

Dubious Advice to Bishops on Sexual Morality: A Critique of Schockenhoff's Proposals to the German Bishops' Conference.

George J. Woodall

# A. Schockenhoff's Argument and his Proposals to the German Bishops

The theme of the study day of the German Bishops' Conference at Lingen on 13<sup>th</sup> March, 2019, «The Question of a Break. A Study Day on the Increasing Number of Questions which are Posed these Days», was the setting for a lecture by the prominent moral theologian, Eberhard Schockenhoff, on Catholic sexual ethics. The lecture was divided into four sections: 1) Preliminary remarks: the sexual abuse scandal and Church sexual ethics, 2) The historical genealogy of Church sexual

<sup>&</sup>lt;sup>1</sup> E. Schockenhoff, 'Vortrag vom Prof. Dr. Eberhard Schockenhoff' (Freiburg) auf dem Studientag, «Die Frage nach der Zäsur. Studientag zu übergreifenden Fragen, die sich gegenwärtig stellen» zur Frühjahrs-Vollversammlung der Deutschen Bischofskonferenz am 13 März, 2019, in Lingen', Presssemitteilungen der Deutschen Bischofskonferenz, 13.03.2019, 038d, 'www.dbk.de/fileadmin/redaktion/diverse\_downloads/presse' [accessed, March and July, 2020]. The rights to the German text of the lecture remain with Schockenhoff, former Professor of Moral Theology at the University of Freiburg and member of the German National Bioethics Committee. All translations from this German text are mine.

ethics, 3) The contours of a humanly just sexual ethics, and 4) The anthropological-ethical foundation of sexual ethics.

Despite there being no direct connection between the sexual abuse scandals and the «loss of the validity of the pronouncements of the Church's magisterium about human sexuality»,<sup>2</sup> the fact and the extent of such abuse by clerics has undermined the credibility of the Church and of her teachings, all the more so since they had not observed the prohibitions in matters of sexual morality which they demanded of the faithful more generally. Such dramatic disregard for these norms by those in whom their victims had placed great trust stands in sharp contrast to their duty to protect the weak and to teach in a way which respects the dignity of those entrusted to their care.

This brief, but incisive summary of the enormous damage done by the abuse scandals to victims, to the Church's credibility, both in general and specifically in respect of its teachings on sexuality, is all too accurate, but for Schockenhoff it is not the only reason why many people ignore or openly deny those teachings today. For him, the current crisis offers a pressing reason for a radical revision of some of the central assertions of that teaching.<sup>3</sup> Long before the scandals became known, the «normative postulates» for such teachings were «no longer able to stand, in the face of the discoveries of various human sciences about the dimensions of meaning in human sexuality». 4 This is why the magisterium has been unable to explain specific norms on premarital, same sex or non-marital relationships, or on contraception, in a meaningful way in terms of principles of ordered self-love and of love of neighbour. Whereas the Church has succeeded in interpreting key affirmations of the theology of creation so that they do not clash with sure findings of biology about evolution, it has not yet been able to incorporate insights

 $<sup>^2</sup>$   $\mathit{Ibid.},$  part 1, p. 1: «... Geltungsverlust der kirchlichen Lehraussagen zur menschlichen Sexualität"».

<sup>&</sup>lt;sup>3</sup> *Ibid*.: «Die aktuelle Krise stellt aber eine dringlichen Anlass dar, über die Gründe nachzudenken, die eine Revision zentraler Aussagen dieser Lehre geboten erscheinen lassen».

<sup>&</sup>lt;sup>4</sup> *Ibid.*, part 1, p. 2: «Der innere Sachgrund für den Plausibilitätsverlust (der kirchlichen Sexualmoral) ... liegt darin, dass ihre normativen Postulate an den Erkenntnissen verschiedener Humanwissenschaften über die Sinndimensionen menschlicher Sexualität keinen Rückhalt mehr haben».

from the human sciences into a positive presentation of its teachings on sexual morality.<sup>5</sup>

The second stage of Schockenhoff's analysis examined the historical genealogy of the Church's sexual ethics, as rooted in divine revelation, which the magisterium considers it must expound in a way that is binding for people. He quoted John Paul II telling moral theologians that this sexual ethics is «not a doctrine invented by human beings, but rather a doctrine written into human nature by the hand of God, the Creator, and reinforced by Him in Revelation». The German moralist detected here an approach to revelation which he considered «questionable», because of its focus upon the teaching dimension and upon the transmission of specific morally normative statements, as distinct from understanding it as the self-communication of God, in harmony with a «modern» theology of revelation.

The author regretted that, through such a «strategy of immunisation», the Church «above all ... prevents itself from admitting the dependence of its teaching on sexuality on errors rooted in its historical development». In particular, he identified the «enduring influence» of an «extremely ambivalent mentality towards sexuality» elaborated by Augustine, who had openly admitted his personal sexual experiences, including living with a concubine for years prior to his conversion. «On the other hand, after his conversion, for a long time Augustine obscured the Christian outlook upon eros», no longer seeing sexuality as «an un-muddied source for the affirmation of, and zest for, life» (*joi de vivre*), but experiencing it as «a source of deep humiliation, since his body was dominated by a power which stood in opposition to his will». He interpreted this «loss of control» as a rebellion of the flesh

<sup>&</sup>lt;sup>5</sup> Cf. Ibid.

<sup>&</sup>lt;sup>6</sup> JOHN PAUL II, Allocution to congress of moral theologians, Rome, 12th November, 1988, in AAS 31 (1989), 1206-1211, quoted by E. SCHOCKENHOFF, Vortrag..., part 2, p. 2.

<sup>&</sup>lt;sup>7</sup> Cf. E. Schockenhoff, *Ibid*.

<sup>&</sup>lt;sup>8</sup> *Ibid*.: «Vor allem aber hindert eine derartige Immunisierungsstrategie die Kirche daran, sich die Abhängigkeit ihrer Sexuallehre von historischen Fehlentwicklungen einzugestehen».

<sup>&</sup>lt;sup>9</sup> *Ibid.*: «Einen nachhaltigen Einfluss, der die Sexualmoral auf eine äuβerst ambivalente Einstellung zur Sexualität festlegte …».

<sup>&</sup>lt;sup>10</sup> Ibid., part 2, p. 3: «Andererseits, verdunkelte Augustinus für lange Zeit den christlichen Blick auf den Eros. Er empfand seine Sexualität nach seiner Konversion nicht mehr als die ungetrübte Quelle von Lebensbejahung und Lebenslust ... Er erlebte es vielmehr als eine

against reason and as a damaging consequence of original sin, a constant reminder to him of the stain left by the latter on the whole human race. By accepting that the corruption of human nature through original sin would be handed on through the inclination of the flesh to procreation, Augustine sketched out a poisoned image of sexuality. In addition, he allowed entry into his thinking of inconsistencies and contradictions, for how can parents, who have been washed clean of the stain of original sin, transmit this sin nevertheless through the act of procreation to their descendants?<sup>11</sup>

Despite the recognition of Augustine's doctrine on the «so called» three goods of marriage, Schockenhoff lamented the fact that he «did not succeed in correcting in any durable fashion the pessimistic original sin approach to sexuality», 12 these goods being unable to heal the evil of sexual lust from within, functioning instead in marriage to excuse and to avoid grave fault, so that sexuality within marriage would be tolerated on the condition that the intention of the «lovers» was not directed to «lust», but only to the attainment of the «ends of marriage in accordance with creation». 13 In summary, «according to the surprising perception of Augustine, the will accepts the evil of lust, in the service of the only ends for which marriage was created by the Creator, for the procreation of descendants and for the avoidance of unchastity. Only when restrained in this way, can sexual desire be tolerated». 14

To affirm that some particulars in this approach have long been recognised and corrected «misses the decisive point», namely, that «in magisterial pronouncements on premarital, extra-marital and same-sex

tiefe Demütigung, dass sein Körper durch eine Macht beherrscht wurde, die sich seinem Willen entgegenstellte».

<sup>&</sup>lt;sup>11</sup> *Ibid.*: «... entwirft Augustinus ein vergiftetes Bild der Sexualität. Dazu nimmt er auch Ungereimtheiten und Widersprüche seines Denkens in Kauf. Denn wie können Eltern, die durch die Taufe vom Makel der Erbsünde reingewaschen sind, diesen im Zeugungsakt dennoch an ihre Nachkommen weitergeben?».

 $<sup>^{12}</sup>$  *Ibid*.: «Auch mit der Lehre von den sogenannten Ehegütern gelingt es Augustinus nicht, die pessimistische erbsündentheologische Sicht der Sexualität nachhaltig zu korrigieren».

<sup>&</sup>lt;sup>13</sup> *Ibid.*: «Selbst diese eingeschränkte, auf den Raum der Ehe begrenzte Duldung, der Sexualität bleibt an die Bedingung gebunden, dass die Intention der Liebenden die Lust nicht als solche bejaht, sondern auf die Erreichung der schöpfungsgemäßen Eheziele gerichtet bleibt».

<sup>&</sup>lt;sup>14</sup> *Ibid*.: «Der Wille nimmt, so die befremdliche Annahme des Augustinus, das Übel der Lust für die einzigen Zwecke in Dienst, für die Zeugung von Nachkommen und für die Vermeidung der Unzucht. Nur solchermaßen gezügelt, kann die sexuelle Lust toleriert werden».

sexuality, the negative evaluation of sexual desire and its incapacity to receive a positive judgment as a source of human instinctive pleasure and of zest for life (*joi de vivre*) remains as much now as it did in the past». <sup>15</sup> This remains true, he claimed, even though, with its personalist and wholistic understanding of sexuality, the Second Vatican Council «thereby effected a fundamental theological shift of paradigm». <sup>16</sup>

The author admitted that John Paul II's anthropology, offering a personalistic understanding of bodiliness and recognising the person's «spontaneous, bodily capacity to express itself as a sexual being, ... (is) undoubtedly an important step forward in respect of the theological perspective of original sin of Augustine». However, he interpreted this as an attempt to provide a justification, «as an undercurrent, for Church teachings on sexual morality», a warning that the spouses not abuse each other in their sexual demands by treating each other as an object.<sup>17</sup> Admitting that a married couple could behave in a way that reduced the other to a means for satisfying their own desire, he criticised the «one-sided way» in which John Paul systematically uses this to warn that the sexual desire and the instinctive or impulsive character of eros cannot be judged, unreservedly, as a positive expression of human bodiliness and of zest for life.<sup>18</sup>

For the author, in the midst of such «resistance, mistrust and reservation» on the part of the magisterium, *Amoris laetitia* offers a flash of light, while also warning against people being treated sexually as objects, to be thrown away after their purpose has been served. This text was praised for recognising the erotic dimension of love as a source of enrichment for the person in their personal development and of expressiveness of the common life of the married couple, thereby giving a positive evaluation to the instinctive character of sexual desire as a source

<sup>&</sup>lt;sup>15</sup> Ibid.: «... geht in dem entscheidenden Punkt an der Sache vorbei. Denn, in ihrem lehramtlichen Einzelaussagen zur vor- und außerehelichen sowie zur gliechgeschlechtlichen Sexualität, ist die negative Bewertung der sexuellen Lust und die Unfähigkeit, diese als eine Quelle menschlicher Daseinsfreude und Lebenslust positiv zu würdigen, nach wie vor wirksam».

<sup>&</sup>lt;sup>16</sup> Cf. *Ibid*.: «... einen grundlegenden theologischen Paradigmenwechsel vollzog».

<sup>&</sup>lt;sup>17</sup> Cf. *Ibid.*, part 2, p. 4: «... "ihrer spontanen körperlichen Ausdrucksgestalt ein sexuelles Wesen ist. Dies ist zweifellos ein bedeutsamer Fortschritt gegenüber der erbsündentheologischen Sichtweise des Augustinus." ... Die Theologie des Leibes ..., die diese als Unterfütterung der kirchlichen Sexuallehre entwirft».

<sup>&</sup>lt;sup>18</sup> Cf. *Ibid*.

of impulsive human pleasure. As a moral theologian working for the renewal of the Church and for a credible proclamation of the Gospel, Schockenhoff stated that he could only welcome this development with joy and gratitude, <sup>19</sup> but only as a beginning, since for him a substantial revision of the content of the Church's sexual ethics, for which he offered some guidelines in his lecture, is what is needed. <sup>20</sup>

In the third section of his lecture, Schockenhoff proposed some outlines of a sexual ethics which would be right for human beings ('menschengerecht'), noting that it was not necessary to begin from nothing, since theological progress in recent decades had led to some necessary corrections to specific controversial statements of the magisterium on sexual morals.<sup>21</sup> This, he claimed, stems not from some superficial accommodation to popular opinion or to the Zeitgeist, but from an openness to the findings of modern human sciences, such as sociology, psychology and anthropology, about the meaning of human sexuality. While not directly accepting their normative claims, nevertheless he thought these help theological ethics to overcome the one-sided character of its positions to date as to the primary natural end of sexuality and to broaden the anthropological foundations for its statements. In this way, it can avoid the normative short-circuiting, which underlies the sexual morality of the magisterium, through the exceptionless prohibition of every sexual act within marriage that is not open to procreation.<sup>22</sup>

<sup>19</sup> Cf. Ibid.

<sup>&</sup>lt;sup>20</sup> Cf. *Ibid.* He speaks of a "Schwalbe", a swallow, whose appearance does not yet mean that spring has arrived, adding that for spring to arrive in fact, this revision of content would be essential: «Aber es ist nur der Anfang; eine Schwalbe macht noch keinen Frühling. Welche inhaltlichen Revisionsarbeiten am Gebäude der kirchlichen Sexualmoral vorzunehmen sind, damit der erhoffte Frühling tatsächlich kommen kann, das soll im Sinn einer Richtungsanzeige zum Schluss probeweise erörtert werden».

<sup>&</sup>lt;sup>21</sup> Cf. *Ibid.*, part 3, p. 4: «Zum Glück muss man dabei nicht beim Nullpunkt anfangen. Die theologische Forschung hat in den vergangenen Jahrzehnten viel Vorarbeit geleistet und auch im Blick auf die umstrittenen normativen Einzelaussagen der lehramtlichen Sexualethik notwendige Korrekturen angemahnt».

<sup>&</sup>lt;sup>22</sup> Ibid., pp. 4-5: «Doch diese Erkenntnisse verhelfen der theologischen Ethik dazu, die Einseitigkeiten der bisherigen Rede vom primären Naturzweck der Sexualität zu überwinden und die anthropologische Basis ihrer Aussagen zu erweitern. Auf diese Weise kann sie die normativen Kurzschlüsse vermeiden, denen die lehramtliche Sexualmoral durch die ausnahmslosen Verbote jeder nicht auf die Fortpflanzung hin offenen sexuellen Betätigung innerhalb der Ehe unterliegt».

The author explained that such prohibitions were based on the logic of «not allowed because against nature». However, if «against nature» is understood too narrowly, reducing the multi-dimensional facets of the meaningfulness of human sexuality to its procreative end alone, then the normative consequences drawn from such a restricted anthropological foundation would lose their force of argument.<sup>23</sup>

The «fundamental insights into the meaningfulness of human sexuality», according to what Schockenhoff called the «contemporary science of sexuality», include its functions of pleasure, relationship, identity, and procreation. Although the German Bishops' Conference had not agreed to the document proposed at the Würzburg Synod of 2015 on the Meaning and Form of Human Sexuality, yet he claimed that it had «received» that text and had «taken (it) on in a discussion which was sensitive and full of esteem».<sup>24</sup> That text had identified three factors as meaningful. First, sexuality involves the entire existence of the human being: in their 'being-man' or 'being-woman'. Secondly, it mediates to people existential experiences through which a person is affirmed in themselves and through their partner, through the assignment of social roles and through the challenge to self-development, in the experience of pleasure, in love for their partner, in their being accepted by their partner, and in the sexually expressive forms of this love, in the procreation and raising of children, in their being characterised through their child, and in their self-experience in their being-father and being-mother. Thirdly, now as in the past, human sexuality is important for society also through the procreation and upbringing of children.<sup>25</sup>

According to Schockenhoff, these meaningful factors arising from the anthropological importance of human sexuality can be structured ethically into three «points of view» in regard to the «responsible formation of the sexual relationship», the latter referring not only

<sup>&</sup>lt;sup>23</sup> *Ibid.*, p. 5: «... unerlaubt, weil naturwidrig. Wird der Begriff des Naturwidrigen zu eng gefasst, indem man die vielfältigen sinnbestimmenden Faktoren der menschlichen Sexualität allein auf den Fortpflanzungszweck reduziert, verlieren die auf dieser verengten anthropologischen Basis gezogenen normativen Schlussfolgerungen ihre argumentative Stringenz».

<sup>&</sup>lt;sup>24</sup> *Ibid.* Cf. ZENTRALKOMMITTEE DER DEUTSCHEN KATHOLIKEN, «Dialog und Gesprächsprozeβe der katholischen Kirche in Deutschland», Würzburg, 11-12. September, 2015, 'www. zdk.de/tagung-kirche-und-synode' [accessed July 2020]: «rezipierte ... und übertrug sie in eine einfühlsame und wertschätzende Sprache».

<sup>&</sup>lt;sup>25</sup> Cf. E. Schokenhoff, Vortrag..., loc. cit.

to specific sexual acts, but to the whole relationship in the course of people's lives.<sup>26</sup> Corresponding to the «principle of self-love», the person's "own legitimate wishes and ends should be expressed", including the «pleasure-filled experience of sexuality in their pleasure-becoming through their partner, male or female, and through the fulfilment of their own sexual requirements», since sexual experience provides important reassurance about one's own sexual identity because, in the pleasure being sought through the other, the importance of a person's own reality is experienced in a basic way.<sup>27</sup> Corresponding to the principle of love of neighbour, is the requirement to consider the legitimate interests and wishes of the partner, who must be affirmed in themselves and must not be reduced to the interests of the other. Finally, the principle of social responsibility requires that the social meaning of sexuality and its importance for the continuation of human society be affirmed, so that sexuality should not be reduced to being a vehicle for private happiness, but must include the basic openness to children.<sup>28</sup>

Once more, Schockenhoff insisted upon the need for a positive presentation of sexual morality, «to release it from the normative chains of traditional sexual morality».<sup>29</sup> «Decisive» is the «following reflection» on the classical axiom: «bonum ex integra causa, malum ex quolibet defectu», interpreted traditionally, he said, to mean that a sexual act can be evaluated as good only when it is open to the incorporation of all imaginable moral values, with the consequence that the deliberate exclusion of one of them would make the conduct morally illicit. The two examples of such a «lack», even on a temporary basis, which he quoted here were the «artificial regulation of conception» and the «natural incapacity for the inclusion of a moral value (such as perhaps the procreative meaning in the case of a same-sex relationship)».<sup>30</sup> He added:

<sup>&</sup>lt;sup>26</sup> Ibid.: «Diese sinnbestimmenden Faktoren ... können im Lichte ethischer Prinzipien drei Gesichtspunkten für die verantwortliche Gestaltung des Sexualverhaltens zugeordnet werden».

<sup>&</sup>lt;sup>27</sup> Cf. *Ibid.*, pp. 5-6.

<sup>&</sup>lt;sup>28</sup> Cf. *Ibid*.

 $<sup>^{29}\,</sup>$   $\mathit{Ibid.},$  p. 6: «... und diese aus den normativen Fesseln der traditionellen Sexualmoral zu befreien ...».

<sup>30</sup> Ibid.: «Dagegen stellt bereits der zeitweilige willentliche Ausschluss (wie bei der künstlichen Empfängnisregelung) oder die natürliche Unfähigkeit zur Verwirklichung eines

«In contrast to this, current sexual ethics starts from the presumption that a responsible formation of human sexuality requires indeed the integration of all moral values in the one sexual relationship, but that individual sexual acts would remain worthy of affirmation also when they did not realise all factors at the same time».<sup>31</sup>

Schockenhoff gave examples of what this might imply. In their sexual relationship, a couple could alternate between giving preference to the wishes of one of them at one time and to the expectations of the other at another. Not every sexual act would have to remain open to offspring. Even the «pleasurable enjoyment of one's own body (nowadays often called self-sex) can be a responsible way of relating to one's own sexuality», either when living alone or out of consideration for one's partner. Finally, same-sex acts are capable of integrating positive values, insofar as they may be «an expression of friendship, reliability, loyalty and support in life».<sup>32</sup>

At this point, the author observed that these proposed corrections win no way involve a complete break with the fundamental convictions of the Church's teaching on sexuality up to now». 33 Rather, they involve an adaptation in the light of changes in the way people relate to each other and of the insights of the human sciences about the meaning of human sexuality. Thus, the fundamental question of responsible parenthood (in secular terms, the right to reproductive autonomy) would be the broadening of the regulation of conception to incorporate the element of family planning, including the free choice of the appropriate means, in the light of the circumstances of their life, responsible parenthood meaning the right of a couple together to make a «responsible judgment about the number of children, the distance between births and

Sinnwertes (wie etwa des prokreativen Sinnes im Falle gleichgeschlechtlicher Beziehungen) einen Mangel dar ...».

<sup>&</sup>lt;sup>31</sup> *Ibid.*: «Im Unterschied dazu geht die gegenwärtige Sexualethik davon aus, dass eine verantwortliche Gestaltung menschlicher Sexualität zwar die Integration aller Sinnwerte in das eigene Sexualverhalten fordert, einzelne sexuellen Handlungen aber auch dann bejahenswürdig bleiben, wenn sie nicht alle Faktoren zugleich realisieren».

<sup>&</sup>lt;sup>32</sup> *Ibid.*: «... das lustvolle Erleben des eigenen Körpers (heute oft *self-sex* genannt) kann einen verantwortlichen Umgang mit der eigenen Sexualität bedeuten ... Schließlich verwirklichen auch gleichgeschlechtliche Handlungen positive Sinnwerte, insofern sie ein Ausdruck von Freundschaft, Verlässlichkeit, Treue und Hilfestellung im Leben sein können».

<sup>&</sup>lt;sup>33</sup> *Ibid.*: «Die vorgeschlagenen Korrekturen erfordern keineswegs einen vollständigen Bruch mit den Grundüberzeugungen der bisherigen kirchlichen Sexuallehre».

the concrete methods of family planning to be employed». Since this judgment of conscience, involving mutual consideration of the partner and care for the well-being of the children, is obligatory, this would imply that «family planning, also with the help of artificial means of regulating conception, is not an act which is hostile to life (as is supposed by the condemnation by the magisterium), but is an act in the service of life». Beyond this direct contradiction of magisterial teaching on this matter, the concluding affirmation that conduct violating such norms is «in the service of life» not only cannot say how that would be, but stands in direct contrast to the core thrust of John Paul II's apostolic exhortation, which reinforced the condemnation of what Schockenhoff here asserts, as being incompatible with what is truly «in the service of life». The service of life with what is truly as the service of life with what is truly as the service of life.

Schockenhoff proceeded to call into question the principle, according to which the only legitimate place for sexual intercourse lies within marriage, saying that it needs to be re-formulated in a more open way, to supersede the idea that marriage as the highest or most valid setting for sexual intercourse be considered as the only place where such an encounter is morally valid. Admitting that marriage is the best setting for sexual intercourse, both «biographically» and «institutionally», yet there are people to whom this space is closed for a period of time or permanently because of their situation, often not freely chosen, and for whom the advice that they should abstain would be over-burdensome. Resurrecting the proposal made at the synod in Würzburg, the author asked again whether such relationships between the unmarried could not be considered as a kind of clandestine marriage, which would offer a basis for considering their sexual life more positively, provided noone was damaged, that they looked after each other and developed a partnership with each other. He considered that these relationships are

<sup>&</sup>lt;sup>34</sup> *Ibid.*, p. 7: «... Verantwortete Elternschaft meint dann das Recht eines Paares, gemeinsam ein verantwortliches Urteil über die Zahl der Kinder, die Abstände zwischen den Geburten und das konkrete Mittel der Familienplanung zu fällen. Da dieses Gewissenurteil auf die gegenseitige Achtung der Partner und auf die Sorge um das Wohlergehen der Kinder verpflichtet ist, stellt Familienplanung auch mithilfe künstlicher Mittel der Empfängnisregelung keinen lebensfeindlichen Akt (wie von den lehramtlichen Verurteilungen unterstellt), sondern einen Dienst am Leben dar».

<sup>&</sup>lt;sup>35</sup> Cf. John Paul II, Apostolic exhortation *Familiaris consortio*, 22nd November 1981, nn. 2, 28ff.

to be assessed differently from those in which there are commitments, in which at least one person is married, since marital infidelity would clash with the requirement that no-one be damaged. In these latter cases, he concluded with a rhetorical question about whether a dissolution of the marriage is really impossible.<sup>36</sup>

The understanding of marriage which the Church has as «an emotional and wholistic sharing of life between one woman and one man» should be maintained, said Schockenhoff, since it corresponds both to the biblical anthropology and to the unanimous data of cultural history, which look positively upon «two-sexness». However, in order to meet the «reasonable objection» of same-sex, inter-sex and trans-gender persons that they would thereby be victims of discrimination, «there is a need to give unreserved recognition to same-sex unions and to cease morally to disqualify the sexual conduct which is lived within them».<sup>37</sup> The Church also should recognise that there are people who do not fit into the female or the male sex in an unequivocal way and that «two-sexness» is a general pattern, into which not everyone fits in the same way. Yet, calling «so-called hetero-normativity» into question risks throwing the baby out with the bath water, since there is in fact no neutral rule of speech and the aim of such discourse is to bring into discredit the general anthropological pattern of humanity.

In the fourth and final part of his lecture, Schockenhoff addressed the anthropological foundation for sexual ethics. He claimed that «in current theological ethics, the following foundational starting-point for a so-called ethics of relationship meets with broad agreement». In this ethics of relationships, love, friendship, reliability, fidelity, mutual 'being there for each other' and solidarity deserve recognition and respect from a moral point of view, «independently of the sexual orientation under which they are lived». Since the presupposition of the connec-

<sup>&</sup>lt;sup>36</sup> Cf. E. Schockenhoff, *Vortrag...*, p. 7.

<sup>&</sup>lt;sup>37</sup> Cf. *Ibid.*, pp. 7-8: Schockenhoff speaks of «Zweigeschlechtlichkeit» ("two-sexness") and of «Grundmuster» ("general" or "basic pattern"); «... bedarf es allerdings einer vorbehaltlosen Anerkennung gleichgeschlechtlicher Lebensgemeinschaften und des Verzichts darauf, die in ihnen gelebte sexuelle Praxis moralisch zu disqualifizieren».

 $<sup>^{38}\</sup> Ibid.,$ p. 8: «In der gegenwärtigen theologischen Ethik stößt der folgende Begründungsansatz weithin auf Zustimmung».

<sup>&</sup>lt;sup>39</sup> Cf. *Ibid*.: «... unabhängig davon, unter dem Vorzeichen welcher sexuellen Orientierung sie gelebt werden».

tion between sexuality, love, friendship and a «committed relationship» is «not at all obvious in secular ethics», this needs to be spelt out more fully:

«The model which understands sexuality as elementary body-language and as expressive form of love is not brought thereby fundamentally into question, but several social patterns of perception assert more strongly the problematic-utopian character of the conformity of sexuality and love, which may not be made into a reference point for a moral evaluation of sexual relationships».<sup>40</sup>

Schockenhoff added that the connection between sexuality and love is not to be thought of in terms of «an external balance or compensation, ... as was the case with the old doctrine of the goods of marriage, which saw in the fidelity between the partners and in the child a compensation for the evil of desire».<sup>41</sup> The bond of a responsible formation of sexual life in «a committed relationship of love between the partners» stems more from the insight that sexuality, if it is to be lived in a responsible way,

«is not to be understood so much on the basis of an analogy to hunger and thirst, but rather according to the model of speech and sharing, falling under the fundamental commandment of truthfulness because it is an intensive form of human communication, in which wife and husband in the body-spirit unity bring to expression their attraction to one another».<sup>42</sup>

<sup>&</sup>lt;sup>40</sup> *Ibid*.: «Da das dabei vorausgesetzte Junktim von Sexualität auf der einen, Liebe, Freundschaft und einer tragfähigen Beziehung auf der anderen Seite im säkularen ethischen Diskurs keineswegs selbstverständlich ist, soll es abschließend näher erläutert werden. Das Modell, das Sexualität als elementare Körpersprache und Ausdrucksform der Liebe versteht, wird darin zwar nicht grundsätzlich infrage gestellt, doch betonen viele gesellschaftliche Wahrnehmungsmuster stärker den problematisch-utopischen Charakter des Einklangs von Sexualität und Liebe, der daher nicht zum normativen Bezugspunkt einer moralischen Bewertung sexueller Verhaltensweisen gemacht werden dürfe».

<sup>&</sup>lt;sup>41</sup> *Ibid*.: «... ein äußerer Ausgleich ..., wie es der alten Lehre von den Ehegütern entsprach, die in der partnerschaftlichen Treue und im Kind einen Ausgleich für das Übel der Lust sah».

<sup>&</sup>lt;sup>42</sup> *Ibid.*: «... eine tragfähigen Liebesbeziehung ... nicht in Analogie zu Hunger und Durst, sondern nach dem Modell von Sprache und Mitteilung zu verstehen ist. Sie steht unter dem Grundgebot der Wahrhaftigkeit, weil sie eine intensive Form menschlicher Kommunikation ist, in der Frau und Mann in leibseelischer Einheit ihre Zuneigung zueinander ausdrücken».

Thus, sexuality is a «relational love» and, in terms of its sexual demands, «should be a relationship between persons who are devoted to each other in the whole of their beings».<sup>43</sup> In this way, «it fulfils basic human needs, namely the building up of a protected space of intimacy and of reliability and in this way it mediates basic existential experiences such as security, self-confidence and the capacity for responsibility and sacrifice for the other».<sup>44</sup>

Through love, the structure of possession is altered in sexual experience: 'I possess a partner not for myself, but the other is desired (*begehrt*) as the one for whom I sacrifice myself or to whom I give myself and whose self-giving I receive'. The Protestant theologian, Eberhard Jüngel has distinguished this from possessing an object by speaking of «yearning-for-each-other» (*Sich-für-einander-Begehren*), since «in love, there is no having that does not correspond to sacrifice or self-giving». Yet, «in its essence, the sexual urge remains a love of desire, which arises from an impulsive-affective need and which seeks fulfilment in the other. Insofar as the love of desire arises from a need and insofar as it seeks fulfilment in the search for what it lacks, it is human love». 46

Schockenhoff insisted that «the ecstatic structure of sexual desire may in no way be transposed to an egoistic need-will, which would be abusive of the dignity of the person». <sup>47</sup> The partner who is loved asks to be desired by the other, does not wish either to be ignored or to be treated only with disinterested, well-meaning attention. The experience of

 $<sup>^{43}</sup>$   $\mathit{Ibid.}$ : «...begehrende Liebe ... die einander in ihrem ganzheitlichen Sein zugewandt sein sollen».

<sup>&</sup>lt;sup>44</sup> *Ibid*.: «Sie dient der Erfüllung eines menschlichen Grundbedürfnisses, nämlich dem Aufbau eines Schutzraumes von Intimität und Verlässlichkeit und vermittelt dabei existentielle Grunderfahrungen wie Geborgenheit, Selbstsicherheit und die Fähigkeit zur Verantwortung und Hingabe an dem Anderen».

<sup>&</sup>lt;sup>45</sup> Cf. *Ibid.*, p. 8-9: «In der Liebe gibt es kein Haben, das nicht der Hingabe entspringt», quoted on p. 9 (E. JÜNGEL, *Gott als Geheimnis der Welt*, Mohr, Tübingen 1977, 437).

<sup>&</sup>lt;sup>46</sup> E. SCHOCKENHOFF, *Vortrag...*, p. 9: «Dennoch, bleibt der Sexualtrieb von seinem Wesen her begehrende Liebe, die aus einen triebhaft-affektiven Bedürfnis hervorgeht und Erfüllung in Anderen sucht. Darin, dass die begehrende Liebe aus einem Bedürfnis hervorgeht und Erfüllung in dem sucht, was ihr fehlt, ist sie menschliche Liebe».

<sup>&</sup>lt;sup>47</sup> *Ibid.*: «Die ekstatische Struktur des sexuellen Begehrens darf keineswegs mit einem egoistischen Gebrauchen-Wollen in eins gesetzt werden, das die Würde des Partners missachtet».

one's own being attractive to the partner belongs to the self-esteem that wife and husband receive as essentially differentiated sexual persons. Where sexual desire of the other is linked to love, then the «beyond oneself» (Außer-Sich-Sein) that corresponds to the structure of desire is joined to «being with the other» (Beim-Anderem-Sein), which characterises the demand for love. In the light of current sexual relationships between human beings, this may be a wish for what could appear to be a challenging, even utopian ideal. However, «in principle, this does not involve imposing an excessive burden upon people, since this postulate corresponds to their character as bodily beings who are capable of love and who are in need of recognition as such».<sup>48</sup>

# B. A Critical Evaluation of Schockenhoff's Argument and of his Proposals

This detailed presentation of the proposals contained in Schockenhoff's lecture to the German Bishops' Conference of March, 2019, reflects the need to be precise in indicating what another author wrote, especially so when his immediate audience is so important and when what he had to suggest is so controversial. He himself, Professor of Moral Theology at Freiburg, affirmed that this proposal rests upon the modern theology of revelation and upon the findings of the modern human sciences. It is possible to detect also an implicit claim that the proposal rests upon the Second Vatican Council, to which he referred positively as providing a shift of paradigm for Catholic sexual ethics, and also to a certain ecumenical foundation, insofar as he cited Jüngel as a support for his claims. The initial comments on the sexual abuse scandals are apposite and understandable, but the severe criticisms which Schockenhoff addressed to classical Catholic sexual ethics. as he himself expressly stated, have much deeper roots in that tradition and are not the product only of a reaction to those scandals. It is undoubtedly true that the scandals have seriously impaired the Church's

<sup>&</sup>lt;sup>48</sup> *Ibid*.: «ein anspruchsvolles ... oftmals auch ein utopisches Ideal ... Es stellt jedoch keine prinzipielle Überforderung des Menschen dar, da dieses Postulat seinem Charakter als einem körperhaften, zur Liebe fähigen und anerkennungsbedürftigen Wesen entspricht».

capacity to proclaim the Gospel, since many of those responsible engaged in this work, seen by some as 'imposing' norms of sexual morality upon the faithful as a whole, have violated those norms in a grave and dramatic way. Yet, his lecture claimed that the norms of sexual morality proposed by the Catholic Church over the centuries are not credible in and of themselves, irrespective of the specific damage done by the scandals, and that this too impairs the Church in its task of proclaiming the Gospel.

#### 1. Theological Foundations and Perspectives

The fact that this lecture was delivered by a Professor of Moral Theology of international renown from a major German university, who for some years was a member of the German National Bioethics Committee, and that his audience on that occasion was the German Bishops' Conference makes it inevitable that the theological foundations of what he proposed and the perspectives he provided be examined. He spoke explicitly as a moral theologian, calling attention to the Church's credibility in its evangelising and pastoral work, the Second Vatican Council and to ecumenism. He claimed that the modern theology of revelation does not turn to revelation to extract affirmations of doctrine or foundations for such statements, but is concerned rather with the self-revelation and the self-communication of God. Further on, he acknowledged some key insights into sexual anthropology which may be discerned in the Bible.

# a. The Theology of Revelation

In former times, both Catholic and Protestant biblical studies tended to focus upon what truths could be learned from the sacred texts and in some ways the *sola Scriptura* focus of the latter made them less inclined than Catholics to consider other sources of discovering God's will, especially on the basis of natural moral law. Modern biblical criticism led to the modification of perspectives in Protestant circles prior to the development of such studies by Catholic exegetes and to the theological assessment of their findings. The historico-critical method led to some very liberal interpretations in the non-Catholic context, where

this method called into question what the sacred text taught and where necessarily *sola Scriptura* had to be considerably revised, and this in a context where there was no recognised authority or norm for the evaluation of claims through anything equivalent to the Catholic magisterium. Conversely, in the Catholic context, these studies and this method seemed to call into question magisterial teachings as such, particularly in moral theology, at a time when the Second Vatican Council had expressly urged that the scientific study of moral theology be renewed on the basis, amongst other things, of a more vivid contact with the sacred text.

The recognition in the theology of revelation that the latter is not limited to the making known of specific truths about God and about his dealings with human beings which could not be discovered, at least not so completely and with such certitude, by unaided human reason, is very important. Revelation is not to be reduced to revelatio revelata, nor the faith which accepts it to fides quae creditur. God's self-revelation to us as revelatio revelans calls for a living response of faith on our part as fides qua creditur. Much more, it is indeed more than the disclosure of information by God about himself; it is the offer of himself to us, a self-communication to us, if we will receive him. This understanding of revelation and of faith as our response to it constitutes an important development and enrichment of doctrine, but it was not a replacement for what the Church had previously taught; unless there is a real foundation in truth also as content of revelation, there is no adequate basis for making the act of faith, for surrendering ourselves in that act to God as he reveals and communicates himself to us, since there would be nothing to exclude the possibility of our being deceived by others or of our deceiving ourselves. For this reason, revelatio revelans requires revelatio revelata and the fides qua requires the fides quae creditur. This latter aspect is synthesised very well in Dei Verbum.<sup>49</sup> Nor is this to be interpreted in a way which limits revelation and our response to it to the dogmatic sphere. The Council cites St. Paul on the «obedience of faith (Rom 16:26, cf. Rom 1:5, 2 Cor. 10:5-6)» which is «due to God as He reveals Himself», but it cannot be thought that such obsequium could

<sup>&</sup>lt;sup>49</sup> Cf. Second Vatican Council, Dogmatic constitution *Dei Verbum*, 18th November 1965, n. 5.

possibly be genuine, were it not to include the radical and enduring *metanoia* or whole-hearted obedience which is expressly enjoined on the disciple in the New Testament.<sup>50</sup> The fact that people can know moral truth and can live morally good lives by following the light of practical reason does not justify the claims of radical moral autonomy, nor does it exclude specific moral claims on the basis of the Gospel, even in terms of content.<sup>51</sup>

In the present case, Schockenhoff's reference to the 'modern' understanding of the theology of revelation not only appears to embrace a radical version of moral autonomy, but it seems to marginalise Jesus Christ, of whom nothing is heard in his text. Even allowing that it is a short lecture, directed to bishops, this is hard to reconcile with the Christological focus of moral theology embraced by the Council. If this is what is implied by what the author calls the modern theology of revelation, then God's disclosure of himself to human beings would seem to mean that revelation as a whole, including its inspired expression in sacred Scripture, amounts to little more than a kind of code for talking about human concerns in such a way that all that is true and important is to be ascertained from our contemporaries, not excluding their current interpretation of the cultural inheritance conveyed over the centuries, and that revelation and Scripture afford nothing other than a mere religious veneer to a discourse which, in its essence, is effectively secular. If this is so, it would mean that theology is a particular kind of language for such discourse, one which may possibly be of interest to a minority of interlocutors, but one which is fundamentally dispensable

<sup>&</sup>lt;sup>50</sup> Cf. *Ibid.* It is extraordinary that this excellent Conciliar text seems not to mention *metanoia* explicitly. Even more surprising is the fact that an important translation into English of the Conciliar texts contains only one, single reference to '*metanoia*' in its Index and that to a post-Conciliar decree of 1970 on Confession for women religious, does not list 'conversion' at all, and, under 'penance', deals only with the sacrament of Penance. On this sacrament, most of the references are to post-Conciliar documents; the references to Conciliar texts listed in this Index concern the sacrament only to note that, in regard to sins committed after baptism, it not only forgives those sins, but also reconciles the sinner to God and to the Church, which has been wounded by its sins (Id., *Lumen gentium*, 21st November 1964, n. 11), and, in the decree on bishops, to urge parish priests to keep in mind how much the sacrament can contribute to Christian life (Id., *Christus Dominus*, 28th October 1965, n. 30): cf. A. Flannery (ed.), *Vatican Council II*, *The Conciliar and Post-Conciliar Documents*, I, Fowler Wright, Leominster 1975, 676 and 1057.

<sup>&</sup>lt;sup>51</sup> Cf. Second Vatican Council, Dei Verbum, nn. 6, 9.

because the substance of what counts operates at a different level, a level to which it is basically irrelevant.

Where the content of revelation is systematically diluted and where this is applied in particular to its moral content, the radical liberalism of some branches of Protestant exegesis, 52 followed later by similar tendencies among Catholics, makes it difficult to safeguard any real content in the area of moral truth, which would go beyond intentionality and motivation in general and specifically religious duties. Affirmations in the sacred texts and in particular in the New Testament which touch other areas of human life all risk being qualified as historically and/ or culturally conditioned to the point where they could not apply in any absolutely binding way to our moral conduct in the spheres of justice, human life and sexuality. Such an interpretation does not accord remotely with the Conciliar teachings in these areas of moral life. The understanding of revelation as God's disclosure of himself to us is in fact that which is adopted in John Paul II's analysis of Jesus' dialogue with the rich young man in part 1 of Veritatis splendor, an encyclical which sought to examine the Christian moral life also from this angle, but to do so in a way which would illustrate the coherence of such an approach with the essence of the Church's moral teaching across the centuries. It would be easy to object that this fails to pursue the implications of a 'modern theology of revelation' for the moral life, but such an objection or at least its ramifications, as detailed by Schockenhoff's proposal,

<sup>52</sup> Cf. two prominent exegetes from a Lutheran background, specialists in New Testament ethics, H. von Thielicke and W. Schrage. Von Thielicke bridges the divide between Luther's conception of the world as saved in Christ and the utter corruption and hence unreliability of our fallen world by speaking of these as 'inter-secting', but his focus on the 'liberty' of the Gospel as opposed to the 'Law' and his idea of pastoral work as assisting someone to progress as best they can lead him radically to re-interpret St. Paul's moral teachings, eg. in 1 Cor 6:9-10; H. VON THIELICKE, Theological Ethics, I, Foundations, II, Politics, Fortress Press, Philadelphia 1966-1969, III, Sex (Eerdmans, Grand Rapids, 1978). W. Schrage, beyond Paul's presupposition of an imminent parousia, seems to consider his teachings on sexual conduct either as remnants of the Law or as imports from Stoicism, in any case judging that they do not cohere with Paul's normal paraenesis, although later he seems less dismissive; W. Schrage, The Ethics of the New Testament, T. and T. Clark, Edinburgh, Fortress Press, Philadelphia 1988, 128, 192. The Catholic moralist, Pinckaers, against similar, reductive interpretations by Catholic proportionalists, sees Pauline paraeneses not as mere generic exhortations, but as an urgent paraclesis of teachings with moral content about specific behaviour binding upon neophytes, assisted by the Holy Spirit; S. PINCKAERS, The Sources of Christian Ethics, T. and T. Clark, Edinburgh 1995, 117, 138.

are far from being in harmony with the positions elaborated by the Second Vatican Council on revelation. The culmination of revelation in Christ, the complex inter-relationship between Scripture, Tradition and Magisterium, Scripture as the soul of all theology, are none of them reflected in his paper. In particular, the various moral norms or criteria upon which Schockenhoff relies and which he proposes to the German bishops substantially and repeatedly contradict the affirmations of the Scriptures, as well as the authentic doctrines of the magisterium, in regard to sexual behaviour.

## b. The "Pessimism" of St. Augustine

The main criticism levelled by Schockenhoff against Catholic sexual ethics is that it rests upon the essentially pessimistic theology of St. Augustine, who, having lived with a concubine before his conversion and having had a son with her and so having experienced the pleasures of sex to which human beings are naturally inclined, then turned his back on this and adopted this theology, rooted in the concept of original sin. The claims are that this latter clouded Augustine's vision of reality and in particular that the danger of sexual intimacy leading to sin coloured the whole of his understanding of sexuality and subsequently that of the whole Catholic Church, the «so-called» doctrine of the three goods of marriage hardly sufficing as a compensation for this negativity.

It is true that Augustine was very aware of the dangers of lust and that he warned married people of the dangers of falling into the sins of this vice. The more generic response to this opinion will follow below. Here, it must be said that it is a travesty of Augustine's theology to present him as fundamentally pessimistic in this regard. Contemplating marriage and sexuality in the light of creation, of the Fall and of Christ's redemptive love, the indispensable theological reference points for any Christian examination of the question, Augustine does note the role of sexual differentiation and complementarity for procreation, but expressly judges these to be ordered also beyond procreation to the natural «capacity for friendship» and to the «capacity for unity» in God's original plan.<sup>53</sup> Even after the Fall, he insists that «marriage between

<sup>53</sup> St. Augustine, De bono coniugali, cap. 1: «vim amicitiae ... vim coniunctionis».

male and female is something good». He remains the great theologian of the doctrine of the three goods of marriage, whose contribution to Catholic theology, liturgy and canon law in this regard could hardly be exaggerated; he did this very precisely in order to combat the Manichaean sect to which he had belonged earlier and especially their radically pessimistic and dualistic philosophy. This he did on the basis of the Bible, knowing that marriage was good because God had created it, challenging these, his adversaries, in the very title of his tract, De bono coniugali, and expounding in what the good of marriage consisted, specifying this in the three goods. He never ceased to combat this heresy throughout the rest of his life. Then, Schockenhoff affirmed that Augustine's pessimism, linked to his doctrine on original sin, led him to sustain a position which was «inconsistent» by asserting that parents who had been cleansed of original sin through baptism could yet generate children who would be tainted through the conjugal act by original sin. However, our author could not have been unaware of the fact that Augustine faced this very objection, especially from the Pelagians, who believed that human beings could attain salvation by following the good example of their neighbours, in contradistinction to Augustine's theology of original sin and the need for grace for salvation and hence of baptism even for infants. His key point occurs already in the earlier dispute with the Manichaeans; the reality of lust after original sin is a reality which cannot be denied, but «there is this further good of marriage, namely that the incontinence of the flesh in the young, though it is immoral, is redirected to the moral good of the propagation of children and therefore their union in the flesh, from the evil of lust, brings forth something good». 54 The whole of the later tract, De nuptiis et concupiscentia, is directed to challenging this Pelagian position and that of the Manichaeans who returned to assail him with arguments very similar to those of Schockenhoff. Augustine insists throughout that marriage is good because it is created by God, that the goods which belong to it remain as such, but that the original sin of our first parents has left its damaging effects upon all subsequently, including the disordered desire towards selfishness and sin, from which we need God's healing and

<sup>&</sup>lt;sup>54</sup> *Ibid.*, cap. 3.

protection.<sup>55</sup> There is nothing remotely inconsistent, and much less absurd, in this.

It must be asked why Schockenhoff directed so much of his negative criticism towards St. Augustine. The initial answer that he sustained the positions just described suffices only to justify reference to him, but not to warrant an almost exclusive attention to him in this respect. Eminent theologians and canonists after Augustine, such as Peter Lombard, Gratian and St. Thomas Aquinas, taught that marriage was a reality which served both positive functions in society and in the Church, including the goods of Augustine, and also as a remedy for concupiscence; this truth was articulated long before Aquinas, although it took on a classical form in his doctrine of the ends of marriage. Another reason for the focus upon Augustine, though, may well be the desire to avoid contradicting assertions in the Bible, which underpin Augustine's theology and also the defined Catholic dogma on original sin. Apart from the account of the Fall in Genesis, which offers a presentation of the reality of sin and of its manifold damage, a «harmatology», <sup>56</sup> there can be no doubt that St. Paul took the question very seriously in his theology. Thus, his profoundly Christological comparison of the first and of the second Adam leaves no doubt as to his supremely optimistic proclamation of the Lord's triumph over sin in all of its dimensions, the foundation of our salvation (Rom 5:12-21), in one of the key texts which justifies calling Paul the Apostle of Christian hope (Rom 5:1-11). Nevertheless, that same comparison expounds the reality, the extent and the damage effected by sin, clearly tracing its origins to the first Adam and rooting its effects in his descendants. The Pauline attention to that concupiscence which is disordered by sin and by its consequences emerges generically later in that same letter (Rom 7:14-25) and in the specifically sexual sphere in 1 Cor 7:1-9. Nor is this a merely Pauline preoccupation (cf. adultery in the heart of Mt. 5:27-28 and the triple concupiscence of 1 Jn 2:16). The interpretation of Augustine and of the subsequent moral theological tradition that marriage is in part

<sup>&</sup>lt;sup>55</sup> Cf. Id., *De nuptiis et concupiscentia*, I, cap. 17: «Haec bona nuptialia laudet in nuptiis qui laudare vult nuptias. Carnis autem concupiscentia non est nuptiis imputanda, sed toleranda. Non est enim ex naturali connubio veniens bonum, sed ex antiquo peccato accidens malum».

<sup>&</sup>lt;sup>56</sup> Cf. F. Böckle, Fundamental Moral Theology, Gill and MacMillan, Dublin 1980, 80-84.

a remedy for concupiscence stems not from the former's pessimism, but from fidelity to the sacred text and from realism on the part of the Apostle of Christian hope.

The suggestion that the Catholic Church has found a way of reconciling aspects of theories of evolution and the doctrine of creation, but has not succeeded in doing likewise with original sin begs a serious question. The doctrinal clarifications of *Humani generis* do not compromise the truth of the doctrine of creation in any way; rather, the essence of that doctrine has been maintained fully, since mere presuppositions associated with it in the past do not pertain to the truth of creation itself and since the same doctrine is preserved in the same judgment. The impression arises, in reading Schockenhoff, that what he envisaged in regard to an allegedly similar move over original sin and over sexual moral doctrine, is that these be set aside. Yet, an outright denial of biblical and of doctrinal truth is completely incompatible with the authentic development of doctrine. A 'setting aside' of such doctrinal truth, even without expressly denying it, must inevitably imply that it has become, or is or always was, at best irrelevant, something which could only arise if it were not true. As the next point shows, this kind of approach cannot be squared any proper development of doctrine.

# 2. Catholic Sexual Morality and a 'Shift of Paradigm'

Schockenhoff applauded the Council for effecting a «shift of paradigm» on sexuality. This concept has its locus in the world of the natural sciences, since political, financial and ideological factors, as well as subjective influences, can affect the field of research, the conduct and analysis of experiments, etc; nevertheless, truth is established, verified and developed on the basis of experiments which can be controlled and replicated. In the exact sciences, the concept of a shift of paradigm reflects the awareness that, at times, data assembled may no longer be explicable in the terms hitherto recognised and accepted; then, a new scheme of interpretation which renders possible the coherent integration of such new data becomes necessary, and moving from the former to the latter constitutes the shift of paradigm. The extension of this approach into the social sciences, in particular of sociology and of psychology, has long been noted, but the methods of these social sciences

are far less precise, far less susceptible to replication, far more exposed to the manifold factors which can influence the outcomes of what they undertake. Despite much work on statistical analysis and despite the benefits of the more respectable discoveries of serious experts in these fields, the danger of and the scope for the influence of more subjective factors is much greater here and the risk of the influence of ideology and propaganda more substantial. Recent attempts to apply the 'shift of paradigm' to moral theology recognised the need for an analogical application, given that 'science' itself is a concept whose meaning and methodology can vary according to the specific discipline in question;<sup>57</sup> scientific truth and moral truth, though related, are distinct as to their object, their methodology and their validity. More needs to be said. The qualifications noted for the exact sciences imply neither that there is no objective scientific truth nor that it cannot be known; quite the opposite, the methodology of experiment and replication remains crucial to the work of scientists and to the community they serve. In social sciences and in moral theology, knowingly or unwittingly, the concept of shift of paradigm can mean almost whatever people claim it means; it can be used to set aside or overturn what is moral truth. Without clear specification of its supposed meaning, it risks being a vacuous term or a mere slogan, a substitute for serious thought and argumentation, which cannot serve the interests of truth.

Far more significant than this very questionable concept is the properly theological concept of the «development of doctrine», expounded classically by St. Vincent of Lérins: «in the same dogma, with the same meaning, in the same judgment». This is the guiding principle for distinguishing distortions and contradictions of doctrine on the one hand from authentic developments of doctrine on the other, in which genuinely new insights, compatible with revelation, with the Tradition transmitting it, and with magisterial judgments upon it, are integrated into the Church's understanding of revealed truth and of its implications for the (Christian) moral life. Moral truth is not unknowable without revelation

<sup>&</sup>lt;sup>57</sup> Cf. K. Demmer, *Interpretare e agire: fondamenti della morale cristiana*, Paoline, Cinisello Balsamo 1989, 13-34; T.S. Kuhn, *The Structure of Scientific Revolutions*, University of Chicago Press, Chicago 1962.

 $<sup>^{58}\,</sup>$  St. Vincent of Lérins, Commonitorium primum, cap. 23: «in eodem dogmate, eodem sensu eademque sententia».

in the way that the mysteries of faith are, but moral truth, even when, as in most cases, it is knowable in principle by natural reason, is known more fully and more securely through revelation, not only as to intentions, motivations and specifically religious responsibilities, but also as to specific doctrines or norms of conduct, particularly those which exclude what is intrinsically immoral. An understanding of the development of specifically moral doctrine in line with the principle of Vincent of Lérins, has been articulated by John Paul II, to avoid mistaken, distorted and even abusive interpretations: «This truth of the moral law-like the of the 'deposit of faith' - unfolds down the centuries, the norms expressing that truth remain valid in their substance, but must be specified and determined ... in the light of historical circumstances by the Church's Magisterium», quoting that principle as the criterion for such development, and emphasising that «the development of the Church's moral doctrine is similar to that of the doctrine of faith». <sup>59</sup>

What Schockenhoff asserted and proposed is simply not recognisable as Christian doctrine, even as this is presented in the New Testament. The point is not one of biblical fundamentalism, but of fidelity to the truth, including the moral truth. Where what is said now appears at odds with specific affirmations in the Bible (eg. on the equality of the spouses in regard to Eph 5:21ff.), exegetical and hermeneutical criteria at times can provide an adequate explanation, but that is different from a systematic reversal of many New Testament teachings on sexual conduct. The Bible is not the exclusive preserve of exegetes and, recognising that it is not itself a compendium of doctrines, nevertheless most of what it expresses and teaches cannot be inaccessible to the minds of most of those to whom it is addressed, the Christian faithful and human beings as a whole. Nor can affirmations about sexual conduct be relegated simply or predominantly to what is historically or culturally conditioned, to the point where what is true would be the opposite of what it appears to say, especially if in contrast to the Church's constant doctrine. Nor are Schockenhoff's proposals coherent with Conciliar teaching on these matters. To claim or to imply that the Bible, major theologians and the Church's magisterium across twenty centuries have all been seriously mistaken over marital and sexual morality, that only now

<sup>&</sup>lt;sup>59</sup> JOHN PAUL II, Encyclical Veritatis splendor, 6th August 1993, n. 53, footnote 100.

has the light of truth dawned, and that in opposition to them, is seriously misguided.

The difference between an authentic development of doctrine and a discarding of the latter in favour of current theological opinions about what occurs at the consecration can be seen readily in Paul VI's insistence that, in the attempt to highlight aspects of communion and to favour ecumenism, theories of trans-signification and of trans-finalisation are understandable and to be accepted only to the extent that they are rooted in the Eucharistic dogmas of Trent and in the transformation of the species which may properly be called trans-substantiation.<sup>60</sup>

In place of Schockenhoff's view of a 'shift of paradigm' on marriage and sexuality at the Second Vatican Council, there was here an authentic and important development of doctrine. The presentation of marriage as a personal vocation, the incorporation of a concept from St. Thomas, mentioned but not developed, the bonum coniugum, of the understanding of marriage from Roman law as a consortium totius vitae and the more directly theological focus upon marriage as a covenant (foedus), evoking the God-Israel, but especially between two baptised persons the Christ-Church relationship so profoundly expressed in Eph 5, are all elements of such development. Yet, this theologically rich text maintained the three Augustinian goods of marriage, expounded sacramental marriage upon foundations also laid by Augustine, and, while elaborating its rich personalistic anthropology, yet repeatedly kept in focus the «mission» of the spouses towards procreation, marriage being «of its natural character» or of its very nature open to children, presented as the crowning of the married life. 61 Likewise, St. Thomas' essential ends of procreation and education of children and of mutual help are included. In all of this there is the authentic development of doctrine within a hermeneutic of continuity, not a of shift of paradigm which would deny, disown or ignore the Church's doctrine on these questions.

The Council deliberately omitted mention of the remedy for concupiscence and did not reaffirm the hierarchy of ends. Behind its debates lay the question of whether or not the new anovulant pill fell under the

<sup>60</sup> Cf. PAUL VI, Encyclical Mysterium fidei, 3rd September 1965, n. 46.

<sup>&</sup>lt;sup>61</sup> SECOND VATICAN COUNCIL, Pastoral constitution on the Church in the modern world *Gaudium et spes*, 7th December 1965, nn. 47-48, 50.

condemnation of contraception, a matter being discussed by the Papal Commission, but which Paul VI had reserved to himself to settle. The commission redacting the text of *Gaudium et spes* on marriage expressly clarified the fact that the omission of the hierarchy was not intended to imply its denial, but, in a specifically pastoral text, sought to avoid technical language which would not be easily understood;<sup>62</sup> what Aquinas' metaphysical terminology saw as essential, objective ends might be mis-read as the psychological intentions of the couple. The Council neither denied the hierarchy nor intended to do so.<sup>63</sup> That doctrine was being expressed differently and its development in *Humanae vitae* would pursue this further.

The omission of the remedy for concupiscence was almost certainly due to the Council's desire to express doctrine as positively as possible, something which aligns it to Schockenhoff's intentions. Also important here was the Council's personalism or anthropology, its specification of marriage as a «community of life and love» and its elaboration of what is meant by conjugal love, involving the total mutual self-giving and receiving of the couple, also in reciprocally self-giving «acts proper to them», human acts, «person to person», conducted «in a supremely human way».<sup>64</sup> The change of emphasis in this development of doctrine probably explains also the omission of the classical term «ius in corpus», seen perhaps as too 'physical' and / or as implying a particular response on responsible parenthood. Yet, this centuries-old concept in theology and in canon law, expressly biblical, stems from a text which addressed also sexual concupiscence. Directly associated in Paul with the *debitum conjugale*, the right of one spouse over the body of another, was expressed in terms of absolute equality («in the same way ... equally»), but specifically in the context of each man having his own wife and each wife her own husband, equally, exclusively and faithfully (1 Cor 7:2-5). Precisely, to avoid endangering that fidelity and hence exclusivity, Paul warned married couples to refuse neither

<sup>&</sup>lt;sup>62</sup> Cf. V. Heylen, «La note 14 dans la constitution pastorale, *Gaudium et spes*, p. II, c. I, n. 51», *Ephemerides theologicae lovaniensis* 42 (1966), 555-566.

<sup>&</sup>lt;sup>63</sup> M. Zalba, «Num concilium vaticanum II hierarchiam finium matrimonii ignoravit, immo et transmutaverit?», *Periodica de re morali, canonica et liturgica* 68 (1979), 613-635, esp. 629-631.

<sup>&</sup>lt;sup>64</sup> SECOND VATICAN COUNCIL, Gaudium et spes, nn. 48-49.

the ius in corpus nor the debitum coniugale except by common agreement, for purposes of prayer and for a limited period, lest the other «be tempted» by concupiscence to commit adultery (1 Cor 7:5-9). Whether optimism or politics lies behind this Conciliar omission, John Paul II gave renewed attention to the dangers of concupiscence, but especially to how to overcome it in chastity, with the aid of grace. The Council reflects well the rich Christological and personalistic perspective of Paul on marriage as a vocation, of spouses with profound, personal and equal dignity in a unique, faithful and sexual relationship (1 Cor 7:1-9), involving care for each other and for their children (1 Cor 7:29-35; Eph 6:1-4), and between the baptised, to marry (in the Lord) (1 Cor 7:39), to reflect the total self-giving love of Christ for the Church (Eph 5:21-33). The Council could well have reformulated the Pauline and Thomistic concepts of the ius in corpus and the remedium concupiscentiae which it omitted into this biblical, theological and deeply personalistic perspective, to which they properly belong. The question is not one of pessimism, but one of realism. The impression given by Schockenhoff that this is not so is mistaken. His superficial assertion about the Council led him to interpret an authentic and important development of doctrine, whose key features he did not specify and of which he lost sight in his proposals, as a radical shift of paradigm; he reserved his praise for the findings of modern human sciences and for what they may imply for our understanding of human sexuality, to which we shall now turn.

## 3. The Findings of Modern Human Sciences

Schockenhoff relied heavily upon the «findings of the modern sciences». The Second Vatican Council welcomed the contributions they might make also to theology. Basing himself upon such contributions, the author proceeded to justify what he called «family planning», the «partners» (Why not «spouses»?) deciding how many children they should have and how to space them, IVF (again for partners) pre-marital, extra-marital and homosexual sexually intimate acts, even masturbation, etc., provided there is love of self, love of neighbour, and attention to the needs of society, and provided that there is pleasure, reliability, friendship, and fidelity. As noted, much of what he judged morally legitimate is explicitly condemned in the sacred Scriptures and by

the magisterium, whose teachings on sexual morality he reiterated need to be «overcome» or «superseded», a «way forward» or «beyond them» needs to be found. For him, modern human sciences support the search for and enjoyment of sexual pleasure, the expressive function of human sexuality, and its role in personal fulfilment, self-esteem, friendship and constructing society. Sociology, psychology, biology of course, and sexology seem to be in mind. Schockenhoff rejected selfishness, sexually abusive relationships and acts using the other as an object for one's own sexual gratification.

## a. Biology and moral theology

Nevertheless, his quest for a positive interpretation of human sexuality and his endorsement of a shift of paradigm caused Schockenhoff to be too indulgent, unilateral and uncritical in regard to modern human sciences. To be sure, the genuine findings of modern biology have to be integrated into moral theology; the discovery of the gametes, of the need for their encounter for procreation to occur, advances in obstetrics, gynaecology and andrology, together with manifold discoveries about fertility, sterility and the natural processes involved in procreation. That does not mean that everything which has been discovered is of itself good or that it can be put to morally good use automatically, normally or even at all. Schockenhoff's endorsement of whatever method a (married) couple choose for «responsible» parenthood, including artificial procreation, since he proposed neither restrictions nor criteria other than the couple's choice of how to give effect to their intention (even if that were to be good), risks capsizing into mere 'technologism'. It passes over a core ethical question, namely whether, even with a good intention, what we wish to do and what, through science and technology, we are enabled to do, is something which we ought to do or not. Nor is modern biological and genetic science so univocal as Schockenhoff's claims and presuppositions may suggest. Thus, as yet no identified genetic cause has been found to explain the homosexual orientation, despite the claims of some homosexual persons that they had been 'made that way' or had been 'created' so by God, since a true genetic cause would mean that the presence or absence of a specific genetic factor would determine a person's orientation; so far, a possible influence of

certain genetic pre-dispositions is the most than can be asserted. On the other hand, the more recent tendency of many homosexual persons to claim that they are not 'made' such, but 'choose to be' such, in a constructivist version of human sexuality, arising from within the agenda of radical feminism and often used also to attempt to legitimate the chosen sexual practices of homosexual, trans-gender or trans-sexual persons, is also problematic, often reflecting ideologically motivated groups, sustained by like-minded sociologists, psychologists and others. While he warned against these pressures radically to restructure society, Schockenhoff ignored their influence in regard to homosexuality and pleaded for recognition of trans-sexual relationships. Greater precision and critical awareness are required. While it is true that the diverse levels of human sexuality normally develop and operate in a harmonious way, which facilitates their integration into the personal development of the individual, anomalies can occur, for example due to the early or late arrival or due to inadequate or excessive dosages of hormones. However, it is erroneous to consider the genetic, gonadal, and phenotypical dimensions as simply juxtaposed or are simply equivalent, since the genetic or chromosomal dimension is the fundamental one, which conditions all of the others, even where there are discrepancies. to the point that a person who undergoes a so-called sex-change operation (from male to female or vice-versa) remains what they were from conception in every cell of their body, despite any manipulation at other levels, which explains in part why many remain profoundly disturbed afterwards. The inter-play between nature and culture in general, in relation to homosexual tendencies or in trans-gender or in trans-sexual persons, is far from clear. Much greater reserve is needed in all of these areas than appears in the proposal under examination here.

# b. Sociology, psychology and moral theology

Great caution is needed before embracing the claims of sociology and even of psychology. Sociology, as a study of society, its operations and the changes it experiences, is pursued by some as if all were morally neutral or morally irrelevant; then it is a discipline which tends to moral relativism. There are various schools, some more careful and self-critical than others. In some approaches, it tends largely to 'accept'

social patterns it identifies and analyses, at least methodologically as a starting point; but in others it seems often to endorse and foster them. For the Church largely to accept those assertions or to be largely silent about significant developments in society out of a fear of appearing out of touch or pessimistic would be problematic. The major Conciliar text, Gaudium et spes, devoted little direct attention to human sexuality as such; apart from some generic statements, a reader might not appreciate that it was written at a time of massive social transformation, including the so-called 'sexual revolution'. Psychology can suffer from some of the same problems, given not only that there are different schools of thought, but also some trends which follow the mood of the moment. Schockenhoff's lecture to the German Bishops' Conference on sexual morality showed no clear awareness of the deep ambivalence in these disciplines, very much ad rem to this discussion. If the epistemology of the natural sciences has drawn attention to the possible impact of political, financial, economic and more directly subjective factors upon the results of their precise studies, this is all the more true of the social sciences, and also of theology and of pastoral care.

The legitimacy and need for a positive approach to morality, including sexual morality, at the Council, more recently and in Schockenhoff's proposals, has at times been over-optimistic and insufficiently critical. Thus, the dominance of Malthusian demographics has gone largely unchallenged. The collapse of the indigenous populations of many countries in the western world over the last fifty to sixty years has led to no significant revision of perspectives or of norms. Schockenhoff's references to the moral responsibility of 'partners' to attend to the needs of society, though important, are far too vague. That the German

<sup>&</sup>lt;sup>65</sup> Cf. *Ibid.*, referring to concerns by human beings «about fore-seeing and controlling the increase in their own population» (n. 5), the «difficulties born of demographic, economic and social pressures» (n. 8), and again, in the section on marriage, «worries about problems caused by the increase of population» (n. 47). The latter does mention problems arising from «so-called free love" and other deviations», as well as «hedonism». It is in the section on the economy, more than in that on marriage, that a proper persepctive is provided, of urging countries to cooperate in the development and distribution of their resources to provide a solution to «the problem of the rapid growth of the population», eschewing government and other interference in the judgment of the married couple about responsible parenthood (n. 87); my translations.

<sup>&</sup>lt;sup>66</sup> Cf. J. LAFFITTE, «La situation démographique en Europe», in ID., *Le Christ, destin de l'homme. Itinéraires d'anthropologie filiale*, Mame. Paris 2012, 303-320.

government in early 2020 was apparently considering the adoption of a scheme of targeted immigration to address the lack of skilled workers, due to the collapse of the population, shows how dramatic the situation is, but the matter does not figure in Schockenhoff's remarks.

### c. The role of sexual pleasure

There can be no doubt that the sexual impulse or passion and sexual desire are among the strongest that human beings can experience. The Catholic Church has rejected the intrinsic sinfulness of pleasure and of sexual pleasure as a heresy of Manichaeans, Albigensian Cathars and Jansenists. It is to these sects and not to Augustine that Schockenhoff should have directed his strongest criticisms on this point. Their pessimism stems neither from Augustine nor from Catholicism as such. Deep theological pessimism in this area is rooted much more in the Lutheran and Calvinist theology of original sin, seen as provoking the total corruption of the human being to the point that existing human nature could never be a reliable point of reference for discerning any real good.<sup>67</sup> Authentic Catholic natural law, theologically grounded, rests upon the fundamentally good nature of God's creation, still discernible after the Fall to human reason when this is functioning correctly (*recta ratio*).

However, pleasure, including sexual pleasure, cannot simply be termed 'good' as such because there has indeed been the damage of original sin and of personal sin, and because there remains the reality of concupiscence, including sexual concupiscence. Despite its optimism, awareness of the problem was not entirely absent from the Second Vatican Council. In the context of its unitary anthropology, the human being as *corpore et anima unus*, it spoke of the body as «wounded by sin», such that the person «experiences rebellions within their body», with the danger that, while their dignity as human beings should cause them to «glorify the Lord in their bodies», this «may leave their

<sup>&</sup>lt;sup>67</sup> Cf. the criticism of Luther's doctrine of *natura totaliter corrupta* from both an anthropological and a Christological perpsective in the fifth letter of G.L. MÜLLER, «Das sakramentale Priestertum auf dem Prüfstand der Reformatorischen Kritik» in Id., *Jhr sollt ein Segen sein*.": 12 Briefe über das Priestertum, Herder, Freiburg-Basel-Wien 2018, 63-91 at 82-85.

body enslaved to their depraved inclinations». The Council insists that conjugal love can be identified neither with mere emotion, nor mere romantic feeling, nor with mere eroticism, but is «directed by the power of the will». When qualifying the conjugal act as a human act of «mutual self-giving», «from person to person», provided it is conducted «in a supremely human way», in an unacknowledged citation of Pius XII, it judged that, then, such acts are «noble and full of dignity». This implies that, when the sexual acts of spouses are not acts of mutual self-giving, but are selfish, manipulative or degrading of the other, then they descend to the mere eroticism which reduces the other spouse as an object of sexual gratification, then they are gravely immoral. No doubt, Schockenhoff would have accepted this, but, unlike Paul, Augustine, and Thomas Aquinas, he did not discuss this aspect in any depth.

The opinion that the inclination to sexual pleasure should not be examined on a par with the desire for food and drink, but within the framework of inter-personal communication and dialogue, seems to imply a rejection of St. Thomas' treatment of chastity within the virtue of temperance, which moderates the desire for food and for drink, to avoid the vices of gluttony and of drunkenness, but which, through chastity, moderates the sexual desire, to avoid the vice of lust. There is no problem about looking at this matter also in terms of inter-personal communication, but it would be very wrong to detach sexuality from the desires and from the virtue of temperance, of which the virtue of chastity is a part, precisely because it does indeed concern a deep passionate impulse which procures pleasure, as Schockenhoff himself had otherwise insisted throughout his analysis. The way he wrote suggests that the procurement of pleasure, including sexual pleasure, is an end in itself. While the reverse of this would be untrue, namely, that the seeking and enjoying pleasure are evil or immoral (a Stoic or a Manichaean error), so is it incorrect to suggest that they are automatically morally good. Schockenhoff failed to recognise precisely that passions and impulses in themselves are neither morally good nor immoral; rather, they are inclinations or tendencies which we experience and which we can identify to

<sup>&</sup>lt;sup>68</sup> SECOND VATICAN COUNCIL, Gaudium et spes, n. 14.

<sup>&</sup>lt;sup>69</sup> *Ibid.*, n. 49; cf. Pius XII, Allocution to Italian midwives, Rome, 29th October 1951, *AAS*, 43 (1951), 835-854.

some real extent and which stand either in the service of specific human goods and of the integral human good as such or which militate against these. Similarly, the pleasure we seek or experience can be sought or enjoyed in relation to what is morally good or to what is immoral; when sought and pursued in relation to the former, such seeking and enjoyment are morally good, when in relation to the latter, they are immoral for that very reason.<sup>70</sup> This key insight of St. Thomas has clearly theological roots, in that our impulses and passions are basically gifts of God to us in and through our creation and, as such, they are aligned to our authentic and integral human good.<sup>71</sup> By rendering the latter enjoyable or pleasurable to us, they serve to attract us to what fulfils us and to God, in whom our fulfilment will be complete and definitive as beatitude. The reality of original sin has distorted both our perception of what is good for us and also the passions and impulses within us which are no longer simply aligned to such authentic fulfilment, but which are often mis-directed into what offers the gratification of a pleasure through what is only apparently or only partially good. The moral theology of St. Thomas recognises the possibility and the importance of our pursuing our true, authentic and lasting good in a way which truly integrates our passions into the service of that good through the virtues.

Whereas Schockenhoff dismissed Augustine as pessimistic, he offered no adequate explanation of the negativity in our lives and his very generic indications for the moral life end up by being extremely vague. The phenomena of evil, of moral wrong, of immorality, are not foreign to the so-called modern human sciences, since sociology describes them and psychology analyses them. Freud's association of sex and violence is not irrelevant. Certainly, the passions involved can operate for our good or for the opposite; what matters is the way they are directed through our deliberate human acts and whether they are part of a life which is virtuous or vicious. An abiding fruit of Thomism, the perception that the integration of impulses and passions into virtuous living signifies the commitment of the whole person to the moral good which fulfils them, is to be distinguished from a false and easy identification

<sup>&</sup>lt;sup>70</sup> Cf. St. Thomas Aquinas, Summa theologiae I-II, q. 32, a. 6; q. 34, a. 2 and 4.

<sup>&</sup>lt;sup>71</sup> Cf. J.M. Finnis, *Natural Law and Natural Rights*, Oxford University Press, Oxford-New York 2011<sup>2</sup>, 85-97; G. Grisez, *The Way of the Lord Jesus*, 1, *Christian Moral Principles*, Franciscan Herald Press, Chicago 1983, 189-222.

of the mere gratification of desires with such fulfilment through error, wilfulness or self-deception. Contrary to the popular misunderstanding and prejudice, while requiring the discipline to avoid becoming slaves of our disordered sexual impulses, passions and desires, chastity implies not their repression, but their harmonious ordering or channelling, along with the other dimensions of the person, into authentic and wholistic moral growth. This service of true love requires that the axiom from the realm of justice: *Nemo dat quod non habet* be reformulated as *Nemo dat quod non est*, since no-one can give themselves in a genuine free gift to another unless they are in sufficient possession of themselves to be able to do so. The absence of any treatment of the virtue of chastity in Schockenhoff's proposal is regrettable.

The integral anthropology which St. Thomas effectively offers, without the term, stands in marked contrast to what underlies many of the criticisms levelled against the teachings of Catholic sexual ethics, despite claims to the opposite by their proponents, For many, the effective identification of the person with their will, their subjective decision, has led to the systematic under-valuing of their bodily dimension and to their effective consideration of their own bodies and those of others as instruments at their disposal. The focus upon the satisfaction of passionate impulses does not alter that. No-one can be blind to the damage done to the dignity of women through the widespread use of contraception; as Paul VI had warned, those practices would lead to greater infidelity and mis-treatment.<sup>72</sup> This aspect of the contemporary situation received little attention from Schockenhoff.

## d. An insufficiently critical acceptance of contemporary sexual mores

#### (i) The Sexual abuse of minors

This issue with which the author began, but which he then left aside, raises the question of the damage done by sin and the effects of disordered concupiscence in a very forceful way. Here, it is not 'Augustinian pessimism' which is the problem, but serious immorality conditioned by sin and concupiscence. Here, modern human sciences have often proven to be extremely ambivalent. That strand of sociology tending to

<sup>&</sup>lt;sup>72</sup> Cf. PAUL VI. *Humanae vitae*, 25th July 1968, n. 17.

endorse or at least rarely to criticise strongly the upheaval of the sexual revolution and its successors has been matched by wavering and contradictory trends in psychology. The recognised phenomenon of many bishops and other superiors moving abusive clerics from one parish or place to another within the Church, where they often continued to abuse others, was not by any means a practice pursued by them in isolation. Very often, they had placed problematic priests under psychological counselling, in assessment and therapy centres, and had re-integrated them only after having been advised by such psychologists or psychiatrists that there had been real or sufficient improvement for the persons concerned to be a reduced risk. The focus upon the 'human' dimension in the training of clergy, clearly a very important factor, as well as the scandals themselves, has led to many requiring detailed and inordinately expensive psychological testing for candidates for the priesthood or for the consecrated life, 73 but very frequently the reports issued are ambiguous or indecisive. The findings of the modern human sciences here are far from univocal, but the reaction in the Catholic Church against a supposed pessimism over sexuality, was perhaps over-optimistic. Coupled with a rejection of nebulous 'legalism', many were of the opinion that the Church should not have a penal law, much less enforce it, since mercy is what counts. Together with an exaggerated optimism about the conversion or improvement of perpetrators of abuse, this kind of attitude exacerbated the errors made in many of these instances.

(ii.) Moral conscience, human acts and virtue in sexual conduct

The unduly optimistic presumption that people will choose the good on the whole and over-benign interpretations of their sincerity, consistency, and goodness can be detected also in the prevailing view in the past, still echoed today, that contraception is largely an occasional, exceptional occurrence, quite different from the scourge of abortion and from a contraceptive mentality. Real moral distinctions are involved here, but moral theologians and many others were and often still are ingenuous about these matters. Contraception has not reduced abortions. Nor has it avoided, but rather, as the demographic disaster of the

<sup>&</sup>lt;sup>73</sup> Cf. John Paul II, Apostolic exhortation *Pastores dabo vobis*, 25th March 1992, nn. 43-44.

western world evinces,<sup>74</sup> it has fostered a profoundly contraceptive mentality. Those theologians who sanctioned contraception within the 'totality' of a fecund conjugal life and within a proportionalist framework failed to attend to what St. Thomas had demonstrated clearly, namely that repeated, deliberate human acts form or deform the persons who perpetrate them. That Schockenhoff endorsed «family planning» by «partners» when they have been open to life on the whole, and also recourse to the techniques offered by modern sciences to those who are infertile, suggests that he had failed to see this serious weakness even now.

Beyond the specific contribution of the human sciences, the concept of a 'shift of paradigm', based in the exact sciences, was proposed by Schockenhoff to the German bishops to challenge the alleged pessimism of Catholic doctrine on sexual morality, also as a feature of the Second Vatican Council. However, apart from the limited attention to much of what the Council taught on marriage, its treatment of conscience is seriously misrepresented. Noting the values to which married couples (extended by Schockenhoff to 'partners') should attend in matters of responsible parenthood when assessing pressing circumstances, the author states that they should themselves decide what methods, made available by scientific progress, they should use. This contradicts the Council's demands that arbitrary conduct be excluded when seeking to form judgments of conscience, since they are bound by a law which they do not lay upon themselves, and, specifically in matters of responsible parenthood, that married couples are not free to choose methods at will, but must abide by the moral law and the teachings of the magisterium, as a condition of acting in good conscience.<sup>75</sup> The subsequent qualification, rendered necessary by distorted interpretations of conscience as a sanctuary where the person is alone with God, namely that this means acting neither in isolation nor at will, but in real openness to the objective truth taught by the magisterium, to be accepted and followed in conscience, was effectively set aside.76

<sup>&</sup>lt;sup>74</sup> Cf. above note 65, J. LAFFITTE, «La crise démographique ...».

<sup>&</sup>lt;sup>75</sup> Cf. Second Vatican Council, *Gaudium et spes*, nn. 16, 51.

<sup>&</sup>lt;sup>76</sup> Cf. John Paul II. Veritatis splendor, nn. 54-64.

Furthermore, Schockenhoff refuses the classical dictum, *Bonum ex integra causa; malum ex singularibus defectibus* (or *quocumque defectul*): «The good arises from the matter as a whole» (each of the elements of the human act, intention, moral object deliberately chosen to put that intention into effect, and circumstances being good), «but the bad (act) arises from any one of those being immoral» (morally defective), rendering the act as a whole immoral.<sup>77</sup> This axiom rejects the idea that the morally good end at times may justify the immoral means because better consequences are anticipated by perpetrating that act or because, according to proportionalist theory, a good intention in pressing circumstances, thus for a 'proportionate reason', might justify perpetrating an act which, according to the norm, is immoral, in which case the wrong done would remain only 'pre-moral'.

The array of sexual behaviours which Schockenhoff judged as legitimate, having discarded this principle, implies the rejection of many specific magisterial teachings on sexual morality, many rejected also in the New Testament. He contended that the presupposition of the axiom, that everyone should always be open to the realisation of all human goods in every act, is mistaken, since instead it should be recognised that people may pursue less than the full range of human goods in their acts. This claim seems to be plausible; not everyone is strictly obliged always to do everything. Nevertheless, it was never claimed, nor would it possible, for everyone always to realise every one of the human goods in every act to the same degree; its real claim is that we ought neither to destroy nor to impede any of them directly and deliberately. Thus, someone with very limited artistic ability would be expected to respect art, and in this way also participate in this basic human good, by admiring what others had done which he or she could appreciate, which would also depend upon which kinds of art they found pleasing, but they would be required to respect it at least by neither destroying what others had achieved nor by directly impeding them from realising it. Amongst other things, Schockenhoff appears to have been trying to circumvent the doctrine on contraception by claiming that a couple with an upright intention of responsible parenthood could directly and deliberately contracept, impeding or attempting to impede the gift of a new

<sup>&</sup>lt;sup>77</sup> St. Thomas Aquinas, *Summa theologiae*, I-II, q. 19, a. 6, ad 1; my translation.

human life, even if God were to wish to bestow it, going beyond the legitimate avoidance of a new pregnancy through periodic continence in such a case. He intended also to imply that intimate sexual behaviour between unmarried heterosexual persons and between homosexual persons would be legitimate, if they were in some relationship as 'faithful, committed partners', though not being open to the life-long nature of a marriage in the first instance nor to procreation in the second.

Of course, there is nothing wrong with people engaging in friendships, in common consensual activities whose object is morally good; no-one has ever claimed otherwise. The requirement is neither to act against nor to seek directly to impede one of the basic human goods, which would be not just to avoid or to defer their realisation, but precisely to harm the moral growth of ourselves and/ or of others, specifically in relation to that good. No-one can promote all of the basic human goods actively to the same extent and simultaneously, and hence no-one can be morally obliged to do so (ultra posset, or ad impossibilia, *nemo tenetur*), which is why positive moral norms expressing duties in their regard apply always, but not necessarily on every occasion (semper sed non pro semper). Someone engaging in some sport at a given time and with full commitment, a musician playing or listening attentively and critically to a piece of classical music, could not actively promote simultaneously all of the other basic human goods, nor even many of them; our creaturely reality entails this key limit. Nor must our moral lives be reduced atomistically to merely individual acts, since our lives do indeed constitute a whole in themselves and since our development, our flourishing, as human beings requires that we pursue certain goods more directly and in a more committed manner. It is precisely this which enables people to develop and harness their talents, grow as persons and contribute thereby to the common good of society. Inevitably, this commitment requires choices of a more fundamental kind, rationally judged and pursued, which will be rational provided they are rooted in our capacities and in what we identify and pursue as our over-all, integrating or, specifically in a Christian context, vocational option. However, beyond that, all of this demands that not only our general and our specific intention(s), but also the moral objects of what we deliberately choose to do, be morally upright. Of course, errors may occur and sins may be committed, but, especially in regard to serious matters, the latter will impede our development unless and until they are amended, forgiven and healed, until we return to following what is authentically and objectively morally good, since only this can foster our authentic good at the subjective and collective level. The crux of Schockenhoff's proposal here was to go beyond this, to say that specific negative moral norms are not absolute, admit of exceptions, and then do not bind in conscience. People could be morally good, not only while avoiding realising certain specific goods positive at some point, but by 'violating' specific negative moral norms, even against those which would prohibit acting directly against a basic human good (which he wrongly tried to equate to the former) or deliberately perpetrating the intrinsic moral wrong (*intrinsece malum*) involved in so doing, such negative norms applying always and on every occasion, without exception (*semper et pro semper*).

The act of contraception is not of itself necessarily an act of abortion, although Schockenhoff had taken no apparent notice of the fact that, as a result of modern science and technology, many forms of contraception are in fact abortifacient, but, even if it were not so in a given case, the attempt at contraception would necessarily entail the will and the endeavour to operate as if the conjugal act (limiting ourselves here to spouses) were a mere undertaking of theirs alone, excluding God from the question, as if his will to bestow a new life in and through their act by means of his own creative act, were a mere irrelevance, which it is not. Expressing the unitive meaning of their marriage and of their conjugal acts, while acting deliberately to try to exclude the possible gift of new life from God, even should he wish to bestow it, is not at all the same as using periodic continence to avoid a conception, where there are serious reasons for doing so; rather it is neither procreative nor even truly unitive, since any 'union' is conditional, partial self-giving.<sup>78</sup> A similar argument would apply to the contrary procedures, involved in artificial procreation in the case of (married) couples unable to conceive or to bring a child to term. In the area of human procreation, as well as the goods and ends of fidelity, indissolubility, mutual help and the proper channelling of concupiscence into the mutual self-giving and receiving of the (married) couple, there is the procreative good, end and meaning. Here, a procreative intention by spouses, even with an intention to

<sup>&</sup>lt;sup>78</sup> Cf. John Paul II, Familiaris consortio, n. 32.

cooperate in effecting it, when handing over their gametes to be manipulated by third-party technicians in a laboratory, renders their act, as their act, neither unitive nor procreative.

Schockenhoff's adoption of what he identified as the contributions of modern science in terms of the expressive, emotional, pleasurable and social dimensions of human sexuality led him to underestimate not only the procreative significance of sexuality, for example in the light of demography, but to over-estimate the integrating force of the factors he mentioned. They do not lead to a communion of persons in any automatic way. Where they do so is in marriage, not in partial, time-limited arrangements, with some degree of unspecified commitment. The assumption that homosexual relationships are to be endorsed, also at the level of genital intimacy, was never evaluated by Schockenhoff in this proposal. His re-reading of the axiom noted above led him to sanction such conduct. Apart from the much greater fragility and conflict often involved in such relationships, there was no consideration at all of the increased risk of harm, especially to the passive partner, from genital acts perpetrated in vas indebitum, despite there being a medical syndrome related to such conduct. Naturally, there is a differentiation between every single human being and every other, even in the case of twins, but the level of differentiation between two persons of the same sex is insufficiently deep to render possible a profound and enduring complementarity between them. What they are seeking beyond cooperation in a common endeavour and beyond even a good friendship is not really available to them, not just procreatively, but also at the unitive level, and entails a much greater risk of friction and of division than in a marriage.<sup>79</sup> The risk of isolation, of depression, even of addictive practices of alcohol, drugs or indeed of sexual encounters as escape routes, can be real. Thus, recognition of their own value as persons and of any gifts they have by themselves and by others is important, the possibility of contributing to society and to the Church through those gifts and in

<sup>&</sup>lt;sup>79</sup> Cf. B. Kielx, «Homosexuality, Science, Morality and Discipline», in *Seminarium* 47 (2007), 685-700. The author is a psychologist, indeed he is a former President of the Institute of Psychology at the Gregorian University, Rome. See also M.P. FAGGIONI, *Sessualità*, *matrimonio famiglia*, Dehoniane, Bologna 2010<sup>2</sup>, 284-288.

communities of friendship likewise.<sup>80</sup> More generally, Schockenhoff's endorsement of pre-marital and of extra-marital sexual relationships between 'committed' persons, while recognising the 'ideal' of marriage, showed no serious attention to the colossal damage done by divorce in our societies and much less to the good of the children who may have to live in such inherently fragile relationships. There appears to have been inadequate attention to these realities and to the procreative good in its educative dimension in these suggestions.

Returning to Augustine's alleged pessimism and to Schockenhoff's focus upon the positive aspect of sexual passion, the latter seems to agree with Pope Francis' positive evaluation, to which the author expressly referred. It seems also to be in line with St. Thomas. However, Thomas was very clear that the passions are not qualifiable in themselves as good or as bad; that depends on how they are integrated into our lives through our deliberate moral acts. Pope Francis has asserted that those who fight wars do so because they fail to exercise control over their passions (eg. of anger, greed, thirst for power, etc.). Expressions (eg. of anger, greed, thirst for power, etc.).

«Let us not forget this: to live the Law as an instrument of freedom, which helps me to become more free, which helps me not to be a slave of passions and of sin. Let us think of wars, let us think of the consequences of wars, let us think of that baby girl who died of the cold in Syria the night before last. So many calamities, so many! This is the fruit of passions, and those people who make war do not know how to control their own passions. They fail to fulfil the Law. When we give way to temptations and to passions, we are not the masters and protagonists of our

<sup>&</sup>lt;sup>80</sup> Cf. G.D. COLEMAN, *Homosexuality: Catholic Teaching and Pastoral Practice*, Paulist, Mahwah-New York 1995, 105-112, 117-119.

<sup>81</sup> Cf. Francis, *Christus vivit*, 25th March 2019, in 'www.vatican.va/francis/apostolic\_exhortations/christus\_vivit' [accessed July, 2020], 261: «Here, we need to remember that God created us as sexual beings. He himself 'created sexuality, which is a marvellous gift to his creatures'. Within the vocation to marriage we should acknowledge and appreciate that "sexuality, sex, is a gift from God. It is not taboo. It is a gift from God, a gift the Lord gives us. It has two purposes: to love and to generate life. It is passion, passionate love. True love is passionate. Love between a man and a woman, when it is passionate, always leads to giving life. Always. To give life with body and soul», quoting Francis, Apostolic exhortation, *Amoris laetitia*, 8th April 2016, n. 150 and Message to the young people of the diocese of Grenoble-Vienne, 17th September 2018, *L'Osservatore Romano*, 19th September, 2018, 8.

<sup>&</sup>lt;sup>82</sup> Cf. Id., Angelus message, 16th February 2020, in 'www.vatican.va/francis/angelus\_regina\_coeli/2020/16th February, 2020' [accessed July, 2020].

own lives, but we become incapable of managing our lives through our will and in a responsible way».

This is certainly true of the aggressors in wars, and it is the very real danger which besets those who engage in wars to defend their countries. This is why St. Ambrose structured his just war theory around the virtues, including that of temperance, and why St. Augustine, in his just war doctrine, insisted upon the need for there to be «peace in the hearts» of those justly fighting such a war, meaning that this peace was to be there not only to justify going to war in defence of violated rights, but also that it was to be there in the conduct of the war in all of its stages. 83 In other words, here Pope Francis effectively insists upon the need to temper disordered passion, as a fundamental requirement of the upright moral life and as a requirement of the common good. However, his doctrine on passions on this point cannot be limited to the irascible passions, but clearly must apply equally to the concupiscible passions, including the sexual passion or impulse. Thus, the idea that people 'cannot' control such passions must be discarded, whatever might seem to be implied by the highly questionable assertion of the two persons who constituted the Maltese Bishops' Conference in 2017.84 Not only must people not be reduced to their sexual dimension, but it is denigrating to human beings to suppose that they cannot control their passions at all, but must give way to them. Here Schockenhoff and others who are uncritically indulgent to those who act out of passion need to recall St. Thomas once more, who pointed out that it is animals who abide by the natural law through their subjection to instinct, whereas human beings follow the natural moral law through the exercise of right reason, pursuing their natural inclinations and their passions insofar as these are directed to their final end, to their true and ultimate good, but that demands avoiding the real temptations of disordered concupiscence, including disordered sexual concupiscence through the virtue of chastity.85

<sup>83</sup> St. Ambrose, De officiis ministrorum, I, 36; St. Augustine, De civitate Dei, 15, 4.

<sup>&</sup>lt;sup>84</sup> Cf. Maltese Bishops' Conference, *Criteria for the Implementation of Chapter VIII of Amoris laetitia*, January 2017, in 'www.ms/maltadiocese.org/WEBSITE/2017/PRESS RE-LEASES/Norms for ...' [accessed July, 2020], 9.

 $<sup>^{85}\,</sup>$  Cf. St. Thomas Aquinas, Summa theologiae, I-II, q. 91, a. 2 ad 3; q. 94, a. 2; II-II, q.153, a. 1.

#### e. Further thoughts on sexual abuse and on upright sexual conduct

The initial critique of the reality and of the damage of the sexual abuse scandals in the Church found no follow-up in our author's considerations. That is a very grave omission. If human beings are endowed with (sexual) passions and if these passions were created by God as good, to incline us to the good which fulfils us, they need even so constantly to be integrated into our way of life through our deliberate human acts through the operation here of the virtue of chastity. If we were incapable of resisting disordered passions, then that would be true also of all sexually immoral persons, also of rapists and of paedophiles, who, in that case, could not be held morally or legally responsible for their actions. If these persons are rightly held responsible for their actions, except where in individual cases they are judged capable neither of intending nor of willing, then so are all other people (heterosexual persons, homosexual persons, married people, single people, celibate clergy and those living a life of consecrated chastity) morally responsible for their sexual conduct, however strong their impulses may be and however much they may be guided by the desire for pleasure - indeed this is the case, since they are not brute animals condemned to following their instincts. Sexually intimate acts between persons not married to each other were always condemned by St. Paul as seriously immoral, while the married, who alone had the right and duty to engage in such acts, were to guard against the danger of concupiscence which might arise if their legitimate wishes and rights in this area were unreasonably denied.

These doctrines are not pessimistic; quite the reverse, they are realistic and they are full of hope, both in St. Paul, the Apostle of hope, and in St. Augustine, the Doctor of grace. Both of these theologians and the whole Catholic moral theological tradition remain profoundly hopeful as to the possibility of not being condemned to slavery to disordered desires or tendencies. This is because, in the Catholic tradition, fallen human nature is not destroyed, but damaged, by original sin because the capacity of human reason and will to recognise the realities we confront and to direct ourselves through right reason to the goods and to the fulfilment to which we are called is not thereby obliterated, even in the non-believer. This is especially true for disciples because we are

called to and rendered capable of a life of goodness and holiness, also as sexual human begins, by Christ, our Redeemer, whose saving death and resurrection are the real source of our hope and the very core of the Gospel which we are to preach and to which we are to give witness as a Church.<sup>86</sup> These theological realities did not figure in Schockenhoff's analysis, but they are indispensable for the proper understanding of the positions he criticised.

There is absolutely nothing wrong with people forming good friendships; quite the opposite. We are created for life in society, we need each other to develop properly as persons. Our human nature is directed to our fulfilment, which proceeds also through our participation in social life. Our world has been disfigured through sin, but our intrinsic human dignity remains. Many people with difficulties, which may be in the sexual sphere or not, have very considerable talents, which they and others should recognise, respect and foster. Whatever their situation, they are created in the image and likeness of God and are called to eternal life in Christ. Their dignity is to be respected, their genuine capacities acknowledged, and they are to be enabled to live as fully as possible in society and in the Church. This does not mean that their specifically sexual inclinations and desires are necessarily directed to what is truly good and, like everyone, they are called to exercise the virtue of chastity, out of respect for themselves and for others. Their participation in the life of society, through friendship and collaboration, as also in the Church if they are baptised, is an important contribution to their fulfilment as human persons, but it cannot give rise to 'rights' which do not exist - to engage in forms of relationship which seek to mirror in many ways the vocation of marriage or in intimate sexual acts which are proper to marriage. The fruitfulness or fecundity of their lives can often be realised in more generic ways, which should be encouraged and promoted, but children should be begotten only from within marriage.

<sup>&</sup>lt;sup>86</sup> An example of this may be found in one of Augustine's Sermons, where he speaks of Christ as «the light of the world», who, being with the Father is «the truth and the life», but who, through his incarnation, has become «the way» which leads us to that truth and that life, coming to meet those who seek and giving strength to those who are weak and who struggle. This sermon is used on Laetare Sunday in the Office of Readings, as a highly appropriate reading especially for the Gospel of Year A on Jesus' healing of the man born blind (Jn. ch. 9), St. Augustine, Sermon, *Liturgia horarum*, II, Libreria Editrice Vaticana, Vatican 2000, 227-229.

#### 4. Concluding Remarks

Although Schockenhoff hailed a 'shift of paradigm' in the Second Vatican Council, his treatment of the Council in his proposal here was very selective. In fact, a very problematic and basically dualistic anthropology arose in the years following the Council, in which a superficial personalism led to the human being identified very often with the 'spirit', 'mind', 'reason' or eventually with a radical understanding of moral autonomy. St. John Paul II's anthropological analysis of the meaning of the human person, the theology of the body, the intrinsic dignity of human sexuality, differentiated and complementary, the personal dignity of the body, the call to the communion of persons in relationships of fecundity, which in marriage implies openness to procreation, has done much to overcome such serious errors. Like St. Paul, St. Augustine and St. Thomas before him, his theology resounds with hope, a hope rooted in truth, anthropological and moral, but above all Christological; it is profoundly important for any understanding of sexual morality.

The crisis over the sexual abuse of minors and of anyone else, by clergy or by other persons, is a scourge and a scandal of enormous proportions. Contrary to Schockenhoff's contention, it is not symptomatic of a more fundamental and radical error which has distorted the whole of Catholic sexual ethics since the time of St. Augustine. Rather, it highlights the deep ambiguity which is to be found in human beings, whose impulses and passions, sexual and otherwise, though created good and orientated towards our full good in the plan of God, nevertheless have been gravely damaged (but neither utterly corrupted nor destroyed) through sin and its effects. Through selfishness and concupiscence, neither our impulses and passions, nor our reason nor our will, are any longer clearly or easily attuned to that good which fulfils us all. The Catholic doctrine of original sin is not pessimistic and disastrous; in Christ, in his healing, salvific triumph, message and presence in the Church and in history, the foundation and source of hope, forgiveness and eternal Love is to be found the ever-present, effective remedy for all disordered concupiscence, and the capacity for human love to grow into an authentic communion of persons and to be fruitful, in accordance with the vocation and the state of life of each and of all. Realism and Christian hope are needed to address this and other crises.

Schockenhoff's proposals to the German Bishops' Conference of last year appear to constitute an overwhelming endorsement of many of the key positions of the contemporary Zeitgeist (his claims to the contrary notwithstanding). It is easy to see how someone endorsing such positions would have been welcomed and esteemed in a national bioethics committee in contemporary Europe and beyond in a post-Christian society. However, the Gospel is not to be reduced to a discourse of significance only for earthly existence; otherwise, «our preaching (it) is useless and your believing (it) is useless; indeed, we are shown up as witnesses who have committed perjury», since, «if Christ has not been raised, you are still in your sins ... (and) all who have died in Christ have perished. If our hope in Christ has been for this life only, we are the most unfortunate of all people» (1 Cor 15:12-19). Of course, Schockenhoff did not deny the resurrection of Christ. Yet, revelation as God revealing himself to human beings can be neither an empty phrase nor can it imply an anthropocentric reductionism. The fulness of revelation is in Christ, in his resurrection and in the salvation it effects in us through his conquest of sin and death; realised eschatology does not mean an eschatology reduced to the confines of mere earthly existence because then, instead of being truly the «great hope» of all people, it would be despair writ large, despair dressed up in religious language and thus the worst deception of all, a true 'opium of the people'. Human sexuality is a creaturely reality, part of the bodily reality which is part of who we are as human persons, a body destined, even in those who do not yet believe in Christ, for the resurrection, for communion with Christ, and a temple of the Holy Spirit (cf. 1 Cor 6:12-20). It discloses and affords a capacity to develop oneself and to collaborate in the development of others, through chastity, eschewing porneia, in various levels of constructing a communion of persons, working together, building communities, through inter-personal friendships, being fruitful within those contexts; only in true marriage can the most intimate communion of two human persons be morally good and can its fruitfulness be legitimately procreative. False alternatives are deceptive. In the end people want truth; telling them what they want to hear is rarely convincing. Genuine new insights promote authentic development of doctrine. Only this latter will be truly of service to the good of human beings and to the preaching of the Gospel.

Summary: The article examines a proposal made to the German Bishops' Conference in March, 2019, by German theologian, Eberhard Schockenhoff on the way in which sexual ethics should be developed. Noting the damage done to the Church by the scandals of sexual abuse of minors by clerics, he detected a deeper source of the current lack of credibility of the magisterium's teachings on sexual morality. He considered that this stems from a failure to adopt a modern approach to revelation, from the deeply pessimistic theology of human sexuality, for which St. Augustine is to blame, which subsequent theologians and the magisterium have never succeeded in overcoming. From the modern human sciences, it is possible to recognise a variety of values in human sexuality, the fundamentally positive evaluation to be given to sexual impulse and desire, the variety of meanings inherent in human sexuality. Thus an ethical structure based on love of self, acceptance of other, agreeing on ways of satisfying desires, along with responsibility towards society, also in terms of children, would enable couples, married or not, heterosexual or homosexual, to agree on how to live their sexuality in a positive and joyful way, and on how to exercise their responsibility with respect to responsible parenthood and infertility, etc. The article offers a critical assessment of this proposal.

**Key words:** Schockenhoff, German Bishop's Conference, Catholic sexual morality; Augustinian pessimism; sexual pleasure; meanings of sexuality; revision of magisterial teachings.

Sommario: L'articolo esamina la proposta fatta dal teologo moralista tedesco Schockenhoff alla Conferenza Episcopale Tedesca nel marzo del 2019 sulla morale sessuale. Gli abusi sessuali di minori da parte di chierici hanno sollevato delle critiche anche sulla morale sessuale, ma per lui la mancanza di credibilità delle dottrine del magistero in questo campo risale ai primi secoli, al pessimismo di sant'Agostino circa la sessualità e al fatto che né i teologi dopo di lui né il magistero sono riusciti a trovarne una via di uscita. Perciò, occorre badare alle scienze moderne, che svelano altri valori insiti nella sessualità umana, valorizzando positivamente il piacere sessuale stesso, mettendo in luce una gamma di significati nella sessualità umana. Pertanto, sarebbe possibile strutturare un'etica sessuale attorno ai valori dell'amore di sé e del prossimo, con un'attenzione al ruolo sociale della sessualità, anche con riguardo ai figli, il che consentirebbe alle coppie, sposate o meno, eterosessuali o omosessuali, di mettersi d'accordo su come vivere la loro sessualità in modo positivo e gioioso, e su come esercitare la loro responsabilità rispetto alla paternità responsabile e all'infertilità. L'articolo offre un'analisi critica di tale proposta.

**Parole chiave:** Schockenhoff, Conferenza Episcopale Tedesca, morale sessuale; pessimismo agostiniano; piacere sessuale, significati della sessualità; revisione delle dottrine magister.