christian revelation, is also in accordance with the natural reality of the human body.



#### *4. The Human Ecology of the Family*

Allied to a renewed understanding of the importance of the human body and the complementarity of man and woman, this centre is developing a study group which focuses upon the human ecology of the family. This ecology underlines the importance of every child being known and loved by his or her mother and father and of ensuring that their love and care is available for every child so far as this is possible. It also calls for an integral ecology which underlines that the care of the created world must be matched with a concern for the welfare of the family, in which the relationships between parents and their children are protected to the greatest extent possible.

#### *5. The Domestic Church*

This centre explores how the Roman Catholic Church and the Church of Ireland can be renewed through a recovery of the importance of the home, the domestic church, founded upon the integrity of marriage and the human ecology of the family. This is seen as imperative as we move from an understanding of the Church which placed the priesthood as central, to an understanding of Church which places the experience of love and relationships, first found in the family, also at the centre of its life. Those in spiritual leadership in this emerging Church will often be mothers and fathers of children who reflect the values of stability, obedience and life-long conversion in daily family life.

#### *6. Christian Faith in Education*

This centre also houses an advocacy and research group entitled *Faith in Our Schools* which seeks to reclaim the Christian vision for primary and secondary education. This initiative seeks to realise a vision of education that is, or that ought to be, embodied in a Church school, whether Roman Catholic or of the Reformed traditions. It sees the primary concern of education as religious and moral, not only as subjects in themselves, but as the foundation of the entire educational process, for if education does not combine to convey some general view of life, it is not an education at all.

#### *7. The Nature of Constitutional and Human Rights*

A further aim of this centre is to advocate that the true nature of constitutional and human rights is founded upon a primary commitment to God, which, in turn, entails absolute respect for the dignity of the human person. Their nature requires respect for the principle of equality which responds to unjust discrimination between persons. The just application of the true nature of constitutional and human rights is not meant, however, to be used to the detriment of the common good, such as to advance the legal deconstruction of marriage, the family or faith-based education. Rather, constitutional and human rights are intended to protect and justly order the inalienable dignity in human difference and not become political instruments to impose a secular uniformity.

## *8. The Christian Foundations of Law and Society*

One of the key objectives of *Integritas* is to articulate a public theology grounded upon the rediscovery of the Christian foundations of law and society. It is based upon the conviction that the dislocation of Christian faith from public life increasingly threatens the future of our society. When society becomes post-religious, it is in danger of becoming post-human. In essence, this objective entails a wrestling with the larger question of how spiritual values should function in a modern society. A renewed public theology is seen as profoundly necessary to respond to ‘the secularist crisis’ which leads to an ever greater organisation of Western society without God and then against mankind.

## *9. An Ecumenical Christian Spirituality*

The final aim of this centre is to define and teach a coherent Christian spirituality which is ecumenical and founded in three essential elements: theology, practice and rhythm. A clear theology is necessary so that a way of faithful living is explored which is tested by reason and which seeks understanding. A spiritual practice must also be defined so that a way of daily life emerges which is real and engaged. Finally, this spirituality must be in accordance with the rhythm of the seasons and of the liturgical year so that it is in accord with one’s environment and with the life and mission of the Universal Church.

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**MEETING OF FAMILIES 2018**

**Towards a renewed understanding of Marriage,  
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Patrick Treacy SC

First published by *Integritas*  
a domestic centre of Christian spirituality

on

The Feast of the Annunciation

25 March 2017

To all I say, revere and protect your family and your family life, for the family is the primary field of Christian action for the Irish laity, the place where your "royal priesthood" is chiefly exercised. The Christian family has been in the past Ireland's greatest spiritual resource. Modern conditions and social changes have created new patterns and new difficulties for family life and for Christian marriage. I want to say to you: do not be discouraged, do not follow the trends where a close-knit family is seen as outdated; the Christian family is more important for the Church and for society today than ever before.

The future of the Church, the future of humanity, depend in great part on parents and on the family life that they build in their homes. The family is the true measure of the greatness of a nation, just as the dignity of man is the true measure of civilization.

(St. John Paul II, 1 October 1979 at Greenpark Racecourse, Limerick, from his final homily at the conclusion of his Apostolic visit to Ireland.)

## MISSION TERRITORY

'*Mission Territory*' is a term used by Pope Francis. It is chosen in the title of this text in response to his teaching about 'ideological colonization'. On 1 October 2016, during a meeting in Tbilisi, Georgia, Pope Francis said that "today there is a global war to destroy marriage". He also said "today you do not destroy with weapons, you destroy with ideas. It is ideological colonization that destroys."

In Western societies today, particularly in the areas of social policy concerning marriage and the family, those who adhere to Christian belief are called to reflect upon whether our societies are being destroyed with ideas which do not reflect the truth of human nature and which, in fact, serve to undermine it. When a society becomes monopolised in its social policy with false ideas, it then becomes mission territory because, in conscience, these ideas have to be challenged with public advocacy and engagement.

Some of these ideas in Western societies that are called to be challenged, in the area of social policy concerning marriage and the family, are:

1. That marriage has nothing to do with the distinction as to sex between a man and a woman;
2. That in determining the sex of a person as a man or a woman, his or her physical body has no role to play in this determination and that the sole criterion is that person's subjective view as to what his or her sex is;
3. That a child has neither a need for, nor a right to a mother and a father;
4. That to give a same-sex couple full legal status (including explicit reference in a written Constitution where applicable), but to refer to their union other than as a 'marriage', is an act of inequality, discrimination and in breach of their human rights.

In challenging these ideas from a Christian perspective, however, one has also to honour that every human being is made in the image and likeness of God and that all human love comes from God. Whoever does not love does not know God, for God is love. (1 John 4:8) We need to be constantly taught how to discern the hand of God in all His works and His likeness in all of us as His children.

Irrespective of one's sexual orientation, the vast majority of people have the deepest desire to love and to be loved by one other person in a special and unique way. Similarly, aside from one's sexuality, most of us hold an innate desire to become a parent to a child and to nurture this child to adulthood. The frustration of these desires is acutely painful for any person, which, again from the perspective of Christian faith, is understood as suffering deep within the heart of God.

A humane society, based upon the love and mercy of God, will always seek to honour these aspirations for every one of its members in so far as it can in a way that is good for the welfare of all and for future generations. It will always be difficult for us, therefore, to critically question any limitations placed upon these desires. Yet, we also know that conscience calls us to be truthful about the deepest nature of humanity and to seek what is best for all and for those to be born into our society.

# KEY EVENTS CONCERNING MARRIAGE AND THE FAMILY

## 1. THE REDEFINITION OF MARRIAGE REFERENDUM IN THE REPUBLIC OF IRELAND

On 22 May 2015 the citizens of the Republic of Ireland voted in a referendum to change the definition of marriage in the Constitution of Ireland, 1937 so as to insert Article 41.4 therein which provides that: *‘Marriage may be contracted in accordance with law by two persons without distinction as to their sex.’* The referendum was carried by 62.3% to 37.7% of those who voted.

The Bill of the Irish Government which brought the referendum before the people ensured that the referendum was titled as the *‘Marriage Equality’* referendum but the referendum was truly about fundamentally changing the legal definition of marriage so as to remove the distinction as to sex between a man and a woman from its meaning in Irish law. Not a single political party opposed the referendum. The editorial of every national newspaper advocated for the referendum to be carried.

This country is the only one in the world to have removed the distinction of sex between a man and a woman from the definition of marriage by means of a referendum and by the change of its written Constitution. In 1937, the Irish Constitution was the first in the world to feature human dignity in a prominent way and did so by being fundamentally grounded in Catholic social teaching. It is now fundamentally contradictory in its most socially important and sensitive article: Article 41 – THE FAMILY.

On Tuesday evening, 26 May 2015, the Vatican Secretary of State, Cardinal Pietro Parolin, spoke to reporters on the margins of the *Centesimus Annus* conference in the Vatican. When commenting upon the outcome of the same-sex marriage referendum in the Republic of Ireland three days previously he said:

*“This result left me feeling very sad but as the Archbishop of Dublin pointed out, the Church will have to take this reality on board in the sense of a renewed and strengthened evangelisation. I believe that we are talking here not just about a defeat for Christian principles but also about a defeat for humanity.”*

## 2. THE LEGAL DECONSTRUCTION OF MARRIAGE IN THE REPUBLIC OF IRELAND

On 1 July 1937, the Constitution of Ireland was enacted by the People. It provides in Article 41.3.1 that:

*‘The State pledges itself to guard with special care the institution of Marriage, on which the Family is founded, and to protect it against attack.’*

Notwithstanding Article 41.3.1, on 22 May 2015, the Government of the Republic of Ireland brought a referendum before the People which succeeded in having the Constitution of Ireland amended, while leaving Article 41.3.1 in place, by inserting Article 41.4 which provides that:

*‘Marriage may be contracted in accordance with law by two persons without distinction as to their sex.’*

Up to the point of the passing of this Referendum, Article 41 of the Constitution of Ireland dealt with the man-woman based family. The Referendum Commission (an independent body charged with the role of giving non-partisan information about the referendum to the people) confirmed during the referendum that with the introduction of Article 41.4 into the Constitution of Ireland, “a marriage between two persons of the same sex will have the same status under the Constitution as a marriage between a man and a woman” and “will be recognised as a family and be entitled to the Constitutional protection for families”.

As the referendum is passed, Article 41, heretofore unambiguously and exclusively heterosexual, now recognises a homosexual couple “as the natural primary and fundamental group of Society ... a moral institution possessing inalienable and imprescriptible rights, antecedent and superior to all positive law” (Article 41.1). Such a couple is also now guaranteed protection by the State “as the necessary basis of social order and as indispensable to the welfare of the Nation and the State”. (Article 41.1.2)

In a letter to *The Irish Times*, published on 13 May 2015, nine days before the referendum, Professor John A. Murphy, Emeritus Professor of Irish History, University College Cork, described the proposed marriage amendment and what is now the wording of Article 41 of the Constitution of Ireland as “constitutional nonsense”. This arises from the legal deconstruction of marriage in Article 41 by reason of the insertion of Article 41.4 therein. In other words, the article pledges the State to guard with special care the institution of marriage (as it is only the union of a man and a woman that can give birth to a child), while now also stating that marriage can be contracted by two persons whether or not they are a man or a woman.

### **3. THE LEGAL DECONSTRUCTION OF THE RIGHT OF A CHILD TO A MOTHER AND A FATHER IN THE REPUBLIC OF IRELAND**

The insertion of Article 41.4 has another profound effect in terms of the legal deconstruction of the rights of children. While the Constitution of Ireland proclaims that the State recognises and affirms the natural and imprescriptible rights of all children, it now contradicts the right of a child to a mother and a father.

On 10 November 2012, the Government of the Republic of Ireland brought a referendum before the People which succeeded in having the Constitution of Ireland amended by inserting Article 42A, which is entitled ‘CHILDREN’ and which provides in Article 42A.1 that:

*‘The State recognises and affirms the natural and imprescriptible rights of all children and shall, as far as practicable, by its law protect and vindicate those rights.’*

By reason of Article 41.3.1 and Article 41.4 of the Constitution of Ireland, the Irish State is now pledged to guard with special care the institution of Marriage (upon which it states the Family is founded) between two men or two women even though two married persons of the same sex cannot, of themselves, give birth to a child nor nurture a child as a mother and a father. This newly created constitutional right of a couple of the same sex to be married and to found a family, which entails having a child, is now in conflict with the natural and imprescriptible right of a child to a mother and a father.



Natural and imprescriptible rights can never be in conflict with each other. By their very essence, as transcendent, they are indivisible and can only be understood as an integrated and harmonious whole. The natural and imprescriptible right of a child to a mother and a father cannot be justly contradicted by any other claimed right, constitutional or otherwise. Yet not one single childrens' rights agency, human rights advocacy group or human rights body in the Republic of Ireland objected to the insertion of Article 41.4 into the Constitution of Ireland. In fact, they all supported it and campaigned for it to varying degrees.

The right of a child to know and be nurtured by his or her mother and father is, however, a natural and imprescriptible right which the State is obliged by Article 42A.1 of the Constitution of Ireland to protect and vindicate as far as practicable. Furthermore, the Republic of Ireland has ratified the United Nations Convention on the Rights of the Child in 1992 and is bound to it by international law. Article 7.1 of this Convention provides:

*“The child shall be registered immediately after birth and shall have the right from birth to a name, the right to acquire a nationality and, as far as possible, the right to know and be cared for by his or her parents.”* (emphasis added)

Compliance is monitored by the United Nations Committee on the Rights of the Child, which is composed of members from countries around the world. This Committee has raised no issue to date with the Government of the Republic of Ireland that the Constitution of Ireland now undermines the right of a child to a mother and a father. The same childrens' rights agencies, human rights advocacy groups and human rights bodies in the Republic of Ireland who supported and campaigned for the insertion of Article 41.4 into the Constitution of Ireland are invariably the parties who make representations to the United Nations Committee on the Rights of the Child.

#### **4. THE WORLD MEETING OF FAMILIES**

The World Meeting of Families was inaugurated by St. John Paul II in Rome in 1994. Its purpose is to bring the members of the Catholic Church from throughout the world together to celebrate and reflect upon the gift of marriage and family as central to God's plan for us, His family and people. This international meeting is held every three years. The last meeting was held in Philadelphia, U.S.A. in September 2015. On the final day of this meeting, 27 September 2015, Pope Francis announced at the conclusion of the Papal Mass that the next World Meeting of Families will be held in Dublin, Ireland in 2018. The dates for this meeting have now been fixed for 21 August – 26 August, 2018. The theme for this ninth World Meeting of Families is *'The Gospel of the Family: Joy for the World'*.

#### **5. AMORIS LAETITIA AND THE TEACHINGS OF POPE FRANCIS CONCERNING MARRIAGE AND THE FAMILY**

*Amoris Laetitia* (Latin: *The Joy of Love*) is a post-synodal apostolic exhortation by Pope Francis on love in the family. Dated 19 March 2016, it was released on 8 April 2016. It follows from the Synods on the Family held in the Vatican, Rome in 2014 and 2015. Throughout this text, paragraph references from *Amoris Laetitia* are referred to as 'AL' followed by the number of the paragraph.

In *Amoris Laetitia*, Pope Francis states: “We need to acknowledge the great variety of family situations that can offer a certain stability, but de facto or same-sex unions, for example, may not simply be equated with marriage. No union that is temporary or closed to the transmission of life can ensure the future of society. But nowadays who is making an effort to strengthen marriages, to help married couples overcome their problems, to assist them in the work of raising children and, in general, to encourage the stability of the marriage bond?” (AL52)

In *Amoris Laetitia*, Pope Francis also states: “Every child has a right to receive love from a mother and a father; both are necessary for a child’s integral and harmonious development. As the Australian Bishops have observed, each of the spouses ‘contributes in a distinct way to the upbringing for a child. Respecting a child’s dignity means affirming his or her need and natural right to have a mother and a father.’ We are speaking not simply of the love of father and mother as individuals, but also of their mutual love, perceived as the source of one’s life and the solid foundation of the family.” (AL172)

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... we in the Catholic Church describe the life-giving union of a woman and man in marriage, open to the gift of children from God as ‘Good News’ for the world today. And we are convinced that this ‘Gospel of the Family’ is something that the world needs to hear us proclaim ‘untiringly and with profound conviction (Relatio Synodi 2014)’. The unique tender love that unites husband, wife and their child is a reflection of the tenderness of God! The communion of love between woman, man and their child mirrors the communion of love that is within the Holy Family of Nazareth, but in an even deeper way, it draws us into the Trinity of love that is God himself – Father, Son and Holy Spirit.

(The Most Rev. Eamon Martin, Archbishop of Armagh and Primate of All Ireland, National Eucharistic Congress, Knock, County Mayo, 26 September 2015, on the day before Pope Francis announced in Philadelphia, U.S.A., that the next World Meeting of Families in 2018 will be held in Dublin, Ireland).



## INTRODUCTION

In September 2015 I was present, with my daughter, in Philadelphia for the Eighth World Meeting of Families. It concluded on 27 September 2015 with the announcement by Pope Francis that the next international gathering will be held in Dublin, Ireland in 2018. This global event now follows upon the publication of *Amoris Laetitia*, the Apostolic Exhortation on Love in the Family by Pope Francis on 8 April 2016.

Four days prior to the announcement that the next World Meeting of Families would be held in Dublin, Pope Francis gave his first address of his visit to the United States of America at the White House. He said: “I will also travel to Philadelphia for the Eighth World Meeting of Families, to celebrate and support the institutions of marriage and the family at this, a critical moment in the history of our civilization”.

On the following day, in the course of his address to the Joint Session of the United States Congress, Pope Francis said “I cannot hide my concern for the family, which is threatened, perhaps as never before, from within and without. Fundamental relationships are being called into question, as is the very basis of marriage and the family.” In his speech to the American Bishops at St. Charles Borromeo Seminary in Philadelphia on the morning of September 27th, the final day of his visit, he said “Until recently, we lived in a social context where the similarities between the civil institution of marriage and the Christian sacrament were considerable and shared. The two were interrelated and mutually supportive. This is no longer the case.”

Having been at the World Meeting of Families in Philadelphia, I found it to be a profound expression of how the love of God is uniquely revealed through relationships between children, parents and grandparents, all of which are dependent on the procreative union of man and woman, being the unchanging reality which the Christian and natural understanding of marriage seeks to protect. The next World Meeting of Families has now been fixed for the dates of 21 August – 26 August 2018. The theme of the meeting has also been chosen and is ‘The Gospel of the Family: Joy for the World’. This meeting will hopefully culminate with a papal visit and holds great promise for witnessing the beauty, truth and goodness of the family, founded upon a man and a woman, which is fundamental to human identity and the life of our society.

As human life comes from the union of male and female and is formed by it, every person yearns for a loving relationship with his or her own natural mother and father, or where not possible, to be parented and nurtured by another man and woman. It is upon this fundamental benchmark for human identity that the natural meaning of marriage is based. To contradict the natural meaning of marriage with a different legal meaning, however well intentioned, inevitably brings about a disintegration of human identity, parenting, education and society. Their protection hinges upon our respect for the complementarity of man and woman and the acknowledgment of the basic need of the human person to be nurtured by a man and a woman.

The decision by Pope Francis to hold the next World Meeting of Families in Dublin in 2018 is a very significant response to the rejection of the natural meaning of marriage in the civil law of the Republic of Ireland in May 2015 by means of a constitutional referendum, in which 62.3% of those who voted adopted a new provision into the Constitution providing that marriage can be contracted between two persons without distinction as to sex. Contrasted against this legal redefinition of marriage, the World Meeting of Families in Ireland in 2018 is a major opportunity to articulate the truth and value of our shared humanity as male and female and how our future depends upon this.

When announcing the theme of the next World Meeting of Families in Dublin (‘The Gospel of the Family: Joy for the World’), Dr. Diarmuid Martin, Archbishop of Dublin and President

of the World Meeting of Families 2018, said in Rome on 24 May 2016 that “The theme chosen for the World Meeting of Families wishes to stress the role of the family within society and the contribution of families to the overall health and stability of society”. Given this central emphasis, the location of this meeting in Ireland has the potential to be a defining encounter between Christian faith and a secularist mentality because our country is at the forefront of a current phenomenon precisely identified in *Amoris Laetitia* – the legal deconstruction of the family.

When speaking at an event launching the World Meeting of Families 2018 at St. Patrick’s College, Drumcondra, Dublin on 22 October 2016, Archbishop Diarmuid Martin said that “Pope Francis’ pastoral method wishes us to address problems directly.” Quoting Antonio Spadaro SJ, Archbishop Martin said “One cannot enlighten reality without first having heard it. We have to listen. It is not the case that we should retreat into a closed culture or into a safe comfort zone and hide”.

Following from this advice of Archbishop Martin, which he reiterated again later in his address by repeating Fr. Spadaro’s quotation “We cannot enlighten reality without first having listened to it”, this text begins by exploring the significance of the choice of the Republic of Ireland for the location of this meeting. It addresses how a radical separation was effected in its civil law in 2015 between the Christian understanding of marriage and the family and the legal expression of them. This severance is now enshrined in the Constitution of Ireland and carried forward in three legislative enactments of that year. Having set the legal and social context for this meeting, this text then explores the secularist philosophy which underpins the legal deconstruction of the family and how it is rooted in a crisis of self-understanding in Western society.

In his address, Archbishop Diarmuid Martin also stated: “But we cannot be satisfied with simply listening: we have to enlighten also. Our listening should not be just to the negative.” With this in mind, this text then turns to the beauty, truth and goodness of marriage and the family as presented in *Amoris Laetitia* and in the teaching of the Christian faith. By returning to the integrity of marriage between a man and a woman, the potential of the restatement of the Christian understanding of marriage and the family is then reflected upon. This potential centres upon being truthful about the integrity of marriage between a man and a woman and the absolute necessity for universal respect for the human ecology of the family. With these priorities in mind, the re-emergence of ‘the domestic church’ as a central locus for the witness of Christian faith is then advanced. The domestic church, founded upon the Christian understanding of marriage and the human ecology of the family, is finally presented as the cornerstone for the the good of society and as the basis for justifying the basis for certain Christian principles in public life.

In an interview ahead of Pope Francis’ meeting with the Irish bishops in Rome on 20 January 2017, Archbishop Diarmuid Martin said “Pope Francis told me there’s something about the message of the synod, there’s something about the difficulties Ireland has gone through, that offers him an opportunity to say things that he wants to say about the family, not just to Ireland but to other parts of the world.” Archbishop Martin also said that “My biggest hope is that it will be an occasion to renew confidence in the family. Their life within their own four walls is a really genuine Christian vocation which is vital in today’s society and vital for the building up if Ireland and of our culture.”

Both of these statements of Archbishop Martin encapsulate, therefore, the two themes respectively addressed in Parts One and Two of this text. Firstly, we need to understand the difficulties that Ireland has gone through in relation to marriage and the family if we are to be sincere about protecting them in our shared future. Secondly, in order to do, we need to renew our confidence in the domestic church which is the cornerstone for the future well-being of our culture and society.

## **PART ONE**

### **THE DECONSTRUCTION OF MARRIAGE AND THE FAMILY IN WESTERN SOCIETIES**





Many countries are witnessing a legal deconstruction of the family, tending to adopt models based almost exclusively on the autonomy of the individual will.

Pope Francis *Amoris Laetitia* 53



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The photograph above is of the main lamp in the garden at *Integritas*. It has the appearance of a miniature house which offers light to a surrounding area. In *Amoris Laetitia*, Pope Francis relies upon the poetry of Jorge Luis Borges to say that ‘every home is a lampstand’ (AL 8). The home calls us to awaken, to see what is going on in our surroundings in the midst of so much confusion. In the course of his homily given in Perth, Australia, on 30 November 1986, St. John Paul II said: “The family is the “first and vital cell of society”. In its own way it is a living image and historical representation of the mystery of the Church. The future of the world and of the Church, therefore, passes through the family.” When a home holds a family built on truly loving and lasting relationships, in which parents love each other and their children and do so conscious of the being loved by God, it gives the greatest light to society.

## I THE FRONTIER OF THE DECONSTRUCTION OF MARRIAGE AND THE FAMILY

*The gods are strange. It is not our vices only they make instruments to scourge us. They bring us to ruin through what in us is good, gentle, humane, loving.*

Oscar Wilde, *De Profundis*

At Dublin Castle on Monday, 22 May 2016, a one-year anniversary celebration took place of the outcome of the redefinition of marriage referendum held in the Republic of Ireland in May 2015. A nine-tier wedding cake was produced which, according to *The Irish Times* (23 May 2016), was “adorned with rainbow decorations made for the ceremony”. At this “ceremony”, the Tánaiste (Deputy Prime Minister) and Minister for Justice and Equality, Mrs. Frances Fitzgerald, was also reported by *The Irish Times* to state that our country “has shown global leadership in the area”. She is further reported as having said: “I think we can show that this is nothing to be frightened about. It’s about liberating people, about respecting different identities.”

Unfortunately, this confident assertion of Mrs. Fitzgerald is not supported by Pope Francis. In *Amoris Laetitia* he states:

*No one can think that the weakening of the family as that natural society founded on marriage can prove beneficial to society as a whole. The contrary is true: it poses a threat to the mature growth of individuals, the cultivation of community values and the moral progress of cities and countries. There is a failure to realize that only the exclusive and indissoluble union between a man and a woman has a plenary role to play in society as a stable commitment that bears fruit in new life.*  
(AL52)

The prophetic nature of the choice by Pope Francis of Dublin for the next World Meeting of Families does, however, hold a mirror before us of the extent to which our country, in 2015, on the eve of the centenary of the Easter Rising, set its legal definition of the human person and the family completely against the Christian, biblical and natural law understanding of them. In particular, the way in which the family is now expressed in the law of the Republic of Ireland is completely contrary to the understanding of the human ecology of the family as intimated by Pope Francis in his Encyclical *Laudato Si'* and then explained more explicitly in *Amoris Laetitia*. What happened in the Republic of Ireland in 2015 is precisely named in *Amoris Laetitia* where Pope Francis says:

*Many countries are witnessing a legal deconstruction of the family, tending to adopt models based almost exclusively on the autonomy of the individual will.*  
(AL53)

### *2015: The year of the legal deconstruction of the family in the Republic of Ireland*

This observation has particular resonance with the Republic of Ireland, as the host country for the next World Meeting of Families, as it is difficult to identify any other country which has now embarked more radically and emphatically upon the legal deconstruction of the Christian understanding of the family. The year of 2015 was dramatic for the Republic of Ireland in terms of the sweeping changes which it made to its civil laws defining its understanding of the family. This sudden social revolution was built upon a constitutional

amendment which inserted Article 41.4 into Bunreacht na hÉireann, the Irish Constitution, which provides that:

*Marriage may be contracted in accordance with law  
by two persons without distinction as to their sex.'*

This fundamental change of the legal meaning of marriage, so that it is now drained of any reference to the biological sex of the contracting parties, was effected by means of a referendum conducted on 22 May 2015 in which 62.3% of those who voted favoured the insertion of this article into the Constitution with a corresponding 37.7% voting against it. All of the political parties supported the referendum leaving those who opposed it without any meaningful political representation. The editorial approach of every major newspaper supported the referendum proposal, as did a whole range of business interests, who argued that the rejection of this proposal would damage the international reputation of the country and inward investment.

What is rarely acknowledged in media or public discussion, however, is that this amendment is the foundation of a radically new legal edifice, which is unhinged from the natural ecology of human sexuality and reproduction. This was achieved by legally redefining our understanding of man and woman, who the parents of a child are and what a human family is. This occurred through the enactment of the Children and Family Relationships Act, the Gender Recognition Act and the Marriage Act in 2015, all of which are underwritten by the introduction of Article 41.4 into the Constitution of Ireland, 1937. Taken together, these civil laws now provide that:

- An adult is not necessarily a man or a woman but can choose, without any medical evidence, to go from one to the other and obtain a gender recognition certificate to this effect from the Minister for Social Protection (Gender Recognition Act 2015);
- as marriage can now be civilly contracted without distinction as to sex, one spouse, or indeed both spouses, can change their sex and this has no effect on the legal validity of their marriage – i.e. if you are married and your spouse changes his or her sex, you have no entitlement to have the marriage annulled or to seek a divorce by reason of this (Marriage Act 2015 in conjunction with Article 41.4);
- the complementarity of a mother and a father is no longer understood in our civil law as having a value that would, all other factors being equal, allow a preference for two persons of the opposite sex over two persons of the same sex when it comes to determining what is in the best interests of a child (Children and Family Relationships Act 2015 in conjunction with Article 41.4);
- what is termed as ‘donor-assisted human reproduction’ is placed on a statutory footing for the first time and its effect is that:
  - (i) a ‘donor-conceived’ child, born pursuant to this legislative scheme, has no right, before reaching the age of eighteen, to know one of his or her biological parents;
  - (ii) the capacity to ascertain this information upon reaching that age is through recourse to a national register;

- (iii) the information being recorded upon the register is entirely dependant upon another parent, who selected and purchased the gamete used for the conception of this child, giving the details of the pregnancy to the fertility clinic through which the pregnancy was achieved. (Children and Family Relationships Act 2015).

The cumulative effect of these three enactments, underpinned by Article 41.4 of the Constitution of Ireland, is to uproot our legal understanding of the family from the biological sex of the human person as a man or a woman and the sexual complementarity of both of them. It detaches our understanding of procreation as requiring a man and a woman. It denies that a child needs the care of a mother and a father. This is the legal deconstruction of the natural and Christian understanding of the family.

### *The dislocation of human rights from the nature of the human person*

These fundamental contradictions of the nature of the human person, leading to the legal deconstruction of the family, arise from what Pope Francis describes as models of the family “based almost exclusively on the autonomy of the individual will” (AL53). In other words, the claims of individual rights in law, without being balanced by the common good, lead to a sundering of our understanding of the family from the unchanging nature and truth of the human person.

In the aftermath of the French Revolution in 1789, the Irish political philosopher and orator Edmund Burke warned about the dangers of unbridled rhetoric demanding individual rights. He observed that these claims would first demand rights from the State and then demand rights from our neighbour. Finally, he prophetically stated that this would culminate in the demand of rights from nature itself.

His foresight in relation to demanding rights from nature itself was recently exemplified by an announcement by the World Health Organisation (WHO), which is an arm of the United Nations. (1) The WHO has now adopted a claim by Dr. David Adamson, a senior American fertility doctor, that every person has the ‘right’ to have their own genetic child. This right extends to any and every individual, without any spousal or family context. On this basis, a single man, for instance, who is unwilling to find a woman with whom to share parentage, should have the ‘right to reproduce’ and this ‘right’ should be guaranteed by all nations associated with the United Nations.

The WHO also appears to be set to announce that single men and women without medical issues will be classed as “infertile” if they do not have children but want to become a parent. This move will radically alter the definition of infertility and the WHO will declare that it should no longer be regarded as simply a medical condition. The authors of these new global standards said the revised definition gave every individual “the right to reproduce”. Dr. Adamson has described the change in this way:

“It puts a stake in the ground and says an individual's got a right to reproduce whether or not they have a partner.” (2)

This statement by the WHO re-defines infertility and by-passes the biological process and significance of natural intercourse between a man and a woman. The effect of the WHO

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1. See Henry Bodkin, ‘Single men will get the right to start a family under new definition of infertility’ The Daily Telegraph, 20 October 2016.

2. Ibid.

changing its definition of “disabilities” to classify people without a sexual partner as “infertile” will change access to fertility treatment so that heterosexual single men and women, as well as gay men and women, who are seeking in vitro fertilization (IVF) to have a child, will receive the same priority as couples. The aim is to make access to public funds for IVF available to all. This is in accordance with the emerging goal of ‘medical equality’. It is not, however, in accordance with the natural understanding of how a child is conceived by the union of a man and a woman and then nurtured by a mother and a father. It is the utmost vindication of the right of an adult to have a child. It is a complete denial of the right of a child to a mother and a father.

This mentality was exemplified recently in the development of the law in England and Wales in the area of single parent surrogacy and underlines the direction of where assisted human reproduction is now heading. In the case of *Z (A Child) (No 2)* (3) which was before the High Court of Justice, Family Division, for hearing on 16th May 2016, the Secretary of State for Health accepted the contention that the Human Fertilisation and Embryology Act 2008 was discriminatory because it denies a single parent father the ability to apply for a parental order. In other words, this concession was made by the Secretary of State for Health because there is a difference in treatment between a single person entering into a lawful surrogacy arrangement and a couple entering in the same arrangement. In light of the evidence filed and the jurisprudential developments both domestic and in the European Court of Human Rights, the Secretary of State conceded that the difference in treatment can no longer be justified and amounted to a discriminatory interference with a single person’s rights to privacy and family life and was, therefore, inconsistent with Articles 8 and 14 of the European Convention on Human Rights. (4)

The question then arises as to whether there is any body which can critique these efforts to push the alleged reproductive rights of adults to such an extreme position while ignoring the fundamental human right of a child to a mother and a father and to the relationships with his or her natural siblings, grandparents and wider family. This is essential for many reasons, not least of which is that it is explicitly provided for in the United Nations Convention on the Rights of the Child which entered into force on 2 September 1990 and which the Republic of Ireland is a signatory to since 1992. Article 7.1 of the Convention provides that the child shall be registered immediately after birth and shall have the right from birth to a name, the right to acquire a nationality and, *as far as possible, the right to know and be cared for by his or her parents.*

One such body which is meant to vindicate such a right of children in the Republic of Ireland is the Irish Human Rights and Equality Commission (IHREC) which was established by an Act in 2014. Section 10 of the Irish Human Rights and Equality Commission Act 2014 provides that the IHREC shall protect and promote human rights, work towards the elimination of human rights abuses and provide information to the public in relation to human rights. It is also required by this section to keep under review the adequacy and effectiveness of law and practice in the State relating to the protection of human rights, to examine any legislative proposal and report its views on any implications for human rights and to make such recommendation to the Government as it deems appropriate in relation to the measures which it considers should be taken to strengthen, protect and uphold human rights.

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3. [2016] EWHC 1191 (Fam) 20 May 2016

4. The Secretary of State for Health conceded that Section 54 was incompatible with Article 14 taken in conjunction with Article 8 of the European Convention on Human Rights and that the difference in treatment imposed by Section 54, on the sole ground of the status of the commissioning parent as a single person versus being part of a couple, could no longer be justified within the meaning of Article 14.

One would expect that the IHREC would have had a significant critique to make about how the Children and Family Relationships Act 2015 through the enactment of a statutory scheme for what is termed as ‘donor-assisted human reproduction’ utterly fails to vindicate the fundamental human right of a child to know both of his or her biological parents and in turn, all of his or her siblings, grandparents and wider family.

The IHREC gave notice of the publication by it of a document entitled ‘*Observations on the Children and Family Relationships Bill 2015*’ on 30 March 2015, being the same day that the Bill was passed by Seanad Éireann (the Irish Upper House of Parliament). It made certain recommendations about amendments to the 2015 Act after it had passed through both houses of the Irish Parliament. It was signed into law by the President of Ireland, within a week after it made its recommendations, on 6 April 2015.

None of the recommendations made in this document about this legislation even referred to, let alone address, the concerns about this new statutory scheme for commercially selected human reproduction identified in the previous chapter. To any neutral observer this may appear surprising until one understands what the IHREC did one month prior to this. In the previous month, on 12 February 2015, the IHREC also published a policy document entitled ‘*Access to Civil Marriage*’ in anticipation of the redefinition of marriage referendum which had by then been called for 22 May 2015. While this policy document quoted from an array of judgments and legal authorities, it excluded any reference to what was then the most recent decision of the European Court of Human Rights (ECtHR) on the issue of whether same-sex ‘marriage’ is a human right. This case of *Hämäläinen v. Finland*, in which judgment was given by the ECtHR on 16 July 2014, does not even merit a footnote in the policy statement of the Commission although a considerable number of other judgments are referred to in this document. In that case, the Court reaffirmed that the European Convention on Human Rights cannot be interpreted “*as imposing an obligation on Contracting States to grant same-sex couples access to marriage*”.

Unfortunately, the short history of the IHREC in relation to right of a child to know his or her parents, illustrates how the understanding of human rights can so easily be dislocated from its origin in human dignity and re-located in the insatiable quest for rights based upon individual autonomy. The question now arises as to whether legislative restrictions upon ‘donor-assisted’ human reproduction or even an outright banning of surrogacy by legislation (if the will of a government is there to legislate for them) will be able to withstand constitutional challenge in this country in due course for the reasons advanced in the next chapter.

The IHREC arose from the dissolution and effective amalgamation of the Irish Human Rights Commission and the Equality Authority by statute in 2014. On 10 December 2012, President Michael D. Higgins gave the annual lecture to what was then the Irish Human Rights Commission on International Human Rights Day. In his paper, entitled ‘The Human Rights Discourse: Its importance and its challenges’, he said:

“It is also true that it is of the nature of the human rights discourse that those who serve on the Human Rights Commission may often, either through experience or through training, be in advance of popular opinion, or at times legislators. That is a necessary feature surely in the evolution of the human rights discourse. That is the nature of the challenge to give leadership on increasing consciousness, in education, and persuasion.”



These sentiments of the President suggest that those engaged in “the evolution of human rights discourse” are involved in something far more than monitoring of, or educating about human rights, but rather in the social construction of rights “in advance of popular opinion, or at times legislators”. At the very least, he invests a certain confidence in the impartiality or breadth of vision of those who are meant to monitor human rights in the Republic of Ireland. This confidence cannot be supported by the manner in which they have remained silent about the legal deconstruction of marriage and the right of a child, as far as is possible, to know and be cared for by his or her own mother and father.

### *The international frontier of the legal deconstruction of the family*

In the Republic of Ireland in 2015, we underwent a legal revolution of our understanding of marriage and the family, based upon the rapid and recent advance of the new gender ideology. This ideology, which denies the primary importance of the biological differences between men and women, led to a legal deconstruction of the family founded upon the natural society of man and woman and the children born through their union. As human life comes from the union of male and female and is formed by it, every person yearns for a loving relationship with his or her own natural mother and father, or where not possible, to be parented and nurtured by another man and woman. It is upon this fundamental benchmark for human identity that the natural meaning of marriage is based. To contradict the natural meaning of marriage with a different legal meaning, however well-intentioned, inevitably brings about a disintegration of human identity, parenting, education and society. For their welfare hinges upon something far deeper than sexual orientation, being the complementarity of man and woman and the basic need of the human person to be nurtured by both of them.

As this legislative edifice is underwritten by an amendment now enshrined in the Constitution, it also places the Republic of Ireland at the international frontier of this phenomenon. The implications of this legislative revolution are difficult to fathom and it will take generations for us to truly comprehend what has occurred. There is one aspect of this legal revolution, however, which merits particular attention, because it provides an aperture into the entire scale of what has occurred. This is the new constitutional status which has been conferred upon commercially selected human reproduction through the interplay of this recent constitutional amendment and the enactment of the Children and Family Relationships Act 2015.

In a pluralist society the Church cannot claim establishment privilege. Believers and the Church must not, however, feel or be told that they must retreat from a robust presence in the public square.

The Most Rev. Diarmuid Martin, Archbishop of Dublin,  
Griffith College, Dublin,  
27 October 2016



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This wooden sculpture, named *Vulnerable Presence*, in the contemplative garden at *Integritas*, is based upon the symbol of *L'Arche*, the international organisation founded by Jean Vanier, which cares for the dignity of people with intellectual disabilities and nurtures their relationships with family, friends, carers and the wider community. It also presents an image of the solidarity of a child with his mother and father, being on the ark of their family together. Each of us carries the genetic material of our mother and father in the cells of our bodies. The parents' history is written into the life of their child and their lives are genetically, psychologically and spiritually interwoven and inextricably linked. The protection of the relationship of a child to his or her own mother and father, as far as is possible in any given situation, is, therefore, at the heart of human dignity.

## II THE NEW CONSTITUTIONAL STATUS OF COMMERCIALY SELECTED HUMAN REPRODUCTION

In the Republic of Ireland, the Children and Family Relationships Act 2015 enacts a legislative scheme for what is described as ‘donor-assisted human reproduction’, that is for the purchase of gametes (human sperm and eggs) at Irish fertility clinics, so that they can be used for the purpose of assisted human reproduction. The use of gametes from strangers to give birth to what the Act describes as ‘donor-conceived’ children was neither legislated for nor banned before this enactment. The entire scheme in this Act providing for this practice (set out in parts two and three thereof) has not yet been commenced by Order of the Minister for Health at the time of writing of this text.

In the first instance, it should be noted that ‘to donate’ means to give or to give for a good cause. This international industry is not based on ‘donors’ or ‘donations’ of human gametes. It is based on people who (presumably with the occasional exceptions) provide their own gametes for personal payment. It is not, therefore, an exercise in ‘donation’ but in selling one’s own genetic, reproductive material for money. On a global scale, human beings donate blood and organs but not gametes. It is commercial and not charitable. It is a commercial industry.

Furthermore, this commercial industry is based upon the selection of genetic material. If one pays more money to a fertility clinic, one can get more information about the gamete to be selected. At fertility clinics, which are operative in this country, one can pay a certain fee to purchase sperm or eggs as required. In paying the standard fee, the purchaser is given a basic profile of the seller from which to determine the nature of the gamete and forecast the nature of child that one wishes to have. If one pays a higher price to the fertility clinic, however, one can then get additional information about the seller of the gamete so that one can then start making more informed choices about the type of child one wants, such as the physical appearance of the child, the intellectual capacity or otherwise. The selection of the gamete has a eugenic character to it.

There is nothing concealed about this practice and it is openly explained upon the websites of a variety of fertility clinics in this country. Indeed, the practice was frankly reported upon in *The Irish Times* on 6 September 2016 in which it stated:

“There are no sperm donation facilities in Ireland, so most Irish fertility clinics use sperm banks in Denmark where the law allows for donors to be identifiable, which means a child could contact their donor at the age of 18 if they chose to do so.”

Dr. John Waterstone, the medical director of the Cork Fertility Clinic, is then quoted in the article as follows:

“The donation co-ordinator then sits down with the client and goes through the list of available donors. Some donors will provide an extended profile with more information on their background, maybe a baby photo and even a voice clip, which is more expensive than a basic profile. Once a client chooses her donor, she needs to decide how much sperm to import. If she is planning to extend her family in the future, she might bring in more sperm so that all siblings come from the same donor”.

This article then goes on to state:

“The sperm is deep frozen and imported in straws, one straw containing one unit of sperm. The cost varies depending on the number of straws purchased and whether the donor is anonymous or identifiable. For example, four straws from an open donor will cost about €3,350, and four straws from a closed donor will cost about €1,900.” (1)

Accordingly, if the purchaser of the gamete pays more, the fertility clinic will disclose more information about its seller.

Section 19 of the Children and Family Relationships Act, 2015 provides that the consent of a ‘donor’ to the use of his or her gamete, shall not be valid where it is given in exchange for financial compensation in excess of the reasonable expenses associated with the provision of the gamete concerned or consenting to its use. The section also defines ‘reasonable expenses’ as the ‘donor’s’ travel costs, medical expenses, and any legal or counselling costs, incurred by him or her in relation the provision of the gamete or the giving of consent to its use. The question then arises as to whether the existing practice of paying more so as to get additional information about the ‘donor’ of the gamete can be justified if the ‘donor’ is only to receive his or her reasonable expenses. It seemingly will because this limitation is imposed upon the ‘donor’ and not upon the fertility clinic or the party or parties who deliver the gamete from the ‘donor’ to the fertility clinic.

In any event, the limitation purportedly imposed by this section is not matched by a criminal procedure or sanction where financial compensation is paid to a ‘donor’ in excess of reasonable expenses. Based upon the Act itself, sellers, suppliers, purchasers and fertility clinics can all ignore the statutory requirement that the seller of the gamete is only to be paid the reasonable expenses as so defined once this section is commenced in law. It is the case that section 41 of the Act does allow for the Minister for Health to make regulations to prescribe any matter or thing which arises from ‘donor-assisted reproduction’. This section also provides, however, that these regulations shall be laid before each House of the Oireachtas as soon as may be after they are made and, if a resolution annulling those regulations is passed by either such House within the next twenty-one days on which that House has sat after the regulations are laid before it, the regulations shall be annulled accordingly. The net effect of all of this is that the prohibition of commercial trafficking in gametes is not legislated for. It may be regulated by the Minister for Health in due course but such regulation can be annulled by either House of the Oireachtas. Even it is regulated, it will apply to a ‘donor’ but not to the supplier, purchaser or fertility clinic involved in this commercial transaction.

Furthermore, section 33 of the 2015 Act introduces a National Donor-Conceived Person Register, which is intended to be a new system of information retrieval for both the ‘donor-conceived’ child born from the purchased gamete and also for the seller of his or her own gamete. The purported purpose of this register is that both the child and the seller will have access to their respective identifying information and contact details upon application to the Minister for Health. It is intended that the child will also be given access to information about his or her possible half-siblings.

There is, however, a major problem with this scheme for registration of the seller’s information and the subsequent disclosure of it to the child when he or she reaches the age of eighteen. Section 27 of the 2015 Act provides that the intending parent shall, as soon as

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1. ‘What’s the reality of going it alone through sperm donation?’ Michelle McDonagh, *The Irish Times*, 6 September 2016.

practicable after becoming aware of the fact that “*the procedure has led to the pregnancy of the intending mother*” inform the fertility clinic that this has occurred. If the intending parent does not do so, the information cannot be recorded by the fertility clinic for transmission to the Minister for Health and cannot, therefore, ever be independently revealed to the child upon reaching adulthood. Once again, there is no criminal sanction provided for in the 2015 Act if the intending parent does not return to the clinic and give this information to it. Whether the child is ever made aware of his or her other genetic parent is, therefore, entirely dependant upon the intending parent, who purchased the gamete, from a complete stranger who sold it, informing the fertility clinic about the pregnancy that ensues.

This entire legislative scheme for commercially selected human reproduction [CSHR] has yet to be commenced by ministerial order but it inevitably will be. Rather than being banned by legislation, it is supported by a redefinition of marriage in the Irish Constitution which entails that the marriage between a same-sex couple must be treated exactly the same before the law as a marriage of a heterosexual couple. If the latter have an implied constitutional right to procreate, (which was confirmed by the Supreme Court in *Murray v. Ireland* [1991] ILRM 465) the former must also have this right. (2) The legislation that then enacts CSHR into law has a constitutional grounding from the redefinition of marriage referendum in May 2015. The newly inserted Article 41.4 confers an implied constitutional right to procreate upon a married same-sex couple, who can only vindicate that right through at least obtaining a gamete from a person of the opposite sex. The statutory scheme for ‘donor-assisted human reproduction’, like all legislation, enjoys a presumption of constitutionality when being challenged before the Superior Courts. This presumption can only be enhanced by the re-definition of marriage in the Irish Constitution as being able to be contracted by two persons without distinction as to sex.

Furthermore, as CSHR now enjoys such a legal status, it must lean towards the inevitability that surrogacy will have to be legislated for as well. If surrogacy is banned, the implied constitutional right of two married men to have a child cannot be vindicated. Currently, the law of the Republic of Ireland is silent in relation to surrogacy and it is neither regulated for nor banned. It would appear that the Government is intent on publishing draft legislation to provide for the regulation of surrogacy as opposed to banning it. In the first formulation of what was to become the Children and Family Relationships Act 2015, surrogacy was provided for. The previous Government chose to remove the regulation of surrogacy from the Bill and then the Act, however, so that it was not legislated for when the legal redefinition of marriage was voted upon by the People in the referendum in May 2015.

The sense of concern about the abuse of women that arises from surrogacy is gaining international momentum and the calls for its outright banning are gaining greater force. Such an option is now fraught with problems for the law of the Republic of Ireland as two married men now have an implied constitutional right to procreate. While we are now set on this course, other Western countries (exemplified by the governmental inquiry in Sweden in February 2016) are progressive in the view that surrogacy should be banned, without exception.

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2. That there is an implied constitutional right to procreate was established by the Supreme Court of the Republic of Ireland in *Murray v. Ireland* [1991] ILRM 465. This case concerned a plaintiff couple who were serving a life sentence in prison for the murder of a member of the Gardaí. The Supreme Court recognised that the couple had a constitutional right to procreate within marriage but rejected their argument that they should be facilitated in exercising this right in prison. As with all constitutional rights: “the right is not unlimited, and will always be subject to reasonable and proportionate restrictions by the State in the pursuit of legitimate aims”. All constitutional rights, by their very nature, must always be subject to evaluation in the context of the exigencies of the common good.

This is the position which currently pertains in Germany, France and Italy. Earlier in February 2016, feminist and human rights activists from all over the world met in Paris to sign the charter against surrogacy. In December 2015, the European Parliament has also condemned surrogacy and called on states to ban it.

*Can commercially selected human reproduction and surrogacy now be properly controlled or restricted in the Republic of Ireland?*

If, in time, a different mentality prevails in Government, which:

- (a) seeks to stop the existing practice in Irish fertility clinics of purchasing gametes for a higher fee depending on the level of information that one receives about the sellers of them;
- (b) places a requirement (which is currently absent) upon a fertility clinic or other agency to ensure that a child born from a purchased gamete has his or her identifying information about the seller of that gamete independently recorded on a State register;
- (c) tries to ban practice of surrogacy

will such legislative action now be impeded by the recent insertion of Article 41.4 into the Constitution of Ireland?

To answer that question, one must begin by considering the fundamental effect of this provision in the Constitution. It gives constitutional recognition to three entirely different but equal forms of marriage - heterosexual, homosexual and lesbian. This ensures that endless issues can arise in relation to comparative claims being made by one type of married couple in comparison to another as to entitlements to the use of commercially selected assisted human reproduction [CSHR] and/or surrogacy by reason of 'marriage equality'. These claims will be based upon the connection between the new constitutional recognition of marriage in Article 41.4 and the meaning of Article 41.3.1 in the Irish Constitution. In Article 41.3.1 it is provided that:

*'The State pledges itself to guard with special care the institution of Marriage, on which the Family is founded, and to protect it against attack.'*

A homosexual male or lesbian marriage can only found a family through the use of a gamete from another person of the opposite sex or, in the case of a marriage of the former, through the use of this gamete and surrogacy. As these relationships are now within "the institution of Marriage" following the Marriage Referendum, these relationships and the families founded upon them must enjoy the constitutional protection pledged by Article 41.3.1. One aspect of this is the implied right to procreate. This is not an absolute right, as no constitutional right is ever free from being construed in accordance with the exigencies of the common good. Equally, it is not an empty or meaningless right. It must have substance. The question then arises as to what does it mean to say that two men or two women, as married couples, have a constitutional right to procreate when they cannot do so without the assistance of a gamete from a person of the opposite sex and surrogacy as the case may be.

To bring clarity to what this entails, it is perhaps helpful to explore three of the endless potential claims which can be made to impugn the constitutional validity of any legislative restrictions upon CSHR or surrogacy now that Article 41.4 has been introduced into the

Constitution, with the consequent radical transformation of the legal meaning and effect of Article 41.3.1. In doing so, three examples of purported restrictions upon CSHR and surrogacy should be kept in mind:

- A ‘donor’ of a gamete is only entitled to be paid reasonable expenses (section 19 of the Children and Family Relationships Act, 2015);
- The ‘donor-conceived’ child is entitled to know the identity of the ‘donor’ upon reaching the age of eighteen (section 35 of the Children and Family Relationships Act, 2015);
- Earlier draft legislation published by the last Government stated an intent that a surrogate mother cannot be paid a commercial fee but only reasonable expenses incurred by her and for the purpose of this exercise it is assumed that the legislation to be advanced by this Government concerning surrogacy will do likewise.

There is one further article of the Constitution of Ireland which needs to be kept in mind before one considers the following three examples. It is Article 40.1 of the Constitution which provides that :

*‘All citizens shall, as human persons, be held equal before the law. This shall not be held to mean that the State shall not in its enactments have due regard to differences of capacity , physical and moral, and of social function.’*

*Case A – The married lesbian couple who can provide a gamete and a surrogate mother*

- A married lesbian couple intend to have a child. One of them will provide the egg for a child and the other will act as the surrogate mother. They can only obtain sperm, however, from a man who wants to remain permanently anonymous to the intended child. They challenge the constitutionality of section 35 of the Children and Family Relationships Act 2015.
- By relying upon Article 41.3.1 and the concept of ‘marriage equality’, they argue that as the Constitution now protects a marriage of two men and the family founded upon their marriage, even though neither of them can ever provide an egg or act as the surrogate mother of a child, the denial to this lesbian married couple of the sperm donor’s sperm, by reason of the statutory requirement of the disclosure of his identity when the child is eighteen, is unconstitutional as a matter of equality (pursuant to Article 40.1) or otherwise.
- The lesbian married couple also argue that if an unmarried lesbian couple, who do not have the constitutional protection of being married, have the opportunity to avail of a sperm donor who has no difficulty with being identified, surely they, as a married couple, being in a relationship which the State pledges itself to guard with special care and upon which the family is founded (pursuant to Article 41.3.1), should be allowed to avail of sperm from a donor who insists on remaining anonymous.



*Case B – The married homosexual male couple who could both be genetically linked to the donor-conceived child*

- A married homosexual male couple wish to have a child. One of them will provide the sperm and the other man has a sister who will provide the egg for fertilisation. This allows both men to have a genetic link to the child. A sister of the man providing the sperm is prepared to act as the surrogate mother and is happy to only be paid her reasonable expenses for doing so. She will be the aunt of the intended child.
- The problem is that the sister of the other man, the other aunt of the intended child, who is providing the egg, wants to be paid money just slightly greater than what would otherwise be allowed for her reasonable expenses for acting as a ‘donor’. The married men challenge the constitutionality of the restriction that only reasonable expenses can be paid to the sister in question for providing the egg as stipulated by section 19 of the Children and Family Relationships Act 2015 as the additional payment she is seeking is far from extortionate.
- They argue that as they are married and as the State pledges itself to guard with special care their marriage, on which their family is to be founded (intending as they are to have a shared genetic link to the child), the restriction on paying an additional amount beyond ‘reasonable expenses’ to the sister who is providing the egg is unconstitutional pursuant to Article 41.3.1 as this is necessary to vindicate the institution of their marriage which this article provides that the State is pledged to do.
- They also argue that their family, founded upon their marriage, enjoys a constitutional protection which an unmarried heterosexual couple or an unmarried lesbian couple do not enjoy and that there should be no limitation on the commercial engagement of the sister providing the egg to found their family as an unmarried heterosexual couple or an unmarried lesbian couple, without their constitutional status as a married couple, can found their family without the need for a woman to provide an egg.
- They further argue that as their family is now founded on marriage, pursuant to Article 41.1.1, the State must recognise that their family is, in the words of this article, ‘a moral institution possessing inalienable and imprescriptible rights, antecedent and superior to all positive law’. They further argue that the State, pursuant to Article 41.2.1, guarantees, in the words of this article, to protect their family ‘in its constitution and authority, as the necessary basis of social order and as indispensable to the welfare of the Nation and the State’.
- They also rely upon the post-referendum constitutional principle of ‘marriage equality’ in that Article 40.1 must be read as giving completely equal rights to a married male couple as it does to a married heterosexual couple or a married lesbian couple. These marriages can have a child through only one spouse providing a gamete and the other spouse having no genetic link to a child. Why should the marriage of these two men be discriminated against these marriages, particularly as the surrogate mother is the aunt of the child and the woman providing the gamete is also an aunt of the intended child who only wants a modest fee in excess of her reasonable expenses?

*Case C - The heterosexual couple who want to engage a surrogate mother*

- A husband and a wife have a child or children but the wife has been medically advised that her health is at risk if she becomes pregnant again. They can both provide the gametes for another child but they can only obtain a surrogate mother if she is paid a commercial surrogacy fee. They challenge the constitutionality of a legislative provision that only reasonable expenses can be paid to an intending surrogate mother and rely upon the marriage between two people of the one sex being constitutionally recognised.
- They argue that as the Constitution now protects a marriage of two men or two women in the new Article 41.4, which can never of itself found a family, they are being wrongly discriminated against (as a matter of ‘marriage equality’ contrary to Article 40.1 or otherwise) in not being able to avail of the services of a surrogate mother, who wants to be paid a fee for so acting, when their relationship can of itself provide the genetic material for another child to be born who will know his/her natural parents and have the society of his/her sibling(s).
- They also argue that they are being wrongly discriminated against as pursuant to the decision of the European Court of Human Rights in *Hämäläinen v. Finland* (16 July 2014) Article 12 of the European Convention on Human Rights (ECHR), providing for the right to be married, has been confirmed to apply solely to the marriage of a man and a woman. They maintain that they enjoy a human right as a married couple under Article 12 of the ECHR which a married couple of the same sex do not enjoy.

These three case examples are just a few of a myriad of different claims which can now be made by reason of the insertion of Article 41.4 into the Constitution of Ireland which allows for marriage for a couple of the same sex, who can never of themselves found a family in the sense of conceiving and giving birth to a child. Their new constitutional right, as a married couple, to found a family allows for constitutional protection and recognition for commercially selected human reproduction and surrogacy, which can be vindicated through the claim that the constitutional rights must be in accordance with ‘marriage equality’ or that equal rights are given to all marriages.

It is inevitable that these claims will come before the Superior Courts in the Republic of Ireland once the Parts 2 and 3 of the Children and Family Relationships Act 2015 (which provide for ‘donor-assisted human reproduction’) are commenced by ministerial order. These claims do not arise at the moment because there is no regulation of these reproductive practices in operative legislation at the moment. Once such regulation comes into effect, however, it will face challenge from endlessly diverse situations of different parties, who wish to be parents, claiming that different restrictions infringe their express constitutional rights as a married couple and their implied constitutional right to procreate.

In fact, the constitutional difficulties that now await us are beginning to come into focus in light of the answers that the Minister for Health, Simon Harris T.D., gave to two parliamentary questions on 2nd May 2017. In the first answer, he stated that officials in his Department are currently drafting the General Scheme of legislative provisions on assisted human reproduction (AHR) and associated research, which will include provisions relating to surrogacy. It is envisaged that the General Scheme will be completed by the end of June 2017. He further stated that once the General Scheme has been completed, a memo will be submitted for Government approval and, once approved by Government, he intends to submit the General Scheme to the Joint Oireachtas Committee on Health for pre-legislative scrutiny. In addition, officials in his Department will engage with the Office of the Parliamentary Counsel to commence the drafting of a Bill based on the approved General Scheme.

It is anticipated that the legislation will establish a mechanism for transfer of parentage from the surrogate (and her husband, if she has one) to the intending parents. In addition, it is envisaged that under the surrogacy provisions at least one of the intending parents will have to be genetically related to the child. The Minister further stated that surrogacy will be permitted on an altruistic basis where the payment of defined and acceptable reasonable expenses will be allowed. Commercial surrogacy will, however, be prohibited. He said that the intention of the legislation in this area is to protect, promote and ensure the health and safety of parents, others involved in the process (such as “donors” and surrogate mothers) and most importantly, (which is stated without a hint of irony) the children who will be born as a result of AHR.

In response to another parliamentary question on the same date, the Minister also stated that the General Scheme of legislative provisions on assisted human reproduction (AHR) and associated research will regulate a range of practices for the first time including gamete (sperm or egg) and embryo donation for AHR and research; surrogacy; pre-implantation genetic diagnosis (PGD) of embryos; posthumous assisted reproduction and stem cell research. The General Scheme will also provide for an independent regulatory authority for AHR. Clearly, the Department of Health either does not foresee or does not agree that there are profound constitutional difficulties with placing legislative limitations upon these practices as suggested in this chapter.

### *The failure to consider the middle path*

By reason of the foregoing, it is suggested that it is unfortunate that no real public debate ensued before or during the marriage referendum campaign in the Republic of Ireland as to how the rights of same-sex couples and the rights of the child can be jointly served and balanced differently. In particular, no consideration was given by the Government or by any political party to giving constitutional protection and recognition to same-sex unions whilst preserving the meaning of marriage as between one man and one woman. This would have removed the conflict that now exists between the meaning of Article 41.3.1 and Article 41.4 of the Constitution of Ireland.

A new name and terminology for same-sex unions could have been suggested for insertion in Article 40 ‘Personal Rights’, which contains the provision in relation to equality, with Article 41 ‘The Family’ not being altered. If this had been worked out in a calm and reasoned manner, the Republic of Ireland could have set an international precedent for addressing how the rights of same-sex couples can be vindicated in a way which does not infringe upon the rights of child to care and nurturing from a mother and a father. We are now left with the question as to whether our country forfeited an extraordinary opportunity in 2015, as a small nation state, to set a really pioneering and truthful precedent for Western society. This opportunity was to give same-sex unions constitutional status and recognition but in a way that does not confuse these relationships with what marriage truly is. This middle path would have allowed us to honour and respect the dignity of all committed adult relationships, irrespective of sexual orientation, while also protecting the inalienable right of every child to be parented by his or her own mother and father so far as this is possible.

It will take us time to understand and to be truthful about the revolution that was effected in family social policy in our country in 2015, leading to the prioritisation of certain rights and the denial of others, particularly the fundamental human right of a child, during childhood, to know his or her own mother, father and siblings. Gradually though, as the effects of this referendum reveal themselves through judgments in the Irish Superior Courts, our own consciences will remind us that standing for the unchanging truth that marriage is a bridge between the sexes protects the rights of children, which are currently being forgotten about and does not contradict the fullest support of the human dignity of people who are attracted to others of the same sex.

The entire reality about this referendum will also be acknowledged by succeeding generations, especially by children who have been brought into the world while denied the association during their childhood (and in most cases for their lifetime) of their biological parents, brothers, sisters and grandparents, together with the fullest means of discovering their genetic history and ancestry. As Michael Hanby (Associate Professor of Religion and Philosophy of Science at the Catholic University of America) has pointed out: if single-sex marriage is to be truly equal to natural marriage in the eyes of society and the law, then all the rights and privileges of marriage – including those involving the procreation and rearing of children – must in principle belong to both kinds of marriage. With single-sex couples, procreation can only be achieved by technological means. Hanby writes:

“And so the case for companionate marriage has been supplemented again and again by the argument that we must endorse reproductive technologies that eliminate any relevant difference between a male-female couple and a same-sex couple. This elevates these technologies from a remedy for infertility, what they principally have been, to a normative form of reproduction equivalent and perhaps superior to natural procreation. But if there is no meaningful difference between a male-female couple conceiving a child naturally and same-sex couples conceiving through surrogates and various technological means, then it follows that nothing of ontological significance attaches to natural motherhood and fatherhood or to having a father and a mother.” (3)

Hanby also observes that as being male or female is no longer regarded as a fundamental natural reality, integral to human identity and the flourishing of society, but “mere accidents of biology overlaid with social conventions that can be replaced by functionally equivalent roles without loss,” the implications are enormous: “existential changes to the relation between kinship and personal identity, legal redefinitions of the relation between natural kinship and parental rights, and practical, biotechnical innovations that are only beginning to emerge into view and will be defended as necessary for a liberal society.” (4)

It is appropriate to conclude with what Pope Francis observes in *Amoris Laetitia* about what has been happening in the field of human reproductive technologies. His words encapsulate the reference point for evaluating the constitutional status now conferred upon CSHR and surrogacy by the newly amended Constitution of Ireland. He states:

“On the other hand, “the technological revolution in the field of human procreation has introduced the ability to manipulate the reproductive act, making it independent of the sexual relationship between a man and a woman. In this way, human life and parenthood have become modular and separable realities, subject mainly to the wishes of individuals or couples”. It is one thing to be understanding of human weakness and the complexities of life, and another to accept ideologies that attempt to sunder what are inseparable aspects of reality. Let us not fall into the sin of trying to replace the Creator. We are creatures, and not omnipotent. Creation is prior to us and must be received as a gift. At the same time, we are called to protect our humanity, and this means, in the first place, accepting it and respecting it as it was created.” (AL 56)

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3. Michael Hanby, ‘The Civic Project of American Christianity’ from *First Things* 2015 Number 250 at page 37.

4. Ibid.



Know that the Lord is God;  
it is He that has made us and we are His.

(Psalm 99 (100) : 2)



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The wooden piece pictured above is found at the entrance to the prayer room at *Integritas*. It symbolically presents the death of Jesus upon the Cross and His resurrection. This wooden piece underlines the centrality of the body in Christian faith, both that of Jesus Christ and of each one of us. It challenges the pervasive contemporary trend to deny the body and one's own created nature in a compulsive flight to technology, where one can be gripped by the illusion that one creates oneself and one's own reality.

### III THE SECULARIST FRAME AND THE ANTHROPOLOGICAL CRISIS

For people who try to adhere to Christian belief in Western societies today, the question arises as to how we have come to a position of believing that marriage is not based on the sexual difference between a man and a woman when it is only through this difference that each of us came into this world. We need to reflect upon how we cannot see that even though the very cells of our bodies are constituted from genetic material from our own mother and father, we refuse to recognise the natural and reasonable truth that it is preferable for a child to be raised by his or her own mother and father or, where not possible, by making a legitimate preference for the child to be raised by a man and a woman. We are challenged to ask why we are uneasy about the increasing prominence of commercially selected human reproduction.

At the root of all of this is the denial that we are human, that we are made and that we have a nature that must be obeyed. The word human comes from the root words ‘*hum*’ and ‘*human*’ which come from the latin ‘*humus*’, meaning ‘earth’ and ‘ground’ and the latin ‘*humanus*’ which means ‘man’. It is interesting to follow the change of ideas here. It begins with ‘*humus*’ – earth and then ends with ‘*human*’ - man. In this transition we see the origin of the human person: “Dust thou art and to dust thou must return.” (Genesis 3:19)

Instead, we deny the nature of our being as creatures because of our desire to be in the words of Archbishop Charles Chaput “sovereign, self-creating” selves. He diagnosed that the essence of this falsehood is captured in what has been termed the “mystery clause” of the decision of the Supreme Court of the United States of America in 1992 in *Planned Parenthood vs. Casey*, which was a key decision concerning abortion rights. Writing for the majority in *Casey*, Justice Anthony Kennedy claimed that “At the heart of liberty is the right to define one’s own concept of existence, of meaning, of the universe, and of the mystery of human life.” Archbishop Chaput observes that “This is the perfect manifesto of a liberal democratic ideal: the sovereign, self-creating self.” (1) The problem is that it is a fantasy. It is the very opposite of real Christian freedom which posits that human potential is not realised through the mirage of personal autonomy but in truthfully surrendering to the relationship with God and, in turn, to the service of others and the common good.

It is also to deny what it is to be human; that we are creatures, that we are made and that there is a Creator. The denial of being human is, therefore, inevitably associated with being secularist, that is denying that there is any importance to be attached to a Creator in our discussion about what is truly good and best for the human person. The problem with this approach is that while it is patently untrue to claim that we create ourselves, the drive for ever more autonomy and personal options is so great within us and in our culture that we will construct a whole perception of reality so as to maintain this illusion. In Western culture, particularly through the influence of social media, we falsely present to each other that we can make ourselves and our own reality.

This means that, in Western societies, we now live in an era that is inimical to faith. The Irish writer, John Waters, when describing the life’s work of Pope Benedict XVI defined the current problem in this way:

“His “trade” might be called the science of the unknown, the realm beyond the three-dimensional that, though we may be unable to penetrate it, nonetheless defines

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1. +Charles J. Chaput, O.F.M., Cap., Archbishop of Philadelphia, 2016 Tocqueville Lecture, University of Notre Dame, 15 September 2016



the structure and nature of the world and the flesh and blood of our humanity. Ratzinger early on recognized that we had entered an age inimical to the religious impulse. He saw that although faith is incessantly exposed to the influence of culture, this had ceased to work the other way around. And since all cultures are necessarily founded on religious ideas, the eclipsing of God in culture invites destruction. Belonging to God, he wrote in *Theology of the Liturgy*, “means emerging from the state of separation, of apparent autonomy, of existing only for oneself and in oneself. It means losing oneself as the only possible way of finding oneself.” The problem is not simply humanity’s escalating remoteness from God, but that, in becoming “dissimilar” to God, mankind becomes “dissimilar to itself,” to what being human truly is. (2)

### *An era inimical to faith*

Most Western societies are now defined by what can be termed as a ‘secularist frame’. The word ‘secular’ derives from the Latin word *saecularis* meaning worldly, temporal, of a generation, belonging to an age. A secularist society is one which believes it can define itself by its own era alone. Received wisdom from previous generations counts for little, as do theories about the consequences of that society’s actions for future generations. A frame is created which brackets out the past and the future. Accordingly, when this secularist frame is applied to our understanding of marriage, for instance, it matters for nothing that every other previous generation and civilisation treated marriage as a sex-based partnership between men and woman. Similarly, as the consequences of allowing for one-sex marriage are not immediately obvious and apparent at this time, the question of future adverse consequences is also blocked out from our evaluation as to whether to redefining marriage is prudent or not.

The secularist frame further blocks out any reference to a timeless reality, to God, to a transcendent truth, to universal, eternal values. Just as there is no reference to the past or the future, there is equally no reference to an overarching narrative or to a transcendent anchor, either of which may discommode our framing of the top and bottom of our perspective. The simple and universal truths that the human person is made, that he or she is made male or female and can only be made by a male and female, are then framed outside of the debate. Once these basic, timeless truths are excluded, the way is clear inside this limited frame to simply define marriage as a permanent relationship between two people and nothing more and to then engage in a mechanistic application of the principle of equality.

The secularist frame works, therefore, to condition our perception of reality by blocking out or distorting the dimensions of:

- The past (tradition, history and experience);
- The future (the consequences of our actions for the welfare of generations to come);
- The grounding of creation and us, as the created, in nature and in biological realities;
- The limitless ceiling opening to an overarching narrative, a timeless order and universal values.

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2. From ‘Benedict the Dissident’, a review of ‘Last Testament: In His own Words’ Pope Benedict XVI with Peter Seewald, by John Waters, in *First Things* February 2017.

In so doing, this way of seeing reality promotes the central untruth that we are not made and we make ourselves, being the necessary delusion so as to allow for personal autonomy and the maximum optionality. The difficulty with a society that seeks to promote endless personal options, however, is that it will resist any thinking to opt out from it, to question its limits, to see that it is based on a faulty understanding of the human person. This limited way of understanding humanity, culture and society has been termed by the Canadian philosopher, Charles Taylor as “exclusive humanism”. Once this belief takes hold, the human ego is supreme. The wisdom for the past and concern for the future are forgotten. The humility of understanding one’s earthedness in nature and one’s complete dependence upon God are no longer appreciated.

The application of the four walls of the secularist frame was operative in the judgment of Justice Anthony Kennedy in *Obergefell v. Hodges*, in the Supreme Court of the United States of America, pronounced on 26 June 2015. He again gave the deciding judgment in a 5-4 decision that the fundamental right to marry is guaranteed to same-sex couples by both the Due Process Clause and the Equal Protection Clause of the fourteenth amendment of the United States Constitution. He advanced four grounds for so doing in his judgment.

The first basis Justice Kennedy relied on was that “the right to personal choice regarding marriage is inherent in the concept of individual autonomy.” This represents the top of the frame, that is that the human person does not open out to God, to a divine authority but rather that his or her individual autonomy is all. The second justification Justice Kennedy provided was based on the notion that marriage “supports a two-person union unlike any other in its importance to the committed individuals.” This line of thinking represents the bottom of the frame because it denies that what makes marriage supportive of a two-person union, unlike any other, is that it rests upon the complementarity of man and woman, from which new life comes into the world. This is the natural reality of marriage which Justice Kennedy framed out of his reasoning in this second justification in his judgment. He factored out from his reasoning the sexual and biological complementarity of man and woman, who can only of themselves bring forth new life into the world.

The third basis that his judgment advances is that marriage “safeguards children and families and thus draws meaning from related rights of childrearing, procreation, and education.” Here, the judgment frames out the future because it denies that marriage between a man and a woman underpins the rights and needs of children for the love, company and knowledge of their own mother and father, their natural siblings, their grandparents and their wider family. This is essential to ensure that their future and that of society is properly protected. Marriage between a man and a woman safeguards their children through underpinning their procreation, rearing and education as opposed to a new definition of marriage which paves the way for the industry of commercially selected human reproduction. The disregard of the implications for future generations of maintaining that two people of the same sex can found a family, just as two persons of the opposite sex can, means that parenting by a father and a mother does not matter. The future implications of such a rationale is again framed out in the third ground advanced for same-sex marriage in this judgment.

Finally, Justice Kennedy not only abandoned a real consideration of the future implications of his new definition of marriage but also framed out the past when he advanced his fourth basis as being that “the Nation’s traditions make clear that marriage is a keystone of our social order.” Traditionally, marriage is a keystone of social order because it protects relations between the two sexes and the begetting and rearing of their children and the protection of their ancestry. There is nothing in the past of American society or any other society to justify a marriage between two persons of the same sex as a keystone to social order. In adopting this limited rationale, Justice Kennedy engaged in a denial of the past, of

all tradition, custom, laws and cultural understanding of marriage as being between a male and female. His fourth ground put the secularist frame perfectly in place.

### *The advent of secular posthumanism*

The form of “humanism” that underpins this secularist rationale of the judgment of Justice Anthony Kennedy and the new laws introduced in the Republic of Ireland concerning the legal definition of marriage and the family in 2015 is radically different to that proposed by Pope Francis in *Laudato Si’* and *Amoris Laetitia*. It is, in truth, a philosophy of secular posthumanism, a belief system predicated on the assumption that the human person is known by self-determination alone, not by family history, genetic make-up, biological sex or most importantly, by any reference to God. The advent of secular posthumanism was brilliantly defined by Dr. Aaron Riches in a paper he delivered at a conference in Dublin on 25 April 2015 in anticipation of the redefinition of marriage referendum. He said:

“Post-humanism names a historical moment: that which comes after the classical humanism of modernity. The human, in this new post-human context, is variously recognized and/or celebrated as decentered from his own humanity by technical, medical, informatic and economic networks. In this context, the old secular humanism, now for technological and new ideological reasons, must be re-expressed in an essentially decentered or deconstructed way, torn out of every soil in which he was previously rooted, whether subjective, political, cultural or, indeed, natural. This is the world of cyborgs, in vitro fertilization, sex reassignment surgery, i pads, mobile phones and transhumanist technologies; it is also the world of antihumanist philosophy, the deconstruction of sexual difference and intersectional theory. In all cases, the inheritance of modernity is now to be lived and theorized beyond (or even against) every constraint of nature and every cultural norm. The liberation of the post-human “self” is his liberation from his body, from his subjectivity, from his nature and from his cultural belonging: he may remain a tireless defender of his “human rights”, but will have no need to ask the question of the givenness of his human being as a sign of meaning or of love.

Attendant to the foregoing, the post-humanist path is predicated on a sharp separation of the body from what classical anthropology denoted by the term “soul”. The body is now, at best “a ready surface or blank page”, an organ without innate meaning. Whatever comes now to occupy the place of the “soul”, whether mere algorithms, subjectivity, or what we used to call the “self” (when we were still old-fashioned and merely modern), is an essentially disembodied reality, perfectly separable from the body, which the subject can freely cast off or transmutate at will. Human reality now, thanks to an array of technological possibilities and ideological deconstructions, is perfectly fragmented. And this is based in the constitutive presupposition that reality, and therefore the human body, is not given but is constructed by a will to power. This will to power is either of the individual, if he has been liberated from the old normative hegemonies; or this will to power is that of the ideological state apparatus, the cultural and political processes that subjugate the subject to the regulative “norm” of its oppressive tyranny. In any case: the body is not a gift, neither is it integrally related to the “self”: it is an inert “thing” the subject possesses and is (or ought to be) free to reconstruct, deconstruct or discard at will.” (3)

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3. Dr. Aaron Riches ‘The Nuptial Mystery: The Christian Path of Love and Post- Humanism’, Paper delivered at The Marino Institute, Dublin, 25 April 2015.)

## *The construction of the bunker*

This concept of the ‘secularist frame’ within which all of these characteristics of secular posthumanism thrive, was described with great clarity by Pope Benedict XVI in his seminal address to the Bundestag at the Reichstag Building, Berlin on 22 September 2011. His address reflected upon the foundations of laws and can be seen to be utterly prophetic in light of the political developments in Europe and in the United States in 2016. He used the image of a ‘bunker’ to describe the prison of the secularist frame. Again, his address deserves to be quoted extensively because it is such a precise, accurate and comprehensive statement of our predicament in Western society at this time. He said:

“The positivist approach to nature and reason, the positivist world view in general, is a most important dimension of human knowledge and capacity that we may in no way dispense with. But in and of itself it is not a sufficient culture corresponding to the full breadth of the human condition. Where positivist reason considers itself the only sufficient culture and banishes all other cultural realities to the status of subcultures, it diminishes man, indeed it threatens his humanity. I say this with Europe specifically in mind, where there are concerted efforts to recognize only positivism as a common culture and a common basis for law-making, reducing all the other insights and values of our culture to the level of subculture, with the result that Europe vis-à-vis other world cultures is left in a state of culturelessness and at the same time extremist and radical movements emerge to fill the vacuum.

In its self-proclaimed exclusivity, the positivist reason which recognizes nothing beyond mere functionality resembles a concrete bunker with no windows, in which we ourselves provide lighting and atmospheric conditions, being no longer willing to obtain either from God’s wide world. And yet we cannot hide from ourselves the fact that even in this artificial world, we are still covertly drawing upon God’s raw materials, which we refashion into our own products. The windows must be flung open again, we must see the wide world, the sky and the earth once more and learn to make proper use of all this.

But how are we to do this? How do we find our way out into the wide world, into the big picture? How can reason rediscover its true greatness, without being sidetracked into irrationality? How can nature reassert itself in its true depth, with all its demands, with all its directives? I would like to recall one of the developments in recent political history, hoping that I will neither be misunderstood, nor provoke too many one-sided polemics. I would say that the emergence of the ecological movement in German politics since the 1970s, while it has not exactly flung open the windows, nevertheless was and continues to be a cry for fresh air which must not be ignored or pushed aside, just because too much of it is seen to be irrational. Young people had come to realize that something is wrong in our relationship with nature, that matter is not just raw material for us to shape at will, but that the earth has a dignity of its own and that we must follow its directives. In saying this, I am clearly not promoting any particular political party – nothing could be further from my mind. If something is wrong in our relationship with reality, then we must all reflect seriously on the whole situation and we are all prompted to question the very foundations of our culture.

Allow me to dwell a little longer on this point. The importance of ecology is no longer disputed. We must listen to the language of nature and we must answer accordingly. Yet I would like to underline a point that seems to me to be neglected, today as in the past: there is also an ecology of man. Man too has a

nature that he must respect and that he cannot manipulate at will. Man is not merely self-creating freedom. Man does not create himself. He is intellect and will, but he is also nature, and his will is rightly ordered if he respects his nature, listens to it and accepts himself for who he is, as one who did not create himself. In this way, and in no other, is true human freedom fulfilled.”

### *The imprisonment of relativism*

The effect of this frame, the secularist bars of this bunker, is that our collective thinking-process is constantly reduced in terms of its capacity to see the totality of any issue. Most significantly, there is no place for God in our understanding of ourselves and of how our society can flourish. By subscribing to the belief that there is no universal truth, no transcendent anchor, no overarching narrative, it is simply not true that one is then liberated from oppressive religious beliefs. Instead, one is imprisoned by the new walls of the secularist frame. The name of the prison is pure relativism. This pervasive philosophy demands that we see one viewpoint as being as good as another and that we must respect all views equally. To differentiate in any way is to wrongfully discriminate. Equality is not just the supreme value but also the exclusive one in the prison of relativism. It stipulates that a relationship between two men or two women should be seen as equal to a relationship of a man and woman. Even though only the latter can involve an integration of both sexes, bring forth new life and provide natural bonds between the child and his parents as the primary educators of his life, the confines of these prison walls demand that we must treat all partnerships of two people as one and the same.

### *The influences of minoritarianism, indifferentism and intolerance*

Within the secularist frame, once a minority group successfully advocates that it is not being treated the same as another group, the common good can then be placed at risk so as to meet the demand of this minority. This is achieved in the debate about the nature of marriage by blocking out the totality of what is at issue. Firstly, the secularist frame is used to define marriage as simply a permanent partnership between two people and no more than this. When you have convinced the majority of this, any attempt to exclude two people from marriage is self-evidently discriminatory. What has happened here, of course, is that all of the elements that differentiate a partnership between two people of the one sex and two of the opposite sex have been framed out of the discussion. Once you take away gender, sexual complementarity, the ability to procreate, parent and educate one’s own natural children, the basis for an entirely fair, reasonable and necessary differentiation is lost and the secularist frame for the untruthful claim of discrimination is made.

The collapse of the distinction between differentiation and discrimination is caused by indifferentism. This is the untruthful denial of genuine differences between two realities so as to ensure that they are given the same recognition and status. Treating a one-sex relationship and a relationship of both sexes as being the same for the purpose of defining marriage is pure indifferentism. It has serious consequences which we cannot truly foresee. It means that when a child is being considered for adoption, one has to be indifferent as to whether the child has a mother and a father or simply two mothers or two fathers. An infant in school must be taught that marriage between a man and a woman or between two men or two women are all one and the same. Ultimately, the difference between the male and the female, the most fundamental difference of the human person, becomes a matter of indifference.

As indifferentism becomes all pervasive, another inevitable consequence is that those who highlight that truthful differences are not being honored, are shouted down, bullied into

silence and labeled as ignorant and intolerant. This results in a universal distortion of conscience by what Pope Francis has described as the dictatorship of only one permitted way of thinking. The Italian language that he used says it more concisely : *'la dittatura del pensiero unico.'* "Today you must think this way and if you don't think this way you are not modern, you are not open". (4)

Pope Francis described this dictatorship as "the modern spirit of adolescent progressivism". Like true adolescents, we reject all authority but we cannot surrender to a deeper, truer understanding of who we are, where we come from, how we are sustained and what happens when we die - the meaning and destiny of our lives. In this adolescent culture, we create our own truth. We make the truth conform to what we want. Marriage can thus be made to what we say it is, to what suits us. It has no universal, unchanging nature that we receive, such as that it is between a male and a female. In the spirit of adolescent progressivism, we can make of it what we will. Everything can be changed because there is no anchor to a universal, unchanging truth. Marriage is something which should conform to us and not something which we should conform to.

The battle over what is the true meaning of marriage is between two irreconcilable views of reality. The first is that everything has an inherent nature, an inbuilt purpose, that is ordered to ends that inhere in their essence and make them what they are. The second view is that things do not have a nature with ends, they are nothing in themselves and we can make of them what we wish according to our own wills and desires. We can make everything, including ourselves, anything that we wish and we have the power to do so. The first view leads to the primacy of reason in human affairs and does not allow for one-sex marriage. The second leads to the primacy of the will and allows for anything.

### *The methodology of gender theory*

The primacy of the will is now manifest in the arrival of 'gender theory' which suggests that whether a person is a man or a woman is entirely a matter of personal will and not by reference to the nature of the human body. Given its implications not just for our understanding of the human person but for what marriage, parenting and the education of children are, it repays consideration as the sign of our times as to what happens when we lock ourselves into the bunker or the confines of the secularist frame.

The sexual difference between a man and a woman can be understood at three related levels being:

- (a) the fundamental, primary level of the human body, that is the biological difference between a man and a woman, referred to as a person's sex and based upon chromosomes, hormonal profiles, internal and external sex organs and bodily function;
- (b) the secondary level of gender, which is how the culture of a society gives expression to being a man and a woman, being the characteristics that a society or culture delineates as masculine or feminine;
- (c) the third level of sexual orientation, that is whether the person is attracted to a person of the opposite sex or to a person of the same sex or to both.

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4. Pope Francis, Morning Meditation, 10 April 2014.

The ideology of gender theory distorts the inter-relationship and relative importance of these different levels, which are inherent in a truthful understanding of human sexuality, by positing that one's 'gender' is chosen and need not correspond with one's biological sex. It does so by:

- denying the revealed, objective truth of the human body so that human sexuality is only understood in terms of gender and sexual orientation;
- placing excessive importance upon the sexual orientation of the human person, rendering it more foundational of human sexuality than it actually is by giving it an excessive sense of being fixed and determinative of human identity;
- engaging in a corresponding devaluing of the importance of gender and unduly rendering it as being subjective, fluid and impermanent.

This contemporary phenomenon is described by Pope Francis in *Amoris Laetitia* in this way, when naming it as a challenge to the Christian understanding of marriage and the family. He said:

“Yet another challenge is posed by the various forms of an ideology of gender that “denies the difference and reciprocity in nature of a man and a woman and envisages a society without sexual differences, thereby eliminating the anthropological basis of the family. This ideology leads to educational programmes and legislative enactments that promote a personal identity and emotional intimacy radically separated from the biological difference between male and female. Consequently, human identity becomes the choice of the individual, one which can also change over time”. It is a source of concern that some ideologies of this sort, which seek to respond to what are at times understandable aspirations, manage to assert themselves as absolute and unquestionable, even dictating how children should be raised. It needs to be emphasized that “biological sex and the socio-cultural role of sex (gender) can be distinguished but not separated”. (AL56)

Gender theory subverts the nature of sexuality by denying the male-female complementarity encoded into our bodies. In doing so, it attacks the cornerstone of human identity and meaning and by extension, the foundation of human social organisation. Gender theory belongs within the emerging philosophy of secular posthumanism which emanates from a denial of the body, a denial of the human person as limited and created and ultimately, therefore, a denial of God. It is driven by a belief that the human person is known by self-determination alone and must be freed from the perceived limitations of genetic make-up, family history or any eternal reference. One commentator, Martine Rothblatt, in her essay entitled ‘Mind is Deeper Than Matter’ describes the aspiration of gender theory in this way:

“Freedom of gender is, therefore, the gateway to a *freedom of form* and to an explosion of human potential. First comes the realization that we are not limited by our sexual anatomy. Then comes the awakening that we are not limited by our anatomy at all. The mind is the substance of humanity. Mind is deeper than nature.” (5)

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5. Published in ‘The Transhumanist Reader: Classical and Contemporary Essays on the Science, Technology, and Philosophy of the Human Future’, 1st edn., edited by Max More and Natasha Vita-More (2013).

One can contrast this perception of human sex and gender with the teaching of Pope Francis on 15 April 2015 during his Wednesday morning catechesis in Rome, when he said:

“For example, I ask myself, if the so-called gender theory is not, at the same time, an expression of frustration and resignation, which seeks to cancel out sexual difference because it no longer knows how to confront it. Yes, we risk taking a step backwards. The removal of difference in fact creates a problem, not a solution. In order to resolve the problems in their relationships, men and women need to speak to one another more, listen to each other more, get to know one another better, love one another more. They must treat each other with respect and cooperate in friendship. On this human basis, sustained by the grace of God, it is possible to plan a lifelong marital and familial union. The marital and familial bond is a serious matter, and it is so for everyone, not just for believers. I would urge intellectuals not to leave this theme aside, as if it had to become secondary in order to foster a more free and just society.”

To underline the importance of this catechesis, Pope Francis re-iterated this teaching in his Encyclical Letter *‘Laudato Si’* (2015) which draws from the address of Pope Benedict XVI at the German Bundestag in September 2011 and states as follows at paragraph 155:

“Human ecology also implies another profound reality : the relationship between human life and the moral law, which is inscribed in our nature and is necessary for the creation of a more dignified environment. Pope Benedict XVI spoke of an ‘ecology of man’, based on the fact that ‘man too has a nature that he must respect and that he cannot manipulate at will.’ It is enough to recognize that our body itself establishes us in a direct relationship with the environment and with other living beings. The acceptance of our bodies as God’s gift is vital for welcoming and accepting the entire world as a gift from the Father and our common home, whereas thinking that we enjoy absolute power over our own bodies turns, often subtly into thinking that we enjoy absolute power over creation. Learning to accept our body, to care for it and to respect its fullest meaning, is an essential element of any genuine human ecology. Also, valuing one’s own body in its femininity or masculinity is necessary if I am going to be able to recognize myself in an encounter with someone who is different. In this way we can joyfully accept the specific gifts of another man or woman, the work of God the Creator, and find mutual enrichment. It is not a healthy attitude which would seek ‘to cancel out sexual difference because it no longer knows how to confront it’.”

### *The introduction of gender theory in the laws of the Republic of Ireland*

From an Irish perspective, gender theory is now realised in the laws of the Republic of Ireland. As noted in chapter one, an adult is not necessarily a man or a woman but can choose, without any medical evidence, to go from one to the other and obtain a gender recognition certificate to this effect from the Minister for Social Protection (Gender Recognition Act 2015). As marriage can now be civilly contracted without distinction as to sex, one spouse, or indeed both spouses, can change their sex and this has no effect on the legal validity of their marriage. If you are married and your spouse changes his or her sex, you have no entitlement to have the marriage annulled or to seek a divorce by reason of this (Marriage Act 2015 and Article 41.4 of the Constitution of Ireland). The complementarity of a mother and a father is no longer understood in our civil law as having a value that would, all other factors being equal, allow a preference for two persons of the opposite sex over two persons of the same sex when it comes to determining what is in the best interests of a child (Children and Family Relationships Act 2015 and Article 41.4 of the Constitution of Ireland).



This radically new and secular legal edifice, which the Irish government has now constructed in this country, has enormous implications for how children and young adults are to be taught about their own identity as human persons. It also has a major bearing upon how they are to grow in understanding their own sexuality and the place of the complementarity of man and woman in marriage, family, parenting and ultimately, in the divine plan of creation. The profound challenge which gender theory presents to Christian educators is accurately summarised in paragraph eight of the final *relatio* of the Synod of Bishops on The Family in the Vatican, Rome (issued on 24 October 2015) which was adopted by 245 votes to 9 and which provides as follows :

“A cultural challenge today of great importance emerges from the ideology of “gender” that denies the difference and reciprocal nature of man and woman. It envisages a society without gender differences and empties the anthropological foundation of the family. This ideology leads educational projects and legislative guidelines that promote personal identity and emotional intimacy radically decoupled from biological diversity between male and female.” (unofficial translation)

### *The anthropological crisis*

What does it mean to say that a society without gender difference empties the anthropological foundation of the family? During the first day of his visit to Poland on Wednesday, 27 July 2016, Pope Francis met with the bishops of Poland in the Cathedral of Kraków. On the following Tuesday, 2 August 2016, the Vatican released what he said, which included the following:

“We are experiencing a moment of the annihilation of man as the image of God. I would like to conclude with this aspect, since behind all this there are ideologies. In Europe, America, Latin America, Africa, and in some countries of Asia, there are genuine forms of ideological colonization taking place. And one of these - I will call it clearly by its name – is [the ideology of] “gender”. Today children – children! – are taught in school that everyone can choose his or her sex. Why are they teaching this? Because the books are provided by the persons and institutions that give you money. These forms of ideological colonization are also supported by influential countries. And this is terrible!

In a conversation with Pope Benedict, who is in good health and very perceptive, he said to me: “Holiness, this is the age of sin against God the Creator”. He is very perceptive. God created man and woman; God created the world in a certain way... and we are doing the exact opposite. God gave us things in a “raw” state, so that we could shape a culture; and then with this culture, we are shaping things that bring us back to the “raw” state! Pope Benedict’s observation should make us think. “This is the age of sin against God the Creator”. That will help us.”

Another way of expressing this statement of Pope Francis is to say that the crisis of our time is anthropological for we can reach no consensus about human nature. In fact, Western societies believe that the absence of consensus about what is human nature is either an inconsequential thing or a good thing. What this means, in effect, is that the crisis of our time in these societies is that they cannot comprehend their own peril.

Anthropology concerns the study of human life in all of its complexity. Our understanding of the nature of our own selves is in crisis, an anthropological crisis. This is exemplified in a whole range to areas, far beyond simply gender studies and biomedical sciences. There is a new alienation of the self from the flesh. Charles Taylor speaks about ‘excarnation’ of the

self from bodily form and the disengagement of reason from the flesh. It is clear that an essential element in the reconstruction of anthropology for the twenty-first century is the importance of recognising that the self exists only as embodied. Fr. Dermot Lane describes what is needed to respond to the anthropological crisis in these terms:

“We have already alluded to the trend towards ‘excarnation’ arising from the pervasive influence of technology. The ‘I’ is never merely a free-floating trace as some postmoderns would have us believe. The ‘I’ is only available through the body and comes alive when the body is touched. Part of the problem with ‘excarnation’ is the persistent presence of a dualism that haunts anthropology: body and soul, spirit and matter, self and flesh. This damaging dualism is partly responsible for giving humans the impression that they can dispense with the human body and exploit the body of the earth. One of the strong messages coming through *Laudato Si’* is the link between respect for the human body and respect for the body of the earth.

This emphasis on the human as embodied is at the centre of developing what Pope Francis calls ‘Human Ecology’. For Francis, it ‘is ... our body (that) establishes us in a direct relationship with the environment and other living beings’ ... Respect for the sexuality, sacredness, and the sacramentality of the human body, for the relationship between the human body and the body of the earth, and for the body of the earth and the cosmos as a part of God’s creation, is an essential anthropological ingredient in developing what the new encyclical calls ‘Integral Ecology’”. (6)

The remainder of this text seeks to explore what an integral ecology means for the integrity of marriage and the human ecology of family. It also considers the implications of a renewed understanding of marriage and family life for the renewal of the Church and how society itself can be founded upon certain principles rooted in the unchanging truth of human nature.

If we are to respond to the anthropological crisis, we have to break through the secularist frame. The optimum way to do this is by challenging the base of this frame, that is the denial of our biological ties and our embodied nature. This challenges the gnostic tendency, which is with us now as much as anytime before, of an understanding of the human being - an anthropology - that sharply divides the material or bodily on the one hand and the intellectual, affective and spiritual on the other. By denying our bodies, we reject that we are made and that we are creatures. This dualism of the body from the totality of the human person in turn leads to a denial of human goods, such as marriage as a male-female union, with its own natural and objective structure. Marriage and the family cannot be allowed to be detached from the body and from biological ties. We must, therefore, begin again to realise that our bodies are fundamental and intrinsic to who we are. The truths of human ecology which flow from this cannot be denied. It is with this imperative in mind that we turn to consider why in Jewish, Christian and classical ethics, marriage essentially involves the one-flesh union of man and woman.

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6. ‘Catholic Education In the Light of Vatican II and *Laudato Si’*” Dermot A. Lane, (2015) *Veritas*, at pages 67 and 69.



## **PART TWO**

### **THE SOCIAL RESTORATION OF MARRIAGE AND THE FAMILY THROUGH THE DOMESTIC CHURCH**



The Holy Father's commitment to the integrity of marriage and the family is very obvious. I saw it up close last year at the World Meeting of Families. Strengthening marriage and families is the whole purpose of *Amoris Laetitia*.

(The Most Rev. Charles Chaput, Archbishop of Philadelphia and President of the Eighth World Meeting of Families in Philadelphia, 22 – 27 September 2015, in an interview with *The Catholic World Report*, 24 November 2016.)



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This photograph is of a small wooden statue in the prayer room at *Integritas*. It is also photographed on the front cover of this text. This wooden carving of man, woman and child stands within the holding environment of three lights, representing the persons of the Holy Trinity. The communion of love between man, woman and their child draws us into the Trinity of love that is God Himself – Father, Son and Holy Spirit. As Pope Francis says in *Amoris Laetitia*: “The triune God is a communion of love, and the family is its living reflection.” (AL11) This photograph also illustrates how this family stand within two circles which represent the marriage of man and woman, the natural and divine complementarity of male and female from which new life comes forth into the world.

## IV THE INTEGRITY OF MARRIAGE

*Marriage is an institution based on natural law and its characteristics are inscribed in the very being of man and woman.*

St. John Paul II Address to Roman Rota, 1991

### *Christian anthropology in response to a flawed humanism*

The core of what has been discussed in the preceding chapters is that we are gripped in Western societies at this time by a delusion. It is that we make ourselves. This delusion suggests that we are not made and we are not creatures. It asserts that we make ourselves and we have no creator. Christianity completely contradicts this delusion in the most profound and beautiful way. It affirms that we are created by an almighty God but that God nonetheless became a human being, a creature. Christian faith believes that God did this to show His total empathy with our condition and through this human being, Jesus Christ, humanity is drawn back to God in the action of the Holy Spirit.

Accordingly, the teaching and mission of the entire Christian Church centres upon the nature of the human person being made by God in His image and likeness. This is revealed in the Book of Genesis in the Old Testament, but also in how God revealed Himself fully in the actuality, the flesh and blood of a human person, as revealed in the New Testament. “Then God said, “Let us make man in our image, after our likeness” ” (Gen. 1:26). Particular attention arises for the words “in our image, after our likeness.” This is the basis of the concept of human dignity which, in the New Testament, is underwritten by the Incarnation of the Son of God in human nature.

These two foundational biblical truths of the Old and New Testaments are at the heart of Christian anthropology. It is grounded on fundamental guiding principles about the human person, his/her history, and his/her destiny. Contemporary philosophical and theological reflection has provided the Church with new insights and ideas which have facilitated a restatement of the principles of Christian anthropology, especially as presented by Vatican II and in the magisterium of St. John Paul II. These principles can be summarised as follows:

- The human person is made in the image of God. This is the fundamental truth about the human person and the point of departure for all subsequent reflection on him/her;
- Jesus Christ revealed the human person to himself/herself. He is the way and the truth for every human person;
- The communion of love of persons is a reflection of the inner life of the Holy Trinity. This is the point of departure for understanding the nature of the nuclear Christian family which is a microcosm and model of an authentic human society;
- The human person attains self-fulfillment in the giving of himself/herself to others. This is the Christian conception of the human person’s calling and the basis to organise a better society, achieved through an increasing understanding of self-surrender.



These are the basic principles of ‘the truth about man’ so often articulated by St John Paul II. Furthermore, he formulated the *‘Theology of the Body’* as a corpus of teachings about God’s plan for human love and about the true meaning of our bodies, as not just biological but also theological, because they reveal in themselves truth about God.

This teaching of St. John Paul II speaks about the spousal meaning of our bodies, which are created for love and about a true understanding of the person – body and soul. It reveals a deeper understanding into how we live the married vocation and the celibate vocation or how to live ‘spousally’ by offering our lives as a gift at any age and in any situation. Gift expresses the essential truth about the human body. The physical human body can tell us about God – the fullest revelation of Him being given to us in Jesus Christ, a man with a physical body. In a sense, if we have the eyes to see, our own bodies can teach us so much about God. God’s impression is in each of us.

The sexual ideology that has redefined marriage emanates from an entirely different perspective. It is based upon an inaccurate anthropology. The challenges to the truths that we are created male and female and that male and female are created for each other in marriage, arise from losing sight of the true nature of the human person. Blindness to the truth about the human person has led to a crisis of family and sexuality. The centre of our concern now is to explain what human beings most fundamentally are and how we can most truthfully and optimally relate to one another within families and society. We are challenged to defend a fundamental truth of human nature – man and woman are created for each other in marriage. In fact, this unchanging truth derives from preceding fundamental truths, confirmed to us by our experience as created, embodied persons, which are:

- The human person is created;
- The human person is created in a body as male or female (with the rare exceptions of persons who are intersex, that is having the biological features of male and female);
- The human person is created through the bodies of a male and a female;
- The totality of the human person is created male and female.

It is based on these unchanging truths that man and woman are then understood as being created for each other in marriage through the dignity of their difference as male and female. This is beautifully articulated in the words of Jesus in the Gospel of St. Mark: *“But from the beginning of creation, ‘God made them male and female. For this reason a man shall leave his father and mother and be joined to his wife, and the two shall become one flesh.’ So they are no longer two, but one flesh.”* (Mark 10: 6–8).

Human nature finds expression in either male or female. Marriage, as the intimate and permanent union of man and woman, is the unique expression and embodiment of the wholeness of human nature and should, therefore, enjoy a unique status. Neither man, nor woman fully captures what it is to be human but in their union, including sexual union, man and woman capture something about the wholeness and integrity of human nature.

## *The inalienable dignity of human difference*

Even if one has no belief in God or in any creator, one cannot deny the first four of these truths. Together, they point to the fifth truth – the dignity of human difference – which is at the heart of what marriage is and why man and woman are created for each other. Marriage is a celebration of this difference between man and woman and of the truth that in the encounter with somebody from the opposite sex, the wholeness of human nature is revealed.

In our encounter with a person of the other sex, we recognise distinction in unity, which makes us whole and bestows an integrity on our being which had until then been lacking (cf. Gn 2:23). In their union, including their sexual union, man and woman capture the fullness of human nature in its complementarity as male and female. Marriage is, therefore, based on the truth of who we are and how we are made. The very existence of each one of us emanates from this complementarity of our father and mother, the union of a male and a female.

Society is always based upon a certain belief system. There is never a complete vacuum in terms of a belief system which is operative in a society. The proponents of single-sex marriage deny that marriage has any intrinsic, objective and unchanging meaning. This major assumption, which itself implies a self-referential belief system in need of critical scrutiny, means that we believe that we can change marriage to anything that we wish it to be, whether that be a relationship between two men, two women or indeed, three or more people. To do so, however, entails a departure from these truths that are known to us all. To say that marriage embodies the fullness of human nature, in its intimate union of male and female, is to state an unchanging principle based on these truths which never change and always pertain.

Marriage between man and woman is also an instance of goodness which we must acknowledge as a gift, not as something we can produce or change at will. It is for this reason that religious leaders are opposed to the redefinition of marriage in order to apply it to a couple of the one sex. Their conviction is not founded in a lack of rationality but in a profound understanding which has the humility to know its own limitations before the greatness of the infinite God. Through their own lived experience of God, they know that everything is gift, including marriage, which is a central element of an order that transcends us as individuals, a transcendent order of male and female through which we come to life and have our being.

In the complementary bodies of the male and female, there is also a revelation, an image and a likeness of a deeper, infinite order which is utterly beyond our ability to fully comprehend. In marriage between a male and a female, a new body, a new membership, so to speak, comes into being which re-presents before us the ultimate transcendent reality and presence - God. The two bodies, male and female, are re-membered as one and the ultimate reality from which they have their being becomes re-constituted before all and seen as one.

This connection of memory, membership and union of the human bodies of male and female, as a restorer of what we have forgotten, is essential to understand. To re-member is to re-embodiment. To say that marriage is not between a male and a female is to dis-embodiment and to forget what it is and more profoundly, who we are, how we come to be and have our being and to whom we owe gratitude for everything bestowed upon us - God.

We have fallen into a deep state of forgetfulness about our origins, how we are made, and our giftedness as 'recipients' rather than 'producers' for which gratitude can be the only response. The post-modern obsession with the self, its tedious chronicling of its activities for the whole world to see (Facebook, Twitter, Instagram etc.) is another exemplar of our

futile attempt to construct a bulwark against our own mortality, to solidify our transcendence and illustrates our failure to accept our creaturely evanescence.

It is important also not to confuse the essence of what marriage is, with its effects or consequences. Some marriages result in the procreation of a child and some do not. Some marriages allow the partners to become more loving human beings and some do not. The outcomes of marriages change and vary and are, therefore, outside and different to the form of what marriage is – the embodiment and expression of the fullness of human nature through the union of a male and a female.

A relationship between two men or two women can be as sincere and committed as a relationship between a man and a woman but the two relationships still remain fundamentally different. We cannot confuse the goodness and the sincerity of the love that makes a relationship thrive, with what is constitutive of what the relationship actually is. The love of two gay people for each other may be of equal value to the love of a man and a woman for each other. This does not, however, alter the truth that their relationships are fundamentally different.

This clarifying distinction was expressed beautifully by Timothy Radcliffe O.P., the former Master of the Order of Preachers (Dominicans) from 1992 to 2001. In a piece in *The Guardian* on 16 December 2012, he wrote as follows:

“Cardinal Hume taught that God is present in every love, including the mutual love of gay people. This is to be respected and cherished and protected, as it is by civil unions. But to open up marriage to gay people, however admirable the intention, is ultimately to deny “the dignity of difference,” in the phrase of the Chief Rabbi, Jonathan Sacks. It is not discriminatory, merely a recognition that marriage is an institution that is founded on a union that embraces sexual difference.”

The experience of Pope Francis, when he was Archbishop of Buenos Aires, Argentina and a cardinal is also informative. Pope Francis (Jorge Bergoglio SJ) knew many gay people and had spiritually accompanied a number of them. He knew their stories of rejection by their families and what it was like to live in fear of being singled out and beaten up. In his text on the life of Pope Francis, (*The Great Reformer : Francis and the Making of a Radical Pope*) Austen Ivereigh describes the approach of Pope Francis, when he lived in Argentina, in this way:

“He told a Catholic gay activist, a former theology professor named Marcelo Márquez, that he favored gay rights as well as legal recognition for civil unions, which gay couples could also access. But he was utterly opposed to any attempt to redefine marriage in law. “He wanted to defend marriage but without wounding anybody’s dignity or reinforcing their exclusion,” says a close collaborator of the cardinal’s. “He favored the greatest possible legal inclusion of gay people and their human rights expressed in law, but would never compromise the uniqueness of marriage as being between a man and a woman for the good of children.” (1)

Ivereigh notes that the cardinal’s position was resolutely in favour of the existing law upholding marriage as a union of a man and woman and that a same-sex ‘marriage’ was an impossibility. This did not, however, prevent revising and extending the concept of civil unions, as long as this left marriage intact. No one can reasonably doubt the care and concern

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1. ‘The Great Reformer - Francis and the Making of a Radical Pope’, Austen Ivereigh, first published in Great Britain by Allen & Unwin, at p. 312.

which Pope Francis has for LGBTI people or his deeply held conviction of the need to redress the endless hurt which has been caused to them.

At the same time, he is unequivocal that there is a falsehood at the heart of the legislation that introduced same-sex 'marriage' in Argentina in 2010. Same-sex 'marriage' claims to add to conjugal marriage or to exist alongside it, while in reality dismantling it. Ivereigh describes the position of Pope Francis as follows:

“Allowing gay people to marry required that the ancient, natural, God-given institution of matrimony be stripped of the very thing that made it a reflection of the divine plan : the bonding of man and woman, and the begetting and raising of children by their natural parents in a relationship of permanence and sexual exclusivity. .... A law that recognized marriage as male-female did not discriminate but appropriately differentiated – appropriately, because a man-woman bond, like a child’s need of a father and a mother were core human realities. To try to make marriage something else was “a real and serious anthropological step backward”.” (2)

As a Jesuit priest, Pope Francis also had a profound understanding of the importance of discernment in relation to this question. In a private letter, which he had sent to four Carmelite monasteries of Buenos Aires and which was leaked, he asked for the nuns’ prayers for the assistance of the Holy Spirit “to protect us from the spell of so much sophistry of those who favour this law, which has confused and deceived even those of goodwill.” Ivereigh observes:

“He had spotted the serpent’s tail, with all its usual telltale signs: hysteria, division, confusion, envy. This was “God’s war,” as he put it later in his letter. To anyone who knows his spiritual writings, this was vintage Bergoglio. It was the language he had used with the Jesuits, language that is common among contemplatives, on retreats, or in spiritual direction.” (3)

Pope Francis disclosed in this letter that he believed that people of goodwill are deceived by this appearance of *sub angelo lucis*, the guise of light, which issues in a new political order which denies distinct and different recognition for the permanent relationship of a male and a female in marriage. The deception is known by the end result: even though it is only this relationship, which of itself, unifies both of the sexes and can bring forth new life into the world, men and women are now being denied the truth of the recognition of their distinct union in marriage.

### *The centrality of marriage to the divine plan*

The Lord gathers. He gathers through marriage and the family. Society and the family of God are formed by them. The plan of God, from the Christian perspective, is that the magnetic, sacrificial love of Jesus Christ, draws each of us to Him and in turn to the Father. The Holy Spirit awakens us to the incomparable beauty, truth and goodness of Jesus Christ and moves us toward Him as being our Lord and Saviour and, in turn, gathers us to the Father. In this way, the plan of God is understood as gathering into one the scattered children of God. God’s aim is to search out each one of us and, in full respect of human freedom, to allow us to decide whether we will or will not respond to His Love, made known by Jesus Christ and continuously revealed to us through the Holy Spirit.

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2. Ibid. at p. 315.

3. Ibid. at p. 315.

The marriage of a man and a woman is at the very heart of this plan. When their love for each other is real and indissoluble, proven by the trials of time, the plan of God to draw each of us together and to Him is made real. When their love results in a child, who in turn is loved and cared for by both of them, the love of the persons of the Holy Trinity is reflected, as far as is possible in human terms. In *Amoris Laetitia*, Pope Francis describes the centrality of marriage and the family to the divine plan in this way:

“Jesus, who reconciled all things in himself and redeemed us from sin, not only returned marriage and the family to their original form, but also raised marriage to the sacramental sign of his love for the Church (cf. Mt 19:1-12; Mk 10:1-12; Eph 5:21-32). In the human family, gathered by Christ, “the image and likeness” of the Most Holy Trinity (cf. Gen 1:26) has been restored, the mystery from which all true love flows. Through the Church, marriage and family receive the grace of the Holy Spirit from Christ, in order to bear witness to the Gospel of God’s love.” (AL71)

In his address to the St. John Paul II Institute for Studies on Marriage and Family in Rome on 27 October 2016, Pope Francis underlined this by stating that the plan of God entrusts the world and history to the alliance of man and woman (Gen. 1:28-31). He said that this alliance — by its very nature — implies cooperation and respect, generous dedication and shared responsibility, ability to recognise difference as richness and promise, not as motive for subjection and malfeasance. He gave a powerful address on this occasion, which merits being quoted at length, for it ties together why the integrity of marriage, between a man and a woman, is of such fundamental importance for the welfare of the human person and the good of society. He said:

“The recognition of the dignity of man and of woman implies a just appreciation of their mutual relationship. How can we know in depth the concrete humanity of which we are made without learning it through this difference? And this happens when man and woman speak to each other and question one another, love one another and act together, with mutual respect and benevolence. It is impossible to deny the contribution of modern culture to the rediscovery of the dignity of the sexual difference. Therefore, it is also very disconcerting to see that now this culture seems to be blocked by a tendency to cancel the difference instead of resolving the problems that mortify it.

The family is the irreplaceable womb of the initiation of the creaturely alliance of man and woman. This bond, sustained by the grace of God the Creator and Savior, is destined to be realised in the many ways of their relationship, which are reflected in the different communal and social bonds. The profound correlation between family figures and the social forms of this alliance – in religion and in ethics, in work, in the economy and in politics, in the care of life and in the relationship between the generations – is now global evidence. In fact, when things go well between man and woman, the world and history also go well. In the opposite case, the world becomes inhospitable and history stops.

The testimony of humanity and of the beauty of the Christian experience of the family must therefore be inspired again more in depth. The Church dispenses God’s love for the family in view of its mission of love for all the families of the world. The Church – which recognises herself as family people – sees in the family the icon of the God’s covenant with the whole human family. And, in reference to Christ and to the Church, the Apostle affirms that this is a great mystery (cf. *Ephesians* 5:32). Therefore, the charity of the Church commits us to develop – on the doctrinal and pastoral plane – our capacity to read and interpret, for our time, the truth and the beauty of God’s creative plan. The radiation of this divine project,

in the complexity of the human condition, calls for a special intelligence of love. And also a strong evangelical dedication, animated by great compassion and mercy for the vulnerability and fallibility of the love between human beings.

It is necessary to apply oneself with greater enthusiasm to the rescue – I would almost say to the rehabilitation – of this extraordinary “invention” of divine creation. This rescue must be taken seriously, be it in the doctrinal sense as well as the practical, pastoral and testimonial sense. The dynamics of the relationship between God, man and woman, and their children, are the golden key to understand the world and history, with all that they contain. And, finally, to understand something of the profound, which is found in the love of God Himself. Can we succeed in thinking thus “greatly”? Are we convinced of the power of life that this plan of God bears in the love of the world? Are we able to snatch the new generations from resignation and re-conquer them to the audacity of this plan?

We are certainly very aware of the fact that we also bear this treasure in “earthen vessels” (*cf. 2 Corinthians 4:7*). Grace exists, as does sin. Therefore, we must learn not to be resigned to human failure, but let us sustain the rescue of the creative plan at all costs.”

By way of conclusion, it is helpful to draw from a pastoral letter on marriage issued on 21 September 2015, by John Cardinal Tong of Hong Kong. He urges that we strengthen marriage, not redefine it and asserts that we need to protect "marriage integrity". By this he means the truth of marriage in all its dimensions. It has to be proclaimed and defended by speaking the truth with courage but also with sensitivity.

For Cardinal Tong wisely emphasises that it is particularly important that those who do not share, or fully share, the Christian vision of God's plan for humanity know also that the truth of marriage as a human reality can be defended with natural reasons and as part of a genuine human ecology. It is likewise important to make it clear that the Church's efforts to uphold the unique institution of marriage do not demean true love wherever it is found or attack the dignity that belongs to every human being regardless of their sexual orientation or beliefs. (4)

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4. Cardinal John Tong's Pastoral Letter – Human Ecology & The Family: “Strengthen Marriage; Not Redefine It!” 21 September 2015 Catholic Diocese of Hong Kong.



The future of humanity passes by way of the family.

St. John Paul II  
(*Familiaris Consortio* 86)





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Seen above is a small sculpture in olive wood of the Holy Family which is in the prayer room at *Integritas*. Behind it stands some stems from the ground. This arrangement symbolises that the ecology of the human family rests within the grander ecology of the earth. What is good for the human family and for the broader creation is one and the same. If we deny the biological, natural reality of man, woman and the child begotten from them, this fundamental human reality cannot be reconciled with an approach that seeks to care for the greater ecology of the earth. The two *must be honoured as one with a deep, consistent and integral affirmation of life and creation*. “For you yourself created my inmost parts; you knit me together in my mother’s womb. My frame was not hidden from you, when I was made in secret and woven in the depths of the earth.” (Psalm 138 (139): 12, 14).

## V THE HUMAN ECOLOGY OF THE FAMILY

### *The advent of human ecology in papal teaching*

On the one hundredth anniversary of the publication of the papal encyclical of Pope Leo XIII *Rerum Novarum*, St. John Paul II published his encyclical *Centesimus Annus* (CA) in May 1991. In it, he highlighted that in addition to the irrational destruction of the natural environment, we must also mention the serious destruction of the human environment. (CA 38). He said that although people are rightly concerned about preserving the natural habitats of the various animal species threatened with extinction, too little effort is made to safeguard the moral conditions for an authentic ‘human ecology’. He said:

“Not only has God given the earth to man, who must use it with respect for the original good purpose for which it was given to him, but man too is God's gift to man. He must therefore respect the natural and moral structure with which he has been endowed.” (CA 38)

St. John Paul II taught that the first and fundamental structure for ‘human ecology’ is the family, in which the human person receives his or her first formative ideas about truth and goodness, learns what it means to love and to be loved and thus what it actually means to be a person. He was referring to the family founded on marriage, in which the mutual gift of self by husband and wife creates an environment in which children can be born and develop their potentialities, become aware of their dignity and prepare to face their unique and individual destiny. (CA 39)

His encyclical proceeds to advise that it is necessary to go back to seeing the family as the sanctuary of life. He taught that the family is indeed sacred: it is the place in which life - the gift of God - can be properly welcomed and protected against the many attacks to which it is exposed and can develop in accordance with what constitutes authentic human growth. In the face of the so-called culture of death, the family is the heart of the culture of life. (CA 39)

This theme of the human ecology of the family was developed further by Pope Benedict XVI in his encyclical letter *Caritas In Veritate* (CIV) published in June 2009 which, in its very title, pronounced that it concerned integral human development in charity and truth. He taught that the Church has a responsibility towards creation and she must assert this responsibility in the public sphere. In so doing, she must defend not only earth, water and air as gifts of creation that belong to everyone. She must above all protect mankind from self-destruction. He said:

“There is need for what might be called a human ecology, correctly understood. The deterioration of nature is in fact closely connected to the culture that shapes human coexistence: when “human ecology” is respected within society, environmental ecology also benefits. Just as human virtues are interrelated, such that the weakening of one places others at risk, so the ecological system is based on respect for a plan that affects both the health of society and its good relationship with nature. In order to protect nature, it is not enough to intervene with economic incentives or deterrents; not even an apposite education is sufficient. These are important steps, but the decisive issue is the overall moral tenor of society. If there is a lack of respect for the right to life and to a natural death, if human conception, gestation and birth are made artificial, if human embryos are sacrificed to research, the conscience of society ends up losing the concept of human ecology and, along with it, that of environmental ecology. It

is contradictory to insist that future generations respect the natural environment when our educational systems and laws do not help them to respect themselves. The book of nature is one and indivisible: it takes in not only the environment but also life, sexuality, marriage, the family, social relations: in a word, integral human development. Our duties towards the environment are linked to our duties towards the human person, considered in himself and in relation to others. It would be wrong to uphold one set of duties while trampling on the other. Herein lies a grave contradiction in our mentality and practice today: one which demeans the person, disrupts the environment and damages society.” (CIV 51)

### *The complementarity at the heart of human ecology*

On 17 November 2014 Pope Francis opened an international conference of approximately four hundred scholars and religious leaders from the around the world at the Vatican. The convening of these people was for a discussion about the complementarity of man and woman in marriage and the fundamental good that this is. When opening the *Humanum* conference, Pope Francis said that to reflect upon complementarity is nothing less than to ponder the dynamic harmonies at the heart of all creation. This is the key word - harmony - for he said all complementarities were made by our Creator, because the Holy Spirit, who is the Author of harmony, is the One who achieves it. He proceeded to state:

“This complementarity is at the root of marriage and family, which is the first school where we learn to appreciate our own and others’ gifts, and where we begin to acquire the arts of living together ... Complementarity will take many forms as each man and woman brings his or her distinctive contributions to their marriage and to the formation of their children – his or her personal richness, personal charism. Complementarity becomes a great wealth. It is not just a good thing but it is also beautiful.”

Pope Francis then explained why the human ecology of the family is so important:

“In our day, marriage and the family are in crisis. We now live in a culture of the temporary, in which more and more people are simply giving up on marriage as a public commitment. This revolution in manners and morals has often flown the flag of freedom, but in fact it has brought spiritual and material devastation to countless human beings, especially the poorest and most vulnerable. Evidence is mounting that the decline of the marriage culture is associated with increased poverty and a host of other social ills, disproportionately affecting women, children, and the elderly. It is always they who suffer the most in this crisis.

The crisis in the family has produced a crisis of human ecology, for social environments, like natural environments, need protection. And although the human race has come to understand the need to address conditions that menace our natural environments, we have been slower to recognize that our fragile social environments are under threat as well, slower in our culture, and also in our Catholic Church. It is therefore essential that we foster a new human ecology and advance it.

It is necessary first to promote the fundamental pillars that govern a nation: its non-material goods. The family is the foundation of co-existence and a guarantee against social fragmentation. Children have a right to grow up in a family with a father and a mother capable of creating a suitable environment for the child's development and emotional maturity. That is why I stressed in the

apostolic exhortation *Evangelii Gaudium* that the contribution of marriage to society is "indispensable"; that it "transcends the feelings and momentary needs of the couple" (n. 66).” (1)

### *What is human ecology?*

As noted earlier, on 21 September 2015, John Cardinal Tong of Hong Kong issued a pastoral letter on marriage. Citing the remarks of Pope Francis on integral ecology, he said that the truth of marriage as a human reality between a man and a woman can be defended with natural reasons and as part of a genuine human ecology. Against this background, Cardinal Tong then helpfully explained the use of this term by Pope Francis. He said that:

“Pope Francis points out that when we speak of the 'environment' what we really mean is a relationship existing between nature and the society which lives in it. Everything is closely inter-related and requires an integral vision of reality for its proper understanding. “Nature cannot be regarded as something separate from ourselves or as a mere setting in which we live. We are part of nature, included in it and thus in constant interaction with it...”.

The Pope says : Human ecology also implies another profound reality: the relationship between human life and the moral law, which is inscribed in our nature and is necessary for the creation of a more dignified environment. Pope Benedict XVI spoke of an 'ecology of man', based on the fact that “man too has a nature that he must respect and that he cannot manipulate at will”.

Pope Francis continues: “Learning to accept our body, to care for it and to respect its fullest meaning, is an essential element of any genuine human ecology. Also, valuing one's own body in its femininity or masculinity is necessary if I am going to be able to recognize myself in an encounter with someone who is different...” (2)

These words echo what Pope Francis said at a General Audience in Rome in April 2015. Referring to the so-called "gender theory" that aims to annul sexual difference, he declared: "removing the difference is the problem, not the solution”.

### *Relevance to sex, marriage and family*

In his pastoral letter, Cardinal Tong emphasised that marriage is rooted in the "two-in-one-flesh" conjugal love of man and woman and their complementarity in sexual difference. He said that it is the natural as well as divine institution upon which the family is built. This biological and moral reality at the foundation of marriage and family cannot be contradicted or ignored without seriously harming human ecology and the common good. Cardinal Tong re-iterated that Saint John Paul II, whose "theology of the body" has greatly enriched our understanding of human sexuality and the spousal meaning of the body, has also taught us that "the first and fundamental structure for 'human ecology' is the family". The family is the cradle and sanctuary of life and love and the first natural and basic vital cell of human society. Cardinal Tong summarised the content of his pastoral letter in this way:

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1. Published in ‘Not Just Good, but Beautiful’ The Complementary Relationship Between Man and Woman (2015) *Humanum*, Plough Publishing House.
  2. Cardinal John Tong’s Pastoral Letter – Human Ecology & The Family: “Strengthen Marriage; Not Redefine It!” 21 September 2015 Catholic Diocese of Hong Kong.

“Put simply, you cannot effectively protect the environment without adequately protecting the family. You cannot adequately protect the family without at the same time protecting marriage. You cannot protect marriage or family without protecting the truth and integrity of marriage —what marriage really means. Nor can you protect marriage or family or advance the common good without giving special love and protection to children, the future of humanity.

Marriage is likewise not just any union between any two persons. I believe that to remove the central requirement of sexual differentiation and complementarity in conjugal love is to neuter marriage of its true essence. Redefining marriage by turning it into a gender-neutral or genderless regime is to undermine its very rationale, including why it should be restricted to two individuals.

In the words of Archbishop Joseph E. Kurtz, President of the US Conference of Catholic Bishops, "the unique meaning of marriage as the union of one man and one woman is inscribed in our bodies as male and female" and "the protection of that meaning is a critical dimension of the 'integral ecology' that Pope Francis has called upon us to promote".

### *The right and need for a child to have a mother and a father*

In 2007, a UNESCO Report stated unequivocally that children are best raised by their own biological parents, united in loving and permanent bond:

“The use of data on the proportion of children living in single-parent families and stepfamilies as an indicator of well-being may seem unfair and insensitive. Plenty of children in two-parent families are damaged by their parents’ relationships; plenty of children in single-parent and stepfamilies are growing up secure and happy. Nor can the terms ‘single-parent families’ and ‘stepfamilies’ do justice to the many different kinds of family unit that have become common in recent decades. But at the statistical level there is evidence to associate growing up in single-parent families and stepfamilies with greater risk to well-being – including a greater risk of dropping out of school, of leaving home early, of poorer health, of low skills, and of low pay.” (3)

If we know – as this report from the United Nations indicates – that children are better off with their own biological parents in a stable relationship, is it then desirable to promote an understanding of marriage in which the sexual and psychological differences between the spouses, as well as the biological bond between the parents and their children, are considered utterly irrelevant? It is with this in mind that one must acknowledge that homosexual unions and heterosexual unions are not equivalent social entities for human ecology and the future well-being of society because only a heterosexual union can ever, *within itself*:

- have the capacity for procreation and thus for the growth and development of the family unit;
- satisfy the natural right of a child to the stable society of his/her natural father, mother and siblings in family life and
- have the potential to renew and extend the family bond through many generations and thus to build up and strengthen society.

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3. UNICEF, Child poverty in perspective: An overview of child well-being in rich countries, Innocenti Report Card 7, 2007 UNICEF Innocenti Research Centre, Florence : <http://www.unicef.org/media/files/ChildPovertyReport.pdf>

Rather than erasing the difference at the heart of the human being – the difference between male and female – we should cherish it and acknowledge its significance in the area in which it matters most: the begetting and raising of children. The parenting of a child by a man and a woman gives the child the full presentation and experience of the whole human being, male and female. This simply cannot be given to a child by two people of one sex, however loving and committed these two people are to the child in question.

Faced with the endless confusion caused by the denial of the objective truth that every child needs a mother and a father, clarity can be found in these simple, beautiful teachings in *Amoris Laetitia* about the love of a mother and a father, which is at the heart of the human ecology of the family:

“Every child has a right to receive love from a mother and a father; both are necessary for a child’s integral and harmonious development. As the Australian Bishops have observed, each of the spouses “contributes in a distinct way to the upbringing of a child. Respecting a child’s dignity means affirming his or her need and natural right to have a mother and a father”. We are speaking not simply of the love of father and mother as individuals, but also of their mutual love, perceived as the source of one’s life and the solid foundation of the family. Without this, a child could become a mere plaything. Husband and wife, father and mother, both “cooperate with the love of God the Creator, and are, in a certain sense, his interpreters”. They show their children the maternal and paternal face of the Lord. Together they teach the value of reciprocity, of respect for differences and of being able to give and take. If for some inevitable reason one parent should be lacking, it is important to compensate for this loss, for the sake of the child’s healthy growth to maturity.” (AL 172)

“A mother who watches over her child with tenderness and compassion helps him or her to grow in confidence and to experience that the world is a good and welcoming place. This helps the child to grow in self-esteem and, in turn, to develop a capacity for intimacy and empathy. A father, for his part, helps the child to perceive the limits of life, to be open to the challenges of the wider world, and to see the need for hard work and strenuous effort. A father possessed of a clear and serene masculine identity who demonstrates affection and concern for his wife is just as necessary as a caring mother. There can be a certain flexibility of roles and responsibilities, depending on the concrete circumstances of each particular family. But the clear and well-defined presence of both figures, female and male, creates the environment best suited to the growth of the child.” (AL 175)

### *The fundamental principles of human ecology*

As stated in the preceding chapter, the centre of our concern now is to be truthful about the nature of the human person and to then consider what this entails for how we relate to one another within families and society. In order to do this, we have to honestly acknowledge our own human ecology which defines us as creatures and as human persons. Some of the fundamental truths of a genuine human ecology have already been alluded to in the preceding chapter (4) They can be more fully outlined as follows by drawing upon the successive teachings of St. John Paul II, Pope Benedict XVI and Pope Francis.

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4. At page 66.

- *The human person is created.*

No human person creates himself or herself. To be truthful, we must, therefore, respect the creative history, ancestry and design inherent in each of us. The human person has a given nature which must be respected and cannot be manipulated at will. We need to have a disposition of respect towards the nature of the human person and not one that seeks to distort it so as to meet the endless demands of the individual will. The human person is a creature, not the Creator. Learning to accept one's own body, to care for it and to respect its fullest meaning, is an essential element of human ecology.

- *The human person is created as man and woman.*

The human person can only be properly understood through man and woman. The totality of the human person is male and female. This recognition leads to a genuine understanding of the integrity and totality of the human person, grounded in the truthful differences between man and woman and their inherent complementarity. The objective nature of the body as man and woman grounds medical knowledge and cannot be denied by subjective perceptions of what the human body may be thought to be.

- *A human person is created in a body as a man or a woman.*

While there are rare exceptions of persons who are intersex, that is having the biological features of a man and a woman, the human being is biologically created as a man or a woman. This is not some arbitrary, subjective difference that can be changed at will but a fundamental, objective, biological reality inherent in the nature of the human person. The inherent complementarity of man and woman is the most basic and intrinsic reality of human ecology, which is fully honoured in the marriage of both.

- *A human person is created through the bodies of a man and a woman.*

Every human person is created through the union of the gametes of a man and a woman. Each one of us is formed in the womb of a woman and carry the genetic material of our own mother and father for life. Every human being longs to be nurtured by his or her own genetic, biological mother and father. We are made in this way.

The following additional principles of a genuine human ecology follow from these earlier principles and speak for themselves:

- *When human ecology is rejected, the dignity of the human person is undermined.*
- *The protection of the unique meaning of marriage as the union of one man and one woman is inscribed in our bodies as male and female and is the cornerstone of human ecology.*
- *The first and fundamental structure for human ecology is the family, the genetic, biological, intellectual, psychological and spiritual bond between a mother, a father and their child, which marriage seeks to honour and serve.*
- *The human environment, like the natural environment, needs protection.*

## *Reviewing the situation that prevails in the Republic of Ireland*

When one considers these principles of a genuine human ecology, one can then see why the profound legal changes which were effected in the Republic of Ireland in 2015 in terms of the civil understanding of whether a person is a man or a woman, what marriage is and whether a child needs to be nurtured and parented by a man and a woman, are so profound. The import of these changes has already been explained in chapter one of this text and need not be repeated here. What needs to be emphasised, however, is that these legal changes, now enshrined in the law of the Republic of Ireland, are a complete contradiction of the human ecology of the family.

This legal contradiction of these principles of a genuine human ecology have been written into the Constitution of Ireland with a permanence that is not mirrored in any other legal jurisdiction in the world. In other words, the renunciation of the principles of human ecology in the Republic of Ireland and the manner in which they have been rejected in this country, place it at the international forefront of this contradiction.

It is in this milieu that the World Meeting of Families is being held in 2018. The greatest advocate of the human ecology of the family – the Roman Catholic Church, led by Pope Francis - will hold an international meeting about the beauty, truth and goodness of the human ecology of the family in a country that has rejected it to an extent that is not paralleled in any other jurisdiction.

There is one sad and ironic feature in all of this that needs to be highlighted. Professor Samuel Moyn of Harvard University has raised the question as to whether today's populist movements forsake human dignity, the postwar era's core principle. He observes that after World War II, politics in Western Europe was rebuilt on a foundation of human dignity, which is oriented towards freedom and invokes human rights to support it. He has highlighted that the first time human dignity featured in a national constitution was not in post-Holocaust West Germany in 1949, as many believe, when the Christian Democratic Party helped formulate a famous new opening principle: "the dignity of man is non-negotiable". Instead, he points out that: "The first constitution that canonized human dignity is Ireland's, enacted in 1937 when Ireland was under the leadership of Éamon de Valera, a devout Catholic who was concerned to ground Irish politics in Catholic principles." (5)

Now, the Irish Constitution, through the newly amended Article 41, concerning the family and through the three legislative enactments of 2015, previously described in chapter one, profoundly and emphatically contradicts this understanding of human ecology. This rejection of human ecology can only have one ultimate outcome – the infringement of the dignity of the human person. The first constitution that gave legal expression to the central importance of human dignity now undermines that dignity through its rejection of human ecology. The location of the World Meeting of Families 2018 in Dublin brings this contradiction to the fore.

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5. Samuel Moyn 'Restraining Populism' *First Things* May 2017





The stone which the builders rejected has become the cornerstone.

(Psalm 117 (118) : 22 and Matthew 21:42)



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The bell tower pictured above is another wooden sculpture in the garden at *Integritas*. The symbols of the alpha and omega are carved on both of the pillars upon which the roof stands and from which the bell hangs. The piece is made like a miniature home and it houses the bell with seating underneath. It is called *Silent Presence*. It reflects that the family home is the silent presence within the Church. It is the most fundamental and widespread place for gathering together into one the entire spectrum of individual families right through to the entire family of God. After the *Ad Limina* (to the threshold) visit of the Irish Bishops to the Holy See and meeting Pope Francis on 20 January 2017 in Rome, Bishop Brendan Leahy of the Diocese of Limerick said he thought the Pope wanted to give the bishops a conviction “that, yes, as a Church community, we want to create a family and I came away with that very strong message.” To do this, we must place the family home at the centre of the Church and take practicable steps to enable a family home to become a domestic church.

## VI THE DOMESTIC CHURCH

It is self-evident that one of the main themes of the pontificate of Pope Francis is the importance of the Christian understanding of marriage and the family. This has led to a renewed awareness of the ‘*domestic church*’, that is the centrality of the family home as the first and most essential locus of the Church, in an increasingly secularist Western society. The idea of the domestic church provides a refreshing focus upon the primacy of familial bonds and responds directly to secular liberalism which professes that individual human autonomy and personal happiness are ultimate human goals. Instead, this emphasis of Pope Francis upon the domestic church locates the ultimate meaning of human life, by means of the family, in relationships. The family is then understood as the key to the Christian vision of fullness of life, being the joy that comes from the relationship with God and the service of others and the common good.

### *The emergence of references to the domestic church in Church documents*

In *Amoris Laetitia* Pope Francis refers to the description of the family as a ‘domestic church’ on eleven occasions. For instance, he states that: “A family’s living space could turn into a domestic church, a setting for the Eucharist, the presence of Christ seated at its table”. (AL 15) This term ‘domestic church’ [*Ecclesia domestica*] also finds specific reference in the Catechism of the Catholic Church where it is described, with this term as a heading, in three paragraphs [No. 1655 – 1658]. It says:

“The Church is nothing other than ‘the family of God’. From the beginning, the core of the Church was often constituted by those who had become believers ‘together with all [their] household’. [Cf. Acts 18:8] When they were converted, they desired that ‘their whole household should also be saved. [Cf. Acts 16.31; 11.14] These families who became believers were islands of Christian life in an unbelieving world.

In our own time, in a world often alien and even hostile to faith, believing families are of primary importance as centres of living, radiant faith. For this reason the Second Vatican Council, using an ancient expression, calls the family the *Ecclesia domestica*. [LG 11; cf. FC 21].”

It was, however, in the Dogmatic Constitution of the Church, *Lumen Gentium*, (LG) that the term ‘domestic church’ appeared for the first time in an official church document, where it says:

“The family is, so to speak, the domestic church [*in hac velut Ecclesia domestica*]. In it parents should, by their word and example be the first preachers of the faith to their children; they should encourage them in their vocation which is proper to each of them, fostering with special care vocation to a sacred state.” (LG 11).

There is a varied significance of this original statement about the domestic church in *Lumen Gentium*. Following from the pioneering work of Bishop Pietro Fiordelli of Prato, Italy (1916-2004) to have proper reference made to the family at Vatican II, there are three particular implications of the Constitution’s statement:

- Family life has a sacramental nature, not just through the unity of husband and wife in the sacrament of Matrimony but also because the family is the smallest organic unit of the Church;
- The family shares in the mission of Christ and, in particular, in the great mystery of the union between Christ and the Church as expressed by St. Paul in his letter to the Ephesians (5:31-32);
- Parents are consecrated to live out their baptismal vows in a very particular way within their families. (1)

The decree of Vatican II on the Apostolate of the Laity, *Apostolicam actuositatem* (1965) was another document promulgated by Vatican II in which different fields of apostolate are presented, one of which is family life. In this document, the term ‘*Ecclesia domestica*’ is paraphrased in the sense that the family not only receives the divine mission “to be the primary living cell of society”, but also “to be like a domestic sanctuary in the Church” (*Tamquam Domesticum Sanctuarium Ecclesiae*).

Pope Paul VI published his post-synodal Apostolic Exhortation on Evangelization *Evangelii Nuntiandi* on the tenth anniversary of the closing of Vatican II in 1975. When reflecting on “the evangelizing action of the family in the evangelizing apostolate of the laity” the Pope recalls how the family has been given the beautiful name of ‘domestic church’ by the Council. This meant for Pope Paul VI that “there should be found in every Christian family the various aspects of the entire church” (EN 71).

In his Apostolic Exhortation on the Christian family in the modern world *Familiaris Consortio*, of 1981, St. John Paul II examines the profound bonds linking the Church and the Christian family in establishing the family as a “Church in miniature” (*Ecclesia domestica*) and a living image and historical representation of the mystery of the Church (FC 49). Thomas Knieps-Port Le Roi makes the incisive observation that while the conciliar documents had spoken about the domestic church with some reservation, using Latin particles like *Velut*, “so to speak” (*In hac velut Ecclesia domestica*) and *Tamquam*, “to be like” (*Tamquam domesticum sanctuarium ecclesiae*), St. John Paul II bluntly called the Christian family “a specific revelation and realisation of ecclesial communion” which “for this reason ... can and should be called “the domestic church”.” (FC 21) He also observes that St. John Paul II in *Familiaris Consortio* made a pretty provocative claim about the ecclesial character of ordinary families and underlines his point by referring to how the Bishops of the United States of America put it in their 1994 pastoral letter to families, *Follow the Way of Love*:

“The profound and the ordinary moments of daily life – mealtimes, workdays, vacations, expressions of love and intimacy , household chores, caring for a sick child or elderly parent, and even conflicts over things like how to celebrate holidays, discipline children, or spend money – all are the threads from which you can weave a pattern of holiness... The point of the teaching

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1. This triple understanding of the contribution of Bishop Fiordelli is taken from a paper delivered by Rev. Dr. Eugene Duffy, a priest of the diocese of Achonry and a member of the Department of Theology and Religious Studies at Mary Immaculate College, University of Limerick, at *Integritas*, a domestic centre of Christian spirituality, Stoneyford, County Kilkenny, on 8 May 2016 entitled ‘*The Family as Domestic Church*’.

is simple, yet profound. As Christian families, you not only belong to the Church, but your daily life is a true expression of the Church. (2) (3)

### *The evolution of the understanding of the domestic church*

It would be erroneous, however, to simply regard the concept of domestic church as a new innovation emanating from the Second Vatican Council. On the contrary, the vision of the Christian family as a domestic church is rightly asserted in the Catechism of the Catholic Church as being an ancient one, shared by patristic fathers such as Clement of Alexandria, Gregory of Nazianzus, John Chrysostom and Augustine. For instance, at the end of the fourth century John Chrysostom urges his congregation to make their homes “churches” and his exhortation is apparently received “with great delight”. (*In gen. serm. 7,1*). As the bishop of Constantinople, he states that: “If we regulate our households [properly] ... we will also be fit to oversee the Church, for indeed the household is a little church” (*Hom. in Eph. 20*). Indeed, this analogy between family and church has its roots in the New Testament. In the first letter of Paul to Timothy, the qualifications of Bishops are set out. He is described as someone who:

“... must manage his own household well, keeping his children submissive and respectful in every way – for if someone does not know how to manage his own household, how can he take care of God’s church?” (1 Tim 3 : 4).

This whole continuum from *Familiaris Consortio*, the Apostolic Exhortation of St. John Paul II, back in time to this Pauline letter, reflects a beautiful appreciation of the value of the household, the domestic church, based upon a certain understanding of God, namely that God is present to us and we are called to reflect God’s presence in the world. There is a limitation here nonetheless in seeing the Christian household as quite functional, as a place of remembrance of God, of instruction about God and of witness to God’s presence in the world. What Pope Francis is now asserting about the potential of the domestic church in *Amoris Laetitia* is significantly more profound and even mystical than the existing expressions about it in Church documents.

By making the spirituality of marriage and the family the final and climactic statement of this apostolic exhortation, Pope Francis is saying, to all those committed to Catholicism and to the broader Christian family, that the family home must be rediscovered as a primary place of the Church and of experiencing a real and lived presence of the persons of the Holy Trinity in our lives. Indeed, Pope Francis has gone so far as to suggest that what have been understood as ecclesial communities, that is communities of priests and those in religious life, need to model themselves upon the family. In the course of giving his address after the Angelus in Saint Peter’s Square in Rome on 31 May 2015, he said:

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2. Thomas Knieps-Port Le Roi is the holder of the INTAMS Chair for the Study of Marriage & Spirituality at the Faculty of Theology and Religious Studies of the KU Leuven, Belgium. His observations and the concise summary of the use of the term ‘domestic church’ in Church documents and in historical references are taken from his essay *Being One at Home: Interchurch Families as Domestic Church* published in *Being One at Home, Interchurch Families as Domestic Churches*, Thomas Knieps-Port le Roi, Ray Temmerman (eds.) Theologie: Forschung und Wissenschaft (2015).
  3. National Conference of Catholic Bishops, *Follow the Way of Love. A pastoral letter of US Catholic Bishops to families on the occasion of the United Nations 1994 International Year of the Family*, Washington, DC, USCCB 1994, p.8.)

“... we have been entrusted with the task of edifying ecclesial communities which increasingly become families, capable of reflecting the splendour of the Trinity and evangelizing not only with the words but with the power of the love of God that lives within us.”

This theological idea of the family reflecting the splendour of the Holy Trinity is precisely reiterated by Pope Francis in *Amoris Laetitia*. He says:

“The triune God is a communion of love, and the family is its living reflection.” (AL 11).

In making this statement, Pope Francis proceeds, in the same paragraph, to refer to Saint John Paul II, whom he says shed light on this when he said, ‘Our God in his deepest mystery is not solitude, but a family, for he has within himself fatherhood, sonship and the essence of the family, which is love. That love, in the divine family, is the Holy Spirit.’ (AL 11) (4)

This recent emphasis by Pope Francis upon the family as a reflection of the persons of the Trinity contains within it an important change of emphasis through the location of the spiritual significance of marriage and the family in their ultimate source - the persons of the Holy Trinity. This is important because it implies a much greater intimacy of a family with God and of the crucial role of the Christian household (referred to in Church documents as ‘the domestic church’) in incarnating this in our lives and in the world. In other words, it is not simply that God is present in the world and that we are called to reflect this presence through the household but rather that by being one in a physical home, we are also one in a spiritual home with the persons of the Holy Trinity. In this spiritual home, God dwells within us and we dwell within God. This is a movement from a functional justification of the Christian household, or the domestic church, to a recognition of its spiritual significance. The domestic church moves from being seen solely as a physical place for Christian witness to also being included and transcended into a deeper mystical understanding of it as an icon of the household of each of us in God and of God’s presence within each of us.

There are two particular sentences in the Old Testament which underline the deepening in emphasis of the spirituality of the domestic church into which Pope Francis is leading us. In the book of Joshua, he says to the people: *As for me and my household, we will serve the Lord.* (Joshua 24 : 15). This public pronouncement reflects the conventional understanding of the household as a place of witness to God and service of His will. In Psalm 23, however, the deeper spiritual significances of the Christian household is reflected in the words of the Psalmist: *I shall dwell in the house of the Lord my whole life long.* (Psalm 23 : 6) It is this second understanding which also finds expression in the heart of the Gospel of John, being the more mystical in nature of the synoptic gospels. In this Gospel, Jesus says: *As the Father has loved me, so I have loved you. Abide in my love.* (John 15 : 9) The invitation to abide in the love of God is to dwell in this love, to live within the holding environment of the love of God. The idea of living or dwelling in a place of love evokes the image of a dwelling place where one feels safe, secure and affirmed. This is re-iterated by Jesus in this Gospel when He says: *If anyone loves me, he will obey my teaching. My Father will love him and we will come to him and make our home with him.* (John 14 : 23)

This expression by Jesus of both He and His Father making their home with us implies that they manifest themselves to us in no temporary way but that it is the privilege of Christians to enjoy their presence continually. They take up their residence in the heart of each one of us as their dwelling place, as a temple fit for their abode, a theme repeatedly taken up by St.

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4. This was said by St John Paul II in the course of his homily at the Eucharistic Celebration in Puebla de los Angeles on 28 January 1979.

Paul in his letters to the Corinthians (cf. 1 Corinthians 3 : 16 “Ye are the temple of God”; 1 Corinthians 6 : 19; “Your body is the temple of the Holy Ghost”; 2 Corinthians 6 : 16 “Ye are the temple of the living God.”) In turn, we are called to live in their domain, their *domus*, their spiritual home, that is by being quietly, calmly confident of their eternal presence in the field of time and space in which we live and move and have our being. The essence of all of this is clarified in chapter nine of *Amoris Laetitia* when Pope Francis states:

“We have always spoken of how God dwells in the hearts of those living in his grace. Today we can add that the Trinity is present in the temple of marital communion. Just as God dwells in the praises of his people (cf. PS 22:3), so he dwells deep within the marital love that gives his glory. The Lord’s presence dwells in real and concrete families, with all their daily troubles and struggles, joys and hopes. (AL 315)

A positive experience of family communion is a true path to daily sanctification and mystical growth, a means for deeper union with God. The fraternal and communal demands of family life are an incentive to growth in openness of heart and thus to an ever fuller encounter with the Lord ... Since ‘the human person has an inherent social dimension’, and ‘the first and basic expression of that social dimension of the person is the married couple and the family’, spirituality becomes incarnate in the communion of the family. Hence, those who have deep spiritual aspirations should not feel that the family detracts from their growth in the life of the spirit, but rather see it as a path which the Lord is using to lead them to the heights of mystical union.” (AL 316)

Previously, it had been widely understood in Christian spirituality that the way of contemplation was the primary, if not even the exclusive way in which one could aspire to an experience of the mystical love of God. At the conclusion and climax of this Apostolic Exhortation, however, Pope Francis is saying something quite radically different and new. It is also something that someone who lives in a loving, permanent household has known all along. It is simply this: being immersed in the life of a household rooted in the love of God is to be immersed in God. Such a household is not simply witnessing the presence of God to the world, but is *the* milieu of God within the world and is the holding environment for the care of the presence of God in our own hearts.

Nonetheless, there is a danger in stressing this pivotal insight of Pope Francis that his expression of the mystical beauty of marriage and family life in some way occludes the calling of the family to go out into the world and to embrace all others with its own hospitality. Such an occlusion would obviously be entirely contrary to the general exhortations of Pope Francis that the Church goes to the peripheries and becomes a ‘field hospital’ for those who are in need of care and love. Consistent with this, one must acknowledge the fundamental truth of the Christian spiritual life that the deeper we are lead into an interior knowledge of God, the more we are prompted to reach out to others, to become less self-absorbed and more sensitive and responsive to the human fragility which we all share.

Accordingly, in this final chapter of *Amoris Laetitia*, Pope Francis also states that the family has always been the nearest “hospital”. He says that God’s love is proclaimed through the living and concrete word whereby a man and a woman express their conjugal love and that the two are thus mutual reflections of that divine love which comforts with a word, a look, a helping hand, a caress, an embrace. (AL 321). All family life is described by him as “a shepherding in mercy”. When a family is welcoming and reaches out to others, especially the poor and the neglected, Pope Francis says that it is ‘a symbol, witness and participant



in the Church's motherhood.' Social love, as a reflection of the Trinity, is what truly unifies the spiritual meaning of the family and its mission to others, for it makes present the kerygma in all its communal imperatives. (AL 324) In this way, he says that:

“The family lives its spirituality precisely by being at one and the same time a domestic church and a vital cell for transforming the world.” (AL 324)

Just as Pope Francis focuses upon the inner and outer dimensions of family life, the mystical and the social, the inhalation and the exhalation of the breath of familial hospitality, he also ends this chapter by returning to a central teaching of his pontificate: that the mercy of God is found in the truthful acknowledgment of one's fragility. He concludes this chapter by explaining how this applies to families. He affirms that no family drops down from heaven perfectly formed and that families need constantly to grow and mature in the ability to love. Our contemplation of the fulfillment, which we have yet to attain, allows us to see in proper perspective the historical journey which we make as families. This awareness leads us to stop demanding of our interpersonal relationships a perfection, a purity of intentions and a consistency which we will only encounter in the Kingdom to come. It also keeps us from judging harshly those who live in situations of frailty and from being immersed in guilt and shame about our own mistakes and errors in relationships in our families. By highlighting the importance of this abandonment of judgment to God and the ensuing acceptance of our own fragility and that of others before God, Pope Francis concludes this Apostolic Exhortation in a truly hopeful and uplifting way by saying:

“All of us are called to keep striving towards something greater than ourselves and our families, and every family must feel this constant impulse. Let us make this journey as families, let us keep walking together. What we have been promised is greater than we can imagine. May we never lose heart because of our limitations, or ever stop seeking that fullness of love and communion which God holds out before us.” (AL 325).

### *Integritas – a domestic centre of Christian spirituality*

In 2000, my wife and I started a domestic centre of Christian spirituality in our home, known as *Integritas*. The purpose of this centre is to explore how the beauty, truth and goodness of Christian faith can be made more real through the domestic church. The centre at *Integritas* seeks to grow into being such a place through regular prayer, holding classes on Christian spiritual themes, having conferences where certain concerns of the Church can be explored in a private setting and by publishing related materials. The underlying objective for all of this is to allow a domestic church to become identifiable and to express an ecumenical Christian spirituality, which is rooted in marriage and family life and which speaks about Christian faith in a way that is attractive and is an accurate response to the times we live in.

The name *Integritas*, for the domestic centre of Christian spirituality at our home, comes from the Latin for integrity. It refers to what is suggested to be at the heart of Christianity – that God seeks to draw all of His children back to Himself, to gather all of us into one. (Jn 17: 21-23). At the centre of this plan is marriage between man and woman and the children that come from them. The Christian understanding of marriage and family is where the divine plan of drawing all into the love of God finds its central locus for it is from our own parents that each of us, at our most vulnerable, are most open to the experience of the love of God. The protection of the integrity of marriage based upon the complementarity of man and woman is, therefore, at the foundation of Christian belief and of the well-being of society, a truth expressed by Pope Francis throughout *Amoris Laetitia* (e.g. AL52).

In the introductory section of this text (pages 9-10) it is explained how this centre is concerned with nine areas of Christian faith and spirituality, which are explained in turn as:

- Contemplation and Vocation
- The Body in Christian Faith
- The Integrity of Marriage
- The Human Ecology of the Family
- The Domestic Church
- Christian Faith in Education
- The Nature of Constitutional and Human Rights
- The Christian Foundations of Law and Society
- An Ecumenical Christian Spirituality

Through what has taken place here over the last seventeen years, it has become clearer that the domestic church is called to be a place that has nine qualities, which give rise to these nine areas of Christian faith and spirituality for this centre.

### *The nine places in the domestic church*

At the heart of the idea of the domestic church is the practical reality of making a place. The spiritual practice of place making rests upon the conviction of the value of creating a space that patently remembers God and where people live seeking to discern what is the will of God for them and how they can be as loving and caring to each other as possible.

The creation of a home is a place of rest, a place where one can dwell in the presence of God. It is a spiritual practice with deep and profound roots in the Jewish-Christian tradition. The home offers a place of rest, of sanctuary from the troubles of daily life. It is a refuge where one can be restored in the presence of God and renewed to go out again secure in the presence of Christ within oneself and in all things. The making of a home is the creation of a place where one can experience that the centre holds and that the presence of Jesus Christ is a reality. In this way, the home grounds and secures one's life in Christ and its creation and maintenance becomes an essential spiritual practice.

#### *1. A place of prayer*

A domestic church is, therefore, first and foremost, a place of prayer. This means that it has a place within it dedicated exclusively to prayer. It also means that the entire place has a sense of remembrance of God, which is neither intrusive nor marginal. Prayer within such a home also needs to be regular and normal. It is not an oddity or an exhibition but simply understood and lived as an essential way of being before God in this world.

#### *2. A place of physical and mental well-being*

The home is also a place of physical and mental well-being. It is a place where the physical body is meant to be cared for, in good diet, rest and exercise. It is also meant to a place of mental relaxation, a place that is not stressful, a place that is soothing and peaceful.

### *3. A place founded upon the vow and covenant of marriage*

As Pope Francis states in *Amoris Laetitia*, the sacrament of marriage is not a social convention, an empty ritual or merely the outward sign of a commitment. The covenant made in marriage between a man and a woman is a real representation, through the sacramental sign, of the same relationship between Christ and the Church. (AL72) Through their vow and covenant to each other and before God, a married couple is a permanent reminder for the Church of what took place on the cross; they are for one another and for their children witnesses of the salvation in which they share. The marital vow between a man and a woman grounds the entire fabric and enterprise of the domestic church. It roots the two as one in eternal communion with the love of God.

### *4. A place respectful of the human ecology of the family*

Every child needs the love of a mother and a father and has a right to this love. Again, in *Amoris Laetitia*, Pope Francis states that husband and wife, father and mother, in their complementarity, both cooperate with the love of God the Creator, and are, in a certain sense, His interpreters. They show their children the maternal and paternal face of the Lord. Together they teach the value of reciprocity, of respect for differences and of being able to give and take. If for some inevitable reason one parent should be lacking, it is important to compensate for this loss, for the sake of the child's healthy growth to maturity. (AL172) Pope Francis also underlines that relationships between brothers and sisters deepen with the passing of time and the bond of fraternity that forms in the family between children, if consolidated by an educational atmosphere of openness to others, is a great school of freedom and peace. The family itself introduces fraternity into the world.

### *5. A place faithful to the local and universal Church*

The family home is called to fully participate in the life and mission of the Church. It needs to be connected to the Church in its own parish and to be willing to serve the needs of its own locality. It is also called to be a place of permanent education in the faith. To achieve this, it needs to be increasingly conscious of the teachings of the Universal Church. In this way, the domestic church forms persons in love and also seeks to act out of love in all of its relationships. It does not live closed in on itself. Instead, it remains open to the community, moved by a sense of justice and concern for others, as well as by a consciousness of the need to remain faithful to the teachings of the Universal Church and to be increasingly informed about them.

### *6. A place of education in Christian faith*

For children to become educated in Christian faith, it needs personal mediation. They have to encounter it. Pope Francis states that the overall education of children is a "most serious duty" and at the same time a "primary right" of parents. (AL83) Schools do not replace parents but complement them. They are not in substitution of the educative role of the family home but are meant to build upon it and add to it. In this way, there is an educational alliance between the family and the school and in turn, between family and society. This leads to the values of Christian faith permeating into society through younger people being properly formed in them. The domestic church is also, however, called to a place of education in Christian faith for all who live within it or enter it. The home is called to radiate what Christian faith is and thereby allow everyone who is present within it, for whatever period, to experience personally the love of God.

### *7. A place that respects rights and responsibilities*

The domestic church is also a place that seeks to honour the dignity of every person who frequents it. In this way, it becomes a model to society as to how it can conform more to the ways of loyalty, fidelity and compassion that are inherent in a healthy family. This entails respecting the rights of each person that live and stay within it. This must also be a corresponding recognition, however, that each person, in a family context, has different roles and responsibilities. Parents and children share an equal right to the respect of their dignity but they have utterly different responsibilities and levels of understanding as to how to address the challenges that face every family. Hence, they must have different rights so as to fulfill their responsibilities and to ensure that the family can best negotiate the difficulties that it faces. Similarly, those who are weak and vulnerable must be afforded greater rights and less responsibilities than those who are strong. A healthy family is ordered in a manner so that differences of capacity between its members are treated fairly and justly but not in a manner which denies their existence.

### *8. A place that promotes the Christian foundations of society*

The family is meant to form persons in love and also to practice love. It remains open to the community, moved by a sense of justice and concern for others, as well as by a consciousness of its responsibility towards the whole of society. Pope Francis says that a married couple who experience the power of love know that this love is called to bind the wounds of the outcast, to foster a culture of encounter and to fight for justice. “God has given the family the job of ‘domesticating’ the world and helping each person to see fellow human beings as brothers and sisters. ‘An attentive look at the everyday life of today’s men and women immediately shows the omnipresent need for a healthy injection of family spirit. Not only is the organisation of ordinary life increasingly thwarted by a bureaucracy completely removed from fundamental human bonds, but even social and political mores show signs of degradation’. For their part, open and caring families find a place for the poor and build friendships with those less fortunate than themselves.” (AL183) Pope Francis also states that “Christian marriages thus enliven society by their witness of fraternity, their social concern, their outspokenness on behalf of the underprivileged, their luminous faith and their active hope. Their fruitfulness expands and in countless ways makes God’s love present in society.” (AL184) The domestic church, therefore, engages with the question of how to transform society and is a vital cell for the configuration of society upon the presence and love of God.

### *9. A place of ecumenical Christian hospitality*

The word ecumenism is derived from the Greek words *oikoumenē* (“the inhabited world”) and *oikos* (“house”). The concept of the welcoming house or home for all is inherent in the etymology of this word. It also expresses the essence of the domestic church as a place that welcomes all members of the Christian family. Family homes based upon a marriage of a man and a woman from different Christian denominations can significantly contribute to making visible the growing unity between Christians. They develop a love and understanding not only of one another but also of the churches that have given each of them their religious identity. They are both a sign of unity and a means to grow towards unity. They realise the phrase of St. John Paul II which he used during his visit to England in 1982: “You live in your marriage the hopes and difficulties of the path to Christian Unity”. More recently, when addressing those affiliated to the Polish Council for Ecumenism and others,

Pope Benedict XVI declared that the families of such “can lead to the formation of a practical laboratory of unity”. (5) Whether the home is based upon a marriage of two persons of different Christian denominations or not, all Christian homes are called to places of reconciliation and hospitality for the entire Christian family. In this way, they respond to the climactic prayer of Jesus at the conclusion of His final discourse to the disciples as recounted in the Gospel of St. John at the conclusion of the hospitality of the Last Supper:

The glory that you have given me I have given them, so that they may be one, as we are one, I in them and you in me, that they may become completely one, so that the world may know that you have sent me and have loved them even as you have love me. (John 17 : 22 – 23)

### *The time has come for the domestic church*

In order to experience the security and affirmation of the love of God in our hearts, we need to live in an environment where we are affirmed and cared for. The primary place for this experience is the family household. It is the crucible where one experiences love and being loved and the challenge to forgive and to accept forgiveness. The restoration of our awareness of the family home as a centre of Christian faith is, therefore, essential to a deepening of our experience of it.

Conscious that every family is fragile and complicated, we also need to be confident that in the vowed covenant of marital love between a man and a woman and in the daily tasks of giving a child the best that a father and a mother can, something of real and incomparable value is incarnated in the world. This reality can be deconstructed in our laws but it cannot never be devalued in its beauty, truth and goodness. It is the importance of living in accordance with the Christian understanding of marriage and the family, particularly when it is relativised by our civil laws, that makes the emergence of the domestic church a central locus for the future of Christian faith. The domestic church, founded upon the marriage of a man and a woman and the parenting of children by a mother and a father, is an ideal which, when lived with integrity, is the foundation of human development and the good of society. It offers a renewed understanding of Christian education, the basis for a principled society and a truly ecumenical future for all Christians in one family.

In an increasingly secularised Ireland, how can faith contribute today to the process of grounding the values which should inspire our modern society? I have often mentioned the question which Pope Benedict posed to me ten years ago on my first official visit as Archbishop to him: “Where are the points of contact today between the Church in Ireland and those places where the future of Irish culture is being formed”. ... People have, in many ways, lost that historical understanding of the contribution of Christian belief to the development of Western Culture ... the contribution of the Christianization of Europe was that of “a new idea of a voluntary basis for human association in which people joined together through love and will rather than blood and shared material objectives” This is precisely the point of contact which we as believers should be seeking to address in our pluralist society: how do we as Christians contribute to the formation of *new ideas for a vision of human association* in which people will join together in a spirit of love, solidarity and compassion, rather than relentlessly seeking narrow personal interests or simply material or economic objectives.

Christian values will flourish in a secular society only when lived Christianity flourishes. Where Christianity is not lived with authenticity and integrity it will end up killing its own values. In a world, to quote Pope Benedict, “where the men and women of our time do not know where to find God”, our witness to a Christianity lived fully in our own lives can sow the seeds of the Christian message in the varied soils and environments in which we live.

(The Most Rev. Diarmuid Martin, Archbishop of Dublin, Christ Church Cathedral,  
13 November 2016)



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On each Good Friday, the Seven Last Words of Jesus upon the Cross, form an evening of prayer at *Integritas*. Seen above is The Icon of the Crucifixion, which is placed in the centre of the room for this prayer. The helpless presence of the physical body of Jesus upon the Cross draws us to Himself and to the Father. When we are drawn to Him, He becomes the centre that holds. Dietrich Bonhoffer wrote that “*God allows Himself to be edged out of the world and onto the cross*” as this is the only way that He can fully draw us into His love, hold us and help us. This is the power of powerless love, the supreme act that draws love out from the human heart and compassion for each other. It is achieved by God in this world through the human body. When we are drawn to Him, He becomes the centre that holds. Our lives, through the movement of the Holy Spirit, then gradually configure around Him and are directed to the care of others and of creation and ultimately homeward to the Father. It is to this holding and configuring of our lives within the Holy Trinity that the word *integritas* (l. integrity) refers.

## VII THE FAMILY AS CONSTITUTIVE OF SOCIETY

*As the family goes, so goes the nation and so goes the whole world  
in which we live.*

St. John Paul II

In the life and teachings of St John Paul II, the future of the Church and society hinge on the stability of the family. It is not surprising, then, that he had invested so much of his teaching in the defence of the family unit. For him the family is the first and most important school of life and of love. This uniquely stabilising influence is the principal service that it offers to society and the Church.

The word ‘constitutive’ means having the power to establish or give organised existence to something. The domestic church, that is the family home, centred upon God, has, therefore, a critical role to play in re-constituting society. This re-constitution means shaping society in a way that founds it upon God and that seeks to order society through discernment of what is the divine will in political decision-making. The domestic church places God at its centre and witnesses in and to society to do likewise. It is embedded in the heart of society and is at its core. Accordingly, it has enormous transformative power to witness to the truth that a humanism which excludes God is itself inhuman. As Pope Benedict stated in his encyclical letter *Caritas In Veritate*: “Only a humanism open to the Absolute can guide us in the promotion and building of forms of social and civic life – structures, institutions, culture and ethos – without exposing us to the risk of becoming ensnared by the fashions of the moment.” (CIV78)

The domestic church can also express what is the heart of the malaise of Western society. It is built upon Christian teaching and revelation but it has forgotten the person of Jesus Christ. Fedor Dostoevsky (1821-1881) observed that “The West has lost Christ and that is why it is dying; that is the only reason.” He powerfully elucidated in his novels that those who “kill” God also kill the human person and that the human person without God cannot remain free. The one basic choice placed before each of us in Western society is that between the human-god of our own egos or the God-human of Christian revelation. Dostoevsky, when faced with the choice of the human-god of atheism, chose instead Jesus Christ and the faith of the Church. He saw the same choice placed before every human being and at the heart of the direction and orientation of civil society. Robert Cardinal Sarah has expressed this same insight in relation to the direction of a political democracy in this way:

“Without a Christian reference, in ignorance of God, a democracy becomes a sort of oligarchy, an elitist, inegalitarian regime. As always, the eclipse of what is divine means the debasement of what is human.” (1)

When addressing the United Nations Organisation on 25 September, 2015 Pope Francis said: “The contemporary world, so apparently connected, is experiencing a growing and steady social fragmentation, which places at risk *“the foundations of social life”* and consequently leads to *“battles over conflicting interests”*”. (Laudato Si’, 229) There is a pervasive need to respond to this growing fragmentation with a renewed understanding of the true foundations of social life. The family home centred upon God, the domestic church, is the key model to exemplify this to and in society. It can show how to live in accordance with a set of guiding principles which can respond to ‘the secularist crisis’ which is leading to an ever greater organisation of Western society without God and, therefore, against mankind.

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1. Robert Cardinal Sarah and Nicolas Diat ‘God Or Nothing’ (2015) Ignatius Press, at p. 180.)



‘The secularist crisis’ is a pervasive, multi-faceted assault upon the very fabric of religion and the social values which are necessary for human well-being. It refers to the increasing acceptance of the view that commitments of faith and prayer are private and personal choices which should not be allowed to intrude into the social arena. It arises from the conjunction of two challenges: the atheism of Enlightenment philosophy and the moral liberalism resulting from the social revolution in the 1960s. Alberto Methol Ferré calls this ‘libertine atheism’. The secularist crisis is the onrushing tide of indifferentism which empties Western civilisation of its spiritual roots and puts in its place a shallow humanism.

The secularist crisis afflicting society today has its roots in the neglect of the home. Realising the centrality of the family, of a man and a woman, as mother and father, nurturing their own children, defines our capacity to organise society with the common good firmly in mind. The domestic church offers something more than this to society though because it is a place which meets the longing in the human person, not just for the company of others, but for God also. It manifests to society the need for men and woman to be committed to each other and to their children but also for the whole of society to realise and respond appropriately to the human hunger for the divine foundation of life.

For the human person lives in two dimensions, the heavenly and the earthly and is created for this life and for the next. A society that forgets God hungers, without realising it, for the spiritual foods that the human person cannot do without. This is why the secularisation process that reduces the religious dimension to the smallest possible extent results in a division of the human person. This loss of a spiritual rootedness and the shallow humanism that replaces it was described by Václav Havel, through the use of the image of the loss of the ‘transcendent anchor’, when addressing Stanford University in 1994. He said:

“If democracy is not only to survive but to expand successfully and resolve those conflicts of cultures, then, in my opinion, it must rediscover and renew its own transcendental origins. It must renew its respect for that non-material order which is not only above us but also in us and among us and which is the only possible and reliable source of man’s respect for himself, for others, for the order of nature, for the order of humanity, and thus for secular authority as well. The loss of this respect always leads to loss of respect for everything else from the laws people have made for themselves, to the life of our neighbours and of our living planet. The relativisation of all moral norms, the crisis of authority, reduction of life to the pursuit of immediate material gain without regard for its general consequences - the very things Western Democracy is most criticised for – does not originate in democracy but in that which modern man has lost : his transcendent anchor and along with it the only genuine source of his responsibility and self-respect.”

### *The transcendent anchor of realism*

In this context, it is important to distinguish between two radically different philosophical worldviews: one is a realist one, the other is a voluntarist one. A realist worldview acknowledges that there are certain truths and values inscribed in the way things are, in reality itself (hence: ‘realism’). Until the early modern period, the philosophical tradition was predominantly realist (Plato, Aristotle, Thomas Aquinas). This tradition referred to “natural law” or “the common good” to express that morality is grounded in a reality which transcends mere individuals. A realist position usually develops a rich anthropology and has a developed understanding of the common good.

At the end of the medieval period, however, and throughout modernity, voluntarism gained dominance. Gradually, the notion took hold that value is not recognised but bestowed by the will of society, or even the individual (hence ‘voluntarism’, from *voluntas*, meaning ‘will’ in Latin). In our post-modern liberal Western societies, only the flimsiest of understandings of the common good survives, if at all. Essentially, individuals can now exert their freedom in any way they want, as long as it does not infringe upon the freedom of other individuals to exert theirs.

When we apply this dichotomy to the meaning of marriage, for instance, it challenges those who succeed in legally defining marriage as something other than a permanent commitment between one man and one woman to explain what their new meaning of marriage is grounded upon. The choice we face is quite stark: either marriage is an unalterable form, which can only be truly known and understood as between one man and one woman and cannot be changed (realism), or it is something which is temporal, subject to our own beliefs and can be changed as we see fit (voluntarism).

The problem with the voluntarist worldview – the notion that meaning is not grounded in reality but that all meaning, truth and values are of our own making – is this: because of the very fact that voluntarism refuses to acknowledge that external truth and goodness are grounded in reality, it is in danger of simply becoming a pursuit of power. If the human will (be it societal or individual) is the sole determining factor in deciding what is right and wrong, it has no criteria or standards in light of which it can make its moral evaluations but only the blind exercise of the will itself. The technological revolution further strengthens this self-referential exercise of will. We do things, such as commercially selected human reproduction, because we can, not because it is morally imperative or even desirable to do so.

### *The unsustainable contradictions of liberalism and voluntarism*

In an essay published in August 2012, Patrick J. Deneen, Associate Professor of Political Science at University of Notre Dame observed that: “Liberalism’s contradictions are unsustainable and we must see man and nature anew”. In this seminal essay, he argues that liberalism is constituted by a pair of deeper anthropological assumptions that give liberal institutions a particular orientation and cast. (2) They are:

- 1) anthropological individualism and the voluntarist conception of choice and
- 2) human separation from and opposition to nature.

He observes that liberalism ceases to account for the implications of choices made by individuals upon community, society, and future generations. It dismissed the idea that there are wrong or bad choices. It thereby rejected the accompanying social structures and institutions that were ordered to restrain the temptation toward self-centered calculation. Deneen observes that this was achieved by the most basic and distinctive aspect of liberalism, by basing politics upon the idea of voluntarism—the free, unfettered, and autonomous choice of individuals. Deneen states that the voluntarist logic ultimately affects all relationships, including the familial. One of the fathers of liberalism, John Locke, the philosophical successor to Thomas Hobbes, held that marriage is finally to be understood as a contract whose conditions are temporary and subject to revision, particularly once the duties of child-rearing are completed. He argues that if this encompassing logic of choice applies to the most elemental and basic relationships of the family, then it applies all the

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2. ‘Unsustainable Liberalism’, Patrick J. Deneen, *First Things*, August 2012.

more to the looser ties that bind people to other institutions and associations, in which continued membership is subject to constant monitoring and assessment of whether it benefits or unduly burdens any person's individual rights. Deneen explains that the default basis for evaluating institutions, society, affiliations, memberships, and even personal relationships then becomes dominated by considerations of individual choice based upon the calculation of individual self-interest, and without broader considerations of the impact one's choices have upon the community - present and future - and of one's obligations to the created order and ultimately to God.

He also identifies the second anthropological assumption that constitutes liberalism. He says that pre-modern political thought—ancient and medieval, particularly that informed by an Aristotelian understanding of natural science—understood the human creature to be part of a comprehensive natural order. Man was understood to have a *telos*, a fixed end, given by nature and unalterable.

“Human nature was continuous with the order of the natural world, and so humanity was required to conform both to its own nature as well as, in a broader sense, to the natural order of which human beings were a part. Human beings could freely act against their own nature and the natural order, but such actions deformed them and harmed the good of human beings and the world. Aristotle's *Ethics* and Aquinas' *Summa Theologica* are alike efforts to delineate the limits that nature—thus, natural law—places upon human beings, and each seeks to educate man about how best to live within those limits, through the practice of virtues, in order to achieve a condition of human flourishing.

Liberal philosophy rejected this requirement of human self-limitation. It first displaced the idea of a natural order to which humanity is subject and thereafter the very notion of human nature itself. Liberalism inaugurated a transformation in the natural and human sciences, premised on the transformation of the view of human nature and on humanity's relationship to the natural world.”

In stating this, Deneen correctly diagnoses the efforts of contemporary “transhumanists”, for instance, who reject the idea that human nature is in any way fixed. They extend to human nature itself the idea that nature is subject to human conquest and embrace virtually any technical means of liberating the human person from the biological imperatives of the human body. Deneen concludes that liberalism seeks the transformation of the entirety of human life and the world:

“Its two revolutions—its anthropological individualism and the voluntarist conception of choice, and its insistence on the human separation from and opposition to nature—created its distinctive and new understanding of liberty as the most extensive possible expansion of the human sphere of autonomous activity in the service of the fulfillment of the self. Liberalism rejects the ancient and preliberal conception of liberty as the learned capacity of human beings to govern their base and hedonistic desires.

Liberalism instead understands liberty as the condition in which one can act freely within the sphere that is unconstrained by positive law. Liberalism effectively remakes the world in the image of its vision of the state of nature, shaping a world in which the theory of natural human individualism becomes ever more a reality, secured through the architecture of law, politics, economics, and society. ... With man liberated from constitutive communities (leaving only loose connections) and nature harnessed and controlled, the constructed sphere of autonomous liberty expands seemingly without limit.”

By way of example, Deneen observes that the norm of stable, lifelong marriage fades, replaced by various arrangements that ensure the fundamental autonomy of the individual, whether married or not. Children are increasingly viewed as a limitation upon individual freedom, even to the point of justifying widespread infanticide under the banner of “choice,” while overall birthrates decline across the developed world. He urges that a different paradigm is needed, one that intimately connects the cultivation of self-limitation and self-governance among constitutive associations and communities.

Clearly, the family of man, woman and child must be at the heart of this new awareness that is needed in society to challenge the unbridled expansion of the contradictions of liberalism which he defines. It is *the* “constitutive association”. This family unit directly contradicts what Deneen defines as “the dominant narrative of individual choice aimed at the satisfaction of appetite and consumption dominates in the personal or economic realms, the ethic of liberalism will continue to dominate our society.” He also suggests that a different trajectory does not require a change of institutions; it requires a change in how we understand the human person in relationship to other persons, to nature, and the source of creation. In other words, we must respond to the anthropological crisis of our time: we have forgotten our own nature as creatures in our endless pursuit of the liberal fantasy of infinite personal capacity, consumption and autonomy.

### *Conscience, self-will and claims to moral neutrality*

In the writings of Robert P. George, McCormick Professor of Jurisprudence, at Princeton University, he stresses that the dogmas of liberal secularism emanate from a confusion of conscience with the right to self-will. He writes: “Conscience is a stern monitor, but in this century it has been superceded by a counterfeit, which the eighteen centuries prior to it never heard of, and could not have mistaken for it if they had. It is the right of self-will.” (3) This confusion of conscience with the right to self-will works its way through the institutions of society whereby they are being reshaped to meet the demands of individual will, such as with the redefinition of marriage.

This reshaping is also being effected by reason of being based upon another error. This is the claim that one can take a position on what is best for the human person or society and be morally neutral in doing so. George points out that it is not possible to take a position on the definition of marriage or any other serious moral issue without having some theory of the human person and what is good for humanity and society. Modern claims to moral neutrality are simply not true.

Opponents of religion object to comprehensive worldviews as a basis for policy as they argue that a religiously based concept of what is best for the human person and society will then be unfairly imposed upon others who do not share this view. George responds, however, that these very same people have an underlying concept of the good for themselves, which they seek to impose on others without ever having to defend that concept. He observes that the real threat to freedom is not people with religious or other comprehensive views of the human person and of the good for humanity. The real threat is that some people insist that they be permitted to do what they want, including reshaping the fundamental institutions of society, on the basis of “neutrality.” He argues that these people and their projects are not subjected to reasoned scrutiny but allowed to bypass serious analysis as they remain disguised in the cloak of “neutrality.” Accordingly, to adopt a religious standpoint in discerning what is best for the human person and the ordering of human society is not something to be embarrassed about or ashamed of. Instead, such an approach is founded

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3. *Confronting the Dogmas of Liberal Secularism*, Robert P. George, Wilmington, Del.: ISI Books, 2013, at. p. 110.

upon the truthful acceptance that we do not create ourselves and that no approach to what is best for the human person and society can ever be morally neutral.

The starting point must, therefore, be to acknowledge that we are creatures with a capacity to discern the will of our Creator. That is, we are called to order our affairs upon timeless, spiritual principles, which are revealed to us in our own nature, properly understood. At their heart, these principles must protect the foundation of social organisation, which is the relationship between a child and his or her mother and father. The family of a child and his or her natural parents is what is most deeply constitutive of society. All of society emanates from the relationship between the three of them and is meant to protect and support them. Public life is fundamentally about how to preserve and transmit a cultural inheritance which, in its essence, is founded upon the union of a man, woman and their child. Indeed, St John Chrysostom said “The love of husband and wife is the force that welds society together.”

### *The formulation of spiritual principles in public life*

When addressing the United Nations Organisation on 4 October 1965, Pope Paul VI stated that: “The edifice of modern civilisation has to be built on spiritual principles, for they are the only one capable not only of supporting it, but of shedding light on it.” If we were to ask how could society be guided by the model of the family home, centred upon God, what would the defining principles of such a society be? What are the principles which the domestic church manifests to us, which provide the “transcendent anchor” (Václav Havel) which mark out the foundations of Christian civilisation?

The use of the term ‘principles’ is important because they are distinct from ‘policies’, a distinction previously made in the writings of Ronald Dworkin, the American legal and political philosopher. Principles are unchanging, steadfast and eternal in nature. Policies give effect to principles and bring them into being. Unlike principles, policies change continuously so that the underlying, unchanging principle giving rise to the policy can be applied in changing circumstances. The following spiritual principles are, therefore, offered as a statement of the foundations of social life as they centre upon the care and well-being of the family, which itself is the cornerstone of society.

#### *1. The Divine Order*

God is. The human person is not in the way God is. This fundamental inequality is the source and origin of all created life. Creation and the human person are made by God and subject to an inherent order, articulated in natural law, which is intelligible and gradually comprehended by humanity with the passage of time. The human person is created by God and for God. God never ceases in drawing each person to Himself.

#### *2. The protection of the ecology of the earth*

The universe is the fruit of a loving decision by the Creator, who permits human beings to use creation for the full flourishing of human life and the glory of all of creation. The human person is not authorised to abuse creation or to destroy it. Human beings are part of the environment and this entails ethical limits in the use of the environment. As the human person is made male or female, in a body shaped by physical, chemical and biological elements, human survival is entirely dependent upon the ecological environment being favourable. Any harm done to the environment is, therefore, also done to humanity.

### *3. Human ecology*

The human body establishes us in a direct relationship with the environment and with other living beings. The acceptance of our bodies as created by God is essential for welcoming and accepting the entire creation as an immeasurable gift from God and our common home. The false belief that we enjoy absolute power over our own bodies turns, often subtly, into thinking that we also have the right to dominate creation. Learning to accept one's body, to care for it and to respect its fullest meaning, is the cornerstone of any genuine human ecology.

### *4. The nature of the human person*

Every human being is created in the image and likeness of God. The human person has an absolute need for God, rooted permanently in the depths of the soul. God made us for Himself and the human heart is anxious and divided by a dull restlessness as it waits to rest in God. He alone can satisfy us. Human existence, consciously or not, is a constant search for God. The human person is an embodied creature and has to be understood through the nature of the human body.

### *5. The vocation of each individual*

Every human person has a distinct and unique vocation which can only be realised once in time through this person's particular gifts and historical circumstances. This vocation is itself a gift from God which can be discerned by reflecting constantly upon the deepest aspirations in the heart of the human person, in constant dialogue with the particular opportunities and challenges presented in daily life. This discernment must be grounded in providing an education to the person, rooted in the conviction that this person's innate worth as a human being is a given by God and not something to be earned through work or personal achievements.

### *6. The necessity of interior life*

Modern civilisation universally conspires against all interior life which demands the recognition of the truth that human existence is ultimately a constant search for God. The interior life also affirms that the dignity and worth of the human person is a given and is neither earned nor achieved. Due respect for the interior life of the human person is a fundamental precondition for the realisation of the vocation of the human person and in turn for the stability and just ordering of society.

### *7. Biological sex, gender and sexual orientation*

God creates the human person embodied as man or woman. Men and women are equal but different in their embodied capacities and gifts and thereby complementary. The determination of a person's sex cannot be truthfully effected by subjective self-determination as this arises from a denial of the primary truth of the created body and of the universal recognition of the sexes of male and female. The human person, as an embodied creature of God, exists with a spiritual, ancestral, biological and historical reality, all of which are more foundational of human identity than other human characteristics, including sexual orientation. While sexual orientation is an essential element in human identity, to simply define a person, by reference primarily to it, is to diminish the humanity of the person, which is unfathomable and inalienable, rooted as it is in the image and likeness of God.

## *8. The nature of marriage*

Marriage is between a man and a woman. This is a fundamental benchmark which has existed since the dawn of time and which is eternally rooted in human identity. Any other formulation of marriage lacks an inherent integrity as it denies the wholeness of the human person as man and woman, the dignity of difference between the male and the female and the necessity of protecting the procreative potential of two persons of the opposite sex.

## *9. The proper freedom of human sexuality*

Human sexuality is unfathomable and ultimately unknowable as it is a vesting of the procreative genius of God in the fragility of human personhood. It is, therefore, a source of infinite goodness and also unique vulnerability for each person. Accordingly, it must be treated with constant care, respect and reverence which necessitates boundaries and limits in its expression. Human sexuality calls for mutual understanding and compassion in addition to modesty and self-restraint in expression. The expression of human sexuality needs to always be seen in the context of the procreative capacity of a male and a female and the overriding importance of the subsequent care and nurturing of a child by his or her own biological parents.

## *10. Human procreation*

Procreation cannot be justly divorced from the human relational bond between a man and a woman and the natural ties between both of them and their own child. The relationship and commitment between a man and a woman are central to the proper exercise of the human capacity to procreate. The procreation of a human being through the use of purchasing or even donating gametes and where applicable, surrogacy, is fundamentally contrary to the human dignity of all of the participants and of the child who is born in this way.

## *11. The protection of human life*

There is a moral law written into human nature which demands that respect for life in all of its stages and dimensions, from conception to natural death, is always superior to any other competing claim. A true human ecology recognises the equal right to life of every person from the moment of conception to the moment of natural death.

## *12. The family*

The family, based upon the marriage of a man and a woman, secures the inter-generational bond between children, parents, grandparents and ancestors. It is the holding environment for values that irrigate the whole culture, the place where wisdom and moral principles are handed down and the cradle of unconditional love for the human person. Without the family, based on the marriage of man and woman, society loses its true centre and the place from where it is held.

### *13. Parenting*

No part of the human person is without one's mother or one's father. To deliberately conceive a child, in the knowledge that this child will not know his/her mother or father is a serious violation of the human dignity of that child. Every child is entitled to grow up in a family with a father and a mother capable of creating a suitable environment for the child's development and emotional maturity. It is fundamentally preferable that a child is raised by his or her own biological parents and otherwise by a man and a woman. In determining the best interests of a child in terms of parenting, adoption, fostering or otherwise, the balance of a man and a woman to care for the child is a fundamental consideration in determining what is in the best interests of the child.

### *14. Faith-based education*

The parents of a child are the first and primary educators of this person. As the child is made in the image and likeness of God and has an absolute need for God, the schooling of the child to adulthood is preferably conducted in a faith-based environment which seeks to cultivate and realise the unique vocation from God that is inherent in the child.

### *15. The absolute priority of the vulnerable*

All decisions in society must place the determination of what is in the best interests of the unborn, the child, the weak, the aged, the deprived and the vulnerable as paramount at all times. Society must always proceed on the assumption that these interests are under-represented and prone to being neglected when being considered against competing claims of autonomy by adults. The absolute priority in the distribution of economic wealth is to ensure that the inherent dignity of each human person is respected through the provision of the necessary means to each person to live in a healthy way and a safe environment.

### *16. The basis for the just ordering of society*

The Constitution or legal foundation of a democratic state must cohere in its entirety and serve the common good by being founded upon a central and primary commitment to God. This cultivates civic solidarity, reconciliation and respect for difference. The just ordering of society and the State is the central responsibility of politics. Without primary reference to God, a democracy becomes a sort of oligarchy and an elitist regime. The eclipse of what is divine in political decision-making leads to the debasement of what is human. This results in the primacy of relativism, the social disappearance of God and the triumph of an enforced, totalitarian uniformity devoid of respect for difference.

### *17. The true nature of human rights and the principle of equality*

Human rights must emanate from what is inalienable and imprescriptable in the human person and not otherwise. God willed that human beings should be complementary so as to aid and support one another mutually. This requires respect for the principle of equality which responds to unjust discrimination between persons. Absolute equality or the misplaced application of a rigid, uniform egalitarianism is, however, an ideology that thrives when the primacy of God is forgotten. The true and just application of the principles of human rights and equality are not meant to be appropriated by minority interest groups to the detriment



of the common good. Rather, human rights and the principle of equality are intended to protect and justly order the inalienable dignity in human difference and not become instruments to impose a secular uniformity. In this way, society is ordered in a manner that differences of capacity between persons are treated fairly and justly but not in a manner which denies their existence.

### *18. Freedom of conscience and of religious practice*

Human dignity requires that one is free to respect one's own conscience and engage in religious practice in any manner which does not cause unjust harm or offence to others or undermine the common good. Religious practice has an indispensable role to play in the just ordering of society. It is only through shared practice of religious belief that society can best be ordered in honour of God and in service of human dignity and the welfare of creation. This necessitates freedom of assembly, association and speech for religious practice consistent with the exigencies of the common good.

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## CONCLUSION

When the Irish Constitution was adopted in 1937, its provisions expressed an understanding of the Irish State which was close to being theocratic. Its provisions concerning fundamental rights (Articles 40 – 44) were essentially premised upon Catholic social teaching, while respecting other Christian denominations, in their intention and anticipated effects. It was the first Constitution to feature human dignity in a prominent way, where the “freedom and dignity of the individual” is linked to theological virtues. (1) In relation to marriage, it was expressed as essentially being for the purpose of the procreation of children and for their proper nurture and education. It had little regard for the parallel understanding of marriage as being an affective union between a man and a woman.

With the passing of the redefinition of marriage referendum on 22 May 2015, the Irish Constitution has now moved from one extreme of the understanding of marriage to another. The Christian, natural and biblical understanding of marriage, based upon the sexual difference and complementarity of man and woman, is now rejected for a legal understanding of marriage as solely being an affective, emotional union between two people of any sex. The legal understanding of marriage can be seen as the point on a pendulum which is indicative of the political culture of the Irish State. It unmaskes that the Republic of Ireland has now swung from the extreme of an almost theocratic state in 1937 to that of being an almost secularist state in 2015.

By draining marriage of the distinction as to sex between a man and a woman, this referendum also destroys any legal premise that it is preferable for a child to be reared by a mother and a father. The concept of marriage is thus divorced from being understood by reference to the purpose of the procreation of children or that their nurture and education is best served through the care of a father and a mother.

Contrary to being fixated upon either of these polarities, the understanding of marriage in Christianity seeks to define and honour marriage as:

- (a) a life-long union between a man and woman, in which the couple are called to appreciate and care for all of the varied dimensions of their relationship, whether affective, sexual, intellectual or otherwise and
- (b) the natural and optimum environment for the procreation, nurturing and education of children because every human person has a fundamental right and need for a mother and a father and comes from both.

The Christian tradition also offers a third understanding of marriage, which builds upon the nature of the sexual difference of man and woman and that it is only through this difference that another human person can be born:

- (c) the integrity of man, woman and child, held within a loving relationship between all of them, is the greatest work of God because it is the clearest and most beautiful expression, in human terms, of the Holy Trinity, the integrity of three divine persons in love. As every single human being is always first a child, this incomparable expression of God in human terms is lived out in every single person’s life from conception onwards.

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1. This view of the pioneering importance of the Irish Constitution in relation to the constitutional expression of the concept of human dignity is expressed in recent publications of Samuel Moyn, Professor of Law and History, Harvard University, U.S.A. See Samuel Moyn, ‘Human Rights and the Uses of History’ (2014), published by Verson and ‘Christian Human Rights’ (2015), published by University of Pennsylvania Press.

## *The World Meeting of Families 2018*

When the World Meeting of Families is held in Dublin, Ireland in August 2018 we are presented with four paths which any of us could follow in relation to it. The first path is to allow this meeting to be a defiant and critical stand against the way in which the Republic of Ireland and broader Western society has rejected the Christian, natural and biblical understanding of marriage and of the fundamental need of every human person to experience the love and care of a mother and a father. By analogy to the Parable of the Sower (Luke 8: 4-15), this is to be like the seed that falls on hard ground and is on the margins. It amounts to an unbending, resentful, fundamentalist approach which does not engage in a generous way by bringing the beauty and truth of the Christian vision into our society. This seed does have some life, however, in that it reminds us of the importance of certain unchanging truths which the human person and society must adhere to in order to survive and grow.

The second approach is to ignore and even deny what happened in the Republic of Ireland in 2015. This is like the seed that falls on rocky ground. As the seed has no depth, no soil, it cannot grow. This reflects an attitude of relativism caused by a lack of rootedness in the truth of Christian life. It is to say that nothing of significance happened in 2015 in this country and that one way of expressing our understanding of marriage or the family is as good as another. This approach is entirely accommodating to the increasing dominance of a secularist culture because it sees nothing wrong with it. It also has some good, however, in that it at least understands the importance of mutual respect and acceptance.

The third approach is to be like seed that falls among thorns. The seed grows with the thorns but ultimately they choke the life of the seed. This reflects the position of those who know that what happened in 2015 in this country is of great significance and who also do not reject being engaged with our society. Instead, they conform to it. They know in their hearts that what has happened is not in accordance with Christian truth but they have become choked by the secularist pressures of society. They become fatalistic. They believe there is nothing to be said or done because there is no point. Worse still, they criticise all others, who do identify that something is wrong, as being reactionary, of failing to change with the times and to adjust to where society is now at. Again though, this seed also has life in that it is sensitive to society and engaged with it.

The fourth and final approach is to try to be like the seed that fell on good soil and “when it grew, it produced a hundredfold”. (Luke 8:8) “These are the ones who, when they hear the word, hold it fast in an honest and good heart, and bear fruit with patient endurance. (Luke 8:15) What does this mean in this context? It means that we are called to reflect upon and discern how best to follow the entire teaching of Pope Francis in *Amoris Laetitia*. This entails being held by God’s providence in the truth and mercy of the Christian understanding of marriage and parenthood while not succumbing to a divisive and antagonistic response to the recent rejection of it in the civil laws of our own country and other Western democracies.

The key to standing in the tension of this middle ground is to be joyful about the Gospel of the Family, for the Christian truth about marriage and parenthood is written into the fabric of every human being. Each of us comes from a mother and father. Our mothers and fathers and all of their preceding generations are knitted into our very being. This is the way we have been made by God, for it is He that has made us and not we ourselves. (Psalm 99 (100) : 3). We are His.





# The Holy Family

An icon from INTEGRITAS,  
a centre for CHRISTIAN prayer and reflection.

By the hand of John M. Reynolds KCHS

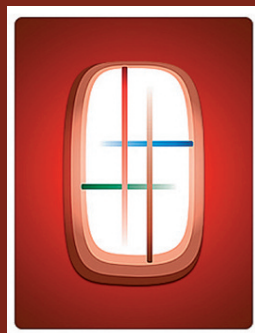
May we enable each other to TRUST  
entirely in the provident love of God;  
may we form family, community and  
a deeper identity in the gentle  
attraction of Jesus Christ;  
may we support one another in responding  
to the unique call of the Spirit  
and serve as one in realising the  
dream of the Spirit for all;  
so that in this covenant,  
may we remain in Christ  
and with Christ in each of us,  
may we come to be at One.

On 27 September 2015, at the conclusion of the Eighth World Meeting of Families in Philadelphia, U.S.A., Pope Francis announced that the next international meeting will be held in Dublin, Ireland in 2018. The dates for this meeting have now been fixed for 21 – 26 August 2018 and its theme has also been chosen – *'The Gospel of the Family: Joy for the World'*.

This text begins by exploring the significance of the choice of the Republic of Ireland for the location of this meeting. In this country, a radical separation was effected in its civil law in 2015 between the Christian understanding of marriage and the family and that created by the amendment of the definition of marriage in its Constitution and the introduction of three legislative enactments in that year. This legal deconstruction of marriage and the family in this country is explored as is its underlying basis in a flawed anthropology, both of which have been shielded from criticism by a prevailing secularist mindset.

This text then explores the potential which the restatement of the Christian understanding of marriage and the family offers for the renewal of Christian faith in Western societies. The key to this potential is suggested as the re-emergence of *'the domestic church'* as a central locus for the witness of Christian faith. The domestic church, founded upon the Christian understanding of marriage and the human ecology of the family, is presented as the cornerstone for human welfare, the renewal of Christian faith and the basis for a principled society rooted in a true understanding of human nature.

Patrick Treacy is married with four children. He is a Senior Counsel. Together with his wife, Linda Rainsberry, since 2000, they facilitate a domestic centre of Christian spirituality at their home at Ennisnag, Stoneyford, County Kilkenny, Ireland ([www.integritas.ie](http://www.integritas.ie)). A copy of this text can be downloaded from this website by clicking on to *'Ireland and the World Meeting of Families 2018'* on its homepage.



*A domestic centre of Christian spirituality*  
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