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BEYOND BIOLOGY: BASES FOR A CHILD-CENTERED AND FUNCTIONAL

ACCOUNT OF PARENTHOOD

A Dissertation

Submitted to McAnulty College and Graduate School of Liberal Arts

Duquesne University

In partial fulfillment of the requirements for

the degree of Doctor of Philosophy

By

Jacob M Kohlhaas

December 2015

BEYOND BIOLOGY: BASES FOR A CHILD-CENTERED AND FUNCTIONAL

ACCOUNT OF PARENTHOOD

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ABSTRACT

BEYOND BIOLOGY: BASES FOR A CHILD-CENTERED AND FUNCTIONAL

ACCOUNT OF PARENTHOOD

By

Jacob M Kohlhaas

December 2015

Dissertation supervised by Darlene Fozard Weaver

This dissertation argues that the presently influential Catholic theological account of parenthood is indebted to an essentialist theory of gender and the system of sexual ethical reasoning it produces. In consideration of the family, Catholicism tends to favor the differentiated gender roles of the father as the primary financial provider and the mother as the primary caregiver. Though such thinking is often justified as natural or traditional, it relies heavily upon a post-Victorian social context. This gender complementarity is often accompanied by an idealization of the autonomous biological-nuclear family. This family is *autonomous* in granting parents alone direct responsibility for the household and certain rights to privacy; *biological* in assuming continuity among genetic, gestational, and social parenthood; and *nuclear* in centering on a married couple without essential bonds beyond the parent-parent and parent-child relationships.

Importantly, this theory of gender and human sexuality appears not only to reject voluntary participation in placing children with same-sex partners, but so privileges the biological family that it may undermine Catholic participation in, and theological reflection on, adoption more generally. This approach produces a constricted theology of parenthood which governs thought on childrearing, yet does not meaningfully engage the Catholic Church's long and diverse history of orphan care and does little to integrate contemporary social scientific studies of child wellbeing.

DEDICATION

To Kelly

and to

Ray and Pat Knavish and Jeff and Diane Wilk. Models of Christian marriage through

their generosity, warmth, and friendship.

ACKNOWLEDGEMENT

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Case Study: Catholic Charities v The State of Illinois *et al.*

On June 7, 2011, Catholic Charities of the Illinois dioceses of Springfield, Peoria and Joliet filed suit against the state Attorney General and Department of Child and Family Services (DCFS). Their lawsuit sought to establish the agencies' good standing under the *Illinois Human Rights Act* despite their practice of refusing children placements with cohabitating and unmarried heterosexual or homosexual couples.[1] The suit came in response to both a March, 2011 complaint to the Attorney General's office alleging discriminatory practices as well as the state's interpretation of the *Illinois Religious Freedom Protection and Civil Unions Act,* which had taken effect on June 1, 2011.[2] This act created a state-recognized civil institution for same-sex or different-sex partners very similar to marriage; though it avoided certain terms (spouse, marriage, etc.[3]) which had been defined by the federal *Defense of Marriage Act* of 1996.[4] Under the DCFS's interpretation, these civil unions, though not considered marriages, could not be subject to discrimination in preference for marriage. Catholic Charities' distinguished between civil unions and marriage in its placements by refusing placements for partners in civil unions.

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[1] *Cf.* "Catholic Charities v State of Illinois *et al,*" The Thomas More Society, (June 7 – November 14, 2011) https://www.thomasmoresociety.org/cases/closed-cases/catholic-charities-v-state-of-illinois-et-al/press-releases/ This site contains chronological documentation of the developments of this lawsuit through press releases and relevant materials.

[2] "Illinois Religious Freedom Protection and Civil Unions Act," Illinois General Assembly, (Jun. 1, 2011) http://www.ilga.gov/legislation/ilcs/ilcs3.asp?ActID=3294&ChapterID=59.

[3] Richard A. Wilson. "Family Law: A Guide to the New Illinois Civil Union Law," Illinois State Bar Association, 99 no. 5 (May 2011), 232.

[4] "Defense of Marriage Act," *U.S. Government Printing Office,* (Sept. 12, 1996) http://www.gpo.gov/fdsys/pkg/BILLS-104hr3396enr/pdf/BILLS-104hr3396enr.pdf.

In letters to Catholic Charities on July 8, the Illinois Attorney General stated that, because these agencies had made clear their intention not to comply with the *Civil Union Act*, their state contracts would not be renewed and existing DCFS cases would be transitioned to other agencies.[5] On July 12, a judge granted a preliminary injunction to allow a continuation of existing relations between the state and these agencies, including the referral of new cases. Shortly thereafter, Catholic Social Services of Southern Illinois, associated with the Diocese of Bellevue joined the lawsuit.[6]

On August 18, 2011 the court ruled that the state of Illinois was not obligated to renew its contracts with these agencies. Representatives of the agencies argued the case on the grounds of religious freedom and the Attorney General's faulty interpretation of the *Civil Unions Act* in light of the *Illinois Human Rights Act*. However, the court did not consider the state's motivation for withholding contracts to be centrally significant. Instead it focused on the obligations that might bind the state to contract with a specific party. Despite the DCFS' own high rating of these agencies and more than forty years of partnership with the state,[7] the court found that the plaintiffs could not claim the right to a government contract in the absence of a legally recognized property right.[8] In response to

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[5] Erwin McEwen, "FY12 Foster Care and Adoption Contracts," *scribd.com*
http://www.scribd.com/doc/59782549/Catholic-Charities-Foster-Care-and-Adoption-Contracts-Illinois-Department-of-Children-Family-Services-Letter.

[6] "Highly Ranked Catholic Adoption/Foster Care Agency Serving Southern Illinois Joins Catholic Charities Lawsuit to Continue to Serve Children's Best Interests," The Thomas More Society, (June 26, 2011) https://www.thomasmoresociety.org/2011/07/26/highly-ranked-catholic-adoptionfoster-care-agency-serving-southern-illinois-joins-catholic-charities-lawsuit-to-continue-to-serve-childrens-best-interests/.

[7] Maryann Medlin, "Illinois Bishops Announce Shutdown of Adoption Services," *Catholic News Agency*. (15 Nov. 2011).

[8] In effect, because no formal agreement bound the state to future contracts, the relationship was on a year-to-year basis, though this was clearly not the informal understanding. To allow an informal understanding the standing to obligate future contracts would have set a potentially dangerous precedent for the state. John Schmidt, "Summary Court Order," *scribd.com* (August 18, 2011)

this ruling, Bishop Jenky of Peoria lamented that a compromise was not reached, especially as it was the state's interpretation of the *Civil Unions Act*, not the wording of the act itself, which had forced the partnership to end.[9] The plaintiffs sought to appeal the decision and stall the state's reassignment of children to other providers. By November, after substantial transitions of cases away from the agencies had taken place, the outcome was inevitable. The Thomas More Society, representing the agencies, filed motion to dismiss the case.[10]

Catholic adoption agencies responded differently in the aftermath. In the dioceses Springfield and Joliet, adoption services by Catholic Charities ended, though other family services continued.[11] By discontinuing adoption services the agencies avoided having to either operate without public contracts or comply with the new legislation. Adoption services in the dioceses of Peoria and Bellevue chose to disaffiliate with the Catholic Church in order to comply with the DCFS's interpretation of state law. In the Diocese of Bellevue, Catholic Social Services of Southern Illinois became Christian Social Services

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http://www.scribd.com/doc/62597962/Illinois-Circuit-Court-Summary-Judgment-Order-in-Catholic-Charities-Foster-Care-Adoption-Services-Case.

[9] Daniel Jenky, "Statement by the Most Reverend Jenky, Bishop of the Diocese of Peoria, Regarding the Court Decision Made by Judge John Schmidt in Sangamon County," *The Thomas More Society* , (August 18, 2011) https://www.thomasmoresociety.org/2011/08/22/statement-by-the-most-reverend-jenky-bishop-of-the-diocese-of-peoria-regarding-the-court-decision-made-by-judge-john-schmidt-in-sangamon-county/.

[10] "After 90 Years, Catholic Charities Foster Care Will Cease in Illinois," *The Thomas More Society,* (November 14, 2011) https://www.thomasmoresociety.org/2011/11/14/after-90-years-catholic-charities-foster-care-will-cease-in-illinois-states-action-to-remove-children-from-charities-care-forces-cessation-of-lawsuit/.

[11] Cf. "Catholic Charities Programs." *Catholic Charities Diocese of Springfield* http://www.cc.dio.org/programs.htm and "Programs and Services." *Catholic Charities Diocese of Joliet* http://www.cc-doj.org/programs.htm.

of Illinois.[12] In the Diocese of Peoria, the adoption arm of Catholic Charities separated from the larger organization and became the Center for Youth and Family Solutions.[13] Both of these new agencies operate under the state's new guidelines and ceased ranking placements by marital and civil union status. Finally, the diocese of Rockford and Archdiocese of Chicago, which had ended adoption services prior to the *Civil Unions Act* in 2011[14] and 2007[15] respectively, both restarted adoption services.[16] These agencies are inspected and licensed by the state of Illinois, but are not reliant upon state funding. Independence of state contracts allows these agencies to restrict placement applicants to heterosexual married couples alone; going beyond the previously accepted practice of admitting single applicants. Thus, three resolutions emerged; ending adoption services, disaffiliation from the Catholic Church, and financial independence from the state.

Other faith-based adoption services were also affected by the state's application of the *Civil Unions Act*. Evangelical Child and Family Agency (ECFA) did not have its state contracts renewed, but continued independently. This new status allows ECFA to

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[12] Unlike in the other Illinois dioceses, Adoption was not run through Catholic Charities in Southern Illinois. Cf. "Adoption," *Christian Social Services of Illinois,* http://www.cssil.org/programs/adoption.aspx.

[13] "Adoption Services," *Center for Youth and Family Solutions,* http://cyfsolutions.org/services/adoption-services.

[14] The Diocese of Rockford had announced its discontinuation of adoption services prior to the *Civil Unions Act* taking effect. Manya A. Brachear, "Catholic Charities of Rockford Ends Foster Care, Adoption Services," *Chicago Tribune* (May 26. 2011) http://articles.chicagotribune.com/2011-05-26/news/ct-met-rockford-catholic-charities-st20110526_1_catholic-charities-adoption-services-care-and-adoption.

[15] Catholic Charities of the Archdiocese of Chicago ended its services in 2007 for financial reasons.

[16] Cf. "Adoption Services Available," *Diocese of Rockford Catholic Charities,* http://catholiccharities.rockforddiocese.org/adoptionservices and "Adoption," *The Catholic Charities of the Archdiocese of Chicago,* http://www.catholiccharities.net/services/adoption/.

restrict applicants to active members in Evangelical congregations alone (it allows single applicants).[17] Lutheran Family and Child Services (LFCS), which is recognized by the Lutheran Church Missouri Synod, formerly restricted applicants to married couples but chose to adjust its practice to retain state contracts.[18]

Raising Questions

Numerous observations can be made from this case study, which suggest much larger questions about the family, the needs of children, and the role of parents are understood in Catholic tradition and American culture. In an ironic twist, the state of Illinois' attempt to require broader placements led to an increased number of independent agencies with more restricted standards than before. Catholic agencies began to require marriage while the ECFA began to require a religious affiliation. Interestingly, the counter-arguments of the religious organizations appealed to faith commitments not only to reject the states' new requirements but implicated practices in which they themselves had earlier participated.

Relationship of Church and State

In 2012, a nationwide debate about religious freedom arose in response to the department of Health and Human Services' decision to require health insurance coverage of contraceptives for most religiously affiliated employers under the *Patient Protection*

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[17] Cf. "Adoption Program Information, Policies and Fees," *Evangelical Child and Family Agency,* http://www.evancfa.org/Adoption/adoprograminfo.htm#Basic_Eligibility_Criteria.

[18] Cf. "Adoption," *Lutheran Child and Family Services,* http://www.lcfs.org/page.aspx?pid=186.

and Affordable Care Act of 2010. The debate was championed by the United States Conference of Catholic Bishops (USCCB) and the fate of adoption services in Illinois became an important reference point for perceived state intervention and compulsion in religious matters.[19] Documents from the USCCB suggest that the discontinuation of adoption services was the direct result of laws that forcefully intruded upon the conscience-bound beliefs of religious organizations.[20] However, these documents do not mention Catholic Charities' limited, but voluntary participation in same-sex adoptive placements throughout the preceding decades, as well as the very recent developments in Catholic teaching which had ended these practices.

In recent years, Catholic Charities of Boston and of San Francisco ended adoption services in response to legislation similar to that in Illinois. However, prior to 2006, Catholic Charities in both cities voluntarily placed a limited number of particularly challenging children with same-sex partners. In all, Catholic Charities of Boston placed thirteen children in the care of same-sex couples over a twenty year period.[21] Catholic Charities of San Francisco placed five children with same-sex couples between 2000 and 2006.[22] Cardinal William Levada, former archbishop of San Francisco and former Prefect

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[19] United States Conference of Catholic Bishops Ad Hoc Committee for Religious Liberty, "Our First, Most Cherished Liberty: A Statement on Religious Liberty," USCCB, (March, 2012) http://www.usccb.org/issues-and-action/religious-liberty/upload/Our-First-Most-Cherished-Liberty-Apr12-6-12-12.pdf.

[20] Ibid., Cf. United States Catholic Bishops, "Discrimination against Catholic Adoption Services," USCCB, (Summer 2012) http://www.usccb.org/issues-and-action/religious-liberty/fortnight-for-freedom/ upload/Catholic-Adoption-Services.pdf.

[21] Jerry Filteau, "Catholic Charities in Boston Archdiocese to End Adoption Services," *Catholic News Service,* (March 13, 2006) http://www.catholicnews.com/data/stories/cns/0601456.htm.

[22] Wyatt Buchanan, "Catholic Charity Might Stop Adoptions / Vatican Prohibits Placement with Same-Sex Couples" *SFGate,* (March 11, 2006) http://www.sfgate.com/bayarea/article/SAN-FRANCISCO-Catholic-charity-might-stop-2539650.php.

of the Congregation for the Doctrine of the Faith (CDF), had been aware of three of these placements. Describing these decisions, he explained that, at the time, these were considered exceptional circumstances in which prudential considerations of the children's needs warranted such actions.[23]

 That Catholic adoption agencies had earlier voluntarily placed children with same-sex partners suggests that new legislation was not the only cause for ending this public-private partnership; religious developments occurred as well. New legislation in Massachusetts, San Francisco, Illinois and Washington D.C. compelled Catholic agencies desiring state contracts to cease prioritizing married applicants over those in civil unions, including same-sex couples. Prior to this, Catholic agencies consistently held suitable married heterosexual couples as ideal candidates, but allowed for same-sex partners and single candidates as less preferable placement options. These lesser candidates were turned to, on occasion, with particularly hard to place children. This hierarchy reflected religious convictions about familial ideals and had been legally acceptable.[24] Even after new legislation passed, Catholic adoption agencies' religious affiliation could have provided grounds for exemption if this was not seen to conflict with other goods. In Illinois, it was the Attorney General's interpretation of the law, not the law itself, which judged equal treatment of citizens as an overriding concern against religious exemptions.

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[23] Filteau, "Catholic Charities in Boston Archdiocese to End Adoption Services."

[24] In 1992, the CDF expressed concern over legislative protections for non-discrimination of homosexual persons and raised concerns about the possible implications for adoption and foster care. Still the document did not directly prohibit Catholic participation in same-sex adoption placements. Cf. Congregation for the Doctrine of the Faith, "Some Considerations Concerning the Response to Legislative Proposals on the Non-Discrimination of Homosexual Persons," Vatican, (July 24, 1992) http://www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfaith_doc_19920724_homosexual-persons_en.html.

Religiously, Catholic involvement in adoptions by same-sex couples became more restricted after 2003 with the CDF's, "Considerations Regarding Proposals to Give Legal Recognition to Unions between Homosexual Persons." This document coupled its concern with legalization of same-sex marriage with unease that such couples would then be allowed to adopt children. The document asserts that placing children in the care of same-sex partners "creates obstacles in the normal development of children" and as such "would actually mean doing violence to these children."[25] This judgment did not explicitly prohibit all Catholic participation in same-sex adoption. It did, however, describe the action as "gravely immoral."[26] This indicates that it is a mortal sin, but does not clarify whether circumstances might ever permit the act either as a lesser evil or as an 'indirect' consequence of attaining an immediate good. In some situations, prolonged foster care may leave children without many of the essential aspects of a stable family that have also been enumerated by Catholic leaders as lacking in same-sex relationships. Could this, under certain circumstances, warrant placements with same-sex couples? Such was the prudential judgment made by Archbishop William Levada in San Francisco. In a 2006 letter to the Archdiocese of San Francisco, the CDF clarified that the earlier statement did in fact prohibit *all* direct participation in same-sex adoption placements. Remarkably, this judgment was written by the newly appointed Prefect of the CDF and Cardinal-elect, William Levada.[27]

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[25] Congregation for the Doctrine of the Faith, "Considerations Regarding Proposals to Give Legal Recognition to Unions between Homosexual Persons," Vatican, (July 31, 2003) http://www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfaith_doc_20030731_homose xual-unions_en.html, 7.3.

[26] Ibid.

[27] Cardinal Levada sent a letter to his former diocese on March 11, 2006 stating that Catholic Charities of San Francisco should discontinue placing children with same-sex partners. Three such

Developments in Catholic Teaching

The case study above raises questions concerning the role of gender in a Catholic theology of parenthood, especially in terms of the importance of sexual complementary among caregivers for healthy child development,[28] the relative scope of who can be properly considered a parent in Catholic thought, and what principle lies behind the current practice of accepting single-parent applicants but not same-sex partners. Related to this last point, it might also be asked what role the presumption of a sexual relationship has in evaluating fitness for parenthood. Questions could also be raised concerning how such developments have transformed Catholic conceptions of the family. Might opposition to same-sex adoption implicate other forms of non-biological parenthood?

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placements had taken place with his knowledge while he was archbishop, but in light of the CDF's teaching of 2003, he stated that all bishops were to follow this standard. Recently elected Archbishop George Niederauer confirmed this new approach a few days later. In August, 2006, Catholic Charities decided to continue adoption services by providing employees to staff California Kids Connection, a website that provided a database for matching children and adults in California's adoption system. This allowed Catholic Charities to continue involvement in adoption placements, without undertaking placements itself. Interestingly this greatly expanded the number of adoption cases Catholic Charities was involved in, as well as the percentage involving same-sex couples. On October 12, 2008 the partnership was unexpectedly dissolved, following a budget shortfall in the San Francisco diocese and a campaign by Family Builders by Adoption, the owner of California Kids Connection, to increase adoptions by same-sex couples; which had recently hit 88%. Cf. "Catholic Charities in San Francisco Severs Links to Homosexual Adoptions," *Catholic News Agency,* (October 5, 2008) http://www.catholicnewsagency.com/news/catholic_charities_in_san_francisco_severs_links_to_homosexual_adoptions/ and Valerie Schmalz, "SF Catholic Charities Cuts Ties to Homosexual Adoptions," *Our Sunday Visitor,* (October 12, 2008) http://www.osv.com/tabid/7621/itemid/4093/Catholic-Charities-cuts-homosexual-adoption-ties.aspxhttp://www.catholicnewsagency.com/news/catholic_charities_in_san_francisco_severs_links_to_homosexual_adoptions/.

[28] Congregation for the Doctrine of the Faith, "Considerations Regarding Proposals to Give Legal Recognition to Unions between Homosexual Persons," Vatican, (July 31, 2003) http://www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfaith_doc_20030731_homosexual-unions_en.html, 7.3.

And does a presumption of biological normativity restrict potential caregivers for children in need?

The Best Interest of Children and Adult Capabilities

A final point to consider in relation to this case is the way in which it portrays both children's needs and adult capabilities to provide care for children. Both sides represented in the case study above asserted that their position worked in the best interests of children. For example, from the state of Illinois' perspective, implementing the law in the manner it did assured the maximum number of suitable placement families. From the Catholic perspective, refusal to abide by the new laws was founded on a commitment to privilege the family form most conducive to healthy child development. Still, neither side convincingly promoted children's needs as their primary consideration. Proponents of Illinois' legislation were clearly concerned with non-discrimination of adults[29] while the Catholic agencies were concerned for religious freedom vis-à-vis developments in magisterial teaching.[30]

Closer consideration of the Catholic theological argument yields a number of concerns related to its method. For example, the CDF claims that "experience" attests to the deleterious effects of childrearing without parental complementarity, yet neither supports this claim further nor convincingly demonstrates interest in engaging scholarly research on the experience of parents and children in same-sex households. In addition, the magisterial position tends towards making categorical objections which can create

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[29] Cf. Brachear, "Catholic Charities of Rockford Ends Foster Care, Adoption Services."

[30] Medlin, "Illinois Bishops Announce Shutdown of Adoption Services."

challenges for application. For example, Adoption placements in the US have layers of

processes and documentation designed to match children with specific needs to families

with specific capabilities. Categorical dismissal of certain family forms appears to run

contrary to a system that relies on references, home studies, and other case-by-case

evaluations to determine fitness for placement. Interestingly, this case-by-case approach

was also the method that characterized limited participation in adoption placements with

same-sex couples by Catholic agencies prior to 2006. Moreover, further concerns

include: what concepts of the child and children's needs are being assumed by the

magisterium? How does categorical denial of certain family forms affect adoption

processes? What conception of parenthood is being assumed? What specific capabilities

are required to parent? And are any individuals categorically unable to fulfill these?

Introduction to the Research

While speedy placement in permanent homes is a demonstrated benefit to the

wellbeing of adoptees,[31] placing children in the care of same-sex couples violates

Catholic teaching, which asserts that every child has a right to a family that is founded on

marriage.[32] Recent developments have left Catholic agencies in between a legal

understanding of family that supports equal protection for same-sex spouses on one hand

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[31] David M. Brodzinsky, *Expanding Resources for Children III: Research-Based Best Practices In Adoption By Gays and Lesbians,* (New York: Evan B. Donaldson Adoption Institute, 2011), 5., Cf. Kristin Anderson Moore, *et al.,* "Research Brief: What is 'Healthy Marriage'? Defining the Concept," *Child Trends* (September 2004),1., and David M. Rubin, *et al*. "The Impact of Placement Stability on Behavioral Well-being for Children in Foster Care" *Pediatrics* Vol. 119 No. 2 (February 1, 2007).

[32] Sacred Congregation for the Doctrine of the Faith. "Instruction for Respect of Human Life in Its Origin and on the Dignity of Procreation: Replies to Certain Questions of the Day." (*Donum vitae*) Vatican. (February 22, 1987), II.A.1.

and a theological understanding that contends that same-sex partnerships cannot form families on the other hand. Confronted with these opposing views, many agencies chose to uphold Catholic teaching and lost the substantial government funding needed to continue their adoption services.[33] The end of the long-standing and biblically mandated practice of Catholic orphan care in these localities is a cause for concern and raises serious theological questions.

These decisions to end Catholic adoption services in response to non-discrimination legislation reflect deeper developments in the Catholic conception of parenthood. This dissertation will argue that the presently influential Catholic theological account of parenthood is indebted to an essentialist theory of gender and the system of sexual ethical reasoning it produces. This essentialist theory conceptualizes maleness and femaleness as discrete and complementary categories. In consideration of the family, Catholicism tends to favor the differentiated gender roles of the father as the primary financial provider and the mother as the primary caregiver.[34] Though such thinking is often justified as natural or traditional, it relies heavily upon a post-Victorian social context.[35] This gender complementarity is often accompanied by an idealization of the

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[33] Catholic Social Services of Southern Illinois chose to disaffiliate from the Catholic Church and continues under the name Christian Social Services of Illinois. Adoption agencies of the Missouri Synod Lutheran Church have continued in compliance with the legislation despite theological disagreements akin to those of Catholic agencies. All agencies had the option of continuing without state funding, however, subsisting on private donations was not a realistic alternative for most. "In Illinois, Catholic Charities in five of the six state dioceses had grown dependent on foster care contracts, receiving 60% to 92% of their revenues from the state, according to affidavits by the charities' directors." Medlin, Par. 15.

[34] Lisa Sowle Cahill, "Notes on Moral Theology: 1989; Feminist Ethics," *Theological Studies* 51 (1990), 58.

[35] Rosemary Radford Reuther, *Christianity and the Making of the Modern Family,* (Boston: Beacon Press, 2000), 10. Cf. Frances Goldscheider, "Rescuing the Family from the Homophobes and Antifeminists: Analyzing the Recently Developed and Already Eroding "Traditional" Notions of Family and Gender," *Case Western Reserve Law Review* 64 no. 3 (2014), 1029 – 1044. The article argues that the notion of the 'traditional' family and associated gender roles is a product of the industrial revolution;

autonomous biological-nuclear family. This family is *autonomous* in granting parents alone direct responsibility for the household and certain rights to privacy; *biological* in assuming continuity among genetic, gestational, and social parenthood; and *nuclear* in centering on a married couple without essential bonds beyond the parent-parent and parent-child relationships.

Importantly, this theory of gender and human sexuality appears not only to reject voluntary participation in placing children with same-sex partners, but so privileges the biological family that it may undermine Catholic participation in, and theological reflection on, adoption more generally. This approach produces a constricted theology of parenthood which governs thought on childrearing, yet does not meaningfully engage the Catholic Church's long and diverse history of orphan care and does little to integrate contemporary social scientific studies of child wellbeing. These underlying realities profoundly influenced the disagreements that arose as a result of non-discrimination legislation in adoption.

This dissertation will critique magisterial teaching and revisionist theology in response to a common linear progression from human sexuality, to sexual ethics, to theology of marriage, to theology of parenthood, in light of the biases and limitations it presents. Like modern magisterial documents, revisionist Catholic theologians consistently access theology of parenthood through sexual ethics and, in doing so, tend to replicate the biological bias of magisterial thought. Treatment of adoption as a peripheral,

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specifically the roughly century long interval between the majority of men shifting from agricultural to non-agricultural employment in the mid to late nineteenth century and the majority of women shifting from agricultural then domestic work to the pubic labor force in the mid to late twentieth century.

rather than integral, consideration of the meaning of Christian childrearing is symptomatic of this approach.

This dissertation contends that the approach common to the magisterium and revisionist theologians is neither sufficient to respond adequately to contemporary questions related to non-biological kinship, nor adequately representative of historical diversities in Christian childrearing. Further, this project will assess resources from multiple fields of study that intentionally account for non-biological familial relationships. These will be critically integrated into a more expansive theological framework from which a broader account of parenthood may be constructed. Such resources include social scientific studies of child wellbeing, historic resources that demonstrate contingency and social construction in family and caregiving, and secular sources that challenge the normativity of biological kinship. In concluding, this project will assess the extent to which these expanded resources for a theology of parenthood warrant prudential tolerance of non-discrimination legislation among Catholic adoption agencies.

The case study above signals the intended scope of the project at hand which is concerned primarily with the theological nature of parenthood as presented by contemporary Catholic teaching and theology as well as by the historical evidence of the Christian tradition. It raises this concern directly in response to questions raised within the American social context regarding the nature of marriage, the family, and children's needs. The reality of same-sex partnerships, marriages, and parenting, are the entry through which these questions are raised, but not the direct object of inquiry. For this reason, the research directly considers only those same-sex couples who have children or

desire to adopt children while many additional concerns found in queer literature and beyond related to same-sex couples and family formation will not addressed. In addition, the moral questions concerning the use of assisted reproductive technologies and surrogacy by same-sex couples, different-sex couples, and single individuals lie beyond the scope of this project's concern. Finally, international adoption raises a host of moral concerns given its history and contemporary economic realities but will not be addressed in light of the project's focus on the Western cultural tradition and present American context. In sum, the project centers on theological consideration of the nature of parenthood itself as it relates to parental function and children's needs. For this reason, it cannot address a number of questions related to means of reproduction and family formation that are nonetheless important.

Methodology, Extent and Limitations of Research

The methodology of this dissertation will be characterized by a cross-disciplinary and dialogical approach that critically engages a variety of fields in order to draw upon expansive and diverse sources of contemporary research on the complex subjects of gender, family, and parenthood. Evaluations of each field will include both a critical deconstructive aspect as well as an integrative constructive aspect. The latter will be characterized by a historically-conscious, personalist, revisionist methodology which will rest on a conviction that a contemporary theology of parenthood must carefully consider both the needs and wellbeing of children as well as the potentials and capabilities of adult caregivers.

This dialogical methodology will be employed with each of the fields noted above so as to facilitate a cross-disciplinary critical evaluation of the possibilities, limitations, strengths, and weaknesses presented by these resources. Historic and empirical research will be engaged as sources of descriptive information, yet acknowledged as requiring interpretation to serve a theological argument. Secular research will serve as a valuable resource for criticisms of biological bias and contemporary reconstructions of family and parenthood, but particular attention will be paid to ideological and anthropological foundations. Additionally, in recognition of human flourishing as the central concern of the Catholic moral tradition, this research proceeds from the conviction that God proscribes only what is truly not good for humans. This obliges establishing a mutually critical dialogue between the theological and non-theological sources in order to clarify and assess the claims of each as complementary contributions towards a suitable understanding of the human person fully alive.

The critical deconstructive aspect of this research rests on the observation that both magisterial and revisionist theological accounts of parenthood tend to be drawn out of sexual-ethical convictions, focused on biological kinship, and lacking sufficient integration of adoption. It will evaluate assumptions and methodologies in light of these limitations and will articulate both the problematic and the potentially beneficial aspects of various theological resources.

The integrative, constructive aspect of this research will place insights from various fields into conversation so as to suggest broader resources for constructing a theological account of parenthood. It will take historical variation, development and contingency as significant for theological reflection, will suggest expanded bases for an

account of parenthood through an broadened theological anthropology related to both the adult and child subjects, and will not take the authoritative judgment that homogenital acts are "objectively evil" as sufficient to end consideration of same-sex caregiving.

Although a consistent methodology will be attempted, this project cannot be divorced from the specific this project will nonetheless reflect the concerns and context of its author. As a married, white, Catholic, heterosexual father and educator, my academic concern for a more adequate contemporary theological account of parenthood is not without personal interest. During much of the time in which this project was conceived and written, my wife and I more than once exchanged periods of being primary caregiver, primary income earner, and both working full-time. My personal experiences in these negotiated parental roles are not without consequence for the present study. This research will be presented with a level of academic objectivity and disinterestedness as well as a willingness to pursue the questions where they lead. However, much of the motivation behind completing this project stems from personal recognition of dissonance between Catholic teaching and theological literature and my own lived experience. As such, my intent is to write a theological exploration of the subject matter that is reasoned, thorough, and accurate, even as this work cannot be alienated from who I am as its author.

This project intends to maintain a moderate and pragmatic approach to contemporary questions concerning diversity in childrearing. It attempts to respect the convictions of the magisterium in expressing strong concern for recent social developments, while also articulating resources for a more expansive and nuanced theology of parenthood that may challenge the bases of these beliefs. This approach is

informed largely by my own experiences in the classroom where students generally range from steadfast religious conservatives, to social progressives, to those who are disinterested or hostile towards organized religion. In my estimation, these young people, and broader trends within scholarship and American culture, are raising significant and challenging questions regarding the meaning of parenthood to which Catholic responses have often been inadequate. In large part, this is because the religious imagination and theological framework utilized to respond are too restricted and thereby inform responses that fail to adequately acknowledge the depth and significance of the questions. When research for this project first began, I asked a room full of peers why it was that gender complementarity now functions as a *sin qua non* for a healthy childrearing in arguments against same-sex parenthood despite the Catholic Church having maintained a long tradition of orphan care by women religious that does not arouse similar concern for sexually complementary. The passionate but disconnected responses I received were more than enough to convince me that at some point or points important shifts had taken place in modern Catholic conceptions of parenthood which were worthy of further study. From this insight this dissertation was born.

Chapter Summaries

Chapter 1: Magisterial Teaching

The first chapter reviews modern magisterial teaching on the family and argues that the conceptions of parenthood offered are informed by an underlying theory of gender and human sexuality that promotes a biological bias and produces a constricted theology of parenthood. Evidence of this includes a tendency in considerations of

"responsible parenthood" to emphasize sexual ethical standards while directing little attention the task of childrearing beyond procreation. Moreover, the chapter contends that modern magisterial teaching is limited by a narrow vision of human adaptability in caregiving (e.g. no consideration of males as primary caregivers), an inattention to scientific evidence (e.g. the absence of reference to studies on child wellbeing), a limited attention to adoption, and a moral evaluation of same-sex parenting that does not integrate an thorough evaluation of caregiving potential.

On the other hand, the first chapter also contends that many aspects of magisterial teaching are central for constructing a reappraised theological account of parenthood. For example, despite being the subject of criticism for his gender theory John Paul II also surmised that the true meaning of parenthood goes beyond biological kinship, a commitment that resonates throughout the tradition. Moreover, John Paul II's understanding of the social vocation of the family is an important corrective to overly privatized conceptions. On the whole, the chapter argues that magisterial teaching itself contains numerous internal sources of correction for the criticisms being leveled, though these are often underemphasized. For example, conceptions of the family as a learning and evangelizing community suggest that families might also be evaluated by how they function over time, despite frequent magisterial emphases on family structure and sexual ethical norms.

Chapter 2: Revisionist Resources

The second chapter considers contemporary revisionist theological approaches to family and parenthood. It argues that revisionist theologians provide important

methodological guides for incorporating secular and empirical perspectives into theological arguments. However, these sources appear to share in the biological bias of magisterial teaching despite having more thoroughly incorporated experience as a resource in producing revised accounts of theological anthropology and sexual ethics. In this light, the chapter critiques a preoccupation with sexual morality among Catholic moral theologians. Even as revisionist arguments have challenged magisterial teaching an underlying approach shapes both which is manifest in a similar inattention to adoption. The revisionist authors considered tend to criticize magisterial teaching on the family for its idealism and narrow linking of the nuclear family to gendered parental roles. But revisionist responses are limited by the tendency to replicate certain lines of thought in the writings they criticize as well as to assert social scientific data without integrating this sufficiently into a theological account of parenthood as such. Despite certain limitations, several revisionist authors provide valuable insights for a theological reconsideration of parenthood. Drawing from these, the chapter will suggest a constructive understanding of the family and parenthood that is less attached to sexual ethics and can more adequately account for adoption, family function, and parental capabilities.

Chapter 3: Historical Resources

This chapter argues that numerous historical resources exist for expanding a theological conception of parenthood and childrearing. It will argue that the history of childrearing in the Christian tradition is diverse, complex, and has undergone significant development. Moreover, it has not always shared the biological bias prevalent in contemporary thought. This chapter will argue that historically, practices of childrearing

have often diverged from the complementary two-parent norm based on biological kinship. It pays particular attention to accepted forms of childrearing, such as orphan care by vowed religious, that have been viewed as a function of Christian virtue and yet have lacked parental sexual complementarity. Throughout Christian history, spiritual understandings of kinship have often served as a powerful resource to support practices of care, especially in the absence of biological ties. Consequently, the chapter argues that biological relatedness and the willingness to construct kinship based on other's needs are both important to historical Christian conceptions of kinship. While admitting that many historical experiences in caregiving have been negative, this chapter problematizes overly simplistic ideals of family and parenthood.

Chapter 4: Social Scientific Resources

While acknowledging the limitations of present research, the fourth chapter will demonstrate how recent findings of social scientific research support, challenge, and expand various aspects of Catholic teaching on family function, parenthood and children's wellbeing. It observes that, on factors that benefit child wellbeing, Catholic teaching and contemporary research find significant agreement and children raised by their biological married parents fair best on average. Likewise, the detriments to child wellbeing most cited in Catholic teaching largely agree with contemporary research. Poverty, racial discrimination (present and historical), gender discrimination, divorce and single-parent families are interconnected realities which have profound negative consequences for children. Viewing the family from a social perspective, magisterial

thought appears well supported by observation, yet this general consistency masks differences in nuance and interpretation.

This chapter contends that, in the realm of moral theology, Catholic teaching is challenged by empirical research, especially as its underlying theory of essentialist gender complementarity is confronted with increasing knowledge of human adaptability. Moreover, its idealization of the nuclear family creates problems in adequately assessing how social and economic pressures influence family formation, fragmentation, and function. It is also significant that the only major risk factor for children in Catholic teaching that is not supported by present research is same-sex parenthood. Using these observations, the chapter argues that research on the needs and wellbeing of children as well as on the abilities of adults is a valuable resource for a constructive theological account of parenthood.

Chapter 5: Resources from the Humanities

The fifth chapter argues that significant resources for theological reflection on children and parenthood exist within the writings of feminist, philosophical and legal scholars and that these help address limitations in present theological discourse. The chapter considers the philosophical foundation for parental responsibilities and argues for a mixed approach which values both causation as well as voluntary choice. It then explores both the contributions and limitations of theories of human rights when applied directly the children and childhood. Further, the chapter considers the contributions writing on adoptive parenthood make in expanding the notion of parenthood more generally while also acknowledging significant disagreements within this literature.

Finally, the chapter considers Capabilities Theory as a means of understanding human potential and adaptability as related to the function of parenting.

By bringing these sources into conversation with theological commitments, the chapter argues that parenthood is largely a voluntary as well as a dynamic reality that changes throughout the course of the parent-child relationship. Nonetheless, it contends that parenthood relies on both internal individual capabilities as well as external realities.

Chapter 6: Conclusion

The final chapter reviews the arguments made and suggests the bases these may provide for a contemporary Catholic theological account of parenthood. It then returns to questions raised by the case study in this Introduction and considers how these bases for a conception of parenthood might help address present social realities. Here it contends that rigorous concern for the best interests of children in need of stable, permanent families is essential and that the importance of the Catholic Church's involvement in adoption services for its own identity should not be ignored. Concerns regarding Catholic responses to mandated non-discrimination legislation for same-sex adopters are offered which attempt to be both mindful of children's rights and needs, as well as the magisterium's present objections and concerns. This reconsideration is based upon evaluation of the caregiving potential of same-sex partnerships in distinction from the moral evaluation of potential sexual acts within such partnerships. The final section of this chapter outlines potential trajectories for future research that would continue this project's line of inquiry. Here it suggests further investigation into the relationship between conceptions of parenthood and gender, the relationship between sacramental

marriage and other intimate human partnerships, and the development of moral

theologies that take children seriously as subjects of moral reflection.

BIBLIOGRAPHY

Brachear, Manya A. "Catholic Charities of Rockford Ends Foster Care, Adoption Services." *Chicago Tribune,* May 26, 2011. Accessed April 1, 2013. http://articles.chicagotribune.com/ 2011-05-26/news/ct-met-rockford-catholic-charities-st20110526_1_catholic-charities-adoption-services-care-and-adoption.

The Catholic Charities of the Archdiocese of Chicago. "Adoption." The Catholic Charities of the Archdiocese of Chicago. Accessed April 1, 2013.http://www.catholiccharities.net/services/adoption/.

Catholic Charities Diocese of Joliet. "Programs and Services." Catholic Charities Diocese of Joliet. Accessed April 1, 2013. http://www.cc-doj.org/programs.htm.

Catholic Charities Diocese of Springfield. "Catholic Charities Programs." Catholic Charities Diocese of Springfield. Accessed April 1, 2013. http://www.cc.dio.org/programs.htm.

Catholic News Agency. "Same-Sex 'Marriage' Law Forces D.C. Catholic Charities to Close Adoption Program." *Catholic News Agency*, February 17, 2010. Accessed April 1, 2013. http://www.catholicnewsagency.com/news/samesex_marriage_law_forces_d.c._c atholic_charities_to_close_adoption _program/.

Center for Youth and Family Solutions. "Adoption Services." Center for Youth and Family Solutions. Accessed April 1, 2013. http://cyfsolutions.org/ services/adoption-services.

Christian Social Services of Illinois. "Adoption." Christian Social Services of Illinois. Accessed April 1, 2013. http://www.cssil.org/programs/adoption.aspx.

Diocese of Rockford Catholic Charities. "Adoption Services Available." Diocese of Rockford Catholic Charities. Accessed April 1, 2013.http://catholiccharities.rockforddiocese.org/adoptionservices.

Faw, Bob. "Catholic Charities and Gay Adoption." *Newsweekly, Religion and Ethics*. September 30, 2011. Accessed April 1, 2013. http://www.pbs.org/wnet/religionandethics/episodes/september-30-2011/catholic-charities-and-gay-adoption/9621/.

Filteau, Jerry. "Catholic Charities in Boston Archdiocese to End Adoption Services." *Catholic News Service*, March 13, 2006. Accessed April 1, 2013. http://www.catholicnews.com/data/ stories/cns/0601456.htm.

Frazier O'Brien, Nancy. "Bishops Praise Injunction Continuing Catholic Foster Care in Illinois." *Catholic News Service.* July 13, 2011. Accessed April 1, 2013.

http://www.catholicnews.com/ data/stories/cns/1102787.htm. [This source has the effective date of the legislation mistakenly listed as July 1, 2011; it was June 1, 2011]

Goldberg, Abbie E. *Gay Dads: Transitions to Adoptive Fatherhood.* New York: New York University Press, 2012.

Goodstein, Laurie. "Bishops Say Rules on Gay Parents Limits Freedom of Religion." *The New York Times*, December 28, 2011. Accessed April 1, 2013. http://www.nytimes.com/2011/12/29/us/ for-bishops-a-battle-over-whose-rights-prevail.html?pagewanted=all&_r=0 .

Illinois General Assembly. "Illinois Religious Freedom Protection and Civil Unions Act." Illinois General Assembly. June 1, 2011. Accessed April 1, 2013. http://www.ilga.gov/legislation/ilcs/ilcs3.asp?ActID=3294&ChapterID=59.

Javier, Rafael Art, Amanda L. Baden, Frank A. Biafora and Alina Camacho-Gingerich. *Handbook of Adoption: Implications for Researchers, Practitioners, and Families.* 1st ed. Thousand Oaks, CA: SAGE Publications, Inc, 2006.

Jenky, Daniel. "Statement by the Most Reverend Jenky, Bishop of the Diocese of Peoria, Regarding the Court Decision Made by Judge John Schmidt in Sangamon County." The Thomas More Society, August 18, 2011. Accessed April 1, 2013. https://www.thomasmoresociety.org/2011/08/22/statement-by-the-most-reverend-jenky-bishop-of-the-diocese-of-peoria-regarding-the-court-decision-made-by-judge-john-schmidt-in-sangamon-county/.

Lambda Legal. "Memorandum of Law of Amici Curiae NASW, NASW Illinois Chapter, and Evan B. Donaldson Adoption Institute in Support of Defendants' Motion for Summary Judgment and in Opposition to Plaintiffs' Motion for Summary Judgment." Lambda Legal, August 15, 2011. Accessed April 1, 2013. http://www.lambdalegal.org/sites/default/files/legal-docs/downloads/catholic-charities_il_20110816_amicus-lambda-legal-et-al.pdf.

McEwen, Erwin. "FY12 Foster Care and Adoption Contracts." *scribd.com,* July 8, 2011. Accessed April 1, 2013 http://www.scribd.com/doc/59782549/Catholic-Charities-Foster-Care-and-Adoption-Contracts-Illinois-Department-of-Children-Family-Services-Letter.

Medlin, Maryann. "Illinois Bishops Announce Shutdown of Adoption Services." *Catholic News Agency*, November 28, 2011. Accessed April 1, 2013. http://www.catholicnewsagency.com/news/illinois-bishops-announce-shutdown-of-adoption-services/.

One Hundred and Fourth Congress of the United States. "Defense of Marriage Act." U.S. Government Printing Office. September 12, 1996. Accessed April 1, 2013.

http://www.gpo.gov/fdsys/pkg/ BILLS-104hr3396enr/pdf/BILLS-104hr3396enr.pdf.

Pertman, Adam. *Adoption Nation: How the Adoption Revolution is Transforming Our Families – and America.* 2nd ed. Boston: Harvard Common Press, 2011.

Schmidt, John. "Summary Court Order." *scribd.com,* August 18, 2011. Accessed April 1, 2013. http://www.scribd.com/ doc/62597962/Illinois-Circuit-Court-Summary-Judgment-Order-in-Catholic-Charities-Foster-Care-Adoption-Services-Case.

The Thomas More Society. "Highly Ranked Catholic Adoption/Foster Care Agency Serving Southern Illinois Joins Catholic Charities Lawsuit to Continue to Serve Children's Best Interests." The Thomas More Society. June 26, 2011. Accessed April 1, 2013. https://www.thomasmoresociety.org/2011/07/26/highly-ranked-catholic-adoptionfoster-care-agency-serving-southern-illinois-joins-catholic-charities-lawsuit-to-continue-to-serve-childrens-best-interests/.

The Thomas More Society. "Catholic Charities v State of Illinois et al." The Thomas More Society. Accessed April 1, 2013. https://www.thomasmoresociety.org/cases/closed-cases/catholic-charities-v-state-of-illinois-et-al/press-releases/.

United States Catholic Bishops. "Discrimination against Catholic Adoption Services." USCCB, Summer 2012. Accessed April 1, 2013. http://www.usccb.org/issues-and-action/religious-liberty/fortnight-for-freedom/ upload/Catholic-Adoption-Services.pdf.

Vandivere, Sharon, Karin Malm and Laura Radel. *Adoption USA: A Chartbook based on the 2007 National Survey of Adoptive Parents.*" Washington, D.C.: The U.S. Department of Health and Human Services, Office of the Assistant Secretary for Planning and Evaluation, 2009.

Wilson, Richard A. "Family Law: A Guide to the New Illinois Civil Union Law." *Illinois State Bar Association* 99, no. 5 (May 2011): 232.

Chapter 1: Magisterial Teaching

1. Introduction

2. Part I: Before Vatican II, 1891 – 1958

3. Part II: Vatican II, 1958 – 1978

4. Part III: John Paul II, 1978 - 2012

5. Part IV: Critical Appraisal

Introduction

This chapter surveys teachings of the Roman Catholic Magisterium on subjects pertaining to children, parenthood and the family. These documents span from Leo XIII's first encyclical on marriage, *Arcanum*, to the papacy of Benedict XVI and are presented in three eras. This chapter seeks to demonstrate both consistent themes within this corpus, as well as developments through time. In particular, it will identify and assess the influence of an underlying theory of gender and human sexuality within the documents which promotes a bias towards biological kinship. This bias, in turn, produces a constricted theology of parenthood that may be insufficient to ground responses to contemporary challenges. This chapter will also suggest that magisterial teaching holds many answers to these very limitations, such that underemphasized resources could inform a more expansive and adequate Catholic theology of parenthood.

Part I: The Modern Magisterium before Vatican II, 1880 – 1958

Historical Overview

Pope Leo XIII's 1880 encyclical, *Arcanum divinae sapientiae*, marked the first papal encyclical devoted entirely to the subject of marriage and family.[1] It recounts a Christian narrative about marriage that will be continually retold in successive teaching. Namely, the original form of marriage was good in accordance with the divine plan, but through human sin, suffered corruption; yet marriage was restored by Christ who raised

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[1] Pius XI, *Casti connubii,* Vatican. (December 31, 1930) http://www.vatican.va/holy_father/pius_xi/encyclicals/documents/hf_p-xi_enc_31121930_casti-connubii_en.html, #4.

the institution to a sacrament.[2] *Arcanum*'s major concerns include the divinely

established hierarchical structure of the family, the church's role as proclaimer and

protector of divine truths, the benefits of love for marriage and spouses, the proper roles

of church and state in regulating marriage, the contemporary corruption of morals, and

the spread of divorce.[3]

Half a decade later, Pope Pius XI's encyclical *Casti connubii* built upon *Arcanum*

and established Catholic teaching on marriage and family in a way that, with few

exceptions, was not substantially altered until Vatican II.[4] *Casti connubii* should not be

considered apart from Pius XI's earlier encyclical on education, *Divini illius magistri*, of

1929.[5] The latter encyclical presupposes and references the former while each relies

heavily upon the same sources; scripture, St Augustine,[6] the 1917 *Code of Canon Law,*

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[2] Leo XIII. *Arcanum divinae sapientiae.* Vatican. (February 10, 1880) http://www.vatican.va/holy_father/ leo_xiii/encyclicals/documents/hf_l-xiii_enc_10021880_arcanum_en.html, #5 – 8. This corruption is observed most clearly in polygamy and divorce.

[3] See *Arcanum*, #1 – 2, 11 – 15, and 18 – 34. Two silences are notable. First, *Arcanum* does not view female subordination as a result of the fall; instead it is part of the divine plan. Second, *Arcanum* is silent about love expressed through sexual intercourse. On the latter, see Robert Obach, *The Catholic Church on Marital Intercourse*. (Lanham, MD: Rowman & Littlefield Publishers, 2009), 119.

[4] The delay was not least due to World War I, reactions to which occupied much of Benedict XV's papacy (1914 – 1922), as well as the relative newness of the subject for papal teaching.

[5] Pius XI's first encyclical *Ubi arcano* (1922) also lamented the harm the social ills of World War I had done to Christian families. *Quadragesimo anno* (1931) and *Caritate Christi* (1932) consider the family in relation to social life. The constitution *Deus scientiarum Dominus* (1931) and the encyclical *Ad catholici sacerdotii* (1935) consider the priesthood in relation to the family. Finally, *Lux veritatis* (1931) considers the Holy Family as a model for Christian families while the Apostolic Letter *Con singular complacencia* (1939) argues for the restoration of the family in light of Christ's headship and the model provided by the Holy Family.

[6] Direct quotations of Augustine include *Casti connubii* #6, 17, 53, and 101 and *Divini illius magistri* #10, 11, 17, 23, 26, 33, 36, 41, 55, and 98. By comparison, Aquinas appears infrequently (*Casti connubii* #6, 70 and 94 and *Divini illius magistri* #33 and 31). The 15th centenary of Augustine's death between the publications of these encyclicals, in 1930, appears to have encouraged this attention to his thought.

and the encyclicals of Pope Leo XIII.[7] Of these, the *Code of Canon Law* supplies a

juridical understanding of marriage and the obligations of parenthood, clarifies the rights

and duties of the church, and supports existing ecclesial practices.[8] Leo XIII's *Rerum*

novarum provides limits to the power of the state and helps define state obligations.[9]

The earlier encyclical, *Divini illius magistri,* opens with the assertion that the

Church has a special affection for children.[10] It then devotes much consideration to the

proper relations of the family, the church and civil society; the three "societies" with

interests in children's education.[11] The encyclical also responds to a number of

contemporary concerns, including the dangers of sex education in schools, co-education,

and Catholic children in non-Catholic schools.[12]

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[7] The encyclicals of Leo XIII that are referenced include *Arcanum divinae sapientiae* (1880), *Nobilissima gallorum gens* (1884), *Immortale Dei* (1885), *Libertas* (1888), *Sapientiae Christianae* (1890), *Rerum novarum* (1891), and *Militantis ecclesiae* (1897). *Casti connubii* also makes frequent reference to teachings of the Council of Trent. These function similarly to its use of the *Code of Canon Law*.

[8] Pius XI, *Divini illius magistri*, Vatican. (December 31, 1939) http://www.vatican.va/holy_father/pius_xi/ encyclicals/documents/hf_p-xi_enc_31121929_divini-illius-magistri_en.html, #21, 23, 34, 36, 39, and 79. *Casti connubii*, #6, 17, 39, 82, and 89. Salzman and Lawler contend that the three descriptions of marriage codified in 1917; marriage as contract, marriage granting rights to bodies for procreative sexual intercourse, and the primacy of procreation for marriage, are not drawn explicitly from tradition, but from an influential contemporary book on the subject. "When Piero Cardinal Gasparri codified Catholic law in the 1917 *Code of Canon Law*, book 3, title VII, on marriage was heavily inspired by his influential book on marriage, *Tractatus canonicus de matrimonio*, published in 1892." Todd A. Salzman and Michael G. Lawler, *The Sexual Person, Toward a Renewed Catholic Anthropology*. (Washington D.C.: Georgetown University Press, 2008), 38.

[9] *Divini illius magistri*, #35. *Casti connubii,* #8, 117, and 118.

[10] *Divini illius magistri*, #1 and 9. After this, the encyclical contains few direct references to children. When it does (#57ff) it describes children in terms of their limitations, particularly as prone to vice and in need of discipline.

[11] *Divini illius magistri*, #11.

[12] *Divini illius magistri*, #65, 68, and 79 respectively.

The first part of the companion encyclical, *Casti connubii*, is structured according to Augustine's goods of marriage: procreation, fidelity and sacrament.[13] The second part responds to challenges facing marriage, including the mass media's spread of moral distortion and the growing belief that marriage is not a divinely established institution, but a human convention with mutable forms and purposes.[14] Additionally, the moral problems of contraception, abortion, and state or personal intervention in the body's procreative capabilities are condemned; as are ideologies favoring women's emancipation from the domestic sphere and equal social rights with men.[15] The encyclical concludes with a call to return to the divine intention for marriage as articulated by the Catholic Church. This includes accepting teaching on marriage in its fullness, improved marriage preparation, supporting family wages for fathers, and improved church-state cooperation; always in accord with their respective purposes.[16]

Pope Pius XII assumed the papacy in 1939 and, although he never devoted an encyclical to marriage and family, his many allocutions to newlyweds and other occasional speeches demonstrated his great concern for the subject. In these, Pius XII

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[13] *Casti connubii*, #11 – 18, 19 – 30, and 31 – 43 respectively.

[14] *Casti connubii*, #47 and 49 respectively. Puis XI was cautious towards then-present developments in marriage and argues that marriage's form and purpose are fixed. Individual choice is free to determine whether and whom a person will marry; but "the nature of matrimony is entirely independent of the free will of man, so that if one has once contracted matrimony he is thereby subject to its divinely made laws and its essential properties." *Casti connubii*, #6. In this light and reiterating concerns of *Arcanum*, marriage's indissolubility is defended. *Casti connubii*, #78 – 92.

[15] *Casti connubii*, #53 – 62, 63 – 67, 68 – 71, and 74 – 77 respectively. #59 – 62 contains a defense of the Catholic Church's right and ability to define intrinsically evil acts.

[16] *Casti connubii*, #94 – 111, 112 – 115, 117, and 116 – 129 respectively. The topic of family wages for fathers was reasserted in greater detail the following year in the encyclical *Quadragesimo anno* along with the importance of private property. See, Pius XI, *Quadragesimo anno*, Vatican, (May 15, 1931) http://www.vatican.va/holy_father/pius_xi/encyclicals/documents/hf_p-xi_enc_19310515_quadragesimo-anno_en.html, #59 – 76.

often reiterated the themes of preceding pontiffs. He affirmed the family as the basis for society with primary rights that oblige social respect and protection.[17] Along with the nascent social encyclical tradition, Pius XII urged familial stability through secure housing and private property.[18] And, like his predecessors, he disdained the increase and social acceptance of divorce and was critical of mass media's moral influence. [19]

Yet, the frequency and style of Pius XII's occasional addresses also facilitated expansions. For example, informed by the new field of genetics, Pius XII regarded the decision to refrain from biological parenthood due to the probability of passing hereditary disease as potentially licit, while reminding doctors not to infringe upon the individual right of procreation.[20]

Sexual Ethics and Marriage

Casti connubii presumes a sexual ethic but does not develop a methodology in this regard; though its reliance upon Augustine's conviction that procreation is the primary end of sexual intercourse is evident. Rather, *Casti connubii* is primarily concerned with correcting particular errors. The encyclical reminds that contraception is

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[17] Pius XII, "Allocution to Parish Priests and Lenten Preachers of Rome," February 17, 1945, in *Matrimony*, trans. Michael J. Byrnes (Boston: Saint Paul Editions, 1963), 360. And Pius XII, "Radio Message to the World," in *Matrimony*, 353.

[18] Pius XII, "Radio Message to the World," in *Matrimony*, 330. And "Letter *Testes obsequii*," in *Matrimony*, 385.

[19] Pius XII, "Allocution to Newlyweds," in *Matrimony*, 346ff. and Pius XII, "Radio Message to French Families," in *Matrimony*, 363.

[20] Pius XII, "Allocution to the International Congress of Catholic Doctors," in *Matrimony*, 383. Pius XII also condemned artificial insemination regardless of donor, but with varying reasons. See, Pius XII "Allocution to the Members of the II World Congress of Fertility and Sterility," in *Matrimony*, 482. And Pius II "Allocution to the Members of the Seventh Congress on Hematology," in *Matrimony*, 513.

regarded by God as a "horrible crime and at times [God] has punished it with death."[21] This condemnation of contraception further appropriates the "uninterrupted Christian tradition" to declare such acts an offenses against both divine and nature law.[22]

Further reflecting its Augustinian foundations, *Casti connubii* presents sexual intercourse as the means of transmission for original sin with potential moral goodness only within marriage when directed towards the procreation and education of children.[23] The encyclical is wary of sexual pleasure; spiritualizing its description of spousal love and warning spouses against loving "as adulterers love."[24]

Pius XII did not substantially depart from his processor's understanding of sexual intercourse, save for his historically significant judgment that periodic abstinence could be a licit means of regulating childbirth under strictly limited conditions.[25] The relation of this judgment to *Casti connubii* is not entirely settled. Many view *Casti connubii*'s moral acceptance of spouses who "use their right in the proper manner although on account of natural reasons either of time or of certain defects, new life cannot be brought forth" as

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[21] *Casti connubii*, #55. This is in reference to "Onanism." In subsequent decades the consensus among biblical scholars developed towards regarding Onan's crime as his disobedience of his father and failure to honor his brother through his obligation to produce children as heirs. "Onanism" is now generally understood as the means by which Onan made himself the object of harsh divine judgment, but not the full moral content of his sin; although in moral methodologies that closely link act and intention, Onan's contraceptive act remains sinful in itself even as it carries further moral implications given his obligations.

[22] *Casti connubii*, #56. Historically, contraception was viewed as a crime against marriage, whereas abortion was considered a crime against created life and therefore God. This notwithstanding, here Pius XI asserts contraception as an abrogation of natural law.

[23] *Casti connubii*, #14 and 17.

[24] Casti connubii, #23. "When taking into account the whole papal letter, the spiritual dimension of marital love seems to be placed in a relationship of opposition to the bodily expression of that same love." Obach, 135.

[25] Pius XII, "Allocution to the Midwives," in *Matrimony*, 424. This is reaffirmed in Pius XII, "Allocution to Associations of the Large Families," in *Matrimony*, 440.

the basis of Pius XII's development.[26] Yet this passage seems evidently directed at the elderly and infertile who are allowed to contract marriage in the Church, a point of tradition defended by Augustine. Further Pius XI's tendency to justify sex through procreation and *Casti connubii*'s later assertion, within an extended consideration of moral marriage preparation, that knowledge of physiology ought not be used for "sinning in a subtle way" suggest that he may not have been inclined to agree with his successor.[27]

Pius XI identified procreation as the primary end of sexual intercourse but in *Casti connubii* surmised that procreation is the primary end of *marriage* only from a certain restricted perspective. From another perspective, the relationship of husband and wife may be taken as primary.[28] While procreation and education remains the primary *end* of marriage, the mutual aid of spouses may be considered the "chief reason and

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[26] *Casti connubii,* 59.

[27] *Casti connubii,* 108. Obach takes this statement to be an allusion to the rhythm method consistent with Augustine's rejection of periodic abstinence in his opposition to the Manichees; although until the twentieth century this was a theoretical debate only. (See Obach, 149., Cf. Augustine "On the Morals of the Manichees." And Peter Hebblethwaite, *Paul VI: The First Modern Pope* (New York: Paulist Press) 298.) The clear majority both within the Magisterium and among theologians has been to posit continuity between Pius XI's and Pius XII's teachings and posit *Casti connubii* #59 as setting the foundation for Pius XII's judgment. (Ramón García de Haro, *Marriage and the Family in the Documents of the Magisterium*, 2nd ed. trans. William E. May (San Francisco, Ignatius Press, 1993), 134. Margaret A. Farley*, Just Love; A Framework for Christian Sexual Ethics*. (New York: Continuum, 2010), 47.) This view is historically confirmed by moral approval of periodic abstinence as a method of birth control in seminary moral manuals such as *Theologiae Moralis Summa* of 1958 and popular marriage handbooks such as *The Rhythm of Sterility and Fertility in Women*, by Leo J. Latz, M.D. of 1932. Moreover, the Sacred Penitentiary approved of periodic abstinence in responses to confessors in both 1860 and 1932. The reason for *Casti connubii*'s avoidance of clear judgment on this topic is usually attributed to limited information, however, as the dates above make clear it was clearly a topic of discussion in the early 1930's. I am grateful for the insight and patience of Bernard G. Prusak, Ph.D. in helping to clarify this history for me.

[28] *Casti connubii*, #24. This reflects the thought of Leo XIII in *Arcanum* "Not only, in strict truth, was marriage instituted for the propagation of the human race, but also that the lives of husbands and wives might be made better and happier." *Arcanum*, #26. This non-hierarchical perspective follows from Aquinas who argues that love is the *form* of marriage while procreation is marriage's *end*. Thomas Aquinas, *Summa Theologiae,* 3, q. 29, a. 2. Cf. de Haro, 116 – 117. Here the differentiation is described in terms of form and principle.

purpose of matrimony."[29] This coincides with Leo XIII's perspective but stands in some

tension with the 1917 *Code of Canon Law* where these goods are presented in a

hierarchy.[30] Later, in 1944, the Holy Office judged that all other ends are "essentially

subordinate"[31] to procreation and education; a judgment confirmed by Pius XII.[32] The

tension between these teachings appears largely indebted to differences in Augustine's

and Aquinas' frameworks for marriage, even as it is also influenced by the legalism of

Pre-Vatican II Catholic moral theology.[33]

Gender and Family Structure

Throughout this period, an essentialist theory of gender, accompanied by a

presumption of male normativity, underlies all teachings on marriage and family.[34] All

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[29] *Casti connubii,* 24. Further relativizing the primacy of procreation for marriage is the encyclical's reaffirmation that sterility cannot be the grounds for a divorce due to the indissolubility of marriage in accord with its sacramental nature. *Casti connubii,* #36.

[30] Canon 1013 states "The primary end of marriage is the procreation and nurture of children; its secondary end is mutual help and the remedying of concupiscence." Obach, 119.

[31] The Rota asserted that marriage has both a primary and secondary end and this ordering is attested to by numerous popes, theologians, canonists and moralists as well as recorded in Canon Law. The primary end of marriage is the procreation and education of children, the secondary is mutual aid and a remedy for concupiscence. The Rota contends that, because the rights of mutual aid and common living are "intrinsically dependent" on the right to "acts of generation," the ordering of the ends of marriage is certain in as much as the secondary is clearly dependent upon the primary. Holy Roman Rota, "The Order of the Purposes of Matrimony," in *Matrimony*, 553.

[32] "Now, the truth is that matrimony… has not as a primary and intimate end the personal perfection of the married couple but the procreation and upbringing of a new life… This is true of every marriage, even if no offspring result." Pius XII, "Allocution to Midwives," in *Matrimony*, 424.

[33] Much of the debate surrounds the use of terms and the significance of what is and is not made explicit. Suffice to say, in the early to mid-twentieth century it was possible to describe the value of marriage both in terms of a hierarchy of ends and in terms of goods which allowed for different orderings in response to different ways of inquiring into marriage's values and purposes. The legalist responses of Vatican officials were in no small part reactionary to perceived innovations in moral theology by authors such as Doms and Von Hildebrand. See Salzman and Lawler, 40.

[34] Bernard Cooke explains "The encyclical was promulgated at a time when the long-standing belief in the dominant role of the husband was generally taken for granted… With few exceptions, the

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popes presented above were explicitly opposed to women's social equality and participation in the public sphere. *Casti connubii* describes these movements as "unnatural," in support of a "false liberty," and failing to recognize the natural distinctions and complementarity of the sexes. Further, they are claimed to lead to women's own harm, ultimately making them slaves and mere instruments of men. Instead, the domestic sphere is women's proper place where, *Casti connubii* explains, she has been raised by the Gospel to a "truly regal throne" even as she still owes man "honorable and trusting obedience."[35] *Casti connubii* devotes a great deal of attention to the domestic realm of women in comparison to men's public realm, which is only explicitly attended to in calling for a family wage.[36]

Strong opposition to coeducation further demonstrates the era's concern for distinct gendered spheres. *Divini illius magistri* argues that "there is not in nature itself… in temperament, in abilities, anything to suggest that there can be or ought to be promiscuity, and much less equality, in the training of the two sexes." As each is destined for dichotomous vocations, coeducation is not only senseless, but potentially harmful in as much as the "perfect union of the sexes" rightly occurs only in matrimony. Special attention is given to the dangers coeducation poses for female modesty. [37]

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patriarchal structures and presuppositions of society in general and of the church in particular remained unrecognized and unchallenged." Bernard Cooke, "*Casti connubii* to *Gaudium et spes*" in, *Marriage in the Catholic Tradition*, eds. Todd A. Salzman, Thomas M. Kelly and John J. O'Keefe (New York: Crossroad Publishing, 2004), 110.

[35] *Casti connubii*, #74 and 75.

[36] Ibid., #117.

[37] *Divini illius magistri*, #68.

Within the home, a divinely established hierarchy is consistently defended.[38] In *Casti connubii*, the analogous bond between Christ and the Church, which is presented so as to directly associate husbands with Christ and wives with the Church, serves as a basis for the husband's primacy in authority.[39] However, no wife is compelled to comply with her husband's demands if they are not in accord with reason or her own dignity. Further, *Casti connubii* offers a complementarity of primacies; "For if the man is the head, the woman is the heart, and as he occupies the chief place in ruling, so she may and ought to claim for herself the chief place in love."[40]

A presumption of the private, biological-nuclear family as normative also underlies teachings of the era.[41] With the sole exception of *Casti connubii's* affirmation of a woman's right to head the family if a husband is lax or absent, neither of Pius XI's encyclicals consider the family beyond this norm.[42]

The ideal family is also large. Pius XII is most explicit on this and connected large families to the virtues of faith and generosity.[43] Yet, Pius XII also relativized the

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[38] Pius XII, "Allocution to Fathers of Families," in *Matrimony*, 397.

[39] *Casti connubii*, #23 and 26.

[40] Ibid., #27.

[41] By defending the family as an institution founded upon the partnership of a man and women, naturally directed towards procreation and education, and spiritually directed to the mutual benefit of spouses, *Divini illius magistri* gives grounds for this claim. The prevailing assumptions of the time likely provided no need to define of the family, although World War I certainly left many families without fathers throughout Europe. If Pius XI had any intent of including extended kinship or non-biological kinship within his conception of the family, he left little evidence.

[42] Despite the divinely ordained headship of the male in the family, this position may be forfeited through his actions. Thus there exists some flexibility in family structure relative to function, but only in restricted circumstances.

[43] Pius XII, "Allocution to the Associations of the Large Families," in *Matrimony*, 440.

importance of biological kinship much more than his predecessors. For Pius XII, the primary bond between children and parents was the passing on of faith which "is a thousand times more precious" than biological parenthood.[44] Further, he urged infertile couples, or those fearful of transmitting hereditary disease, to consider adoption. He described adoption as "usually crowned with happy results" and free of moral objections, while qualifying that "the children of Catholic parents be committed to Catholic foster parents."[45] Yet, Pius XII's consideration of adoption is neither thorough nor entirely optimistic. Adding further ambiguity, Pius XII taught that "sterility is very often the punishment for the sinner."[46]

Children, Family and Parenthood

Children, as such, are rarely an explicit consideration during this era.[47] Children are positively described as gifts from God, who are entrusted to their parent's care and

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[44] "Above all, remember that when you call your children heirs of your blood, you must refer to something which is much greater than corporal generation only. You are, and your children ought to be, the source of a race of saints… men sanctified and raised up to participate in the divine nature by means of supernatural grace… As a consequence, in baptized people, when one speaks of transmitting inherited blood to descendants... *there is no need to limit the sense of those words to a purely biological and material element,* but it may be extended to that which is, as it were, the nutriative liquid of the intellectual and spiritual life: the patrimony of faith, virtue, and honor transmitted by parents to their *posterity is a thousand times more precious than the blood*-be it ever so rich-infused into their veins." Pius XII, "Allocution to Newlyweds," in *Matrimony*, 312 – 313. (Italics added)

[45] Pius XII, "Allocution to the Members of the Seventh Congress on Hematology," in *Matrimony*, 520.

[46] Pius XII, "Allocution to Midwives," in *Matrimony*, 408. This is likely an allusion to sexually transmitted disease.

[47] A significant exception is the concern shown for children as victims of war; particularly by Benedict XV during World War I. Outspoken concern to protect children in civil unrest is a continuing concern that has persisted into the present. See, Charles J. Reid jr, "The Right to Life and Its Application to the Welfare of Children in Canon Law and the Magisterium of the Catholic Church: 1878 to the Present," In *The Best Love of the Child: Being Loved and Being Taught to Love as the First Human Right.* Ed. Timothy P. Jackson (Grand Rapids, MI: Eerdmans Publishing Company, 2011), 142 – 178.

who must never be considered burdens.[48] Additionally, children require both spiritual and

social education.[49] More frequently, however, children serve an important conceptual

function, especially in consideration of marital and sexual morality. Sexuality is directed

towards procreation and marriage is largely defined as an institution for raising children;

particularly in reference to children's need for love and stability.[50]

    Attention to children also frequently assumes a negative tone. In *Divini illius*

magistri education is connected to gaining control over "evil impulses" which highlights

attention to original sin.[51] The same encyclical also recounts the proverb, "Folly is bound

up in the heart of a child and the rod of correction shall drive it away." Later the

encyclical characterizes children as adults in training who must be directed towards

proper vocations.[52] Pius XII paid more attention to the physical, emotional and

intellectual needs of children, than did Pius XI, yet he generally made similar use of his

observations.[53]

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    [48] *Casti connubii*, #15 and 53. García de Haro positively summarizes the encyclical's positions as follows: "These teachings are inspired by an attitude of concern: children are a gift of God and a precious good for the family; they strengthen the love and unity between the spouses and are for them a source of indissoluble joy and at the same time a marvelous way for them to make a generous gift of themselves. When children are refused because of egoism, the family destroys itself; we ought not forget that the divine laws regarding marriage are a protection and guide for attaining the goods God wills for the spouses." García de Haro, 135.

    [49] *Divini illius magistri*, #8.

    [50] *Casti connubii*, #16 and 37.

    [51] *Divini illius magistri*, #59.

    [52] Ibid., #68.

    [53] "[Children] need a happy atmosphere for their healthy development; and it is certain a serene youth, a harmonious formation and education, are inconceivable without the undoubted fidelity of the parents. Do not children nourish the bond of this married love?" Pius XII, "Allocution to Newlyweds," in *Matrimony*, 351. Cf. Pius XII, *Summi Pontificatus,* Vatican. (October 20, 1939) http://www.vatican.va/holy_father/ pius_xii/encyclicals/documents/hf_p-xii_enc_20101939_summi-pontificatus_en.html, #90.

Throughout this era, the family is described as the basis of society and an "imperfect society" in itself.[54] Thus, the family has certain rights in respect to its natural priority, yet is dependent and directed outward to participation in the ecclesial and civil societies.

Parents are defined by marriage and the sexually differentiated roles therein. Parenting itself is at least partially an act of caretaking,[55] supervision[56] and educating,[57] though the details of these functions are generally undeveloped. Pius XII offered high praise for the task of parenting, calling parenthood a "ministry of Christ" and speaking of parents as "priests" of their households.[58]

Pius XII showed particular concern for instructing fathers. He asserted that the entire health and wellbeing of the family, not only physically, but intellectually and spiritually, rested upon the virtue and hard work of the father.[59] He further likened fatherhood to God's original act of creation and added that fatherhood communicates "the superior life of intelligence and love."[60] Moreover, he suggested that fathers not only

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[54] *Divini illius magistri*, #12.

[55] Ibid., #32.

[56] *Casti connubii*, #15.

[57] *Divini illius magistri*, #34.

[58] "You are, always under the guidance of the priest, the first and closest educators and teachers of the children of God entrusted and given to you… You are as it were the spiritual precursors, priests yourselves of the cradle, infancy and childhood, for you must point out to the children the way to heaven." Pius XII, "Allocution to Newlyweds," in *Matrimony,* 318.

[59] Pius XII, "Allocution to Fathers of Families," in *Matrimony*, 398.

[60] Pius XII, "Allocution to Newlyweds," in *Matrimony*, 325.

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fulfilled the "priestly" role of parenting, but an "episcopal" role within the home.[61]

Clearly Pius XII's concern for fatherhood has implications for motherhood. As he exults

fatherhood and calls men to greater commitment and involvement within their families,

he simultaneously affirms familial hierarchy and female subservience.

Both mothers and fathers are described as holding certain rights and duties in

respect to their children; particularly as regards education, an aspect of marriage's

primary end.[62] *Divini illius magistri*, upholds Aquinas' view that a father's rights over his

children, including the duty to educate, are natural extensions from biological paternity.[63]

Casti connubii clarifies that God "would have failed to make sufficient provision for

children that had been born… if He had not given to those to whom He had entrusted the

power and right to beget them, the power also and the right to educate them."[64] Thus, by

God's providence, the biological procreative capacity is said to assure both the right *and*

capacity of parents to educate their children. Pius XII does not directly reject this notion,

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[61] Pius XII, *Summi Pontificatus*, #89.

[62] "The principle end of matrimony is not only to procreate children, but also to educate them, and have them grow in the fear of the Lord and in faith…" Pius XII, "Allocution to Newlyweds," in *Matrimony*, 340. This concern to defend the primacy of parental rights does not extend to considerations of methods of domestic education. *Divini illius magistri*, simply refers readers instead to a classic book on the subject, Silvio Antoniano's *On the Christian Education of Youth* of 1583. *Divini illius magistri*, #72.

[63] *Divini illius magistri*, #33. The document quotes from Aquinas' *Summa Theologica*, 2-2, Q. CII, a. I which reads in part, "Now just as a carnal father partakes of the character of principle in a particular way, which character is found in God in a universal way, so too a person who, in some way, exercises providence in one respect, partakes of the character of father in a particular way, since a father is the principle of generation, of education, of learning and of whatever pertains to the perfection of human life: while a person who is in a position of dignity is as a principle of government with regard to certain things: for instance, the governor of a state in civil matters, the commander of an army in matters of warfare, a professor in matters of learning, and so forth." Thomas Aquinas, *Summa Theoligica*, First American Edition. trans. Fathers of the Dominican English Provence (Cincinnati: Benziger,1947).

[64] *Casti connubii*, 16.

yet his support for adoption implicitly undermines the argument by suggesting that the

capability to parent does not arise through biological procreation alone.

Conclusions

Leo XII's *Arcanum* inaugurated a new genre of papal moral teaching focused

specifically on marriage and the family. This occurred within an era, extending from the

implementation of the Council of Trent through Vatican II, in which the Roman

magisterium itself became ever more defensive, authoritarian, and centralized.

Simultaneously, papal engagement in moral teaching significantly increased in scope,

frequency, and detail.[65] Each of the Pontiffs considered above presented the propositions

of the magisterium as authoritative and authentic interpretations of God's will for

humanity with concomitant irreformability.[66] Likewise, each claims their universal

applicability; though circumstantial exceptions are occasionally acknowledged.[67]

Yet the era is not entirely consistent in its developments of these themes.

Certainly, an essentialist understanding of gender with its attendant differentiations in

vocations underlies this teaching, as does a propensity for hierarchical ordering and

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[65] James F. Keenan, *A History of Catholic Moral Theology in the Twentieth Century; From Confessing Sins to Liberating Consciences,* (New York: Continuum, 2010), 30. Cf. Charles E. Curran, *The Development of Catholic Moral Theology; Five Strands,* (Washington D.C.: Georgetown University Press, 2013), 176.

[66] *Casti connubii*, #1. *Divini illius magistri*, #2. *Divini illius magistri* is more reserved as it seeks to establish the legitimate cooperation of church, family and society. In contrast, *Casti connubii* is not concerned with cooperation but with asserting the divine vision for marriage and family against erroneous opinions.

[67] For example, *Divini illius magistri* states that, although baptism provides the entry into the church and salvation, children of non-Christians are not to be baptized, save for rare circumstances. Thus, despite baptism being a universal good, it is also occasionally withheld in light of the natural rights of parents. *Divini illius magistri*, #39.

assumptions of male normativity. Yet the different methods of articulating marriage's values and Pius XII's acceptance of birth-regulation through periodic abstinence and relativizing of biological kinship do not fit seamlessly within the tradition.

Part II: Vatican II, 1958 – 1978

Historical Overview

Vatican II's teaching on marriage and family is largely continuous with earlier documents and frequently references Pius XI and Pius XII. Several earlier themes are consistently upheld throughout the period. These include the family as the foundation of society, the duties required of society by that fact, the primary rights of parents in their children's education, and the importance of familial stability.[68] The most pronounced exception to this continuity is a greater appreciation of gender equality within markedly widened spheres, though this remains framed and conditioned by persistent gender essentialism.

Pope John XXIII's most significant contributions were his calling of the council and significant divergence from his predecessors on the topic of women's social rights. Pope Paul VI oversaw the majority of the council as well as the papal birth control

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[68] John XXIII, *Pacem in terris*, Vatican, (April 11, 1963) http://www.vatican.va/holy_father/john_xxiii/ encyclicals/documents/hf_j-xxiii_enc_11041963_pacem_en.html, 16, 17. John XXIII, *Mater et magistra*, Vatican, (May 15, 1961) http://www.vatican.va/holy_father/ john_xxiii/encyclicals/documents/hf_j-xxiii_enc_15051961_mater_en.html, 195. Vatican II, *Gaudium et spes*, Vatican, (December 7, 1965) http://www.vatican.va/archive/hist_councils/ii_vatican_council/documents/vat-ii_cons_19651207_gaudium-et-spes_en.html, #52. The importance of private property is also consistently upheld in this regard, yet *Gaudium et spes* adds goods and "immaterial things such as professional capacities." *Gaudium et spes*, 13. Repeated threats include polygamy, divorce and non-exclusive sexual partnerships. See *Casti connubii*, 73, 78 – 92. and *Arcanum*, 27 – 34.

commission in 1963.[69] After the council he invested heavily in implementing and guiding Vatican II's reforms.

Sexual Ethics and Marriage

The 1960s witnessed growing anxieties over human population growth. Pope John XXIII responded to these with concern as well as insistence that acceptable solutions must neither do "violence to man's essential dignity" nor depend upon "an utterly materialistic conception of man himself and his life." Further, he affirmed that divine laws govern the transmission of human life and must be respected.[70] This pattern of concern for the growing importance of birth regulation balanced against the dictates of divine law persisted throughout the era and became increasingly linked to the magisterium's authority in articulating specific moral norms.[71]

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[69] In his oversight of the council, Paul VI habitually intervened in support of the conservative minority and provided their concerns with additional chances at incorporation into the documents. Yet he ultimately left the manner of incorporation open to the judgments of the drafting commission. In the commissions, these suggestions were reinterpreted in light of the existing documents and substantially softened. Paul VI's interventions in the council are well documented, as is the circuitous path Father Ermenegildo Lio's *De Castitate* took from a rejected draft document, through its first return as papal *modi* in 1965, to finding its expression in *Humanae vitae*; a connection Lio would celebrate in articles claiming he had written the "rough draft" of *Humanae vitae*. See Hebblethwaite, 298 – 300, 444, 470 – 471, 526.

[70] Those who disregard this fact "not only offend the divine majesty and degrade themselves and humanity, they also sap the vitality of the political community of which they are members." John XXIII, *Mater et magistra*, #191 and 194.

[71] Not all at Vatican II shared the view that married couples ought to intentionally regulate childbirths. Cardinal Ottaviani criticized the 1964 draft of what would become *Gaudium et spes* for rejecting Catholic spouses' subservience to "blind instinct" in reproduction. Some also sought to add an explicit condemnation of sexual intercourse absent a specifically procreative intent into *Gaudium et spes*. See John T. Noonan, *The Church and Contraception: The Issues at Stake*. (New York: Paulist Press, 1967), 18 and 31.

Gaudium et spes confirmed the rights of spouses to responsibly plan childbirths in light of familial, social, and ecclesial considerations.[72] But, it added, this decision requires proper moral training, especially as illicit forms of contraception threaten marriage.[73] Thus couples' rights were framed by the seriousness of the matter and the potential harm of its misuse. Nonetheless, the document assures, "a true contradiction cannot exist between the divine laws pertaining to the transmission of life and those pertaining to authentic conjugal love."[74] Though some of the council fathers attempted to insert a general condemnation of contraception into *Gaudium et spes*, the document reserves this question for a papal decision.

After the council, and a lengthy delay following the commission's report, Paul VI's *Humanae vitae* defined Catholic teaching on contraception.[75] The task of making a judgment on the question of artificial birth control was neither one Paul VI desired nor one to which he was naturally well suited.[76] Still, *Humanae vitae* went beyond its

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[72] *Gaudium et spes*, #50. Here there is an implicit rejection of the intervention of priests or other authorities, secular or religious, in this decision. The assumption of priestly guidance in such decisions was common prior to Vatican II. Cf. Noonan, 34. And Pius XII, "Allocution to Newlyweds," *Matrimony,* 318.

[73] *Gaudium et spes*, #47. This line was added in response to the papal *modi* of Paul VI during the final drafting stages of the document. The *modi* condemned "contraceptive arts", but was generalized in its incorporation into the document. Cf. Hebblethwaite, 299., de Haro, 262. And Noonan, 25.

[74] *Gaudium et spes*, 51. *Gaudium et spes* avoids an explicit affirmation of previous teaching on contraception but clarifies that both the intentions as well as objective standards "based on the nature of the human person and his acts" must inform moral decisions, while Catholics are obliged to follow the magisterium's interpretation of divine law. Footnote 14 notes that the topic is under consideration and awaits the judgment of the pope.

[75] *Humanae vitae* is Paul VI's most direct teaching on marriage and family. The Spiritual motherhood of Mary is certainly a major theme of *Mense maio* and *Christi matri*, yet neither draws a clear connection to Christian families. The extent to which *Humanae vitae* led to a polemic that effectively blocked constructive dialogue concerning marriage and family should not be forgotten. Paul VI had desired to make family the subject of a synod, but was hesitant for fear of reopening the "old wounds just as they were beginning to heal." Hebblethwaite, 597.

[76] Among the principle influences on Paul VI's decision, was a concern for the role of science in ethics and a fear of the dangers of "scientism." Cf. Hebblethwaite, 453 – 478. This was particularly

immediate task to judge on contraception and offered a broad vision of marital morality which was informed by concerns of personalist moral methodology such as spousal love and the dignity of the human person.[77] Paul VI amended the final draft of *Humanae vitae* by removing references to "mortal sin" and inserting a passage urging compassion for sinners.[78] Yet, the encyclical retained its central conviction that just as intercourse without consideration of a partner's will violates the unitive end of marriage, *Humanae vitae* teaches, so too does contraceptive intercourse contradict the will of God.[79] In the latter years of his papacy, Paul VI stood behind the judgment of *Humanae vitae* while its method was largely echoed in the Congregation for the Doctrine of the Faith's (CDF) clarification on human sexuality, *Persona humana*.

Two observations about Paul VI's publication of *Humanae vitae* are pertinent. First it was an exercise in papal authority that was knowingly at odds with widely held opinions among the Catholic faithful, and, in fact, at various points in direct opposition to the opinion of the commission's majority report. Thus, in as much as the encyclical became a center of controversy, it welded magisterial authority to a particular aspect of

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problematic for contraception because the older argument was based on the idea that people do not have absolute dominion of their bodies. The discovery of fertility cycles decidedly removed conception from an act of God's will, to a physical process that could be understood. Thus the argument against dominion had to be revised in a way that both acknowledged the achievements of human reason while limiting their licit applications.

[77] The question is often regarded as concerning the use of artificial methods of contraception by married Catholics. Some contend it concerned only if the pill was to be regarded as "artificial means." This approach carries the assumption that the prohibition of contraception has been historically established as irreformable but is difficult to sustain against the refusal of the council fathers to incorporate a general condemnation of contraception into *Gaudium et spes*.

[78] Paul VI always refused to qualify the encyclical as infallible. Hebblethwaite, 517.

[79] Ibid., #13. Notably, *Humanae vitae* extends the prohibition to include acts intended to impede procreation "either *before*, at the moment of, or after sexual intercourse." The addition of "before" includes the pill as a contraceptive despite it not directly altering the act of intercourse itself.

sexual ethics. Second, Paul VI's decision to go beyond a mere judgment on the matter of contraception[80] united Catholic perspectives on marriage to an idea of 'responsible parenthood' inextricably linked to the morality of contraception. Paul VI's intentions notwithstanding, the publication of *Humanae vitae* marks a watershed moment in Catholic conceptualizations of the family in which biological reproduction and magisterial authority provide central planks in the conceptual framework.

Seven years after *Humanae vitae*, the CDF's *Persona humana* reiterated several traditional prohibitions of Catholic sexual morality. With more clarity than *Humanae vitae*, the document asserts that its teachings rely upon immutable and timeless principles common to all humanity; adding that these "in no way owe their origin to a certain type of culture, but rather to knowledge of the Divine Law and of human nature."[81] Further, it reaffirmed the tradition that all moral matters in the realm of sexuality are of objective seriousness.[82]

The Vatican II era never repeated Pius XI's epistemologically brazen assertion that the Vatican observes the world "as from a watchtower" but nonetheless defends the certainty and objectivity of magisterial teaching; especially in matters of sexual ethics. And despite *Humanae vitae*'s claim that the magisterium has always taught concerning marriage, it cites only one source prior to *Arcanum*. Throughout this era, the relatively

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[80] "The Church, nevertheless, in urging men to the observance of the precepts of the natural law, which it interprets by its constant doctrine, teaches that each and every marital act must of necessity retain its intrinsic relationship to the procreation of human life." *Humanae vitae,* #12.

[81] Congregation for the Doctrine of the Faith, "*Persona Humana:* Declaration on Certain Questions Concerning Sexual Ethics," Vatican, *(December 29, 1975)* http://www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfaith_doc_19751229_persona-humana_en.html*, #3 and 5.

[82] Ibid., #11. Here citing both *Humanae vitae* and a 17th century decree.

new phenomenon of consistent magisterial teaching on marital morality delved into increasingly controversial subject matters. Simultaneously, the assertion that magisterial judgments on such matters are derived with certainty from divine law was firmly upheld. These repeated affirmations implicated the nature of the magisterium's teaching authority with the doubts and rebuttals this genre of teaching generated.

The Vatican II era attests to a number of other significant developments as well. Sex itself is recognized as good and sexual ethics are increasingly framed by the personalist goods of love, dignity, and human relationship. Meanwhile, the earlier tendency to judge spousal virtue by the number of children in their care is reformed, yet persistent.

Both *Gaudium et spes* and *Humanae vitae* assert the essential goodness of sexual intercourse, particularly as it expresses love and strengthens spousal fidelity.[83] *Gaudium et spes* turns this towards a recognition of the potential harm done by counseling celibacy within marriage,[84] whereas, *Humanae vitae* considers the harm of the spread of contraception. The earlier document urges against fear of sex itself, whereas the latter concerns its proper use.

Humanae vitae's presentation of responsible parenthood includes the need to control one's "innate drives and emotions" as these relate to the "procreative biological faculties."[85] It teaches that periodic abstinence may help couples grow in self-discipline,

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[83] *Humanae vitae*, #16.

[84] Cf. *Casti connubii*, #53.

[85] *Humanae vitae*, #10.

personal enrichment, mutual respect, awareness of responsibilities, and spiritual

blessings.[86] *Persona humana* also urges a greater appreciation of chastity, which is said

to have particular benefits for marriage as it "increases the human person's dignity and

enables him to love truly, disinterestedly, unselfishly and with respect for others."[87]

Despite the advent of a greater appreciation for the goodness of sex, with *Persona*

humana the tradition of linking chastity to generosity and lust to selfishness clearly

reemerges within post-Vatican II sexual ethics.

    Gaudium et spes also sparked greater attention to the importance of spousal love

in the emerging personalist approach to sexual morality.[88] Building upon this, *Humanae*

vitae explains, through marital love, spouses "perfect one another" and cooperate with

God in producing and raising children.[89] Echoing *Gaudium et spes*, *Humanae vitae*

describes this love as fully human, an act of free will aimed at human fulfillment, a total

love directed at the beloved for their own sake as a self-gift, and fecund.[90] Nonetheless,

the validity of the marriages of infertile couples is clearly and consistently upheld.[91]

    The importance of fecundity for conjugal love is also a repeated point of

emphasis. *Gaudium et spes* teaches that true conjugal love and "the whole meaning of the

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[86] Ibid.*,* #21.

[87] *Persona humana*, #12.

[88] This attention may be viewed as a development on Pius XII's earlier praise for love within marriage. The theologian Dietrich Von Hildebrand's work was also influential in this regard. See. Dietrich Von Hildebrand, "The Encyclical *Humanae vitae*: A Sign of Contradiction," in *Why* Humanae Vitae *was Right: A Reader*, ed Janet E. Smith (San Francisco: Ignatius Press, 1993), 47 – 82.

[89] *Humanae vitae*, #8. It is unclear if procreation is an aspect of that perfection or something additional.

[90] Ibid., #9.

[91] *Gaudium et spes*, #50.

family life which results from it" is the willingness of spouses to "cooperate with the love of the Creator and the Savior."[92] Like earlier teachings, *Gaudium et spes* links procreation to generosity and praises those who raise large families "suitably."[93] The inclusion of the modifier is not inconsequential as it suggests that generosity, and by implication, the quality of spousal love itself, cannot be directly correlated to the number of children within a family. In a 1960 address to the Roman Rota, John XXIII had earlier rejected this view by prioritizing parents' role of educating as a "more noble office" which "perfects" their role of procreation. This assertion followed a lavish description of procreation as cooperation with God in which humans give life "to new beings in whom the life-giving Spirit infuses the powerful principle of immortal life." And John XXIII asserted that it is because of the greater nobility of the task of education that marriage requires stability.[94] These views appear to echo Pius XII, but they were not shared among all bishops before or at Vatican II. Upholding education alongside, and potentially against, procreation retrieves a traditional but frequently neglected balance between these goods.[95] Moving further in this direction, the severity of conditions that may warrant the regulation of conception listed by *Gaudium et spes* is notably softened compared to Pius XII's allocution, and includes broader sources of concern.

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[92] Ibid. Cf. *Humanae vitae,* #1.

[93] Ibid. Cf. Pius XII, "Allocution to the Associations of the Large Families," In *Matrimony*, 440. More recently, de Haro makes the connection between procreation and generosity explicit. "[*Gaudium et spes*] does not encourage selfishness on the part of the parents; thus *having a large family is the way of exercising responsible parenthood most praised by the Council*: generosity is always a condition of human and Christian responsibility." de Haro, 273.

[94] John XXIII, "Importance of the Institution of the Family," *Matrimony*, 535.

[95] Noonan, 12, 18 and 31.

Humanae vitae teaches that spouses must respect a hierarchy of obligations to "God, themselves, their families and human society" in making decisions of family planning.[96] Of these, the first has a unique place in establishing guides and parameters for a couple's options. In *Humanae vitae,* the decision for procreation is cast more positively than that to delay or not pursue childbirth while large families function as the ideal.[97] In light of the previous and existing disagreements on whether or not the good of education could alone relativize the good of procreation, the encyclical served to shift greater concern towards the procreative aspect of parenthood. At the same time, *Humanae vitae*'s personalism holds these goods closely together.[98] Thus, the emergence of a prioritization of procreation over education is largely a matter of nuance. But significant factors in this regard include the extent to which collaboration with the Creator through procreation becomes an interpretive lens for responsible parenthood as well as the association of procreation with generosity.

On the topic of marriage, *Gaudium et spes* repeats a central theme of *Casti connubii*; namely, that the institution of marriage was established by the Creator, is based upon "irrevocable personal consent," is "unbreakable," and has been endowed by God

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[96] *Humanae vitae*, #10. These sources of obligation were earlier listed in *Populorum progressio*. Cf. Paul VI, *Populorum progressio,* Vatican, (March 26, 1967) http://www.vatican.va/holy_father/paul_vi/ encyclicals/documents/hf_p-vi_enc_26031967_populorum_en.html, #37.

[97] *Ibid.*, #2 and 10.

[98] A major challenge for Paul VI in *Humanae vitae*'s argument was upholding the traditional prohibition while disassociating it from positions rejected at Vatican II. Paul Quay's influential 1961 article foreshadowed aspects of Paul VI personalist argument, but also placed much emphasis on male dominance and displayed a decidedly physicalist concern for where sperm (euphemistically termed "substance") would end up in the sexual act. See Paul M. Quay, "Contraception and Conjugal Love," *Theological Studies*, 22.1, (1961) 32ff.

"with various benefits and purposes."[99] Likewise, *Gaudium et spes* praises the shared

love of spouses and describes spouses as mutual helpers who grow in perfection together

and strive for "total fidelity."[100] Marriage is described as a distinct form of friendship,

holy, and a vocation.[101] And, diverging from the juridical language of the 1917 Code of

Canon Law, *Gaudium et spes* describes marriage as 'covenant' founded in mutual love.[102]

Additionally, the document is silent on the hierarchy of the ends of marriage, repeatedly

mentions love before procreation, and asserts that both marriage and conjugal love are

ordered towards procreation. [103]

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[99] *Gaudium et spes*, #48. Cf. *Casti connubii*,# 48.

[100] Ibid., #48 and 49. Cf. *Casti connubii*, #23. "With respect to love, [*Gaudium et spes*] takes its inspiration from the classic doctrine that sees in it the *form of marriage*, particularly in the thomistic tradition… This tradition was accepted by the Council of Trent and was taken up again by *Casti connubii*." De Haro, 253. Von Hildebrand, whose writing was influential in shaping the document, later wrote, "But let it be stated emphatically: to stress the meaning and value of marriage as the most intimate, indissoluble union of love does not contradict the doctrine that procreation is the primary end of marriage. The distinction we have made between meaning and end… in no way diminishes the importance of the link between marriage and procreation…" Von Hildebrand, in *Why* Humanae Vitae *was Right: A Reader*, 70.

[101] Ibid., "Although now no one would question the vocational character of marriage… before the council this was not so. Holiness was seen by many as a path reserved for a small portion of the people of God… the call to perfection was seen as a privilege of the religious state." This is a further development of the "universal call to holiness" expressed by *Lumen gentium*; the "mother truth that guides the treatment of marriage." De Haro, 216 and 219.

[102] Ibid., "Gasparri's word *contract* is replaced by the biblical word *covenant*, which has the same juridical outcomes as contract but also situates marriage in a biblical-theological and *interpersonal* context rather than in an exclusively *juridical* one." Salzman and Lawler, 42. The commentary given to the Council Fathers also explained that the wording was changed according to the sensibilities of the Eastern Churches. De Haro, 235.

[103] Ibid., #48 and 50. There is considerable debate about how Vatican II developed teaching on the hierarchy of ends. De Haro argues that conjugal love and children are considered *goods* of marriage, but that there is no indication that the primary end of marriage has been revised. "Here there is no change in the hierarchy of ends, which, we must stress, the Council did not expressly take up, considering this question too technical." And, the texts of Vatican II "never speak of conjugal love as an end of marriage; they do not even conceive of it as a property of marriage; on the contrary, they predicate of love the same ends and same properties that they predicate of the whole institution of marriage." Yet, Salzman and Lawler contend that the Council's refusal to incorporate the hierarchy of ends, "In the face of strident demands to relegate the conjugal love of spouses to its customary secondary place in marriage" constitutes "a clear rejection of an exclusively judicial approach." And, "despite insistent voices to the contrary, the council Fathers rejected the primary end-secondary end dichotomy… the Preparatory Commission was careful to explain that the text… 'does not suggest [a hierarchy of ends] in any way.'" See Salzman and

As in pre-Vatican teaching, marital stability remains centrally important, particularly as it benefits children.[104] Yet the goods offered to spouses themselves receive greater emphasis. For example, *Persona humana* teaches that human dignity itself compels sexual intercourse to be limited to the stability of marriage "which establishes a state of life of capital importance both for the exclusive union of the man and the woman and for the good of their family and of the human community."[105] Intercourse outside of marriage can only offer a false conjugal love that is unable "to develop into paternal and maternal love." If pregnancy does result, "it will be detrimental to the children, who will be deprived of the stable environment in which they ought to develop in order to find in it the way and the means of their insertion into society as a whole."[106]

Gender and Family Structure

John XXIII's 1961 encyclical, *Mater et magistra*, did not challenge the hierarchical ordering of the family posited by earlier pontiffs and assumed an all-male workforce.[107] Yet, just two years later and after the opening of the council, *Pacem in*

Lawler, 42 – 43. And de Haro, 235 and 247. Cf. Vatican II, *Lumen gentium,* Vatican. (November 21, 1964) www.vatican.va/archive/hist_councils/ii_vatican_council/documents/vat-ii_const_19641121_lumen-gentium_en.html, #11.

[104] John XXIII, "Importance of the Institution of the Family," in *Matrimony*, 535.

[105] *Persona humana,* #7.

[106] Ibid. Sex before marriage does not preclude sex after marriage, nor is the nature of the relationship between sexual partners considered. Marriage after pregnancy, but before childbirth, is certainly not a new phenomenon, but is not considered here. Instead, the emphasis is on discrete sex acts and the rational appears to parallel Thomas Aquinas' argument against fornication, which presumes no ongoing relationship or future marriage. For a similar reason, but with reference to the nature of the act itself, *Persona humana* judges homosexual sex acts immoral for lacking "an indispensable finality"; masturbation is rejected on similar grounds. *Persona humana*, #8 & 9.

[107] John XXIII, *Mater et magistra*, #20, 22 and 71 *et al.*

terris optimistically considers the changes in social and family life brought about by women's progress; even judging these to have stemmed from women's recognition of their own human dignity.[108] This claim is remarkable given that both Leo XIII and Pius XI had argued against women's participation in the public sphere precisely as a means of protecting women's unique dignity.[109] Moreover, John XXIII wrote favorably of women's increasing claims to social rights and abandonment of contentment with a "purely passive role."[110]

To be sure, John XXIII still conceived of women primarily as wives and mothers and did not envision their participation in all types or fields of public employment.[111] Nonetheless, *Pacem in terris* laid the foundation for one of this era's most significant developments wherein hierarchical conceptions of female subservice are increasingly replaced by ideals of both public and private equity.[112] Of these, women's role in the public sphere shows greater signs of conflict, as new assertions of women's rights to public participation are balanced against a continuing insistence on women's primarily domestic vocation. For example, while women's participation in public life is

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[108] John XXIII, *Pacem in terris*, #41.

[109] See Leo XIII, *Rerum novarum*, Vatican, (May 15, 1891) http://www.vatican.va/holy_father/leo_xiii/ encyclicals/documents/hf_l-xiii_enc_15051891_rerum-novarum_en.html, #42. And *Casti connubii*, #75.

[110] *Pacem in terris*, #41.

[111] Ibid., 19. Here the encyclical cites *Rerum novarum,* despite the fact that the earlier document can hardly imagine a place for women in the workforce and argues for women's natural fitness for life in the home. See *Rerum novarum,* #42.

[112] *Pacem in terris*, #12.

encouraged, *Gravissimum educationis* grants that the universal right to education may be conditioned by gender.[113]

Gaudium et spes affirmed women's right to take a more active role in cultural life, but cautioned that this must be "in accordance with their own nature."[114] In calling for reforms in the labor force, it assumes women's presence yet identifies the "new social relationships between men and women" as a source of familial conflict.[115] Likewise, Paul VI's apostolic letter, *Octogesima adveniens*, also looked favorably upon growing social recognition of women's "rights to participate in cultural, economic, social and political life," while warning against "that false equality which would deny the distinction with woman's proper role, which is of such capital importance, at the heart of the family as well as within society."[116]

Within the home, concern to protect men's and women's unique vocations is comparably muted. *Gaudium et spes* unseats the analogy between the marital bond and Christ and the Church by affirming the participation of marriage partners in the very

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[113] Vatican II, *Gravissimum Educationis*, Vatican, (October 28, 1965) http://www.vatican.va/archive/ hist_councils/ii_vatican_council/documents/vat-ii_decl_19651028_gravissimum-educationis_en.html, #1.

[114] *Gaudium et spes*, #60. This approval of women's social progress is utilized in *Apostolicum actuositatem* to assert that women's expanded social spheres of influence create obligations for more diverse female roles in the apostolate of the laity. See Vatican II, *Apostolicum actuositatem*, Vatican, (November 18, 1965) http://www.vatican.va/archive/hist_councils/ii_vatican_council/documents/vat-ii_decree_19651118_ apostolicam-actuositatem_en.html, #9.

[115] *Gaudium et spes*, #8, 67.

[116] Paul VI, *Octogesima adveniens*, Vatican, (May 14, 1971) http://www.vatican.va/holy_father/paul_vi/ apost_letters/documents/hf_p-vi_apl_19710514_octogesima-adveniens_en.html, #13.

unity of Christ and the Church.[117] Additionally, the former identification of husbands

with Christ and wives with the Church is absent, as are other means of hierarchically

ordering husband over wife.[118] Instead, *Gaudium et spes* repeatedly affirms spousal

equality, which is extended into a condemnation of all discrimination "with respect to the

fundamental rights of the person."[119] Still, an assumption of dichotomous parental roles

persists. *Gaudium et spes* encourages fathers to be active in their children's lives, while

children, especially young children, "need the care of their mother at home." Motherhood

has a "domestic role" that "must be safely preserved, though the legitimate social

progress of women should not be underrated on that account."[120]

    Persona humana's articulation of the importance of sexual difference makes

explicit some of the tensions that underlie the era's attempt to embrace gender equity.

Here, gender is said to condition an individual's development in numerous ways. In light

of this, justice is served when men and women are treated with equal dignity but also

with respect to their essential differences.[121] The document's insistence on unchanging

norms, as described above, clearly colors how these differences are articulated.

Children, Family and Parenthood

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[117] "Thus the Christian family, which springs from marriage as a reflection of the loving covenant uniting Christ with the Church, and as a participation in that covenant, will manifest to all men Christ's living presence in the world, and the genuine nature of the Church." *Gaudium et spes*, #48.

[118] *Gaudium et spes*, #9. Cf. *Arcanum*, #11 – 17 and *Casti connubii*, #74 – 77.

[119] *Gaudium et spes,* #21.

[120] Ibid., #52.

[121] *Persona humana,* #1 and 5. Citing *Gravissimum educationis* and *Gaudium et spes*.

Gaudium et spes, describes parenthood as a "dignity" and "office" and asserts that through the "faithfulness and harmony" of their love, married couples can bring about renewal in society's appreciation of marriage as well as instruct their own children on the "dignity, duty and work of married love."[122] Realizing the full potential of the family is said to depend upon "kindly communion of minds and the joint deliberation of spouses, as well as the painstaking cooperation of parents in the education of their children."[123]

Gravissimum educationis provides more developed teaching on education and asserts an inalienable human right to education. Notably, earlier adversity to co-education is absent and a prudent sexual education is now described as appropriate at a certain age.[124] Additionally, the right to a moral education and growth in conscience is upheld as well as the right of all the baptized to a Christian education. Though the family has the primary right to educate, help from the whole of society is required.[125] Yet the priority of the family is so strongly affirmed that schools are described as optional "tools" at the service of the family.[126]

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[122] *Gaudium et spes*, #48 – 49.

[123] Ibid.*,* #52.

[124] *Gravissimum educationis*, #1. The development is remarkable, from a near total condemnation of sexual education by Pius XI, to a tightly restricted approval by Pius XII, to approval, within a consideration of rights to education, with only the qualification of prudence in *Gravissimum educationis*.

[125] Ibid., #2. *Gravissium educationis* further argues that the state has an obligation to support children's education by assuring the efficacy of its schools. *Gravissium educationis, #8. Dignitatis humanae*, adds that governments must assure parental freedom in choice of education, and opposes burdensome or religious limitations. Vatican II, *Dignitatis humanae,* Vatican, (December 7, 1965) http://www.vatican.va/archive/ hist_councils/ii_vatican_council/documents/vat-ii_decl_19651207_dignitatis-humanae_en.html, 5.

[126] *Gravissimum educationis*, #5. *Ad gentes,* offers a more positive conception of schools which are "not only as the most excellent means of forming and developing Christian youth, but also as a valuable public service, especially in the developing nations, working toward the uplifting of human dignity, and toward better living conditions." Vatican II, *Ad gentes,* Vatican, (December 7, 1965),

The decree *Apostolicum actuositatem* further explicates the role of the family and Christian educators in preparing children for vocations. It describes parents as "cooperators in grace and witnesses of faith for each other, their children, and all others in their household." They are the primary evangelizers and role models for their children who help children discern their vocation.[127] Additionally, parents "have the task of training their children from childhood on to recognize God's love for all men."[128] The family is described as both a source of spiritual growth as well as a means for exercising the apostolate.[129] The family fulfills its God-given purpose when, through love and prayer, it acts as a domestic church, participates in liturgical worship, promotes hospitality and justice, and undertakes works of service.[130]

One of Vatican II's most notable developments is its application of various terms to describe the family. In lieu of earlier language of a hierarchy and "imperfect society,"[131] the council describes the family as a "school of deeper humanity,"[132] "the primary mother and nurse of [cultural] education,"[133] "the first school of the social virtues

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http://www.vatican.va/ archive/hist_councils/ii_vatican_council/documents/vat-ii_decree_19651207_ad-gentes_en.html, #12.

[127] *Apostolicum actuositatem*, #11.

[128] Ibid., #30.

[129] Ibid., #4. Cf. *Lumen gentium*, #31.

[130] *Apostolicum actuositatem*, #11.

[131] Cf. *Arcanum*, #11 – 15, *Casti connubii*, #26., *Divini illius magistri*, #12.

[132] *Gaudium et spes*, #52.

[133] Ibid., #62.

that every society needs,"[134] the "foundation of all society"[135] an "apprenticeship for the apostolate,"[136] the "domestic church,"[137] an "initial seminary"[138] and a proclaimer of "both the present virtues of the Kingdom of God and the hope of a blessed life to come."[139]

In contrast to the many documents of Vatican II which touch on parental and familial duties, particularly as related to education, Paul VI rarely engaged the subject. *Populorum progressio,* for example, is repeatedly silent on the role of the family where explicit references might be expected. Its concern centers on the individual who is the "chief architect of his own success or failure" and who may be "helped, and sometimes hindered, by his teachers and those around him."[140] In fact, it employs the terms "father", "mother" and "family" metaphorically (for God, Mary and the Church or the human community) more often than literally. A single paragraph titled, "The Role of the Family", repeats many traditional concerns.[141] Even here, the encyclical objects to excessive familial influence over individuals. In contrast, *Humanae vitae* contains a more

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[134] *Gravissimum educationis*, #2.

[135] *Gaudium et spes*, #52.

[136] *Apostolicum actuositatem*, #30. Also "training for the apostolate" and in *Lumen gentium*, #35. "school of the lay apostolate"

[137] *Lumen gentium*, #11.

[138] Vatican II, *Optatem totius*, Vatican, (October 28, 1965) http://www.vatican.va/archive/hist_councils/ ii_vatican_council/documents/vat-ii_decree_19651028_optatam-totius_en.html, #2.

[139] *Lumen gentium*, #35.

[140] *Populorum progressio*, #15. This is especially striking as "formal education" is included.

[141] Ibid., #36.

sustained and positive reflection on the family. Most notably, it describes the family apostolate as allowing married couples to "become apostles to other married couples."[142] Paul VI's general silence on issues related to the family may have contributed to greater emphasis on *Humanae vitae;* the only major document where he gave sustained attention to the subject.

On a few occasions, the documents of Vatican II consider children directly. *Gaudium et spes* describes children as contributors to their parent's holiness; a sentiment later repeated by Paul VI in *Evangelii nuntiandi*.[143] *Apostolicum actuositatem* contends that children may undertake "their own apostolic work" in accordance with their abilities as "true living witnesses of Christ among their companions."[144] However, children are primarily considered in regards to the vocations they will undertake in adulthood with special concern for nurturing and encouraging those who may be called to ordained or religious life.[145]

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[142] *Humanae vitae*, #26. In the closing paragraph, Paul VI reminds that such moral teaching is ultimately directed at the attainment of happiness, for which a person "yearns with all the strength of his spirit, unless he keeps the laws which the Most High God has engraved in his very nature. These laws must be wisely and lovingly observed." *Humanae vitae*, #31.

[143] *Gaudium et spes*, #48. "The parents not only communicate the Gospel to their children, but from their children they can themselves receive the same Gospel as deeply lived by them." Paul VI, *Evangelii nuntiandi*, Vatican, (December 8, 1975) http://www.vatican.va/holy_father/paul_vi/apost_exhortations/ documents/hf_p-vi_exh_19751208_evangelii-nuntiandi_en.html, #71.

[144] *Apostolicum actuositatem*, #13.

[145] Cf. *Gaudium et spes*, #52., *Apostolicum actuositatem*, #11., *Lumen gentium*, #11., See also Vatican II, *Perfectae caritatis*, Vatican, (October 28, 1965) http://www.vatican.va/archive/hist_councils/ ii_vatican_council/documents/vat-ii_decree_19651028_perfectae-caritatis_en.html, #24., and Vatican II, *Presbyterium ordinis*, Vatican, (December 7, 1965) http://www.vatican.va/archive/hist_councils/ ii_vatican_council/documents/vat-ii_decree_19651207_presbyterorum-ordinis_en.html, #11.

A few documents also give brief attention to non-biological kinship, but the subject is not consistently developed. *Gaudium et spes* asserts that Christians must be willing to assist children who have been born outside of marriage and suffer for other's sins.[146] The same document entrusts society with the care of children "who unhappily lack the blessing of a family" and who require legal protections necessary to assure their wellbeing.[147] And in *Apostolicum actuositatem* the first item in a list of possible activities of the family apostolate is "the adoption of abandoned infants."[148]

Conclusions

In its considerations of marriage and family, the Vatican II era shows a great deal of consistency with earlier magisterial teaching. The most significant contrast is the development in women's standing within society and the family. These developments are initiated by John XXIII's identification of women's social progress as stemming from women's own recognition of their dignity, which stands in stark relief against earlier protectionist claims that associated female dignity with home life. This development informed a more optimistic view of women's place in the workforce and influenced greater acceptance of coeducation. Within the family, hierarchical language was replaced by ideals of spiritually enriching spousal partnerships. Yet, these developments are at times awkwardly balanced against continuing insistence on women's primarily domestic

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[146] *Gaudium et spes*, #28.

[147] Ibid., #52. It may be notable that *Gaudium et spes* uses "parents or guardians" which suggests a recognition of a distinction between biological and social parenthood. *Gaudium et spes*, #52.

[148] *Apostolicum actuositatem*, #11.

vocation. In this era of developing teaching on women's roles, the conditioned term "legitimate progress" often bears the weight of holding these disparate concerns together.

Humanae vitae's judgment on artificial contraception is an important component of this era's teaching for a number of reasons. With John XXIII and Vatican II a growing awareness that education of children must be a privileged good in matters of birth regulation was beginning to displace an emphasis on procreation as primary. While Paul VI's personalism closely associated these goods, the encyclical turned attention towards sexual intercourse and biological procreation and framed procreation unambiguously as an exercise in the virtue of generosity. The tradition's appeal to divine providence to assure a parent's capability to educate well further supports an emphasis on procreation without serious moral attention to adult educational capabilities prior to conception.[149] An emphasis on faith in the sufficiency of providence to provide further undermines considerations which might make procreation less than an unambiguous good. In addition, as the decision against conceiving a child, or more children, is only cautiously accepted with repeated warnings about potential sinfulness, the importance of serious attention to educating children well is only further obstructed. For a brief moment, recognition that the duty to educate is both a more complex and more important obligation of the Christian parent began to emerge. *Humanae vitae* largely ended this trajectory and complicated matters by associating its moral teaching strongly with magisterial authority, a theme later repeated by the CDF.

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[149] Parents are certainly clearly exhorted to educate their children in moral, practical, spiritual and other matters. The question bears more on the extent to which these obligations ought to be a factor when considering avoiding conception.

Finally, the conception of children themselves underwent development. As in earlier writings, children take on the dual identities of being gifts when considered in terms of procreation and adults-in-training when considered in terms of education. Yet the era gave greater credence to the idea that children can fulfill a Christian vocation within childhood itself. This assertion that children are not only Christians in the making, but potential exemplars of the faith, is rarely acknowledged previously beyond hagiographic writings. Still, children are situated within an ideal of the biological nuclear family. And, although their parents have now become co-equal partners, the familial hierarchy remained largely unchanged from the child's perspective, though the potential aspirations of girls have expanded.

Part III: John Paul II, 1978 – 2012

Historical Overview

Prior to his papacy, Cardinal Karol Wojtyla participated in every session of Vatican II and was a member of the papal birth control commission.[150] Throughout his papacy, he repeatedly presented *Gaudium et spes* and *Humanae vitae* as harmonious documents and sought to guide the authentic interpretation of Vatican II. Because his pastoral and academic concerns correlate with emphases of his papacy, particularly concerning family life, an assessment of his magisterial contributions must also acknowledge these. The 1960 book *Love and Responsibility* provides significant

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[150] As a member of the commission, Wojtyla did not attend any meetings (which had persuaded like-minded members to change their views) and missed crucial final votes. Wojtyla did, however write a critical response to the commission's report. His book *Love and Responsibility* may also have been influential for Paul VI. Cf. Hebblethwaite, 468ff and 597. And Smith, 229.

background to John Paul II's teaching.[151] Here Wojtyla articulates a philosophical-ethical project defined by the personalist norm; to respect people as subjects in themselves and never use them as a means to an end.[152] This universal is based upon the uniqueness of human reason and the existence of an "inner self."[153] For Wojtyla, therefore, the task of ethics, especially sexual ethics, is to carefully differentiate acts of "loving kindness" from acts which intend to use a person.[154]

Soon after ascending to the papacy, John Paul II gave a series of addresses which built upon themes articulated in *Love and Responsibility* and set the foundations of his "theology of the body."[155] Here, John Paul II takes Jesus' response to divorce in Matthew 19, which he regards as normative teaching, as a basis for constructing a theological anthropology rooted in the creation narrative.[156] Genesis' account of prelapsarion humanity, including the creation of human sexual differentiation, provides a resource to which John Paul II applies his phenomenological method to expound the meaning of

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[151] Karol Wojtyla, *Love and Responsibility,* (San Francisco: Ignatius, 1993).

[152] Positively stated, the norm requires that all people be treated with love. Wojtyla, *Love and Responsibility,* 25. Cf. 41. In *Memory and Identity* (34ff), In a later work, John Paul II gives a succinct account of his understanding of the fundamental nature of moral acts. See John Paul II, *Memory and Identity; Conversations at the Dawn of a Millennium* (New York: Rizzoli, 2005), 34ff.

[153] Wojtyla, 22.

[154] Wojtyla*,* 34. *Love and Responsibility* strongly critiques systems that are particularly prone to this latter option. Utilitarianism is a central object of criticism. Also included are "reductive" systems, including Freudian psychoanalytic theory, Manicheanism, and the views of numerous philosophers. Throughout his papacy, John Paul II was concerned with ideologies and movements that stem from reductive anthropologies, are destructive, or require violence for their propagation. This concern is understandable in light of the twentieth-century European experiences of Nazism, Fascism and Communism. Yet, for John Paul II it also gave rise to a tendency to describe a wide range of disagreements with Catholic teaching as rooted in harmful ideologies; often with the implication that these are intentionally orchestrated. Cf. John Paul II, *Memory and Identity*, 165 – 166.

[155] John Paul II, *Original Unity of Man and Woman.* (Boston: Saint Paul Books and Media, 1981).

[156] Matthew 19: 3 – 12. Cf. Mark 10: 1 – 10. John Paul II, *Original Unity*, 15, 17, 28, 31, *et al*.

embodied sexuality.[157] The addresses culminate with an indication of Christ's response to contemporary questions concerning marriage and sexuality and a defense of *Humanae vitae*.[158] A subsequent series of addresses began with the Beatitudes, particularly Jesus' teaching on adultery, and moved towards greater considerations of postlapsarian humanity. Again, Genesis remains a critical point of inquiry and the project leads to a defense of *Humanae vitae*; though the second series concludes with considerations of artistic portrayals of the human body.

Following the 1980 Synod of Bishops, John Paul II wrote the apostolic exhortation, *Familiaris consortio*. This he described as "a *summa* of the teaching of the Church on the life, the tasks, the responsibilities, and the mission of marriage and of the family in the world today."[159] *Familiaris consortio* begins by assessing the state of marriage and the family globally. Despite occasional pessimism, John Paul presents contemporary challenges as a mix of positive and negative developments that require careful discernment.[160] The remainder of the comprehensive document clarifies the Catholic Church's understanding of marriage and family and their mission in the world.

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[157] John Paul II interprets the original human as non-gendered prior to the creation of Eve. The original human, Adam becomes male only in relation to the female, Eve. Adam is cast into a deep sleep prior to this differentiation which, John Paul II claims, contains an element of "annihilation." Thus, despite the continuity between the original Adam and the male Adam, and the creation of Eve out of Adam, John Paul II emphasizes that this event suggests a recreation of humanity. The problem of the solitude of the original human is overcome by the creation of new humanity now expressed in the duality of male and female. John Paul II, *Original Unity*, 64ff.

[158] John Paul II, *Original Unity,* 171ff.

[159] Quoted in De Haro, 333.

[160] The positive developments include greater appreciation for individual freedom and attentiveness to interpersonal relationships, support for women's dignity, responsible procreation and education of children, and attention to "the development of interfamily relationships, for reciprocal spiritual and material assistance, the rediscovery of the ecclesial mission proper to the family and its responsibility for the building of a more just society." The negative developments include erroneous conceptions of spousal independence, "the relationship of authority between parents and children," difficulty in

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Numerous significant writings beyond these include John Paul II's encyclicals *Evangelium vitae, Centesimus annus, Sollicitudo rei socialis* and *Laborem exercens*; his apostolic exhortation *Christifideles laici*; his apostolic letters *Mulieris dignitatem* and *Dilecti amici*; and his letters to women, to children, and to families. In addition, John Paul II considered marriage and family in numerous audiences, speeches and homilies, and authored several books.[161]

Although the expansive writings of John Paul II clearly dominate the post-Vatican II era, the CDF also produced significant documents which compliment John Paul II's papal teaching on marriage and family. Notably, the CDF's writings often took on the "dirty work" of clarifying moral prohibitions. Other dicasteries, particularly the Pontifical Council for the Family, contributed to this growing corpus as well. And the United States Catholic Bishops have collectively issued a number of documents on marriage and family. Much of the content repeats or paraphrases teachings already expounded by the Vatican, but the US Bishops make specific contributions by contextualizing the message to an American audience. Finally, John Paul II's successor, Benedict XVI[162] emphasized moral responsibility and the inter-connectivity of society and the human person.[163] For

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transmitting values, divorce, abortion, sterilization, a contraceptive mentality. John Paul II, *Familiaris consortio,* #6.

[161] Many of these are collected in the most recent edition of *Enchiridion on the Family: A Compendium of Church Teaching on the Family and Life Issues from* Vatican. *II to the Present* by the Pontifical Council on the Family. An updated edition was released in 2011 but is not yet available in English

[162] Cardinal Ratzinger's 1986 book, *In the Beginning* considers Genesis and the human condition and is a helpful resource for comparing his thought to that of John Paul II. I have included the first encyclical of Pope Francis I, *Lumen fidei*, which was acknowledged have been largely written by Benedict prior to his retirement.

[163] Like John Paul II, Benedict XVI tended to insinuate that disagreements with Catholic teaching were the result of ideologies; although his concerns centered on relativism, individualism and "absolute freedom." Unlike John Paul II, Benedict XVI articulated a developed environmental ethic which he situated

example, he argued that *Humanae vitae* "indicates the strong links between life ethics and social ethics," and ushered in "a new area of magisterial teaching that has gradually been articulated in a series of documents, most recently John Paul II's Encyclical *Evangelium vitae*."[164]

Sexual Ethics and Marriage

Unlike his predecessor, John Paul II was equipped with an academic training in philosophy and deep interest in sexual ethics, especially in the context of spousal love and the human person. *Love and Responsibility* argues that the sexual urge has both the capacity to develop into love and an orientation towards reproduction. Clashes between this potential and purpose harm love.[165] Instead, morality rests on the "synthesis of nature's purpose with the personalistic norm."[166] The body, with its sexual urge, provides the material for true conjugal love, but also requires respect for the ends to which it is directed. That is, the person must be respected in his or her fullness while the will must

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within his overarching theological project through the phrase "integral human development." Cf. Benedict XVI, *Spei salvi,* Vatican, (November 30, 2007) http://www.Vatican..va/holy_father/benedict_xvi/encyclicals/ documents/hf_ben-xvi_enc_20071130_spe-salvi_en.html, #13 – 16., and Benedict XVI, *Caritas in veritate*, Vatican, (June 29, 2009) http://www.vatican.va/holy_father/benedict_xvi/encyclicals/documents/ hf_ben-xvi_enc_20090629_caritas-in-veritate_en.html, #51.

[164] *Caritas in veritate*, #15.

[165] Wojtyla, *Love and Responsibility*, 53.

[166] Ibid*.,* 67.

govern the passions.[167] Concupiscence is the propensity for this synthesis to go awry; to tend towards lesser ends.[168]

Lust acquires a central importance in *Blessed are the Pure of Heart*'s account of the postlapsarian human, who has become "the man of lust."[169] A primary effect of the fall was that the differentiation between man and woman, particularly in reference to physicality, became a source of shame which persists through the inability of fallen humanity to realize authentic communion or satisfy lust.[170] Thus, the heart "has become a battlefield between love and lust."[171] The great harm caused by this condition, is the capability to objectify and seek possession of other human beings.[172] Nuptial love and lust are incompatible and competing forces.[173] Thus, John Paul II asserts that wrongful desire may lead to adultery even among spouses; the criteria being objectification, not the marital bond. [174]

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[167] Ibid., 128. Likewise, emotions must be controlled lest subjectivism of emotion lead to subjectivism of values which ultimately leads to Utilitarian calculations and Hedonism. Wojtyla, *Love and Responsibility*, 154 – 165.

[168] Ibid., 148. Cf. 159.

[169] John Paul II, *Blessed Are the Pure of Heart* (Boston: Pauline Books & Media, 1988), 36.

[170] Ibid., 57, 63 – 65, *et al*. John Paul II acknowledges that lust seems associated primarily with the male, but asserts that the consequent shame is experienced deeply by both genders, though differently. John Paul II, *Blessed are the Pure of Heart*, 69.

[171] Ibid., 75.

[172] Ibid., 79. "When we state that 'lust,' when compared with the original mutual attraction of masculinity and femininity represents a 'reduction,' we have in mind an intentional 'reduction,' almost a restriction of closing down of the horizon of mind and heart. In fact, it is one thing to be conscious that the value of sex is part of all the rich storehouse of values with which the female appears to the man; it is another to 'reduce' all the personal riches of femininity to that single value, that is, of sex, as a suitable object of the gratification of sexuality itself." John Paul II, *Blessed Are the Pure of Heart*, 126.

[173] Ibid., 75.

[174] Ibid., 110.

Reflecting this earlier thought, *Familiaris consortio*, argues that conjugal love requires a total self-giving, both spiritually and physically, as any reservation makes such giving a lie.[175] John Paul II's successor, Benedict XVI also located the foundations of marriage in Genesis. But as he was more conversant with Greek philosophy and Patristic theology, the place of John Paul II's "sexual urge" is largely assumed by "*eros*." Because the latter is a multivalent term, Benedict's development added ambiguity to the role of desire in human sexuality.[176]

According to John Paul II's anthropology, the human body has a "nuptial meaning" which finds it proper expression in marriage where sexual intercourse may speak to the fullness of the human person as both subject and gift.[177] True conjugal love requires a conscious decision to "participate in the whole natural order of existence" through begetting children.[178] John Paul II describes procreation as the "greatest possible gift" and laments that conception is often needlessly thwarted in the contemporary world.[179] Especially in wealthy countries, married couples are deprived of "the generosity

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[175] *Familiaris consortio*, #11.

[176] Benedict XVI, *Deus caritas est,* Vatican, (December 25, 2005) http://www.vatican.va/holy_father/ benedict_xvi/encyclicals/documents/hf_ben-xvi_enc_20051225_deus-caritas-est_en.html, #11.

[177] John Paul II does consider children directly, but views them as the product of the two-in-one sexual act, not the direct object of the metaphor. He does imply that a spiritual unity is also being suggested, but his method is to hold the spiritual and bodily closely together so that the latter speaks the language of the former. Therefore his considerations are routed through the physical act by which a spiritual reality is being expressed.

[178] Wojtyla, *Love and Responsibility,* 53.

[179] *Familiaris consortio*, #14. Here it may be asked whether life or faith is really conceived of as the greatest gift. Traditionally the value of life is held very high, but relativized in light of faith. This is most dramatically evidenced by traditional reverence for martyrs and more subtly through balancing procreation and education. On the other hand, life is the condition for faith and in a sense holds a natural, but not ultimate primacy.

and courage needed for raising up new human life: thus life is often perceived not as a blessing, but as a danger from which to defend oneself."[180]

Familiaris consortio provides an extensive review and defense of *Humanae vitae*. Here John Paul II declares that artificial contraception and Natural Family Planning (NFP) embody "two irreconcilable concepts of the human person and of human sexuality."[181] Only NFP encourages actions and dispositions compatible with the church's vision of marriage. Therefore, "husbands and wives should first of all recognize clearly the teaching of *Humanae vitae* as indicating the norm for the exercise of their sexuality" then they should seek the means to observe this norm.[182]

Two decades earlier, Wojtyla had argued that "Sexual relations between a man and a woman in marriage have their full value as a union of persons only when they go with conscious acceptance of the possibility of parenthood."[183] If the possibility of parenthood is rejected, especially by interference with the "naturalness" of the sexual act, the entire sexual act is reduced to mere pleasure seeking; that is, the greatness of nuptial love becomes mere lust.[184]

In spite of *Familiaris consortio*'s support for NFP, John Paul II was suspicious of all methods of regulating birth. At least two reasons underlie his apprehension. First, as had Paul VI, John Paul II viewed birth regulation as serious moral decision fraught with

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[180] Ibid., #6.

[181] Ibid., #32.

[182] Ibid., #35.

[183] Wojtyla, *Love and Responsibility,* 227.

[184] Ibid., 235 and 239.

potential for error. Had Catholicism remained content with the physicalism of earlier times, distinctions in method would have retained clear ethical implications. But with the embrace of personalism, even the best method could be put to sinful use. Second, John Paul II's early opposition to contraception did not seamlessly ally with later developments in NFP. Unlike some bishops of the 1960s, Wojtyla recognized the legitimacy of the need for family planning and did not believe a specifically procreative intent was required of licit sexual acts. Yet his rejection of contraception was directed against acts which make pregnancy impossible or virtually impossible. Thus, he initially supported NFP specifically for its fallibility.[185] Though he would later advocate for scientific assistance in perfecting the method, this required development in his reasons for supporting NFP.

Like John Paul II, Benedict XVI, saw artificial contraception as feeding numerous global social ills and *Caritas in veritate* specifically implicated artificial contraception within modern societies' destructive "anti-birth mentality."[186] In response to the problems of forced contraception, sterilization and abortion in international aid, as well as the spread of an "anti-birth" mentality, he wrote, "*Openness to life is at the centre of true*

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[185] The mention of "Onanism" is a better source of physicalist criticism in Wojtyla. *Love and Responsibility* repeats the traditional identification of *coitus interruptus* with sin after scholarly consensus had shifted to judging the act as merely the means by which Onan committed his real sin of disobedience; a perspective shared by scholars at the Papal Birth Control Commission.

[186] *Caritas in veritate,* #2, 28.

development."[187] Elsewhere Benedict XVI argued that an absolute witness against artificial birth control is "crucial for humanity's future."[188]

Though John Paul II's approach to sexual ethics is remarkably innovative, it was nevertheless closely connected with Paul VI's moral reasoning. John Paul II continued and in some ways intensified the link between specific negative moral norms and magisterial authority; a controversy largely centered on *Humanae vitae*.[189] This became most explicit in John Paul II's encyclical on fundamental moral theology, *Veritatis splendor*, which defended both absolute negative moral norms and the magisterial authority to clarify these.[190] Throughout John Paul II's lengthy papacy, the CDF produced documents in support of this trend, while individual bishops and national bishops' conferences became increasingly differential to papal prerogatives.[191]

For John Paul II, ethical sexual expression requires marriage because it is the only context that allows and safeguards the total offering required.[192] Citing *Humanae vitae*, *Familiaris consortio* recalls that marriage is directed towards the total unity of heart and

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[187] Ibid., #28, Cf. #44.

[188] Benedict XVI, "The Human Person, The Heart of Peace," Vatican, (January 1, 2007) http://www.vatican.va/holy_father/benedict_xvi/messages/peace/documents/hf_ben-xvi_mes_20061208_xl-world-day-peace_en.html, #1.

[189] Citing *Humanae vitae* #6, Charles Curran concludes, "Thus, the encyclical itself manifestly makes clear that it is primarily the teaching authority of the Church that makes artificial contraception morally wrong. Curran, *The Development of Moral Theology,* 131.

[190] *Veritatis splendor,* #56.

[191] Curran, *The Development of Moral Theology*, 273.

[192] *Familiaris consortio*, #11.

soul, demands fidelity and indissolubility, and is open to procreation. Correspondingly, it identifies selfishness as a primary cause of marital troubles.[193] *Familiaris consortio* also contrasts support for life against contra-life mentalities; which indicate God's absence and are driven by fear and selfishness. This culminates in a reaffirmation of opposition to contraception, sterilization and abortion; especially when political power is involved.[194]

Unlike earlier eras, *Familiaris consortio*'s primary analogue for the love of spouses is God's love for humanity. This is expressed first by the Hebrew Scriptures' use of nuptial language to describe the covenant, second by the love of Christ for his followers, and third by the bond of Christ and the Church.[195] *Familiaris consortio* describes the fundamental task of marriage as communicating love. Four additional tasks of marriage are related to this; to form a community of persons, serve life, build society, and share in the Church.[196]

The fruits of the sacramental grace of marriage ascend to a more prominent place in John Paul II's thought than in earlier teachings. In particular, this attention clarifies the origins of the parental capacity to provide religious education. Through the grace of sacramental marriage couples become participants in and witnesses to salvation equipped to mentor and guide others.[197] Although the basic capability to educate children remains rooted in biological procreation, recalling Aquinas, the duty to educate is described as

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[193] Ibid., #9.

[194] Ibid., #30.

[195] Although these may simply be presented in historical order, the order is rather striking. *Familiaris consortio,* 13.

[196] Ibid., 17.

[197] Ibid., #5.

fortified by matrimony in which it becomes a 'ministry.'[198] For John Paul II, procreation is conceptually bound to education because the true expression of conjugal love entails not only openness to procreation, but preparedness to accept a new human life and ensure the child's full physical and spiritual development.[199]

This period again recognizes the primary authority of spouses in planning the number and spacing of their children, while setting the context for such decisions within the teaching of *Humae vitae*.[200] As in earlier times, the choice to have more children is described as generous. A decision not to have a child, or more children, falls under suspicion of faithless fear and selfishness while the means to achieve that end are morally precarious. John Paul II made the point quite explicitly; "the church encourages couples to be generous and hopeful, to realize that parenthood is a privilege in that each child bears witness to the couple's own love for each other, to their generosity and to their openness to God."[201] The US Bishops repeated this association of procreation with the virtues of gratitude and openness while adding that these both make a marriage fit for children and allow people to respect life and reach out to the poor.[202] In as much as this makes virtuous generosity a precondition for willful procreation, the link between spousal virtue and number of children remained strong.

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[198] Ibid., #38.

[199] "It is here that the full productive power of love between two persons, man and woman, is concentrated, in the work of rearing new persons." Karol Wojtyla, *Love and Responsibility*, 56.

[200] *Familiaris consortio,* #30. Cf. *Caritas in veritate*., #4.44. Cf. #1.15.

[201] Quoted in De Haro, 395.

[202] United States Conference of Catholic Bishops, "Marriage, Love and Life in the Divine Plan," USCCB, (November 17, 2009) www.usccb.org/issues-and-action/marriage-and-family/marriage/love-and-life, 52.

Throughout this era there was an increasing concern for "false alternatives" to the "irreplaceable value of the family based on marriage."[203] These primarily included various forms of cohabitation, same-sex relationships, and civil unions which all lack the social commitments of marriage. There non-marital sexual partnerships are each considered harmful in themselves even as they also undermine the true meaning of marriage. When persons inhabiting these marriage alternatives seek legal protection or the right to adopt children they become cause for particular alarm.[204] Same-sex relationships, in particular, are a "deplorable distortion of what should be a communion of love and life between a man and a woman in a reciprocal gift open to life."[205] One document from the Vatican protests,

> It is in no way acceptable for children to be subjected, forced and basically obliged to undergo the discrimination of being entrusted to such unions made up of their very lives. Impeding them from being part of a family – in the proper and original sense – involves serious, negative and even irreparable consequences for [these children].[206]

Gender and Family Structure

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[203] John Paul II, "The Paternity of God and Paternity in the Family," in *Enchiridion on the Family: A Compendium of Church Teaching on Family and Life Issues from* Vatican. *II to the Present.* Ed. Pontifical Council for the Family (Boston: Pauline Books and Media, 2004), 867.

[204] See, Pontifical Council for the Family, "Family, Marriage and 'De Facto' Unions," Vatican, (November 9, 2000) http://www.vatican.va/roman_curia/pontifical_councils/family/documents/rc_pc_family _doc_20001109_de-facto-unions_en.html, #23.

[205] John Paul II, "The Paternity of God and Paternity in the Family," in *Enchiridion on the Family*, 868.

[206] International Symposium on Adoption, "The Rights of Children," in *Enchiridion on the Family*, 935.

John Paul II directed attention to the human meaning of sexual difference in a manner distinct from his predecessors.[207] This was influenced both by the creativity of his moral theology as well as changing gender roles in Western society. Preceding periods attest to a rejection, then a progressive albeit cautious, acceptance of women's place in the social sphere. This progression was fueled largely by recognition of the importance of equal social rights and non-hierarchical spousal partnerships. John Paul II, however, is concerned to articulate why and how sexual differentiation still matters in a world where the fluidity and cultural construction of gender roles has become widely recognized. Such theoretical developments are not seen as stemming from basic human dignity, but from an ideology of "gender" being promoted on a global scale.[208] In response, John Paul II upholds a set of universal and fundamental human attributes, especially related to human desires and capacities, while arguing strongly for essentialist gender differentiation and its implications for the individual and social good. [209] These implications are reified by the essentially exclusive yet complimentarily concepts "masculinity" and "femininity"; each of which embodies a range of assertions. For John Paul II masculinity and femininity are "two ways of 'being a body'" that speak to and complete each other.[210]

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[207] The differentiation between sex and gender is important in modern scholarship. This is blurred by John Paul II's argument that the biological given (sex) is directed towards a right understanding of gender.

[208] "As an effect of the lack of truth and respect for the natural law, interpretations are growing of 'gender' whereby sexual identity is attributed to social and cultural factors." Presidents of the Episcopal Commissions for the Family, "The Family: Gift and Commitment, Hope for Humanity" in *Enchiridion on the Family*, 1028.

[209] For example, it is the common humanity shared between man and woman that creates the possibility for the sexual urge to develop into love, on the other hand this love presupposes sexual difference. Wojtyla, *Love and Responsibility,* 49 and 237.

[210] John Paul II, *Original Unity of Man and Woman*, 62.

They are dual incarnations of humanity, both in the image of God, but distinct.[211] And

they are complementary such that each, in a sense "finds itself" in the other.[212]

At the same time, women occupy a unique place of concern in John Paul II's

thought. He was the first pope to address an apostolic letter directly to women, he

repeatedly affirmed women's essential dignity and equality with men, he rebuked the

objectification of women, and he was even conversant to some extent with feminist

scholarship.[213] Yet, John Paul II also strongly supported distinction in gendered

vocations. Like his predecessors, he contended that authentic respect for equality must

not obscure the basic reality of gendered difference.[214] Although John Paul II embraced a

somewhat larger vision of women's social and economic participation than many of his

forebears, women remained characterized by an essential femininity conceptually bound

to passive receptivity and motherhood.[215] The vocation of women to being wives and

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[211] John Paul II, *Original Unity of Man and Woman*, 79, Cf. 23, 63, *et al.* John Paul II also taught that together man and woman are the image of God, an idea earlier expressed by Paul VI. Paul VI, "Pope Paul VI to the Teams of Our Lady" in *Why* Humanae Vitae *was Right*, 89.

[212] John Paul II, *Original Unity of Man and Woman*, 62, *et al.* John Paul II's concern is to emphasize the theological significance of bodily existence which manifests itself in the forms of male and female. These reflections do not directly consider social gender roles; although a view of women's fundamental vocation as motherhood may be inferred. Throughout, John Paul II shows some hostility towards the sciences. His most explicit objection is to the reductionist anthropologies that over-reliance on these disciplines can produce. This is consistent with Paul VI's criticism of "scientism." Yet John Paul II also expresses hesitations with such things as evolutionary theory and suggests theology's superiority in potential conflicts.

[213] *Familiaris consortio,* #22 and 25.

[214] Ibid., #24. This indicates that John Paul II distinguished motherhood and fatherhood as essentially different. Parenthood, in this conception, is more the overlap than the source of motherhood and fatherhood. Interestingly, John Paul II leaves room for cultures and customs to dictate how women's equality and participation in social life is expressed.

[215] Earlier he had suggested that gendered attributes extend into the sexual act where women, by "the very nature of the act" are the "comparatively passive partner, whose function is to accept and to experience… it is enough for her to be passive and unresisting." Wojtyla, *Love and Responsibility,* 271.

mothers is women's "main" and "irreplaceable role" which corresponds to "the very essence of her womanhood."[216] In the social arena, John Paul II argued for the importance of including women and women's perspectives as sources of reform.[217] Still the "fundamental contribution" of women to society is conditioned by their experience of motherhood in which they accept and love life for its own sake.[218]

In the labor force, Women have a legitimate place but this employment must give due regard for women's roles as wives and mothers if social advancement is to be "truly and fully human."[219] John Paul II consistently repudiated social structures that compel married women to enter the workforce and viewed occupations that can be undertaken from the home as particularly appropriate.[220] He also urged deeper study of the relationship between work and family.[221] Notably, there is a relative absence of corresponding calls to study *men's* relation to work and home. And John Paul II suggested that respect for domestic labor, the education of children, may rightly lead to societies providing "family allowances or the remuneration of the work in the home."[222]

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[216] John Paul II, "Woman, Spouse and Mother, in the Family and in Society," in *Enchiridion on the Family*, 854.

[217] *Familiaris consortio*, #23.

[218] John Paul II, *Evangelium vitae,* Vatican. (March 25, 1995) http://www.vatican.va/holy_father/john_paul_ii/encyclicals/documents/hf_jp-ii_enc_25031995_evangelium-vitae_en.html, #99.

[219] *Familiaris consortio*, #23. "*Familiaris consortio* then shows, in confronting a vulgar but very widespread error, that the promotion of the dignity of women would be false were it to compromise her specific role within the family." De Haro, 353.

[220] *Familiaris consortio*, #24. This is a revision to his earlier thought, in which the opportunity of employment outside the home itself was considered problematic. Wojtyla, *Love and Responsibility,* 238.

[221] *Familiaris consortio*, #24

[222] Pontifical Council for the Family, "Charter on the Rights of the Family," Vatican, (October 22, 1983) http://www.vatican.va/roman_curia/pontifical_councils/family/documents/rc_pc_family_doc_19831022_ family-rights_en.html, #10.b. "While speaking about employment in reference to the family, it is appropriate to emphasize how important and burdensome is *the work women do within the family unit:*

Benedict XVI's direct attention to women is not comparable to John Paul II's. Yet, he also upheld the importance of respect for human dignity and decried the violence done against women in situations where they are "still firmly subordinated to the arbitrary decisions of men, with grave consequences for their personal dignity and for the exercise of their fundamental freedoms."[223] Furthermore, he argued that women's employment should be freely chosen and effective in meeting the economic needs of families.[224]

Likewise, the US Bishops view unequal pay for women as a major source of injustice which, along with over-involvement in the workforce by either or both parents, has negative consequences for children.[225] As in Vatican documents, mothers' inability to provide fulltime care for young children is seen as particularly problematic.[226]

Consistent calls for a 'family wage' trace back to Leo XIII and appear to function as the male corollary to concern for women in the workforce. Despite, and perhaps in opposition to, significant social change, the post-conciliar era has remained largely committed to an ideal of the male single-earner household. This dichotomy is muted somewhat in the writings of the US bishops where blame is spread more generally to

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that work should be acknowledged and deeply appreciated. The 'toil' of a woman who, having given birth to a child, nourishes and cares for that child and devotes herself to its upbringing, particularly in the early years, is so great as to be comparable to any professional work." John Paul II, "Letter to Families," Vatican, (February 2, 1994) http://www.vatican.va/holy_father/john_paul_ii/letters/documents/hf_jp-ii_let_02021994_families_en.html, #17.

[223] "The Human Person, The Heart of Peace," #7.

[224] *Caritas in veritate*, #63.

[225] USCC, "Putting Children and Families First: a Challenge for Our Church, Nation and World," Priests for Life, (November, 1986) http://www.priestsforlife.org/ magisterium/bishops/91-11 puttingchildrenandfamiliesfirstuscc.htm, II.A., VI.

[226] Ibid., VI.B.4.

American society's failure respect the importance of childcare while spouses are forced to negotiate the difficult balance between work and family.[227]

For John Paul II, the family is a community founded upon the bond of spouses which is rooted in their natural complementarity.[228] This view of gender's significance results in an emphasis on family structure. *Familiaris consortio* begins with structural and conceptual aspects of the family and moves to considerations of function. Just as the physical act and the personalist significance are linked in his sexual ethics, so too are essential aspects of the family required to fulfill its human purpose. For John Paul II, the private nuclear family is no historic accident; it is the necessary outcome of theological reflection on the meaning of the family.[229] In this, the Holy Family is paradigmatic, though he clearly interprets the Holy Family through a post-industrial ideal.[230] Although John Paul II's basic criterion for the family appears to include only the biological parental and sibling relationships, John Paul II's occasional inclusion of grandparents and the extended family is significant even if relatively undeveloped. Each of these are clearly presented favorably, especially as aids to the nuclear family, but are also directed to

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[227] NCCB, "Economic Justice for All: Pastoral Letter on Catholic Social Teaching and the U.S. Economy," USCCB, (November, 1986) http://www.usccb.org/upload/ economic_justice_for_all.pdf, #147 and 335.

[228] *Familiaris consortio,* #19. Here polygamy is identified as a radical contradiction to the equality of spouses in the partnership of marriage.

[229] Wojtyla's ideal vision of the family is explicit in *Love and Responsibility*'s lament that the family's "old traditional form – the large family relying on the father as the breadwinner, and sustained internally by the mother, the heart of the family – has reached a state of crisis." Wojtyla, *Love and Responsibility,* 238.

[230] John Paul II, *Arise Let Us Be on our Way.* (New York: Warner Books, 2004), 138.

respect the privacy of the nuclear family and its members.[231] The inclusion of

grandparents is connected to a concerted effort in John Paul II's papacy to consider the

needs of the elderly in relation to family life. This includes common living, or when not

possible, frequent visitation and contact.[232] Unfortunately, Benedict XVI did not employ

his well-developed notion of spiritual kinship to further develop this trajectory.[233] The US

Bishops, however, take great account of the extended family and family networks, most

notably as these have beneficial potential for cooperative childrearing.[234]

Throughout this period, an essentialist theory of gender persists even as social

roles for women are extended in comparison to earlier teaching. At the same time,

hierarchical images of family structure subside in favor or language of mutuality between

spouses. Continuing commitment to gender essentialism becomes most evident in the

rising importance of the idea of complementarity. The magisterial defense of the validity

of marriages of infertile couples and rejection of same-sex partnerships offers a useful

reference point for understanding the importance of complementary in the family.

Magisterial affirmations of the validity of marriages of the infertile are seldom

supported by theological argument and usually arise as tangential topics within larger

arguments. John Paul II teaches that infertility does not devalue marriage; instead, it

affords the opportunity to serve life in other ways, including "adoption, various forms of

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[231] *Familiaris consortio*, #27. And, Pontifical Council for the Family, "Charter of the Rights of the Family," #6.C.

[232] John Paul II, "The Rights of the Elderly and the Family," in *Enchiridion on the Family*, 927.

[233] *Deus caritas est*, #14.

[234] USCCB, "Follow the Way of Love."

educational work, and assistance to other families and to poor or handicapped children."[235] And John Paul II presents marriage and family as distinctly different, but related realities. Marriage is an institution of self-giving between a man and a woman. Family is a society created by the birth of a child. Both are founded in love and the former rightfully and naturally leads to the latter. But marriage precedes and is not absorbed by the formation of a family.[236] Therefore, the dignity and value of marriage is not contingent upon the creation of a family and marital sexual acts remain licit even apart from the possibility of biological procreation. Infertility becomes the focus of moral concern primarily as it may dispose couple's towards unethical forms of reproductive technologies.[237]

Unlike biologically childless marriages, homosexual relationships occupy a central moral concern of three pertinent documents issued by the CDF under John Paul II. Throughout this period, the moral question took on new dimensions as family formation by same-sex partners became a growing public phenomenon.

In 1986, "Letter to the Bishops of the Catholic Church on the Pastoral Care of Homosexual Persons" sought to clarify *Persona humana*'s judgment on homogenital

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[235] *Familiaris consortio,* #14. Cf. Canon 1084.3. While he is attempting to uphold adoption as good, putting it in this undifferentiated list, seems to devalue adoption in comparison to biological parenthood. In particular, the inclusion of education implies a lesser quality as biological parents are asserted to be the primary educators of their children. It is also unclear if these ways of fulfilling the procreative purpose of marriage are available to fertile spouses. De Haro interprets these as substitute means specifically for the infertile. De Haro, 347.

[236] "The family is an institution created by procreation within the framework of marriage." Wojtyla, *Love and Responsibility,* 242, Cf. 217.

[237] Cf. *Donum vitae,* #8.

acts; particularly in response to perceived laxist pastoral applications.[238] Its most

significant claim is that, although the homosexual inclination itself is not a sin, "it is a

more or less strong tendency ordered toward an intrinsic moral evil; and thus *the*

inclination itself must be seen as an objective disorder."[239] This is supported by the claim

that creation displays a clear, God-given complementarity.[240]

In 1992, "Some Considerations Concerning the Response to Legislative Proposals

on the Non-Discrimination of Homosexual Persons" followed a similar method to assert

that sexual orientation cannot be considered as a form human diversity protected from

discrimination; akin to race or gender. Instead, anyone who has made his or her

homosexuality a matter of public knowledge implies a willingness to engage in

homogenital acts and may rightly be subject to discrimination in areas such as

employment and housing.[241]

"Considerations Regarding Proposals to give Legal Recognitions to Unions

between Homosexual Persons" of 2003 argues that, because procreation is impossible for

homosexual couples, they cannot contribute in a proper way to the survival of the human

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[238] Sacred Congregation for the Doctrine of the Faith, *Letter to the Bishops of the Catholic Church on the Pastoral Care of Homosexual Persons,* (Washington D.C.: United States Catholic Conference, 1986), #2.

[239] Ibid. #3. italics added

[240] Genesis 19, the story of Sodom, is recalled to assert that "there can be no doubt of the moral judgment made there against homosexual relations." This assertion has not been repeated in subsequent documents, but the repetition of a traditional claim despite evidence against its accuracy is reminiscent of *Love and Responsibility's* reference to Onanism. *Letter to the Bishops*, #6.

[241] Sacred Congregation for the Doctrine of the Faith, "Some Considerations Concerning the Response to Legislative Proposals on the Non-Discrimination of Homosexual Persons," Vatican, (July 22, 1992) http://www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfaith_doc_19920724_homosexual-persons_en.html, #14.

race. And, because same-sex partnerships lack sexual complementarity, adoption cannot

be allowed as this absence would cause developmental problems for the children.[242]

Because of this, "Not even in a remote analogous sense do homosexual unions fulfil [sic]

the purpose for which marriage and family deserve specific categorical recognition."

Instead, legal recognition of same-sex unions poses an inherent threat to heterosexual

marriage, children, and society.[243]

These differentiated responses to infertility in heterosexual marriages and to

same-sex partnerships reveal a single factor as paramount; via the significance of sexual

complementarity, the former can bear witness to authentic plan for the family while the

latter cannot.

Children, Family and Parenthood

Familiaris consortio describes parents as "heralds of the Gospel" for their

children who fulfill their vocation as both physical and spiritual progenitors.[244] Parental

authority is described as both "unrenounceable" and a "true and proper 'ministry.'"[245]

Concerning the evangelical tasks of parenthood, John Paul II posits much more common

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[242] CDF, "Considerations Regarding Proposals to Give Legal Recognitions to Unions between Homosexual Persons," Vatican, (June 3, 2003) http://www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfaith_doc_20030731_homosexual-unions_en.html, #7.

[243] The Pontifical Council for the Family had presented the same set of arguments against same-sex partnerships being likened to marriage. First, they are not procreative. Second, they cannot express interpersonal complementarity. And third, they are "'a deplorable distortion of what should be a communion of love and life between a man and a woman in a reciprocal gift open to life'." Pontifical Council for the Family, "Family, Marriage and 'De Facto' Unions", #23.

[244] *Familiaris consortio*, #39.

[245] Ibid*.,* #21.

ground between male and female experiences than in other tasks.[246] Yet, John Paul II also

stresses differences in these vocations; frequently using 'fatherhood and motherhood' in

place of general references to 'parenthood.'[247]

In his early work, Wojtyla discerned a basic asymmetry in male and female

experiences of parenthood. Women are powerfully and instinctually driven towards

desiring child. Men have to cultivate paternal feelings as they tend to lack this drive and

do not share the physical experience of pregnancy.[248] These observations are confirmed

by John Paul II's preferred theological analogues. He had a strong devotion to Mary, and,

especially in *Mulieris dignitatem*, presents her as the model for motherhood and

femininity.[249] On the other hand, John Paul II's apostolic exhortation dedicated to St.

Joseph, *Redemptoris custos*, linked Jesus' use of '*Abba*' to the significance of the

vocation of fatherhood.[250] God, St. Joseph, priesthood, and fatherhood are all closely

associated in John Paul II's conception of masculinity. Earthly fatherhood is identified as

an imitation of "the very fatherhood of God."[251] Yet, *Familiaris consortio* also names the

replication of God's fatherhood as a function of parenthood generally. As such, John Paul

II's thought includes some flexibility in gendered motifs, though his insistence on the

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[246] *Catechesis tradendae*, #42. Cf. *Love and Responsibility,* 260 ff.

[247] *Familiaris consortio,* #14, 15, et al.

[248] Wojtyla, *Love and Responsibility*, 259.

[249] See Lisa Sowle Cahill, "Notes on Moral Theology: 1989; Feminist Ethics," *Theological Studies* 51 (1990), 58.

[250] John Paul II, *Arise Let Us Be on our Way,* 139 ff.

[251] *Familiaris consortio*, #25. Cf. *Redemptor custos*, Chapter 4.

essential differences between the parental roles of motherhood and fatherhood is often more prevalent.[252]

In the daily activities of parenthood, John Paul II assumes and supports gendered differentiations. He argues for the importance of women's role in nurturing children, and gives no indication that a father might also fulfill this task.[253] The duties of fatherhood relate to men's economic contributions, loving one's wife and children, and involvement in the life of the family.[254] Thus, fathers are more than income earners, but generally play a secondary role in childrearing. Fatherhood is also frequently associated with education, though the task is properly shared by both parents.[255] And, although hierarchical language was largely avoided at Vatican II, *Laborem exercens* once again identifies men as the "head" of the household.[256]

Like John Paul II, the US Bishops urge fathers to take a greater role in their family's lives, particularly around the task of education. Distinctively, they acknowledge fathers' capability to nurture their children and identify growing awareness of this as a hopeful and beneficial trend.[257]

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[252] *Familiaris consortio*, #41. Cf. "Conclusions of the Congress on 'Paternity of God and Paternity in the Family'" in *Enchiridion on the Family*, 1220ff.

[253] *Familiaris consortio*, #66.

[254] John Paul II, "Letter to Families," #16.

[255] *Familiaris consortio*, #25. Cf. *Mulieris dignitatem*, The Code of Canon Law gives a broad articulation of the realms of the education; "Parents have the most grave duty and the primary right to take care as best they can for the physical, social, cultural, moral and religious education of their offspring." Canon 1136.

[256] John Paul II, *Laborem Exercens,* #19.

[257] USCCB, "Follow the Way of Love."

Considering the mutual task of education, John Paul II teaches that love

conditions this obligation and perfects parenthood's "service to life." The love of parents

is "the animating principle and therefore the norm inspiring and guiding all concrete

educational activity, enriching it with the values of kindness, constancy, goodness,

service, disinterestedness and self-sacrifice that are the most precious fruit of love."[258]

Further, *Familiaris consortio* encourages parents to educate in ways that reduce

materialism and emphasize the goodness of the human person.[259] Additionally, parents

are encouraged to acknowledge the educational value of their actions and expressions of

love.[260]

Consistent with earlier eras, both John Paul II and Benedict XVI link biological

procreation to generosity and favor large families.[261] Yet, in *Love and Responsibility,*

Wojtyla had gone beyond mere preference to suggest that families require a certain

number of children to be true families at all. His rational is based on the idea that the

family is a society wherein peer relationships are essential. Wojtyla is doubtful as to if

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[258] *Familiaris consortio*, #36.

[259] Sex education is described as the prerogative of parents who have the right to dictate how and when it is given. Such education should be done in light of the Church's teaching of sexual expression as a fully human act. *Familiaris consortio, #*37. In 1995, The Pontifical Council for the Family released "The Truth and Meaning of Human Sexuality; Guidelines for Education within the Family", a document that offers guidelines for domestic sexual education.

[260] *Familiaris consortio,#* 37. Cf. USCC, "Putting Children and Families First," IV.

[261] *Evangelium vitae*, #59., Cf. Pontifical Council for the Family, "Charter of the Rights of the Family", #3.c., *et al*. Under John Paul II and Benedict XVI the magisterium began to rebut concerns over demographic growth. The 1998 document "On the Decrease of Fertility in the World" argues that falling fertility rates are a cause of global concern. In this response, concerns of overpopulation are often linked to harmful and destructive ideologies. See Pontifical Council for the Family "On the Decrease of Fertility in the World," in *Enchiridion on the Family*, 1037.

only a single child or two children could truly constitute a family, because the family

must arise "within the framework of a community of children, a collective of siblings."[262]

As pope, John Paul II argued that parents ought to remind themselves that it is "certainly

less serious to deny their children certain comforts or material advantages than to deprive

them of the presence of brothers and sisters, who could help them to grow in humanity to

realize the beauty of life and all its ages and all its variety."[263] Relatedly, Benedict XVI

questioned if small families could be beneficial for society. Such families, he wrote, "run

the risk of impoverishing social relations, and failing to ensure effective forms of

solidarity."[264]

The admonition to "serve life" is an often repeated mutual task. Procreation and

education are the "most immediate, specific and irreplaceable" meanings of this good. It

is not entirely clear how a true family might be formed aside from biological procreation

as the procreative act is centralized and biological kinship is assumed. John Paul II

acknowledges the superiority of spiritual bonds, yet within the family these deepen and

enrich "the natural bonds of flesh and blood."[265] Still a potential avenue is presented,

though undeveloped, in the assertion that serving life may take forms beyond biological

procreation.[266] John Paul II contends that, because all people are children of God, the

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[262] Wojtyla, *Love and Responsibility,* 242.

[263] Quoted in De Haro, 395.

[264] *Caritas in veritate*, #44. Economic hardship is also frequently linked to falling birth rates. Cf. Presidents of the Episcopal Commissions for the Family, "The Family: Gift and Commitment, Hope for Humanity" in *Enchiridion on the Family*, 1027.

[265] *Familiaris consortio,* #21.

[266] Ibid., #41.

bounds of the family rightfully extend to universal concern for children in need. Families

may serve life by their willingness to "adopt and foster children who have lost their

parents or have been abandoned by them." This benefits children, who rediscover the

"warmth and affection of a family," as well as the family, via its expansion.[267] Elsewhere,

John Paul II writes, "True parental love is ready to go beyond the bounds of flesh and

blood in order to accept children from other families, offering them whatever is necessary

for their well-being and full development."[268] But these recognitions of a deeper meaning

of serving life are clearly secondary to the repeated emphasis on biological

procreation.[269]

John Paul II never tired of emphasizing the importance of the family. In the

concluding remarks of *Familiaris consortio* he writes simply, "*The future of humanity

passes by way of the family.*"[270] Later, he taught that the family is both the source of a

person's individuality and every individual's "existential horizon."[271] Considering the

social dimensions of family life, John Paul II upheld the family as a powerful resource for

overcoming social ills and transforming society. This obligation is expressed in raising

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[267] Ibid. John Paul II also praises adoption in *Evangelium vitae,* #63 as do the US Bishops in "Follow the Way of Love"

[268] Families with economic advantages are encouraged to "adopt" whole families through economic support. This alleviates a difficulty John Paul II clearly associates with adoption; family break-up. "Among the various forms of adoption, consideration should be given to adoption-at-a-distance, preferable in cases where the only reason for giving up the child is the extreme poverty of the child's family. See, *Evangelium vitae*, #93.

[269] John Paul II, "Letter to Families," #12.

[270] *Familiaris consortio*, #86.

[271] John Paul II, "Letter to Families," #2.

children properly, but also through hospitality and political engagement.[272] Moreover, John Paul II displayed unique concern for children.[273] Children are the "crowning" of marriage and the "living reflection" of their parents' love. Children are a "permanent sign of conjugal unity and a living and inseparable synthesis" of their mother and father.[274]

John Paul frequently emphasized the need to respect the full human dignity of children.[275] He urged parents to see their children as ends in themselves, willed by God for their own sake. John Paul II also taught that children have a right to be the result of a sexual act between loving spouses and to be desired and respected from conception.[276] And he argued that children are to be respected as individuals and understood as gifts from God such that no one can claim a positive right to a child.[277] Orphans or children who are deprived of the assistance of their parents or guardians must receive particular protection on the part of society. The State, with regard to foster-care or adoption, must provide legislation which assists suitable families to welcome into their homes children who are in need of permanent or temporary care while also respecting the natural rights of parents.[278]

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[272] *Familiaris consortio*, #43 – 44.

[273] Throughout his papacy, John Paul II was a committed to articulating and defending the rights of children. See, International Symposium on Adoption, "The Rights of Children," in *Enchiridion on the Family,* 935.

[274] *Familiaris consortio,* #14., Cf. Catechism of the Catholic Church, 1652.

[275] John Paul II, "Letter to Families," #15.

[276] Cf. *Donum vitae*, #8.

[277] *Donum vitae*, #8.

[278] Pontifical Council for the Family, "Charter of the Rights of the Family," #4ff.

Within the US context, the bishops encouraged inclusive forms of familial decision making. Citing St. Benedict, they write, "the abbot is to consult with all members of the monastery, even the youngest (who often were children), when their lives were likely to be affected. Rather than undermining authority, this strengthens it in love."[279]

Conclusions

Clearly John Paul II's influence on post-conciliar magisterial teaching on marriage and the family is monumental. The major marks of his contributions are his articulations of the meaning and significance of gendered human embodiment, a personalist ethics that holds spiritual and bodily existence closely together, and a strident opposition to contraception, abortion, and homosexual partnerships. He also developed numerous aspects of Catholic teaching which includes a limited recognition of the good of adoption and the importance of bonds beyond the nuclear family.

Aside from specific teachings, John Paul II's thought is significant for the original the manner in which he framed questions of morality. Several oppositional dichotomies underlie his thought, including nuptial love and lust, respect and objectification, and the sexual urge and the will. These and other categories give John Paul II's thought a propensity for dualism which often reduces the complexity of human experience to stark contrasts between good and evil.[280] For example, if a sex act is not open to the possibility

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[279] USCCB, "Follow the Way of Love."

[280] "In the pre-papal writings, Wojtyla posits a distinctly hierarchical relationship between body and person; in the papal theological reflections, John Paul II *identifies* the body with the person. Yet, at certain places and the people writings, one still detects an echo of this previous way of thinking which seems to exist in tension with his new, more holistic view of the person" Jennifer Bader, "Engaging the Struggle" in *Human Sexuality in the Catholic Tradition* eds. Kieran Scott and Harold Daly Horrel (New York: Rowman and Littlefield Publishers, 2007), 96.

of conception, an act that could attest to greatness of nuptial love becomes an act of mere lust.[281] Further the lack of sexual complementarity in homosexual relationships turns these into the antithesis of marriage; not life giving as well as morally and socially destructive. At times, the positive halves of these dichotomies drift into romanticized and unrealistic claims. Thus women have a rightful place in the public sphere but are also singularly identified with the nurture of children within the home. Similarly, children are gifts of God with a right to be desired from conception, yet sex does not require an explicit procreative intent. To what extent can a woman assume an influential social vocation while also identifying herself as the single nurturer of her children? And how can sex be excused of an explicit intent to procreate if this would violate the right of any child conceived in as much as his or her existence would not be known for some time? These are not insurmountable contradictions so much as examples of the way John Paul II's rhetoric could become quite distanced from practical realities.

This propensity also appears to have influenced John Paul II clear and strong distinctions between good and evil which led to criticisms of legalism in his thought. On the matter of contraception in particular, John Paul argued that there can be no "graduality of the law"; truth must be either embraced or denied.[282] Thus, sexual acts are either a pure communication of free self-giving or a form of domination that disrespects

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[281] Wojtyla, *Love and Responsibility*, 235, 239.

[282] De Haro, 339.

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the body with mere utilitarian intent. No room is allowed for uncertainty in the potential meaning of each and every sexual act.[283]

As a result of these tendencies, the ample possibilities for individual moral growth suggested by John Paul II's ethical perspective are complimented by only a limited vision of human adaptability in familial and social relations. That is, women and men actualize their moral growth in distinct manners that seem restrictively bound to their gendered identity. To posit that a husband may find authentic fulfillment as his children's primary caregiver, or a wife do so as her family's primary economic earner, pushes human adaptability further than John Paul II's gendered framework allows.

By comparison, the contributions of Benedict XVI and the US Bishops are limited. Most significantly, Benedict reframes some of John Paul II's teachings with both more classical theological language and concern for expressing the unity of Catholic teaching. The US Bishops diverge most significantly in expressions of gender equality within the family, where they give much greater emphasis to parental cooperation in discerning how to provide for and nurture their children.

Part IV: Critical Appraisal

The remainder of this chapter offers a brief assessment of magisterial teaching on sex, marriage and family with specific attention to developments and emphases. This is not intended to provide a thoroughgoing appraisal, but only to raise concerns about this body of teaching to guide the considerations of subsequent chapters. These concerns

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[283] Joseph W. Koterski, "An Introduction to the Thought of John Paul II," in *The Legacy of Pope John Paul II: His Contribution to Catholic Thought.* Ed. Geoffrey Gneuhs (New York: The Crossroad Publishing Company, 2000), 33.

center around the role of normative sexual ethics tied to gender essentialism as these have developed within modern magisterial teaching and influenced conceptions of parenthood. In particular, the intimate links between sexual ethics and teaching on marriage and family appear to have produced a consistent tendency to conceive of parenthood in a restricted sense, centered on biological kinship. This tendency appears to have been exacerbated following *Humanae vitae.* Consequently, recent magisterial teaching retains the conviction that spiritual education marks Christian parenthood in its fullest. Yet the magisterium undermines this conviction through repeated emphasis on contraception (to which the concept of 'responsible parenthood' is inseparably tied) and gendered parental roles. This narrowing of concern it most clearly illustrated in the limited attention adoptive parenthood receives since the papacy of Pius XII.

This assessment begins by considering the extent to which an underlying theory of gender and human sexuality influences magisterial teaching on marriage and family. It then considers the concepts of children and parenthood in magisterial thought. It concludes with a consideration of magisterial thought on the functional aspects of parenthood and other resources useful for a fuller account of parenthood.

Gender

The magisterial teaching presented above is consistently supported by a strong essentialist theory of gender.[284] From Leo XIII through Benedict XVI, male and female have been conceptualized as exclusive and differentiated categories. These teachings

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[284] Essentialism opposes constructivism which attributes nearly all gender differences to exterior influences such as culture. Both essentialism and constructivism can take relatively strong or weak forms.

suggest no acceptance of the common academic distinction between "sex" and "gender."[285] Rather, concern centers on feminism and other movements that utilize ideologies of gender which only confuse and complicate differentiated parental roles.[286] In this account of gender, embodied human sexuality seamlessly yields the discrete categories of male and female, each with its own innate characteristics.

At the same time, however, interpretations of appropriate gender roles have developed. In fact, the changing role of women may be the most significant development within the era. All the documents are characterized by a post-industrial ideal that separates the male public sphere from the female domestic sphere.[287] But even *Arcanum* is aware of shifting gendered barriers, particularly concerning the role of women in public life. Yet, whereas Pius XI read these developments as unnatural and opposed to women's essential character,[288] John XXIII interpreted them as signs of women embracing their own dignity.[289] As both centrally claim the dignity of women, a clearer opposition is hard to imagine. Still, this transition came gradually and the conviction that women are first and foremost wives and mothers was consistently upheld. Holding these claims together gives rise to tensions which become particularly evident with John Paul II

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[285] More recent scholarship has questioned the validity of this distinction as it appears to rest on a dualistic framework of nature/culture. These concerns, however, should not be equated with concerns raised by the magisterium as they rest on fundamentally different convictions concerning the relation of nature and culture. See, Rachel Muers, "Feminism, Gender, and Theology," in *The Modern Theologians*, eds. David F. Ford with Rachel Muers (Malden, MA: Blackwell Publishing, 2005), 435 ff.

[286] Pontifical Council for the Family, "Conclusions of the 15th Plenary Assembly of the Pontifical Council for the Family," in *Enchiridion on the Family*, 1298.

[287] Rosemary Radford Reuther, *Christianity and the Making of the Modern Family,* (Boston: Beacon Press, 2000), 10.

[288] *Casti connubii*, #75.

[289] *Pacem in terris*, #41.

whose support for women's rights to public participation is framed by his alarm that women have come to neglect, and even fear, their primary obligations to their family.

Gender essentialism functions within magisterial teaching to support demarcated gender roles within an overarching framework of the natural complementarity of the genders.[290] This permits universal claims about the propensities of the sexes while relegating complex cultural considerations to secondary importance. This framework conforms, to an extent,[291] to patterns of gendered behavior in post-industrial Western society but rests on a relatively weak conceptual foundation.

Discerning essential from socially-constructed gendered attributes is immensely challenging in real-time anthropological observations because the rate of change in social constructions can be very slow.[292] That is, a socially constructed ideology that influences gendered behavior may prevail within a culture for centuries. Thus, the differentiation between essential and socially-constructed differences is of less practical significance than that between long-held and observably-changing differences.[293] Confronted with observable changes in women's roles, magisterial teaching shows a double mindedness that attempts both to affirm women's freedom and dignity while articulating normative patterns for behavior. The latter counsel is articulated as normative, but shows little

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[290] Cahill, 58.

[291] The extent to which the ideological division between the male-public and the female-domestic spheres was ever instantiated within history is debated. See, Ruether, 5, Cf. 101.

[292] Christine E. Gudorf, "Probing the Politics of Difference: What's Wrong with an All-Male Priesthood?" *The Journal of Religious Ethics* 27, no. 3 (Fall, 1999): 380.

[293] The contentions between essentialism and constructivism are based by the fact that observation cannot draw clear conclusions. Thus is seems more fruitful to distinguish traits that are long-held, frequent, and *potentially* essential from those that are adaptable, contingent and constructed.

evidence of significant historical or cross-cultural scrutiny. This allows a uniquely post-industrial feminine ideal to inform magisterial articulations of women's vocations.

The role of gender essentialism in magisterial thought raises two further problems. First, it tends to obscure individual diversity, human adaptability, and cultural capacities for change. Here, essentialism's appeal is also its greatest pitfall. Clear categorization and collective directives allows little room for individual experience; especially for those whose experience is at odds with aspects of the prevailing gender narrative. One clear outcome of this limitation is the almost wholesale inattention to men's capacity to fulfill certain traditionally feminine roles, such as the nurture of young children. Certainly magisterial thought has begun to emphasize the importance of paternal involvement in family life; but this is consistently presented as a secondary and supporting role. Quite simply, there is no suggestion that a male could be a child's primary caregiver and little indication that men have any share in women's capacity to nurture.[294]

Second, human gender itself, in terms of potential diversities, is simply too complex to be neatly fit within essentialist frameworks without admitting many exceptions to dichotomous gendered categories. To capture the complexity of human gender, these exceptions themselves would be numerous enough as to seriously undermine the categories themselves. Such exceptions may occur at any of the levels at which sexual difference is admitted to influence the human person. For magisterial teaching, this includes the physical, psychological, and spiritual aspects of the human

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[294] Implicitly such scenarios must be included because single-parenthood receives attention.

person. Although many such exceptions are simply passed over without notice,[295]

homosexuality has been the source of significant magisterial attention. The challenge of

nuancing gendered categories sufficiently enough to capture the complexity of human

gender while retaining credibility in the fundamental gendered distinction itself poses a

significant challenge. Unfortunately, magisterial teaching has largely failed to

acknowledge the generalist nature of its own gendered framework. A significant outcome

of this approach is that it has allowed teachings based on general categories to be

presented as universally binding.[296]

The hierarchical aspects of the magisterium's concept of gender should also not

go overlooked. Within the earlier documents, the family is clearly understood as a

hierarchical society wherein men hold the highest authority. Both social observation and

appeals to divine law supported this view. With Vatican II, however, gender hierarchy

within the family was apparently disavowed as the language of mutuality and partnership

prevailed.

John Paul II placed great emphasis on both equality and sexual difference.

However, the imagery he employs is often suggestive of female subordination. This is

among the most significant critiques leveled against recent magisterial conceptions of

gender. Namely, that the emphasis on gender complementarity does not support equality

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[295] For example, gender dysphoria, asexuality, and intersex all present human experiences which stand beyond the limits of the prevailing framework. Cf. John Norton, "Vatican says 'sex-change' operation does not change person's gender," *National Catholic Reporter Online* (September 19, 2011) http://ncronline.org/news/vatican-says-sex-change-operation-does-not-change-persons-gender

[296] John Paul II is particularly interesting on this point as his early thoughts on intersex, homosexuality, and sexology all clearly demonstrate a scholarly ability to engage these various exceptions. Nonetheless his mature thought categorically defines male and female according to masculinity and femininity with universally applicable consequences.

so much as it covertly continues female subordination. This criticism gains greater

credibility in light of the fact that complementarity for John Paul II is plainly not always

an egalitarian concept. On the concepts of marriage and virginity, John Paul II explicitly

frames them as complementary while asserting virginity's preeminence.[297]

Sexual Ethics

Post-Vatican II magisterial teaching on sex, marriage, and family is characterized

by an appreciation of the personalist moral methodology embraced at the council.

Ironically, *Humanae vitae* more than any other document has obscured the significance

of this methodological renewal and yet is the first papal encyclical to frame its

consideration of marriage explicitly in the terms of personalist moral concerns. It is

important to recognize the fact of the magisterium's embrace of personalist moral

methodology before considering the nature and extent of its application within particular

teachings.

Paul VI's encyclical united personalist concerns with a prohibition of

contraception and tied its argument closely to magisterial authority and the objective

precepts of the moral law. The encyclical disappointed reform-minded Catholics, many

bishops included, yet Paul VI was reserved in commenting on the encyclical throughout

the remainder of his papacy. John Paul II's defense of *Humanae vitae* elevated the

encyclical's importance and widened the gap between magisterial and revisionist moral

perspectives. In the hands of John Paul II, *Humanae vitae* came to epitomize a struggle

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[297] Charles Curran, *The Moral Theology of Pope John Paul II* (Washington DC: Georgetown University Press, 2005), 193.

over the value of the human person and the very meaning of human existence.[298] The full

context behind these assertions is too complex to adequately summarize here, though a

few salient features deserve attention.

Humanae vitae immediately sparked controversy concerning its application of

personalist moral methodology. The document's supporters saw its approach as rightfully

linking the physical and metaphysical realities of the human person while bringing these

to bear in its moral teaching. Its critics saw an importation of outdated physicalist

methodology under the cloak of personalist language, with moral conclusions ultimately

based on the physical structure of the act. Apart from Paul VI's controversial judgment

on the moral matter of contraception, the encyclical's positive vision of marriage has

provided far more common ground.

John Paul II's strident defense of *Humanae vitae* raised corollary concerns of

physicalism within his methodology.[299] John Paul II's approach claims to unify the

physical and spiritual aspects of the person against dualist anthropologies, though his

anthropology appears itself to be based in the dualities of lust and reason, body and

spirit.[300] With John Paul II, the debate over *Humanae vitae* grew in complexity and

importance as his central concern for truth, particularly "the truth about man", provided

human sexual differentiation with metaphysical significance. More significant than his

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[298] Janet E. Smith, "The Personalism of John Paul II as the Basis of His Approach to the Teaching of *Humanae Vitae*," in *Why* Humanae Vitae *was Right*, 193.

[299] In *Veritatis splendor* John Paul II offers a narrow description of physicalism, which serves primarily to distance it from his own teaching. *Veritatis splendor*, #48.

[300] The tension between John Paul II's opposition to daulisms and the role of dualistic concepts in his thought is consistent throughout his writing. For example, in *Evangelium vitae*, this tension is pronounced; the world struggles "between truth and error, between the culture of life and the culture of death." *Evangelium vitae*, #21. Cf. Curran, 25.

clear conviction that truth fundamentally grounds morality was the clarity and precision with which John Paul II believed moral truths could be expressed. This perspective removed ambiguity from the actions of those who practiced contraception despite the Church's teaching, as their bodies enacted intentions known to be contradictory to moral truth. For Paul VI, *Humanae vitae* spoke to Catholic spouses of a better way. For John Paul II, the moral judgment differentiated truth tellers from liars.[301]

Most significantly, John Paul II's approach gave clear and stark voice to the fundamental stakes of the contraception debate. Inasmuch as *Humanae vitae* promoted a positive vision of marriage and encouraged 'responsible parenthood', John Paul II clarified that both marriage and parenthood were essentially misunderstood by those who enacted the lie of contraception which spoke at a fundamental level against the dignity of love, marriage, and the sexual act. This attention to the sexual act itself, in relation to the nature of marriage and parenthood, clearly influences considerations of family in John Paul II's thought. Perhaps more significantly, his attention to the body in response to perceived dualisms, tended to downplay the traditional conviction that the particularly Christian aspects of parenthood are contained in its spiritual ends. Paul VI's assertion of the importance of biological procreation already set Pius XII's emphasis on spiritual education in a new context. With John Paul II, Pius's conviction is not lost, but it is dramatically overshadowed by concerns related to biological procreation.

Family Structure

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[301] "We are convinced that the teachings of [*Humanae vitae*] are of crucial importance for human existence and civilization." Congress on the 25th Anniversary of the Encyclical *Humanae Vitae*, "All Couples Have a Right to Know," in *Enchiridion on the Family,* 924.

Commitments to gender essentialism and sexual ethical norms appear to support a particular family structure as ideal. First, this family is large. Having many children is consistently associated with faith and generosity. In contrast, avoidance of pregnancy is reserved for grave reasons while the means of doing so are fraught with potential immorality. Additionally, social support for large families is repeatedly encouraged while the social value of small families was questioned by Benedict XVI. Second, and seemingly related, the ideal family is biologically related. An assumption of continuity among genetic, gestational, and social parenthood is consistent throughout and assure biological kinship a primary place. In contrast, considerations of adoption are rare and, while adoption is usually presented positively, it is most often offered as an alternative to abortion or as an option for infertile spouses in preference to artificial reproductive technologies. Adoption gives rise to praise as a testament to the true nature of parenthood, though, as presented above, this is set within a context largely focused on biological procreation.

Finally, this ideal family is nuclear and autonomous, though each of these admits to greater exceptions than the previous two. Repeated affirmations that marriage founds the family, coupled with emphases on procreation, clearly support the nuclear norm, as do assertions of male and female roles in parenting. Yet, John Paul II taught that grandparents and the elderly, particularly in light of their vulnerability, have a claim to a place within the family. Autonomy is supported through affirmations of the authority of spouses in matters concerning their household and family. The extended family, associations, and society at large serve as useful, but non-essential supports. Yet, these

arguments are largely framed by concerns of state infringement on familial rights while the family is encouraged to open itself outward in service to the Church and community.

Until the mid-twentieth century, the ideal family structure also explicitly included a hierarchical ordering centered on male headship.[302] The relatively quick transition away from an overtly hierarchical model is significant, particularly as is was held to be an unchangeable aspect of divine law. Since Vatican II, the magisterium has, at times, suggested aspects of the earlier hierarchical ideal but has largely stood behind the equality model.

The importance of outlining the operative ideal of the family lies in marriage's unique position as both a natural institution and a Catholic sacrament. Conceptually, sacramental marriage is natural marriage brought to its fullness. As such, natural law plays a significant role in the sacramentology of marriage such that articulating marriage's "authentic natural requirements" is essential for understanding its sacramental nature. [303] As such, family structure often takes a prominent place in magisterial teaching. In light of this, a parallel might be drawn between John Paul II's approach to sexual ethics and the family. In both instances, while the spiritual significance of actions is important, the physical embodiment that makes those actions possible is fundamental for moral reflection. In John Paul II's thought, the nuclear family plays an analogous role in the family's vocation as the gendered human body plays in authentic sexual expression.

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[302] Among these, the presumption that both parents are Catholic is also noteworthy. The faith of the spouses becomes an even more significant question when considering the family from a functional perspective, as this project will do in subsequent chapters.

[303] Pontifical Council for the Family, "Help Christian Spouses to Discover the Grace and Mission They Have in the Church," in *Enchiridion on the Family; A Compendium of Church Teaching on Family and Life Issues from Vatican II to the Present.* Ed. Pontifical Council for the Family (Boston: Pauline Books and Media, 2004), 826.

Hence it is no surprise that John Paul II's teaching on the family is largely repetitious of his teaching on meaning of marriage and the dual roles of husband and wife.[304]

In terms of the concerns at hand, it must be asked to what extent "natural" aspects of marriage should determine Catholic reflection on the sacrament. While it might be argued that the natural and sacramental aspects of marriage need not conflict, the evidence from modern magisterial teaching appears to suggest that emphasis on one aspect often comes at the expense of the other. Though there is not space to provide a thorough reflection here, the rather convoluted history of Christian perspectives on marriage also bears on this consideration. Aside from Biblical resources and the pronouncements of past councils and popes, Augustine and Aquinas provide the most frequent historical resources within modern magisterial teaching on marriage. Yet even within this relatively limited historical-theological engagement variations emerge. Documents that rely more upon Augustine are different in significant ways from those that utilize Aquinas. Indeed, the differences in conceptions is an underlying factor in the 'ends or marriage' debate that has characterized post-Vatican II theology of marriage.

Even admitting a complex theological history, it must be acknowledged that Catholic sacramentology of marriage is based upon a theory of natural marriage which resonates with certain rather undisputable human experiences. Fuller discussion will be reserved for later chapters but this is nonetheless a significant point. Heterosexual sexual relationships, biological procreation, and the need for stable social structures to support the rearing of offspring are basic experiences of humanity which rightfully have import within natural law moral systems. The central moral question, however, is to what extent

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[304] Curran, 196.

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the *natural* order of marriage intelligible and to what extent this should inform a sacrament that is defined by its reflection of *super-natural* realities. Magisterial reactions to families formed through adoption and families headed by same-sex partners help clarify how this question is presently answered.

Contemporary Catholic teaching views same-sex unions as a direct threat to healthy families as they constitute a social recognition of something as, or similar to marriage, which cannot "even in an analogous or remote sense" fulfill the meaning of marriage.[305] Furthermore, same-sex parenting is said to be harmful to children.[306] These strong condemnations are based on two premises; same-sex couples are naturally incapable of procreation, which is essential to marriage, and same-sex couples lack sexual complementarity, which is the foundation of marital love and ultimately the family.[307] The first of these concerns is elsewhere is relativized, such as in marriages of the elderly or the knowingly infertile, making the second essentially decisive. Thus, the rejection of same-sex parenthood comes down to one decisive factor; sexual complementarity. This line of argument ultimately asserts that no true family can result without the foundational relationship between a man and woman; no other human relationship can found a family.[308] Yet a significant challenge in relating this argument convincingly to a changing culture is the apparent lack of reference to actual parental

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[305] CDF, "Some Considerations Concerning," #4.

[306] CDF, "Considerations Regarding Legislative Proposals," #7.

[307] USCCB, "Between Man and Woman," #4.

[308] CDF, "Considerations Regarding Legislative Proposals," #4.

capacity in the condemnation. It rests not only a sexual ethical judgment, but also on a supposition that fatherhood and motherhood are essentially distinct functions. Neither can replace nor even suitably replicate the other; they are dual incarnations of parenthood.[309]

Because the decision to have children is an act of love and generosity, married couples who cannot conceive, yet desire children, may still enact these virtues through other means, including adoption.[310] Adoption and foster care are considered acts of love and generosity that reflect an understanding of the meaning of true parenthood as transcending biological kinship.[311] And they enact a virtuous commitment to society to which genetically related families should aspire.[312] While the magisterium is generally positive towards adoption, it is critical of certain adoption practices. International adoption is presented as seemingly fraught with difficultly as the practice is considered fueled by anti-life mentalities in wealthy nations and social inequalities in poor nations.[313] Private adoptions are also problematic, largely because oversight of adoption is considered a proper duty of the state, such that these might circumvent proper authority.[314] Finally, John Paul II's praises "adoption at a distance," where wealthier families commit to financially supporting families in need. Yet, John Paul II's framework

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[309] John Paul II, "Letter to Families," #7.

[310] *Familiaris consortio,* #14.

[311] Ibid., Cf. *Evangleium vitae*, #63.

[312] USCCB, "Follow the Way of Life."

[313] International Symposium on Adoption, "The Rights of Children," in *Enchiridion on the Family*, 933.

[314] Ibid., 936.

seems largely international. From the national perspective of the US, we might ask if a teenage mother could morally chose to place her child for adoption if her decision is based more upon her personal and professional aspirations than absolute necessity. It is unclear if John Paul II could support such a decision, due to his relatively limited attention to adoption, his stress on the responsibilities of parents, and his strong association of women with motherhood.

Further, although magisterial teaching takes pains to assert that infertile couples are nonetheless truly married, it is less clear if true families can be formed through adoption.[315] This is because it is unclear whether infertile couples who adopt children simply realize the procreative end in a non-biological way or if adoption is a somewhat lesser form of the procreative end. On the one hand, the praise offered for adoption and concepts of spiritual parenthood suggest adoption as an authentic basis for the family. On the other, the fact that adoption is primarily presented as an alternative to artificial reproductive technologies and occurs among lists of other expressions of generosity implies that it may not be a true alternative to procreation's primary meaning. If adoption is an authentic method of family formation, its presentation within magisterial writing would suggest that fertile couples may fulfill the procreative end of marriage by means other than biological procreation as well.

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[315] Despite other means of family formation that are not based upon monogamous heterosexual marriage being rejected as false and harmful distortions of the family, within institutional foster care a family-like setting is encouraged. See, International Symposium on Adoption, "The Rights of Children," in *Enchiridion on the Family*, 933.

Modern magisterial teaching is strongly influenced by an essentialist theory of gender and its attendant assumptions about the roles of women and men in the family and in society. This further implicates considerations of sex, marriage, and the family. In particular, these underlying commitments promote bias favoring biological kinship and tend to produce a constricted theology of parenthood which may be insufficient to ground responses to contemporary challenges. The primacy of gender complementarity and sexual ethical norms in magisterial teaching appear to not only reject family formation by same-sex partners, but so privileges the biological family that it distracts from adequate theological attention to adoption. Moreover, the centrality of gender essentialism informs a theory of parenthood in which capacities for childrearing are largely dictated by sexual difference. These distinct and complementary visions of motherhood and fatherhood pay little attention to human adaptability, diversity, and the lived experiences of many parents who have assumed nontraditional gender roles. Most significantly, the recent focus on sexual complementarity, biological procreation, and gendered parental roles, has created an account of marriage and the family that emphasizes natural foundations at the expense of supernatural convictions. For example, even as John Paul II affirms that through teaching the gospel, spouses become 'fully parents', the same document repeatedly associates 'responsible parenthood' with rejection of artificial contraception.[316]

Family Function

Magisterial writings frequently discuss how the family functions, especially the family's benefits to its members, society, and the Church. Contemporary magisterial

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[316] *Familiaris consortio*, #39., Cf. #21, 32 – 35, 37, 66, 72, 74, and 77.

teaching has reclaimed the idea of the family as the "domestic church" and asserts that

daily life in the family is a true expression of Church.[317] Just as the wellbeing of society

rests in the family, so too does the wellbeing of the Church.[318] Within the family, all

members exercise their baptismal priesthood in a special way.[319] Parents are the first to

evangelize their children and lead their children to maturity, salvation, and holiness.[320]

Further, the family is described as a learning and evangelizing community, a "domestic

church", a "school of virtue", and a "school of deeper humanity."[321]

These functional descriptions suggest broad possibilities for conceptualizing the

family that go well beyond narrow emphases on gender, complementarity, and sexual

ethics. These affirmations have been obscured by methodological commitments that

privilege family structure over family function. As suggested above, this ordering has

much to do with a theory of gender and human sexuality and is amply indebted to John

Paul II's particular form of personalism. That is, in John Paul II's linkage of the physical

and meta-physical, spiritual realities tend to be routed through the natural order. For

example, the body serves as a conduit for divine love. To borrow a concept from

Christology, this amounts to doing theology of the family 'from below' such that the

natural and structural elements of the family precede considerations of supernatural and

elements. But the necessity of prioritizing the natural order can be questioned. That is, if

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[317] USCCB, "Follow the Way of Life"

[318] Vatican II, *Gaudium et spes*

[319] Catechism of the Catholic Church

[320] Vatican II, *Gaudium et spes*

[321] John Paul II, *Familiaris consortio*, Cf. "Letter to Families"

a group functions like a family and appears to enjoy the spiritual benefits of a family, do Catholic resources exist for claiming it as a family? A fuller consideration of this question will be reserved for later chapters; however, an initial response is that such resources do appear to exist within modern magisterial teaching. Moreover, these appear to operate quite freely from the gendered and sexual preoccupations discussed above. For example, despite the primary roles biological reproduction and kinship play, popes have repeatedly suggested that the true meaning of parenthood goes beyond biological relatedness. Most often this is located in spiritual education and service to the common good. Additionally, conceptions of the family as a learning and evangelizing community suggest that moral evaluations of the family must consider function over time. In other words, structural assessments alone appear inadequate means of evaluating any particular family's ability to learn and evangelize.

Beyond the possibilities of reassessment offered by viewing magisterial teaching through a functional lens, numerous biblical and traditional assertions endure in magisterial teaching which may be beneficial to reconsiderations of Christian parenthood. For example, long-held assertions concerning the primacy of discipleship in Christian life, the primacy of spiritual identity over biological kinship, the identity of all baptized believers as 'adopted' children of God, and the conviction that the Great Commission[322] supersedes the command to "be fruitful and multiply",[323] all suggest significant potential in this regard. As such, the concerns expressed above relate much more significantly to

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[322] Matthew 28: 16 – 20.

[323] Genesis 1:28.

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how present Catholic magisterial teaching tends to present the wealth of the Church's theological heritage than to interminable limitations.

Beyond the positive potential of these functional and conceptual resources, a number of specific developments within magisterial teaching also deserve attention. The shift away from hierarchical language to describe the family, coupled with acceptance of women's place in public life (conditioned as it is), has placed the modern family in a new and historically unique context. Additionally, modern magisterial tradition holds significant resources for conceptions of children. Respect for the child as deserving of unique rights and a place of participation within the family is an aspect of this recent thought that is well worth attention.

Conclusion

To briefly review, significant challenges in the relatively recent history of magisterial thought relate to how the goods of procreation and education are balanced: namely, the effect of *Humanae vitae* in forefronting sexual ethics and magisterial authority in subsequent reflections on marriage and family, the effect of persistent preferences for large families and celibacy, the changing status of women as conditioned by gender essentialism, and recent inattention to both adoption and notions of spiritual kinship. More generally, this chapter raised concern for how present magisterial accounts of parenthood appear to be significantly shaped by sexual ethical norms and gender essentialism and consequently struggle to speak to significant aspects of contemporary parenthood. The following chapter will consider how revisionist Catholic moral theology has utilized a greater variety of resources which have led to important responses to

certain limitations in magisterial thought, even while remaining vexed by a similar set of

challenges.

BIBLIOGRAPHY

Bader, Jennifer. "Engaging the Struggle." In *Human Sexuality in the Catholic Tradition*, edited by Kieran Scott and Harold Daly Horrel, 91–110. New York: Rowman and Littlefield Publishers, 2007.

Benedict XVI. *Caritas in veritate.* Vatican. June 29, 2009. Accessed September 1, 2013. http://www.vatican.va/holy_father/benedict_xvi/encyclicals/documents/hf_ben-xvi_enc_20090629_caritas-in-veritate_en.html.

_____. *Deus caritas est.* Vatican. December 25, 2005. Accessed September 1, 2013. http://www.vatican.va/holy_father/benedict_xvi/encyclicals/documents/hf_ben-xvi_enc_20051225_deus-caritas-est_en.html.

_____. "The Human Person, The Heart of Peace," Vatican. January 1, 2007. Accessed September 1, 2013. http://www.vatican.va/holy_father/benedict_xvi/messages/peace/documents/hf_ben-xvi_mes_20061208_xl-world-day-peace_en.html.

_____. *Spe salvi.* Vatican. November 30, 2007. Accessed September 1, 2013. http://www.vatican.va/holy_father/benedict_xvi/encyclicals/documents/hf_ben-xvi_enc_20071130_spe-salvi_en.html.

Byrnes, Michael J., trans. *Matrimony*, Boston: Saint Paul Editions, 1963.

Cahill, Lisa Sowle. *Sex, Gender & Christian Ethics.* Cambridge, UK: Cambridge University Press, 1996.

_____. "Notes on Moral Theology: 1989; Feminist Ethics." *Theological Studies,* 51 (1990): 49-62.

_____. "The Catholic Tradition: Religion, Morality, and the Common Good." *Journal of Law and Religion* 5, no. 1 (1987): 75-94.

Camp, Richard L. "From Passive Subordination to Complementary Partnership: The Papal Conception of a Woman's Place in Church and Society since 1878." *The Catholic Historical Review* 76, no. 3 (Jul., 1990): 506-525.

Curran, Charles E. *The Development of Catholic Moral Theology: Five Strands*. Washington D.C.: Georgetown University Press, 2013.

_____. *The Moral Theology of Pope John Paul II*. Washington DC: Georgetown University Press, 2005.

Delgado, Teresa. "This is My Body... Given for You: Theological Anthropology Latina/Mente." In *Frontiers in Catholic Feminist Theology: Shoulder to Shoulder*,

edited by Susan Abraham and Elena Procario-Foley, 25-47. Minneapolis, MN: Fortress Press, 2009.

Farley, Margaret A. *Just Love: A Framework for Christian Sexual Ethics*. New York, NY: Continuum, 2010.

Garcia de Haro, Raymond. *Marriage and the Family in the Documents of the Magisterium: A Course in the Theology of Marriage*. Translated by William E. May. San Francisco: Ignatius Press, 1993.

Gibson, Joan. "Could Christ Have Been Born a Woman? A Medieval Debate." *Journal of Feminist Studies in Religion* 8, no. 1 (Spring, 1992): 65-82.

Gneuhs, Geoffrey, ed. *The Legacy of Pope John Paul II: His Contribution to Catholic Thought.* New York: The Crossroad Publishing Company, 2000.

Gudorf, Christine E. "Probing the Politics of Difference: What's Wrong with an All-Male Priesthood?" *The Journal of Religious Ethics* 27, no. 3 (Fall, 1999): 377-405.

Hebblethwaite, Peter. *Paul VI*: *The First Modern Pope*. New York: Paulist Press, 1993.

Hinze, Bradford E. "A New Way of Teaching with Authority." In *Practices of Dialogue in the Roman Catholic Church: Aims and Obstacles, Lessons and Laments*, edited by Bradford E. Hinze, 90-111. New York, NY: Continuum, 2006.

Jackson, Timothy P. ed. *The Best Love of the Child: Being Loved and Being Taught to Love as the First Human Right.* Grand Rapids, MI: Eerdmans Publishing Company, 2011.

John XXIII. *Mater et magistra*. Vatican. (May 15, 1961) http://www.vatican.va/ holy_father/john_xxiii/encyclicals/documents/hf_j-xxiii_enc_15051961 _mater_en.html.

_____. *Pacem in terris*. Vatican. April 11, 1963. Accessed September 1, 2013. http://www.vatican.va/ holy_father/john_xxiii/encyclicals/documents/hf_j-xxiii_enc_11041963_pacem_en.html.

John Paul II. *Arise Let Us Be on Our Way.* New York: Warner Books, 2004.

_____. *Blessed Are the Pure of Heart.* Boston: Pauline Books & Media, 1988.

_____. *Evangelium vitae*. Vatican. March 25, 1995. Accessed September 1, 2013. http://www.vatican.va/holy_father/john_paul_ii/encyclicals/documents/hf_jp-ii_enc_25031995_evangelium-vitae_en.html.

_____. *Familiaris consortio.* Vatican. November 22, 1981. Accessed September 1, 2013. http://www.vatican.va/holy_father/john_paul_ii/apost_exhortations/documents/hf_jp-ii_exh_19811122_familiaris-consortio_en.html.

_____. *Gratissimam sane* (Letter to Families). Vatican. February 2, 1994. Accessed September 1, 2013. http://www.vatican.va/holy_father/john_paul_ii/letters/documents/hf_jp-ii_let_02021994_families_ en.html.

_____. *Laborem exercens.* Vatican. September 14, 1981. Accessed September 1, 2013. http://www.vatican.va/holy_father/john_paul_ii/encyclicals/documents/hf_jp-ii_enc_14091981_laborem-exercens_en.html.

_____. "Letter of John Paul II to Women." Vatican. June 29, 1995. Accessed September 1, 2013. http://www.vatican.va/holy_father/john_paul_ii/letters/documents/hf_jpii_let_29061995_women_en.html.

_____. *Memory and Identity: Conversations at the Dawn of a Millennium.* New York: Rizzoli, 2005.

_____. *Mulieris dignitatem.* Vatican. August 15, 1998. Accessed September 1, 2013. http://www.vatican.va/holy_father/john_paul_ii/apost_letters/documents/hf_jp-ii_apl_15081988_mulieris-dignitatem_en.html.

_____. *Ordinatio sacerdotalis.* Vatican. May 22, 1994. Accessed September 1, 2013. http://www.vatican.va/holy_father/john_paul_ii/apost_letters/documents/hf_jp-ii_apl_22051994_ordinatio-sacerdotalis_en.html.

_____. *Original Unity of Man and Woman.* Boston: Saint Paul Books and Media, 1981.

John Paul II and Michael Waldstein. *Man and Woman He Created Them: A Theology of the Body*. Boston: Pauline Books and Media, 2006.

Keenan, James F. *A History of Catholic Moral Theology in the Twentieth Century: From Confessing Sins to Liberating Consciences.* New York: Continuum, 2010.

Leo XIII. *Arcanum divinae sapientiae.* Vatican. February 10, 1880. Accessed September 1, 2013. http://www.vatican.va/ holy_father/leo_xiii/encyclicals/documents/hf_l-xiii_enc_10021880_arcanum_en.html.

_____. *Rerum novarum*. Vatican. May 15, 1891. Accessed September 1, 2013. http://www.vatican.va/holy_father/leo_xiii/encyclicals/documents/hf_l-xiii_enc_15051891_rerum-novarum_en.html.

Muers, Rachel. "Feminism, Gender, and Theology." In *The Modern Theologians*, edited by David F. Ford with Rachel Muers, 431-450. Malden, MA: Blackwell Publishing, 2005.

Noonan, John T. *The Church and Contraception: The Issues at Stake*. New York: Paulist Press, 1967.

Norton, John. "Vatican says 'sex-change' operation does not change person's gender," *National Catholic Reporter Online.* September 19, 2011. Accessed September 1, 2013. http://ncronline.org/ news/vatican-says-sex-change-operation-does-not-change-persons-gender.

Obach, Robert. *The Catholic Church on Marital Intercourse*. Lanham, MD: Rowman & Littlefield Publishers, 2009.

Odozor, Paulinus. *Moral Theology in an Age of Renewal: A Study of the Catholic Tradition since* Vatican. *II*. Notre Dame, IN: University of Notre Dame Press, 2004.

O'Malley, John. *What Happened at Vatican II.* Cambridge, MA: Belknap Press, 2010.

Paul VI. *Evangelii nuntiandi*. Vatican. December 8, 1975. Accessed September 1, 2013. http://www.vatican.va/ holy_father/paul_vi/apost_exhortations/ documents/hf_p-vi_exh_19751208 _evangelii-nuntiandi_en.html.

_____. *Humanae vitae.* Vatican. July 25, 1968. Accessed September 1, 2013. http://www.vatican.va/holy_father/paul_vi/encyclicals/documents/hf_p-vi_enc_25071968_humanae-vitae_en.html.

_____. *Octogesima adveniens*. Vatican. May 14, 1971. Accessed September 1, 2013. http://www.vatican.va/holy_father/paul_vi/apost_letters/documents/hf_p-vi_apl_19710514_octogesima-adveniens_en.html.

_____. *Populorum Progressio.* Vatican. March 26, 1967. Accessed September 1, 2013. http://www.vatican.va/holy_father/paul_vi/ encyclicals/documents/hf_p-vi_enc_26031967_populorum_en.html.

Pius XI. *Casti connubii.* Vatican. December 31, 1930. Accessed September 1, 2013. http://www.vatican.va/holy_father/pius_xi/encyclicals/documents/hf_p-xi_enc_31121930_casti-connubii_en.html.

_____. *Divini illius magistri.* Vatican. December 31, 1939. Accessed September 1, 2013. http://www.vatican.va/holy_father/pius_xi/ encyclicals/documents/hf_p-xi_enc_31121929_divini-illius-magistri_en.html.

_____. *Quadragesimo anno.* Vatican. May 15, 1931. Accessed September 1, 2013. http://www.vatican.va/holy_father/pius_xi/encyclicals/documents/hf_p-xi_enc_19310515_quadragesimo-anno_en.html.

Pius XII. *Summi pontificatus.* Vatican. October 20, 1939. Accessed September 1, 2013. http://www.vatican.va/holy_father/ pius_xii/encyclicals/documents/hf_p-xii_enc_20101939_summi-pontificatus_en.html.

Pontifical Council for the Family. "Charter of the Rights of the Family." Vatican. October 22, 1983. Accessed September 1, 2013. http://www.vatican.va/roman_curia/pontifical_councils/ family/documents/rc_pc_family_doc_19831022_family-rights_en.html.

_____. *Enchiridion on the Family: A Compendium of Church Teaching on Family and Life Issues from* Vatican. *II to the Present.* Boston: Pauline Books and Media, 2000.

_____. "Family, Marriage and De Facto Unions." Vatican. November 9, 2000. Accessed September 1, 2013. http://www.vatican.va/roman_curia/pontifical_councils/ family/ documents/rc_pc_family_doc_20001109_de-facto-unions_en.html.

Quay, Paul M. "Contraception and Conjugal Love." *Theological Studies* 22, no 1 (1961): 18-40.

Reid, Charles J., Jr. "The Right to Life and Its Application to the Welfare of Children in Canon Law and the Magisterium of the Catholic Church: 1878 to the Present." In *The Best Love of the Child; Being Loved and Being Taught to Love as the First Human Right*, edited by Timothy P. Jackson, 142–178. Grand Rapids, MI: Eerdmans Publishing Company, 2011.

Radford Reuther, Rosemary. *Christianity and the Making of the Modern Family.* Boston: Beacon Press, 2000.

Roman Catholic Church. "Catechism of the Catholic Church." Vatican. April 11, 2003. Accessed September 1, 2013. http://www.vatican.va/archive/ENG0015/_INDEX.HTM.

Sacred Congregation for the Doctrine of the Faith. "Considerations Regarding Proposals to Give Legal Recognition to Unions between Homosexual Persons." Vatican. June 3, 2003. Accessed September 1, 2013. http://www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfaith_doc_20030731_homosexual-unions_en.html.

_____. "Instruction for Respect of Human Life in Its Origin and on the Dignity of Procreation; Replies to Certain Questions of the Day" (*Donum vitae*). Vatican. February 22, 1987. Accessed September 1, 2013.

http://www.vatican.va/roman_curia/congregations/cfaith/
documents/rc_con_cfaith_doc_19870222_respect-for-human-life_en.html.

_____. *Inter insigniores*. New Advent. October 15, 1976. Accessed September 1, 2013.
http://www.newadvent.org/library/docs_df76ii.htm.

_____. "Letter to the Bishops of the Catholic Church on the Pastoral Care of Homosexual
Persons" Vatican. October 1, 1986. Accessed September 1, 2013.
http://www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfait
h_doc_19861001_homosexual-persons_en.html.

_____. "*Persona Humana*; Declaration on Certain Questions Concerning Sexual Ethics."
Vatican. December 29, 1975. Accessed September 1, 2013.
http://www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfait
h_doc_19751229_persona-humana_en.html.

_____. "*Responsum ad Propositum Dubium*; Concerning the Teaching Contained in
'*Ordinatio Sacerdotalis*.'" Vatican. Oct. 28, 1995. Accessed September 1, 2013.
http://www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfait
h_doc_19951028_dubium-ordinatio-sac_en.html.

_____. "Some Considerations Concerning the Response to Legislative Proposals on the
Non-Discrimination of Homosexual Persons." Vatican. July 22, 1992. Accessed
September 1, 2013.
http://www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfait
h_doc_19920724_homosexual-persons_en.html.

Salzman, Todd A., Thomas M. Kelly and John J. O'Keefe, eds. *Marriage in the Catholic
Tradition*. New York: Crossroad Publishing, 2004.

Salzman, Todd A. and Michael G. Lawler. *The Sexual Person: Toward a Renewed
Catholic Anthropology*. Washington D.C.: Georgetown University Press, 2008.

Smith, Janet E., ed. *Why* Humanae Vitae *was Right*. San Francisco: Ignatius Press, 1993.

United States Catholic Bishops. "Between Man and Woman: Questions and Answers
about Marriage and Same-Sex Unions." USCCB. November, 2003. Accessed
September 1, 2013. http://www.usccb.org/issues-and-action/marriage-and-
family/marriage/ promotion-and-defense-of-marriage/questions-and-answers-
about-marriage-and-same-sex-unions.cfm.

_____. "Economic Justice for All: Pastoral Letter on Catholic Social Teaching and the
U.S. Economy." USCCB. November, 1986. Accessed September 1, 2013.
http://www.usccb.org/upload/ economic_justice_for_all.pdf.

_____. "Follow the Way of Love: A Pastoral Message of the U.S. Catholic Bishops to Families." USCCB. November 17, 1993. Accessed September 1, 2013. http://old.usccb.org/laity/follow.shtml.

_____. "Marriage: Love and Life in the Divine Plan." USCCB. November 17, 2009. Accessed September 1, 2013. http://www.usccb.org/issues-and-action/marriage-and-family/marriage/ love-and-life/upload/pastoral-letter-marriage-love-and-life-in-the-divine-plan.pdf.

_____. "Putting Children and Families First: a Challenge for Our Church, Nation and World." Priests for Life. November, 1986. Accessed September 1, 2013. http://www.priestsforlife.org/ magisterium/bishops/91-11puttingchildrenandfamiliesfirstuscc.htm.

_____. "Statement on Same-Sex Marraige." USCCB. July, 1993. Accessed September 1, 2013. http://old.usccb.org/laity/marriage/samesexstmt.shtml.

USCCB Committee on Marriage and Family, "Always Our Children: A Pastoral Message to Parents of Homosexual Children and Suggestions for Pastoral Ministers." USCCB. September 10, 1997 (revised June, 1998). Accessed September 1, 2013. http://www.usccb.org/issues- and-action/human-life-and-dignity/homosexuality/always-our-children.cfm.

Vatican II. *Ad gentes.* Vatican. December 7, 1965. Accessed September 1, 2013. http://www.vatican.va/archive/hist_councils/ii_vatican_council/documents/vat-ii_decree_19651207_ad-gentes_en.html.

_____. *Apostolicum actuositatem*. Vatican. November 18, 1965. Accessed September 1, 2013. http://www.vatican.va/archive/hist_councils/ii_vatican_council/documents/vat-ii_decree_19651118_ apostolicam-actuositatem_en.html.

_____. *Dignitatis humanae.* Vatican. December 7, 1965. Accessed September 1, 2013. http://www.vatican.va/archive/hist_councils/ii_vatican_council/documents/vat-ii_decl_19651207_dignitatis-humanae_en.html.

_____. *Gaudium et spes.* Vatican. December 7, 1965. Accessed September 1, 2013. http://www.vatican.va/archive/hist_councils/ii_vatican_council/documents/vat-ii_cons_19651207_gaudium-et-spes_en.html.

_____. *Gravissimum educationis.* Vatican. October 28, 1965. Accessed September 1, 2013. http://www.vatican.va/archive/hist_councils/ii_vatican_council/documents/vat-ii_decl_19651028_gravissimum-educationis_en.html.

_____. *Lumen gentium.* Vatican. November 21, 1964. Accessed September 1, 2013. www.vatican.va/archive/hist_councils/ii_vatican_council/documents/vat-ii_const_19641121 _lumen-gentium_en.html.

_____. *Optatem totius*. Vatican. October 28, 1965. Accessed September 1, 2013. http://www.vatican.va/archive/hist_councils/ ii_vatican_council/documents/vat-ii_decree_19651028_optatam-totius_en.html.

_____. *Perfectae caritatis*. Vatican. October 28, 1965. Accessed September 1, 2013. http://www.vatican.va/archive/hist_councils/ii_vatican_council/documents/vat-ii_decree_19651028 _perfectae-caritatis_en.html.

_____. *Presbyterium ordinis*. Vatican. December 7, 1965. Accessed September 1, 2013. http://www.vatican.va/archive/hist_councils/ ii_vatican_council/documents/vat-ii_decree_19651207_presbyterorum-ordinis_en.html.

Ware, Ann Patrick. "The Vatican Letter, Presuppositions and Objections." In *The Vatican and Homosexuality; Reactions to the 'Letter to the Bishops of the Catholic Church on the Pastoral Care of Homosexual Persons,'* edited by Jeannine Gramick and Pat Fury, 28-32. New York, NY: Crossroad Publishing Co., 1988.

Wojtyla, Karol. *Love and Responsibility.* San Francisco: Ignatius, 1993.

Chapter 2: Revisionist Resources

1. Introduction

2. Part I: Revisionist Moral Theology

3. Part II: Sexual Ethics

4. Part III: Marriage and Family

5. Conclusion

Introduction

In recent history, Catholic theologians have generally followed methodologies marked by the personalist turn, informed by historical-consciousness and congenial to experience as a source of moral knowledge.[1] These trends have produced several revisionist proposals for Catholic sexual ethics (including ethics of same-sex partnerships) and theology of marriage and family. This chapter begins by introducing general tendencies that characterize 'revisionist' Catholic theological methods. It then considers three contemporary revisionist theological approaches to sexual morality; with particular attention to depictions of parenthood in each. After this, it turns attention to contemporary theological perspectives on marriage and family with similar concerns.

Having considered these resources, this chapter argues that revisionist moral theology offers a more developed and sustained commitment to historical consciousness than may be found in magisterial documents. Additionally, revisionists tend to challenge gender essentialism and offer a more nuanced approach to sexual anthropology that is shaped by a sustained engagement with contemporary experience as source of moral knowledge. However, these writings are also insufficient to found a robust theological account of parenthood because they tend to replicate the biological bias found in magisterial moral teaching. This is largely due to a tendency to follow a similar method of extracting principles of parenthood from sexual ethics. That is, despite significant

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[1] Many contemporary theologians have explained the divide that exists between the majority of academic theologians and the views of the magisterium. Among others see James Keenan, *A History of Catholic Moral Theology in the Twentieth Century: From Confessing Sins to Liberating Consciences* (London: Continuum, 2010)., David F. Kelly, *Contemporary Catholic Health Care Ethics* (Washington D.C.: Georgetown University Press, 2004), Chapter 10, Todd A. Salzmann and Michael G. Lawler, *The Sexual Person: Towards a Renewed Catholic Anthropology* (Washington D.C.: Georgetown University Press, 2008), Chapters 2 and 3, and Charles Curran, *The Development of Moral Theology: Five Strands* (Washington D.C.: Georgetown University Press, 2013), Chapter 3.

disagreement between revisionist and magisterial perspectives on the subject of sexual ethics, the presumed nature of the relationship between sexual ethics and conceptions of parenthood remains remarkably similar. This chapter also reviews accounts of the family that appear particularly helpful in moving beyond such limitations and concludes by appraising the conceptual similarities and differences among revisionist and magisterial perspectives. It calls attention directly to features of revisionist thought that provide positive resources for a more comprehensive theological account of parenthood.

Part I: Revisionists Moral Theology

Defining "Revisionist"

A number of mid-twentieth century theologians (Louis Janssens, Joseph Fuchs, Bernard Häring, Bernard Lonergan, *et al*.) gave shape to contemporary revisionist moral theology. Each believed that the twentieth-century called for a renewal of Catholic moral theology that would include greater attention to historical development and subjective aspects of the Christian moral life.[2] Although revisionism has been explained in several ways, the features most pertinent to this project include the following:

- Consensus that sexual ethics have been historically overemphasized in moral reflection
- Commitment to historicism and the possibilities for change in magisterial teaching
- Criticism of present magisterial sexual ethics as overly idealized, physicalist, and procreationist
- Commitment to experience as a source of moral knowledge
- Rejection of strong gender essentialism

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[2] See. James F Keenan, *A History of Catholic Moral Theology in the Twentieth Century* (London: Continuum, 2010).

Historical Emphasis on Sexual Ethics

A long legacy of Christian fixation with the norms of sexual behavior appears to remain influential in the content of Catholic moral theology in both magisterial and revisionist thought.[3] The persistence of this historic emphasis, in which the minutia of sexual anxieties were treated with utmost seriousness,[4] is exacerbated by magisterial claims that sexual norms are unalterable due their intimate relation to theological anthropology and/or divine law.[5] At the same time, and for similar reasons, all sexual norms are categorically claimed to be grave moral matter.[6] Such assertions entangle contested points in sexual ethics with contested issues of ecclesial authority to further compound existing disagreements over moral methodology.

Numerous revisionists have expressed concern over this persistent emphasis on sexual sin.[7] Farley suggests that this legacy results from the "inexhaustible power" sex appears have in cultures where sexual drives are repressed and sexuality is not well understood.[8] Lisa Sowle Cahill argues that the imbalance directs "disproportionate

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[3] See Peter Brown, *The Body and Society: Men, Women and Sexual Renunciation in Early Christianity* (New York: Columbia University Press, 1988). The book does a commendable job of parsing the doctrinal implications associated with developing understandings of human sexuality.

[4] See James Keenan, *A History of Catholic Moral Theology in the Twentieth Century,* Chapter 2.

[5] See *Humanae vitae*, #4, *Persona humana*, #3, and *Veritatis splendor,* #47 – 54.

[6] *Catechism of the Catholic Church*, #2331 – 2400. This assertion has been challenged and reaffirmed repeatedly in recent history. For example, see *Persona humana* #9 and Charles Curran, "Masturbation and Objectively Grave Matter: An Exploratory Discussion," *Catholic Theological Society of America Proceedings* 21 (1966): 95-109.

[7] Todd Salzman and Michael Lawler, *Sexual Ethics: A Theological Introduction* (Washington D.C.: Georgetown University Press, 2012), 50.

[8] Margaret A. Farley. *Just Love: A Framework for Christian Sexual Ethics* (New York: Continuum, 2010), 223.

energy" to sexual moral issues while ignoring more pervasive sins, "which lurk closer to the tradition's heterosexual, marital, and procreative heart."[9] She mentions domestic violence, abuse, and various forms of manipulation within the family. Cahill is further concerned that preoccupation with these subjects in the form of a "regulatory mentality, infected by fear and ignorance of the sexual lives of its audience" threatens the reception of Vatican II's vision of the family as the domestic church.[10] But Cahill is also concerned that the concept of the 'domestic church' itself not be used to sanctify families at the expense of Christianity' eschatological vision, which critiques all social structures.[11]

Idealism, Physicalism, and Procreationism

The idyllic nature of magisterial sexual norms is another frequent point of concern. Many teachings appear to leave only a very narrow conceptual distance to separate a moral ideal from its practical implementations. This is related to a classicist conception of moral teaching which insists upon both objectivity and clarity in the moral law. John Paul II, for example, accepted the legitimacy of gradual growth in moral life, but rejected the "gradualness of the law" itself.[12] Yet, the insistence that each and every act must be evaluated by very high standards of morality has raised concern. Cahill

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[9] Lisa Sowle Cahill, *Sex, Gender & Christian Ethics* (Cambridge: Cambridge University Press, 1996), 160.

[10] Ibid., 210.

[11] Lisa Sowle Cahill, *Family: A Christian Social Perspective* (Minneapolis: Fortress Press, 2000), 4.

[12] John Paul II, *Familiaris consortio,* Vatican, (November 22, 1981) http://www.vatican.va/holy_father/ john_paul_ii/apost_exhortations/ documents/hf_jp-ii_exh_19811122_ familiaris-consortio_en.html, #34.

argues, for example, that John Paul II's understanding of sex as a 'total self-gift' "depends upon a very romanticized depiction of sex."[13] Todd Salzman and Michael Lawler state more bluntly, "the requirement of 'total personal self-giving' in each and every sexual act… is nothing but ideology posing as reality."[14] Such idealism not only leaves little room for the ambiguities of lived human experience but also tends towards dualistic ethical discourse. For example, Cahill observes that in John Paul II's thought, all sexual acts that fall short of the moral ideal are themselves insidious. Such reasoning, she surmises, results from misunderstanding the eschatological dimension of the spousal relationship.[15]

The charge that magisterial teaching suffers from an implicit physicalist bias, even as it has explicitly articulated moral norms from a personalist perspective since Vatican II, is common within revisionist critiques.[16] Specifically, the magisterial determination that certain acts are always and everywhere illicit by the nature of their object (a determination made apart from, or at least prior to, explicit attention to the

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[13] Cahill, *Sex, Gender & Christian Ethics*, 203.

[14] Todd A. Salzman and Michael Lawler, *Sexual Ethics: A Theological Introduction* (Washington D.C.: Georgetown University Press, 2012), 79.

[15] Cahill, *Sex, Gender & Christian Ethics*, 203.

[16] Salzman and Lawler, *Sexual Ethics*, 52. By contrast, William E May has been a strong supporter of the "personalism" of recent popes. The disagreement centers largely on how narrowly the "object" of and act is rightfully conceived. May charges that revisionists (particularly McCormick, "proportionalists", and the drafters of the Papal Birth Control Commission's Majority Report) have reconceived the object of the act too broadly; such that their arguments are distortions of the Catholic moral tradition. In contrast, revisionists claim that in *Humanae vitae* and the writings of John Paul II the object of the act, while paying lip-service to personalism, remains narrowly bound to physical acts. See William E. May, "Moral Theologians and 'Veritatis Splendor,'" *The Homiletic and Pastoral Review* December 1994. Reprinted online by *EWTN*, https://www.ewtn.com/library/THEOLOGY/MORALVS.HTM.

context or subjective intentions of the moral agent) has prompted revisionist criticisms of this form of personalist reasoning.[17]

A comparable line of concern is voiced by revisionists who detect a procreationist bias within magisterial thought. From this perspective, biological procreation is assumed to be the natural orientation of the sexual act.[18] Christine Gudorf argues that this assumption produces the beliefs that coitus is the only 'real' form of fulfilling sexual expression, that sexual relationships without coitus are inferior or inherently nonsexual, and that children are the 'cost' of sexual relationships among the unwed. In her perspective, procreationism too often comes at the cost of pleasurable and emotionally gratifying sexual relationships.[19]

Historicism and Potential for Adaptation

Revisionism presumes that moral theology is subject to continual adaptation in response to changing contexts and growing human experience.[20] One enduring revisionist criticism of the former manualist tradition, which remains influential in foundations of present magisterial teaching, is its reliance upon a 'classicist' worldview in which

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[17] John Paul II, *Veritatis splendor,* Vatican, (August 6, 1993) http://www.vatican.va/holy_father/john_paul_ii/encyclicals/documents/hf_jp-ii_enc_06081993_veritatis-splendor_en.html, #80.

[18] Salzman and Lawler, *Sexual Ethics*, 52. Cf. Christine Gudorf, *Body, Sex and Pleasure,* 29 – 50.

[19] Gudorf, *Bodies, Sex and Pleasure,* 30. In the context of this chapter it may be notable to acknowledge that Gudorf is both a biological and adoptive mother.

[20] "Revisionism has made historical consciousness a foundational point of its ethical theory. It is, in a sense, the *sine qua non* of revisionism… As an ethical theory grounded in historical consciousness, revisionism, by definition, is somewhat contingent." Todd A. Salzmann, *What Are They Saying About Catholic Ethical Method?* (New York: Paulist Press, 2003), 58 – 59.

"natural law is static, necessary, fixed and universal."[21] Consequently, moral judgments

based in natural law are considered definitive and immutable. In contrast, 'historical

consciousness,' regards reality as "dynamic, evolving, changing, and particular."[22] This

more recently developed worldview reconceives natural law and looks with suspicion on

absolute moral prohibitions; especially when posited in terms of discrete physical acts.[23]

The implications for authoritative moral teaching are clear. In Margaret Farley's words,

"if the *rationales* behind longstanding beliefs and practices are no longer persuasive in

the context of the tradition as a whole, then the practices and beliefs will be challenged,

and they may need to change."[24] Revisionists have indeed argued for change on number

of moral teachings related to human sexuality, while the magisterium has remained wary

of admitting the need for, or even the possibility of, those very changes.[25]

Experience as a Source of Ethics

The methodological orientation of revisionist moral theology establishes a

commitment to an explicit and sustained use of 'experience' as a source of Christian

ethics.[26] Revisionism is sensitive to the interpreted nature of all human experience, yet

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[21] Cahill, *Sex, Gender & Christian Ethics*, 54.

[22] Todd A. Salzman, ed. *Method and Catholic Moral Theology: The Ongoing Reconstruction*. (Omaha, NE: Creighton University Press, 1999), xii.

[23] Ibid.

[24] Farley, *Just Love*, 187.

[25] Lisa Sowle Cahill, "Same-Sex Marriage and Catholicism," in *Inquiry, Thought, and Expression*, vol. 2 of *More than a Monologue: Sexual Diversity in the Roman Catholic Church*, eds. J. Patrick Hornbeck II and Michael Norko (New York: Fordham University Press, 2014) 148.

[26] Ibid., 144.

values it as a source that keeps morality connected to lived realities and provides grounds

for reasonable dialogue across religious divides.[27] While the magisterium tends to

recognize some role for experience, it has criticized its role in revisionist methodology.

The USCCB's Committee on Doctrine's response to *The Sexual Person,* for example,

criticized the authors for making experience the "primary source" of moral theology.[28] At

the same time, the committee rejects experience as a legitimate resource for positing

moral norms that would challenge magisterial teaching.[29] Likewise, the CDF criticized

Farley's ambiguous use of magisterial teaching as an authentic guide for interpreting

scripture and tradition in her book *Just Love,* but offered no other potential moral guides.

Both responses give the impression that magisterial teaching stands alone as the resource

and hermeneutical norm for Catholic moral theology. Such posturing, without

explanations of experience's proper role as a resource for moral reflection, fuels

revisionist criticisms of deficiencies in magisterial self-understanding and moral

method.[30]

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[27] Cahill, *Sex, Gender & Christian Ethics*, 69.

[28] Committee on Doctrine, United States Conference of Catholic Bishops, "Inadequacies in the Theological Methodology and Conclusions of *The Sexual Person: Toward a Renewed Catholic Anthropology* by Todd A. Salzman and Michael G. Lawler," USCCB, (September 15, 2010) www.usccb.org/doctrine/ Sexual_Person_2010-09-15.pdf. Cf. James Alison's argument that religious explanations often function as excuses for not engaging with advancing knowledge. James Alison, *On Being Liked.* (New York: Crossroad Publishing Co., 2004) Chapter 4.

[29] Cahill, "Same-Sex Marriage and Catholicism," 148.

[30] Similar lines of criticism have been advanced by numerous scholars. For example, Ann Patrick Ware has proposed that the methodology at work in some magisterial teachings suffers from modern day Docetism, characterized by a presentation of "the Church" "as a disembodied concept, speaking an eternal truth arrived at in some mysterious and infallible way." David Kelly identified a similar pattern which he termed "ecclesiastical positivism." Cf. Ann Patrick Ware. "The Vatican Letter: Presuppositions and Objections," in *The Vatican and Homosexuality: Reactions to the 'Letter to the Bishops of the Catholic Church on the Pastoral Care of Homosexual Persons,'* eds. Jeannine Gramick and Pat Fury (New York, NY: Crossroad Publishing Co., 1988), 28. And Kelly, *Contemporary Catholic Health Care Ethics,* 97.

Gender

Despite previous attempts to justify women's subordination to men as a matter of divine law, such as found in *Arcanum*[31] and *Casti connubii*,[32] Catholic teaching regarding gendered familial and social roles has developed in recent decades. While strong affirmations of traditional gender roles have waned in some aspects of magisterial thought, they remain influential in others. Revisionist theologians disavow gender essentialism more thoroughly by presuming a greater role for social construction in gender identities. Their critique of gender essentialism is also related to their embrace of historical consciousness, their use of experience as a source of moral knowledge, and the influence of feminist insights.

Theologically, gender essentialism tends to produce theories of complementarity, which may be conceived ontologically, as well as prescriptively for gender roles. Yet, complementarity remains historically linked with hierarchical assumptions and patriarchal applications.[33] Whether gender complementarity can serve as a viable theological ideal despite this heritage remains a point of dispute. John Paul II's 'Theology of the Body' and 'New Feminism' rest on the conviction that truly equitable complementarity is possible. Farley, however, surveys prominent advocates of

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[31] Leo XIII. *Arcanum divinae sapientiae.* Vatican, (February 10, 1880) http://www.vatican.va/holy_father/leo_xiii/encyclicals/documents/hf_lxiii_enc_10021880_arcanum_en.html, #11 – 15.

[32] Pius XI, *Casti connubii,* Vatican, (December 31, 1930) http://www.vatican.va/holy_father/pius_xi/ encyclicals/ documents/hf_p-xi_enc_31121930_casti-connubii_en.html, #23 and 26.

[33] Salzman and Lawler, *Sexual Ethics*, 63.

complementarian thinking (including Barth, von Balthasar, and John Paul II), and

concludes that the concept is irretrievably patriarchal. She argues that complementarian

characterizations serve as "social and cultural stereotypes that promote hierarchical

relations." These do not ultimately "succeed in making us complements across a gender

divide."[34] Salzman and Lawler, respond to similar concerns by offering a revised notion

of 'human complementarity' that is not reliant upon gender.[35]

Further disparity exists between magisterial and revisionist perspectives on the

value of distinguishing 'sex' (the biological fact of sexual differentiation) from 'gender'

(a collective interpretation of that fact).[36] This approach gained wide acceptance in

academic circles for a time and remains influential, though it has more recently been

criticized as overly simplistic. Magisterial documents show little appreciation for the

value of such a conceptual differentiation and, at times, question its validity.[37]

Differentiating sex from gender helps to illumine the role of cultural construction in

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[34] Farley, *Just Love*, 1. Christine Gudorf argues that John Paul II largely avoided social stereotypes which would have proved unconvincing in light of social experience. She considers why such an empty category would be retained and offers her suspicion that "together with the principle that every sexual act must be open to procreation, it constitutes the moral bulwark against homosexuality." Christine Gudorf, "A New Moral Discourse on Sexuality," in *Human Sexuality in the Catholic Tradition* (New York: Rowman and Littlefield Publishers, 2007), 54.

[35] Salzman and Lawler, *Sexual Ethics*, 63.

[36] Susan Frank Parsons traces the concept of 'gender' in modern academic parlance from its origins in the emerging field of biology in the nineteenth-century. Biology offered to explain the fundamentals of life, thus grounding gender "in the realities of the physical world." This perspective appears to still resonant in magisterial thought. Yet, Parsons adds, gender became a "self-critical category" which offered challenges to the 'natural' foundations being uncovered. Susan Frank Parsons, *The Ethics of Gender* (Malden, MA: Blackwell Publishers, 2002), 19.

[37] USCCB*, Human Sexuality: A Catholic Perspective for Education and Lifelong Learning* (Washington D.C.: USCCB, 1991), 9. Cf. Pontifical Council for the Family, "Family, Marriage and 'De Facto' Unions," Vatican, (November 9, 2000) http://www.vatican.va/roman_curia/pontifical_councils/family/documents/rc_pc_family _doc_20001109_de-facto-unions_en.html, #8. And Presidents of the Episcopal Commissions for the Family, "The Family: Gift and Commitment, Hope for Humanity," in *Enchiridion on the Family*, 1028.

conceptions and interpretations of sexual difference. This works against a magisterial

approach that, focusing on natural law, tends to suggest that authentic interpretations of

sexual difference can be drawn directly from the order of creation properly considered.

Throughout the last century, gender has also been associated with understanding one's

own human dignity.[38] Revisionists, however, tend to find the differentiation useful,

particularly as it gives greater attention to diversities in gendered experience.[39]

Part II: Sexual Ethics

Introduction

This section considers the work of revisionist Catholic moral theologians within

the field of sexual ethics by considering the thought of Lisa Sowell Cahill, Margaret

Farley, and Todd Salzman and Michael Lawler. Cahill's *Sex, Gender & Christian Ethics*

is a formative attempt to bring the insights of feminism to bear on traditional Catholic

moral theology. It takes a comparatively broad perspective on moral theology in its

attempt to unite concern for justice with a restrained moral objectivism and includes

direct considerations of family and parenthood. Farley's *Just Love* applies norms for

justice to interpersonal relationships and explores the ethical implications. Her work

parallels a methodology characteristic of Catholic Social Teaching in applying ethical

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[38] "The late twentieth-century popes, at least Pius XII through John Paul II, have strongly argued that one's maleness or femaleness is an essential part of who one is. The characteristic form of expressing this belief has been instructions to women that they are essentially different from men, and they must take care not to become like men, which would be a betrayal of their creator and his plan of creation. This is a relatively new teaching that develops in the 19th and 20th centuries within modernism. There's a certain irony here, that the same church that condemn modernism changed its own teaching, which had long followed Augustine's (and Jerome's and others') dictate that sexuality do not touch the core of the person." Gudorf, "A New Moral Discourse on Sexuality," 54.

[39] Cahill, *Sex, Gender & Christian Ethics*, 84.

principles to suggest grounds for appropriate moral deliberation while allowing ample room for contemporary experience as a source of moral knowledge.[40] Salzman and Lawler's *The Sexual Person* and its simplified revision, *Sexual Ethics,* are based most clearly within the traditional frameworks of Catholic sexual ethics but utilize a revisionist natural law methodology to reconstruct significant anthropological foundations. Both *Just Love* and *The Sexual Person* received criticism from the magisterium; primarily regarding deviations from official Catholic teaching.[41] Salzman and Lawler, for example, contend that contemporary Catholic sexual ethics ought to be acknowledged as in a state of uncertainty.[42] Their ecclesiastical critics affirm the clarity and conclusiveness of official Catholic teachings. Cahill's centrist approach largely avoids such direct confrontation while enabling her to make critical observations of both Catholic teaching and prevalent liberal ideals.

Sex, Gender and Christian Ethics

Sex Ethics and Marriage

Cahill offers relatively brief reflections on sexual ethics and marriage specifically. She is chiefly concerned with gender and human sexuality. For example, she offers the opinions of numerous authors but does not commit to a normative interpretation of sexual orientation.[43] Instead, she identifies fundamental questions raised by these opinions; such

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[40] Farley, *Just Love*, 15 – 16.

[41] Committee on Doctrine, USCCB. "Inadequacies in the Theological Methodology and Conclusions of *The Sexual Person.*"

[42] Salzman and Lawler, *Sexual Ethics*, xviii.

[43] Cahill, *Sex, Gender & Christian Ethics*, 75.

as what moral implications the human potential to distinguish between the desire for sexual intimacy and the possibility of procreation. Likewise, she considers potential malleability in human sexuality and suggests that if "sexual orientation is in fact pliable, then the question returns of the moral warrants which would make sexual object choice commendable, condemnable, tolerable, or neutral." She adds that both gender complementarity and reproductive potential in partnerships still invariably arise as challenging questions.[44]

Cahill's moderation opens her to criticism from both sides. In staking this ground, she neither explicitly supports magisterial teaching on specific sexual acts, nor advocates strongly for the specific implications of the experience she proffers in revising Catholic teaching. For example, while magisterial teaching proceeds from a heteronormative conception of the nature of human sexuality, Cahill presents potentially conflictual evidence. Yet, she refrains from advocating for specific revisions to Catholic teaching in light of the implications of this evidence.

Cahill is less reserved in her considerations of marriage and points to clear tensions in the 1983 Code of Cannon Law. She argues that these result from its attempt to set conclusions "derived from the notion of marriage as a contract" beside Vatican II's "covenant and partnership language."[45] Cahill further asserts that present ambiguities are symptomatic "of the lasting influence of the perspective on sexual danger that has given form to most of the tradition."[46] In contrast, she presents marriage as a Christian vocation

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[44] Ibid., 101.

[45] Ibid., 196.

[46] Ibid., 199.

while contending that "from primitive Christian times, marriage was respected as a realm in which a disciple could give practical expression to faith, and whose internal order could even be transformed by *agape*."[47]

Family, Children, and Parenthood

Cahill's primary concern in her consideration of the family involves the "relative importance and possible interdependence of intentional commitment and biological kinship in forming families."[48] She notes that the majority of authors "see culture and choice as taking precedence over 'merely' biological relations." Still, her sources differ on how biological relations should remain significant in "defining the family and its moral relationships."[49] Cahill rejects the argument that 'kinship' itself is a western anthropological construction that cannot be applied across cultures.[50] Yet, she argues that feminists are also right in resisting idealizations of the private-nuclear family. These perpetuate "the post-industrial, capitalist public-private split, and the confinement of women in the domestic sphere."[51] What Western society lacks, Cahill contends, is significant attention to the family's social goals. It is not biological kinship itself that raises concern, but rather the consistent institutionalization of biological kinship in terms of "the organization of labor, exchange of goods, and inheritance of property." In this

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[47] Ibid., 184.

[48] Ibid., 81.

[49] Ibid., 82.

[50] Ibid., 103.

[51] Ibid., 105.

framework, childrearing is generally "subsidiary to these purposes, rather than an end in itself."[52] Such a perspective stands in tension to aspects of the tradition that have emphasized the goodness of parenthood itself and the social goals of the family.

In Cahill's perspective, "the family is a set of alliances which is in its genesis dependent at least as much on biological linkage as on self-commitment and contract." She explains further that kinship ties can be conceived more or less extensively, may have uncertain boundaries, or may be fictive.[53] "But" she writes "'family' has a basic and constitutive relation to biological relationship… for which other relations, however valid, are analogues, not replacements."[54] She continues,

> "The ideal family is not necessarily the nuclear family. But it is in the family that both biological parents nurture children physically and emotionally, and educate them by example for larger social roles… In the Christian perspective in particular, the 'successful' family does not ensure only its own welfare… but is able to extend altruistic identification with, and sacrifice for, kin to include neighbors, more distant community members, and even strangers… The New Testament household churches and the metaphor of the family as the 'domestic church' in patristic writings and in Roman Catholic teaching, are examples of the power of Christian commitment to transform body-based family sympathies without eradicating them."[55]

The tension Cahill posits between the importance of biological kinship and that of individual choice and desire becomes more pronounced in her considerations of assisted reproductive technologies (ARTs). Cahill acknowledges the goodness of desiring to share genetic parenthood with one's spouse and, for women, gestational motherhood with one's child.[56] She is concerned with the present ability to disassociate genetic, gestational, and

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[52] Ibid.

[53] Ibid.

[54] Ibid., 106. It is notable that Cahill herself is both a biological and adoptive mother.

[55] Ibid., 107.

[56] Ibid., 219.

social parenthood.[57] And she criticizes public discourse on ARTs for subjecting "the embodied relationality of sex and parenthood… almost entirely… to the primacy of choice."[58] But Cahill also identifies a contrary and problematic reductionism in magisterial teaching on this matter. This tends toward equating parenthood with procreation; especially when procreation is conceived narrowly as a condition of openness within individual sexual acts.[59] In response, Cahill asserts that the "meaning of parenthood, cross-culturally, historically, and experientially, is more *social* than either alternative." Procreation needs to be reinterpreted as parenthood; "a social relationship over time in which the emotional bonding of parents and child is as important as the physical realities of conception, birth, and kinship and the socioeconomic functions of the intergenerational family."[60]

To understand procreation as parenthood rectifies poorly integrated concepts within Catholic theology of marriage; including procreation, love and union.[61] Cahill writes, "Parenthood joins the relation to one's mate with the relation to one's children, through co-parenting."[62] Later she adds, "Parenthood makes sex (the couple's sexual

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[57] Ibid., 217.

[58] Ibid., 220. In a later book, Cahill argues that ARTs are "parasitic on continuing gender norms in which parenthood is seen as indispensable to social adulthood, especially for women, in which women's fulfillment and flourishing are closely tied to maternity. Although motherhood is a "profoundly meaningful" experience, and a desirable one for many, it should not be portrayed as an ideal that completely fulfills or exhausts the meaning of life." Lisa Sowell Cahill, *Theological Bio-Ethics: Participation, Justice, Change* (Washington D.C.: Georgetown University Press, 2005), 193.

[59] Ibid., 112.

[60] Ibid., 199.

[61] Ibid., 113.

[62] Ibid.,115.

relation) fully accountable for, and contributory to, human well-being and interdependence in communities beyond the couple." That is, "their union in parenthood is a specifically *sexual* mode of social participation."[63] For Cahill, 'parenthood,' succeeds where 'procreation' fails because it redirects the physicalist-personalist polarity to essentially social meanings. Further, Cahill suggests love as the guiding moral condition of marriage, sex, and parenthood. This love-dimension of spousal relationships can be "understood to extend to their domestic, social, and parental partnership."[64]

Critical Appraisal

In *Sex, Gender and Christian Ethics*, Cahill's methodology offers a valuable precedent for bringing both feminist convictions and experiential evidence into productive dialogue with magisterial teaching. Cahill's skillful navigation of the terrain between divergent perspectives, on topics replete with difficulty, is impressive. Still, the book raises points of concern. Why, for example, does Cahill's concern for the embodied importance of gender and sexuality not lead her to offer a more assertive position in relation to homosexuality? That is, the seriousness with which Cahill takes human embodiedness joined with her disillusionment with procreation as an effective norm for the marital sexual relationship, suggests potential for a Catholic reappraisal of homosexuality. This potential, when joined with her emphasis on the social goals of the marital relationship, opens clear possibilities for a more thorough going reappraisal of the potential theological goods of same-sex relationships. The answer appears to reside in

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[63] Ibid., 201.

[64] Ibid., 232.

Cahill's methodology, which retrieves an Artistolian-Thomistic framework and, through this, shares certain similarities with magisterial thought.

Cahill's vision of the family is based around a core of biological kinship. She argues that her position can be supported with sociological evidence. It also has agreements with magisterial thought, and the opinion of Aquinas; who derived parental responsibility from biological parenthood.[65] On the other hand, Cahill is quite explicit in articulating a framework in which both biological and fictive kinship play important roles. And she makes clear, fictive kinship has significance, and may open the family to greater social contribution. Positing fictive kinship as an important dimension of familial relations allows Cahill to call attention to the social mission of the family.

However, the centrality of biological kinship in Cahill's vision suggests that these two forms of kinship form a duality between real-biological kinship and false-fictive kinship. In this framework, fictive kinship remains good, but derives its meaning from being analogous to biological kinship. This appears to be the same ordering that grounds the question posed to magisterial teaching in the last chapter – whether adoptive families can be said, unambiguously, to be 'real' families. The same tension would explain Cahill's hesitancy on the topic of homosexuality. That is, assessing the potential value of false-fictive kinship for sexual partnerships that are naturally incapable for producing real-biological kinship becomes a complex matter. That such a framework is at least implicitly operative in Cahill's thought is more evident in her perspective on adoption.

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[65] Thomas Aquinas, *Summa Theologica*, 2-2, Q. CII, a. I

Cahill's brief and realist comments on adoption stand in rather stark contrast to a much more extensive and creative engagement with biological kinship.[66] There is no romanticism in her account of adoption in which she presents adoption as form of "crisis management."[67] Cahill cautions that all parties involved must "come to terms with their 'loss' of a unified bio-social child-parent relation."[68] Granting that serious problems do indeed exist for claiming adoption as an unambiguous good, the absence in Cahill of an explicitly theological vision of adoption is notable. While she considers the sociological and personal turmoil often linked to adoption, theological motivations and commitments are peripheral. In fact, she appears to define adoptive kinship precisely by its distance from biological kinship.

Cahill's perspective on adoption takes seriously the natural good of biological kinship and its relation to social parenthood. However, from a theological perspective it may be asked if kinship can or ought to be so singularly linked to biological foundations. Like magisterial perspectives, Cahill's vision of the family derives its social meaning secondarily from its natural structure; though the similarity exists in relation to biological kinship not specific sexual acts.[69] Yet, the Christian tradition may warrant a deeper appreciation of the value of 'fictive' kinship than Cahill is willing offer. For example, early Christian martyrs staked their lives on "fictive" kinship often over an against the

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[66] In other books and articles Cahill treats the topic more thoroughly, yet she remains committed to the importance of biological kinship and concerned about the social influences that create the need for adoption. In *Theological Bio-Ethics* her positive theological supports for adoption are all cited from other authors. See, Cahill. *Theological Bio-Ethics*, Chapter 6.

[67] Cahill, *Sex, Gender & Christian Ethics*, 244.

[68] Ibid., 247.

[69] Ibid., 210.

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will of biological kin. There are many more Biblical and traditional warrants that suggest "fictive" kinship plays a greater role that either Cahill of the magisterium suggest, but these will be addressed more thoroughly in later chapters.

The scant attention *Sex, Gender and Christian Ethics* Cahill's pays to children or childhood as subjects in their own right is also noteworthy. Cahill's remarks on children generally refer to parental duties. Several factors are associated with children's wellbeing; including inter-personal commitment and familial stability. While Cahill skillfully brings sociological data to bear on other topics, the opportunity to utilize such resources in developing an account of children's needs is regrettably missed.

Sex, Gender and Christian Ethics intentionally leaves many lines of inquiry unresolved as it claims a middle ground precisely by questioning oppositional views. Cahill's centrist position, however, appears to lean strongly towards an approach characteristic of magisterial thought in its conceptualization of parenthood. This produces similar limitations as it derives its conception of parenthood via biological procreation.

<div align="center">

Just Love

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Sexual Ethics and Marriage

Margaret Farley's *Just Love* approaches sexual ethical questions through principles of justice. Farley writes, "love is true and just, right and good, insofar as it is a true response to the reality of the beloved, a genuine union between the one who loves and the one loved, and an accurate and adequate affective affirmation of the beloved."[70] Conversely, "love is false or mistaken when it does not accord with the nature of the

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[70] Farley, *Just Love*, 198.

relationship between lover and loved."[71] These observations serve as the "formal

principle of justice in loving." The 'material' principles rely upon interpretations of

human realities, including "their needs, capacities, relational claims, vulnerabilities,

possibilities."[72] Farley explains, "what I propose is an inductive understanding of the

shared concrete reality of human persons that includes the following: Each person is

constituted with a *complex structure*… Human persons are *essentially relational*…

Persons exist *in the world*."[73] The last point includes institutional relationships, present

actualities and potentials, and individual uniqueness. In her assessment of basic human

realities, Farley remains cognizant of "the partiality of our knowledge, the historical

changeability of knowledge and the variations of human self-understandings from culture

to culture and across time."[74]

      Farley's methodology for considering sexual ethics is unique among Catholic

theologians. Still, she supports several revisionist claims and commits to the possibility of

moral approval of specific sexual acts considered illicit in official teaching (masturbation,

pre-marital sex, homosexual sex, etc.). Yet, Farley is unwilling to jettison tradition

entirely; instead her criticisms are primarily driven by a commitment to forefront

principles of justice even in opposition to authoritative teaching that is said to be based

upon the objective moral order. Farley contends that the three classic Christian norms for

marriage remain valuable guides, namely: monogamy, sexual exclusivity, and

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[71] Ibid., 201.

[72] Ibid., 209.

[73] Ibid., 211.

[74] Ibid.

permanence. She also argues that marriage and love share similar goals; "embodied and inspirited union, companionship, communion, fruitfulness, caring and being cared for, opening to the world of others, and lives made sacred in faithfulness to one another and to God."[75]

Farley's ethics are directed by the principles of 'fruitfulness' and 'social justice.' These suggest that ethical sexual relationships tend toward growth and the common good. 'Fruitfulness' is related to the traditional good of 'procreation,' though Farley posits a much wider meaning that includes growth in loving relationships, care, and justice.[76] She acknowledges that biological reproduction is a good that is not accessible in all sexual relationships but emphasizes that non-reproductive sex acts may still be fruitful in ways other, but not lesser than, biological procreation.[77]

Like Cahill, Farley affords significantly greater attention to ARTs than to adoption as an alternative means of family formation. To her credit, Farley does not follow a common tendency to insert praise for adoption as a means of contrasting the moral challenges of ARTs, which commonly presents adoption as a licit alternative rather than a positive moral good in its own right. Given her understanding of 'fruitfulness,' adoption might be considered implicit within Farley's argument.

Family, Children, and Parenthood

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[75] Ibid., 268.

[76] Ibid., 290.

[77] Ibid., 227.

Considering normative family forms, Farley argues that there are great, though perhaps not unlimited, possibilities for producing human happiness and flourishing. Like Cahill, Farley rejects strict familial gender roles, but is significantly less concerned to champion traditional structures based on kinship as inherently valuable. Farley argues that it is mistaken to consider the family as a "natural 'given,' interior to society and with an internal meaning that needs no critiquing as to its justice or injustice." She further criticizes the "almost insatiable desire" for biological children that drives a billion-dollar ART industry.[78] Instead, determinations of the 'good family' are not about preferences or idealizations of a 'best' model so much as they are about the "justice and love that a model makes possible."[79] For this reason, Farley is hesitant to define the family in terms of structure or define outer boundaries. She writes, "every configuration that 'works,' that functions reasonably well in facilitating and undergirding a life for people together in mutual affection and flourishing, perhaps especially when it comes to the rearing of children" ought to be celebrated.[80]

Children and parenthood are occasional points of reflection for Farley, but not primary considerations. Yet, because Farley's methodology moves from broad principles toward increasingly specific applications, the inability to engage every specific topic is a defensible limitation. The framework Farley is primarily intending to develop is easily stretched to subjects not included in scope of the book itself.

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[78] Ibid., 270.

[79] Ibid., 262.

[80] Ibid.

The most direct considerations of children and parenthood are largely limited to a chapter on relationships.[81] It is notable that despite Farley's reframing of 'procreation' into the much broader concept of 'fruitfulness,' children and parenthood remain conceptually significant within her sexual ethics. She argues that, as an ethical principle, no child should be conceived who will not be born into a context conducive to his or her growth. Though she admits this is an unenforceable standard, the principle links parenthood and sexual ethics such that these "can be assessed in terms of whether or not a child will be affirmed in her relationality and her development of a capacity for self-determination – whether or not she will be respected and nurtured in the features of her being that constitutes the core of her humanity."[82] Additionally, Farley's articulation of love appears inclusive enough to embrace an understanding of parenthood, though she focuses on ethics between sexual partners. In the context of parent-child love, the mutual reciprocity around which Farley frames her concept of love would require revision.[83]

Critical Appraisal

While Farley's effort has produced an insightful look at Christian ethics from a consistent commitment to social justice, it also tends toward oversight of specific issues. This cannot be totally avoided given her method of moving from broad principles toward increasingly specific applications. On the whole, however, there is reason to desire more balanced attention to certain areas. Children and parenthood, for example, are only

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[81] Ibid.

[82] Ibid.

[83] See Timothy P. Jackson, *The Best Love of a Child: Being Loved and Being Taught to Love as the First Human Right* (Grand Rapids, MI: Eerdmans, 2011).

occasional points of reflection for Farley and rarely do these become primary considerations even at times when she has appeared to raise legitimate questions. At the same time, Farley offers fodder for criticizing contemporary conceptualizations of parenthood and its relation to sexual ethics. Nonetheless the specific implications of Farley's opinions and criticisms remain somewhat ambiguous in relation to children and parenthood.

For instance, Farley offers grounds for supporting same-sex partnerships, and suggests support for same-sex parenthood, but does not connect this to an integrated understanding of parenthood. Farley argues that heterosexual and homosexual sexual relationships can be evaluated on the same standards.[84] She asserts that objections on the grounds of the possibility of procreation "represent either a failure of imagination or a narrowness of experience that disallows an appreciation of all the ways in which humans bring life into the world, and all the ways that the world needs new life from those to whom the gift of love has been given."[85] And she suggests that arguments in support of same-sex marriage are stronger than those that cite possible negative implications for 'traditional marriage'.[86] Yet, Farley stops short of urging support for same-sex marriage and instead argues that same-sex couples should be allowed to determine the suitable institutional form of their own relationships.[87]

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[84] Farley. *Just Love*, 288.

[85] Ibid., 290.

[86] Ibid., 293.

[87] Ibid., 294.

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Farley's reservation on the institutionalization of same-sex relationships leaves the question of same-sex parenthood resting in a conceptual gap. Farley gives no reason why same-sex partners could not raise children, yet she does not consider how the existence of children might legitimately impact the both nature of that relationship itself. The presence of children in a relationship certainly alters the stakes of moral evaluation. If same-sex relationships are governed by the same principles as heterosexual relationships they ought to embody both fruitfulness and social justice, which could be expressed in parenthood. Yet Farley's justification goes no further than sexual ethics, even as it opens the door to parenthood. In so doing, she fails to take the existence of children themselves seriously and connect this to the known benefits for children offered in her reflections on marriage. Instead, Farley ends with the self-determinations of adults.

Farley's oversight in not recognizing the need to integrate same-sex parenthood within some sort of stable, socially structured context, in the same manner as her argument for the value of heterosexual marriage, belies a general inconsistency in applying children's needs as an evaluative condition for adult relationships. While Farley suggests adult capacities that may be required of parenthood and employs the possibility of parenthood as an evaluative tool, her ethic remains centered in adult sexual relationships and does not consistently connect all the social, familial, and relational points that she herself raises. This is not to say that Farley, a Catholic nun, is somehow obligated to argue for same-sex unions or marriage. Instead it is to point out that even as Farley proceeds from a vastly different methodology and comes to a very different moral evaluation of same-sex relationships than does the magisterium, she too arrives at

parenthood through sexual ethics while appearing to presume that adequate justifications for sexual behavior somehow serve as sufficient grounds for parenthood.

<p style="text-align:center">*The Sexual Person* and *Sexual Ethics*</p>

Sex Ethics and Marriage

Salzman and Lawler's books critique aspects of official Catholic teaching on sexual moral theology and deconstruct the methodological and anthropological commitments it is based upon. In response to these criticisms, they offer a revised theological anthropology and articulate its implications for sexual ethics. Their method takes Catholic moral tradition seriously and centers on a Thomistic natural law framework. Salzman and Lawler's primary contention with modern developments in Catholic moral theology, especially in the twentieth century, relates to its classicist underpinnings. As such, they scrutinize official teaching in light of both internal inconsistencies and new knowledge. Their own method relies upon historical consciousness and offers a different model of appropriating tradition for the present, which is more engaged with experience as a source of ethics.

Salzman and Lawler acknowledge that sexual ethics and marital ethics are largely synonymous within Catholicism and, despite a few reservations, accept the wisdom of this association.[88] The revisions they do propose result primarily from founding traditional forms of reasoning on "a more adequately considered unitive sexual anthropology."[89] Their "renewed Catholic anthropology" holds two basic commitments,

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[88] Salzman and Lawler, *Sexual Ethics*, 7.

[89] Ibid., 47.

fully integrating personalist insights into official teaching and revising the overly

procreationist and acts-centered magisterial approach.[90] These commitments arise out of

modern theological developments related to the *ends* of sexuality and marriage.[91]

Salzman and Lawler argue that important figures throughout the tradition have

recognized the relational bond of the spouses as the most definitive aspect of Christian

marriage. With Aquinas, however, the hierarchy of ends, which places procreation as

primary and companionship as secondary, become firmly instantiated within the tradition.

The authors take issue with Aquinas' definition of the primary purpose of the *human*

institution of marriage by a generically *animal* capacity.[92] In addition, they draw attention

to the significance of the shift in twentieth century considerations of the hierarchy of ends

from an earlier view of marriage to an emphasis on sexual intercourse specifically.[93]

Like Cahill and Farley, Salzman and Lawler advocate a more expansive

understanding of 'procreation' that can encompass broad meanings of 'new life.'[94] In

reference to *Gaudium et spes* they write, "The marital relationship finds an essentially

nurturing component in just and loving sexual acts that *procreate*, occasionally in a

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[90] Ibid., 52.

[91] "The procreation and education of children *and* the union between the spouses are equal ends in marriage; there is no longer a Catholic hierarchy of ends. The magisterium now defines the "finality of the faculty" of the sexual organ in terms of *both* the procreation and education of children *and* the union between the spouses in every sexual act." Ibid., 77.

[92] Salzman and Lawler, *The Sexual Person*, 35.

[93] Ibid., 37.

[94] Salzman and Lawler, *Sexual Ethics*, 58.

biological sense, always in the sense of creating life for the couple, their bonded

relationship, their family, and their wider community."[95]

A central objection of the authors is to the manner in which official Catholic

teaching has employed personalist ideals following Vatican II. They argue that the

council had set the stage for renewal, yet traditional prohibitions grounded in physicalist,

act-centered reasoning have not only persevered, but have been roundly defended.[96] *The*

Sexual Person devotes two chapters to exploring the fundamental divides in

contemporary Catholic moral theology on which this objection rests. A critique of the

idea of 'complementarity' as employed in magisterial and traditionalist sources emerges

from this effort.

The authors identify several forms of complementarity within magisterial

teaching and organize these as forms of 'biological' or 'personal' complementarity.

Biological complementarity includes 'heterogenital' and 'reproductive' complementarity.

Personal complementarity includes 'communion', 'affective', and 'parental'

complementarity.[97] They argue that, in magisterial sources, communion complementarity

is central to the expression of conjugal love and relies essentially upon heterogenital

complementarity.

Salzman and Lawler identify affective complementarity as "the crux of

magisterial teaching on sexual complementarity, because it intrinsically links biological

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[95] Ibid., 50.

[96] Salzman and Lawler, *The Sexual Person*, 3.

[97] Salzman and Lawler, *Sexual Ethics*, 64.

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and personal complementarity."[98] Aside from external genitalia, they inquire, what essential attributes divide the genders? They identify biological maternity and paternity as another differentiating feature (though these are dependent upon genitalia and reproductive organs) and argue that gendered stereotypes bear the weight of the remaining case for complementarity. "Femaleness is defined primarily in terms of motherhood, receptivity, and nurturing and maleness is defined primarily in terms of fatherhood, initiation, and activity." They contend that this "does not adequately reflect the complexity of the human person and relationships."[99] Salzman and Lawler conclude that the concept of complementarity in magisterial teaching "is entirely unsubstantiated by any scientific evidence."[100] In response, Salzman and Lawler argue that personal goods must be privileged over physical realities and, on this basis, advance a revised account of sexual ethics based upon a more nuanced anthropology.[101]

Salzman and Lawler argue that this conception of complementarity rests on weak foundations when human sexuality is considered comprehensively. They argue that, when genital complementarity ceases to be decisive, the difference between homogenital intercourse and knowingly infertile heterogenital intercourse becomes obscure. In addition, evidence suggests same-sex partners can experience affective complementarity.

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[98] Ibid., 67.

[99] Ibid., 69.

[100] Ibid., 70.

[101] Patricia Beattie Jung, follows Salzman and Lawler's criticism of magisterial use of complementarity and concludes that such an account is too weak in light of present knowledge about sexual diversity. Patricia Beattie Jung, "God Sets the Lonely in Families," in *Inquiry, Thought, and Expression*, vol. 2 of *More than a Monologue: Sexual Diversity in the Roman Catholic Church*, eds. J. Patrick Hornbeck II and Michael Norko (New York: Fordham University Press, 2014), 120 - 122.

From their perspective of 'wholistic complementarity' homogenital sexual acts, like

heterogenital sexual acts, are potentially morally justifiable.[102]

Family, Children, and Parenthood

Salzman and Lawler consistently utilize children's wellbeing as an evaluative tool

for sexual ethics; specifically as a means of critiquing magisterial teaching. For example,

the authors criticize the CDF for arguing that children's wellbeing rests upon parental

complementarity (subject to heterogenital complementarity) as a reason for rejecting

same-sex parenting. In response, Salzman and Lawler cite a growing body of evidence to

suggest children's wellbeing is not, in fact, closely associated with the heterogenital

complementarity of their parents.[103] Salzman and Lawler appeal to children's needs again

to refute the hierarchy of ends. They write,

> The union of the spouses tends naturally to the birth and nurture of new persons, their children, who focus the fulfillment of their parents, both as individuals and as a two-in-oneness… social scientific data demonstrates that the well-being of the child is a function of the well-being of its parents, suggesting that the relationship between the spouses is the primary natural result of marriage, since all other relationships in the family depend on it.[104]

Similarly, children's wellbeing is used to critique assertions of the inseparability of the

procreative and unitive meanings of intercourse. "The genuine procreation of children,

which always intended and continues to intend their education and nurture beyond mere

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[102] Salzman and Lawler, *The Sexual Person*, 40.

[103] Salzman and Lawler, *Sexual Ethics*, 71.

[104] Ibid., 31.

biological generation… depends on the happiness and stability of the relationship between the spouses/parents."[105] Further they argue,

> The demands of the good of marriage, the good not only of the couple but also of their existent children, can on occasion take priority over the good of procreation. A compromise may be needed between the good of the spouses and the good of procreation… Not every married couple need procreate, or even be open to procreation, every time they have intercourse; indeed, as Pius XII taught, not every couple need procreate at all.[106]

Although Salzman and Lawler's books are too centered on anthropology and sexual ethics to include significant considerations of family, children, and parenthood, they frequently acknowledge the implications of their argument for these realities and employ social-scientific research to substantiate their claims.

Critical Appraisal

Salzman and Lawler express agreement with other authors regarding the idealization of sexual intercourse in magisterial thought, yet they occasionally tend toward this themselves. While emphasis on the importance of sexual acts may be expected in books on sexual ethics, at times the authors' valuation appears to distort sex's place within a matrix of concerns that includes marriage, children, and parenthood. For example, Salzman and Lawler express agreement with *Gaudium et spes'* teaching that the act of intercourse is the "perfection of conjugal love."[107] Yet this seems at odds with their criticism of John Paul II for idealizing the potential of sexual acts and with their concern that Aquinas defines an animal capacity as the primary end of marriage. In so doing the

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[105] Ibid., 138.

[106] Ibid., 115.

[107] Salzman and Lawler, *The Sexual Person*, 126.

authors misrepresent *Gaudium et spes,* which implies that sex *serves* the perfection of conjugal love, not that sex itself embodies that perfection.[108] Salzman and Lawler appear to be attempting to support a positive evaluation of the sexual act (which at times seems a rather fragile newcomer to Catholic thought) but in so doing replicate another recent trend of idealizing sexual intercourse. The problem with this idealization is that the praise offered can distract from more problematic underlying assumptions. In this case, Salzman and Lawler suggest that the Christian vocation of marriage might be embodied in good sex; a sentiment that runs parallel to statements of John Paul II criticized above. If marriage, including the conjugal love that defines it, is a Christian vocation, its 'perfection' should be tied to a supernatural end, while sexual expression would be a service to that end. This simply parallels the criticism the authors make of Aquinas' ordering of the ends of marriage. *Gaudium et spes* itself suggests that such perfection may be found in the perseverance of this love in "bright days or dark."[109]

A similar tendency may also be surmised from Salzman and Lawler's prioritization of good sex as foundational to family formation (by conception or adoption) and to sustaining the health of the marriage, family, and children's wellbeing. Again, while sexual acts may well play an important role, the centralization is misplaced and replicates problematic traditional preoccupations. A limited theological vision of parenthood may be a factor in Salzman and Lawler's admittance of certain superlative

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[108] "[Conjugal love] is uniquely expressed and perfected" through the intimacy appropriate to matrimony. Vatican II, *Gaudium et spes*, Vatican, (December 7, 1965) http://www.vatican.va/archive/hist_councils/ ii_vatican_council/documents/vat-ii_cons_19651207_gaudium-et-spes_en.html, #49. *The Sexual Person* is in error when citing #51 which concerns the regulation of birth.

[109] *Gaudium et spes*, #49.

claims about sex. More explicit attention to the specifically Christian vocation of parenthood could have served to reduce the centralization of sexual expression.

Further limitations in a theological vision of parenthood may be at work in their presentation of adoption and same-sex parenthood. The relationship between adoptive and biological parenthood is not clarified. This ambiguity joined with their high valuation of sexual intercourse, once again leaves the authors open to the criticism made of Cahill above. Namely, that through a Thomistic natural law framework, they have replicated a tendency to base their concept of parenthood essentially on biological kinship to the exclusion of other forms.

Their limited vision of parenthood becomes more evident when their argument for the moral acceptance of homogenital sexual acts is compared to their argument for same-sex parenthood. While the former utilizes a thorough rethinking of complementarity and the human person, the latter is *exclusively* based upon experiential evidence. In effect, their justification for same-sex sexual relationships functions as theologically sufficient to justify same-sex parenting; while social-scientific data bear the weight of this second claim.[110] Like Cahill and Farley, Salzman and Lawler's project is not primarily concerned with same-sex parenthood. Nonetheless, their arguments lead them to justify same sex parenthood even as their grasp of the further theological implications of that justification appears insufficient as it relates to theological conceptions of parenthood.

Conclusion

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[110] Salzman and Lawler, *Sexual Ethics*, 174.

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Each of the books above offers points of contention with magisterial teaching and utilizes revisionist methodological commitments. However, each author demonstrates certain points of limitation that reflect those identified in modern magisterial teaching by the previous chapter. Specifically, thin theological accounts of parenthood appear to compliment much more substantial sexual ethical arguments while the former in many ways functions definitively for the latter. As with magisterial sources, this tendency suggests that the Christian vocation of parenthood is contingent upon, and primarily a function of, sexual morality. Interestingly, though the authors disagree to varying degrees with magisterial teaching on same-sex relationships, it is in their considerations of these where the connection between sexual ethics and parenthood often becomes most obvious. While sexual ethical norms are well-developed, thin theological accounts of parenthood limit reflections on how same-sex parenthood may contribute or distract from the Christian vocation of parenthood. Farley and Salzman and Lawler differ significantly from the magisterium in utilizing sociological data to support same-sex partnerships yet the evidence is not integrated into a theological account of parenthood itself. Perhaps relatedly, adoptive parenthood remains a peripheral subject which receives little direct attention and few theological arguments to substantiate its place within the Christian tradition.

Each author grapples with the implications of contemporary experience for Catholic sexual moral theology and each tends to refute strong gender essentialism as a result. In doing so, they allow contemporary experience to function as a more centralized source of moral knowledge than found in magisterial teaching. However, these writings also tend to replicate magisterial thought by drawing conceptions of parenthood primarily

from sexual ethical norms and some level of commitment to biological kinship as the presumptive normative form of kinship.

Though it has been argued above that the specific contexts often call for a more thorough engagement with the theological concept of parenthood, the emphasis on sexual ethics found throughout these books may seemingly be a consequence their primary subject matter. That is, books on sexual ethics reasonably focus on sexual rather than more peripheral considerations, such as parenthood. Therefore, to substantiate these concerns more fully, the second half of this chapter turns to writing on marriage and family. Here again, it will be argued that although many useful insights are available, remarkably little research describes parenthood as a subject of theological concern in its own right.

Part III: Marriage and Family

Overview

In recent decades, Catholic theological writings on marriage have focused on the sacramental theology of marriage (especially in relation to cohabitation), the bond of marriage, annulment, and divorce.[111] Several theologians have proposed revised theologies of marriage to counter the impact that patriarchy and the ideal of celibacy have had historically in shaping Catholic theology of marriage.[112] In this task, recoveries of

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[111] Cf. Chapters 4 and 5 in, Michael G. Lawler and William P. Roberts, eds., *Christian Marriage and Family: Contemporary Theological and Pastoral Perspectives* (Collegeville, MN: The Liturgical Press, 1996).

[112] Gaile M. Pohlhaus, "Feminism and Christian Marriage: a Progress Report," in *Christian Marriage and Family: Contemporary Theological and Pastoral Perspectives*, eds., Michael G. Lawler and William P. Roberts (Collegeville, MN: The Liturgical Press, 1996), 93.

biblical perspectives as well as awareness of the historical diversities and developments within Christian views on marriage are prevalent.[113] This preoccupation may have distracted from reflection on the theological identity of parenthood within the field.

A survey of nine recent Catholic scholarly books on marriage and family reveals that sacramental theology of marriage and sexual ethics each receive significantly more direct attention than considerations of the family, parenthood, or children ("fatherhood" does not even appear in all indices).[114] Though this perusal of recent writing is not comprehensive and cannot speak to the relative influence of each book, it does seem to suggest the tendencies of established scholars within this field. Parenthood receives less than half the total pages devoted to sexual ethics and less than a quarter compared to sacramentology of marriage. Notably, *spirituality of* parenthood is the most common approach to the topic within the texts surveyed. Direct consideration of children reveals even greater paucity, despite the growing academic field of childhood studies (a subject of a later chapter). This is remarkable given the significant attention sexual ethics

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[113] Cf. Todd A. Salzman, Thomas M. Kelly, and John J. O'Keefe, eds., *Marriage in the Catholic Tradition: Scripture, Tradition, and Experience* (New York: Crossroad Publishing Company, 2004). Especially chapters 1 – 6.

[114] The approximate tally is 173 pages on sacramentology, 146 on sexual ethics, 105 on family, and 75 on parenthood. The works consulted are as follows: Michael G. Lawler and William P. Roberts, eds., *Christian Marriage and Family: Contemporary Theological and Pastoral Perspectives* (Collegeville, MN: The Liturgical Press, 1996). Kieran Scott and Michael Warren, *Perspectives on Marriage: A Reader* (New York: Oxford University Press, 2001). Richard R. Gaillardetz, *A Daring Promise: A Spirituality of Christian Marriage* (New York: The Crossroad Publishing Company, 2002), Michael G. Lawler, *Marriage and the Catholic Church: Disputed Questions* (Michael Glazier Books, 2002), Julie Hanlon Rubio, *A Christian Theology of Marriage and Family* (Mahwah, NJ: Paulist Press, 2003). Todd Salzman, Thomas M. Kelly and John J. O'Keefe, *Marriage in the Catholic Tradition* (New York: The Crossroad Publishing Company, 2004), Daniel Hauser, *Marriage and Christian Life: A Theology of Christian Marriage* (Lanham, MD: University Press of America, 2005). Charles Curran and Julie Hanlon Rubio, eds., *Marriage* (Mahwah, NJ, Paulist Press, 2009), Natalie Kertes Weaver, *Marriage and Family: A Christian Theological Foundation* (Winona, MN: Anselm Academic, 2009).

continues to receive. Catholic moral tradition tends strongly towards a 'natalist' bias[115] which is evidenced by greater concern for how children are made than how they are raised. Such a bias naturally leads to neglecting adoptive parenthood which falls beyond its center of concern.

Despite revisionist inclinations to expand and reconfigure the concerns of sexual ethics, revisionist moral theology remains centered on relatively narrow concerns. Still, several recent publications have begun to reshape the conversation by turning attention more directly to the operation of family systems and the theological convictions that ground the Christian family. In this respect, Vatican II's reassertion of the family as the domestic church has played a significant role.[116]

The first part of this chapter critically discussed the way various revisionist texts treat parenthood. The veracity of this critique depends upon sex, marriage, and family being closely connected in Catholic thought such that texts on sexual ethics can be assumed to bear on conceptions of parenthood. This linkage is not only evident throughout magisterial and revisionist sources, but concretely shapes Catholic sexual ethics. Importantly, however these connections also display an inner hierarchy which proceeds from sexual ethics and is shaped by a normative conception of biological kinship. By structuring the relationships in this way, moral commitments are skewed towards sexual ethics which permits the continuation of underdeveloped conceptions of parenthood. Counteracting this pervasive tendency, so as to theologically consider

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[115] Todd Whitmore with Tobias Winright, "An Undeveloped Theme in Catholic Teaching," in *The Challenge of Global Stewardship,* eds. Maura Ryan and Todd David Whitmore (Notre Dame: University of Notre Dame Press, 1997), 177.

[116] Among others, see Lawler and Roberts, Chapters 4 & 5.

parenthood in its own right, requires careful delineation of concepts within the subjects of

sex, marriage, and family, while affirming their fundamental relatedness. Present

theological writing has not sufficiently attended to this task.

Todd Whitmore has argued that contemporary Catholic thought has tended to

assume a common anthropology of the child without explicit consideration of what this

might be.[117] The limited attention recently given to the study of children as subjects in

their own right, not subsumed within reflections on the family or motherhood, is a

hopeful sign.[118] Recent works have begun to fill this void in contemporary theological

concern while arguing that such a void is out-of-step with the greater Christian

tradition.[119] *The Child in Christian Thought*, edited by Marcia J. Bunge, surveys

theological conceptions of childhood in Christian history through the writings of major

theologians and movements.[120] David H. Jenson argues that children provide an essential

vantage point into Christian faith.[121] And Bonnie Miller-McLemore considers the

theological meaning of childhood and parenthood for Christians today.[122] This hopeful

trend will be addressed more clearly in the following chapter. At present, it is enough to

suggest that just as 'children' can be treated as viable subjects of theological inquiry

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[117] Whitmore, 175-176.

[118] Marcia J. Bunge, Introduction to *The Child in Christian Thought* (Grand Rapids, MI: Eerdmans, 2001), 3.

[119] Cf. Bunge, and Diane Wood, eds., *The Church and Childhood* (Oxford: Blackwell Publishers, 1994), 7.

[120] Bunge, 7.

[121] David H. Jenson. *Graced Vulnerability: A Theology of Childhood* (Cleveland: Pilgrim Press, 2005).

[122] Bonnie Miller-McLemore, *Let The Children Come: Reimagining Childhood from a Christian Perspective* (San Francisco: Jossey-Bass, 2003).

without necessarily negatively influencing the related ideas of family, parenthood, or procreation, so too parenthood deserves greater direct theological attention as a subject related to sex, marriage, and family that is not absorbed by these. Furthermore, this perspective already finds some support in contemporary magisterial and revisionist thought.

The remainder of this chapter considers works within the theology of marriage and family that offer particularly helpful contributions to a more adequate theology of parenthood. First among these is Lisa Sowle Cahill's *Family a Christian Social Perspective*. While her earlier work, considered above, focused on sexual ethics and gender, this text offers more substantial resources for understanding the Christian family as a unique community within the broader social context. This is followed by Julie Hanlon Rubio's *A Christian Theology of Marriage and Family* and *Family Ethics*, both valuable contributions to the field which advance the author's efforts to move Catholicism beyond the divisiveness fostered in the wake of *Humanae vitae*. Lastly, Richard Gaillardetz's appropriation of the Eastern Orthodox concept of 'generativity' receives brief attention as a helpful concept for advancing the present conversation.

Family a Christian Social Perspective

Lisa Sowle Cahill's *Family; A Christian Social Perspective* presents a Christian account of parenthood by framing theologically considered parental functions within the Christian family's social obligations. She observes that, historically and cross-culturally, kinship and the body are important for grounding the family in material needs, yet marriage also introduces "the importance of affiliation through *free choice* in defining

family ties."[123] Likewise, observations of continuity are balanced against disruption and difference. She writes,

> Although family as created by kinship and marriage is the most basic family form or definition of family, it is not the only or exclusively legitimate form. It is basic in that it prevails across cultures as an important social institution and provides the fundamental working concept of the family for most individuals and societies. There are other types of human alliance, however, for mutual economic and domestic support, as for reproduction and childrearing, that are analogous to the basic kin- and marriage-based family.

Cultural practices of adoption are illustrative of these diversities, even as adoption by near kin is often preferred. Cahill concludes that absolute clarity on the definition of the family is both difficult and unwise. Instead, she advances an "inclusive and supportive approach to family life, one that can hold up ideals such as male-female coparenting and sexual fidelity without thereby berating and excluding single-parent families, divorced families, gay and lesbian families, blended families, or adoptive families."[124]

Three convictions frame Cahill's argument. The first concerns human nature and the goals of civil society. She writes, "Humans have a natural capacity for intimacy, empathy, compassion, and altruism that can be learned and fostered in close associations like the family..."[125] Through proper socialization, these innate human capacities can be developed to serve Christian goals by extending towards the larger community. Thus, "The moral task of families and of civil society in general is to enhance these capacities and to discourage their opposites." Her second conviction is that sin, specifically in the form of collective egotism, constitutes "a dark side of all human associations that family theorists do well to keep in mind, so as to counteract it more effectively." Her third

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[123] Cahill, *Family*, xi.

[124] Ibid.

[125] Ibid. 16.

conviction relates to the transformative influence of Christian faith in human relations. Yet, the Christian family and its vocation to embody discipleship nonetheless remains grounded in the ambiguities of earthly existence.[126] In articulating these three convictions, Cahill addresses the classic features of a Christian anthropology (nature, sin, and grace) in the context of the family. She suggests that humans, by nature, are both relational and capable of growth while human nature is further contextualized by the realities of both sin and grace.

Cahill recognizes that Christian discipleship is possible only within the highly complex terrain of earthly existence. As such, she acknowledges Jesus' ambiguity toward the family and presents the mixed messages of the early Christian witness. In so doing, she pays close attention to the complex, and perhaps conflicting, obligations of Christian faith and familial commitments.[127] Cahill surmises, "Although it is probably true that Jesus did not repudiate family simply as family, it is not enough to say that he only wanted his followers to put family claims in perspective. Jesus as remembered by the early Christian movement presents family life with a deep and momentous challenge." For Cahill, this challenge is a call to "radical transformation."[128]

Following this biblical precedent, Cahill stays closely attuned to the potentially negative moral dimensions of the family. She argues that legitimate concern for family well-being can easily lead to justifying and supporting existing hierarchies.[129] And she

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[126] Ibid., 16.

[127] Ibid., 29.

[128] Ibid., 33.

[129] She writes, "[A]ttributing the family 'failure' primarily to personal moral weakness allows the more advantaged to avoid the uncomfortable conclusion that they themselves are in some way responsible for the factors that lead the family 'breakdown' among the urban poor and even more distasteful conclusion

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notes, "family belonging is potentially idolatrous, a socially acceptable form of arrogance and greed."[130] This idolatry is evidenced by the insularity of families who exercise a form of collective individualism and fail to fulfill the obligations of their Christian identity. Rather, a Christian family reaches beyond its own social and economic sphere.[131] She explains, "The primary values defining the Christian family are the same values that define the 'new family and Christ': other-concern and compassionate love that overlooks socially normative boundaries and is willing to sacrifice to meet the needs of others."[132] Considering these tensions further she writes,

> To overcome the perils that family identity presents, it is necessary for Christian identity to transform the family's self-promoting and exclusionary tendencies and to enhance the abilities to teach affection, empathy, and altruism. On the basis of these dispositions, Christian families will be able to cultivate reciprocity and equality internally and to foster the compassionate sharing of goods with outsiders.[133]

Despite Cahill's concern that the Christian family recognize its own Christian vocation, she is also keenly aware of the potential dangers of closely associating the family and the church. For instance, Cahill highlights the social orientation of the "domestic church" in magisterial teaching, yet argues that neither patriarchy nor the negative effects of global capitalism have been sufficiently critiqued.[134] She asserts,

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that restoration of the family and of other institutions of civil society will require redistribution of social assets." Ibid., 5.

[130] Ibid., 6.

[131] Ibid., 11.

[132] Ibid., 134.

[133] Ibid., 49. Cf. Kieran Scott, "A Spirituality of Resistance for Marriage," in *Perspectives on Marriage: A Reader,* eds. Kieran Scott and Michael Warren (New York: Oxford University Press, 2001), 290.

[134] Cahill, *Family*, 6.

naming the family as 'church' can just as easily lead to domesticating the eschatological edge of Christianity as to sanctifying families; and likely will lead to both.[135]

She further argues that the family's mission as an inter-generational association of Christians underwrites its Christian identity. That is, structural definitions of the family are less significant than assessments of family function in light of Christian commitments.[136] Cahill writes, "if the socially radical meaning of Christianity is taken seriously, Christian families can become vehicles of social justice, even as they strengthen and build upon their bonds of kinship, affection, and faithfulness."[137] This conviction finds a contemporary exemplar in African-American families that have provided mutual support and maintained a marital and parental ideal while remaining broadly inclusive of diverse family structures.[138] While the contexts that have provided the need for these responses within black Christian communities raise concern, the communal means of support and acceptance provides a valuable framework for a broader Christian perspective on the family.

Cahill's understanding of the family does not make all family structures equal; some are apt to produce greater human happiness and social betterment, especially those that tend towards fidelity and commitment. Still her perspective "opens up the possibility

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[135] Ibid., 4.

[136] Ibid. Cahill's emphasis on function is not to be understood as a rejection of normative principles. She explains that she remains "firmly dedicated" to the Roman Catholic commitment that "there are in fact moral values that are in some sense objective because they are rooted in common human needs and purposes." Thus, objective values, though perhaps difficult to discern, find their point of reference in the needs of the human person, and by that reason, functional accounts are not relativistic, but retain commitment to objective principles.

[137] Ibid., xii.

[138] Ibid., 122.

that even 'nontraditional' families may exhibit the most important Christian family values, and for that reason be authentic domestic churches."[139]

Cahill makes a qualified acceptance of the appraisal that the modern family is in crisis but is careful to avoid to identifying this crisis narrowly with demographic shifts within the domestic sphere. Instead, she argues that the crisis must be addressed with respect to both personal-moral and social-economic concerns.[140] Likewise, Cahill partially accepts the view that the ascendency of 'individualism' is responsible for dissolving family structures, but also calls attention to the destructive effects poor education and joblessness have on the families of the urban poor.[141] Cahill writes "certainly poverty correlates with unwed motherhood" and argues further, on the basis of sociological data, that "poverty is the cause of single-parent families. Poor education and joblessness are disincentives to marriage."[142]

Considering children, Cahill observes that the uniqueness of the Christian family's vocation centers on its duty of committing children "to Christian purposes, mainly, worship of the God revealed in Jesus Christ and to love for neighbor and enemy."[143] Through the Christian family, children are embedded in the Christian life established by their parents and other family members and learn to participate in broader communities specifically as Christians. Cahill writes, "The child grows to share the larger

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[139] Ibid., 134.

[140] Ibid., 2.

[141] Ibid., 5.

[142] Ibid., 117.

[143] Ibid., 49.

community of religious experience and moral service that the family represents in miniature."[144]

Characteristically, Cahill's work is also concerned with gender. Within the family and society, gender can function as a "line of division marking access to social benefits." Such a demarcation tends to produce dichotomous gender roles which generally result in preferential roles for men. These roles are reinforced "by ideology and by physical force, both direct and indirect."[145]

Considering John Paul II, Cahill observes his emphases on the fair distribution of wealth and his introduction of the historically novel concept of the family as "a sphere of relative gender equity."[146] Yet, Cahill observes, "an irreducible ambivalence of the papal approach to gender owes to John Paul II's firm espousal of a complementarity model of equality."[147] But from Cahill's perspective, "Christian interpretation of family life must confront the possibility that traditional family structures should be replaced, not reinforced, in the domestic church."[148]

Cahill's argument in relation to gender roles is especially significant in its permission to allow Christian ideals to challenge and reconstruct long-accepted norms of family structure and function. She argues,

> [A]n important task for the church's mission to Christian families today is to discover or create a family identity that is genuinely countercultural. While examples from the tradition carry liabilities, they also manifest certain strengths…. Christian family evangelization today, however, must improve upon these models by refusing to capitulate to any hierarchies of sex, class, and

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[144] Ibid., 81.

[145] Ibid., 50.

[146] Ibid., 85.

[147] Ibid., 91.

[148] Ibid., 50.

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wealth that contradict the essence of Christian social ethics: to embody the reign of God in human society by including the neighbor, stranger, and enemy in a new family of sisters and brothers in Christ.[149]

The final chapter of this project will make further use of the precedent offered here by Cahill, framed within the specific terms of Christian parenthood. For now, it is worth noting that Cahill's attention to the transformative potential of Christian commitments, even within aspects of family life that have been long considered natural, and therefore normative, affords a valuable precedent. In addition, Cahill offers a vision of the family that is not bound to a particular structure, but instead evaluated on the basis of function in relation to the family's Christian vocation. Although she focuses on social practices, specifically in the political and economic realms, her assessment of the family is also framed by a specifically Christian anthropological commitment to addressing the complex interplay of nature, sin, and grace. Each of these insights may contribute to a broader theological vision of parenthood.

Family Ethics and *A Christian Theology of Marriage and Family*

Like Cahill, Julie Hanlon Rubio identifies the family as a point of convergence between private and social spheres and employs a method that is both appreciative and critical of the tradition.[150] Throughout both books, Rubio is often in dialogue with John Paul II but rarely finds total agreement. Her earlier book, *A Christian Theology of Marriage and Family*, offers more direct criticisms of John Paul II, who she portrays as a moderate standing between modernist conservatives and postmodernist liberals. Perhaps

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[149] Ibid., 83.

[150] Julie Hanlon Rubio, *Family Ethics: Practices for Christians* (Washington D.C.: Georgetown University Press, 2010), 18.

her most piercing criticism is directed at the late pontiff's portrayal of the family, which

she argues, "never steps out of the ideal realm to touch the reality of individual

families."[151] In *Family Ethics,* Rubio is likewise concerned with the idealism of John

Paul II as well as the disproportionate emphasis he placed on sexuality and sexual love in

comparison to lived experience.[152] She argues that the imagined harmony of the holy

family, "Mary, submissive and nurturing; Joseph quietly protective, a good provider; and

Jesus, the holy obedient child" and the idealization of large, pious families create

obstacles for many families to hear the church's message.[153] She writes, "In short, images

of holy families often stand in the way of right hearing and impair right response."[154]

These idyllic visions must be replaced with theologies that recognize the limitations and

challenges of real families and do not treat these realities as aberrations. Thus, Rubio

centers concern explicitly in the daily lives of families and utilizes Bernard Cooke's

vision of marriage as the 'sacrament of friendship' to bring balance to the late pontiff's

idealism.[155]

John Paul II's application of complementarity is another point of concern.[156]

Rubio draws upon Cahill to consider both the reality of gender differentiation as well as

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[151] Julie Hanlon Rubio, *A Christian Theology of Marriage and Family* (New York: Paulist Press, 2003), 21.

[152] Rubio, *Family Ethics,* 84.

[153] Ibid., 67. Cf. Chapter 3, footnote 2: Bernard Haring's *Marriage in the Modern World*

[154] Ibid.

[155] Ibid., 77.

[156] Rubio, *A Christian Theology of Marriage and Family*, 117.

ambiguities in gender roles as found in biblical and experiential evidence.[157] In her earlier

work, Rubio is particularly assertive about the inconsequential nature of gender in

relation to Christian discipleship.[158]

Beyond these specific disagreements with John Paul II, Rubio also objects to

those who find unambiguous support for the family in the New Testament. She writes,

"Despite traditional theological claims to the contrary, family values are hardly prevalent

in the New Testament. Jesus himself locates his vocation outside of his family."[159] Later

she adds, "Jesus poses troubling questions about the compatibility of discipleship with

family duties."[160] Rubio observes that the decreased importance of 'family values' results

from the pride-of-place held by discipleship in the early Christian perspective on family

life. Christian marriage not only founds the family, Christian marriage *is* discipleship. As

a result, discipleship is not a natural outcome of family life but a hard-fought and often

conflictive negotiation of values.[161] She writes, "The public nature of discipleship is

evident in the life of Jesus. Jesus himself acknowledges the conflict between serving God

(in his public preaching) and serving his family."[162]

The implication of Rubio's argument is near at hand; the roles of non-biological

kinship and discipleship in the New Testament undermine absolute assertions centered on

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[157] Ibid., 119.

[158] Ibid., 144.

[159] Rubio, *Family Ethics*, 25.

[160] Ibid.

[161] Ibid., 30.

[162] Rubio, *A Christian Theology of Marriage and Family*, 99.

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'natural' family patterns. In her earlier book, Rubio writes, "The kinship bond and all the ethical priority that comes with it are called into question, because the Jesus of the Gospels preaches that family, like money and power, can be dangerous to the person who wants to live a holy life."[163] Rubio asserts that these realities do not imply that the New Testament is anti-family, but that contemporary readings must be nuanced. Later, citing Ted Peters, she takes the argument further. He writes,

> Jesus stressed beyond-kin altruism. When he enjoined us to love our neighbor, he frequently illustrated that teaching with stories of foreigners such as the Good Samaritan. He told us to love our enemies. He gave no priority to one's biological kin, family, tribe, or nation. Applied internally to families, this translates into love of social kin even when they are not biological kin. Sociobiology may be illuminating but, in my judgment, it certainly is insufficient for such an ethical foundation a Christian could embrace."[164]

Peters' research demonstrates that "Christians love children not because children belong to them, but because children belong to God. Their commitment to their children is rooted primarily in love, not biology."[165]

Like early Christians, Rubio argues, contemporary Christians are called to recognize the tensions between discipleship and family obligations and to respond to these with a 'radical reprioritization' of commitments.[166] She explains, common to Christian perspectives, "we find a strong valuing of marriage rooted not in kin but in faith and a challenge to bring family outside of its own concerns to embrace a larger mission using its unique strengths."[167] Thus, Rubio posits that Christian parents are called to a

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[163] Ibid., 97.

[164] Ibid., 148.

[165] Ibid., 149.

[166] Rubio, *Family Ethics*, 27 citing Calef.

[167] Ibid., 28.

'dual vocation' which is both inwardly directed to the wellbeing of the family and outwardly directed to the betterment of society.[168] She adds that this commitment applies equally across genders. "Jesus did not ask different things of male and female followers. Does not ask different things of mothers and fathers, beyond pregnancy and nursing. Rather, the dual vocation of parenthood belongs to everyone."[169]

This perspective helps Rubio expand her understanding of family commitments as existing both within and beyond the bonds of biological kinship. She writes, "it is natural for parents to have a desire to form their children and John Paul II certainly affirms parents place is primary educators of their children. Still, it seems possible and perhaps more traditional to allow for parents' primary interest in combination with the influence of other adults." Not only might this approach better reflect historical Christian commitments, it also finds parallels in cultural realities. Citing African-American experience, Rubio writes, "children are seen not as private property, but is vulnerable human beings who need the care not only of blood mothers, but of grandmothers, sisters, aunts, cousins, and neighbors, the other mothers who share in the project of child raising."[170] John Paul II strongly asserted the need not to view children as private

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[168] Rubio sees John Paul II's work is significant on this point, "at each point in his description of the ideal family, the Pope implies that families are about more than themselves. They are communities of love, but not inwardly focused. They serve life by giving birth, physically and spiritually. They serve society, especially the poorest members. They are the church in their home and as such contribute to the ecclesial mission. The Pope's emphasis on the social responsibilities of the family implies that Christian parenting requires something different of parents than focusing on the family. The genius of Catholic teaching on the family is that it refuses to limit families by telling them to just take care of their own. It calls into question any ethic of parenting that centers on the duty of parents to sacrifice for their children. The Pope's definition of family seems to require instead that parents serve their children and the world." Rubio, *A Christian Theology of Marriage and Family*, 107.

[169] Rubio, *A Christian Theology of Marriage and Family*, 144.

[170] Ibid., 156.

property, yet his emphasis stayed with the objectification of the child as human person and as such directed more attention the aspect of property than privacy. Rubio takes aim at the second implication to this thought; not being private implies an ability to be shared.

Rubio's concern with the privatization of the modern family finds ample support in the distinctive place the family holds as a source of social change in Catholic Social Teaching (CST). Rubio observes CST's emphasis on the importance of developing individual virtue within a community as well as the fact that families, not labor unions alone, are counted among the 'intermediate associations' that can promote dramatic social change.[171] Rubio identifies four primary roles proposed for family in CST; "work as vocation, personal responsibility for social change, the social mission of the family, and the transformation of culture."[172] She writes, "The genius of Catholic teaching on the family is its refusal to limit families by telling them to simply focus on themselves. Christian families, from this perspective, are to grow in self-giving love within and outside the bonds of kinship."[173] In contrast, some would suggest that the family lies beyond the scope of CST, but this mistaken notion itself, Rubio argues, arises from an overly privatized view of the family and a limited conception of the family as a community.[174] Rather, "family is a fundamental part of the Catholic social tradition's vision of social reform."[175]

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[171] Rubio, *Family Ethics*, 44.

[172] Ibid., 51.

[173] Ibid., 30.

[174] Ibid., 38.

[175] Ibid., 39.

Throughout her books, Rubio joins a commitment to exploring the breadth of the tradition with a refusal to allow idealizations of family life to obscure the practical implications of Christian discipleship. In her earlier work, she insightfully explores diversities in Christian conceptions of marriage, family, and parenthood that stand in some tension with contemporary discourse. Most notably, she argues that contemporary accounts of the family are more private and parent-centered than the tradition demands. In her later work, Rubio helpfully shifts considerations of parenthood and the family away from sexual ethics and structure. Furthermore she offers a rich critique of the consequences of idealism as well as insightful articulations of what the Christian call to discipleship might look like within the realm of parenthood as a contemporary Christian vocation. When taken together, Rubio's books offer a thorough rejection the ideal of a private, autonomous, biological nuclear family as insufficient in itself. Instead Christian families should aspire to be socially engaged, open communities that are grounded in practices of discipleship and set within a broader Christian community. In this context, parenthood is framed by discipleship and requires communal support.

Gaillardetz on Generativity

Richard Gaillardetz's book on marriage, *A Daring Promise*, appropriates the notion of 'generativity,' drawn from Orthodox thought. Generativity is similar to the expanded notions of procreation often adopted by revisionist theologians; however generativity as explained by Gaillardetz is also clearly connected to Christian discipleship. Differences in interpretations of 'procreation' tend to relate to how closely or loosely it ought to be associated with biological reproduction. As such, whether

adoption, social outreach, and other commitments directly fulfill the procreative end of sex and marriage for all couples, only for couples who cannot biologically procreate, or only analogously for all couples, remains a continuing point of ambiguity within Catholic theology. Generativity, however, begins from a much broader perspective that suggests a greater capacity to encompass the complex, and possibly conflictual, Christian calls to discipleship and parenthood.

According to Gaillardetz, the Orthodox tradition understands that the love of the married couple replicates the love of the Trinity. In the Trinity, "the love between two (the Father and the Son) is not self-contained but 'spills over,' as it were, as Spirit. The triune life of God is characterized not only by a profound mutuality of love between the Trinitarian persons, but also by a fecundity, a superabundance in which God's love overflows outward into the world." Following from this perspective, the love of Christian couples should not be self-contained but should be expected to similarly overflow in life-giving ways; biological procreation being one example. From this perspective, "childbearing is not seen as an obligation of married life… but as a 'felicitous outcome' of the nuptial union." Gaillardetz continues,

> For most married couples the generative power of their love will indeed be expressed in childbearing and childrearing… But generativity, the drive to see our love bear fruit in the world, can be expressed in innumerable ways. This is the aspect of Christian mission which is so strong in the Orthodox view of marriage and relatively undeveloped in most other Christian traditions.[176]

This concept appears to hold significant potential for transforming the Catholic concept of procreation. First, its theological foundation provides a clear account of children as both gifts and a natural result of marital love. Second, it avoids objectifying children as

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[176] Richard R. Gaillardetz, *A Daring Promise: A Spirituality of Christian Marriage* (New York: The Crossroad Publishing Company, 2002), 103.

an obligation or a form of legitimization for marriage and human sexuality. And third, it clearly encompasses adoption, social service, and other expressions of social commitment as belonging authentically to marriage without raising the question of if these qualify in fulfilling marriage's legitimate end.

Conclusion

The commitments that characterize revisionist Catholic theological methods both define these scholars in distinction from magisterial teaching and represent important contributions to contemporary theology. Each source presented above demonstrates intent to operate within the context of the Catholic tradition while addressing perceived shortcomings in official teaching. This commitment has produced a number of insights that are helpful to the task of developing a broader theological account of parenthood. The revisionist authors above express concern that magisterial teaching on the family is too tightly linked to the nuclear family, especially as this is accompanied by implied or explicit parental roles based on gender. Likewise, they express concern that the commitments of magisterial teaching are idealistic and do not speak adequately to the complexity of contemporary familial realities.

These observations are important, yet the responses offered by revisionists are themselves limited and tend to replicate biases also present in magisterial writing, especially when moving from considerations of sexual ethics to conceptions of parenthood. For example, with the magisterium, the authors above agree that openness to adoption is a positive expression of Christian parenthood. Yet theological explanations of why this is so and how adoptive parenthood relates to biological parenthood and marriage

are under-developed. The support appears to follow from both their emphasis on

Christian social commitments and broad interpretations of the 'procreative' end of sex

and marriage.[177] Neither option, however, provides a sufficient account of why adoption

is a specific good in relation to Christian parenthood theologically considered.

A second example, this one in opposition to the magisterial teaching, is the

support for the potential morality of same-sex parenthood. Here the defense moves from

a rational for justifying same-sex sexual acts, to parenthood. Yet theological defenses of

same-sex childrearing tend to rely on sociological evidence with little theological

argument from the nature of parenthood itself. The introduction to this project suggested

that magisterial opposition to same-sex adoptive parenthood centers on sexual ethical

concerns rather than parental capacities. Revisionist arguments, though disagreeing in

their conclusions, tend to replicate this very pattern. In both instances, moral

justifications of sexual relationships appear to validate or invalidate parental capacities.

Still, revisionist authors contribute a number of valuable insights for advancing

conceptions of parenthood. These include incorporating experience (particularly in the

form of social-scientific findings), historical consciousness, and broadened

anthropological frameworks with more nuanced conceptions of human gender into moral

methodology. Moreover, attempts to redefine and expand the theological notion of

'procreation', commitment to justice as a norm for human relationships, and gestures

towards the significance of human capacities also offer useful grounds for a broadened

theological anthropological account of parenthood.

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[177] Farley. *Just Love*, 290. Farley suggests 'fruitfulness' as a concept that helps expand the traditional understanding of 'procreation,' and includes growth in loving relationships, care and justice within her meaning.

Moreover, books by Rubio and Cahill also offer significant grounds for advancement. This includes a concept of familial Christian discipleship that is not contingent upon a specific family structure, but is linked to the vocation of the family itself. Making this argument, however, requires both Cahill and Rubio to acknowledge that the call to Christian discipleship does not always fit neatly with family commitments. This tension runs throughout the tradition and is first attested to in a complex and often ambiguous New Testament attitude toward the family. The authors also seek to open privatized conceptions of the family to more broadly social understandings. This includes familial commitment to social service and welcoming more communal notions of childrearing.

Rubio is more explicit in de-centering biological kinship within her theological vision of the family. Christian families are grounded in love and discipleship. Biological kinship, although it retains significance, is a lesser good in relation to these central convictions. Rubio's work also offers significant theological reasons for questioning the idealizations of the family prevalent in recent thought in terms of the practical implications for modern families.

Cahill's contribution is nearer to the anthropological question. Though she does not express it in these terms, her convictions in *Family* center around the complex interrelation of nature, sin, and grace; concepts at the heart of Christian anthropology. In addition, her approach is framed by relational anthropological commitments, as well as basic human capabilities which must flow from an anthropological vision. Cahill's concern, however, is directed towards the family more generally than it is to parenthood in particular. Yet, even as she retains biological kinship as a locus for defining the family,

she emphasizes the importance of functional evaluations of how various domestic arrangements evidence Christian virtues.

The expanded notions of 'procreation' offered by revisionists – variously described as parenthood, fruitfulness, and generativity – build upon suggestions within magisterial documents that procreation includes meanings well beyond biological reproduction. Yet, Gaillardetz's notion of generativity offers a more promising approach as it goes beyond simply adjusting the scope and priorities of 'procreation.' Generativity speaks to a theological reality about the very nature of Christian love. As such it is able to place biological reproduction as well as social commitments as its authentic outcomes without these appearing as potentially rival commitments. Moreover, generativity distances a theological account of parenthood from sexual ethics by both grounding parenthood in a theological reality and decentering sexual reproduction.

Having surveyed these resources, it is now evident that the major disagreements between magisterial and revisionist accounts are primarily methodological and largely influenced by differing frameworks for understanding the significance of human gender. These disagreements are most pronounced in matters of sexual ethics but diminish as considerations move toward family function; specifically the Christian family's role in society. Concerning these matters, authors tend to criticize inadequate reception of Catholic Social Teaching as it concerns the family while the major disagreement concerns the level of idealization within magisterial thinking of the biological-nuclear norm as well as pious and harmonious family life. As such, a more firm and comprehensive vision of parenthood, that is allowed a degree of distinction from sexual

ethics, has the potential to unite insights from Catholic sources that are often oppositional while speaking more coherently to present realities.

The following chapters now turn to considering how these pieces might be fit together fruitfully to begin to construct an expanded theological understanding of parenthood by drawing on resources found in history, the social sciences, and the humanities.

BIBLIOGRAPHY

Balswick, Jack O. and Judith K. Balswick, *The Family: A Christian Perspective on the Contemporary Home*, 3rd ed. Grand Rapids, MI; Baker Academic, 2007.

Browning, Don S. *Equality and the Family: A Fundamental, Practical Theology of Children, Mothers, and Fathers in Modern Societies.* Grand Rapids, MI: William B. Eerdman's Publishing Company, 2007.

Bunge, Marcia J. Ed. *The Child in Christian Thought*. Grand Rapids, MI: Eerdmans, 2001.

Burke, Trevor J. *Adopted into God's Family: Exploring a Pauline Metaphor.* New Studies in Biblical Theology. Downers Grove, IL: Intervarsity Press, 2006.

Cahill, Lisa Sowle. *Family: A Christian Social Perspective.* Minneapolis: Fortress Press, 2000.

_____. "Same-Sex Marriage and Catholicism: Dialogue, Learning, and Change." In *Inquiry, Thought, and Expression*. Vol. 2 of *More than a Monologue: Sexual Diversity in the Roman Catholic Church.* Edited by J. Patrick Hornbeck II and Michael Norko, 141-155. New York: Fordham University Press, 2014.

_____. *Sex, Gender & Christian Ethics*. New York: Cambridge University Press, 1996.

_____. *Theological Bio-Ethics: Participation, Justice, Change.* Washington D.C.: Georgetown University Press, 2005.

Calef, Susan F. "The Shape of Family and Family Values: 'The Bible Tells Me So,' or Does It?" In *Religion and Family,* edited by R. Simkins and Gail S. Risch, 223-246. Omaha, NE.: Creighton University Press, 2005.

Coolman, Holly Taylor. "Adoption and the Goods of Birth" *Journal of Moral Theology* 1, no. 2 (2012): 96-114.

Curran, Charles. *The Development of Moral Theology: Five Strands.* Washington D.C.: Georgetown University Press, 2013.

_____. "Masturbation and Objectively Grave Matter: An Exploratory Discussion." *Catholic Theological Society of America Proceedings* 21 (1966): 95-109.

Daly Horrell, Barbara Jean. "*Always our Children?* Young Catholics Consider the Pastoral Message." In *Human Sexuality in the Catholic Tradition*, edited by Kieran Scott and Harold Daly Horrell, 149-170. Lanham, MD: Rowman & Littlefield Publishers, 2007.

Elizabeth A Johnson, ed. *The Church Women Want: Catholic Women in Dialogue.* New York: Crossroad, 2002.

Ellison, Marvin M. *Making Love Just: Sexual Ethics for Perplexing Times.* Minneapolis: Fortress Press, 2012.

Farley, Margaret A. *Just Love: A Framework for Christian Sexual Ethics.* New York: Continuum, 2010.

Finnis, John. "Law, Morality, and Sexual Orientation," *Notre Dame Law Review* 69 (1994): 1062-1076.

George, Robert P. "Public Reason and Political Conflict: Abortion and Homosexuality," *The Yale Law Journal* 106, no. 8 (June 1997): 2475-2504.

Gramick, Jeannine and Pat Fury, eds. *The Vatican and Homosexuality: Reactions to the 'Letter to the Bishops of the Catholic Church on the Pastoral Care of Homosexual Persons.'* New York, NY: Crossroad Publishing Co., 1988.

Gudorf, Christine E. *Body, Sex, and Pleasure: Reconstructing Christian Sexual Ethics.* Cleveland, OH: The Pilgrim Press, 1994.

_____. "A New Moral Discourse on Sexuality." In *Human Sexuality in the Catholic Tradition,* edited by Kieren Scott, Harold Daly Horrell and Fran Ferder, 51-69. New York: Rowman and Littlefield Publishers, 2007.

Jackon, Timothy P. *The Best Love of a Child: Being Loved and Being Taught to Love as the First Human Right.* Grand Rapids, MI: Eerdmans, 2011.

Jenson, David H. *Graced Vulnerability: A Theology of Childhood.* Cleveland: Pilgrim Press, 2005.

Jung, Patricia Beattie. "God Sets the Lonely in Families." In *Inquiry, Thought, and Expression*. Vol. 2 of *More than a Monologue: Sexual Diversity in the Roman Catholic Church*. Edited by J. Patrick Hornbeck II and Michael Norko, 115-133, New York: Fordham University Press, 2014.

Jung, Patricia Beattie and Joseph Andrew Coray. eds. *Sexual Diversity and Catholicism.* Collegeville, MN: The Liturgical Press, 2001.

Keenan, James F. *A History of Catholic Moral Theology in the Twentieth Century: From Confessing Sins to Liberating Consciences*. London: Continuum, 2010.

_____. "Can We Talk? Theological Ethics and Sexuality," *Theological Studies* 1, no. 68 (2007): 113-131.

Kelly, David F. *Contemporary Catholic Health Care Ethics.* Washington D.C.:
Georgetown University Press, 2004.

Lawler, Michael G. and William P. Roberts. *Christian Marriage and Family:
Contemporary Theological and Pastoral Perspectives*. Collegeville, MN: The
Liturgical Press, 1996.

McFadyen, Alistair, *Bound to Sin: Abuse, Holocaust and the Christian Doctrine of Sin,*
New York: Cambridge University Press, 2000.

Miller-McLemore, Bonnie. *Let the Children Come: Reimagining Childhood from a
Christian Perspective*. San Francisco: Jossey-Bass, 2003.

Moore, Russel, D. *Adopted for Life: The Priority of Adoption for Christian Families and
Churches.* Wheaton, IL: Crossway Books, 2009.

Parsons, Susan Frank. *Feminism and Christian Ethics*. New Studies in Christian Ethics.
Cambridge, U.K.: Cambridge University Press, 1996.

Pontifical Council for the Family. *Enchiridion on the Family: A Compendium of Church
Teaching on Family and Life Issues from* Vatican. *II to the Present.* Boston:
Pauline Books and Media, 2000.

_____. "Family, Marriage and De Facto Unions." Vatican. November 9, 2000. Accessed
June 1, 2014. http://www.vatican.va/roman_curia/pontifical_councils/ family/
documents/rc_pc_family_doc_20001109_de-facto-unions_en.html.

Pope, Stephen J. "The Magisterium's Arguments against 'Same-Sex Marriage': An
Ethical Analysis and Critique." *Theological Studies* 65 (2004): 530-565.

_____. "Scientific and Natural Law Analysis of Homosexuality: A Methodological
Study." *The Journal of Religious Ethics* 25, no. 1 (Spring, 1997): 89-126.

Pruss, Alexander. *One Body: An Essay in Christian Sexual Ethics*. Notre Dame, IN:
University of Notre Dame Press, 2013.

Rogers, Eugene F. *Sexuality and the Christian Body: Their Way into the Triune God.*
Oxford: Blackwell Publishers, 1999.

Rubio, Julie Hanlon. *A Christian Theology of Marriage and Family*. New York: Paulist
Press, 2003.

_____. "Beyond the Liberal/Conservative Divide on Contraception: The Wisdom of
Practitioners of Natural Family Planning and Artificial Birth Control." *Horizons*
32, no. 2 (2005): 270-294.

_____. *Family Ethics: Practices for Christians*. Washington D.C.: Georgetown University Press, 2010.

_____. "Family Ethics, Beyond Sex and Controversy." *Theological Studies* 74, no. 1 (March 1, 2013): 138-161.

Salzman, Todd A. and Michael G. Lawler. *Sexual Ethics: A Theological Introduction*. Washington D.C.: Georgetown University Press, 2012.

Salzman, Todd A. and Michael G. Lawler. *The Sexual Person: Towards a Renewed Catholic Anthropology*. Washington D.C.: Georgetown University Press, 2008.

Salzman, Todd A., Thomas M. Kelly, and John J. O'Keefe, eds. *Marriage in the Catholic Tradition: Scripture, Tradition, and Experience.* New York: Crossroad Publishing Company, 2004.

Salzman, Todd A., *What Are They Saying About Catholic Ethical Method?* New York: Paulist Press, 2003.

Scott, Kieran and Harold Daly Horell, eds. *Human Sexuality in the Catholic Tradition*. New York: Rowman & Littlefield Publishers, Inc., 2007.

Selling, Joseph A. *Embracing Sexuality: Authority and Experience in the Catholic Church.* Burlington, VT: Ashgate, 2001.

Teevan, Donna. "Challenges to the Role of Theological Anthropology in Feminist Theologies." *Theological Studies* 63 (2003): 582-597.

US Conference of Catholic Bishops. *Human Sexuality: A Catholic Perspective for Education and Lifelong Learning.* Washington D.C.: USCCB, 1991.

Vacek, Edward. *Love, Human and Divine: The Heart of Christian Ethics.* Washington D.C.: Georgetown University Press, 1994.

Vatican II. *Gaudium et spes.* Vatican. December 7, 1965. Accessed June 1, 2014. http://www.vatican.va/archive/hist_councils/ii_vatican_council/documents/vat-ii_cons_19651207_ gaudium-et-spes_en.html.

Ware, Ann Patrick. "The Vatican Letter: Presuppositions and Objections." In *The Vatican and Homosexuality: Reactions to the 'Letter to the Bishops of the Catholic Church on the Pastoral Care of Homosexual Persons,'* edited by Jeannine Gramick and Pat Fury, 28-32. New York, NY: Crossroad Publishing Co., 1988.

Whitmore, Todd with Tobias Winright. "An Undeveloped Theme in Catholic Teaching." In *The Challenge of Global Stewardship,* edited by Maura Ryan and Todd David Whitmore. Notre Dame: University of Notre Dame Press, 1997.

Chapter 3: Historical Resources

1. Introduction

2. Part I: Early Christianity

3. Part II: Conceptions of Children and Parenthood

4. Part III: Christian Practices in Adoption and Orphan Care

5. Conclusion

Introduction

Many of the authors cited in previous chapters provide historical surveys to support their argument, which testifies to the importance of historical evidence for theological considerations of sexuality, marriage and family. Magisterial documents tend to reference historical figures, ideas, or events primarily to demonstrate continuity and do not generally rely upon extensive critical research. Revisionist theologians employ critical research to demonstrate historical developments, diversities, and the cultural roots of religious ideals.[1] Theologians who are more inclined to defend magisterial teaching employ similar methods but emphasize continuity and consistency throughout these developments. Feminist theologians tend to center historical criticism on gendered hierarchies and ideologies which have left women's voices silent, lost, or muted.[2] Each of these approaches offers insight into how parenthood has been understood throughout Christian history, yet, each also tends to replicate the concerns of its authors who have been inclined to undervalue parenthood as a theological consideration in its own right.

This chapter is an effort to redress some of this oversight by revisiting the historical data with attention to diversities in Christian conceptions of the family, children, and parenthood. The first part of this chapter considers New Testament and Early Christian sources. The second part explores conceptions of the child throughout Christian history and the relation of these to historical and ideological developments.

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[1] Cf. Rosemary Radford Ruether, *Christianity and the Making of the Modern Family* (Boston: Beacon Press, 2000). The greatest forces of change appear to be cultural and religious ideals as well as social and economic pressures. Theological commitments are only one among many forces of change or preservation in family systems.

[2] Ruether, *Christianity and the Making of the Modern Family,* 5.

The third part turns attention to forms of Christian childrearing beyond the biological family in order to establish greater diversities in historical contexts for childrearing than is often acknowledged.[3] Throughout, this chapter intends to demonstrate that presently influential notions of kinship within Catholicism require significant reconsideration in light of the historical evidence. Specifically, the assumption of biological kinship's fundamental place within Christian conceptions of parenthood will be called into question in light the historical diversities of Christian caregiving practices and the theological motivations behind these. This investigation is not intended to negate the value of the biologically-based family unit, but only to call into question the central place the fact of biological kinship itself often occupies in theological conceptions of parenthood.

Part I: Early Christianity

New Testament Perspectives

Assessing the New Testament's perspectives on children and parenthood is complicated at several levels. First, the New Testament itself is the work of many hands which provide different perspectives. Second, the New Testament is shaped by both first century Greco-Roman society as well as Jewish culture, neither of which held simple or entirely consistent perspectives on children and parenthood. Third, the New Testament neither wholly accepts nor wholly rejects these prevailing cultural and religious

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[3] This perspective responds to the observation of Annelies van Heijst in her study of orphan care by women religious that "Theologians, philosophers, psychologists and sociologists" have been generally inattentive to practices of providing care, especially when these are found beyond the family unit. See, Annelies van Heijst, *Models of Charitable Care: Catholic Nuns and Children in their Care in Amsterdam*, 1852-2002 (Leiden and Boston: Brill, 2008), 13.

assumptions.[4] Thus the New Testament is a collection of perspectives from writers, each influenced by regional variations in composite socio-religious identities, who respond to complex and somewhat contradictory socio-religious ideals with varying levels of acceptance and criticism. The following section attempts to clarify components of these perspectives with attention to conceptions of children and parenthood.

Greco-Roman Context

Among the Greco-Roman upper class,[5] the ideal household was built around a single, two-parent family with their children, possibly their children's families, and their slaves and slaves' families.[6] Yet circumstances and customs created significant diversity in actual household forms. Substantial differences in age at marriage produced much younger wives who might outlive their husbands by decades. Alternately, childbirth posed a substantial risk to the lives of women and would have produced many widowers and subsequent remarriages. Infant and child mortality rates were high while low life expectancies probably left few grandparents.[7] Thus, mortality at all ages would have

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[4] Judtih M Gundry-Volf, "The Least and the Greatest: Children in the New Testament," in *The Child in Christian Thought*, ed. Marcia J. Bunge (Grand Rapids, MI: Eerdmans, 2001), 36.

[5] The historical record best attests to conditions of the affluent. It is uncertain the extent to which these practices and ideals were shared by the majority of society.

[6] Beryl Rawson, "The Roman Family in Recent Research: State of the Question." *Biblical Interpretation* 11 no. 3 (2003), 121.

[7] "Saller's work has shown that mortality rates were such that by early adulthood most young men and women had lost their *paterfamilias* and were *sui iuris*. Many children were deprived of a close relationship with a parent by a parent's early death. At the age of five, the probability of having a father alive was perhaps 88 per cent, but by the age of ten this had reduced to about 75 per cent, and by the age of fifteen it was about 63 per cent. Corresponding figures for mothers were 91, 81 and 72 per cent." Ibid. 127.

assured variations in family forms.[8] In addition, age differences among children were

probably much greater than in modern times such that even a relatively large family

would not necessarily imply siblings of close ages.[9]

The Roman household was also ordered hierarchically based on gender, age, and

class.[10] The eldest patrilineal male, the *paterfamilias,* stood as lord and insurer of good

order over all within the household. Wives were subservient to husbands and children to

their parents; but first and foremost to their fathers. But while authority flowed from the

top down, shame moved in both directions. This added greater importance to the

supervision of those of lower status (i.e. women and children) as their misconduct would

be a mark on the honor of patrilineal male kin.[11] Theoretically, the authority of the

paterfamilias extended even to life and death, but circumstances tended to limit the

exercise of this power. Short life expectancies and late ages at marriage left relatively few

years for most men as *paterfamilias*. For those who did live to advanced age, adult sons,

while still technically under their father's rule, often held separate residences. In practice,

newborn infants alone had their lives' in their father's hands. Unwanted infants were

generally exposed (i.e. abandoned in a public space). Exposure could result in the infant's

death, but many exposed infants were probably claimed. This could lead to lives of

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[8] Suzanne Dixon, *The Roman Mother* (London: Croom Helm, 1988), 32.

[9] The reasons for this spacing include infant mortality as well as social and economic factors, thus Roman mothers tended to bear children throughout the entirety of their fertile years. Rawson, 128.

[10] Dixon, 13.

[11] The importance of hierarchy in Greco-Roman family leads Cahill to conclude that it was (and may remain) "the nexus of relationships of social inequalities maintained by structures of precedence and subjugation." Lisa Sowle Cahill, *Family: A Christian Social Perspective* (Minneapolis: Fortress Press, 2000), 20.

slavery, physical labor, prostitution, or even intentional mutilation for begging. But exposed children were also adopted and raised by families, apparently even those of higher classes. To complicate matters, in some cases the biological parents of exposed children who were subsequently adopted petitioned later to have them returned.[12]

Wives, though second in status to husbands, could hold positions of considerable authority within the family; especially when they controlled a portion of the household's wealth, which a widow might administer for decades after her husband's death.[13] Although physical separations in public and private spaces served to shelter female family members, the division did not include a separation of genders within the household, nor did it reflect a conceptual differentiation between public-economic and private-familial spheres.[14] Women's space was central to the household's economic production.[15] In addition, Roman mothers were not primarily associated with nurturing small children as domestic servants and wet nurses assumed most of these tasks.[16] With age children grew in status and responsibility for their direct oversight transitioned from household servants, to teachers, to custodians.[17] Roman moralists often protested the evidently common practice of assigning the care of infants to the lowest rung on the domestic hierarchy. However, there is ample reason to believe that such arrangements

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[12] Hugh Cunningham, *Children and Childhood in Western Society Since 1500,* 2nd ed. (New York: Routledge, 2005), 22.

[13] Dixon, 28.

[14] Rawson, 123. Cf. Carolyn Osiek, "Pietas In and Out of the Frying Pan," *Biblical Interpretation* 11, no. 3 (2003), 166 – 172.

[15] Cahill, *Family*, 22.

[16] Dixon, 105.

[17] Ibid., 142.

were retained as much in response to maternal mortality as by cultural convention.[18] Mothers, though not usually the direct caregiver, consistently held a center relational role within the family that helped solidify kin relationships and familial cohesion.[19]

Children, especially infants, held a marginal status in Greco-Roman society where undesired infants of any class might be exposed and the children of slaves were sold freely. Burial customs suggest that infants and young children, whose deaths were common, were regarded with much less emotional attachment than adolescents.[20] The strongest lament appears to have been for children who died on the cusp of adulthood. Still, Roman parents also formed strong emotional bonds with the children they did raise, and the deaths of young children were occasionally mourned deeply by parents.[21] Children were valued as objects of affection, heirs who would assure their father's memory, and often as economic assets. But the value of any individual child depended upon conditions within the household, the effort and assets parents were willing to invest in childrearing, and the child's gender. [22] The overarching view was that children were a thing to be developed and only through diligent and strict parenting might they be shaped into respectable adult citizens.[23] As such, choosing to raise a child was recognized as a considerable investment.

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[18] Ibid., 17.

[19] Ibid., 35.

[20] Cunningham, 23.

[21] Dixon, 26.

[22] Cahill, 30.

[23] Gundry-Volf, 31 – 34.

Although marriage was understood as being *for* children, family limitation was widely practiced. As Suzanne Dixon writes, there are many "sober, casual references to the economic and emotional burdens of child-rearing" which indicate "that parenthood was not universally viewed as desirable." Family limitation was probably common among poor families but was also a concern among the wealthy who may have viewed children as "a source of anxiety and long-term expense to their parents."[24] The inverse correlation between prosperity and family size held as true for first century Romans as in modern times. Family limitation, in itself, does not imply a low valuation of children, but tends to be associated with "strong sentimental attachment to children and a serious view of the parental role."[25] Among the upper classes, increased economic and social obligations as well as the costs of educating and preparing heirs increased parental obligations perhaps even beyond correspondence with their resources.[26]

Within the specifically Jewish culture of this era, the obligation to have children was very strong. First century Jewish males could be legally compelled to marry after their eighteenth year.[27] The status of Jewish wives was tied to the number and gender of their children while childlessness was considered a tragedy; even an act of divine punishment.[28] Children were a central factor in the Abrahamic covenant which may have

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[24] Dixon, 23.

[25] Ibid.

[26] Ibid., 21. Low fertility rates near the turn of the first century CE motivated legislation aimed at reducing celibacy, childlessness, and adultery with the intention of creating more legitimate heirs among the upper class.

[27] Theodore Mackin, S.J., "The Primitive Christian Understanding of Marriage" " in *Perspectives on Marriage: A Reader,* eds. Kieran Scott and Michael Warren (New York: Oxford University Press, 2001), 23.

[28] Ibid., 27.

encouraged greater religious significance to childbearing and better treatment of children generally.[29] Yet, Jewish conceptions of children were not far afield from Greco-Roman ideals. Throughout the Old Testament, "children are viewed as ignorant, capricious, and in need of strict discipline."[30] However, the idea of children as gifts from God provided children with an inherent value that was not found in the surrounding culture. This recognition of inherent worth proved pivotal in Christianity's reappraisal of childhood.[31]

The New Testament

As seen in the previous chapter, both Julie Hanlon Rubio and Lisa Sowle Cahill have observed that New Testament perspectives on the family can appear inconsistent and conflictual. According to Cahill, two distinct views informed early Christianity's understanding of the family. The first is a general acceptance of prevailing hierarchal and patriarchal family structures conditioned by Christian convictions. This accommodationist trend is exemplified most clearly in the household codes of Ephesians and Colossians and was the dominant influence as the tradition developed. The second perspective, which lost influence over time, is often hostile to familial obligations and finds clearest support in the words of Jesus as recorded by the synoptic gospels. At its greatest extent, Cahill claims, Jesus' dichotomy of discipleship and family demands "that family relations be completely repudiated and abandoned."[32] Rubio adds that Mark 3: 31

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[29] Gundry-Volf, 35.

[30] Ibid.

[31] Marie A. Failinger, "Co-Creating Adoption Law: A Lutheran Perspective" *Dialog: A Journal of Theology* 51, no. 4 (Winter 2012): 267.

[32] Cahill, 29.

– 35 "proposes a new radical moral standard that threatens the most basic family loyalties and engenders the most difficult conflicts between family and religious commitment."[33] Moreover, Christine Gudorf writes,

> Jesus opposed the generally accepted primacy of familial duty, especially filial duty, in his refusal to interrupt his teaching to see his mother and brothers (Mk 3:31-35), in his refusal to sanction burying one's father before taking up the duties of discipleship (Lk 9:59-62), and in rebutting the woman who blessed his mother for having birthed him ('Blessed rather are those who hear the word of God and keep it!' Lk 11:27-28).[34]

However, elsewhere Jesus appears more amenable to the family. For example, Jesus indicates support for marriage in his firm rejection of divorce.[35]

Rubio and Cahill offer differing resolutions to the New Testament tensions they identify.[36] For Rubio, these tensions represent an ongoing dynamic between familial obligations and the demands of the Gospel. She describes these as 'dual vocations' which Christian parents inhabit. For Cahill, the conflicting voices of the New Testament are reconcilable when understood as a critique of power structures and a call to reprioritize commitments. Cahill's reasoning is based on her observation that the New Testament consistently seeks to decenter hierarchical relationships and to subvert self-interested

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[33] Julie Hanlon Rubio, *A Christian Theology of Marriage and Family* (New York: Paulist Press, 2003), 48. Rubio also finds Luke 2:41-52 significant for the child Jesus' dismissal of his parent's concerns.

[34] Christine E. Gudorf, "Western Religion and the Patriarchal Family," in *Perspectives on Marriage: A Reader,* eds. Kieran Scott and Michael Warren (New York: Oxford University Press, 2001), 286.

[35] Matthew 19: 1 – 9, Mark 10: 11 – 12

[36] A significant facet of the New Testament's apparent ambiguity towards the family is the fact that the organization of the New Testament canon suggests a false chronology in which the harsher words of Jesus in the Gospel are later resolved by the epistles. Carolyn Osiek observes, "If we are correct about the time of writing of the Synoptic Gospels, these subversive texts that advocate abandonment of family in favor of the new grouping of disciples are more or less contemporary with the first Christian manifestations of imperial 'family values' in Colossian and Ephesians, with the Pastorals falling not far behind." Osiek, 171.

concepts of family.[37] According to Cahill, even Jesus' use of the term *abba* was

essentially anti-patriarchal.[38] By calling God 'father,' Jesus challenged the role of the

paterfamilias, the center of familial honor and obligation.[39] Key to her interpretation is

Mark 10:29-30, in which Jesus includes fathers among those left behind for the sake of

the Gospel, yet does not again include fathers among those who will be received back in

the kingdom (as are brothers, sisters, mothers, children, houses and fields).[40]

If Jesus' words are taken to indicate a subversion of the power culturally

associated with fathers, as Cahill claims, Jesus' perspective on mothers remains more

complex. Mothers were subordinate to fathers but could still exercise relatively strong

influence within the family. This requires that Jesus' attitude towards motherhood, which

could also be a source of power in conflict with the Gospel, be viewed in light of his

relatively high regard for women. Christine Gudorf observes,

> While Jesus never directly contravened the dominant/subordinate relationship prescribed for
> husbands and wives in patriarchy, he did give many examples extraordinary in his time of respect
> for women, and he demonstrated support for breaking the stereotypically servant role of women in
> the home (Mary and Martha, Lk 10:38 – 42). Perhaps the strongest evidence for a New Testament
> tendency to contravene patriarchy comes from Gal. 3:28 and the examples of Paul's epistles of the
> leadership roles given to women in the early church, some of whom, like Prisca, shared authority
> in the church with their husbands ([12], Ch. 5).[41]

Furthermore, Jesus distanced himself from the Jewish tendency to value women for their

procreative maternal roles. Rubio notes, "[Jesus] places the work of the gospel above this

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[37] Cahill, 29.

[38] Cf. Matthew 23:9

[39] Cahill, 31. Whether Jesus' use of *abba* was distinctive or had cultural precedent is a topic of scholarly debate.

[40] On this point, Rubio agrees that the absence indicates that the power culturally associated with fatherhood has no place in the coming kingdom. Rubio, *A Christian Theology of Marriage and Family*, 51.

[41] Gudorf, "Western Religion and the Patriarchal Family," 286.

nurturing work, suggesting that nurturing is not to be the primary form of God's word for women who follow him."[42]

Decentering filial obligations to fathers and mothers relativizes the importance of biological kinship itself.[43] In response to Mark 3: 31 – 35, Rubio suggests that a more gracious possibility existed for Jesus to have halted his family's intervention by acknowledging the importance of his work. Yet, Jesus used the opportunity "to call the whole nature of the kinship bond into question. He says very plainly that those he has gathered round him are his new family, and he seems to deny all loyalty or duty to his family of origin."[44]

Jesus' attitude toward children also diverged from cultural trends. Cicero had written that childhood itself was a condition unworthy of praise and that being childlike was entirely undesirable in adults.[45] Even among Jews, Jesus' assertion that the kingdom belongs only to those who receive it like a child was extraordinary. Rubio observes, "To those who thought of children as objects requiring care and formation, Jesus suggests quite plainly that children have qualities adults ought to develop."[46] Moreover, Jesus'

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[42] Rubio, *A Christian Theology of Marriage and Family*, 50. 1 Timothy 2: 8-15 appears to stand in significant tension with this perspective.

[43] Cahill, 18.

[44] Rubio, *A Christian Theology of Marriage and Family*, 48.

[45] Gundry-Volf, 32.

[46] Rubio, *A Christian Theology of Marriage and Family*, 151.

holding children in his arms[47] may have been a demonstration of the service required of disciples while subverting cultural expectations of children's value.[48]

Judith Gundry-Volf argues, that Jesus "cast judgment on the adult world because it is not the child's world… He invited the children to come to him not so that he might initiate them in the adult realm but that they might receive what is properly theirs — the reign of God." The radical aspect of Jesus' teaching, Gundry-Volf contends, is the seriousness with which he took children's faith. She writes, "they are not only to be formed but to be imitated; they are not only ignorant but capable of receiving spiritual insight; they are not 'just' children but representatives of Christ."[49]

However, critical responses to this interpretation of Jesus' actions may also be raised. For example, Jesus uses children primarily as teaching tools for his adult audience such that his actual interactions with children are secondary to a message that is being directed to adults. Additionally, Jesus' interactions with children usually come at the request of adults (particularly parents requesting healing for children) or are used within the Gospel narratives to reveal and clarify Jesus' own identity.[50] Finally, Jesus' apparent prioritization of children may not relate to any essential quality of childhood or children

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[47] Mark 10:16.

[48] "Children in Jesus' social world are not generally regarded as having value in their own right; hence the common practice of exposing infants, which the early Christians reject. Jesus' saying that one must become 'like a child' to enter the rain of heaven has impact precisely because of children's negligible status. Childlikeness can symbolize the transformation of priorities and radical countercultural lifestyle required of disciples." Cahill, 30.

[49] Gundry-Volf, 60.

[50] Matthew 21:16, "And Jesus said to them, 'Yes; have you never read, 'Out of the mouth of infants and nursing babies you have prepared praise for yourself'?'"

themselves, but could be connected primarily to their low social status whereby they are exemplars of powerlessness.

The New Testament calls into question basic familial allegiances centered on biological kinship and offers perspectives on women and children that stood in significant discontinuity with prevailing cultural trends. These perspectives appear to support Cahill's argument that Jesus' primary critique is directed at centers of earthly power; which included fathers, mothers, and kin. Still, it is the obligations understood to arise from kinship that are given greater scrutiny than the existence of the family itself. It is also difficult to ascertain the degree to which position itself (i.e. fatherhood, motherhood, childhood) or cultural interpretations of that position are being addressed. Still, the extent of egalitarian ideals in both Jesus' ministry as well as early Christianity is a matter of dispute.[51] As Adrian Thatcher contends, if Jesus' apparently pejorative views of kinship can be explained as criticisms of centers of authority; why is there not more explicit criticism of the highest level of Greco-Roman allegiance; the state.[52] If a critique of power structures lies at the heart of the New Testament's criticisms of the family, a more sustained critique of imperial authority should be evident as well.[53] Additionally, Cahill's

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[51] One example is John H. Elliot's thorough criticism of the argument for Jesus and Early Christianity's egalitarianism espoused by John Dominic Crossan, Gerd Theissen, and Elisabeth Schüssler Fiorenza. See, John H. Elliott, "The Jesus Movement Was Not Egalitarian but Family-Oriented," *Biblical Interpretation* 11, no. 3 (2003): 173 – 210.

[52] For example, whereas Jesus can be entirely dismissive of allegiance owed to biological kin (Mark 3: 31 – 35), he offers a compromise view of what is owed to the state and to God. (Mark 12:17, Luke 20:25 and Matthew 22:15).

[53] This is not to say that criticisms of imperial authority do not exist and are not pervasive but that, comparatively, they would seem to require greater emphasis if authority is the central concern.

perspective does not thoroughly account for Jewish trends prior to Jesus which had already privileged allegiance to God above familial obligations.

Whatever resolution one finds preferable, consistency throughout the New Testament appears difficult to maintain while Jesus' apparent rejection of familial obligations complicates any attempt to read the New Testament as unilaterally pro-family. Yet, as Elliot argues, the tensions present in the Gospels do not indicate that Jesus or early Christians were 'anti-family', "Their point is rather that the new primary allegiance of followers of Jesus is 'the new solidarity which consists of the eschatological family of God.'"[54] The New Testament perspective recognizes potential conflict between familial obligations and faith commitments yet affirms marriage and the dignity of each family member.[55] Jesus' ministry was also reliant upon households as places of public gathering and teaching as well as centers for hospitality and rest. In addition, there is a prevailing positive attitude towards children, as children, throughout the New Testament, even as these references are relatively sparse.

Early Christian Sources

Following the composition of the New Testament texts, Christians continued a complex relationship with the idea of the family in both adopting and rejecting aspects of

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[54] Elliott, 200.

[55] Adriana Destro and Mauro Pesce claim that even the application of the term 'family' to the period is problematic in so much as it is a temptation for anachronism. They write, "in the first century Galilee, as described in the Gospels, we do not find the 'family' but the household (οἶκος), a group that lives together and makes a 'living together'... The focus on households implies attention not only to primary kinship ties but also to communal existence and work, property and power that bind kin and non-kin people." Adriana Destro and Mauro Pesce, "Fathers and Householders in the Jesus Movement: The Perspective of the Gospel of Luke," *Biblical Interpretation* 11, no. 3 (2003): 212.

prevailing cultural perspectives within Christian practice. One telling sign of

Christianity's divergence from its surrounding culture is the new evaluation Christians

made of adoption.[56] Stephen Post argues that Christianity prioritized love over biological

kinship which is evidence in early Christian's willingness to allow children to be raised

by non-biological kin when this suited the children's best interest. In fact, Post argues,

the rationale for claiming adoption as a good came from Christians' own theological self-

understanding as having been adopted by God in baptism. For Post, a remarkable feature

of the early Christian understanding of the family is the willingness to extend love

beyond biological kinship.[57]

Julie Hanlon Rubio adds that this willingness is at the heart of what separates

Christian families from their Roman and Jewish counterparts. She writes,

> We know that Jesus' message included the claim that his real family was a Christian community not his mother and his brothers. We know that others noticed that the Christians sometimes left their biological families for their new Christian families. And we know that the Christians were often seen as unpatriotic and immoral, as family-wreckers, because they sometimes refused to give into what was expected of them.

This does not indicate that Christians held the family in low regard. Instead it suggests

that the early Christian theological framework committed them to an interpretation of kin

obligations that was not centered on biological kinship which in turn committed early

Christians to a conception of the family that stood in tension with cultural norms. Rubio

explains, "All of this means that family to the first Christians was an expansive term that

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[56] Rubio, *A Christian Theology of Marriage and Family*, 54.

[57] Stephen Post, "Adoption Theologically Considered," *Journal of Religious Ethics* 25, no. 1 (Spring 1997): 152.

references not just the household, but, more importantly, the community of disciples of Christ."[58]

Unique evidence for the conceptual distance between the biological family and the new family of Christians comes from early Christian martyriologies. These also heighten the New Testament tension between Christian faith and family obligations to an extent rarely appreciated in contemporary writing on the family.[59]

In the early third century account of the *Passion of Perpetua and Felicity*, the young mother and future martyr, Perpetua, listens to the pleas of her father that she avoid death for the sake of her family; especially for his own sake and that of her infant son. Perpetua remains resolute in seeking martyrdom.[60] Meanwhile, a pregnant companion, Felicity, rejoices at her early labor which enables her to be martyred alongside the fellow Christian prisoners.[61] The narratives suggest tension between motherhood and martyrdom, with martyrdom clearly presented as the more desirable Christian calling. The accounts of both mother-martyrs describe their children primarily as impediments and burdens during the approach to martyrdom. Neither suggests significant attachment between mother and child. Arrangements for the future care of the children are explicitly recounted in each narrative but no evident moral concern (aside from that expressed by Perpetua's non-Christian father) arises over the children being raised without their

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[58] Rubio, *A Christian Theology of Marriage and Family*, 60.

[59] Dawn Llewellyn and Paul Middleton, "Motherhood, Martyrdom, and the Threat to Christian Identity: Voicing a Modern and Ancient Taboo," Paper given at *American Academy of Religions*, Baltimore, 2013.

[60] Perpetua, "The Martyrdom of Perpetua," in *In Her Words; Women's Writing in the History of Christian Thought,* ed. Amy Oden (Nashville: Abingdon Press, 1994), 28 – 29.

[61] Ibid., 33.

biological mothers.[62] For both Perpetua and Felicity the opportunity to confess the faith,

and the martyrdom that followed, clearly superseded any obligation to provide direct care

for biological children.

In the *Acts of the Martyrs Carpus, Papylus and Agathonicê*,[63] both Papylus and

Agathonicê claim to have children, though it is revealed that Papylus is referring to

fellow Christians as 'spiritual children.'[64] Agathonicê, however, has biological children

and is urged by the crowd of non-Christian onlookers to take pity on her children and not

go through with her martyrdom. Agathonicê replies that her children have God to watch

over them. She then leaps to her death atop the fire that has already consumed her

companions.[65]

Minimally, these narratives demonstrate that Christianity's strand of skepticism

towards familial obligations did not end with the Pastoral Epistles' apparent counsel for

greater cultural conformity in domestic affairs.[66] Instead, biblical support for orderly

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[62] Ibid., 28.

[63] The account is dated to either the late second or mid-third century. It also exists in both a Latin and Greek form which differ in length and some details, such as the particularities of Agathonicê's death. In the Greek text Agathonicê leaps to her own death, in the Latin text she is likewise spared some of the suffering of her male counterparts, but is put to death in the fire.

[64] Carolyn Osiek writes, "We know from Christian literary sources that the church was considered more and more to be a family, a 'family of families' that claimed the absolute allegiance that the family of origin had previously commanded." (Osiek, 168.) The Roman emperor Augustus assumed the title *Pater Patriae* in 2 BCE in honor of his achievements. This supported the Roman use of the empire as a metaphorical family. (Mary R. D'Angelo, "Roman Imperial Family Values and Sexual Politics of 4 Maccabees and the Pastorals," *Biblical Interpretation* 11, no. 3 (2003): 142.) Finally, Elliot argues that the Roman Empire itself was built upon families. Thus, which 'family' one identified with had significant implications. (Elliott, 200.)

[65] "Martyrs," in *Women in Early Christianity; Translations from Greek Texts,* ed. Patricia Cox Miller (Washington D.C.: Catholic University of America Press, 2005), 45.

[66] Mary D'Angelo writes that the pastorals reflect the virtues of good Roman citizenship. "The communal assembly is the household of God (1 Tim. 3:15), and within it and its individual households, moral rectitude is displayed by the appropriate governance of women, children, unemancipated sons, and slaves under the authority of the *patres familias*. Thus the ability to preside over a household is a central

domestic life, such as 1 Timothy's counsel that women "be saved through childbearing—if they continue in faith, love and holiness with propriety," stand in tension with martyriologies in which articulate, determined women abandon motherhood and yet serve as models of faith.[67]

From the perspective of these female martyrs, the fact of motherhood appears to have been a relatively minor consideration in comparison to their commitment to the Christian faith. That these women were recognized as examples of faith whose stories were recorded to inspire latter Christian readers further calls into question Christianity's relation to familial obligations. No moral concern is voiced within these narratives by a Christian concerning the obligations of biological mother to raise her own child. In the case of Agathanicê even basic arrangements for her children's care are absent while, as with Perpetua, it is non-Christians who express concern for the children.

The second century apocryphal text, *The Acts of Paul and Thecla,* provides another example of a female Christian heroine choosing faith over familial commitments as Thecla leaves a fiancé behind to join Paul's missionary journeys.[68] *The Acts of Paul and Thecla* also provides evidence of the growing influence of an idealization of virginity

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qualification for leadership in the community (3:5-6, 12)." D'Angelo, "Roman Imperial Family Values," 159.

[67] 1 Timothy almost certainly predates both martyriologies, though the dating of the epistle and the martyrdom of Agathonicê are each disputed. 1 Timothy's admonition that women are to be quiet, submissive and should not teach men stands in direct oppositions the martyr narratives in which women are central figures whose words and actions are intended to inform and inspire their Christian readers (presumable men among them).

[68] "The Acts of Paul and Thecla," in *In Her Words; Women's Writing in the History of Christian Thought,* ed. Amy Oden (Nashville: Abingdon Press, 1994), 21 – 25. Rosemary Radford Ruether writes, *The Acts of Paul and Thecla* "exalt the woman of faith who repudiates her family, rejects her subordination, rejects the will of her parents, rejects her fiancé and the right of her family to betroth her to a husband, and leaves home to evangelize, baptize, and preach." Rosemary Radford Ruether, "Christianity and the Family: Ancient Challenge, Modern Crisis," *The Conrad Grebel Review* (March 9, 2001): 85.

which shaped early Christianity.[69] If Cahill's analysis of two distinct trends within Christianity is correct, the rise of one over the other was likely influenced by developments in vocations for celibate women. These vocations afforded Christian women a means of valuation distinct from their procreative abilities and freed them from familial obligations. However, they may have also helped reshape early ambiguities in Christian thought into a divisive framework between women who lived in sexual purity and those who married.

Thecla's decision foreshadows the rise of consecrated virgins and women religious which grew out of both an admiration for virginity and the complications created by familial commitments. Yet, this development was conditioned by a distrust of human sexuality and may have encouraged a "two-path" view of Christian vocations which at times denigrated marriage as the inferior of the two Christian options. Rosemary Radford Ruether observes that the early centuries of Christianity saw "a gradual synthesis between patriarchy and celibacy."[70] Bearing children not only complicated total commitment to the faith, but, in a religious culture increasingly enamored with celibacy, was also a clear sign of having given into the body's sexual appetites. Peter Brown writes, "When Simplicia, a Roman nun, died in middle age, all that needed to be said of her was that 'she took no heed to produce children, treading beneath her feet the body's snares.'"[71] In the centuries immediately following the New Testament's composition, the

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[69] Rubio, *A Christian Theology of Marriage and Family*, 53.

[70] Ruether, "Christianity and the Family," 86.

[71] Peter Brown, *The Body and Society: Men, Women, and Sexual Renunciation in Early Christianity* (New York: Columbia University Press, 1988), 343.

pendulum had swung far to the side of celibacy,[72] and it took effort for Christianity to reclaim a life that included sexual reproduction as legitimately Christian and possibly even holy.

Patristics

For Ambrose of Milan (340 - 397), sexuality was evidence of human sinfulness which stood in glaring contrast to Christ's purity. Christian sanctification was dependent upon suppressing sensuality, which itself had no redemptive value.[73] Ambrose's contemporary, Siricius (334 – 399), bishop of Rome, was likewise concerned with human sexuality and advocated for a celibate clergy. Even starker expression was found in the asceticism of Jerome (347 – 420) for whom sexuality constituted men and women as perpetual and mutual sources of temptation.[74] Among his generation, Jerome's disdain for all things sexual, which led him to question if even martyrdom could remove the "dirt of marriage,"[75] marked an outer edge that was not embraced by his co-religionists, even in an era shaped by fascination with virginal purity.[76]

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[72] Ruether argues that one important transition within this period was the shift in perspective from celibacy as anticipatory of the eschaton to celibacy as cultic purity. This fueled a greater divide between the married and the celibate. Ruether, "Christianity and the Family," 87.

[73] In Ambrose's words, "how can sensuality recall us to Paradise, when it alone robbed us of its delights?" Brown, 361.

[74] Ibid., 376.

[75] Ibid., 398.

[76] Jerome shocked many Christians with his perspective that "even first marriages were regrettable, if pardonable, capitulations to the flesh, and that second marriages were only one step away from the brothel." Ibid., 377.

When considered with these near-contemporaries, Augustine of Hippo's (354 –

430) apprehensive view of human sexuality and limited affirmation of Christian marriage

appears a significant achievement in moderation. What separated Augustine's approach

was a fundamental conviction that human bodies and sexual reproduction were aspects of

God's created order, not consequences of humanity's fall. Whereas earlier authors had

written of Adam and Eve as nearly angelic beings, Peter Brown writes, "Augustine

invariably wrote of Adam and Eve as physical human beings, endowed with the same

bodies and sexual characteristics as ourselves." God had commanded Adam and Eve to

procreate before the fall, clearly implying a place for sexual intercourse and reproduction

prior to rebellion.[77]

Before Augustine, Christians wrestled with uncertainty about the continuation of

the human race; Augustine's perspective removed the apparent conflict between

procreation and salvation. Still, as Brown observes, Augustine salvaged the inherent

goodness of sexuality and procreation at the expense of transferring anxiety inwardly. It

was no longer humanity as such that required explanation but the deeply distorted human

will. "The twisted human will, not marriage, not even the sexual drive, was what was

new in the human condition after Adam's fall."[78] For Augustine, sexuality itself is a

created good, but fallen humanity's experience of sexual desire is immensely distorted by

a weakened and rebellious will. Brown writes,

> "[The body] remained, for Augustine, a source of unrelieved disquiet. In order to convince the
> learned readers of his *City of God* and of his tracts against Julian, Augustine appealed to the
> authority of the ancients. He opened the sluice-gates of Latin Christian literature, quite as
> drastically as had Jerome, to let in the hard male puritanism the Romans relished in their ancestors
> and their favorite authors. An ancient Romans' harsh distrust of sensual delight and a fear that the

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[77] Ibid., 400.

[78] Ibid., 404.

body's pleasures might weaken the resolve of the public man added a peculiarly rigid note to Augustine's evocation of human beings forever exposed to a merciless concupiscence. [79]

Augustine's approach at once explained the place of human sexuality in the created order and Christian participation in the continuation of the human race. This removed one layer of the complexity but the hermeneutic question of the New Testament concerning *how* the mutual obligations of faith and family are to be worked out remained. In this regard, it is significant that procreation was assumed to be a duty owed to the empire as well as a divine injunction. Children for God and for empire become the central means by which sexual intercourse was justified.

Augustine's contemporary in the East, John Chrysostom (347 – 407), provides a more developed perspective on the life of the Christian family. Chrysostom had once been persuaded that a Christian child's best interest was to be raised in a monastery, but through pastoral experiences became convinced of the family's principal responsibility in forming children for faith and morality.[80] Despite the concerns of his western contemporaries, Chrysostom indicates no desire to justify the existence of sexuality or marriage. Instead, he gave these broadly positive interpretations and devoted his greatest concern to the moral problem of greed.[81]

Chrysostom understood the family as a center of charity with a Christian obligation to proclaim the Gospel and serve the poor. In recognition of its parallel mission with the Church, Chrysostom described the family as the 'domestic church.' This

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[79] Ibid., 426.

[80] Cahill, 52.

[81] Ibid., 57. Cf. John Chrysostom, "An Address on Vainglory and the Right Way for Parents to Bring Up Their Children," in *Christianity and Pagan Culture in the Later Roman Empire*. Trans. Max L. W. Laistner (Cornell University Press, 1951), #12ff.

'domestic church' was not based in biological kinship, but upon the communal nature of salvation which made children in the home the nearest of social relations. Chrysostom was also acutely aware of the tendency for families to become self-serving and for parents to neglect their Christian duties.[82] Chrysostom afforded such weight to the parental obligation, which he viewed as parallel to Christ's own task for all humanity, that he tied parents' own salvation to the virtue evident in their children.[83] For Chrysostom, parents are artists who carefully sculpt their children. In so doing, Marcia Bunge writes, "they are helping to restore the image of God in their offspring and thereby forming them into 'wondrous statues of God.'"[84]

In the Patristic writings of the mid-fourth to early-fifth century, anxiety over sexuality became increasingly pronounced in Christian thought. Augustine was able to reconcile the existence of sexuality with the goodness of creation and posit marriage as a form of friendship fit for the communion of the redeemed.[85] But, Augustine provided only a thin explanation of the goods of marriage, did little to develop a Christian understanding of family life, and was not able to affirm sexual intercourse as good in itself.[86] Peter Brown concludes that, from Ambrose and to Augustine, anxiety of human

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[82] Vigen Guroian, "The Ecclesial Family; John Chrysostom on Parenthood and Children," in *The Child in Christian Thought*, ed. Marcia J. Bunge (Grand Rapids, MI: Eerdmans, 2001), 73.

[83] Marcia J. Bunge, Introduction to *The Child in Christian Thought*, ed. Marcia J. Bunge (Grand Rapids, MI: Eerdmans, 2001), 21.

[84] Ibid. Cf. John Chrysostom, "An Address on Vainglory and the Right Way for Parents to Bring Up Their Children," in *Christianity and Pagan Culture in the Later Roman Empire,* trans. Max L. W. Laistner (Cornell University Press, 1951), #22.

[85] Brown, 402.

[86] Ibid., 359.

sexuality injected "a powerful and toxic theme into medieval theology."[87] In the East, Chrysostom developed a more thorough account of the Christian family than did Augustine, but was not directly concerned with the same issues as his contemporaries in the West.

Summary

A survey of the historical evidence shows that there is no single New Testament or early Christian perspective on children, parenthood or the family. Though there are some strains of continuity, the New Testament is characterized by its recognition of tension and potential conflict between familial obligations and faith commitment. In the second and third centuries, martyriologies and apocryphal texts give evidence that this tension shaped the lives and aspirations of Christians. In these texts, the tension is firmly resolved in favor of faith and at the expense of biological kin, with only non-Christians raising moral concern a the maternal obligation to rear children. Still, such texts were inspirational narratives and may not have reflected the more domestic commitments of a majority of Christians. In the Patristic era, praise of virginity and anxiety over human sexuality raised doubts of if marriage could ever be a Christian vocation. Augustine, while embodying many of the concerns of his contemporaries, was able provide a moderate resolution, even as he gave definitive shape to a Western Christian understanding of sin and its connection to sexual reproduction. Chrysostom spoke directly to the concerns of family life and gave the Christian family an explicit task of charity while describing the parental task in parallel terms to the work of Christ.

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[87] Ibid., 353.

Part II: Historical Developments

Conceptions of Childhood

Contemporary scholarship has renewed appreciation for the diversity of historical Christian perspectives on children and childhood. Among the most noteworthy of recent projects is *The Child in Christian Thought*, edited by Marcia Bunge, a collection of essays that considers the perspectives on children and childhood of a number of theologians and movements throughout history. Perhaps the most significant claim made by the collection is that attention to the child as a legitimate subject of theological reflection is not a new trend, but a long tradition. The book is extremely valuable for the task at hand because conceptions of parenthood are intimately linked with conceptions of childhood. And these have enjoyed considerable diversity throughout Western Christian history.

Recent theological interest in childhood was spurred largely by sociological and historical research. Phillip Ariès' thesis that "childhood" is a relatively recent innovation has become a requisite subject for subsequent research on the history of childhood.[88] Other scholars have agreed that attitudes and treatment of children have varied considerably across time and place and have often identified the eighteenth century as a pivotal period of change that has shaped the modern era.[89] Among the most common criticisms leveled against Ariès' thesis is the contention that, while Ariès claims to

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[88] Philipe Ariès, *Centuries of Childhood; A Social History of Family Life*, trans. Robert Baldick (New York: Random House, 1962).

[89] Cunningham, 11.

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identify the origin of the concept of childhood, he in fact identifies only the origin of its particular modern variation.[90] David Archard helpfully employs John Rawl's distinction between *concept* and *conception* to clarify. A *concept* is basic and distinguishes one thing from another (e.g. children from adults). A *conception* is a construction of principles related to that concept (e.g. the age at which children become adults). In these terms, the critique argues that Ariès misidentifies a *conception* as a *concept*. Thus, while all times and cultures have held some concept of childhood, conceptions are diverse and subject to change. Such changes may be profound and can offer valuable insight into the conditions and ideals of an era.[91]

In addition, Archard identifies three paradigmatic models in historical conceptions of childhood, which usually admit degrees of admixture. The 'developmental model' is the most recent and is heavily influenced by modern scientific insight. This model may emphasize psychology and focuses on the process by which a normative status is attained (e.g. healthy, mature adulthood). As a potential weakness, however, this model can devalue childhood as merely a stage on the path to adulthood.[92] The remaining two models are defined by emphasis on either innocence or sinfulness. Archard offers early-modern Puritans and Calvinists as the strongest proponents of the 'child as corrupt' model. This view takes the moral lives of children seriously but can also stress constant oversight and harsh correction to restrain or break children's unruly wills. Conversely,

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[90] Supporters of Ariès contend that this criticism does not appreciate the nuance of his work. A more substantial criticism of his work is that his sources are flawed and give an unrealistic image of the eras he considers.

[91] David Archard, *Children; Rights and Childhood* (New York: Routledge, 1993), 33.

[92] Ibid.

the Romantics most clearly embraced the 'child as innocent' model. This perspective fears the corrupting influence of adult society on children's natural innocence, but tends to associate children with powerlessness and can undermine their moral agency. Though the extremes of these last two models are mutually contradictory, Archard argues that they have been tenuously held together throughout much of Christian history.[93]

Archard is correct in recognizing that significant Christian figures have wrestled with both the sinfulness and the innocence of children. Yet, from a theological perspective, his assessment is limited. Archard relies heavily on philosophical sources and his use of theological sources tends to lack nuance as it focuses on traditionally Protestant concerns. For example, while he emphasizes Christian conceptions of childhood innocence as directly connected to children's powerlessness to sin, recognition of children's limited abilities to sin *or to enact virtue* is more characteristic of Catholic perspectives.[94] As a consequence, Archard's application of the developmental model appears limited. Instead of having arisen with modern science, the developmental approach can be found in theologians who concern themselves with growth in virtue, sanctification, or *theosis* and have taken children seriously as moral agents.

Christian Thought

In briefly revisiting Augustine and Chrysotom with attention to their conceptions of childhood and Archard's models, it appears that Chyrsostom's conception relies on an innocence model while Augustine is far more attentive to children's sinfulness.

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[93] Ibid., 37.

[94] Cf. Archard, 36 – 40.

Parenthood and childhood are so closely linked in Chrysostom's opinion that whenever there is a crisis of childhood, a crisis of the parenthood surely also exists. Thus, Chrysostom's conception of childhood is most directly gleaned from his advice to parents.[95] Chrysostom's association of parenthood with the work of Christ and the Church signals his teleological perspective. Observing the importance of parenthood in Chrysostom's thought, Vigen Guroian writes, "parents hold not only an ecclesial office but also a soteriological one, a salvific one. God has put parents in care of their children's souls, and whether a child inherits the kingdom of heaven relies upon the care he or she receives from parents."[96] From this view, Chrysostom appears to understand children, as a *tabula rasa* yielding totally to their parent's efforts. In Archard's words, this amounts to an 'empty' innocence as it rests primarily on inability.[97]

The soteriological perspectives of Chrysostom's place and time did not encourage great concern for inherent sinfulness. Among Chrysostom's theological forebears, Irenaeus was convinced that the fulfillment of perishable humanity awaited in reconciliation with and transformation into the imperishable[98] and Athanasius reflected on the Image of God and the problems of freedom and materiality.[99] However, in the

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[95] Guroian, 62.

[96] Ibid., 69.

[97] From this perspective the child is innocent largely to the extent that they are incapable or generally unformed. For example, Chrysostom writes, "If good precepts are impressed upon the soul while it is yet tender, not man will be able to destroy them when they have set firm, even as does a waxen seal." Chrysostom, *Address on Vainglory and the Right way for Parents to Bring up their Young*, 20.

[98] Irenaeus of Lyon, *Against Heresies*, ed. Robert M. Grant (New York: Routledge, 1997), Book V.14.

[99] Athanasius of Alexandria, *On the Incarnation* (Crestwood, NY: St Vladimir's Seminary Press, 2000), Book II.8.

West, among Christians in Africa and Italy, the idea of inherited sinfulness was emerging and Augustine's thought on the matter inaugurated distinctly Western anthropological and soteriological trajectories.[100]

Although Augustine wrote little about his own experience of parenthood, he was an astute observer of humanity and saw both "beauty and terror" in the behavior of children.[101] For Augustine, childhood provided a powerful metaphor with which to explain human nature. Infants in particular, "revealed a non-innocence that phased into increasing accountability as children matured into adulthood."[102] These observations, coupled with his theological account of inherent human sinfulness, informed Augustine's belief that children were not born innocent but lacked only the ability to sin. He held that children possessed a corrupt will bent toward sin and were culpable for the consequences.[103] Augustine once held that children who died before baptism were to be counted as martyrs but later became committed to the necessity of baptism for salvation. Augustine's legacy is very much influenced by his struggle with the question of the unbaptized innocents. Cristina Traina writes, "The history of the theology of childhood might well be cast as the history of the struggle to preserve and express Augustine's

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[100] Martha Ellen Stortz, "Where or When was Your Servant Innocent?' Augustine on Childhood," in *The Child in Christian Thought,* ed. Marcia J. Bunge (Grand Rapids, MI: Eerdmans, 2001), 93.

[101] Ibid., 83.

[102] Ibid., 86.

[103] Ibid., 78.

doctrine of original sin without eroding beliefs in both divine justice and divine mercy toward the weak and vulnerable."[104]

For Augustine, children are only non-innocent; they still lack the power to actualize this disposition in any substantive way and therefore their condition itself does not justify harsh treatment. Instead, in the physical punishments of children Augustine was inclined to see the sinfulness of adults who were greater only in power.[105] For Augustine, Martha Ellen Stortz writes, "An adult merely replicated and amplified the sins of the child."[106] Thus, Augustine's use of a 'child as corrupt' model must be understood within his anthropological approach which viewed all humanity as fundamentally corrupt and in need of the grace of baptism.[107] From this perspective, the primary duty of Christian parents is to baptize their children. Beyond this, Augustine's approach adds a powerfully egalitarian perspective to the human condition. Even as he imagines adults as grown-children, he gives credibility to the moral lives of children.[108] This introduces a degree of ambiguity to the relations of adults to children in as much as adults may be equally inclined to act sinfully and may do so more skillfully.[109] Stortz concludes that

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[104] Cristina L. H. Traina, "A Person in the Making: Thomas Aquinas on Children and Childhood," in *The Child in Christian Thought*, 105.

[105] In a letter to Jerome, Augustine wrote, "Children are wasted by sickness, racked by pain, tormented by hunger and thirst, mangled and crippled, deprived of their senses and abused by evil spirits… It is not allowable to say that God is unaware of these things, or that he cannot put an end to the causes of these evils, or that he does nom or allows them to be done unjustly… God is good. God is just. God is almighty…. And so let the just reason why such terrible things happen to children be stated." Ibid., 97.

[106] Ibid., 86.

[107] Cf. Augustine of Hippo. *On Nature and Grace.*

[108] Stortz, 100.

[109] Ibid., 84.

childhood, human nature, and baptism are tightly interwoven elements of Augustine's theological conception of childhood which founded a "highly ambiguous legacy" of Western Christian views of childhood.[110]

In the middle ages, the notion of family emerged more clearly as households across social strata became more uniform and increasingly centered on kin relations.[111] Fluctuation in Christian conceptions of childhood continued. Augustinian notions of original sin joined with admiration of virginity to inform a low religious valuation of procreation. And, as with earlier martyrs, the willingness to renounce one's children for the sake of faith was thematic in medieval hagiographies.[112] Furthermore, the wisdom of old age tended to be prized above the innocence of the young. However, Christian society in general maintained a higher valuation of young children than had been common in Greco-Roman society.[113] And medieval literature offered images of pure and innocent children with "an ability to seize on truths hidden from adults…"[114]

In the eleventh century, Anselm of Canterbury (c. 1033 – 1109) "emphasized a child's need 'of loving-kindness from others, of gentleness, mercy, cheerful address, charitable patients, and many such-like comforts.'" By the thirteenth century, Anselm was a favored source in preaching manuals which offered sample sermons covering issues related to childhood. These "recognized stages in childhood, urge the importance

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[110] Ibid., 99.

[111] David Herlihy, *Medieval Households* (Cambridge, MA: Harvard University Press, 1985), vi.

[112] Cunningham, 33.

[113] Ibid., 35.

[114] Ibid., 33.

of encouraging learning, and stress the desirability of moderation in punishment" and became incredibly popular into the fifteenth century.[115] The high middle ages also initiated a new appreciation of individual freedom over and against family intentions.[116] Medieval hagiographic literature attests to this tension as it alternately "praises absolute filial obedience and rewards independent mindedness."[117]

Parenthood was likewise a subject of some ambiguity. Medieval Christians saw the position of the commandment to honor mother and father as the first on the second tablet as a clear sign of its foundational importance in the divine plan for society. Indeed, this command came before such basic social principles as the prohibition of stealing and killing.[118] John of La Rochelle (c. 1200 – 1245) argued that the positive phrasing of this commandment demonstrates that giving honor to parents is never wrong.[119] However, the tension between this commandment and a vocation to religious life arose repeatedly. John of La Rochelle argued that greater goods, such as entry into a religious order, could mitigate this duty and were not true conflicts anyhow since "the prayers of a vowed religious will, in the long run, do parents more good than providing them with food drink."[120] Aquinas disagreed, arguing that care for one's ailing parents should prohibit acceptance into religious life.

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[115] Cunningham, 30.

[116] Traina, 107.

[117] Ibid, 109.

[118] Lesley Smith, "Who is my Mother? Honouring Parents in Medieval Exegesis of the Ten Commandments," in *Motherhood, Religion, and Society in Medieval Europe, 400 – 1400*, ed. Conrad Leyser and Lesley Smith (Burlington, VT: Ashgate Publishing Company, 2011), 158.

[119] Ibid., 164.

[120] Ibid., 160.

Thomas Aquinas (c. 1224 – 1274) added a new dimension to Augustine's legacy by uniting the divergent anthropologies of Augustine and Aristotle; the first characterized by original sin and a corrupt will, the second by rational capacity and potential for virtuous growth.[121] Additionally, Aquinas was encouraged by a medieval trust in the actual innocence of creatures incapable of committing sin. Nonetheless, he affirmed Augustine's conviction that original sin itself prohibits salvation. Thus, for Aquinas the unbaptized child is underserving of salvation, yet incapable of either intending sin or desiring baptism. Aquinas' solution was to create a middle ground in the stark choice between salvation and condemnation; *limbus puerorum*. Limbo is a destination fitting the conditions: union with God is denied, but torment is spared.[122]

Despite having spent most of his young life away from home, Aquinas believed that parents, especially fathers, deserve full credit for their children's success or failure. He supported sweeping parental rights, including the rights to betroth or commit a child to a religious order; though these were limited by the child's consent at maturity.[123] Foundational to these claims, was Aquinas' belief that the work of procreation establishes natural rights of parents. Just as the craftsman rightfully owns that which he creates, so too does the parent.[124] Parental rights based on creation alone might suggest that mothers hold greater rights than fathers, in proportion to reproductive roles, yet for Aquinas

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[121] Traina, 106.

[122] Ibid., 115. Though he appears firm in his logic, Aquinas' two articles on limbo are assembled from his earlier work by his students within the appendix of the summa.

[123] Aquinas argued that individual assent was essential for a valid marriage, and upheld the validity of secret marriages if the spouses were old enough to give adult consent. Ibid., 118.

[124] Ibid., 107.

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paternal authority was central.[125] The idea of "shared substance," which was linked to a

father's desire to see his own legacy continue, buttressed Aquinas' argument from labor

and solidified a father's priority.[126] Within an Aristotelean theory of fetal development,

the father's seed was the substance from which new human life developed, requiring only

the protection of a mother's womb.[127] This made progeny a literal extension of their

father, and, Aquinas argued, the reasonable man will recognize this and will attend to his

children as if they were his own body.[128]

The argument from shared substance did more than reinforce Aquinas' patriarchal

views, it also solidified parental duties in response to social conditions. During Aquinas'

lifetime, child mortality may have reached 50% and was driven by not only by

unsophisticated sanitary and medical practices, but by "high rates of abandonment,

exposure, infanticide, overly harsh beatings, fatal 'trials' of suspected changelings, and

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[125] Ibid. 115. Unlike earlier Roman tradition, Aquinas did not hold the child absolutely obligated to their father as long as he lived. Concern for the development of one's own reason, faith, and conscience all mitigated this view. The natural rights of parents also tended to relate the natural capacities of the genders as Aquinas understood these. Thus, care for infants is the direct responsibility of mothers, while fathers took a direct role in their children's development only after they attained a basic grasp of reason. Chief among a father's parental duties are provision for material welfare and education, including religious instruction and the sacraments. Aquinas never appears to have noticed the irony that under the care of unreasonable women an unreasonable infant should become a child capable of reason and worthy of a father's attention. This may also indicate that Aquinas saw reason as emerging at least as much from within the child as being implanted from without.

[126] This argument further supported the importance of female fidelity, as confidence in biological paternity is central to a father's investment.

[127] A competing but less widely embraced theory of fetal development had been introduced in the later eleventh century. This was based on Galen's argument that both men and women contributed 'seed' which was only released when the body was moved to pleasure. This allowed consent to sexual intercourse to be 'objectively' determined by pregnancy. The theory was championed in the West by William of Conches and resulted in disastrous implications for victims of rape. William's interlocutors objected on the basis of experience and the view never gained widespread acceptance. See, Irven M. Resnick, "Marriage in Medieval Culture: Consent Theory and the Case of Joseph and Mary" *Church History* 69, no. 2 (June 2000): 361 – 363.

[128] Don S. Browning and John Witte, Jr. "Christianity's Mixed Contributions to Children's Rights," *Zygon* 46, no. 3 (September 2011): 727.

suspicious overlaying of children in bed."[129] Aquinas' argument "encouraged

strengthening the natural bonds of love" while grounding parenthood in natural facts

which parental duties more difficult to disavow.[130] Moreover, Aquinas believed that

parental rights were both natural and rational, and therefore, universal. As a consequence,

Aquinas twice argued that to baptize a Jewish child against parental will is a greater sin

than allowing the child to die unbaptized.[131] Further, he asserted that the primary evil of

fornication was not sexual sin but the failure to assure the wellbeing of potential future

children.[132]

Aquinas' argument for the natural rights of parents leaves parental rights of

adoptive parents with uncertain origins. From a soteriological perspective, Aquinas

employed adoption metaphorically to differentiate the divine adoptive sonship of

Christians from the divine substantial sonship of Christ. Aquinas does assert that God's

adoptive fatherhood gives rise to duties on God's part. However, these duties are based

on the human identity as 'image of God' and thus the duties once again run through

created origin and shared qualities.[133]

Aquinas' understanding of nature and grace as cooperative, emphasis on

education, and teleological outlook all suggest a developmental view of childhood. For

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[129] Traina, 125.

[130] Aquinas was building on an argument found in Aristotle and now identified by evolutionary psychology as 'kin-altruism,' which observes that people tend to invest more in those with whom we are biologically related. Browning and Witte, 724.

[131] Traina, 116.

[132] In Aquinas' era, an illegitimate child would not only be deprived of the rational paternal influence so necessary to their development, but also faced the possibilities of abandonment and poverty and had no right to inheritance or priestly ordination.

[133] Traina, 129.

Aquinas the child is both corrupt and innocent; but most importantly, incomplete. He measured the developmental process primarily as a growth in capacity to reason, showed little interest in the particularities of child rearing,[134] and placed the rational adult male Christian as the normative end.[135] In Aquinas' perspective, childhood is truly good in as much as it reflects divine wisdom and therefore "is an appropriate and necessary stage within the lifelong journey toward perfection in which adults too are engaged."[136] Yet childhood is not to be admired in as much as Children lack wisdom and active virtue.[137] In fact, Aquinas compares the child under the age of reason to an irrational animal.[138] Aquinas represents the clearest developmentalist encountered so far as he values the process, but does not admire any stage prior to the normative end.

Throughout the late middle ages, Christian piety turned increasing attention to the needs of children. By the Reformation era, interest in Christian childrearing had united with a general concern for morality and discipline. This outlook, to some extent, came at the expense of individual liberty as communal obligations assumed primary moral significance.[139] As a result, three of the Reformation's most prominent figures, Desiderius Erasmus (1466 – 1536), Martin Luther (1483 – 1546), and Jon Calvin (1509 – 1564), held most clearly to a 'child as corrupt' model that stressed the importance of

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[134] Ibid., 132.

[135] Ibid., 111.

[136] Ibid., 130.

[137] Ibid., 128.

[138] Ibid., 126.

[139] Jane E. Strohl, "The Child in Luther's Theology: 'For What Purpose Do We Older Folks Exist, Other Than to Care for … the Young?'" in *The Child in Christian Thought*, ed. Marcia J. Bunge (Grand Rapids, MI: Eerdmans, 2001), 149.

parental involvement. This perspective assumed unique form in each, yet is united by the conviction that the child contained both wonderful and monstrous possibilities and only through diligent supervision and education might a respectable adult be formed. As Erasmus writes,

> The child that nature has given you is nothing but a shapeless lump, the material is still pliable, capable of assuming any form, and you must so mould it that it takes on the best possible character. If you are negligent, you will rear an animal; but if you apply yourself, you will fashion, if I may use such a bold term, a godlike creature.[140]

The reformers expressed similar attitudes and idealized the "pious, disciplined, obedient, and teachable child." To rear such children required great effort; metaphors of horticulture and animal husbandry abounded. Left alone, like a field or animal, a child's natural trajectory was towards wildness and rebellion; thus the parental duty was to domesticate and Christianize. These beliefs were underwritten with scriptural support. In the mid-sixteenth the English philosopher Thomas Beccon wrote, "a child in Scripture is a wicked man, as he that is ignorant and not exercised in godliness.'" Contemporaries imagined all manner of evil desires lurking within the hearts of children; even the unborn. Although the Reformation era shared similarities with medieval concerns for education and childcare, it was marked by this growing fear of the child's inner corruption.[141]

Erasmus, like other Renaissance humanists, called attention to "the importance of infancy and early childhood in the development of good Christians and good citizens."[142] He published a series of books and essays on the topic which drew heavily from classical

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[140] Cunningham, 43.

[141] Cunningham, 47.

[142] Clarissa W. Atkinson, "'Wonderful Affection': Seventeenth-Century Missionaries to New France on Children and Childhood," in *The Child in Christian Thought*, ed. Marcia J. Bunge (Grand Rapids, MI: Eerdmans, 2001), 231.

sources.[143] Erasmus' greatest concern was that early education not be postponed by either the coddling of female caregivers or the negligence of fathers. This emphasis stemmed from his belief that the young child had an innate desire to learn and was capable of absorbing information at a greater rate than in subsequent ages. Erasmus encouraged parents to take control of their children's education and saw rationality and self-control as instilled in children by the hard work of parents and educators.[144] However, he clearly distinguished himself from those who emphasized original sin, arguing instead that adults are often culpable for corrupting young minds.[145] And Erasmus was horrified by the practice of beating children, either at home or in schools. He greatly lamented the existence of schools which were supposed centers of education but were in reality centers of "brutal abuse."[146]

Martin Luther vociferously disagreed with Erasmus on the freedom of the human will and expounded a radical understanding of grace that founded a distinctly Protestant soteriological perspective. Despite the dramatic religious, social, and political changes brought about by the Lutheran Reformation, domestic life underwent relatively little change.[147] Luther and his Protestant colleagues tended to replicate concerns for good order, community, and education that also characterized their Catholic counterparts. Jane

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[143] Cunningham, 43.

[144] Steven Ozment, *When Fathers Ruled*: *Family Life in Reformation Europe* (Cambridge, MA: Harvard University Press, 1983), 177. Cf. Strohl, footnote 52.

[145] Cunningham, 45.

[146] Ibid., 44.

[147] Despite the significant social changes in this era, gender relations remained remarkably stable. Merry E. Wiesner writes, "Of all the ways in which society was hierarchically arranged – class, age, rank, occupation – gender was regarded as the more 'natural' and therefore the most important to defend." See, Strohl, footnote 3.

Strohl observes, Lutheranism "allied itself with the status quo and may well have proven more successful at the task of socialization than evangelization."[148] Moreover, Luther viewed the home as a safe haven for the formation of children in the faith apart from the dangers of the world, flesh, and devil.[149]

Luther's apparent social conformity should not distract from the extent to which his theological opinions reinterpreted the significance of domestic life. For example Luther writes,

> Now you tell me, when a father goes ahead and washes diapers or performs some other mean task for his child, and someone ridicules him as an effeminate fool…my dear fellow you tell me, which of the two is more keenly ridiculing the other? God, with all his angels and creatures, is smiling — not because that father's washing diapers, but because he is doing so in Christian faith. Those who sneer at him and see only the task but not the faith are ridiculing God with all his creatures, is the biggest fool on earth.[150]

Luther accepts that washing diapers is a particularly demeaning task for a man, yet upholds such service as exemplary evidence of Christian faith. Thus, while he generally accepted cultural standards, Luther opened possibilities to subvert cultural logic.

Like his contemporaries, Luther was also a strong supporter of broad parental rights. He writes, "there is no greater or nobler authority on earth than that of parents over their children, for this authority is both spiritual and temporal."[151] Luther even asserted that a lack of parental consent could be grounds for the dissolution of a marriage.[152]

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[148] Strohl, 148.

[149] Cahill, 66.

[150] Luther quoted in Strohl, 140.

[151] Luther Quoted in Bunge, 21.

[152] Strohl, 155. This marked a point of disagreement between the Catholic and Reformation perspectives. It is significant that this is possible because Luther did not view marriage as a sacrament, but primarily as an 'order of creation', i.e. a fundamental social institution. Luther's perspective was at odds with the long struggle of the medieval church to make consent central to the sacrament of marriage. (See,

In agreement with Augustine, Luther held that the very first duty of Christian parents is to have children baptized quickly. Luther further described parents as "apostles and bishops" of their children. Yet, he also described all Christians who teach the Gospel as apostles and bishops of their neighbors.[153] Like Chrysostom, proximity differentiates the parental vocation inasmuch as children are their parent's nearest neighbors in need.[154] Thus, Luther views the family through the paradigm of neighbor love, such that the demands of parenthood extend to all Christians who are equally compelled by faith to attend to those in need. It may not be inconsequential that Luther's own experience of parenthood included raising several children from among his kin.

Luther's primary view of children appears to be as Christian disciples, which is marked by corruption as well as grace. Children are inherent and culpable sinners who are incapable of seeking salvation by their own power but offered salvific grace through baptism.[155] The baptized child shares in the conditions necessary for salvation and faithful discipleship and, as a result, has a duty to bear witness, through Christian service and love, to the grace already received.[156] In Luther's theology the child is vulnerable, but not incomplete. In fact, Luther supported infant baptism precisely on the grounds that

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Resnick, "Marriage in Medieval Culture") It is also interesting that both Luther and Aquinas chose their vocations to religious life *against* the wishes of their fathers.

[153] Luther quoted in Cahill, 66.

[154] Strohl, 158.

[155] Ibid., 141. Barbara Pitkin observes the many times Luther rejected biblical references to children as referring to actual children rather than as metaphors for adult faith. Barbara Pitkin, "'The Heritage of the Lord': Children in the Theology of John Calvin," in *The Child in Christian Thought*, ed. Marcia J. Bunge (Grand Rapids, MI: Eerdmans, 2001), footnote 16.

[156] Strohl, 134.

children are incapable of reason and therefore free of the uncertainties that come with rationality.[157]

In comparison to Luther, Calvin held a more pessimistic theological anthropology, a more developed commitment to predestination, and a greater confidence in the civil authority's duty to promote the faith and intervene in domestic matters.[158] Calvin's emphasis on the depravity of the human condition led him to argue that "even infants bear their condemnation with them from their mother's womb." Despite not having yet sinned, "they have the seed enclosed within themselves. Indeed, their whole nature is a seed of sin; thus it cannot be but hateful and abominable to God."[159] And yet, Calvin believed that children have active spiritual lives and that even infants can proclaim God's goodness.[160] Furthermore, he disagreed with Luther and Augustine, and urged Christian parents to trust that salvation would be extended to their children.[161] Though his understanding of the depth of sin seems contrary to this conclusion, Calvin's confidence in God's mercy rested not in his anthropology, but in his commitment to double-predestination. In this view, salvation resides entirely in the eternal decrees of God who has absolute freedom to choose the elect."[162] All Calvin asked was that

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[157] Luther did not share Aquinas' trust in rationality. Explaining the third article of the creed he writes, "I believe that by my own reason or strength I cannot believe in Jesus Christ, my Lord, or come to him." Luther quoted in Strohl, 143.

[158] Pitkin, 173.

[159] Calvin quoted in Pitkin, 167.

[160] Ibid., 166.

[161] Ibid., 182.

[162] Ibid., 182. Apart from Pitkin's assertion, it is disputed whether a theology of double predestination is developed in Augustine's works.

Christian parents who were certain of their own salvation have confidence that God would extend salvation to their children as well.

The Protestant Reformation, despite its domestically conservative bent, did initiate some reappraisal of the Christian home and education. Protestants came to see the family "as a microcosm of the church and the state, both in the sense that in its internal government it should marry those larger institutions, and in the sense that the family should be a nursery of both the church and state."[163] The consequence of placing this importance on the family was an increased emphasis on paternal responsibility. Fatherhood assumed central importance in managing the family, while mothers were to be virtuous and honorable.[164] The identification of patriarchal marriage with an "order of nature" further cemented this framework in Protestant imagination.

By the seventeenth century, the ideal Protestant family was a 'little commonwealth' governed by paternal authority and populated with obedient, submissive children. Catholicism generally lagged behind, but followed similar developments. Catholic religious literature gave increased attention to parental duties and encouragement of paternal authority grew; though this was supported by the traditions of Roman law. Catholic thinking increasingly recognized the domestic sphere as a place of affection which required a pious mother.[165]

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[163] Cunningham, 46.

[164] Ruether observes that the effect of the reformers conviction that "nobody could possibly be celibate and not fall into fornication" was to leave women with only marriage as a viable vocation. Celibate vocations were removed and singleness has been notoriously suspect throughout Protestant history. Ruether, "Christianity and the Family," 88ff.

[165] Cunningham, 55.

Protestants also led in advocating for public education. Martin Luther had viewed education as the responsibility of parents, but added the condition that, should parents fail in their duty, competent authorities were obligated to intervene.[166] Later in his life, Luther began to support compulsory public education. Other reformers went much further and argued that children belong first to the community, and secondarily to their parents. Still, government provided education did not become common until the eighteenth century.[167]

The eighteenth century, identified by Ariès as the origin of modern childhood, was indeed a significant period of philosophical and theological development. As a preeminent figure in the Enlightenment, John Locke (1632 – 1704) emphasized teaching children to learn to submit to authority, so that as adults, they would learn to submit to the authority of their own reason.[168] Locke was among the first to approach childrearing from a principally secular perspective and argued chiefly from 'natural rights' with little reference to Christian scripture.[169] In eighteenth century America, the influence of such thought was met with ambivalence while Jonathan Edwards (1703 – 1758) arose as a powerful conservative Protestant voice during this era of social change.

Edwards' religious convictions were partially fueled by fear that traditional Puritan society was collapsing. Not only did paternal authority appear to be in decline but the increasingly industrial economy now allowed children to relocate far from home and

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[166] Strohl notes Strauss' argument that Luther's reformation initiated a transferal of the responsibility to educate away from parents, who were often negligent, to civil authority. See Gerald Strauss, *Luther's House of Learning: Indoctrination of the Young in the German Reformation* (Baltimore: John Hopkins University Press, 1978), 123 – 131.

[167] Cunningham, 119.

[168] Ibid., 60.

[169] Ibid., 62. Cf. Browning and Witte, 729.

find employment.[170] In response, Edwards vigorously reclaimed traditional Protestant doctrines. But, unlike the reticence characteristic of earlier theologians, Edwards reveled in his descriptions of hellfire and described God's damnation of infants as "exceedingly just."[171] Edwards wrote, "As innocent as children seem to us… if they are out of Christ, they are not so in God's sight, but are young vipers, and are infinitely more hateful than vipers…"[172] Yet, the possibility of salvation created a double-image of children within Edwards' thought. Having gone from full of sin to full of grace, the born-again child gained the upper-hand if his or her parents were not similarly redeemed.[173] By centralizing God as an ultimate and central authority, Edwards relativized the authority of parents, even as he lamented the breakdown of the patriarchal family.

While Edwards resisted social change in America, the Romantics welcomed transformation in Europe. In direct opposition to Edwards' defense of paternal authority, John-Jacques Rousseau (1712 – 1778) promoted the priority of mothers within the family. As the eighteenth century progressed, romantic ideals mixed with changing social and economic circumstances to solidify childrearing as dimension of women's authority. Hugh Cunningham writes, "The consequences were striking. In the third quarter of the eighteenth century the death rate of English aristocratic children under the age of five

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[170] Catherine A. Brekus, "Children of Wrath, Children of Grace: Jonathan Edwards and the Puritan Culture of Child Rearing," in *The Child in Christian Thought*, ed. Marcia J. Bunge (Grand Rapids, MI: Eerdmans, 2001), 307.

[171] Edwards quoted in Brekus, 303. Prior to Edwards, in 1662, the American Puritan Michael Wigglesworth had published a popular tale of God's condemnation of sinners, though he added that children were given "the easiest room in Hell." See Brekus, footnote 10.

[172] Edwards Quote in Brekus, 303.

[173] Ibid., 312.

dropped by 30%."[174] In the early nineteenth century, men and women alike were assumed

capable of caring for children, at least in a basic sense. But by the mid-nineteenth

century, the qualities fitted for childcare "were declared to be natural to the female

sex."[175] Yet even as the qualities of womanhood became increasingly associated with

domestic caregiving, ordinary mothers' capacities as educators, which had been

presumed, now fell into question.[176]

Prevalent conceptions of children also underwent significant development during

this period. Nearly to the end of the eighteenth century, popular Christian writing

portrayed children as filled with evil intentions which could only be curbed by severe

discipline.[177]

By the nineteenth century, children had transitioned from economic asset to

liability, but had gained sentimental value as the innocence of childhood was increasingly

accentuated. Christians now described children as having recently come from the hands

of God, as the future Cardinal Newman wrote, "with all the lessons and thoughts of

heaven freshly marked upon him."[178] This revolution in the conception childhood was

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[174] Cunningham, 65.

[175] Ann Taylor Allen, *Feminism and Motherhood in Western Europe, 1890 – 1970* (New York: Palgrave Macmillon, 2005), 10.

[176] Heijst, 255.

[177] Margaret Bendroth, "Horace Bushnell's *Christian Nurture*," in *The Child in Christian Thought*, ed. Marcia J. Bunge (Grand Rapids, MI: Eerdmans, 2001), 357.

[178] Newman quoted in Cunningham, 69.

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also influenced by increasing rigidity in male and female social roles which placed greater emphasis on the proper socialization of children.[179]

Amidst these changes, Horace Bushnell (1802 – 1876) offered a Protestant developmental approach to childhood that has had lasting influence. Famously Bushnell advised, "the child is to grow up a Christian, never knowing himself as being otherwise."[180] He placed emphasis on parental involvement and trust in the "near salvific power of a godly mother."[181] Bushnell also stressed children's pliability and helplessness in the face of negative adult influences more than their innate sinfulness, though he accepted this as well.[182] Theologically he declared, Christ is not "'the Savior of adults only!'… but 'a savior for infants, and children, and youth, as truly as for the adult age.'"[183] Bushnell's views were initially dismissed among more conservative evangelicals but by the end of the nineteenth century most American churches had "settled into a regular package of weekly Sunday school instruction and family devotions, not dire warnings about infants being consumed by the fires of hell."[184] In the twentieth century, the social sciences offered new support for Bushnell's views. Insistence on good

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[179] Marilyn Irvin Holt, *The Orphan Trains: Placing Out in America*, (Lincoln, NE: University of Nebraska Press, 1992), 11.

[180] Bushnell quoted in Bendroth, "Horace Bushnell's *Christian Nurture*," 350.

[181] Ibid., 358.

[182] Catharine Beecher's influential book, *Religious Training of Childhood* also should not be overlooked during this era. Unlike Bushnell, she simply denied the possibility of original sin in children. See Holt, 12.

[183] Bushnell quoted in, Margaret Bendroth, "Mainline Protestants and Children," in *Children and Childhood in American Religions,* eds. Don S. Browning and Bonnie J. Miller-McLemore (New Brunswick, NJ: Rutgers University Press, 2009), 31.

[184] Ibid., 33.

order had been superseded by emphasis on "companionship, play, and emotional intimacy between parents and children."[185]

Summary

The Western Christian tradition contains diverse and competing conceptions of children and childhood. Archard's three-part paradigm paired with contemporary research on the theology of childhood help to clarify this legacy. In general, the 'child as corrupt' model exercised greatest influence in Augustine, Edwards, and theologians of the Reformation era. The 'child as innocent' model characterized Chrysostom, the Romantics, and perhaps Anselm. Aquinas and Bushnell are the clearest exponents of the developmental model, which has gained dominance in the contemporary period; though it has also been significantly transformed by the social sciences.

Reconciling the doctrine of original sin, which creates sinners of even the smallest children, with the belief that God's compassion resides with the weak and vulnerable has been a central challenge throughout the Christian tradition. After Aquinas, the Catholic tradition held a negotiated view in which Limbo functioned as a necessary theological compromise. Yet Limbo's existence rests on weak biblical support and was primarily speculative. As such, Limbo remained a theological opinion within Catholicism that was not appropriated by Protestants, who instead continued the unsettled trajectory of Augustine's struggle with the possibility of salvation for unbaptized infants. Yet, Protestant responses have varied and cannot be simplistically correlated to the depth of sin a theologian ascribes to the fallen human condition. Notably, it is John Calvin, not

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[185] Margaret Bendroth, "Horace Bushnell's *Christian Nurture*," 350.

Luther or even Erasmus, who placed greatest confidence in the possibility of salvation for unbaptized children.[186]

Conceptions of parenthood have also developed alongside these diverse conceptions of childhood. Some stress the importance of parental involvement; others the involvement of all society. The strongest advocates of parental authority tend to be those who embrace either a 'child as corrupt' or a 'development' model of childhood; though the form of involvement varies with each. After the Reformation, the question of whether parents or civil or ecclesial authorities were primarily responsible for education became pronounced. Moreover, gender-based roles within the family changed. At times paternal authority was stressed, at others, maternal nurture. Jonathan Edwards seems to have accidentally backed into the problem, known already in the New Testament, that emphasizing submission to God alone also relativizes centers of earthly power, such as fathers in the patriarchal family.

Finally, Christian tradition provides different accounts regarding the source of family unity and grounds for parental rights and obligations. For both Chrysostom and Luther, Christian charity and the obligation to serve neighbors in need are important features of the family's cohesion. Aquinas emphasized that the family is grounded in the natural bonds of kinship and the obligations arising from procreation.[187] None of these thinkers, however, centered the opinion on only one view. Aquinas employed a non-

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[186] Bunge, 15.

[187] During the medieval period, disputations over what creates marriage, raised concerns over the validity of Mary and Joseph's marriage which implicates the basis of Joseph's paternity. The question concerns whether Joseph, in the absence of sexual relations and biological paternity, could be considered either a true spouse to Mary or a true father to Jesus. It was evidently much easier for medieval Christian thinkers to dismiss the fullness of Joseph's 'fatherhood' in the absence of his generative role, than it was to dismiss the validity of his marriage, in the absence of sexual intercourse. Resnick, 369 – 370.

biologically based argument that parents were obliged to care for children because they embodied God's goodness and are made in God's image.[188] And Luther saw the family as a "critical order of creation within God's temporal governance."[189] Because this particular question is pertinent to the project at hand, this chapter now concludes with a brief historical sketch of Christianity's history of care for children beyond the context of the biological family.

Part III: Christian Practices in Adoption and Orphan Care

Introduction

An adequate consideration of the Christian history of adoption must first recognize that present forms of adoption bear little resemblance to earlier historical practices. Modern legal adoption, for example, finds its Western precedent in Roman hereditary law, which was primarily concerned with making heirs for the transfer of property. In Roman practice, only the Roman father could adopt and he typically adopted a consenting adult male heir.[190] These origins stand across an enormous conceptual divide from the popular American idea of a young, presumably infertile, couple seeking an unrelated infant to raise as their child. This modern ideal arose rather suddenly in the

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[188] Browning and Witte, 727.

[189] Failinger, 268.

[190] Ibid., 267.

late nineteenth century but was carried forward with remarkable force, not least due to its

support within the growing and increasingly influential field of social work.[191]

Between Ancient Rome and contemporary America, lies a complex history that is

characterized most often by private, informal, and non-legal arrangements for the care of

orphaned or abandoned children. Because of the significant differences in past and

present practices, it is helpful to conceptualize pre-modern adoption more broadly as

practices of guardianship and caregiving for non-biological kin. Legal guardianship has a

formal history in western society but often tells us little about the arrangements and

conditions of a child's upbringing. Caregiving, on the other hand, has often been based

on reciprocal economic relationships and has varied considerably for children who found

care beyond their extended kin group.[192]

The following section attempts to clarify some of this diverse heritage by

identifying major lines of historical practice. It then turns to recent scholarship on two

practices that are particularly informative for understanding contemporary conceptions of

adoption and orphan care. First, however, a brief note about the biblical and theological

foundations of adoption and non-kin care is in order.

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[191] In the popular imagination, all the actors in the scenario are also white and of middle class or higher socio-economic standing. This clearly was the operative paradigm of social work for some time. Ibid., 270.

[192] Prior to the mid-nineteenth century, "rather than being adopted, children were transferred to others by property deeds of wills of dying parents, or they were indentured servants or apprentices. Since a child had to be old enough to be of use to the family of indenture, infants and young children who had no home usually were kept in boarding homes, orphanages, or other institutions." Treatment also varied, some were "accepted as family members, others were treated like servants." Ibid., 268.

In the Hebrew Scriptures, God is often identified with care for the orphan[193] and Deuteronomy arranges for the just treatment and financial assistance of orphans.[194] In the New Testament, care for the orphan remains an important act of piety,[195] Jesus relativizes kin allegiances, and a metaphor of adoption functions as an important concept within Pauline soteriology.[196] During the time of the New Testament's composition, a growing identity as a family united by faith through baptism made theological orphans and adopted siblings out of the entire Christian community. Drawing upon this heritage, Herbert Anderson has observed that, in baptism, parents recognize that "their children are not their children, for they belong to God who has called them into existence and calls them into service of the world."[197] From a theological perspective, baptism abrogates biological parenthood in two important ways, by redefining both 'ownership' of the child and the child's 'family.' These biblical and theological ideals of care for the orphan and the new kin relations of the Christian faithful were not developed seamlessly or always with great care throughout Christian history. Changing conceptions of the family, the child, and religious and secular obligations, gave rise to responses to orphaned or abandoned children. Nonetheless, Christians have largely identified care for these children as an act of faith.

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[193] Deuteronomy 10.18 *et al.*

[194] Deuteronomy 24:17, 14:29 *et al.*

[195] Care for the orphans is described as the mark of true religion in James 1:27. Additional references to the weak or needy may be inferred to include the orphaned or abandoned. Cf. Matthew 6:1-4, Acts 20:35, *et al.*

[196] Cf. Romans 8:15, Galatians 4:4-5, Cf. John 14:18.

[197] Gilbert Ostdiek, OFM, "More than a Family Affair: Reflections on Baptizing Children and Mutuality," in *Mutuality Matters; Family, Faith, and Just Love,* eds. Herbert Anderson, *et al.* (New York: Rowman and Littlefield Publishers, 2004), 201.

Transfer of Care and Care Practices

Throughout most of Western Christian history, the majority of children whose parents were unable to provide for them found care among kin. In a practice inherited from Roman law, members of the extended family were legally bound to assume responsibility for orphaned children. The extensive mapping of kin relations, which increased with stricter consanguinity laws in medieval Europe, generally assured that some obligated party would be found.[198]

Beyond kin groups, religious orders served as another resource for care. The sixth-century *Rule of Saint Benedict* offers several directions for proper childcare (most often concessions made for the young) and gives no indication of this being an exceptional practice.[199] The rules of some other medieval religious communities even required the community to maintain a set minimum of orphans in their midst.[200] In the East, Byzantium established public institutions for care, such as the *Orphanotropheion,* in the early medieval period.[201] Until the fifteenth century, however, Western Christian society remained far more agrarian and did not feel the same need for such institutions as the more urbanized East.

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[198] Rome defined an orphan as a child whose father was deceased. Since the household was based on authority, the child needed to fall under the protection of an adult male. Even if mothers continued to care for their children, it was with the approval of a male guardian. Timothy S. Miller, *The Orphans of Byzantium: Child Welfare in the Christian Empire* (Washington, D.C.: The Catholic University Press, 2003), 31.

[199] See, *The Rule of St. Benedict*, Chapters 22, 30,36, 37,39, 40, 63, 64, and 70.

[200] Miller, xi.

[201] Ibid., 3.

The practice of exposure was predominantly accepted as a fact of life during Roman times and Christian society retained the practice with relatively little comment.[202] Christians did, however, lament the conditions that drove parents to abandon their children[203] and took a decidedly stronger stance against infanticide.[204] The reason behind this general acceptance may correspond to John Boswell's argument that exposure functioned primarily as an informal means of adoption and most often resulted in new guardians for abandoned children.[205] Ěcole Française de Rome adds that, with the fifteenth century expansion of institutionalized care in the West, greater anonymity encouraged abandonment. Eventually this resulted in overcrowding within institutions of care and dramatically increased mortality rates.[206] By the mid-eighteenth century, "death rates at the Milan asylum and in the newer infant orphanages in Paris and Vienna were approaching 80 percent of the babies left in their care."[207]

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[202] Dixon, 20.

[203] "Indeed Christian attitudes to abandonment are often scarcely distinguishable from those of pagan Romans except that, particularly from the fourth century, sympathy and understanding were held out to those who abandon their children through poverty or other misfortune." Cunningham, 25.

[204] "In 374 the Christian emperors Valentinian, Valens and Gratian decreed that 'if anyone, man or woman, should commit the sin of killing an infant, that crime should be punishable with death', an attitude considerably at variance with the Roman law code of the Twelve Tables (fifth century BC) where any child obviously deformed at birth was to be put to death." Cunningham, 25.

[205] CF. John Boswell, *The Kindness of Strangers: The Abandonment of Children in Western Europe from Late Antiquity to the Renaissance* (New York: Pantheon Books, 1988).

[206] Miller observes that Byzantium experienced significant urban demographic growth from the fourth to seventh centuries. This provoked Eastern bishops to respond to a number of problems caused by growing and more densely populated cities, such as orphaned and abandoned children. The West retained a primarily agrarian society for much longer and as a result did not deal with these challenges until centuries later. Miller, 11.

[207] Ibid., 9.

Beyond the orphaned and abandoned, many children were provided for by caregivers other than their biological parents, even while their biological parents remained responsible for them. This reflects the realities of family life and the need for all adults to participate in the family economy. Historically, mothers and fathers worked fields, tended livestock, slaughtered, harvested, prepared food, produced essential and saleable goods, and operated businesses to support their family. Because sustenance often required female work, female work was not associated narrowly with childcare. Instead, these myriad obligations supported the assumption that any capable adult could provide care for children if needed. This was experientially proven by the often central role grandparents, siblings, and wet-nurses played in childcare.[208] In addition to non-maternal care within the home children were often sent away for schooling or apprenticeships. In both instances care providers were selected based on their functional capabilities and the needs of the family and child without being essentially bound to biological or gendered constraints.

Institutional Care by Women Religious

In *Models of Charitable Care,* Annelies van Heijst studies the care practices and spiritual self-understandings of the Ursuline sisters who operated an asylum in Amsterdam throughout the nineteenth and twentieth centuries. She contends that while the care services of Catholic religious societies have been an unparalleled social contribution throughout recent centuries, historical and popular interest has tended to

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[208] "It has probably been historically accurate to posit that contemporary working mothers with a 40-hour workweek spend more time interacting with their children than their ancestresses did." Gudorf, "Western Religion and the Patriarchal Family," 297.

focus on abuses and maltreatment.[209] Her primary rebuttal to such criticisms is that the

Catholic religious who ran these institutions responded out of charity, not duty, to answer

and alleviate a legitimate social need. Because they voluntarily shouldered a share of a

social problem with good intentions, they should not be criticized for having done so

imperfectly. Therefore, within the critical literature, blame is misdirected when the

people and institutions who were helping to alleviate the problem, not the people and

institutions that were fueling the problem, receive greatest scrutiny. Heijst clarifies, "A

discussion about the *mode* of care is not legitimate unless the basic *need* for care has been

acknowledged." In addition, the complications and challenges children already endured,

and which surely left impressions on the rest of their childhood, are rarely sources of

scrutiny. Heijst observes, one author blames the nuns for her mother's lifelong ineptitude

in dealing with men but passes over the absence of the author's biological grandfather

without criticism.[210]

In Heijst's analysis, the Ursulines assumed a dual self-identification as both

mothers and children. In relation to the children in their care, the nuns imagined

themselves as mothers, but within the framework of 'true' motherhood based on spiritual

love routed through Christ. This 'true' motherhood experienced all the joys and sorrows

of biological motherhood but remained unstained by biological or personal attachment.

One advertisement to attract new members to congregation read,

> And now it is precisely the love of God, to whom the religious dedicates her entire life and all her
> works, that gives you the power to do this beautiful and abundant work. In this work of charity she

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[209] Heijst, 92.

[210] Ibid., 96.

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can make use of her female skills, which are aimed at motherhood, to be used to the child *and yet keep her entire heart free for God*.[211]

The sisters' self-understanding relied upon recognition of spiritual kinship as well as a conception of charity as unidirectional, from giver to receiver.[212] This spiritualized motherhood produced practices of care which left the sisters both physically and emotionally distant from the children in their care. Heijst adds, "It should also be noticed that the ascetic anti-worldly dualism provoked a certain indifference with regard to experience of pain in the care receivers, since in the sisters' philosophy of life suffering was qualified as 'good'."[213] In addition, the sisters were instructed not to favor individual children, nor to allow special friendships among children. Only small children were allowed close physical contact; with older children, even combing hair was prohibited. Both physical and emotional closeness were generally regarded suspiciously as sources of evil and were often sexualized.[214] Heijst writes, "the object of care was primarily the human soul, and the soul is conceptualized, in the dualistic theology of the time, as a nonphysical, or even anti-corporeal, entity."[215]

While the Ursulines imagined themselves as spiritual mothers, they simultaneously imagined themselves as children as well; especially in relation to the male

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[211] Ibid., 55.

[212] Ibid., 56.

[213] Ibid., 215.

[214] Ibid., 236 – 244. Heijst observes, "the immediate connotation of bodily care with sexual involvement in the taboo of particular friendships and warm humane bonding may be interpreted as an expression of the writer's *male* and clerical preoccupations. I simply cannot imagine that normal adult women in their practice of taking care of young children have experienced such sentiments-except as a *result* of the dualistic alienation that characterize the religious lifestyle of their time." Ibid., 244.

[215] Ibid., 259.

clergy.[216] Yet, the child metaphor was not only evidence of hierarchical gender and clerical relations, it permeated the entire spirituality of the sisters. Heijst concludes that the self-representation as children reinforced practices of care based on religious kinship that "constructed *solidarity between strangers*. Kinship on the level of faith resulted in a practice of responsibility; Catholic adults begin to take care of neglected children that they did not know."[217] In the modern era, therefore, examples once again exist of care practices being based on functional requirements and non-biological kinship. However, in this context of institutionalized care by women religious, caregivers were not chosen based on children's needs. Instead, these women self-selected into care giving practices driven by a religious commitment to alleviate social needs and for the sake of the children themselves, for whom the women would become spiritual mothers.

American Orphan Trains

Colonial America made much freer use and recognition of adoption and apprenticeship than did England, from which most laws had derived.[218] With industrialization, immigration, and urbanization, Eastern cities grew and became increasingly crowded. This transformation created high rates of poverty in both urban and

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[216] Ibid., 230.

[217] Ibid., 221.

[218] E. Wayne Carp, ed. *Adoption in America* (Ann Arbor, MI: University of Michigan Press, 2002), 3.

rural areas.[219] Religious and secular aid organizations responded by creating and expanding orphan asylums.[220]

Near the time of the civil war, major shifts also occurred in American conceptions of children and the family. These were influenced by thinkers, like Bushnell, who extolled the natural virtues of the family for childrearing and labeled all other environments 'artificial.' Simultaneously, paternal authority over children was reduced as judicial discretion became an increasingly important component of custody rulings; largely influenced by the growing view that women had a natural capacity for childrearing.[221]

In post-bellum American cities, overcrowding in asylums, partially due to their success in reducing child mortality, became a major problem. Charles Loring Brace, influenced by the English practice of 'transportation' which was designed to relocate needy children away from urban centers, devised a solution that would place children in Christian homes while responding to the economic needs of his time.[222] This system, known as 'placing out,' was organized by The Children's Aid Society of New York and utilized the rapidly growing railway system to transport children from eastern urban centers to the western frontier.[223] From the mid-nineteenth to the early twentieth century

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[219] Ibid., 4.

[220] Dianne Creagh, "The Baby Trains: Catholic Foster Care and Western Migration, 1873 – 1929," *Journal of Social History* 46, no. 1 (2012): 198.

[221] Carp, 5.

[222] As a child Brace listened to the sermons of Horace Bushnell, who may have been influential in his decision to become a minister. Holt, 41-42.

[223] The western 'frontier' continually shifted as a result of rapid westward expansion. Originally, Ohio, Indiana, and Illinois were considered frontier destinations. By the early twentieth century these states were themselves sending children to the American Southwest.

the orphan trains, as they came to be called, placed out more than 200,000 children.[224]

The system was encouraged by the widespread belief that institutional care and cities

themselves were detrimental to children's development.[225]

Though Brace's system was most influential, other Protestant organizations soon

replicated the practice.[226] Such groups accepted children from Catholic parents but would

not place them with Catholics. And, as a consequence of biases of the time, Italian and

Slavonic children were generally not accepted for placement. These realities caused

alarm among Catholic bishops who, gathered in Baltimore in 1866, lamented that

Catholic children were being transported to western homes were they would be "brought

up in ignorance of, and most commonly in hostility to, the religion in which they had

been baptized."[227] Self-segregation from the dominantly Protestant culture constituted an

important aspect of the American Catholic identity. But it also required Catholics to be

self-sufficient in responding quickly to the needs of their coreligionists brought on with

each new wave of immigration.[228] In 1969 the New York Foundlings Hospital operated

by the Sisters of Charity of St. Vincent de Paul began what became the most prominent

Catholic placing out program.[229]

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[224] Creagh, 202.

[225] Brace himself remarked "The best of all asylums for the outcast child is the farmer's home." Clark Kidder, "West by Orphan Train," *Wisconsin Magazine of History* (Winter 2003 – 2004), 33.

[226] Kidder, 32.

[227] Creagh, 202.

[228] Ibid., 199.

[229] "The Foundling Asylum opened in 1869, the revelation of Sister Mary Irene Fitzgibbon, who became alarmed by the 'lengthened record of infanticide' in the chaotic, postwar city, as well as the number of living babies left on the doorstep of her convent in lower Manhattan." Creagh, 200.

Brace's model reflected a marriage of the Protestant work ethic with social charity which answered social and economic needs out of religious commitments.[230] The Children's Aid Society worked with city asylums and placed older children, especially boys, with willing rural families who would provide for their care and education but who were also in need of additional laborers. Especially for adolescent boys, indenturing was a common and legally permissible practice in many western states.[231] As a matter of commitment, the Children's Aid Society did not participate in indenturing, as did some other agencies, but because its contracts were primarily verbal, foster parents could simply obtain indenture on their own.[232]

Brace's system resettled a large number of children, but was not free of problems. Placed children deserted their homes with relative frequency such that re-placing children was a common task. In addition, because receiving parents were not arranged beforehand, the children were set on display at destination towns for public evaluation by potential parents. The children could be asked to perform, farmers in need of laborers were allowed to scrutinize children's physical features, and children had their nationality, background, and other personal information read aloud to the gathered crowd.[233]

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[230] Holt, 3.

[231] Holt explains, "In a time when there were few choices in the care of the unfortunate, indenture was a respectable alternative and certainly preferable to the spectacle of impoverished children or young adults trying to eke out a life for themselves. As an accepted custom, the legal mechanics for indenture were carried with westward expansion." Ibid., 33.

[232] The Children's Aid Society did not utilize legal adoption because many of its children were not true orphans. It is, however, unclear what the receiving parents knew of this. Ibid., 62.

[233] Kidder, 33. "The selection process could be humiliating and bewildering. One boy sent to Missouri later recalled feeling as if he were part of a slave auction, with farmers inspecting muscles for farm labor…" Holt, 50.

In contrast to Brace's system, which did not generally place babies due to the challenges of their transport (including their potential to cause a ruckus with eager parents at train platforms), the Foundling Hospital generally placed infants and young children. To facilitate this, the Sisters of Charity relied upon local clergy to arrange homes prior to the children's transport. An identifying number was then sent to the new parents and stitched to the children's collars.[234] Yet, even among the Foundlings placements, life included a good deal of labor and not all placements could be sustained. Both organizations maintained contact with children and dealt with many challenges in securing lasting homes.[235] Correspondences with adoptees reveal that they were often treated unequally with biological children and frequently subject to criticism.[236]

A good deal of uncertainty surrounds what information was being shared by the institutions with those on either end. It is unclear, for example, if receiving parents were aware that the majority of children being relocated had at least one living parent and had been surrendered as a result of poverty, inability, unwed mothers, or broken marriages.[237] Back in New York, the institutions avoided acknowledging the true perils of rural farm life, which was instead liberally idealized.[238]

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[234] Creagh, 203.

[235] Placing agents in the Protestant system followed up with their placements. In the Catholic system, local priests and placing agents both placed children and visited periodically afterwards. Ibid., 209.

[236] Kidder, 35.

[237] Decreasing general mortality rates during this period lead to decreased numbers of full orphans within the asylums and more who had two living parents. In large part, asylums served as support for poor families without out the means to care for young children. The majority of asylum children rejoined their families within a few years. Timothy A. Hacsi, *Second Home: Orphan Asylums and Poor Families in America* (Cambridge, MA: University of Harvard Press, 1997), 1. Cf. Kidder, 32.

[238] Creagh, 207 – 208.

The orphan train system was predominantly a white phenomenon. Records from the Foundling and the Children's Aid Society indicate that children of African, Chinese, Slavonic or Spanish descent were placed at dismally low rates.[239] An infamous episode unfolded in 1904 when a French Catholic priest in Arizona arranged for a placement of about forty children of Irish descent (the most desired ethnic group at that time).[240] The Foundling sisters evidently did not realize that working class Hispanic families had been arranged to receive the children. This placement so agitated the European Protestant townspeople that within days a mob was formed which then abducted the children. When the Foundling intervened in an attempt to reclaim the children, local residents refused to cooperate. The ensuing legal battle ended in the Supreme Court which upheld the confiscation of the children and overrode the Foundling's claim to guardianship.[241]

Both the primary Protestant and Catholic systems of placing out relied upon a religious responses to the social need caused by overcrowded city asylums. Each system took unique form in part due to the ideological commitments of their administrators, yet both operated under the assumption that placing children with Christian strangers served the best interest of the child, even while many of their parents were known to be living. Denominational and racial divisions, however, reveal the operative limitations of non-biological kinship within American Christian thought patterns of the time. Protestants would accept children from, but not place children with Catholic guardians while Catholics quickly recognized that they themselves would have to actively protect their

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[239] Ibid., 206. Cf. Holt, 73.

[240] See Linda Gordon, *The Great Arizona Orphan Abduction* (Cambridge, MA: Harvard University Press, 2001).

[241] Creagh, 206.

insular Catholic self-identity. Race, however, united the judgments of both groups. Both systems were directed towards white children and families, and when a French priest placed Irish children with Hispanic families, both immediately recognized the "mistake." Interestingly, Irish children themselves were held as most desirable because their features often allowed them to be passed off as the same nationality as their adopting families. Thus, even as the system itself operated on religiously motivated commitments to non-biological kinship, the appearance of biological kinship remained important.

African American Kinship Patterns

While African Americans have not been a large demographic segment of American Catholics and Catholics have not been a large proportion of African Americans, historic US black family patterns provide a unique and noteworthy variation on conceptions of kinship within Christian history. Historical responses by African Americans to family fragmentation cause by to weighty and intrusive external forces gave rise to concepts of kinship that resemble early Christian convictions in intriguing ways.

Throughout US history, African Americans have suffered unique challenges in their efforts to sustain biological family networks. Enslaved individuals held no control over their family's future within a system that denied rights to marriage and citizenship in addition to degrading their very status as human persons. Slaves were often bought and sold without serious regard for family units. Sexual contact with female slaves could be coerced by white male slaveholders who rendered sexual exclusivity beyond a slave's

control.[242] Such liaisons gave rise to many mixed race children who inherited the social status of their mothers.[243]

In West African cultures, knowledge of one's kinship and lineage had been highly valued, but in response to the frequent disruption of family units, uncertainty of lasting contact among biological relations, and coerced sexual acts leading to children born into slavery, American slaves redefined kinship as feature of the enslaved community itself.[244] In doing so, blacks found themselves within a family network even despite conditions that undermined the permanence and stability of bonds among biological kin. Unlike early Christians, American slaves did not voluntarily disavow biological kin, but in the absence of these bonds they similarly responded by utilizing a non-biological concept of kinship to redefine and sustain kin networks.

When the institution of slavery's direct assault on biological kin groups was ended, kin networks among African Americans took on new form in light of the possibility of stable family units. During the Reconstruction Era and into the twentieth century, black women's experience differed markedly from that of the leaders of the nascent feminist movement growing among upper and middle-class white women.

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[242] Historians are in some disagreement about the existence, extent, and direct intervention involved in coercive 'slave breeding' by slave owners. Suggestions of such realities are clearly an important aspect of northern abolitionist rhetoric, but verification is controversial. See, Gregory D. Smithers, "American Abolitionism and Slave-Breeding Discourse: A Re-evaluation," *Slavery & Abolition* 33, no. 4 (December 2012): 551 – 570.

[243] Individual's inherited the race of their mother which kept them in slavery until they were less than 1/8 African descent. Under this system 'quadroons' and 'octoroons' were especially prized as slave mistresses because of their white appearance. Prior to emancipation these individuals served as valuable public advocates against slavery in the north as white audiences saw 'African slaves' who were indistinguishable from themselves. Patricia Hill Collins, *Black Feminist Thought: Knowledge, Consciousness, and the Politics of Empowerment,* 2nd ed. (New York: Routledge, 2000), 135 – 136, 144.

[244] Ibid., 49.

Instead of seeking freedom from domesticity, African American women sought to withdraw from the workforce in order to support their families. Unlike whites, black women had always worked fulltime and had no social experience of a clear separation between the public-economic and private-domestic spheres. Instead, paid employment for black men provided the new possibility of motherhood without fulltime participation in the workforce. [245] However, "while many women tried to leave the paid labor force, the limited opportunities available to African American men made it virtually impossible for the majority of Black families to survive on Black male wages alone."[246] Employment for black males often paid a salary sufficient to sustain a family, yet opportunities were limited and blacks were much more vulnerable to lay-offs and unemployment than their white counterparts. Because of this instability the majority of African American mothers were compelled to take low paying but steady jobs in service work.[247] As such, the majority African American mothers from slavery through the dawn of the Civil Rights Movement worked fulltime outside the home. Once again, African Americans relied upon extended networks of kin, biological or not, to provide means of support for childrearing and to sustain kin networks given the pressures of the social context. At times, temporary arrangements for childcare even led to long-term informal adoption.[248]

Markers of a history of extended kinship patterns remain embedded in contemporary African American society. Grandmothers, aunts and other women within

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[245] Ibid., 50.

[246] Ibid., 54.

[247] Ibid., 55.

[248] Ibid., 179.

the community are frequently referred to by maternal names such as 'momma.'[249]

Patricia Hill Collins explains,

> Fluid and changing boundaries often distinguish biological mothers from other women who care for children. Biological mothers, or bloodmothers, are expected to care for their children. But African and African-American communities have also recognized that vesting one person with full responsibility for mothering a child may not be wise or possible. As a result, othermothers— women who assist bloodmothers by sharing mothering responsibilities—traditionally have been central to the institution of Black motherhood.[250]

Throughout this history, African American conceptions of kinship have been resilient and adaptive in response to oppressive social conditions which challenged and often destroyed the autonomy and privacy of biological families as well as forced the majority of adult parents into fulltime work whenever available. This is not to suggest that biological kinship was devalued. The fact that many former slaves invested great effort into locating biological kin[251] and that African American mothers in following centuries sought to free themselves from employment in order to be present in the home both demonstrate the value of biological kinship. And yet, communal forms of kinship that were not defined by biological relatedness took root within the social context and sustained individuals throughout difficult circumstances.

Conclusion

Care for children has been negotiated in myriad ways throughout Western Christian history and has included forms of kin guardianship, non-maternally centered domestic caregiving, spiritual interpretations of 'true' motherhood, and a diversity of adoption practices. Throughout, kinship based on biological ties has often been central,

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[249] Ann Schwartz, "Connective Complexity: African American Adolescents and the Relational Context of Kinship Foster Care," *Child Welfare* 87, no. 2 (2008): 91.

[250] Collins, 178.

[251] Ibid., 152.

but faith based kinship has also served as a powerful resource to support practices of care. Biblical and theological resources offer numerous precedents for the implications of religious kinship, especially the importance of the metaphor of adoption in Christian self-understanding. Historical transitions have also encouraged the emergence of a narrow focus on two-parent families, with restricted roles for mothers in particular, despite much more expansive historical precedents. This raises the question as to whether biological kinship, or the willingness to construct kinship ties based on children's needs, is the more fundamental Christian ideal. Much in historical Christian practice, modern magisterial teaching, and contemporary Catholic theological writing, seems to suggest the priority of biological kinship. However, functional ways of approaching caregiving based on the needs of families, children, and social conditions also arise and underlie the institutional care practices of women religious, the phenomenon of orphan trains, and the extended networks of kinship utilized by African Americans mentioned above. These examples stand as counter-arguments against assuming the fundamental decisiveness of biological relatedness within the Christian tradition's interpretations of kinship. Instead, Christian kinship, whether arising from biology, baptism, communal identity, or social commitment, is always a theologically interpreted reality. While the fact of biological relatedness has often held precedence in these interpretations, at times convictions more central to the heart of the Christian message have provided the fundamental realities from which caregiving practices are explained. The following chapter considers the potential of the social sciences to reshape Christian conceptions of parenthood in light of children's needs and the always interpreted nature of Christian kinship.

BIBLIOGRAPHY

"The Acts of Paul and Thecla." In *In Her Words: Women's Writing in the History of Christian Thought,* edited by Amy Oden, 21 – 25. Nashville: Abingdon Press, 1994.

Allen, Ann Taylor. *Feminism and Motherhood in Western Europe, 1890 – 1970.* New York: Palgrave Macmillon, 2005.

Archard, David. *Children: Rights and Childhood.* New York: Routledge, 1993.

Ariès, Phillip. *Centuries of Childhood: A Social History of Family Life*, trans. Robert Baldick, New York: Random House, 1962.

Athanasius of Alexandria. *On the Incarnation.* Crestwood, NY: St Vladimir's Seminary Press, 2000. Book II.8.

Atkinson, Clarissa W. "'Wonderful Affection': Seventeenth-Century Missionaries to New France on Children and Childhood." In *The Child in Christian Thought*, edited by Marcia J. Bunge, 227-246. Grand Rapids, MI: Eerdmans, 2001.

Bakke, O.M. *When Children Became People: The Birth of Childhood in Early Christianity*, translated by Brian McNeil, Minneapolis, MN: Fortress Press, 2005.

Bendroth, Margaret. "Horace Bushnell's *Christian Nurture*." In *The Child in Christian Thought*, edited by Marcia J. Bunge, 350-364. Grand Rapids, MI: Eerdmans, 2001.

_____. "Mainline Protestants and Children." In *Children and Childhood in American Religions,* edited by Don S. Browning and Bonnie J. Miller-McLemore, 25-41. New Brunswick, NJ: Rutgers University Press, 2009.

Boswell, John. *The Kindness of Strangers: The Abandonment of Children in Western Europe from Late Antiquity to the Renaissance.* New York: Pantheon Books, 1988.

Brekus, Catherine A. "Children of Wrath, Children of Grace: Jonathan Edwards and the Puritan Culture of Child Rearing." In *The Child in Christian Thought*, edited by Marcia J. Bunge, 300-328. Grand Rapids, MI: Eerdmans, 2001.

Brown, Peter. *The Body and Society: Men, Women and Sexual Renunciation in Early Christianity*. New York: Columbia University Press, 1988.

Browning, Don S. and Bonnie J. Miller-McLemore, eds. *Children and Childhood in American Religions.* New Brunswick, NJ: Rutgers University Press, 2009.

Browning, Don S. and John Witte, Jr. "Christianity's Mixed Contributions to Children's Rights." *Zygon* 46, no. 3 (September 2011): 713-734.

Bunge, Marcia J. Introduction to *The Child in Christian Thought*, 1–28. Grand Rapids, MI: Eerdmans, 2001.

Cahill, Lisa Sowle. *Family: A Christian Social Perspective*. Minneapolis: Fortress Press, 2000.

Carp, E. Wayne, ed. *Adoption in America.* Ann Arbor, MI: University of Michigan Press, 2002.

Chrysostom, John. "An Address on Vainglory and the Right Way for Parents to Bring Up Their Children." In *Christianity and Pagan Culture in the Later Roman Empire*, translated by Max L. W. Laistner. Ithaca, NY: Cornell University Press, 1951.

Collins, Patricia Hill. *Black Feminist Thought: Knowledge, Consciousness, and the Politics of Empowerment.* 2nd ed. New York: Routledge, 2000.

Creagh, Dianne. "The Baby Trains: Catholic Foster Care and Western Migration, 1873 – 1929." *Journal of Social History* 46, no. 1 (2012): 197-218.

Cunningham, Hugh. *Children and Childhood in Western Society since 1500*. 2nd ed. New York: Routledge, 2005.

D'Angelo, Mary Rose. "Gender in the Origins of Christianity: Jewish Hopes and Imperial Exigencies." In *Equal at the Creation: Sexism, Society, and Christian Thought,* edited by Joseph Martos and Pierre Hégy, 25-48. Toronto: University of Toronto Press, 1998.

_____. "Roman Imperial Family Values and Sexual Politics of 4 Maccabees and the Pastorals." *Biblical Interpretation* 11, no. 3 (2003): 139-165.

Destro, Adriana and Mauro Pesce. "Fathers and Householders in the Jesus Movement: The Perspective of the Gospel of Luke." *Biblical Interpretation* 11, no. 3 (2003): 211-238.

Dixon, Suzanne. *The Roman Mother.* London: Croom Helm, 1988.

Elliott, John H. "The Jesus Movement Was Not Egalitarian but Family-Oriented." *Biblical Interpretation* 11, no. 3 (2003): 173-210.

Failinger, Marie A. "Co-Creating Adoption Law: A Lutheran Perspective" *Dialog: A Journal of Theology* 51, no. 4 (Winter 2012): 266-275.

228

Farley, Margaret A. *Just Love: A Framework for Christian Sexual Ethics*. New York: Continuum, 2010.

Gordon, Linda. *The Great Arizona Orphan Abduction*. Cambridge, MA: Harvard University Press, 2001.

Gudorf, Christine. "Encountering the Other: The Modern Papacy on Women." *Social Compass*, 36 (1989): 295-310.

_____. "Western Religion and the Patriarchal Family." In *Perspectives on Marriage; A Reader,* edited by Kieran Scott and Michael Warren, 286-301. New York: Oxford University Press, 2001.

Gundry-Volf, Judith M. "The Least and the Greatest: Children in the New Testament." In *The Child in Christian Thought*, edited by Marcia J. Bunge, 29-60. Grand Rapids, MI: Eerdmans, 2001.

Guroian, Vigen. "The Ecclesial Family: John Chrysostom on Parenthood and Children." In *The Child in Christian Thought*, edited by Marcia J. Bunge, 61-77. Grand Rapids, MI: Eerdmans, 2001.

Hacsi, Timothy A. *Second Home: Orphan Asylums and Poor Families in America*. Cambridge, MA: University of Harvard Press, 1997.

Heijst, Annelies van. *Models of Charitable Care: Catholic Nuns and Children in their Care in Amsterdam*, 1852-2002. Leiden and Boston: Brill, 2008.

Herlihy, David. *Medieval Households*. Cambridge, MA: Harvard University Press, 1985.

Holt, Marilyn Irvin. *The Orphan Trains: Placing Out in America*. Lincoln, NE: University of Nebraska Press, 1992.

Ireneaus of Lyon. *Against Heresies*. Edited by Robert M. Grant. New York: Routledge, 1997. Book V.14.

Kidder, Clark. "West by Orphan Train." *Wisconsin Magazine of History* (Winter 2003 – 2004), 31-39.

Lawler, Michael. "Marriage in the Bible." In *Perspectives on Marriage: A Reader*, edited by Kieran Scott and Michael Warren, 7-21. New York: Oxford University Press, 2001.

Llewellyn, Dawn, and Paul Middleton. "Motherhood, Martyrdom, and the Threat to Christian Identity: Voicing a Modern and Ancient Taboo." Paper given at *American Academy of Religions*, Baltimore, 2013.

Mackin, Theodore "The Primitive Christian Understanding of Marriage." In *Perspectives on Marriage: A Reader,* edited by Kieran Scott and Michael Warren, 22-28. New York: Oxford University Press, 2001.

"Martyrs." In *Women in Early Christianity: Translations from Greek Texts,* edited by Patricia Cox Miller, 43–45. Washington D.C.: Catholic University of America Press, 2005.

Miller, Timothy S. *The Orphans of Byzantium: Child Welfare in the Christian Empire*. Washington, D.C.: The Catholic University Press, 2003.

Osiek, Carolyn. "Pietas In and Out of the Frying Pan." *Biblical Interpretation* 11, no. 3 (2003): 166-172.

Ostdiek, Gilbert. OFM. "More than a Family Affair: Reflections on Baptizing Children and Mutuality." In *Mutuality Matters: Family, Faith, and Just Love,* edited by Herbert Anderson, *et al.,* 201-210. New York: Rowman and Littlefield Publishers, 2004.

Ozment, Steven. *When Fathers Ruled*: *Family Life in Reformation Europe.* Cambridge, MA: Harvard University Press, 1983.

Perpetua. "The Martyrdom of Perpetua." In *In Her Words: Women's Writing in the History of Christian Thought,* edited by Amy Oden, 26-37. Nashville: Abingdon Press, 1994.

Pitkin, Barbara. "'The Heritage of the Lord': Children in the Theology of John Calvin." In *The Child in Christian Thought*, edited by Marcia J. Bunge, 160-193. Grand Rapids, MI: Eerdmans, 2001.

Post, Stephen. "Adoption Theologically Considered." *Journal of Religious Ethics* 25, no. 1 (Spring 1997): 149-168.

Rawson, Beryl. "The Roman Family in Recent Research: State of the Question." *Biblical Interpretation* 11, no. 3 (2003): 119-138.

Resnick, Irven M. "Marriage in Medieval Culture: Consent Theory and the Case of Joseph and Mary" *Church History* 69, no. 2 (June 2000): 350-371.

Rubio, Julie Hanlon. *A Christian Theology of Marriage and Family*. New York: Paulist Press, 2003.

_____. *Family Ethics: Practices for Christians*. Washington D.C.: Georgetown University Press, 2010.

Ruether, Rosemary Radford. *Christianity and the Making of the Modern Family.* Boston: Beacon Press, 2000.

_____. "Christianity and the Family: Ancient Challenges, Modern Crisis" A Lecture Presented at the St. Jerome's Centre for Catholic Experience, St. Jerome's University, Ontario, March 9, 2001. In *The Conrad Grebel Review.* 83-95.

Schwartz, Ann. "Connective Complexity: African American Adolescents and the Relational Context of Kinship Foster Care." *Child Welfare* 87, no. 2 (2008): 77-97.

Smith, Lesley. "Who Is My Mother? Honouring Parents in Medieval Exegesis of the Ten Commandments." In *Motherhood, Religion, and Society in Medieval Europe, 400 – 1400*, edited by Conrad Leyser and Lesley Smith, 155-172. Burlington, VT: Ashgate Publishing Company, 2011.

Smithers, Gregory D. "American Abolitionism and Slave-Breeding Discourse: A Re-Evaluation." *Slavery & Abolition* 33, no. 4 (December 2012), 551-570.

Stortz, Martha Ellen. "Where or When was Your Servant Innocent?' Augustine on Childhood." In *The Child in Christian Thought,* edited by Marcia J. Bunge, 78-102. Grand Rapids, MI: Eerdmans, 2001.

Strauss, Gerald. *Luther's House of Learning: Indoctrination of the Young in the German Reformation*. Baltimore: John Hopkins University Press, 1978.

Strohl, Jane E. "The Child in Luther's Theology: 'For What Purpose Do We Older Folks Exist, Other Than to Care for … the Young?'" In *The Child in Christian Thought*, edited by Marcia J. Bunge, 134-159. Grand Rapids, MI: Eerdmans, 2001.

Traina, Christina L.H. "A Person in the Making: Thomas Aquinas on Children and Childhood." In *The Child in Christian Thought*, edited by Marcia J. Bunge, 103-133. Grand Rapids, MI: Eerdmans, 2001.

Chapter 4: Social Science Resources

1. Introduction

2. The Case for the Traditional Family

3. Biological Kinship & Adoption

4. Parenthood? Or Motherhood and Fatherhood?

5. Parenthood from a Functional Perspective

6. Conclusion

Introduction

Previous chapters have argued that modern Catholic conceptions of parenthood are so closely tied to sexual ethics and biological kinship that they may undermine non-biological forms of kinship which have traditionally been accepted and even praised. In modern magisterial teaching, conceptions of parenthood are supported by an essentialist theory of gender which shifts emphasis to family structure and gendered parental roles. Contemporary revisionist Catholic theologians generally refute this operative theory of gender, but similarly tend to allow sexual ethics to guide their approach towards parenthood. Yet the history of Christian thought and practice suggests more expansive possibilities than either of these propose.

Despite the Catholic propensity for allowing sexual ethical norms to decisively influence conceptions of parenthood, clear explanations of how sexual ethics, marriage, family, and parenthood are actually connected can be elusive.[1] In the magisterial framework, complementarity appears to bear the burden of connecting these concepts.[2] Revisionist theologians, often employ social-scientific data to argue that parental abilities can and do exist beyond the biological nuclear family, however, they tend to offer thin theological explanations. Frequently, this data is employed for the purpose of justifying moral judgments about adult sexual relationships. Though differing in their use of social scientific research for sexual ethical arguments, both perspectives tend rely upon sexual

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[1] Lisa Sowle Cahill, "Same-Sex Marriage and Catholicism in *Inquiry, Thought, and Expression*, vol. 2 of *More than a Monologue: Sexual Diversity in the Roman Catholic Church*, eds. J. Patrick Hornbeck II and Michael Norko (New York: Fordham University Press, 2014), 154.

[2] Cf. Todd A. Salzman and Michael G. Lawler, *The Sexual Person: Toward a Renewed Catholic* Anthropology (Washington D.C.: Georgetown University Press, 2008), 141.

ethics for their constructions of parenthood without sufficient attention to how the observations of the social sciences can contribute to a theological vision of parenthood itself.[3]

This chapter engages research from the social sciences to assess the veracity of moral theological claims related to parenthood and child wellbeing. It contends that, although the 'traditional' family is linked to favorable child outcomes statistically, available data is nonetheless complex and problematizes universal claims. Acknowledging the statistical benefits of one particular family structure is distinct from claiming that other family forms are untenable or categorically inferior.[4] Family forms must be evaluated individually as to their outcomes and with due attention to nuances in the research and the social contexts in which actual families are embedded. When the data is given this careful scrutiny, biological kinship, parental gender roles, and family structure, each fail to be categorically determinative for child wellbeing. Instead, external factors (such as social and economic forces), parental abilities, and family function emerge as significant. Because of this, a theological conception of parenthood that is centered on child wellbeing cannot prescind from a structural model of family alone, but must attend to the capabilities and function of adult caregivers themselves as well as the concrete realties that shape families' social contexts.

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[3] The use of the 'social sciences' throughout this chapter relates primarily to sociology and psychology, while anthropology and history are also at times utilized. History is not always considered among the social sciences, yet often plays an essential role in the research of the other disciplines. It should also be noted that research on the family within the American context can be a politically charged reality. As such, I have attempted to select a balanced representation of available resources.

[4] Throughout this chapter, 'form' is used as a general term and refers to any specific type of family (nuclear, stable, wealthy, etc.), 'structure' refers to the make-up of a family in terms of its constituents (nuclear, biological, etc.), and function refers to the operations of a family (socially oriented, stable, etc.).

The methodological commitment of this chapter to evaluating parenthood based on function directs its engagement with social scientific data. At the same time, it attempts to respond the particular limitations identified in both magisterial and revisionist perspectives. This chapter presumes that authentic Catholic moral theology is rightly directed towards human flourishing, such that studies of human wellbeing have a legitimate role in verifying and challenging moral theological claims.[5] This commitment to human flourishing founds the chapter's use of social scientific research as a critical resource for moral theology, which is also common to revisionist theological methods.[6] The Catholic magisterium likewise acknowledges the value of these resources but the form of natural law reasoning it often employs tends to privilege certain modes of reason and established tradition. As such, magisterial teaching tends to make less explicit use of the social sciences, uses such data selectively in support of particular claims, and relegates direct application to matters of pastoral care.[7] This chapter will take a fundamental conviction of natural law reasoning, that moral knowledge can be arrived at through engagement with the created order, as sufficient validation for utilizing experiential evidence substantively in moral theological analysis.[8] It is through this

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[5] The relationships between the social sciences and moral theology have been explored by a number of authors. Among others see, Michael G. Lawler, *What Is and What Ought to Be* (New York: Continuum, 2005). and Don Browning, *Christian Ethics and the Moral Psychologies* (Grand Rapids, MI: Eerdmans Publishing Company, 2006).

[6] See, Todd A. Salzman, *"What are they Saying about Catholic Ethical Method?"* (New York: Paulist Press, 2003), 11. And Lawler, 20 – 23.

[7] Vatican II, *Gaudium et spes*, Vatican, (December 7, 1965) http://www.vatican.va/archive/hist_councils/ii_ vatican_council/documents/vat-ii_cons_19651207_ gaudium-et-spes_en.html, #62. For a critique of this use of social scientific information in Magisterial teaching see, Stephen Pope, "Scientific and Natural Law Analysis of Homosexuality: A Methodological Study," *The Journal of Religious Ethics* 25, no. 1 (Spring, 1997): 89 – 126.

[8] Salzman and Lawler, 7.

methodological commitment that child wellbeing can be employed as a norm for theological conceptions of parenthood.

Importantly, because child wellbeing comprises a norm for parenthood, parental forms and functions will be assessed in terms of their contribution to desirable child outcomes. From this perspective, it is not sufficient to claim the benefits of a particular conception of parenthood without identifying its functional relationship to child wellbeing.[9] For example, some divisions of parental roles may be associated with particular desirable outcomes, but the fact of this association alone is insufficient for moral judgment. Instead, it must be asked why particular divisions of parental roles tend to yield desirable outcomes. By pressing this question, a greater understanding of the relationship between child wellbeing and parental function might be achieved.

On the other hand, it must also be recognized that the concept of 'child wellbeing' itself proceeds largely from value judgments about desirable qualities for the human person. While some of these are basic (physical health, educational achievement, psychological adjustment, etc.),[10] others are more closely bound to religious commitments (social altruism, moral development, development of an inner spiritual life,

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[9] This use of function should not be confused with 'functionalism' as used within psychological and sociological research, even as some overlap may exist. In both psychology and sociology, functionalism refers to perspectives that evaluate behavior based on psychological or sociological needs. Functionalism, in these disciplines lacks the teleological orientation of a theological approach in as much as they tend to view behavior as reactionary to existing needs rather than as seeking to attain theological goods. Within sociology, functionalism is further divided into two very distinct categories. Tallcott Parsons was influential in establishing a functionalist theory in which society depends on institutions to serve its essential needs whereas the functionalist theory of Bronislaw Malinowski argues that institutions grow out of social needs. See, Martin Albrow, *Sociology; The Basics* (New York: Routledge, 1999), 110 – 111. and Hillary Rodrigues and John Harding, *Introduction to the Study of Religion* (New York: Routledge, 2009), 56 – 59.

[10] It is also important to acknowledge that some of the human goods associated with child wellbeing that appear basic have not always been so, and are not always valued cross culturally. Education for all children, not just males or the affluent is one such example.

etc.). The former includes goods that can often be expressed in terms of human rights, the latter in terms of values. This complexity in the notion of wellbeing calls attention to the reality that the Catholic vision of human flourishing, towards which moral theology is directed, is significantly broader than most social-scientific inquiries are designed to measure. Because the aim of this research is to explore bases for a Catholic theological account of parenthood based on child wellbeing, its notion of child wellbeing must include a theological vision of human flourishing and the value commitments this produces. That is, child wellbeing measured by basic social scientific standards of human wellbeing is something less than what a theological account of parenthood aims at achieving in as much as human flourishing is defined by the human person's ultimate aim at communion with God. Here again, structural realities may be associated with certain desirable outcomes, but how they functionally contribute to these outcomes is the more significant concern.[11]

Part I: The Case for the Traditional Family

Concern over the statistical breakdown of intact biological nuclear families grounded in heterosexual marriage is rooted in arguments that the structure of the traditional family promotes children's healthy development in ways other family forms cannot.[12] Due caution must be observed to refrain from assuming particular conceptions

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[11] This use of structure should not to be confused with psychological and sociological uses of 'structuralism.' Structuralism, in social scientific use, relates to theories that investigate human behavior in correlation with the structures of the mind that dictate how humans integrate information and utilize knowledge. Structuralism was promoted by the anthropologist Claude Lévi-Strauss in the early and mid-twentieth century but has since been criticized for its universalizing tendencies. Rodrigues and Harding, 62 – 65.

[12] Cf. Pontifical Council for the Family, "Family, Marriage and 'De Facto' Unions," Vatican, (November 9, 2000)

of children's needs without attending to studies of actual children. This is particularly

important given the reality that significant changes have occurred in cultural conceptions

of children and childhood throughout Western history.[13] The New Testament

commitment to criticizing prevailing structures of social control when these do not serve

the interests of those in need is therefore a critical guide in considering present realities.[14]

As important as critical attention to cultural ideology is, social scientific evidence

indicates that children who live in stable households with their married biological parents

fare better with regard to health, educational, and economic outcomes. As such, a critical

theological evaluation of parenthood must acknowledge that, on factors important to

child wellbeing, commitments to the biological nuclear family based on marriage are well

supported by social scientific research.[15]

Summarizing research on the impacts of family structure for children's wellbeing,

Kristin Anderson Moore concludes that "a family headed by two biological parents in a

low-conflict marriage" is most conducive to child wellbeing when compared to "children

in single-parent families, children born to unmarried mothers, and children in

stepfamilies or cohabiting relationships."[16] In a study which intentionally targeted a wide

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http://www.vatican.va/roman_curia/pontifical_councils/family/documents/rc_pc_family
_doc_20001109_de-facto-unions_en.html, I.2.

[13] Philipe Ariès, *Centuries of Childhood: A Social History of Family Life*, trans. Robert Baldick (New York: Random House, 1962). and Hugh Cunningham, *Children and Childhood in Western Society Since 1500,* 2nd ed. (New York: Routledge, 2005).

[14] Rosemary Radford Ruether, "Christianity and the Family: Ancient Challenge, Modern Crisis" *The Conrad Grebel Review* (March 9, 2001), 95.

[15] For a secular argument on the importance of traditional marriage related to childrearing, see, Sherif Giris, Robert P. George, and Ryan T. Anderson, "What is Marriage," *Harvard Journal of Law and Public Policy* 34, no. 1 (winter, 2010): 245 – 287.

[16] Kristin Anderson Moore, et al*., "Marriage from a Child's Perspective: How Does Family Structure Affect Children, and What Can We Do About It?"* Child Trends, (June 2002)

variety of family forms, Patrick M. Krueger and colleagues observe, "All non-married

couple family structures are associated with some adverse outcomes among children, but

the degree of disadvantage varies across family structures."[17] The disadvantages cited are

based on measures of health and dental care, access to health care, and schools attendance

and performance. The study advises that research methods be adapted to more adequately

account for the increased diversity of family forms.[18] For example, cohabitation is a

recent and rapidly growing phenomenon and research has been slow to account for the

changes it requires in the way studies must be conducted. Until recently, most assumed

married or single parent households.[19] It is estimated that about one in seven children

reported to be in mother-only household are actually in a cohabitating household.[20]

Moreover, research on race and poverty has tended to overlook alternative familial or

childrearing arrangements beyond the nuclear family which may be employed at higher

rates among non-white communities.[21]

    Research further indicates that children who live with biological married parents

show the greatest emotional, behavioral, and psychological wellbeing, as well as

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http://www.childtrends.org/?publications=marriage-from-a-childs-perspective-how-does-family-structure-affect-children-and-what-can-we-do-about-it, 2. It is significant that this particular study does not consider same-sex or adoptive parenting.

    [17] Patrick M Krueger, *et al*. "Family Structure and Multiple Domains of Child Well-being in the United States: a Cross-Sectional Study," *Population Health Metrics* 13, no. 6 (2015): 1.

    [18] Ibid.

    [19] Aulette, 128.

    [20] Ibid., 123.

    [21] Ibid., 127.

educational and economic outcomes.[22] One study comparing the effects of family

structure on educational attainment in the US and Sweden yielded fascinating results. In

both countries, children living in non-intact families do worse educationally such that

each additional year a child spends with a single mother or stepparent reduces that child's

overall educational attainment by approximately one-half year.[23]

Although factors such as financial resources must be accounted for, marriage

itself appears to have a positive impact on children's wellbeing.[24] Stepfamilies, despite

greater average financial resources, have educational outcomes for children resembling

single-parent households more closely than biological married parent households.[25] Even

as social problems among young people have declined in recent decades, such as criminal

activity, delinquency, and pregnancy, problems related to psychological health which are

strongly associated with family structure have increased dramatically over a period of

increased diversity in family structures.[26]

Despite changing social trends, most nuclear families still largely follow

traditional parental gender roles; with mothers contributing a much larger proportion of

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[22] Kristin Anderson Moore, *et al.* "Research Brief: What is 'Healthy Marriage'? Defining the Concept." Child Trends, (September 2004), 3, http://acf.gov/healthymarriage/pdf/Child_Trends-2004.pdf. Cf. footnote 19.

[23] Center for Marriage and Families. "Family Structure and Children's Educational Outcomes." Institute for American Values, (November 2005), 2, http://www.americanvalues.org/pdfs/ researchbrief1.pdf (accessed March 2012).

[24] Center for Marriage and Families, 2. Studies comparing the effects of family structure on educational attainment in the U.S. and Sweden yield fascinating results. In both countries, children living in non-intact families do worse educationally, such that each additional year a Swedish or an American child spends with a single mother or stepparent reduces that child's overall educational attainment by approximately one-half year.

[25] Ibid., 5.

[26] Popenoe, 3.

their time to childcare and domestic labor than fathers. The type of time mothers and

fathers spend with children is also generally divided by gender; with fathers having a

greater share of weekend care, play, and leisure time and mothers a greater share of time

spent on weekdays and in personal care activities. Mealtime remains both the most

consistent and most commonly shared parental interaction with children.[27] Over several

decades, David Blankenhorn has argued for the importance of father involvement for

children's wellbeing, as well as the future of society. Blankenhorn contends that

fatherhood is an important cultural construct that binds men to their families, which

results in significant benefits to children's wellbeing and assets as they move into

adulthood.[28]

Concerning the impact of the nuclear family on the spouses themselves, children

tend to stress marriages but have a positive influence on individual parental wellbeing.

Married parents receive the greatest overall benefits from having children.[29] When

compared to their childless peers, married couples with children are "less happy and

satisfied… more worried, depressed and anxious."[30] But children also tend to have

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[27] Allison Sidle Fuligni and Jeanne Brooks-Gunn, "Measuring Mother and Father Shared Caregiving: An Analysis Using the Panel Study of Income Dynamics – Child Development Supplement," in *Conceptualizing and Measuring Father Involvement,* eds. Randal D. Day and Michael Lamb (Mahwah, NJ: Lawrence Erlbaum Associates, Publishers, 2004), 355 – 356.

[28] See, David Blankenhorn, *Fatherless America: Confronting our Most Urgent Social Problem* (New York: Basic Books, 1995), 2 – 3. Blankenhorn's arguments for the value of fatherhood have been published in the Wall Street Journal, Yew York Times and other media outlets. Having previously argued for California's Proposition 8, in 2012 Blankenhorn announced publicly that he had changed his opinion and now favors legal recognition of same-sex marriage.

[29] W. Bradford Wilcox, ed. "The State of Our Unions; Marriage in America 2011." *University of Virginia National Marriage Project* and *Institute for American Values* (December 2011) http://stateofourunions.org/2011/SOOU2011.pdf, x.

[30] Aulette, 356.

positive effects on their parent's individual wellbeing. Children show empathy to parents, create responsibility and commitment, and allow greater emotional expression, especially through the opportunity to experience child-like play with social approval.[31] Commitment to children also appears to be a significant factor in the long-term health of marriages.[32]

Studies indicate that large families tend to reap significant benefits; particularly in the marital satisfaction of the spouses. However, these results appear largely due to selection effects. That is, "particular types of couples end up having large numbers of children, remain married to one another, and also enjoy cultural, social, and relational strengths that more than offset the challenges of parenting a large family."[33] Self-selecting into large families may be driven by religious motivation. As such, religious mothers of four or more children are significantly more likely to report being 'very happy' with their marriage, non-religious mothers with large families show no significant difference compared to non-religious mothers with fewer children.[34]

Consequently, selection effects should not be overlooked in assessing the benefits of the traditional family because socialized expectations play an important role in who marries, stays married, and how spouses structure their marriage. For example, spouses who report satisfaction with traditionally divided spousal gender roles are likely influenced by having brought those gender role expectations into their marriages. External factors also complicate the data. For example, fatherhood is correlated to

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[31] Ibid., 359.

[32] Kristin Anderson Moore, *et al.* "Healthy Marriage," 1.

[33] Ibid., 53.

[34] Ibid., 55.

increased income, but this is only true of married fathers. Married men appear to benefit

from the division of household labor as well as preferential treatment extended as a result

of social recognition.[35] As such, whether it is being married itself, or some factor related

to marital status that is most responsible for certain benefits can be difficult to determine.

Beyond general agreement on assets for child wellbeing, magisterial teaching and

observations from the social sciences point to similar detrimental factors. Poverty, racial

discrimination (present and historical), gender discrimination, and divorce or single-

parent families are interconnected realities which cumulatively have profound negative

consequences for children.[36] The only risk factor consistently identified in modern

magisterial teaching that is not strongly supported by social scientific research on child

wellbeing is same-sex parenthood. This discrepancy is indicative of the general

relationship between magisterial teaching and social scientific research; broad agreement

exists in general areas while specific claims are often more contested. For example, while

magisterial support for the nuclear family is confirmed by research, the magisterium's

suggestion of a causal effect from traditional marriage to stability is less certain.[37] Do

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[35] Rebecca Glauber, "Race and Gender in Families and at Work: The Fatherhood Wage Premium," *Gender and Society* 22, no. 1 (Feb., 2008): 24.

[36] Cf. John Paul II, *Familiaris consortio,* Vatican, (November 22, 1981) http://www.vatican.va/holy_father/ john_paul_ii/apost_exhortations/ documents/hf_jp-ii_exh_19811122_ familiaris-consortio_en.html. John Paul II, *Gratissimam sane* (Letter to Families), Vatican, (February 2, 1994) http://www.vatican.va/holy_father/john_paul_ii/ letters/documents/hf_jp-ii_let_ 02021994_families_ en.html. NCCB, "Economic Justice for All: Pastoral Letter on Catholic Social Teaching and the U.S. Economy" USCCB, (November, 1986) http://www.usccb.org/upload/ economic_justice_for_all.pdf. *et al.*

[37] "A committed, permanent, faithful relationship of husband and wife is the root of a family. It strengthens all the members, provides best for the needs of children, and causes the church of the home to be an effective sign of Christ in the world." USCCB, *Follow the Way of Love* (Washington D.C.: United States Conference of Catholic Bishops, 1994)

children in nuclear families have better outcomes because a family based in marriage itself supports healthy development, or because couples who get and stay married tend to have greater resources, opportunities, social support, and parenting skills? Neither explanation alone fully accounts for the data.[38] Consequently, attention to social, economic, educational, and other factors is warranted before such data can found substantive moral pronouncements.

Stability

From a functional perspective, stability[39] appears to be the single most important factor for child wellbeing on which Catholic thought and contemporary social scientific research agree. Marriage is a considerably more stable institution than cohabitation in terms of the longevity of parental relationships and is associated with significant financial advantages over both cohabitation and single parenthood.[40] In part this is due to cohabitating couples tending to be younger, less prepared for parenting, and in less stable long-term partnerships than married couples.[41] Still, willingness to marry itself is a relatively weak predictor of long term relational stability when compared to more specific

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[38] Center for Marriage and Families, "Research Brief 1: Family Structure and Children's Educational Outcomes," Institute for American Values, (November 2005) http://www.americanvalues.org/catalog/pdfs/researchbrief1.pdf, 1-2.

[39] Stability generally refers to low-conflict families without divorce, separation, or other significant shifts that affect caregiving arrangements. When such disruptions occur, stability characterizes family systems that adapt readily and diminish secondary effects.

[40] See, Lisa Mincieli, *et al.* "The Relationship Context of Births Outside of Marriage: The Rise of Cohabitation," Child Trends, (May 2007) http://www.childtrends.org/?publications=the-relationship-context-of-births-outside-of-marriage-the-rise-of-cohabitation.

[41] Patrick M Krueger, *et al.* "Family Structure and Multiple Domains of Child Well-being in the United States: a Cross-Sectional Study," *Population Health Metrics* 13, no. 6 (2015): 6.

factors. Income, education, age at marriage, and birth of the first child at least seven months after marriage are all considerably reduce the likelihood of divorce (30, 25, 24, and 24 points respectively). Intact families of origin and religious affiliation follow after these (14 points each).[42] As such, a well-educated couple with incomes above the median who marry after age twenty-five has a significantly smaller likelihood of divorce than a less-educated younger couple with lower annual incomes. These more divorce-prone couples share many characteristics with couples who are likely to choose to cohabitation. These constitute significant selection factors that suggest that stability within a marriage is deeply tied to advantages already evident before marriage and that couples who would be prone to marital break-up tend to forgo marriage in favor of cohabitation at a higher rate than their more advantaged peers.

Over recent decades, the percent of marriages that end in divorce has remained relatively stable. But, the overall number of both divorces and marriages has dropped as rates of cohabitation have risen significantly.[43] Compared to marriage, cohabitation has a much reduced likelihood of a stable long-term parental relationship for children. Among all first marriages, the chance of spouses remaining married for ten years is around 66%, whereas only 16% of cohabitations will remain together for five years. The longevity of cohabitation is also connected to the probability of marriage. Couples who are engaged before cohabitating show no negative correlation in marital longevity. Of cohabitating couples, about 25% will marry within the first year and of those that last five years the

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[42] Wilcox, 73.

[43] US Department of Health and Human Services, "Marriage and Cohabitation in the United States: A Statistical Portrait Based on Cycle 6 (2002) of the National Survey of Family Growth," Vital and Health Statistics, Series 23, no. 28 (February 2010): 1 – 12.

odds of marriage are about 65%.[44] Yet, the fact of an association between instability and cohabitation is of less interest than the functional relation. In this regard it appears that couple's expectations and understanding of the nature of their relationship has a decisive impact for long-term stability. Couples who understand their relationship as having a long-term future orientation have significantly greater prospects of relational longevity than those who do not.

Part II: Biological Kinship

While recognizing that long-term stable families are associated with traditional marriage, families formed by adoption also tend to have strong outcomes. In many instances, the spousal relationship is not procreative in the biological sense, yet adoptive parenting appears to function similarly with regard to healthy child outcomes. Care for non-biological children has a long history in Christianity and families formed through adoption are at times praised in modern magisterial teaching as true expressions of the meaning of parenthood.[45] However, emphasis on biological kinship and narrow conceptions of procreation raise questions about the place of adoptive families in contemporary Catholic thought on parenthood. While Catholic magisterial teaching concerning the foundational importance of marriage-based families does not necessarily exclude adoptive families, magisterial defenses of the procreative end of marriage creates a bias towards biological parenthood. This is especially true after *Humanae vitae.* On the basis of sociological research, there is good reason to believe that adoptive parents are

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[44] Ibid, Tables 18 – 20.

[45] John Paul II, *Familiaris consortio*, #14

often models of "the true meaning of parenthood"[46] and therefore ought to play a more significant role in our theological conceptions of parenthood and the family.

Outcomes among adopted children are similar to average outcomes for all American children despite the selection effects that adoption often presupposes.[47] As in biological families, stability remains an important factor for adopted children and those in foster care as a predictor of long-term wellbeing. Unfortunately, over a quarter of all children in the foster system do not find stable placements. Those who do are "more likely to be young, have normal baseline behavior, have no prior history with child welfare, and have birth parents without mental health problems." David Rubin and his colleagues argue that instability alone accounted for a 63% rise in behavioral problems among the foster children they studied.[48]

For children who are permanently adopted, the negative impacts of factors that led to a their eligibility for adoption and/or time spent in foster care are largely compensated for by the advantages adoptive parents tend to have in income, education, and parenting skills.[49] Adopted children have higher rates of conditions that impede educational performance than their peers, with those adopted from foster care facing even greater educational and emotional challenges. However, adopted children's parental

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[46] Ibid.

[47] Matthew D. Bramlett, "The National Survey of Adoptive Parents: Benchmark Estimates for School Performance and Family Relationship Quality for Adopted Children," U.S. Department of Health and Human Services, (June 2011), 6, http://aspe.hhs.gov/hsp/09/ NSAP/Brief1/rb.pdf.

[48] David M. Rubin, Amanda L.R. O'Reilly, Xianqun Luan and A. Russell Localio, "The Impact of Placement Stability on Behavioral Well-being for Children in Foster Care," *Pediatrics* 119, no. 2 (2007): 336.

[49] Ibid., 6.

advantages compensate for these factors when child wellbeing is considered comprehensively. This helps explain why adopted children tend to form stronger relationships with their parents compared to their peers, but also fair worse educationally.[50]

Beyond the generally good outcomes of adoptive parenthood, the process through which a child is adopted matters. On average, children adopted from foster care have greater educational and relational difficulties than their adopted peers who were not in foster care. Foster care children are also more likely to be adopted at older ages and to have suffered neglect or abuse. Moreover, the advantages of their adoptive parents are less significant as those who adopt from the foster care system are on average less educated and have lower household incomes than those who adopt by other means.[51] In light of the expense of adopting through private agencies, this variance is not surprising.[52] Still, the majority of parents who adopt from foster care, 90%, would repeat their decision. Among these parents, almost three quarters believe their child was exposed to abuse prior to adoption.[53]

Adoptive parents, particularly those who welcome challenging children, embody many attributes deemed admirable by Catholic teaching. Moreover, adoptive parents

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[50] Bramlett, 8.

[51] Assistant Secretary for Planning and Evaluation, 10.

[52] According to the US Department of Health and Human Services, more than half of adoptions from foster care cost no money, and only about 15% cost more than $5000. The cost of private adoptions ranges significantly with 22% at not cost, and 33% at more than $10,000. International adoptions are the most expensive with 93% costing more than $10,000. Sharon Vandivere and Karen Malm, *Adoption USA: A Chartbook Based on the 2007 National Survey of Adoptive Parents* (Washington D.C.: U.S. Department of Health and Human Services Office of the Assistant Secretary for Planning and Evaluation, 2009), 43.

[53] Ibid., 3.

generally enjoy very good child outcomes. But further nuances within the data may also be observed. Of parents who adopt from foster care, the most common factor motivating the adoption is the desire to provide a permanent home to a child in need, though factors such as infertility, family expansion, and providing a sibling to an existing child are also common.[54] One troubling reality is that the parents with the greatest income and educational assets do not tend to adopt the children with the greatest needs.

Elizabeth Bartholet argues that present adoption practices are characterized by advantaging those with financial resources rather than serving children's needs. Prospective parents with greater financial assets have greater opportunity to match themselves with younger, healthier children with fewer initial disadvantages.[55] Although adoption functions because people desire to provide homes for children in need, adoption also fulfills adult desires and this complicates any moral appraisal. While individual motivations for adopting can be complex and diverse, the beneficial role adoption can play as well as the general success of adoptive parents should be acknowledged. Nonetheless, differences in parental motivations and real disparities within present systems ought to raise concern about how systematic disadvantages shape adoption and foster care.

Racial disparities in treatment and opportunity, economic pressures on families, and systematic social disadvantages all are factors in the reality of American families. These factors create real distinctions in abilities to form and maintain stable family units,

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[54] Assistant Secretary for Planning and Evaluation, 11.

[55] Elizabeth Bartholet, *Family Bonds: Adoption and the Politics of Parenting* (Boston: Houghton Mifflin Company, 1993), 73 – 74.

in how the adoption and the foster care system operate among different groups, and in available opportunities for family formation and resources of parental support. Attending to these realities complicates simplistic causal connections between family structure and child outcomes by calling more attention to the selection effects spurred on by social differences and disparities that influence the formation and fragmentation of family units.

Race, Class, Economics, and the Traditional Family

Within the US, marital status, race, and age are correlated to poverty even as the precise nature of the relationships among these factors is disputed.[56] Among the poor, children constitute the largest single group,[57] while 40% of the homeless are families.[58] The advantages of the powerful US economy do not often reach children raised in poverty who have a significantly higher probability of living in poverty as adults than their wealthier peers.[59] In fact, the average American child is "poorer than the average child in 12 of the 14 most developed nations."[60] Although family structure and income are correlated, with families headed by married partners having the highest income on average, attending to only the causal linkages between marriage and increased income reduces a more complex reality.

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[56] Russel D. Crane and Tim B. Heaton, eds. *Handbook of Families and Poverty* (Los Angeles: Sage Publications, 2008), 139.

[57] Aulette, 85, 369.

[58] Ibid., 91.

[59] Ibid., 119.

[60] Crane and Heaton, 311.

Family structure itself is dependent on far more than individual choice and instead responds to economic pressures and social realities. That is, the family is much more than a natural, religious, or ideological reality; the family is, and has always been, a social and economic unit. This fact must not be forgotten when considering diversities in family structures and advantages. The advantages related to marriage for child wellbeing may largely be byproducts of socioeconomic factors which tend to accompany stable marriages. One study finds that socioeconomic status tempers the links between family structure and child wellbeing. "For every outcome examined, the relationship between family structure and children's well-being was weakened, sometimes fully explained, and occasionally reversed once adjusting for family income, caregiver's education and employment, and home ownership."[61] This finding suggests that differences among socioeconomic variables are at least as significant as family structure when viewing families from a functional perspective in relation to child wellbeing.

Countering the ideological biases that idealize the traditional family and morally condemn family units that do not live up to this standard, Patricia Hill Collins argues that the ideology of the traditional family itself operates as tool of oppression within a network of systemic injustice that disadvantages women, African Americans, homosexuals, and other groups. Collins writes,

> Situated in the center of the family values debates is an imagined traditional family ideal. Formed through the combination of marital bonds and blood ties, 'normal' families should consist of heterosexual, racially homogenous couples who produce their own biological children. Such families should have a specific authority structure, namely, a father-head earning an adequate family wage, a stay-at-home wife and mother, and children… Defined as a natural or biological

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[61] Patrick M Krueger, *et al*. "Family Structure and Multiple Domains of Child Well-being in the United States: a Cross-Sectional Study," *Population Health Metrics* 13, no. 6 (2015): 6. The study is based on self-reporting and some differences may exist in the way types of parents tend to report which would have an effect on the data. For example, single father's and single mother's may tend to have differing perspectives on health care needs which would then show up in how they report these conditions.

arrangement based on heterosexual attraction, instead this monolithic family type is actually supported by government policy. It is organized not around a biological core, but a state-sanctioned, heterosexual marriage that confers legitimacy not only on the family structure itself but on children born in this family.[62]

Although criticism of simple hierarchies remains important, Collins' work highlights the complexity of systemic injustices, employing the term 'matrix of domination' to describe a network of social oppression.[63] Individuals of different circumstances and identities may find themselves at different locations within this matrix and therefore may be subject to differing social realities with different sets and proportions of social advantages and disadvantages. Collins uses the term 'intersecting oppressions' to explain how differing factors contribute to an individual's relative disadvantage. She argues that the existence of intersecting oppressions is rooted in "interdependent concepts of binary thinking, oppositional difference, objectification, and social hierarchy." Collins continues,

> With domination based on difference forming an essential underpinning for this entire system of thought, these concepts invariably imply relationships of superiority and inferiority, hierarchical bonds that mesh with political economies of race, gender, and class oppression.[64]

Because social conditions and economic pressures have been shown to influence the function of family units so as to mitigate structural differences, it is important to clarify how different aspects of racial, economic, gendered, classists and heterosexists advantages create concrete challenges in the circumstances of families. To clarify the impact of intersecting oppressions on family functions, intersections of particular social disadvantages within the US will be briefly presented below with particular attention to non-biological nuclear family forms.

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[62] Patricia Hill Collins, *Black Feminist Thought: Knowledge, Consciousness, and the Politics of Empowerment,* 2nd ed. (New York: Routledge, 2000), 47.

[63] Ibid., 18.

[64] Ibid., 71.

Income and Family Form

Race, education, and marital status all correlate to poverty. The percent of blacks
and Hispanics who live in poverty is roughly twice that among whites[65] while individuals
with lower levels of income and education cohabitate at higher rates.[66] Considering
marital status and poverty, only about 10.5% of children in two parent homes live in
poverty compared to over 50% in mother-only homes.[67] The relationship between
cohabitation and income is also complex. While people with lower incomes are more
likely to cohabitate, the instability and lack of future orientation among non-engaged
cohabitating couples may also contribute to these lower household incomes.[68] And
marriage is related to educational advantages. Among college educated women, more
than nine out of ten will be married before the birth of their first child compared to just
43% of those who have never attended college.[69] In light of these realties, W. Bradford
Wilcox laments, "marriage is progressively becoming the preserve of the well-
educated."[70]

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[65] See, United States Census Bureau, "Poverty," US Department of Commerce, (2013)
http://www.census.gov/hhes/www/poverty/data/historical/people.html

[66] Wilcox, 69.

[67] Aulette, 368. Cf. Crane and Heaton, 121. Of individuals ages 18-46, those who are married with
or without children report being "very happy" at the highest rate (50% for women and 39% for men across
both categories) while cohabitating individuals without children and single parents report being 'very
happy' at the lowest rate (22% and 25% for men and 24% and 13% for women respectively). Wilcox, 10.

[68] Aulette, 128.

[69] New Oxford Notes, "The Future of Marriage in America," *New Oxford Review* LXXIX, no. 3
(April 2012): 13.

[70] Wilcox, 69.

Race is also a factor in the interconnected realities of marriage, income, and education. Sixty years ago, the majority of children in poverty lived with two married parents. By the turn of the century, "57% of poor children lived in female-headed families..."[71] When household income of single mother households is expanded to include not only those below the poverty line, but also those categorized as "near poor" (less than 150% of the poverty line), nearly 70% fit this category.[72] Collins contends that increased rates of African American single mother headed families in inner city neighborhood are the consequence of decreases in urban male employment opportunities and increasingly punitive social welfare policies that fail to adequately respond to these economic realities.[73] She argues that welfare policies became more punitive just as African Americans won the right to be included in the formerly white system. Even at present, many single Black mothers struggle "to gain welfare benefits long available to white women."[74]

Race and Family Form

Given these realities, divergence from the nuclear family form must be viewed within the context of these interlocking forces. Moreover, family forms have historically differed among different cultural groups. While Hispanic, Native American and other

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[71] Crane and Heaton, 121.

[72] Ibid., 133.

[73] Ibid.

[74] Ibid., 132.

groups show their own unique differences, presently high rates of single motherhood within the African American community may serve as an example.

Historically, extended kin networks within African American families often shared responsibilities for child care and aspects of the social importance placed on these networks still persist. A 1993 study showed that 85% of African Americans have extended family living in the same city.[75] Some have suggested that strong kin networks may explain why African American children show lower maltreatment rates compared to their white peers when adjusted for income, employment, and urbanization. These networks could function to provide direct caregiving support or by holding standards of treatment as communal expectations.[76]

However, the social and economic shifts of the late twentieth century have yielded a social context which leaves many black families with fewer social supports than in previous generations. Increased unemployment, more punitive welfare and criminal justice policies, and increasingly fragmented communal and family networks have all contributed to this reality.[77] Throughout the last half-century, while some African Americans moved up in economic status, once economically homogenous black communities became more stratified. Moreover, the increasing privatization of the American family, led by upper and middle class whites, has left most contemporary American families more insular and less communally supported than in previous

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[75] Ann Schwartz, "Connective Complexity: African American Adolescents and the Relational Context of Kinship Foster Care," *Child Welfare* 87, no. 2 (2008): 79.

[76] Ibid.

[77] Collins, 59 – 61.

generations.[78] Despite African Americans historically having recourse to extended kin networks of support, Collins writes, "for far too many African-American children, assuming that a grandmother or 'fictive kin' will care for them is no longer a reality."[79]

Even as recent generations have witnessed a decline in communal and kin supports, the traditional centrality of women within African American families has nonetheless remained strong. Motherhood remains an important and respected position within black communities and can define a young woman's status as an adult.[80] Collins argues that the centrality of women is not about the absence of men within the family, but historically finds its locus in "organized, resilient, women-centered networks of bloodmothers and othermothers." [81] Furthermore, single motherhood is less stigmatized in black communities due to the recognized challenges of finding a stable partnership. Yet, she warns, many women may be overemphasizing the traditional centrality of the mother-child bond in order to compensate for the absence of "steady, sexualized love relationships in their lives."[82]

In a 1997 article, Elaine Bell Kaplan argued that two common assumptions of sociological literature on black teenage motherhood no longer consistently held true. "First, that adult Black women are supportive of their daughter's pregnancies and

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[78] Collins contends that this privatization directly correlates to objectification and commodification of children under the framework of a consumer asset. This produces and underlying concept of parents as owners of their children who are alone responsible for the care of their private property (children). See, Collins, 182.

[79] Ibid., 183.

[80] Ibid., 196.

[81] Ibid., 179.

[82] Ibid., 161.

encourage them to keep and raise the babies; and second, that this attitude is linked to the existence of an extended kin network."[83] Instead, young black mothers commonly defied their own mother's demand to terminate the pregnancy. After birth, conflicts between young mothers and grandmothers tended to escalate.[84] Many young women in Kaplan's study reported feeling that they could not turn to their own families for support while the majority relied on their friends for support.[85] Other research has shown that grandmothers are both the most frequent coparent for single African American mothers and that they tend to provide the greatest instrumental support in caregiving. But the tendency for high levels of conflict was also confirmed.[86] In Kaplan's Study, grandmothers reported great disappointment in their daughters. Those of lower income felt their daughters had failed them in their effort to provide them with a better life. Those of middle income felt that their daughters had thrown away the advantages they had worked hard to attain.[87]

More recent studies clarify some of the dynamics faced in such inter-generational single mother households. Krueger and colleagues argue that the presence of a grandparent in the home does not generally mitigate the negative impacts of single parenthood or cohabitation on child outcomes. They surmise that this lack of impact may be due to residential grandparent of advanced age or ill health drawing upon the primary

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[83] Ibid., 187.

[84] Ibid., 189.

[85] Ibid., 189.

[86] Erin K. Shoulberg, *et al.,* "The Role of Coparents in African American Single-Mother Families: The Indirect Effect of Coparent Identity on Youth Psychosocial Adjustment," *Journal of Family Psychology* 27, no. 2 (2013): 259.

[87] Ibid., 187.

caregiver's resources to an extent that lessens the benefit of additional adults in the home.[88] In the case of younger mothers and grandmothers high conflict relationships between mother and grandmother are a more likely culprit. Erin K. Shoulberg and colleagues argue that the positive influence of coparents for children's wellbeing depends less upon the coparent's relation to the child than it does upon the quality of their relationship with the child's mother.[89]

Race and Incarceration

Incarceration rates among blacks and Hispanics are a significant factor in family fragmentation. Over recent decades, rates of incarceration in the US have increased dramatically and are now roughly seven times higher than they were two generations ago.[90] This increase in the prison population has a racial dynamic, with the incarceration rate of African Americans nearly eight times greater than that among whites.[91] In response to these trends, Angela Davis has described the modern criminal justice system as an 'out of control punishment industry.'[92] Between 1991 and 2007 the number of

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[88] The study did not focus on African American families and had respondents who roughly represented the racial demography of the US at large: 61% white, 15% black, 19% Mexican/Hispanic, 6% other. See, Patrick M Krueger, *et al*. "Family Structure and Multiple Domains of Child Well-being in the United States: a Cross-Sectional Study," *Population Health Metrics* 13, no. 6 (2015): 6. Even among married couples, residential grandparents do not appear to have a strong positive impact on child outcomes.

[89] Shoulberg, 259.

[90] Crane and Heaton, 269.

[91] Angela Davis qtd. in Patricia Hill Collins, *Black Feminist Thought; Knowledge, Consciousness, and the Politics of Empowerment,* 2nd ed. (New York: Routledge, 2000), 77.

[92] Collins, 77.

American children with a parent in prison increased by 82%.[93] With such significant increases in incarceration, especially among minority communities, families are clearly being impacted.

Although more research is needed on the influence of incarceration on family health, it is clear that incarceration disrupts family life and makes finding employment more difficult.[94] Dorothy Roberts has argued that the effects of incarceration on the family are particularly troubling given the fact that black women now account for the most rapidly growing group among the incarcerated.[95] Most imprisoned women are mothers, a fact that has a particularly pernicious influence on the stability of their families under present circumstances. Women who were formerly primary caretakers of children are less likely to be visited by their family than incarcerated fathers. This disparity is likely due to many children being removed from their former home after a mother is imprisoned. Prisons are also often located in remote areas which makes visitation with children particularly challenging. A 1995 study showed that, on average, women in federal prison were 160 miles farther from family than male inmates.[96]

Although children and families may benefit from removing the negative influence of criminal mothers, the injury to family stability and social networks appears under the

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[93] Dorothy E. Roberts, "Prison, Foster Care, and the Systemic Punishment of Black Mothers," *UCLA Law Review* 59 (2012): 1481.

[94] Crane and Heaton, 277.

[95] Roberts, 1480.

[96] Ibid., 1496. Roberts adds, "Even telephone calls to prison, which are typically saddled with exorbitant fees and charges, may be too expensive for regular communication."

present systems appear to outweigh the gains.[97] High rates of imprisonment work to reproduce social disadvantage across generations.[98] Not only does imprisonment of parents, particularly mothers, often result in foster care placement and ruptures in communication with children, high rates of imprisonment with local communities can significantly reduce capabilities for social support and organized response. Roberts writes, "Unlike the black urban ghetto, which 'enabled African Americans to fully develop their own social and symbolic forms and thereby accumulate the group capacities needed to escalate the fight against continued caste subordination,' prisons break down social networks and norms needed for political solidarity and activism."[99]

Race and Foster Care

Comparison between the treatment of African American and Native American families and white families by the foster care system reveals troubling racial disparities. Tanya Asam Cooper argues that professionals within the foster care system "routinely contend that Native American and African American children are the most at-risk for child abuse and neglect" and apply this belief in their actions despite statistical evidence to the contrary.[100] She writes,

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[97] Ibid., 1480.

[98] Ibid., 1481.

[99] Ibid., 1483.

[100] Tanya Asim Cooper, "Racial Bias in American Foster Care; The National Debate," *Marquette Law Review* 97, no. 2 (winter 2013): 217. Moreover, poverty is often confused with neglect. A 1996 study found that 30% of children were separated from their families due to insufficient housing. Studies have also shown that social works of middle class backgrounds tend to support continuing placements of children with foster parents of higher socio-economic status rather then return them to poorer families of origin. Cooper, 253.

> Besides being reported, investigated, and removed from their homes more often for suspicions of abuse and neglect, these children are less likely to receive the mental health services they need in foster care; are more likely to have fewer visits with their parents and siblings; are less likely to receive services designed to reunify them with their family; are less likely to have contact with their foster care caseworkers; and are more likely to see their parents' rights to maintain a relationship with them terminated.[101]

Cooper contends that whereas foster care functions as a means of last resort among white families, intervention leading to family break-up is practiced more aggressively with Native American and African American families.[102]

One culprit in this racially disparate treatment is revealed in a 2008 study. Stephanie Rivaux and colleagues show that risk scores from family assessments are actually lower than among African American families than among whites when adjusted for circumstances. Given the evidence, they argue that, although the assessment of risk itself does not appear to show a racial bias, case workers apply lower standards for intervention when dealing with African American families.[103]

Cooper contends that the present foster care system financially incentivizes keeping children in foster care while offering no financial reward for moving children out of the system or preventing their entry altogether. Cooper concludes that, despite the intentions claimed, the foster care system works primarily for self-perpetuation while operating as a "billion-dollar, publicly-funded bureaucracy" that sustains and fosters racial disparities.[104] "Interestingly," Cooper notes, "the family preservation strategies are generally considered cheaper than traditional foster care because the services are

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[101] Ibid., 243.

[102] Ibid., 217 footnote #3.

[103] Stephanie L. Rivaux, *et al.* "The Intersection of Race, Poverty, and Risk: Understanding the Decision to Provide Services to Clients and to Remove Children," *Child Welfare* 87, no. 2 (2008): 165.

[104] Cooper, 216.

provided to families at-risk without the additional costs of foster care—which can be up to seven-hundred dollars per month per child of taxpayer dollars." And yet, "incentives exist to place children in government-subsidized foster care, instead of with these children's families and friends who would care for their children for free."[105]

Sexuality, Income, and Adoption

Same-sex partnerships cut across racial and economic demographics and have shown signs of transition as the US social climate has changed in recent decades, specifically in increased rates of marriage and adoption.[106] Homosexual individuals and same-sex couples within the United States show some differences from heterosexual individuals and different-sex couples in a number of categories but these are not always consistent. For example, individuals in same-sex couples tend to be younger but with more education than different-sex couples and have similar incomes when both partners work but significantly lower incomes when one only partner works.[107]

Fewer same-sex couples are raising children than their heterosexual counterparts, although this varies considerably by race and education. African-American, Hispanic, and Native American couples are more likely to be raising children than are whites, but the proportional difference among same-sex couples alone is much more dramatic. Compared to whites, same-sex couples in these groups are between 2.4 (African

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[105] Ibid., 260, 264.

[106] Gary J. Gates, "Same-sex and Different-sex Couples in the American Community Survey: 2005-2011," The Williams Institute, (March 2013) http:// www.law.ucla.edu/williamsinstitute, 2. Cf. Daphne Lofquist, "Same-Sex Couple Households," *United States Census Bureau*, *American Communities Survey Brief* 10-3 (September 2011).

[107] Ibid., 3.

American) and 1.5 (Native American) times more likely to be raising children.[108] Same-sex couples with lower education are also significantly more likely to be raising children with those having less than a high school degree at roughly 43%, a proportion very near their different-sex peers. Whereas childrearing remains relatively stable across educational attainment for different-sex couples (between 41 – 48%), it drops substantially for same sex-couples (10% for college educated). [109] Gary J. Gates writes, "Given the connections between parenting and education, it is perhaps not surprising that same-sex couples with children show evidence of economic disadvantage relative to their different-sex counterparts."[110]

Same-sex couples are also four times more likely to have adopted and six times more likely to be involved in foster care than different-sex couples.[111] The general pattern of white well-educated couples having the highest rates of adoption is exacerbated among same-sex couples, which may account for a slight rise in childrearing among the most educated same-sex couples.[112]

In a much more overt way than those located at other intersections of social disadvantage, homosexual individuals and same-sex couples find themselves faced with challenges that often take on explicitly religious justifications. This reality is particularly

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[108] Gary J. Gates, "Family Focus on… LGBT Families," *National Council on Family Relations* FF51 (Winter 2011): F3.

[109] Ibid.

[110] Ibid., F4.

[111] Gary J. Gates, "LGBT Parenting in the United States," The Williams Institute, (February 2013) www.law.ucla.edu/williamsinstitute, 2.

[112] Among white same-sex couples, 18% report having adopted as do 33% of all same-sex couples with at least one graduate degree. These percentages compared to less than 10% among same-sex couples with a non-white partner and 8% with a high school diploma or less. Gates, "Family Focus," F3.

poignant for same-sex couples with children or who seek to adopt children. Some

advocates of same-sex adoptive parenthood have argued from the perspective of

expanding the pool of potential adopters for children in need of stable homes.[113] David

Brodzinski writes,

> Long-term foster care is detrimental to children's emotional well-being and undermines their future opportunities. To better serve these children, we must do everything possible to increase the pool of available caring and capable adults who can make a lifelong family commitment to them and ensure that their medical, psychological, social, spiritual and educational needs are met.[114]

However, from the Catholic magisterium's perspective, the present plight of stable, long-

term marriage in Western society is linked to moral decay which is itself exemplified by

the public acceptance of same-sex relationships. The USCCB's 2009 pastoral letter

"Marriage, Love and Life in the Divine Plan" acknowledges social factors as practical

challenges to marriage, but defines the fundamental issues as morally insufficient ideas

"directed at the very meaning and purposes of marriage," including contraception, same-

sex unions, divorce, and cohabitation.[115] These perspectives fundamentally disagree on

the social impact of social acceptance of same-sex relationships. Consequently, they

dispute whether same-sex adoptive parenthood might alleviate a social need, or would

further contribute to factors that exacerbate that need.

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[113] David Brodzinski writes, "With over 100,000 children continuing to linger in foster care, despite being legally freed for adoption, every effort must be made to find timely and permanent placements for them, as well as for all the other children, in our country and abroad, who would benefit from adoption." David M. Brodzinski and the Evan B. Donaldson Adoption Institute, "Expanding Resources for Children III: Research-Based Best Practices in Adoption by Gays and Lesbians," Evan B. Donaldson Adoption Institute (October 2011): 5.

[114] Brodzinski, 47.

[115] USCCB, "Marriage, Love and Life in the Divine Plan," USCCB, (November 17, 2009) www.usccb.org/issues-and-action/marriage-and-family/marriage/love-and-life, 17.

Given the complexity and interconnections of the social and economic realities presented above, analyzing the contemporary state of the family by individual moral choice alone is inadequate. Factors that influence and give shape to present contexts for childrearing, including institutional racism, systematic economic disadvantages, and prejudice based on sexual orientation among others, must be addressed as contributing to individual circumstances. This viewpoint expands the moral horizon to systemic social issues while providing a more nuanced moral analysis of individuals who inhabit socially marginalized realities. In so doing, the idealized moral superiority of the nuclear family unit lessens as the economic, educational, and social factors that determine individual opportunities increases. Non-nuclear familial contexts for childrearing require a more careful appraisal based less upon idealizations of gender roles and sexual conduct, and more upon how parents function to serve children's wellbeing in the face of complex and often challenging circumstances.

Making Kinship

Despite the emphasis on biological kinship within modern Catholic perspectives, historical resources suggest that Christian conceptions of kinship are not inherently tied to biological relatedness. Instead, Christians create kinship by recognizing some underlying reality (biological relation, baptism, need, etc.) then creating specific obligations based on that reality through theological interpretations of its significance. Interpretations of kin obligations based on realities other than biological relatedness are often described as 'fictive kinship.' This is an unfortunate and misleading term which

suggests that non-biological kinship is merely imagined. *All* kinship is interpreted, and therefore 'fictive' in a sense.

Interpretations of kinship carry profound social and religious implications. For example, non-biological kinship plays an important role in Jesus' explanation of his mission and in the self-identity of early Christians.[116] The theological challenge at present lies in addressing the biases that have led to associating 'real' kinship with biological relatedness and have thus centralized the biological nuclear family as the ideal and truest form of the Christian family. A biological bias is historically disingenuous. It relegates other forms of kinship to mere metaphor with no real social import when, in fact, non-biological kinship is central to Christian commitments.

Kinship in the Christian tradition is based upon recognizing a fundamental mode of human relationship founded upon belief in God as creator and redeemer. This makes the facts of baptism and human existence itself foundational for interpretations of kinship. As such, it is imperative to recognize that 'fictive kinship,' is no less real or significant than biological kinship, but expresses deep Christian commitments. Christians have often accepted kinship obligations based upon interpretations of the significance of biological relatedness and, historically and cross-culturally, biological relatedness prevails as a powerful and central source of kin obligations. However, Christianity differs from a strict naturalism in its willingness to abrogate the kinship claims that are often culturally attached to biological relatedness and to construct obligations for the sake of a new kinship in Christ. Kinship in Christ is the fundamental mode of Christian kinship construction that centers all kin obligations.

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[116] Rubio, *A Christian Theology of Marriage and Family*, 48.

Although Christian kinship is constructed it is neither fictional nor relativist, but simply recognizes that the realities of shared humanity and shared baptism run deeper than biological relatedness. From a theological perspective, God's actions take precedence over human response. Consequently, the manner in which humans cooperate with God in biological procreation must be viewed from within the context of God's grace in both creating and redeeming humankind. Biblical assertions of God's fidelity as superior to biological ties, joined with commitment to the unity of all believers in Christ, substantiate the theological conviction that all human relationships are fundamentally based in communion with God and others.[117] This underlying reality, not biological reproduction, holds priority of place in Christian interpretations of kinship. The two realities are not inherently conflictual even as they may at times come into conflict.

Within the social scientific perspectives, some sociobiologists who base their research upon evolutionary theory have been prone to argue that care for biological kin is an evolutionary adaptation that informs concrete behavior. Some, who focus on the transmission of individual genes across generations, argue that protection of biological children, or closely related kin, is an extension of self-interest as it is, in a sense, the protection of one's own genetic survival.[118] Interestingly the argument parallels Aquinas' argument for the rationality of paternal care for their offspring on the basis of Aristotle's theory of fetal development, which portrays children as quite literally the seed of their fathers. This perspective raises a challenge for the view that kinship is predominantly a

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[117] Cf. Psalm 27:10, Isaiah 49:15, Galatians 3:28, *et al*.

[118] See, Thomas Jay Oord, "Morals, Love, and Relations in Evolutionary Theory," in *Evolution and Ethics: Human Morality in Biological & Religious Perspective*, eds. Philip Clayton and Jeffery Schloss (Grand Rapids, MI: Eerdmans Publishing Company, 2004), 288 – 289.

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socially constructed obligation. But this perspective can be challenged from a number of fronts beyond theological convictions alone. For example, the sociological perspective of David Blankenhorn, proceeds from a contrary opinion that men are evolutionarily adapted to produce the maximum number of offspring, which is contradictory to long term care of particular children. Therefore, from Blankenhorn's perspective, men must be socially conditioned to attend to the long-term care of their own children.[119] Moreover, within sociobiology itself opinion differs as to whether individual's genes or social collectives are the more accurate center of interest in describing evolutionary adaptations. When the long term survival of collectives is prioritized over that of individuals, the evolutionary basis on altruistic extensions of kinship beyond near-biological kin alone becomes more obvious.[120]

Differentiating conceptions of kinship from the fact of biological relatedness, while admitting a general pattern of correlation on the one hand and significant historical diversities on the other, constitutes an elusive but necessary challenge. Bernard Jussen, a historian who has explored historical Christian constructions of kinship in response to societal needs, writes,

> Like the majority of anthropologists, historians too have uncoupled the scholarly notion of kinship from biology and now restrict themselves to assuming that there is some kind of relationship between biological reproduction and kinship. This kind of relationship is, however, hard to define. The difficulty lies in the tightrope walk involved in retaining some connection between biology and kinship while conceiving of kinship as a *mental* system use to structure social relations of *all kinds*.[121]

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[119] Blankenhorn, *Fatherless America,* 3.

[120] Kristen Renwick Monroe, "Explanations for Evolutionary Biology," in *The Heart of Altruism: Perceptions of a Common Humanity* (Princeton, NJ: Princeton University Press, 1996), 162.

[121] Bernhard Jussen, *Spiritual Kinship as Social Practice: Godparenthood and Adoption in the Early Middle Ages*, trans. Pamela Selwyn (Newark, DE: University of Delaware Press, 2000), 17.

As a mental system, kinship is an interpretation of the obligations owed to a particular relationship, and yet interpretations of kinship are not entirely unconstrained from the facts of biological relatedness. Even scholars who admit the necessity of differentiating biological relatedness from kinship nonetheless tend to allow cultural interpretations to dominate. Jussen writes, "It is not difficult to show that these scholarly conceptions of kinship are inconsistent. They are incompatible with the broadly accepted proposition that kinship is an instrument of conceiving of social relations, and that it has no clear-cut relationship to biological reproduction."[122]

Differentiating 'fictive kinship' from 'biological kinship' creates a false dichotomy because all kinship is a socially constructed interpretation of human relationships and obligations. Consequently, the kinship of Christians, as siblings united by baptism, is no more fictive than the biological kinship of siblings in the nuclear family. Both forms of kinship unite and give rise to collectively interpreted norms of relation. And yet, Christians have not been generally prone to explain the significance of the obligations owed to biological siblings through baptism, even while consistently conceiving of fellow baptized believers as sisters and brothers in Christ.

In terms of non-biologically related families, this recognition of the nature of Christian kinship helps to explain why their kinship, though uniquely chosen, is as real and significant as any other. The presumption that 'real' kinship, and thus 'real families' only arise through biological procreation not only unfairly dismisses the social scientific evidence that adoptive families can function as well as biological families, but misinterprets Christian commitments. This disparity between presumption and reality

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[122] Ibid., 21.

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calls to attention how dangerous biological bias can be for more central Christian commitments. No modern magisterial teaching actually makes the explicit claim that biological kinship is central to 'real' Christian families, but the claim that the reproductive pair is central to family formation is related and has functioned in Catholic arguments.

Part III: Parenthood? Or Motherhood and Fatherhood?

Marriage has undergone significant transformation in recent decades and through this the spousal relationship has assumed increased importance as the center of emotional support, identity, fulfillment, and stability. Anthony Gittens writes,

> Part of the reason for the perceived crisis in the institutions of marriage and family seems to be the increased emphasis on the isolated individuation of the conjugal pair, and the privatization of marriage itself. This has largely replaced more traditional emphases both on the integration and socialization of the parties and on the social and moral sanctions intended to emphasize social responsibility rather than individual rights and choices.[123]

This emphasis on the spousal pair is the not the result of ideology alone, but also long-term historical realities. Low mortality rates in developed societies make this emphasis possible. Historically the odds both parents would survive to see all their children reach adulthood were relatively slim. Now married couples can expect to spend a significant portion of their marriages together after their children have grown. In addition, the social context now makes increased demands on spouses' time and attention; because of this, emphasis on the spousal relationship might be expected.

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[123] Anthony J. Gittins, CSSp, "In Search of Goodenough Families: Cultural and Religious Perspectives" In *Mutuality Matters: Family, Faith, and Just Love* (New York: Rowman and Littlefield Publishers, 2004), 169.

Post-Vatican II magisterial teaching on sex and marriage focuses on the spousal relationship and argues for the true nature of responsible parenthood in opposition to contraception, marital indissolubility in opposition to divorce trends, and complementarity against growing acceptance of same-sex relationships. These concerns have worked to reduce the scope of concern to matters of the spousal relationship which are further influenced by essentialist gender commitments. In this context, complementarity has arisen in recent decades as a central theological idea for considerations of parenthood.

Parental Complementarity

Since the mid-twentieth century, magisterial teaching has generally avoided describing the spousal relationship in terms of the earlier hierarchy of male over female while emphasis on the equality of spouses has grown.[124] John Paul II was extremely influential in guiding the interpretation of spousal equality after Vatican II through his concept of complementarity and its insistence on the continuing importance of gender differentiation.[125] Consequently, the use of 'complementarity' in Catholic writing has seen a meteoric rise in recent decades. Complementarity is now a key concept in the magisterium's articulation of the centrality of the male-female sexual relationship for

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[124] Compare Leo XIII. *Arcanum divinae sapientiae.* Vatican, (February 10, 1880) http://www.vatican.va/holy_father/ leo_xiii/encyclicals/documents/hf_l-xiii_enc_10021880_arcanum_en.html, #11. and Vatican II, *Gaudium et spes,* Vatican, (December 7, 1965) http://www.vatican.va/archive/hist_councils/ ii_vatican_council/documents/vat-ii_cons_19651207_gaudium-et-spes_en.html, #48.

[125] Cf. *Familiaris consortio,* #24.

founding marriage and family.[126] Any criticism of the modern magisterial conception of parenthood requires addressing this relatively new but remarkably influential concept. [127]

Within magisterial documents, uses of the word 'complementarity' suggest several related meanings. Todd Salzman and Michael Lawler argue that these applications fall into two basic categories, which they label 'biological' and 'personal' complementarity. They further subdivide each category; biological complementarity includes 'heterogenital' and 'reproductive' complementarity, while personal complementarity includes 'communion', 'affective', and 'parental' complementarity.[128] In their analysis, Salzman and Lawler detect a hierarchy among these conceptions and argue that heterogenital complementarity is ultimately determinative over the rest.[129] Their argument helps demonstrate how closely tied modern Catholic conceptions of parenthood are to sexual ethical norms and an essentialist theory of gender.

The fact that parental complementarity is identified among the explicit forms of complementarity being employed is also significant. From a structural perspective, parental complementarity explains why male-female partnerships are essential for parenthood because it emphasizes the importance of male and female embodiedness. But from a functional perspective, parental complementarity must be judged as the extent to

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[126] Todd A Salzman and Michael Lawler, *The Sexual Person: Toward a Renewed Catholic Anthropology* (Washington D.C.: Georgetown University Press, 2008), 85.

[127] David Matzko McCarthy observes that the contemporary use of complementarity "is an innovation in understanding the conjugal union." Even as recently as Vatican II, significant documents like *Gaudium et spes* makes no use of the term. See, J. Patrick Hornbeck II and Michael A. Norko, Introduction to *Inquiry, Thought, and Expression*, vol. 2 of *More than a Monologue: Sexual Diversity in the Roman Catholic Church*, eds. J. Patrick Hornbeck II and Michael Norko (New York: Fordham University Press, 2014), 10.

[128] Salzman and Lawler, 141.

[129] Ibid.,149.

which parents function together and utilize each other's strengths and weaknesses to raise children well. Both the structural and functional conceptions conceive of parenthood as a cooperative act wherein each individual parent does not have to be capable of everything. But they disagree whether gender difference is determinative or even predictive of parental capabilities.

Christine Gudorf attributes the present prominence of gendered parental roles to the rise of the 'two-sex' gender paradigm and its romanticized conceptions of the family which associated women with domestic roles and motherhood with love, warmth, and nurture.[130] When the previously accepted understanding of male and female as the superior and inferior forms of the human person respectively became unacceptable, the distinction between male and female took on greater significance. In the earlier hierarchical structuring of the genders the humanity of each gender was never in question, only its relative degree of perfection. But in the present 'two-sex' paradigm, male and female must be described as distinct but equal ways of being human. The manner in which the distinction between the genders came to be understood was in no small part shaped by sociologist Talcott Parsons' suggestion that men and women have essentially separate and inescapable functions to fulfill in childrearing. Christie Neuger contends that throughout recent decades Catholic conceptions of the family have relied upon Parson's functionalist sociological model which was shaped by the 1950s American context.

> Women, by nature, have the expressive roles. The family is their emotional domain and they are responsible for the nurturance and care of family members. Men, by nature, and the instrumental roles and they provide the structural support for the family and bridge the gap between the private/domestic world and the public world. According to Parsons, deviation from these natural

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[130] Gudorf, "Western Religion and the Patriarchal Family," 289.

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roles creates dysfunction and instability for families. Thus, it is important for all of society to support this role division for the sake of the greater good.[131]

Contemporary magisterial teaching insists upon the importance of parental gender complementarity and posits at least some degree of essential functional difference in the capabilities of mothers and fathers.[132] Yet it remains remarkably nonspecific in clarifying which capacities each gender offers that the other cannot. Fatherhood is often associated with financial provision, education, oversight, and support while motherhood is associated with nurture, care for young children, compassion, and love. None of these traits are clearly defined as foreign to the other gender.

The claim that motherhood and fatherhood, each based essentially on gender, are both necessary for promoting child wellbeing requires careful scrutiny because of the patriarchal legacy such divisions can carry. Many feminist scholars regard the idea that strong differentiation can accompany gender equality with skepticism.

The suspicion of historical and conceptual connections between insistence on gender roles and a patriarchal legacy is only strengthened by the reality that in modern history women's role as mothers have elicited far greater moral and social concern than men's role as fathers.[133] The disproportionate concern for motherhood is largely a consequence of having centralized motherhood as the domestic role of nurture and

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[131] Christie Neuger, "Gender Narratives and the Epidemic of Violence in Contemporary Families," In *Mutuality Matters: Family, Faith, and Just Love* (New York: Rowman and Littlefield Publishers, 2004), 71.

[132] Jung, 117.

[133] The modern ideological struggle over the identification of women with motherhood has arisen just as the percentage of women who will bear children has increased. Near the end of the nineteenth century, roughly 30% of wives were childless. Today, only about 9% of all women are childless. But the average number of children per mother has decreased. In 1800 the average mother had about seven children. This number has since declined to the present average of about two, despite increases in the 1950s and 60s. See, Aulette, 331 and 33.

caregiving such that any alteration appears to have an immediate impact on children's wellbeing. This centralization creates a restrictive and often idealistic definition of the good mother while largely neglecting to consider what makes a good father in relation to children.

Changing conceptions of human gender as well as changing social realities and economic pressures challenge predetermined parental roles based on gender. In this perspective, 'motherhood' and 'fatherhood' are not explicitly correlated to either function or gender.[134] This non-essentialist view tends to emphasize diversity and flexibility and is based upon research that exposes the "instability of difference and sameness" in human gender.[135] Considering the implications of this view for lived reality, Susan Frank Parsons writes,

> [G]ender theory is questioning what has been taken to be a primary ground of ethics during modernism. To believe ethics is founded in our biology that those biological realities form a given human nature which expresses itself in differing social systems and makes itself powerfully manifest in the perilous life of the individual person, is part of our modern intellectual inheritance in the West.[136]

Lisa Sowle Cahill adds, "neither empirical evidence nor the scriptural accounts of creation support the thesis that the exclusive role for which women, and women alone, are suited is a domestic one... Most human roles (as distinct from traits or capacities) can be fulfilled in a variety of styles."[137]

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[134] Joel Anderson, "Is Equality Tearing Families Apart?" in *Mutuality Matters: Family, Faith, and Just Love,* eds. Herbert Anderson, Edward Foley, Bonnie Miller-McLemore, and Robert Schreiter (New York: Rowman and Littlefield Publishers, 2004), 96.

[135] Ellison, 20.

[136] Susan Frank Parsons, *The Ethics of Gender* (Malden, MA: Blackwell Publishers, 2002), 23.

[137] Lisa Sowle Cahill, *Between the Sexes: Foundations for a Christian Ethics of Sexuality* (Philadelphia: Fortress Press, 1985), 96.

Perspectives that view parenthood as essentially a single reality, rather than dual gender-based realities, tend also to promote negotiated parental roles that allow flexibility in arrangements for earning income and care of children. Feminist philosopher Sara Ruddick has been an influential advocate of non-gendered function-based conceptions of parenthood. She argues that 'mothering' is defined by a distinctive mode of thoughtfulness which gives rise to a unique discipline. That is, through the functional practice of mothering itself, individual behavior builds a habit of responding to the needs of others. It is this adaptive pattern of behavior that defines motherhood for Ruddick. As such, she does not define the functional role of mothering with essential attributes of the female gender. Instead she contends, "the work or practice of mothering is distinct from the identity of the mother. Mothering may be performed by anyone who commits him- or herself to the demands of maternal practice."[138] Bell hooks supports Ruddick's vision of equal parental roles across genders but believes her approach is flawed in romanticizing the idea of the maternal. In response, she pushes for an expansion of the masculine parental identity to the point of sameness with mothering. Bell hooks is less inclined to believe that individuals will cross lines among gendered self-concepts and therefore contends that men will not self-identify with the maternal because the concept in inextricably linked to the feminine. She writes,

> Telling a boy acting out the role of a caring parent with his dolls that he is being maternal will not change the idea that women are better suited to parenting; it will reinforce it. Saying to a boy that he is behaving like a good father… would teach him a vision of effective parenting, of fatherhood, that is the same as motherhood.[139]

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[138] Sara Ruddick, "On 'Maternal Thinking'," *Women's Studies Quarterly* 37, no. 3/4 (Fall - Winter, 2009): 306.

[139] bell hooks, *Feminist Theory: From Margin to Center* (Boston, MA: South End Press, 1984), 139.

Though egalitarian visions of shared parenting have been influential, social

acceptance has outpaced lived realties especially when measured by male involvement in

the home. As Herbert Anderson observes, a "significant gap" persists "between rhetoric

and reality."[140] Glenda Wall and Stephanie Arnold write,

> American fatherhood appears to have undergone more changes in culture than in conduct. For this
> reason, the general public may conceive of fathers as being more involved and nurturing than they
> truly are. Subsequent research has certainly borne out the fact that although the conduct of fathers
> has changed somewhat, it is still mothers who bear the vast majority of responsibility for young
> children…[141]

In response, some argue that inequality is more enduring within the home because

legislation does not directly affect the domestic sphere; others draw attention to social

forces which inhibit mutuality in domestic work."[142]

Sociologist Andrea Doucet claims that, in practice, men are not as welcomed into

non-traditional roles as social support appears to indicate. Rather, men are much more

inhibited and viewed with greater suspicion in communal settings including children or

when expressing interest in the children of others.[143] Doucet finds that primary caregiver

fathers tend to tell narratives that stress the fact that their families work despite

nontraditional arrangements. She attributes this to the extraordinary efforts these fathers

must make "in social environments that often assume men's incompetence in

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[140] Herbert Anderson, "Between Rhetoric and Reality: Women and Men as Equal Partners," in *Mutuality Matters: Family, Faith, and Just Love,* eds. Herbert Anderson, Edward Foley, Bonnie Miller-McLemore, and Robert Schreiter (New York: Rowman and Littlefield Publishers, 2004), 69.

[141] Glenda Wall and Stephanie Arnold, "How Involved Is Involved Fathering?: An Exploration of the Contemporary Culture of Fatherhood," *Gender and Society* 21, no. 4 (Aug., 2007): 510.

[142] Herbert Anderson, 72.

[143] Andrea Doucet, "It's Just Not Good for a Man to be Interested in other People's Children': Fathers, Public Displays of Care, and 'Relevant Others'," in *Displaying Families; A New Concept for the Sociology of Family Life*, eds. Esther Dermott and Julie Seymour (New York: Palgrave Macmillan, 2012), 84, 91.

caregiving."[144] In a similar manner, Wall and Arnold reason that changes in fatherhood

have been "undermined by images and text that position fathers as part-time, secondary,

less competent parents with fewer parenting responsibilities and greater breadwinning

responsibilities than mothers…"[145] They conclude that magazines and other sources of

parenting advice are so focused on mothers that they inhibit diversifying practice.[146] Bell

hooks surmises that as long as the mother-child relationship remains socially held to a

unique and superior status childcare will be defined as women's domain. She adds, "Even

the childless woman is considered more suited to raise children than the male parent

because she is seen as an inherently caring nurturer."[147]

Despite these social disincentives, research indicates that equitable sharing of

domestic labor and childcare coincides with reduced behavioral distinctions between

motherhood and fatherhood. Sociologist Michael Lamb argues that, functionally,

maternal and paternal influences on children are more similar than distinctive.[148]

Summarizing a similar conclusion by sociologist Scott L. Coltrane, Julie Hanlon Rubio

writes,

> Coltrane found that the more parents shared childcare, the less distinguishable Mom and Dad
> became. Instead of mothering and fathering, he found parenting. Coltrane believes that as men and
> women continue to share the work of family life, the roles will continue to converge. The new
> father will truly emerge, and he will look an awful lot like the new mother, who will, in due
> course, have adjusted her parenting to reflect her new lifestyle.[149]

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[144] Doucet, 84.

[145] Wall and Arnold, 511.

[146] Ibid., 512.

[147] hooks, 137.

[148] Rubio, 135.

[149] Ibid., 136.

Studies also show similarities between the dispositions of single fathers and employed mothers.[150] This suggests that the activity of parenting itself may shape personality expression and help fathers become more nurturing and build intimacy with their child.[151] Another study shows that the birth of a child triggers a drop in testosterone levels in fathers; a physiological change in response to behavior that could assist fathers in child care.[152] Yet, Doucet's extensive research on primary caregiver fathers reveals that these men tend to emphasize their own masculinity and do so according to traditional conceptions of gender. Despite fulfilling 'mothering' functions, the men appear determined "to distinguish themselves *as men*, as heterosexual males, and as fathers, *not* as mothers... they must actively work to dispel the idea that they might be gay, un-masculine, or not men."[153] Although studies challenge differentiated gendered parenting roles social ideals about men and fatherhood clearly influence men's behavior and self-understanding as fathers.

Women are similarly influenced by social perceptions in their parental experiences. Potentially as a result of dissonance between their own experiences and

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[150] Research on single father families is inconsistent with some studies showing similar impacts on children as single mother families while others show stronger child outcomes. Improved child outcomes among children in single father families may be due to single fathers tending to be older and more likely to have been previously married than single mothers. The lack of research on single fatherhood is in part due to a tendency to focus on the impact of fathers in dual parent families as opposed to single mother families. Patrick M Krueger, *et al*. "Family Structure and Multiple Domains of Child Well-being in the United States: a Cross-Sectional Study," *Population Health Metrics* 13, no. 6 (2015): 2, 6.

[151] Aulette, 328.

[152] See, Lee T. Gettler, *et al*., "Longitudinal Evidence that Fatherhood Decreases Testosterone in Human Males," *Proceedings of the National Academy of the Sciences of the United States of America* 108, no. 39 (2011): 16194-16199.

[153] Doucet, 88. A similar phenomenon has also been documented among men who work in traditionally female occupations.

widespread social conceptions about motherhood, the majority of American mothers are ambivalent about motherhood. Only one in four report their experience has been mostly positive while one in five report that it has been mostly negative. Dissatisfied and ambivalent mothers also often report limited involvement by their husbands as a factor.[154] Although women retain the majority of domestic duties, roughly 71% of American mothers work outside the home. Most report doing so out of financial need but most also say they would continue their employment if money were not a factor.[155] For women, work outside the home is associated with increased marital power and equitable division of household labor, which could enhance marital and parental satisfaction.[156]

The effects of women's employment also vary according to race. African American and Hispanic women have historically been employed fulltime at higher rates than whites and therefore have social histories of balancing work and motherhood.[157] Because of the types of employment traditionally available to women of color, African Americans and Hispanics may see work less as a vocation and more as a necessity, which in turn encourages more emotional investment in the home. That is, they may tend to

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[154] Wilcox, 53. Among adoptive parents rates of satisfaction are significantly higher. Cf. Assistant Secretary for Planning and Evaluation "Children Adopted from Foster Care: Child and Family Characteristics, Adoption Motivation and Well-being," U.S. Department of Health and Human Services. (May 2011) http://aspe.hhs.gov/hsp/ 09/NSAP/Brief1/rb.pdf.

[155] Ibid., 141.

[156] Aulette., 150. Women who out-earn their husbands continue to see increases in marital power, but the trend in shared labor drops significantly at this point. This suggests that men who are out-earned by their wives devote increased attention to work outside the home. See, Glauber, 11.

[157] Bell hooks writes that the early women's liberation movement reflected the ambitions of its white, educated, middle class participants. This included arguments that motherhood confined women to the home away from careers and public pursuits. "Had black women voiced their views on motherhood, it would not have been named a serious obstacle to our freedom as women. Racism, availability of jobs, lack of skills or education and a number of other issues would have been at the top of the list – but not motherhood." hooks, 133.

balance the toil of menial or demeaning work against seeking greater fulfillment in family interactions outside of working hours.[158] These social realties appear to make a difference in working mother's relationships with their children. For white mothers sensitivity tends to be reduced when early grade school children experience extensive time in childcare, whereas the sensitivity of African American and Hispanic mothers tends increase.[159] For all mothers, both employed and not, greater time spent interacting with children during non-work time had positive effects on sensitivity.[160]

Aside from present social pressures that influence parental behavior and self-understanding, individual upbringing can also be significant. Rigidity in parental modeling of gender roles has been criticized for tending to limit the way children are socialized into their own human capacities. The negative consequences of rigid gender roles may have an especially profound impact on young boys and may result in restrictions in the development of male psyches.[161] David James argues that child rearing practices which model narrow conceptions of masculinity "tend to foster a boy's alienation from himself and from others."[162] Christine Gudorf contends that this leads to

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[158] Bell hooks explains the differing trends between white and black women's perspectives on the need for liberation. "Many black women were saying 'we want to have more time to share with family, we want to leave the world of alienated work.' Many white women's liberationists were saying 'we are tired of being emotionally and economically dependent; we want to be liberated to enter the world of work." hooks, 134.

[159] Aletha C. Huston, Kaeley C. Bobbitt, and Alison Bently, "Time Spent in Child Care: How and Why Does it Affect Social Development," *Developmental Psychology* 51, no. 5 (2015): 626.

[160] Ibid.

[161] David James, "The Integration of Masculine Spirituality" in *Perspectives on Marriage; A Reader,* eds. Kieran Scott and Michael Warren (New York: Oxford University Press, 2001), 290. The consequences of this seem evident in Doucet's studies caregiver fathers, many of whom struggle with maintaining their masculine identity.

[162] Ibid.

limited male capacities in later life "for child nurturance or for the emotional self-disclosure necessary for the close friendships and mutual, intimate marriages which become more necessary in modern society as more traditional forms of community and intimacy disintegrate under the influence of mobility and urban anonymity."[163] The consequences of these modes of socialization are significant. Clinical psychologist and Jesuit priest John Cicero writes,

> As adults, those men and women who grow up with rigid senses of masculinity and femininity according to established cultural norms are less likely to achieve a more adaptive sense of balance in the Jungian sense of the *animus* and *anima*. They are more likely, instead, to denying the opposite side of themselves, and in so doing to close themselves off to sexual maturity. Empirical studies with dependency styles, men are far less likely than women to endorse the need for emotional warmth, support, and nurturance on self-report measures; but on projective measures — where they don't realize what they are endorsing — they are just as dependent.[164]

Cicero further argues that men's inability to recognize healthy dependency as a consequence of highly gendered socialization may impair "healthy spiritual awareness and practice."[165] As such, strong socialization for well-defined gender roles appears to have limited value within a Catholic theological framework inasmuch as it may suppress capacities for individuality, friendship, marital health, and religiosity. When parenthood is linked too tightly to narrow conceptions of gender, several challenges are presented in relation to achieving human flourishing.

In sum, parenthood can be conceptualized as either a singular or a dual reality. From one perspective, motherhood and fatherhood appear distinct and complementary, such that even a child with two mothers or two fathers still lacks a full and authentic

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[163] Gudorf, "Western Religion and the Patriarchal Family," 290.

[164] John J. Cecero, "Toward Christian Sexual Maturity," in *Human Sexuality in the Catholic Tradition* (New York: Rowman and Littlefield Publishers, 2007), 38.

[165] Ibid.

experience of parenthood. From the other, parenthood is a foundational term that is labeled either motherhood or fatherhood depending upon which gender is being referenced. From the first perspective, the lack of a mother or a father constitutes an absence of complementarity and thereby a deficiency in a child's parental resources. From the second, parental function is central, such that a child experiences deficiency in parental resources when the available caregivers cannot or do not adequately respond to the child's needs. Both perspectives are, in reality, based on parental function. The gendered perspective that differentiates motherhood from fatherhood posits parenthood as a dual gendered reality in which particular parental functions are connected to either motherhood or fatherhood. This gendered perspective is, however, hesitant to name these gendered functions explicitly aside from vague references to the importance of male-masculine and female-feminine parental role models. And even this claim to functional importance of role models is weak inasmuch as it depends upon on cultural assumptions of what constitutes femininity and masculinity and implies that parents alone constitute the only significant role models in a child's life.

Many households continue to divide labor along gendered lines despite increasingly egalitarian ideals of parental function. Does this reality imply that the genders are naturally fit for specific roles or that cultural conditioning simply makes assuming these traditional roles easier? Because behavior is influenced by both natural propensities, internalized cultural ideals, and external pressures (such as economic constraints) the answer to this question will always remain somewhat ambiguous. What is clear, however, it that an absolute principle of exclusion in parental function (i.e. women cannot fulfill certain tasks of fatherhood and vice versa), is not supported by available

evidence. Without this, the division of function based on gender is at best a guide, not a rule.

Gender and Parenthood

Appeals to complementarity, as an essential requirement of childrearing, surface with regularity in arguments against same-sex parenthood. In magisterial teaching, the need for parental complementarity is posited as a matter of basic justice.[166] Echoing several years of statements by the US Catholic Bishops, Pope Francis explains,

> It is necessary to emphasize the right of children to grow up within a family, with a father and a mother able to create a suitable environment for their development and emotional maturity. Continuing to mature in the relationship, in the complementarity of the masculinity and femininity of a father and a mother, and thus preparing the way for emotional maturity.[167]

Several revisionist theologians disagree strongly with such arguments and are quick to cite sociological and psychological evidence that children raised by same-sex parents have comparable outcomes to children of heterosexual parents. For example, in response to the CDF's argument against same-sex parenthood in the 2003 document "Considerations Regarding Proposals to Give Legal Recognition to Unions Between Homosexual Persons", Patricia Beattie Jung writes,

> [D]espite the Vatican's assertion that claims to be based on experience, after more than twenty years of scrutiny not a single research study suggests that children raised by same-sex parents fail to flourish. As early as 1999, reviews of the relevant literature had given clear evidence to the

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[166] Cf. USCCB, "Frequently Asked Questions about the Defense of Marriage" USCCB, http://www.usccb.org/issues-and-action/marriage-and-family/marriage/promotion-and-defense-of-marriage/frequently-asked-questions-on-defense-of-marriage.cfm. The sentiment has been expressed by bishops outside of the US as well and by Pope Francis.

[167] For Your Marriage, "Every Child has a Right to a Mother and a Father," USCCB, (April 23, 2014) http://www.foryourmarriage.org/every-child-has-a-right-to-a-mother-and-a-father/.

contrary." In fact ample evidence suggests that normal development among children may be expected among same-sex parents at the same rate as their heterosexual peers.[168]

In recent decades, several concerns have been raised in relation to the capabilities of homosexual persons in childrearing. These include worry that children will develop impaired sexual identities, abnormal conceptions of gender roles, or that they will themselves become homosexual. Beyond this, some express concern for children's mental health, social adjustment, behavior, and ability to form social relationships while others feared that children in gay and lesbian households will be at higher risk for sexual abuse.[169] After several decades of research, a consensus of evidence now contradicts the validity of these anxieties, even as societal stigma remains a factor with which gay and lesbian parents must contend. Social-scientific evidence shows that gay and lesbian parents are as capable as their heterosexual peers are in raising healthy children.[170] Moreover, children of gay and lesbian parents do not generally report that their parents' sexuality has had any significant impact in their parenting capabilities. Findings do indicate that social stigma is a recognized challenge in these children's upbringing.[171] Lesbian mothers have been shown to experience greater psychological wellbeing when

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[168] Patricia Beattie Jung, "God Sets the Lonely in Families" in *Inquiry, Thought, and Expression*, vol. 2 of *More than a Monologue: Sexual Diversity in the Roman Catholic Church*, eds. J. Patrick Hornbeck II and Michael Norko (New York: Fordham University Press, 2014), 128.

[169] American Psychological Association, *Lesbian and Gay Parenting*, (Washington D.C.: American Psychological Association, 2005), 8.

[170] American Psychological Association, 7-8. Cf. Brodzinski, 13.

[171] Ibid., 14. Cf. Fairtlough, 521–528.

they can be open about their sexuality and are in stable partnerships.[172] As in all families, psychological health and happiness among parents has a positive impact on children.[173]

On the issue of parental complementarity, magisterial teaching is confronted with three difficult realities. First, even as clear parental gender roles may have benefits for some parents, they are not necessary for child wellbeing. Second, arguments for complementarity do not clearly specify which parental functions are the irreplaceable domain of one gender. This ambiguity makes empirical verification of the claim problematic. Without clarity, the general social scientific evidence suggesting that parental roles are adaptable even as they are influenced by societal expectation presents a clear challenge to this line of argument. Third, the argument for parental complementarity appears set upon a conception of the family as essentially private which and ignores the influence other adults may have on children. This third challenge is particularly intriguing because it suggests a privatized conception of the family which stands in tension with the more communal and socially engaged vision of the family that informs aspects of Catholic Social Teaching. At the same time, the private, nuclear conception of the family from which this argument stems neglects functional theories of parenthood that place much greater emphasis on the positive influence of non-parent adults in children's lives.[174]

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[172] Ibid., 13.

[173] Brodzinski, 5.

[174] While multiple adults fulfilling parental roles within children's lives may have positive impacts on that child's support network, it also may lead to uncertainty in understanding the relations of these different parental relationships for children as well as conflict among multiple caregivers. Furthermore, when extended kin function in parental roles, they are removed from the role of "nurturing outsider" which may be particularly important during adolescence when children push against parental influence and may seek safe non-parental adults for support. Consequently it is important to acknowledge that extended spheres of support remain important even if the parental functions are expanded to include more direct

Bell hooks, cites Elizabeth Janeway who contends that "the idea of an individual

having sole responsibility for childrearing is the most unusual pattern of parenting in the

world, one that has proved to be unsuccessful because it isolates children and parents

from society."[175] Janeway continues,

> Such isolation means that the role of the family as the agent for socializing children is
> inadequately fulfilled at present whether or not mothers are at work outside the home. Children
> grow up without the benefit of a variety of adult role models of both sexes and in ignorance of the
> world of paid work. Returning women to a life centered in home and family would not solve the
> fundamental loss of connection between family and community.[176]

In response, hooks argues that childcare must be a shared responsibility both among the

parents as well as among the community.[177]

Community and Parenthood

Esther Goody's functional framework of parenthood helps explain why focusing

singly on parental partners fails to capture all pertinent factors in child wellbeing. For

Goody, parenthood itself is the process of fulfilling the important tasks related to

childrearing. As such, there are numerous 'parental' roles which may be assumed by

various adults. Despite limitations in her framework, the premise is important: parents are

rarely the only ones engaged in parenting.[178]

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caregivers. See, Ann Schwartz, "Connective Complexity: African American Adolescents and the Relational
Context of Kinship Foster Care," *Child Welfare* 87, no. 2 (2008): 81.

[175] bell hooks, *Feminist Theory,* 143.

[176] Elizabeth Janeway, *Cross Sections*, 1982 ctd. in bell hooks, *Feminist Theory*, 143.

[177] bell hooks, *Feminist Theory,* 144.

[178] Jussen, 24.

Goody's conception challenges the notion that biological parents are the only 'real' parents whose particular form of kin relationship with their children is differentiated in kind and superior to that of other adults. Her perspective also challenges privatized conceptions of the nuclear family as inaccurate and unhealthy. Biological parents may be central to the family, but their centrality is correlated to the functions they assume. Consequently, the dichotomy between the 'real' parenthood of biological parents and the participation of other caregivers is lessened, while the legitimate dependence of families on extended social support networks is brought to light. Goody's insight on the importance of non-parent adults is supported by research showing children benefit from relationships with caring adults. These caring adults may be their parents, but others can fulfill the role. Children benefit most by having an additional caring adult outside their own household.[179]

Many resources within Catholic thought can be used to support Goody's framework and counteract reductionist tendencies that center considerations of child wellbeing on the parental pair alone. Yet Catholicism's commitment to community and social participation in considerations of the family is undermined internally by the sexual ethical and gender essentialist concerns that drive contemporary thinking on parenthood towards privatized conceptions of the nuclear family.[180] While Catholic teaching rightfully defends the importance of parental rights and responsibilities in caring for their

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[179] David Murphy, et al*.,* "Caring Adults: Important for Positive Child Well-being" Child Trends, (December 2013) http://www.childtrends.org/?publications=caring-adults-important-for-positive-child-well-being, 4.

[180] For example, John Paul II encouraged families to welcome in the elderly, but did not acknowledge the important role of grandparents for childcare both historically and in many societies today. See, *Familiaris consortio*, 27.

children and directing family affairs, overemphasis biological reproduction and the role

of parent's as their children's only significant role models and caregivers undermines a

more expansive vision of the family's legitimate Christian vocation in the world.

Some Catholic theologians note the historical contingency of the nuclear family.

Cahill argues, "the extended consanguineous family is more ancient and more universal

in social importance than the modern so-called nuclear family, consisting of spouses and

children and considered to have been formed through marriage."[181] Moreover, Jussen

argues that non-biological kinship within the Christian tradition served precisely to create

broad networks of support for the family. Since the early Middle Ages, both baptismal

and confirmation sponsors have been used to extend kin networks. Through these means,

early medieval Christian parents would often ally themselves with several sets of

godparents and a few confirmation sponsors (on account of child mortality). Jussen

concludes that through these kin-making practices, "a couple could easily acquire twenty

to thirty spiritual cofathers and comothers."[182]

Importantly, magisterial and revisionist Catholic sources agree that the family

does not operate for itself, but is an outwardly directed social institution aimed at

benefiting the common good. Unfortunately, much of the traditional conceptual

foundation for these commitments has been relegated to a secondary, fictional status as

biological kinship has increasingly come to dominance as the normative mode of kinship

itself. The magisterium has consistently asserted that the family is not an isolated, private

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[181] Cahill, *Family: A Christian Social Perspective*, xi.

[182] Medieval kinship bonds did not stop here, sponsors were also needed for various stages surrounding the baptismal rite; most notably a catechumenate sponsor for the preparations immediately prior to baptism. Because of this a single baptism could produce up to sixteen new kin relations, each prohibited from marriage to the baptized on account of medieval consanguinity laws. Jussen, 33.

reality but should join in association with others for support and to promote the common good.[183] The family has a legitimate role to play in advancing the common good, but this role is an underappreciated element of Catholic Social Teaching.[184] The bias toward gender and sexual ethical concerns has played a significant role in this oversight as it has pulled conceptions of the family towards idealization of biological kinship and the private nuclear family while simultaneously feeding into reductionist cultural suppositions about the family's sphere of concern. For families to recognize the legitimate social vocation set out for them by Catholic Social Teaching, commitments and influences outside the private nuclear family must be asserted more clearly. Yet emphasizing these commitments and influences necessarily diminishes the centrality that can be placed upon the parental pair alone. That is, one cannot uphold a vision of the family as a socially engaged and supported entity while simultaneously making the claim that parents are the only role models of masculinity and femininity with any meaningful impact on children. Relationships beyond the nuclear family are either significant or they are not. The present articulation of magisterial commitments is simply too selective in when and how such relationships beyond the nuclear family matter to provide a realistic account of the family's essential structure and vocation.

At a pastoral level, this ambiguity in Catholic thought has influenced inconsistent responses to the reality of same-sex parenting. In recent years, some homosexual individuals have been refused communion and fired from Catholic parishes and

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[183] *Familiaris consortio,* 72.

[184] Julie Hanlon Rubio, drawing heavily upon the John Paul II, has argued this point well. Rubio, *A Christian Theology of Marriage and Family,* 186 – 188.

schools.[185] Some same-sex couples have also been denied baptism for their children and refused admittance into Catholic schools.[186] These incidents raise serious concerns, since they constitute the refusal to offer communal support for these individuals, partners, and children on the grounds that presumed sexual behavior cannot be tolerated by these Catholic communities. If families are essentially privatized units that may influence, but are not essentially bound to one another, then removing immoral aberrations from the collective would be quite defensible. But the challenge is that this conception is not the full Catholic vision of the family as it is presented within the body of Catholic Social Teaching. If Catholic families are obligated to serve each other and the common good on the basis of shared baptism and shared humanity, the practice of isolating families headed by same-sex parents from the resources of the community becomes more challenging to defend. This is especially true when children are involved, as in baptism, parish membership, and enrollment in Catholic schools. If we admit that children's relationships with adults other than their parents really do make a difference in children's lives, and this is exactly what social scientific evidence suggests, then providing children of same-sex couples with the opportunity to form significant and influential relationships with faithful adults through Catholic schools and parish life seems defensible. When this social scientific evidence is understood within the social vocation of the family as

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[185] Among others, see, Michael Paulson, "Gay Marriages Confront Catholic School Rules," *New York Times* (January 22, 2014) http://www.nytimes.com/2014/01/23/us/gay-marriages-confront-catholic-school-rules.html?_r=0 and Michal Borestein, "D.C. Archdiocese: Denying Communion to Lesbian at Funeral was Against 'Policy'," *Washington Post* (February 29, 2009) http://www.washingtonpost.com/local/dc-archdiocese-denying-communion-to-lesbian-at-funeral-was-against-policy/2012/02/28/gIQAlIxVgR_story.html

[186] See, Anonymous, "Sins of Admission; Why *Wouldn't* Gay Parents Pick a Catholic School?" *Commonweal*, April 23, 2010, 10 – 15.

presented by Catholic Social Teaching, the pastoral responses to same-sex headed families noted above appear all the more problematic.

Part IV: Parenthood from a Functional Perspective

As previous chapters showed, modern magisterial teaching, contemporary revisionist theologians, and Western Christian history include precedents for functional evaluations of parenthood. But these precedents are often paired with, and occasionally eclipsed by, commitments to family structures. Particularly within modern magisterial teaching, family structure has assumed a priority of place perhaps largely as a reaction to changing social gender roles, the break-down of traditional marriage in the West, and same-sex relationships. Two implications of this structural emphasis merit particular concern. First, centralization of family structure is associated with commitments to particular gender roles, sexual ethical norms, and biological reproduction. This has led anxiety over changes in gendered-parental behavior as well as understandings of biological kinship as 'real' kinship. Construing biological kinship as the normative form of kinship restricts Catholic appreciation of the bonds shared by families who are not biologically related. It also suggests that non-biological families are somehow unnatural, less desirable, or less truly families. Moreover, the structural association with gender roles prioritizes the male-female spousal pair as the locus of concern which allows commitments to sexual ethical norms, conceptions of marriage, and essentialist theories of gender to take the place of more concerted evaluations on parental capabilities. These biases present themselves as assertions of restrictive gender roles and a willingness to judge the full moral content of intimate relationships by the morality of the sexual acts

they may contain. Finally, the emphasis on structure retains vestiges of patriarchal gender

hierarchies and physicalist sexual morality which remain problematic. For these reasons,

evaluations of parental function offer a stronger resource for understanding parenthood

apart for these assumptions and biases.

Emphasizing parental function encourages a new approach to defining what

constitutes a family. Anthony Gittins writes, "the US Catholic bishops offer that 'a

committed, permanent, faithful relationship of husband and wife is the root of a family':

but clearly it is not the root of *every* family, and increasingly, not even most."[187] Instead

of starting with the *extensional* definition 'the family is…'," Gittins argues, "we could

first specify common characteristics such as adequate structure; the support, protection,

dignity, and fulfillment of members; the intention of stability and endurance; and the

relation to the wider world." By using an *intensional* approach, social arrangements

which fit the definition generated could be regarded as forms of family; even as some

may be judged preferable.[188] The challenge, then, is to construct an adequate theological

intensional definition of the family that can account for diversity in structure among

domestic arrangements that function as families. Within this framework, the biological

family may still offer an important natural paradigm, since it is through experience of

functioning families that the common characteristics of families come to be known; and

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[187] Anthony J. Gittins, "In Search of Goodenough Families: Cultural and Religious Perspectives," in *Mutuality Matters: Family, Faith, and Just Love,* eds. Herbert Anderson, Edward Foley, Bonnie Miller-McLemore, and Robert Schreiter (New York: Rowman and Littlefield Publishers, 2004), 178.

[188] Ibid. Gittins' argument parallels the shift from structure to function suggested above. However, he does not offer a theological intensional definition of the family but repeats the revisionist tendency to articulate social and psychological norms of children's wellbeing while remaining ambiguous on the theological norms.

biological families have offered many examples of well-functioning families. However, this approach does not allow structure alone to be determinative.

Gittins' perspective fits well with Goody's functional definition of parenthood explained above. In fact, Goody's articulation of parental tasks parallels the social duties of parenthood articulated in modern Catholic teaching. Namely, parents are primarily educators who have the task of preparing children for vocations as contributors to the common good. This description offers a fair start to an *intensional* account of parenthood. However, contemporary trends suggest that on the measure of socio-religious reproduction, contemporary Western Catholic parents are failing at an alarming rate; only one in three American children raised Catholic will remain Catholic into adulthood.[189] Catholic adults are leaving the Church as well. If ex-Catholics were their own denomination, they would be the third largest in America.[190] The connection between Catholic departure from the Church and the significant demographic shifts in marriage we have explored remains somewhat unclear.

Although the nuclear family, with a father in the labor force and a mother in the home with children, remains an influential ideal, it was only briefly the majority family structure among American families. Throughout the early twentieth century this family

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[189] Parental involvement, community support, and individual engagement in and before adolescence appear to influence religious attendance. The University of Notre Dame's National Study of Youth and Religion directed by sociologist Christian Smith offers a wealth of information on the religious practices of American adolescents and young adults. The findings on continuation of religious attendance into young adulthood have recently been published as a book. See, Chris Smith, Kyle Longest, Jonathan Hill, and Kari Christoffersen, *Young Catholic America: Emerging Adults In, Out of, and Gone from the Church*, (Oxford, UK: Oxford University Press, 2012).

[190] Thomas Reese, "The Hidden Exodus: Catholics becoming Protestants," *National Catholic Reporter* (April 18, 2011) http://ncronline.org/news/faith-parish/hidden-exodus-catholics-becoming-protestants. Cf. Pew Forum on Religion & Public Life, *U.S. Religious Landscape Survey: Religious Affiliation: Diverse and Dynamic* (Washington D.C.: Pew Research Center, 2008).

type was on the rise until a peak in 1965 at about 55%. Since that time it has declined

rapidly. Today about 22% of American children live in such households while dual-

earner and single-parent families account for three-quarters of the remainder.[191]

Roughly half of all American children will experience divorce before age

eighteen. Rates of divorce peaked in the 1980s while the divorce rate per capita has

dropped significantly since. But this decline corresponds to dropping marriage rates, such

that the proportion of divorce to marriages has held mostly steady over the past three

decades. [192] The high divorce rate of the 1980s appears to have influenced a negative

perception of marriage among that decade's children. When they entered adulthood, rates

of cohabitation increased dramatically, nearly doubling from 1990 to 2006.[193]

Despite the importance of stability for children's wellbeing, cultural skepticism in

the possibility of permanent and healthy marriage did not prompt a significant re-

evaluation of parenthood. American's are now inclined to believe that rewarding parental

experiences can exist beyond a stable parental partnership, even as research shows that

married parents have significant advantages in happiness and mental health.[194] More

Americans desire to become parents than are confident in the possibility of a stable

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[191] Aulette, 33.

[192] Alison Clarke-Stewart and Cornelia Brentano, *Divorce: Causes and Consequences,* (New Haven, CT: Yale University Press, 2006), 106.

[193] David Popenoe, "Research Brief No. 13: The American Family 1988 – 2028: Looking Back and Looking Forward," Center for Marriage and Families, (August, 2008), 1.

[194] Wilcox, 4. "[T]he percentage of infants born to "never married" women who were relinquished for adoption has declined dramatically, from 8.7% prior to 1973 to approximately 1% between 1996 and 2002." David M. Brodzinski and the Evan B. Donaldson Adoption Institute, "Expanding Resources for Children III: Research-Based Best Practices in Adoption by Gays and Lesbians," Evan B. Donaldson Adoption Institute, (October 2011) http://adoptioninstitute.org/publications/expanding-resources-for-children-iii-research-based-best-practices-in-adoption-by-gays-and-lesbians/, 6.

marriage while over 40% of cohabiting couples have children.[195] Among unwed

mothers, 73% are in a romantic relationship with the biological father and about half are

cohabitating with him. On average, child wellbeing in households with cohabiting parents

resembles single-parent households more closely than married parent households.[196] And

relationships among cohabiting parents tend to be significantly less stable than those of

married couples.[197] Fully 95% of cohabiting couples with children consider marriage at

least a 50/50 prospect for their future. However, only 9% will marry in the first year after

a child is born while the great majority will end their relationship.[198] About half of

children in married households will experience divorce while the number of children of

cohabiting parents who will experience the end of their parent's relationship may be

over 90%.[199]

On the other hand, conditions have made single and non-married parenting easier

socially. Not only has social stigma declined, but numerous human needs traditionally

met by the family or extended family unit can now be fulfilled through the state or

market.[200] The negative effects of divorce on children are consistent, but are not large

when compared to peers with married parents.[201] Moreover, at least two-thirds of children

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[195] Crane and Heaton, 123.

[196] W. Bradford Wilcox, Linda Waite, and Alex Roberts, "Research Brief No. 4: Marriage and Mental Health in Adults and Children," Center for Marriage and Families, (February, 2007), 3.

[197] Paula England & Kathryn Edin, eds. *Unmarried Couples with Children* (New York: Russell Sage Foundation, 2007), 139.

[198] Crane and Heaton, 457ff.

[199] Ibid., Cf, Clarke-Stewart & Brentano, 106.

[200] Popenoe, no 13, 4.

[201] Clarke-Stewart & Brentano, 107.

who experience divorce adjust successfully, while divorce can occasionally benefit children's wellbeing.[202] However, adult children of divorced parents do tend to have weaker commitments to lifelong marriage, less marital satisfaction, and reduced likelihood of being married.[203] Fully one-fifth of children from divorced parents feel that they are destined to repeat their parent's problems.[204]

From a theological perspective, the purpose of raising children is aimed neither at social reproduction nor at achieving some baseline measure of wellbeing. Instead, Christian parenthood includes leading children towards human flourishing and which is found most fully in communion with God. Nonetheless, social reproduction and fostering child wellbeing are important functions of parenthood. The data on divorce and cohabitation suggest that some measure of social reproduction may be important for child well-being, yet the data do not speak to theological goods directly. As such, the concluding section of this chapter briefly considers more value-oriented functions of parenthood in order to consider how parenthood might be directed towards theological goods. This is not to suggest that human flourishing is only about proper values; but it is to acknowledge that a theological vision of the human *telos* goes beyond standard social-scientific measures of wellbeing.

Moral Formation

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[202] Ibid., 129.

[203] Ibid., 128.

[204] Ibid., 109.

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Same-sex parenting is the issue on which social-scientific research and Catholic teaching diverge most significantly. Revisionist theologians often counter the magisterium's assertions that same-sex parenthood is harmful to children by pointing to research which indicates the contrary. But this response does not go far enough as it often fails to develop a theological account of parenthood as such that can properly support its claim. Although the response has been insufficient, the Vatican's argument sets itself up for just such a reply. The CDF's 2003 argument against same-sex parenthood states,

> "As experience has shown, the absence of sexual complementarity in these unions creates obstacles in the normal development of children who would be placed in the care of such persons. They would be deprived of the experience of either fatherhood or motherhood. Allowing children to be adopted by persons living in such unions would actually mean doing violence to these children, in the sense that their condition of dependency would be used to place them in an environment that is not conducive to their full human development."[205]

Two points of this argument are particularly worthy of note. First, experience is used to support the claim that same-sex parenting is harmful to children. Second, the argument construes parenthood as leading children towards 'full human development' in other words, human flourishing. On the basis of social scientific data, the first claim, considered in terms of child wellbeing, is now quite easy to refute and many revisionist theologians have pointed this out.[206] Yet, the second claim shows why social scientific data alone cannot serve as an adequate rebuttal to the argument the CDF is making. Measurements of child wellbeing are only part of the story. A full rebuttal requires a positive theological explanation of same-sex parenthood that shows how it could lead children towards human flourishing, theologically considered. This brings the disjunction

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[205] Considerations, #7.

[206] Cf. Margaret A. Farley, *Just Love: A Framework for Christian Sexual Ethics*. (New York: Continuum, 2010), 293., Todd A. Salzman and Michael Lawler, *Sexual Ethics: A Theological Introduction*, (Washington D.C.: Georgetown University Press, 2012), 71. *et al*.

between what the magisterium claims and what social scientific research can measure into focus.

While evidence does not support the claim that same-sex parenthood categorically harms children in terms of their physical, social, and emotional development, the question remains whether such relationships can lead children towards a theological vision of human flourishing. The CDF argues that, children must not be placed with same-sex caregivers lest they encounter "erroneous ideas about sexuality and marriage…"[207] That is, if magisterial teaching on human sexuality, which since Vatican II has followed a personalist moral framework, is based on an accurate account of the human person, same-sex parenthood quite clearly contradicts that vision and would lead children away from an accurate conception of their goal. That is, when a vision of human flourishing is understood as bound to an accurate understanding of the moral teachings of the Catholic Church, the nature of the CDF's concern for same-sex parenting becomes more evident. However, when the concern is understood in this way it becomes contextualized within much larger social factors. That is, the reproduction of commitment to Catholic moral teaching on human sexuality is failing at a much larger rate and over a longer course of time than same-sex parenting alone can possibly account for.

Research indicates that the majority of American Catholics support same-sex marriage and that support is increasing substantially among younger Catholics.[208] In addition, over half of self-identified American Catholics support capital punishment and

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[207] CDF, "Considerations Regarding Proposals to Give Legal Recognitions to Unions between Homosexual Persons," Vatican, (June 3, 2003) http://www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfaith_doc_20030731_homosexual-unions_en.html, #7.

[208] Ibid.

just under half believe abortion should be legal in all or most cases.[209] Finally, the vast

majority of American Catholics disregard the prohibition of contraception.[210] If

magisterial disapproval of same-sex parenting is based specifically on the moral

formation of children, the challenge being faced far exceeds same-sex parenthood itself.

Given the generally good outcomes of children raised by same-sex couples, it

seems very unlikely that these same children would tend to embrace Catholic moral

teaching on homosexuality and same-sex parenthood. Studies show that children raised

by same-sex couples are not prone to identify sexual orientation as an influence in their

parents' childrearing abilities.[211] But, American Catholic children raised by heterosexual

parents are also far more likely than previous generations to disagree with the official

Catholic position on same-sex parenting.[212] This suggests that arguments over the

wellbeing of children raised by same-sex couples are less important from the point of

view of moral formation than concern for Catholic children's moral formation in general.

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[209] Pew Forum on Religion & Public Life.

[210] A 2011 study by the Guttmacher Institute claimed, with some controversy, that 98 percent of sexually experienced self-identified Catholic women aged 15 – 44 have used methods of contraception other than Natural Family Planning at least once; although 11 percent use no method at all. The statistic's accuracy has not been questioned so much as the clarity of what it actually claims. More importantly, it is clear that a significant majority (around 68 percent) of self-identified Catholic women regularly use artificial contraception. Rachel K Jones & Joerg Dreweke, "Countering Conventional Wisdom: New Evidence on Religion and Contraceptive Use," Guttmacher Institute, (April 2011) http://www.guttmacher.org/pubs/Religion-and-Contraceptive-Use.pdf (accessed, April 2011). Cf. Anjani Chandra, *et al*. "Sexual Behavior, Sexual Attraction, and Sexual Identity in the United States: Data From the 2006–2008 National Survey of Family Growth," U.S. Department of Health and Human Services, (March, 2011) http://www.cdc.gov/nchs/data/nhsr/nhsr036.pdf.

[211] American Psychological Association, *Lesbian and Gay Parenting* (Washington D.C.: American Psychological Association, 2005), 14. Cf. Anna Fairtlough, "Growing Up with a Lesbian or Gay Parent: Young People's Perspectives," *Health and Social Care in the Community* 16, no. 5 (2008): 521–528.

[212] Michael Lipka, "Young U.S. Catholics overwhelmingly accepting of homosexuality" *Pew Research* (October 16, 2014).

Mention of these realities is not to distract attention from the magisterium legitimate concern for the same-sex parenthood; it does suggest that any limitations perceived within same-sex parenting should not be held out as morally determinative while similar limitations among heterosexual parents are not given similar scrutiny. That is, if the moral development of children is what is at stake in the moral assessment of same-sex parenthood, then this should be evaluated in terms of the achievements of heterosexual peers rather than singularly subjected to an ideal would challenge others as well.

The late 1990s witnessed a surge in interest in the moral development of children that continues to the present.[213] The results show that parents are clearly powerful influences in their children's moral development.[214] But little research has been done on the specifically religious aspects of parenting and the moral development of children; even as research has suggested connections between parental religiosity and more general measures of child wellbeing.[215] The effects of parental religiosity seem to depend on family structure to some extent, but the relationship and the causality between religious

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[213] Larry Tifft, John Sullivan, and Dennis Sullivan, "Discipline as Enthusiasm: An Entry into the Recent Discussion on the Moral Development of Children," *Contemporary Justice Review* 11, no. 4 (December 2008): 363.

[214] See, Melati Sumari, Zaharah Hussin, Saedah Siraj, "Factors Contributing to Academic Achievement and Moral Development: A Qualitative Study," *The International Journal of Research and Review* 5, no. 2 (October 2010): 19. This study of high-achieving Muslim youth suggests that a connection between religiosity, moral development and educational achievement, though the sample size is small and based off testimony.

[215] See, Brenda L. Volling, Annette Mahoney, and Amy J. Rauer, "Sanctification of Parenting, Moral Socialization, and Young Children's Conscience Development," *Psychology of Religion and Spirituality* 1, no. 1 (2009): 53–68.

views and child behavior are less clear.[216] Moreover, research on children's moral

development is presently limited by an almost exclusive focus on maternal influences.[217]

One study argues that moral formation is highly dependent upon the mode of

discipline utilized by parents and suggests that discipline which focuses on the

consequences of behavior on others best supports the growth of moral reasoning. Unlike

earlier research, which focused narrowly on religion's relation to physical punishment,

this study found that parental religiosity may have a significant influence on children's

moral development.[218] It also found that the efficacy of disciplinary styles was dependent

upon consistent use by both parents. This suggests consistency of discipline by both

parents, which has been tied to religious beliefs, is a significant factor in children's moral

formation.[219]

Despite the paucity of research, there are numerous reasons to believe that

parental religiosity can create conditions that benefit children's moral formation. The

2011 State of Our Unions report shows that couples who identify God as the center of

their relationship tend to have happier and more stable marriages.[220] And marital

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[216] Richard J. Petts, "Parental Religiosity, Religious Homogamy, and Young Children's Well-Being," *Sociology of Religion* 72, no. 4 (2011): 410.

[217] Tracy L. Spinrad, Nancy Eisenberg and Frank Bernt, "Introduction to the Special Issues on Moral Development: Part I," *The Journal of Genetic Psychology* 168, no. 2 (2007): 104. Interestingly, this study suggests that parental practices do not lead to moral behavior consistently across children's gender. That is, many studies indicate that girls are more consistent in their moral behavior, but boys and girls may tend to differ in their moral development as well.

[218] Volling, Mahoney, and Rauer, 65. It should be noted that by the author's own admission the sample size of this study was small and should not be used to draw firm conclusions. However in the absence of other studies its insights remain valuable.

[219] Ibid., 64.

[220] Wilcox, 32.

spirituality supports generosity between spouses.[221] Moreover, religiosity can support

beliefs which predict marital success, such as valuing commitment.[222] One report asserts,

"Spouses who score above average in terms of commitment are at least 45 percentage

points more likely to report being 'very happy' in their marriages, and 29 percentage

points less likely to be prone to divorce. In other words, above-average commitment

more than triples the odds of marital happiness for husbands and wives and reduces their

divorce proneness sixfold."[223] Though this does not offer direct evidence of parenting

abilities related the children's moral formation, parents in happy, stable marriages seem

more likely to be up to the task of assisting their children in moral development.

Adding complexity to these findings, religious parents, like their secular

counterparts, may profess values that do not correspond with their actions. A recent

project through Harvard University shows that, while nearly all parents say they are

committed to raising caring, ethical children, a large majority of American youth value

personal achievement over concern for others. When asked to rank values, nearly 80% of

young people choose high achievement or happiness as most significant while only about

20% chose care for others. At the same time, roughly half of high school students

reported cheating on a test and three-quarters had copied a peer's work. While parents

rank care for other's high among the moral values they wish to impart to their children,

around 80% of young people surveyed reported that "achievement and happiness" were

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[221] Ibid., 38.

[222] Ibid., 42.

[223] Ibid., 45.

their parent's top concerns. A similar trend was found for educators.[224] The study adds

pointedly, "Americans tend to worry a great deal about the moral state of our country and

about selfish and disrespectful children," but "it's not clear who, if anyone, believes

they're part of the problem."[225]

Far from simply failing to replicate specific moral commitments of the

magisterium in young people, American parents are apparently failing to replicate their

own commitments. This appears doubly damaging for children. Not only are the values

that parents and educators want to prize not being communicated, but the emphasis on

achievement and happiness actually reduces the likelihood of both.[226]

Whereas the magisterium fears that the structural realities of same-sex parenthood

will reduce children's ability to understand marriage authentically, these studies suggest

functional failures. As such, the magisterium's concern may be misplaced even as the

values that are not being communicated, kindness and commitment to others, correlate to

characteristics of healthy, stable marriages.[227]

Rather than assigning blame for these realities to simple moral failure, a number

of scholars suggest larger social forces actively work against communicating these goods.

Considering the impact of economics on family systems, Herbert Anderson writes,

> Perhaps the most disturbing observation about the tension between work time and family time has
> come from German sociologist Ulrich Beck. He has observed that a free market economic model

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[224] Making Caring Common Project, "Executive Summary," *Harvard Graduate School of Education* (The Presidents and Fellows of Harvard College, 2014), 1.

[225] Ibid., 5.

[226] See, John M. Gottman and Janice L. Driver, "Dysfunctional Marital Conflict and Everyday Marital Interaction," *Journal of Divorce & Remarriage* 43, no. 3/4 (2005): 63 – 77.

[227] Gottman and Levenson, 83 -97. Cf. Scott Stanley, *The Heart of Commitment: Compelling Research that Reveals the Secrets of a Lifelong, Intimate Marriage* (Nashville: Thomas Nelson Publishers, 1998).

presupposes a society without families or marriages.… A society that rewards people for selfishness should not be surprised that it faces a crisis in families. If both women and men are equally devoted to the marketplace and its demands, children will obviously suffer. But so will the marriage, even if there are no children.[228]

The ideology behind this economic system is at odds with stable, two-parent households, making the latter difficult to sustain.

When the magisterium raises concern for the full human development of young people in the context of same-sex parenthood, it has identified a legitimate area of concern given the realities of modern society. Yet this concern goes well beyond same-sex parenting and implicates both the majority of American parents, as well as the economic and social values of American Catholics as a whole. While Catholic teaching on marriage and sexuality does appear to justify the magisterium's concern, it is unclear that same-sex parenting is the most significant and pressing aspect of this matter. These concerns would be better grounded in a clearer account of the theological nature of parenthood and stronger criticism of the cultural values beyond sexual ethics that actively work against parental efforts to instill moral commitments.

In the absence of an adequate theological account of parenthood that can stand at some distance from sexual ethical concerns, same-sex parenthood is singled out as the instantiation of parenthood that most clearly departs from the sexual ethical and essentialist gendered norms. Consequently, same-sex parenthood is forced to bear the weight of much broader anxieties, while the more significant contributing factors receive far less scrutiny. Cultural trends suggest that American Catholic parents are really faced with significant challenges in their attempt to communicate values with their children. If this is truly the magisterium's central source of concern in considerations of same-sex

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[228] Herbert Anderson, 71.

parenthood, a much stronger response to the economic and social pressures that challenge heterosexual parents is also warranted. On this count, revisionist theologians who simply point to studies of child-wellbeing as justification for same sex parenthood are of little help when they to fail to consider implications for a theological account of parenthood broadly considered.

Without a theologically based conception of Christian parenthood as a functional reality related to child wellbeing and children's progress towards human flourishing, the real challenges Christian parenthood face in fulfilling their theological vocation will likely continue to receive too little attention.

Conclusion

Catholicism's emphasis on sexual ethics and gender related concerns limits its ability to offer a theology of parenthood based on parental function defined by child wellbeing. In the face of present research, extended arguments over the significance of gender difference and sexual ethical norms simply do not appear as significant features in capacities for parenthood based on children's wellbeing. Moreover, idealization of the biological nuclear family and attendant gender roles can lead to moral analysis of diverse family forms without sufficient attention to the economic and social influences that influence individual realities. In this regard, greater attention to parental function in response to social pressures could lead to a more nuanced analysis on diverse family forms.

Research is lacking on the moral development of children as related to specific religious convictions of their parents. Existing research does not suggest that Catholic

parents are on the whole successful at indoctrination nor that family structure and

parental gender is solely determinative in child wellbeing. Stability is clearly a significant

factor in child wellbeing. Yet, for all the benefits 'traditional' marriage offers, parental

modeling of rigid gender roles can be detrimental to children's development.

A significant number of valuable principles within Catholic thought which are

supported by social scientific studies remain underappreciated. Prominent among these is

the concern for socially engaged families supported by expansive networks of relations.

However, emphasis on social engagement and communal relationships beyond the

nuclear family also raise challenges with the privatized vision of the family arguments for

the importance of parental complementarity tends to assume. Acknowledges wider

networks of adult influence in parenting limits the weight of concern parental partners

themselves can bear.

Judging from evidence from the social sciences, the goals which the Catholic

Church posits for the family appear to have a tighter correlation to dispositions and

commitments of parents than to specific family structure and gender roles. With regard to

parental responsibility for children's moral development, present research suggests that

while Americans are raising educated, emotionally adjusted children, basic values like

kindness, community orientation, and even physical health often fail to be communicated.

Christian parents ought to strive for stability in family life while fostering social

commitment and moral development appears to be a commonly agreed upon aspect of

this research. Biological kinship, family structure, parental gender and other factors

appear to have some influence and may better support these objectives, but none of these

factors are definitive from the perspective of parental function.[229] On the other hand,

divorce and cohabitation, both associated with instability, are correlated to greater

challenges in child wellbeing.

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[229] In an interesting reversal of the usual outcome of emphasis on biological parenthood, "Gay men more often reported they were specifically chosen by birthparents because of their sexual orientation than did lesbians (34.6% vs. 5.8%) in the majority of these cases, the men indicated the birthmother expressed a desire to be her child's 'only mother.'" Brodzinski, 27.

BIBLIOGRAPHY

Albrow, Martin. *Sociology: The Basics.* New York: Routledge, 1999.

American Psychological Association. *Lesbian and Gay Parenting*. Washington D.C.: American Psychological Association, 2005.

Anderson, Herbert. "Between Rhetoric and Reality: Women and Men as Equal Partners." In *Mutuality Matters: Family, Faith, and Just Love,* edited by Herbert Anderson, Edward Foley, Bonnie Miller-McLemore, and Robert Schreiter, 67–82. New York: Rowman and Littlefield Publishers, 2004.

Anderson, Joel. "Is Equality Tearing Families Apart?" In *Mutuality Matters: Family, Faith, and Just Love,* edited by Herbert Anderson, Edward Foley, Bonnie Miller-McLemore, and Robert Schreiter, 93-106. New York: Rowman and Littlefield Publishers, 2004.

Anderson Moore, Kristin, *et al.* "Research Brief: What is 'Healthy Marriage'? Defining the Concept." Child Trends. September 2004. Accessed March 1, 2012. http://acf.gov/healthymarriage/pdf/Child_Trends-2004.pdf.

_____. "Marriage from a Child's Perspective: How Does Family Structure Affect Children, and What Can We Do about It?" Child Trends. June 2002. Accessed March 1, 2015. http://www.childtrends.org/?publications=marriage-from-a-childs-perspective-how-does-family-structure-affect-children-and-what-can-we-do-about-it.

Assistant Secretary for Planning and Evaluation "Children Adopted from Foster Care: Child and Family Characteristics, Adoption Motivation and Well-being," U.S. Department of Health and Human Services. May 2011. Accessed December 1, 2014. http://aspe.hhs.gov/hsp/ 09/NSAP/Brief1/rb.pdf.

Aulette, Judy Root. *Changing American Families*. Boston: Pearson, 2007.

Bartholet, Elizabeth. *Family Bonds: Adoption and the Politics of Parenting*. Boston: Houghton Mifflin Company, 1993.

Becker, Amy B. "What's Marriage (and Family) Got to Do with It? Support for Same-Sex Marriage, Legal Unions, and Gay and Lesbian Couples Raising Children." *Social Science Quarterly* 93, no. 4 (December 2012): 1007-1029.

Bramlett, Matthew D. "The National Survey of Adoptive Parents: Benchmark Estimates for School Performance and Family Relationship Quality for Adopted Children," U.S. Department of Health and Human Services. June 2011. Accessed December 1, 2014. http://aspe.hhs.gov/hsp/09/ NSAP/Brief1/rb.pdf.

Brodzinski, David M., and the Evan B. Donaldson Adoption Institute. "Expanding Resources for Children III: Research-Based Best Practices in Adoption by Gays and Lesbians." Evan B. Donaldson Adoption Institute. October 2011. Accessed December 1, 2014. http://adoptioninstitute.org/publications/ expanding-resources-for-children-iii-research-based-best-practices-in-adoption-by-gays-and-lesbians/.

Browning, Don. *Christian Ethics and the Moral Psychologies*. Grand Rapids, MI: Eerdmans Publishing Company, 2006.

Butler, Judith. *Bodies That Matter: On the Discursive Limits of Sex*. New York: Routledge, 1993.

Cahill, Lisa Sowle. *Between the Sexes: Foundations for a Christian Ethics of Sexuality*. Philadelphia: Fortress Press, 1985.

_____. *Family: A Christian Social Perspective*. Minneapolis: Fortress Press, 2000.

_____. "Same-Sex Marriage and Catholicism." In *Inquiry, Thought, and Expression*. Vol. 2 of *More than a Monologue: Sexual Diversity in the Roman Catholic Church*. Edited by J. Patrick Hornbeck II and Michael Norko, 141–155. New York: Fordham University Press, 2014.

Cecero, John J. "Toward Christian Sexual Maturity." In *Human Sexuality in the Catholic Tradition,* edited by Kieran Scott and Harold Daly Horell, 33–46. New York: Rowman and Littlefield Publishers, 2007.

Center for Marriage and Families, "Research Brief 1: Family Structure and Children's Educational Outcomes." Institute for American Values. November 2005. Accessed December 1, 2014. http://www.americanvalues.org/catalog/pdfs/researchbrief1.pdf.

Clarke-Stewart, Alison, and Cornelia Brentano. *Divorce: Causes and Consequences*. New Haven, CT: Yale University Press, 2006.

Collins, Patricia Hill. *Black Feminist Thought: Knowledge, Consciousness, and the Politics of Empowerment*. 2nd ed. New York: Routledge, 2000.

Cooper, Tanya Asim. "Racial Bias in American Foster Care: The National Debate," *Marquette Law Review* 97, no. 2 (Winter 2013): 215-277.

Crane, D. Russell and Tim B. Heaton, eds. *Handbook of Families and Poverty.* Los
    Angeles: Sage Publications, 2008.

Cunningham, Hugh. *Children and Childhood in Western Society since 1500*. New York:
    Routledge, 2005.

Doucet, Andrea. "It's Just Not Good for a Man to be Interested in Other People's
    Children': Fathers, Public Displays of Care, and 'Relevant Others.'" In
    Displaying Families: A New Concept for the Sociology of Family Life, edited by
    Esther Dermott and Julie Seymour, 81–101. New York: Palgrave Macmillan,
    2012.

Ellison, Marvin M. *Making Love Just: Sexual Ethics for Perplexing Times.* Minneapolis:
    Fortress Press, 2012.

Fairtlough, Anna. "Growing Up with a Lesbian or Gay Parent: Young People's
    Perspectives." *Health and Social Care in the Community* 16, no. 5 (2008): 521-
    528.

Farley, *Just Love; A Framework for Christian Sexual Ethics.* New York: Continuum,
    2006.

Gates, Gary J. "Family Focus on… LGBT Families." *National Council on Family
    Relations* FF51 (Winter 2011), F3.

_____. "LGBT Parenting in the United States." The Williams Institute. February 2013.
    Accessed June 1, 2015. www.law.ucla.edu/williamsinstitute.

 _____. "Same-sex and Different-sex Couples in the American Community Survey:
    2005-2011." The Williams Institute. March 2013. Accessed June 1, 2015. http://
    www.law.ucla.edu/williamsinstitute.

Gettler, Lee T. *et al*. "Longitudinal Evidence that Fatherhood Decreases Testosterone in
    Human Males." *Proceedings of the National Academy of the Sciences of the
    United States of America* 108, no. 39 (2011): 16194-16199.

Gittins, Anthony J. "In Search of Goodenough Families: Cultural and Religious
    Perspectives." In *Mutuality Matters: Family, Faith, and Just Love,* edited by
    Herbert Anderson, Edward Foley, Bonnie Miller-McLemore, and Robert
    Schreiter, 167-181. New York: Rowman and Littlefield Publishers, 2004.

Glauber, Rebecca. "Race and Gender in Families and at Work: The Fatherhood Wage
    Premium." *Gender and Society* 22, no. 1 (February 2008): 8-30.

Gottman, John M. and Janice L. Driver. "Dysfunctional Marital Conflict and Everyday Marital Interaction." *Journal of Divorce & Remarriage* 43, no. 3/4 (2005): 63-77.

Gudorf, Christine E. "The Erosion of Sexual Dimorphism: Challenges to Religion and Religious Ethics." *Journal of the American Academy of Religion* 69, no. 4 (December 2001): 863-891.

_____. "Western Religion and the Patriarchal Family." In *Perspectives on Marriage; A Reader,* edited by Kieran Scott and Michael Warren, New York: Oxford University Press, 2001.

hooks, bell. *Feminist Theory: From Margin to Center*. Boston, MA: South End Press, 1984.

Hornbeck, J. Patrick and Michael A. Norko. "Introduction." In *Inquiry, Thought, and Expression*. Vol. 2 of *More than a Monologue: Sexual Diversity in the Roman Catholic Church*. Edited by J. Patrick Hornbeck II and Michael Norko, 1–24. New York: Fordham University Press, 2014.

Huston, Aletha C., Kaeley C. Bobbitt, and Alison Bently. "Time Spent in Child Care: How and Why Does it Affect Social Development." *Developmental Psychology* 51, no. 5 (2015): 621-634.

James, David. "The Integration of Masculine Spirituality." In *Perspectives on Marriage; A Reader,* edited by Kieran Scott and Michael Warren, New York: Oxford University Press, 2001.

John Paul II. *Familiaris consortio.* Vatican. November 22, 1981. Accessed December 1, 2014. http://www.vatican.va/holy_father/john_paul_ii/apost_exhortations/documents/hf_jp-ii_exh_19811122_familiaris-consortio_en.html.

_____. *Gratissimam sane* (Letter to Families). Vatican. February 2, 1994. Accessed December 1, 2014. http://www.vatican.va/holy_father/john_paul_ii/letters/documents/hf_jp-ii_let_02021994_families_en.html.

Jung, Patricia Beattie. "God Sets the Lonely in Families." In *Inquiry, Thought, and Expression*. Vol. 2 of *More than a Monologue: Sexual Diversity in the Roman*

Catholic Church. Edited by J. Patrick Hornbeck II and Michael Norko, 115–134. New York: Fordham University Press, 2014.

Jussen, Bernard. *Spiritual Kinship as Social Practice: Godparenthood and Adoption in the Early Middle Ages*. Translated by Pamela Selwyn, Newark, DE: University of Delaware Press, 2000.

Krueger, Patrick M., *et al*. "Family Structure and Multiple Domains of Child Well-being in the United States: a Cross-Sectional Study." *Population Health Metrics* 13, no. 6 (2015): 1-11.

Lawler, Michael G. *What Is and What Ought to Be*. New York: Continuum, 2005.

Lipka, Michael. "Young U.S. Catholics Overwhelmingly Accepting of Homosexuality." Pew Research. October 16, 2014. Accessed December 2014. http://www.pewresearch.org/fact-tank/2014/10/16/young-u-s-catholics-overwhelmingly-accepting-of-homosexuality/.

Making Caring Common Project. "Executive Summary." *Harvard Graduate School of Education* (The Presidents and Fellows of Harvard College, 2014), 1.

Malone-Colon, Linda, and Alex Roberts. "Research Brief 2: Marriage and the Well-being of African American Boys." Institute for American Values. November 2005. Accessed December 2014. http://www.americanvalues.org/catalog/pdfs/researchbrief1.pdf.

Monroe, Kristen Renwick. "Explanations from Evolutionary Biology." In *The Heart of Altruism; Perceptions of a Common Humanity*. 161-178, Princeton, NJ: Princeton University Press, 1996.

Neuger, Christie. "Gender Narratives and the Epidemic of Violence in Contemporary Families." In *Mutuality Matters: Family, Faith, and Just Love,* edited by Herbert Anderson, Edward Foley, Bonnie Miller-McLemore, and Robert Schreiter, 83-92. New York: Rowman and Littlefield Publishers, 2004.

New Oxford Notes, "The Future of Marriage in America." *New Oxford Review* LXXIX, no. 3 (April 2012): 12-14.

Nussbaum, Martha. "Human Capabilities, Female Human Beings." In *Women, Culture, and Development: A Study of Human Capabilities*, edited by Martha Nussbaum and Jonathan Glover, 61-104. Oxford, UK: Clarendon Press, 1995.

Oord, Thomas Jay. "Morals, Love, and Relations in Evolutionary Theory." In *Evolution and Ethics: Human Morality in Biological & Religious Perspective*, edited by Philip Clayton and Jeffery Schloss, 287-301, Grand Rapids, MI: Eerdmans Publishing Company, 2004.

Parsons, Susan Frank. *The Ethics of Gender.* Malden, MA: Blackwell Publishers, 2002.

Petts, Richard J. "Parental Religiosity, Religious Homogamy, and Young Children's Well-Being." *Sociology of Religion* 72, no. 4 (2011): 389-414.

Pew Forum on Religion & Public Life. *U.S. Religious Landscape Survey: Religious Affiliation: Diverse and Dynamic*. Washington D.C.: Pew Research Center, 2008.

Pontifical Council for the Family. "Family, Marriage and 'De Facto' Unions." Vatican. November 9, 2000. Accessed December 1, 2014. http://www.vatican.va/roman_curia/pontifical_councils/ family/ documents/rc_pc_family _doc_20001109_de-facto-unions_en.html.

Pope, Stephen. "Scientific and Natural Law Analysis of Homosexuality: A Methodological Study." *The Journal of Religious Ethics* 25, no. 1 (Spring, 1997): 89-126.

Popenoe, David. "Research Brief No. 13: The American Family 1988 – 2028; Looking Back and Looking Forward." Center for Marriage and Families. August, 2008. Accessed December 2014. http://www.americanvalues.org/search/item.php?id=33.

Reese, Thomas. "The Hidden Exodus: Catholics becoming Protestants." *National Catholic Reporter.* April 18, 2011. Accessed December 1, 2014. http://ncronline.org/news/faith-parish/hidden-exodus-catholics-becoming-protestants.

Rivaux, Stephanie L., *et al.* "The Intersection of Race, Poverty, and Risk: Understanding the Decision to Provide Services to Clients and to Remove Children." *Child Welfare* 87, no. 2 (2008): 151-168.

Rodrigues, Hillary and John Harding. *Introduction to the Study of Religion.* New York: Routledge, 2009.

Roberts, Dorothy E. "Prison, Foster Care, and the Systemic Punishment of Black Mothers." *UCLA Law Review* 59 (2012): 1474-1500.

Rubin, David M., Amanda L.R. O'Reilly, Xianqun Luan and A. Russell Localio. "The Impact of Placement Stability on Behavioral Well-being for Children in Foster Care." *Pediatrics* 119, no. 2 (2007): 336-344.

Rubio, Julie Hanlon. *A Christian Theology of Marriage and Family.* New York: Paulist Press, 2003.

Ruddick, Sara. "On 'Maternal Thinking'." *Women's Studies Quarterly* 37, no. ¾ (Fall – Winter, 2009): 305-308.

Ruether, Rosemary Radford. "Christianity and the Family: Ancient Challenge, Modern Crisis." *The Conrad Grebel Review* (March 9, 2001): 83-95.

Sacred Congregation for the Doctrine of the Faith. "Considerations Regarding Proposals to Give Legal Recognition to Unions between Homosexual Persons." Vatican. June 3, 2003. Accessed December 1, 2014. http://www.vatican.va/roman_curia/congregations/cfaith/documents/rcconcfaithdoc20030731homosexual-unionsen.html.

Salzman, Todd A. and Michael G. Lawler. *The Sexual Person: Toward a Renewed Catholic Anthropology.* Washington D.C.: Georgetown University Press, 2008.

Schwartz, Ann. "Connective Complexity: African American Adolescents and the Relational Context of Kinship Foster Care." *Child Welfare* 87, no. 2 (2008): 77-97.

Shoulberg, Erin K., *et al.* "The Role of Coparents in African American Single-Mother Families: The Indirect Effect of Coparent Identity on Youth Psychosocial Adjustment." *Journal of Family Psychology* 27, no. 2 (2013): 252-262.

Smith, Chris, Kyle Longest, Jonathan Hill, and Kari Christoffersen. *Young Catholic America: Emerging Adults In, Out of, and Gone from the Church.* Oxford, UK: Oxford University Press, 2012.

Spinrad, Tracy L., Nancy Eisenberg, and Frank Bernt. "Introduction to the Special Issues on Moral Development: Part I." *The Journal of Genetic Psychology* 168, no. 2 (2007): 101-104.

Stanley, Scott. *The Heart of Commitment: Compelling Research that Reveals the Secrets of a Lifelong, Intimate Marriage.* Nashville: Thomas Nelson Publishers, 1998.

Sumari, Melati, Zaharah Hussin, and Saedah Siraj. "Factors Contributing to Academic Achievement and Moral Development: A Qualitative Study." *The International Journal of Research and Review* 5, no. 2 (October 2010): 18-23.

Tifft, Larry, John Sullivan, and Dennis Sullivan. "Discipline as Enthusiasm: An Entry into the Recent Discussion on the Moral Development of Children." *Contemporary Justice Review* 11, no. 4 (December 2008): 363-385.

United States Catholic Bishops. "Economic Justice for All: Pastoral Letter on Catholic Social Teaching and the U.S. Economy." USCCB. November, 1986. Accessed Decemer 1, 2014. http://www.usccb.org/upload/economic_justice_for_all.pdf.

_____. "Frequently Asked Questions about the Defense of Marriage" USCCB. Accessed December 1, 2014. http://www.usccb.org/issues-and-action/marriage-and-family/marriage/promotion-and-defense-of-marriage/frequently-asked-questions-on-defense-of-marriage.cfm.

_____. "Marriage: Love and Life in the Divine Plan." USCCB. November 17, 2009. Accessed December 1, 2014. http://www.usccb.org/issues-and-action/marriage-and-family/marriage/love-and-life/upload/pastoral-letter-marriage-love-and-life-in-the-divine-plan.pdf.

United States Census Bureau. "Poverty." US Department of Commerce. 2013. Accessed June 2015. http://www.census.gov/hhes/www/poverty/data/historical/people.html.

Vatican II, *Gaudium et spes*, Vatican. December 7, 1965. Accessed December 1, 2014. http://www.vatican.va/archive/hist_councils/ii_vatican_council/documents/vat-ii_cons_19651207_ gaudium-et-spes_en.html.

Vandivere, Sharon and Karen Malm. *Adoption USA: A Chartbook Based on the 2007 National Survey of Adoptive Parents.* Washington D.C.: U.S. Department of Health and Human Services Office of the Assistant Secretary for Planning and Evaluation, 2009.

Volling, Brenda L., Annette Mahoney, and Amy J. Rauer. "Sanctification of Parenting, Moral Socialization, and Young Children's Conscience Development." *Psychology of Religion and Spirituality* 1, no. 1 (2009): 53-68.

Wilcox, W. Bradford, ed. "The State of Our Unions: Marriage in America 2011." University of Virginia National Marriage Project and Institute for American Values. December 2011. Accessed December 1, 2014. http://stateofourunions.org/2011/SOOU2011.pdf.

Wilcox, W. Bradford, Linda Waite, and Alex Roberts. "Research Brief No. 4: Marriage and Mental Health in Adults and Children." Center for Marriage and Families. February, 2007. Accessed December 1, 2014. www.americanvalues.org/search/item.php?id=21.

Wall, Glenda and Stephanie Arnold. "How Involved Is Involved Fathering? An Exploration of the Contemporary Culture of Fatherhood." *Gender and Society* 21, no. 4 (August, 2007): 508-527.

Chapter 5: Resources from the Humanities

1. Introduction

2. Part I: Parental Obligations

3. Part II: Children's Rights

4. Part III: Adoption

5. Part IV: Parenthood and Capabilities Approach

6. Conclusion

Introduction

Bonnie Miller McLemore writes that, while academic interest in children has grown significantly in some academic fields, "research on children has not exactly proliferated in either theology or women's studies."[1] The lack of interest is likely connected to the historical realities within feminist thought that have shaped contemporary scholarly agendas. Bell hooks writes that the early women's liberation movement reflected the ambitions of its white, educated, middle class participants. This included arguments that motherhood confined women to the home away from careers and public pursuits.[2] Considering feminist theologians, McLemore argues, with so many other corrections to be made to traditional patriarchal perspectives, earlier feminists "may simply not have realized the extent to which redefining our position and value as women requires a redefinition of the lower status children."[3] In general, she writes, feminist theologians have been less oppositional concerning the individual claims of constituents within the family than their secular counterparts; a trend exemplified most clearly by feminist theologians of color who have shown that "the value of motherhood extends well beyond procreation to the survival and sustenance of the community. Biological and social motherhood empower women precisely through the flourishing of children and the extension of self through family."[4] This perspective also founds a more congenial view of

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[1] Bonnie J. Miller McLemore, "The Least and the Greatest: Children in the New Testament," in *The Child in Christian Thought*, ed. Marcia J. Bunge (Grand Rapids, MI: Eerdmans, 2001), 446. Motherhood has become a growing topic in feminist approaches as a consequence of shifts away from liberal feminism and towards deeper engagement with women's experiences. Ibid., 449.

[2] bell hooks, *Feminist Theory: From Margin to Center* (Boston, MA: South End Press, 1984), 133.

[3] Ibid., 451.

[4] Ibid., 454.

men's role in the feminist project. That is, "while patriarchy presents severe challenges for women and children, men, particularly husbands and fathers, remain extremely significant partners in communal liberation and familial stability."[5]

McLemore further observes a decisive trend to explore socially oriented considerations of childrearing; what she calls "nonparent-parenting."[6] "This concern has two components. Bearing and rearing children are not absolutely requisite for human fulfillment of Christian service *and* the responsibility of parenting includes and depends on wider circles of care that extend beyond the immediate biological parents."[7] In response to this trend, McLemore explains the importance of considering childbearing as a social practice and the need to renew traditional concepts of non-biological kinship; including adoption and God-parenting.[8] This extends beyond family life to the church and the state, which each exercise influence on familial matters. From a theological perspective, much work needs to be done in reassessing our "amazingly adult-centered" theological conceptions. "Unfortunately," she adds, "theological neglect coincides with the broader societal negligence. Theology played little or no role in calling societies to confront their attitudes and actions toward children."[9]

It is to these social developments that this chapter now turns. While feminist theology has had its limitations in conceiving parenthood in light of children's own moral

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[5] Ibid.

[6] Ibid., 467.

[7] Ibid.

[8] Ibid., 468.

[9] Ibid., 472.

standing, modern theology as a whole has likely been more limited. Meanwhile, a number of social developments in thinking of children, families, and parenthood have taken place within fields of philosophy and legal theory.

This chapter will argue that significant resources for theological reflection on parenthood exist within the writings of feminist philosophical ethicists and legal scholars as these relate to issues including children's and parental rights, gender, kinship, adoption, nontraditional households, and family law. Among these perspectives are arguments that stand in strong contrast to Catholic approaches and rest upon assumptions about the human person that are incomplete or problematic from a theological perspective. McLemore notes that feminist theologians have often criticized both liberals and conservatives for promoting special interests, individualism, and social ideology at the expense of the real needs of families.[10] Ideological concerns are certainly at work in some of the sources this chapter will utilize, yet, they also advance a number of valuable insights in relation to rights, needs, and capabilities that are helpful in considering a theological anthropology of parenthood. Some within these fields have also been attentive to adoption in a way that theological sources have not. Consequently they have raised pertinent questions about the meaning and function of parents, kinship, and the family.

This chapter's argument will also be guided by a concern for child wellbeing as a central factor in considerations of parenthood and family which is advanced by clarifying the rights and obligations of children and adults. In consideration of parental obligations,

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[10] McLemore writes, "Children suffer from the same or related social cultural distortions of human rights and public policies that women have encountered for decades." Ibid., 460.

it will draw upon a distinction between and 'causal' and a 'voluntarist' approach. The causal approach bases parental obligations on the fact of having participated in bringing a particular child into existence, whereas the voluntarist approach centers on the decision to parent a particular child. A strong version of the causal approach, prevalent in magisterial teaching and some legal perspectives, is found problematic, as are aspects of the voluntarist alternative. Consequently, this chapter advocates a blended approach to parental responsibilities that proceeds from a weak causal account but requires support from the voluntarist perspective. In so doing, parental responsibilities are grounded in a manner that protects important values associated with parenthood in the Christian tradition, while also correcting the excesses of modern Catholic thought inasmuch as it has relied upon sexual ethics to construct parenthood. This account of the foundations of parental responsibilities is not intended to constitute a complete philosophical defense, but only to suggest a resource for a broadened Catholic account of parenthood.

The chapter then applies this theory of parental responsibilities to contemporary developments in children's rights and the criticism of adoption law raised by Elizabeth Bartholet. It argues that grounding parental responsibilities in a mixed causal and voluntarist approach supports the uniqueness of parenthood apart from other relational commitments while protecting adoption as a positive instrument of family formation and testament to inclusive love. Finally, the chapter engages Martha Nussbaum's development of the 'Capabilities Approach' as a resource for further developing a theological conception of parenthood. It argues that this approach offers distinct potential for correlating parental obligations with the unique needs of children, while proceeding

from and amending the human rights tradition which has found widespread support within modern Catholicism.[11]

Part I: Parental Obligations

The questions of what exactly parents owe their children and from where these obligations arise have been subjects of recent philosophical discourse. At present, there are two dominant frameworks for the ground of parental obligations.[12] The first is the 'causal' approach which connects specific parental obligations to voluntarily undertaking actions which may foreseeably result in the creation of a new human life. David Archard and Bernard G. Prusak have each recently defended this approach, which presently remains the more influential of the two alternatives. The 'voluntarist' approach is dominant among the alternatives to the causal account and contends that parental obligations are based upon voluntary acceptance of parenthood. Elizabeth Brake is among the voluntarist approach's most formidable defenders. Prusak observes that while much conventional legal understanding supports the casual approach (e.g. child support), decisions regarding new reproductive technologies have begun to rely more heavily upon

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[11] Note on the various UN documents that Catholic Church has supported

[12] Archard lists four such approaches: gestational, genetic, causal, and Intentional (voluntarist). The gestational approach favor's mother's singular rights to parenthood by virtue of the gestational relationship with the child. The genetic has been used to explain parenthood in light of new reproductive technologies. Both of these can be seen as a species of either the causal or voluntarist depending on how they are defended. David Benatar and David Archard, eds., *Procreation and* Parenthood (Oxford, UK: Clarendon Press, 2011), 28.

the voluntarist approach (e.g. anonymity for gamete donors) which also appears to be gaining strength among moral and legal theorists.[13]

While both Prusak and Archard adopt a more moderate view, a strong version of the causal account would argue that those who voluntarily undertake actions which may result in the birth of a child have a *de facto* obligation to parent that child. This perspective tends to hold biological, social, and legal parenthood closely together and to rely upon appeals to the natural.[14] Proponents of strong causal accounts tend to be found among more traditional legal theorists while the view itself traces back at least to Aristotle and was enshrined in Roman law via the *patria potestas*. Due to this lineage, the causal approach has often been mixed with claims of rights of possession for parents over their children. John Locke recognized this challenge and attempted to differentiate a causal account of parental obligations from standard property rights, though his attempt has been criticized.[15] McGill University legal scholar and medical ethicist Margaret Somerville is one contemporary proponent of the strong causal approach. She has argued forcefully against artificial reproductive technologies and same-sex marriage on the grounds that both create or encourage situations of parenthood that are severed from a

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[13] Bernard G Prusak, *Parental Obligations and Bioethics: The Duties of a Creator* (New York: Routledge, 2013), 3 – 4.

[14] As such, a strong casual account characterizes many of the positions held by the Catholic Church, such as the teaching of John Paul II that all children have a right to be raised by their own to biological parents and to know themselves to be the result of a specific loving sexual act between their parents. See, John Paul II, "Instruction for Respect of Human Life in Its Origin and on the Dignity of Procreation; Replies to Certain Questions of the Day" (*Donum vitae*). Vatican, (February 22, 1987) http://www.vatican.va/roman_curia/congregations/cfaith/documents/ rc_con_ cfaith_doc_19870222_respect-for-human-life_en.html, #8.

[15] Benatar and Archard, 109.

naturally reproductive marriage between a man and woman.[16] Moreover, she argues that

these amount to infringements upon children's basic human rights on the basis that all

children have a right to know and, if at all possible, be parented by their genetic parents.[17]

Somerville's argument helps to demonstrate some of the limitations of this perspective.

She does not garner much evidence showing how this purported right serves child

wellbeing or on what grounds such a right could be abrogated. She aligns same-sex

marriage so closely with the ethical problems facing the use of artificial reproductive

technologies that she fails to acknowledge that the industry owes its foundations to

heterosexuals seeking genetic offspring, while use by married same-sex couples is a more

recent phenomenon. And, in her insistence that marriage is essentially linked to

biological and legal parenthood, Somerville neglects to explain how heterosexual

adopters or the knowingly infertile fit within her framework. Consequently, Somerville

rather thoroughly suggests present challenges in the strong causal account.[18] Namely, it

tends to offer limited convincing explanations of why biological parents should

necessarily be considered the best while relying on 'nature' to defend the claim. This

avoids the question of how biological parenthood itself generally assures superior

capabilities for the task of parenting a particular child. In addition, it tends to hold such a

high regard for biological kinship that it can undermine voluntary non-biological

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[16] See, Margaret Somerville, "Children's Human Rights and Unlinking Child-Parent Biological Bonds with Adoption, Same-Sex Marriage and New Reproductive Technologies," *Journal of Family Studies* 13, no. 2 (November, 2007): 179 – 201.

[17] Ibid., 199.

[18] Benator and Archard also provide a list of challenges facing the causal theory, but they are more concerned with questions raised by reproductive technologies. David Benatar and David Archard, eds., *Procreation and Parenthood* (Oxford, UK: Clarendon Press, 2011), 28 – 29.

parenthood and while avoiding recognition of how it feeds into the desire of would-be parents to associate only biological children as truly 'their own.' Finally, it holds sexual ethics and parental ethics so closely together that the conditions for a moral sexual relationship are easily be conflated with capabilities to care for children.

In opposition to the strong causal approach is the strong voluntarist approach, which is more characteristic of certain progressive strands within the liberal tradition. This view also faces significant challenges as it assigns care for children based solely upon an informed act of consent. Jacqueline Stevens has argued against "genetic privilege" within family law on the basis that this tends to differentiate and adversely affect adoptive families.[19] Stevens objects to the causalist notion that genetic contribution alone should yield specific custody rights over children and raises concern about the increasing use of DNA testing in legal procedures, though the 'best interests' argument still prevails.[20] She further objects to cultural associations of genetic kinship with 'real' parenthood on the grounds that these are influenced by new technology, inadequately represent the reality of parenthood in its various forms, and undermine the legitimacy of adoptive families.[21] Against these trends, Stevens asserts the strong voluntarist position that all parenthood should be based on the choice to rear a child while genetic kinship alone should have no standing.[22] In practice, Stevens suggests mothers be given a time

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[19] See, Jaqueline Stevens, "Methods of Adoption: Eliminating Genetic Privilege," in *Adoption Matters; Philosophical and Feminist Essays*, eds. Sally Haslanger and Charlotte Witt (Ithaca, NY: Cornell University Press, 2005), 68 – 94.

[20] Ibid., 69. To highlight the gap between genetic contribution and parenthood, Stevens compares awarding custody rights for conveying DNA to bestowing a Pulitzer Prize for delivering the newspaper.

[21] Ibid., 71.

[22] Stevens use of 'genetic parenthood' is primarily associated with genetic paternity, since the vast majority of genetic mothers also experience gestational maternity and therefore stand in a more complex

after birth to decide to care for a child or make arrangements for adoption to others. Consequently, legal adoption would be required for all children, regardless of if they are adopted by their biological parents or others.[23] Stevens sees this approach as simply formalizing the practice that already dominates but passes unacknowledged. She writes, "Overtly or implicitly all families are adoptive, as all families depend on the legal institutionalization of rules that put children in relation to parents that the children themselves do not choose."[24]

Stevens' insights are thought provoking and raise valuable questions about latent social assumptions imbedded in parenthood as characterized by the causal approach, yet her argument raises concerns as well. First, Stevens is too quick to discredit genetic kinship despite ample evidence that people tend to find meaning in these relationships and that it remains important for a significant number of adopted individuals as well. Second, Stevens appears to accept current diversities in childrearing, such as historically high rates of divorce and cohabitation, without contest, even when evidence suggests their adverse effects on children. Finally, her decentralization of genetic bonds comes off as disparaging of the family itself even as stable families appear to be among the most significant predictors of child wellbeing. Here again, Stevens arguments suggests some of

caregiving relation to the child. However, most notably through new reproductive technologies, women too may be related to a child through genetic parenthood alone.

[23] Ibid., 90. In practice, *prima facie* parental rights would belong to mothers on the basis of their voluntarist commitment to parenthood by having accepted gestational parenthood (e.g. by not having terminated the pregnancy). At birth, this does not bind the mother to further parental obligations, but put her alone in the position to arrange care for the child. While gestational parenthood appears to have causal implications for women in Steven's theory, because of the permissibility of abortion, this too relies upon voluntarist reasons. Others have argued for a gestational approach to parenthood which is a further alternative to the causal and voluntarist perspectives. Benatar and Archard, 28.

[24] Stevens, 71 – 72.

the significant limitations of the voluntarist account more generally. Namely, it tends to take an individualist focus on the free choices of adults without adequate regard for children's wellbeing, and it tends to disparage the lasting value of traditional social institutions in its willingness to correct their excesses.

Having visited the strong forms of each view, the limitations as well as the contributions of each approach to a Catholic theology of parenthood can now be more clearly delineated. That is, the weaknesses of the strong voluntarist approach suggest that the ideological fight against 'nature' and social conventions in the name of individual freedom ought to have limits, especially when the interests of actual children are at stake. Conversely, the weaknesses of the strong causal approach warn against allowing convention and nature, or a specific interpretation of what is natural, to override evidence of what is possible or insights that may lead to better realities. It seems appropriate, therefore, to look for more solid philosophical footing among more moderate versions of these theories. Between the strong versions of each approach lie the causal approaches of Prusak and Archard and the voluntarist approach of Brake.

Brake argues for a voluntarist account of parental obligations on the grounds that these obligations are expansive and fluid institutions, not static natural requirements.[25] She argues that parental obligations must be grounded in informed acceptance of parental duties by adults who are capable of fulfilling these for specific children who are eligible to be parented by them.[26] Unlike Stevens, no contract is necessary for Brake because

[25] Ibid., 163.

[26] This is how Blake distinguishes her view from the less precise voluntarist view advanced by Onora O'Neil. Ibid., 152.

simply acting as a parent implies acceptance of the parental role and therefore obligates a person to continue acting in this role.[27] Brake distinguishes between 'procreative costs' and 'parental obligations.'[28] Procreative costs are those duties which are owed to a child by a person who voluntarily brought that child into existence. Parental obligations are those duties to which someone is bound when he or she assumes responsibility for a child. The general confusion of these two realities is a major reason behind her support of the voluntarist approach. This confusion is detrimental to full appreciation of parental obligations as well as their fluidity over time. Though procreators have a responsibility towards the child they create, Brake writes, "Obligations issuing from moral responsibility for causing a child's neediness by bringing it into being are not equivalent to parental obligations."[29] Brake allows that her conception of the voluntarist approach could hold unwitting procreators accountable for procreative costs;[30] yet this accountability is temporary and pales in comparison to the obligations of parenthood. Brake's concept of procreative costs serves as a useful conceptual distinction between procreation and parenthood. On the other hand, the voluntarist approach in general rests on the idea that this distinction is more or less absolute; a position the causal account challenges. To support this view, Brake appears to mistake plurality for meaninglessness in historical and cultural understandings of parental obligations.[31] Consequently, this

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[27] Ibid., 171.

[28] Ibid., 161. Cf. Prusak, 25.

[29] Ibid., 157.

[30] Ibid., 175.

[31] Ibid., 164.

leads her to assert procreative costs as compensatory obligations only, which suggests that human life, or specifically the condition of infancy, is a negative reality of having been harmed.

Prusak finds Brake's account to be the most formidable among voluntarist approaches. But his direct concern lies in the ways in which reproductive technologies could discourage unconditional parent-child love by encouraging children to be viewed as products. [32] From this angle, voluntarist parenthood starts to look similar to consumer choice. Prusak counters Brake by arguing that obligations do not arise in relation to parents, but out of the needs of the child.[33] Among a child's needs is that for an ongoing relationship that will provide "emotional support in the face of life's burdens: more fully, the child's needs to be fortified against, prepared for, and reconciled to life's burdens and travails."[34] Because of this, Prusak contends that procreators are causally bound to parental obligations. Yet this is only a *prima facie* duty that can be overridden given other considerations.[35] As such, he views placing children for adoption as an unfortunate but commendable choice when undertaken with due consideration for the capabilities of the biological parent or parents to fulfill their parental obligations. Notwithstanding the fact that adopted children are generally healthy and well adjusted, Prusak argues, because a

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[32] Bernard G Prusak, *Parental Obligations and Bioethics: The Duties of a Creator* (New York: Routledge, 2013), 4.

[33] For this same reason Prusak later argues that a man who has been misled as to his biological paternity of a child and so has formed a parental relationship with that child, is morally obligated not to cut ties with the child upon learning the truth because such an act would damage the child's wellbeing. Ibid., 59.

[34] Ibid., 36. Prusak goes on to explain that coming to terms with life's travails goes beyond the basic necessities for physical health and education to include love, culture and perhaps spirituality.

[35] Ibid., 11.

significant number nonetheless seek out relationships with their biological parents, the child's need for emotional support is most adequately met in relationships with their biological parents.[36]

Prusak's argument binds procreators to a *prima facie* duty to assume parental obligations which should only be abandoned for serious reasons. As such, Prusak leaves room for non-biological kinship arrangements but concedes that these are less desirable. Still, his approach appears to rank biological continuity rather high in relation to other considerations of parental capabilities and resources. Prusak acknowledges this challenge in his admittance that valuing the institution of the biological family necessarily creates conflicts between liberty and equality. Therefore, if the biological family is worth preserving, then society owes compensation to children in more challenging circumstances. He writes, "if we decide that the value of having *our own* children… is greater than the value of seeking to assure all children equal life chances, then we owe it to children in need to take measures to assure that they have at least *good* life chances, though there is no pretending that these will be the equal of children with better fortunes in life."[37] Whereas Brake may be criticized for underestimating continuity in valuations of biological kinship, Prusak may be criticized for his limited willingness to explore how social conventions shape the meaning attached to biological kinship. This becomes all the more problematic inasmuch as his causal approach centers on biological kinship having inherent value.

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[36] Ibid., 36.

[37] Ibid., 108.

Archard avoids Prusak's challenge by offering a more restrictive version of the causal approach that is also more accommodating to Brake's concerns. Archard argues for an adapted causal approach that holds that procreators are responsible for assuring a reasonably good upbringing, but need not themselves assume the parental duties generated by their actions. Archard makes this claim by distinguishing 'parental responsibilities' from 'the parental obligation.'[38] Parental responsibilities are those rights and duties that one must have to be a parent for a particular child. The parental obligation is the duty to ensure that a child one has caused to exist is provided for sufficiently; usually by the capable acceptance of parental responsibilities or arranging for other capable individuals to do so. As such, Archard's parental obligation is very near Brake's procreative costs, while his causal account of parenthood is significantly more truncated than Prusak's. Unlike Brake's, Archard's approach remains grounded in specific actions. His intention is to refute the idea of a 'parental package,' that is, the idea that a set of rights and duties come as a package when a person stands in a particular relation to a child.[39]

Against other causalists, Archard contends that obligations, rights, and responsibilities can be separated or held partially or incompletely.[40] And he counters the voluntarist criticism that the causal account leads to an endless string of cause and effect by asserting that this conflates a metaphysical with a practical question. That is, determining who is most causally responsible for an event is a routine judgment in courts

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[38] Benatar and Archard, 104.

[39] Ibid., 108.

[40] Ibid., 106 – 109.

of law which need not lead into a philosophical abyss.[41] Archard favors the causal

approach because it clearly assigns obligations to parties who undertook inherently risky

behavior regardless of their intent. In so doing, it better assures that a resulting child will

not be harmed.[42] To summarize his view, he writes, "if I cause a child to exist then I am

under an obligation to ensure that this child is cared for but the obligation is discharged if

the care is provided by someone who is willing to care for the child."[43]

To some extent, Archard's labeling of his approach is misleading as it makes

more limited claims than other causalists, such as Prusak, while treading very near

Brake's argument for procreative costs. In introducing the concept of 'parental

responsibilities' Archard provides means for explaining, from a causalist perspective,

how adoptive and biological parenthood can be equally valid forms of parenthood.

Archard's contribution is in arguing that the fundamental parental obligation to assure a

child's basic wellbeing can be come from a causal approach without requiring that the

fullness of parental responsibilities must be assumed as well. The tension this raises with

Prusak's view concerns the relative importance of biological relatedness to parental

responsibilities. However, Archard fairs far worse than Prusak in garnering real-life

evidence to support his claims. Though the distinction he makes rests on the idea that

transfer of responsibility away from biological parents is not itself unjust, he fails to

show, or even consider, evidence from the experiences of actual children.

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[41] Ibid., 113.

[42] Ibid., 116. There is quite clearly a parallel between certain dispositions of the causalist and voluntarist approaches and views on abortion. However the relationship is complex as individual scholars each take nuanced views. As such that consideration will not be dealt with here.

[43] Ibid., 118.

Brake, Prusak, and Archard's views offer a good deal of insight for a Catholic theology of parenthood. The voluntarist approach as a whole works well to explain why parents have special obligations for *their* children, because this is a freely chosen commitment which gives rise to important obligations.[44] As such, the voluntarist approach takes the relational aspect of particular parents to particular children seriously and does not presume to assert that biological kinship alone can generate such a relationship. While Brake's separation of procreation and parenthood may be concerning in its apparent individualism and acceptance recent social trends, she makes the distinction in order to emphasize the full breadth and import parental obligations. Yet Brakes view and that of the voluntarist approach more generally, distinguishes more sharply between parents and non-parents than may be countenanced from a theological perspective. That is, the legalistic foundations of the voluntarist approach stand in some tension to theological commitments to community belonging and altruistic concern beyond kin obligations. Certainly the commitment to a long-term stable relationship with a particular child is an important aspect of parenthood; however the legalism behind the voluntarist approach can center parenthood on one or two individuals without protecting or acknowledging the role of caring nonparent adults. The existence of coparents beyond the immediate parent or parents of a particular child is an important resource for adding stability and supporting healthy child wellbeing.

The causal approach is less helpful in addressing the chosen nature of Christian kinship but rightly attempts to ground individual responsibility for others in the actions they have themselves taken. As such, it more accurately captures the duties owed in light

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[44] Ibid., 155.

of unplanned, but not unforeseeable consequences. The causal approach also paints a more realistic picture of individual freedom and autonomy in light of the obligations their actions create. This is in part because it is more inclined to prescind from abstract theories of justice to engage the lived realities of actual children. On this score, however, the causal approach also exposes its own weakness in its presumption of the categorical benefits of biological parenthood for children.

A weak causalist account of procreative costs and *prima facie* parental obligations joined to a voluntarist account of parental responsibilities most clearly captures the significant strands within the Catholic tradition by acknowledging both the obligations that result from actions as well as the chosen nature of parenthood. This combined approach is near to the argument offered by Archard, however it must place more emphasis on the actual needs of children. Moreover it requires the introduction of theological convictions that can both expand and interpret its framework. In sketching such an approach, it would seem that biological parents who accept their parental obligations ought to also bear a *prima facie* claim to parental responsibilities. But this *prima facie* claim could be abrogated in view of an individual's actual capacity to raise a child well in light of their personal and communal resources. This is the case for three reasons. First, a presumption of fitness to parent cannot be drawn from the fact of the ability to procreate alone. Second, biological kinship cannot suggest ownership over a child, who is a gift from God endowed with full human dignity. And third, considerations of child rearing must be made primarily in light of children's wellbeing. In instances were biological parents are not able to assume parental responsibility, other individuals may create bonds of kinship which and assume parental responsibilities which are no less

real or significant than those based on biological relatedness. This is because it is children's fundamental identity as gifts from God and subject in their own right, not adult actions of decisions, the fundamentally grounds a Christian vision of parenthood. As such, Christian parenthood includes a variety of equally valid responses to children themselves. In the following pages, this sketch of parental obligations will be tested against and refined by contemporary arguments for children's rights, adoption law, and social justice.

Part II: Children's Rights

The conviction that children are endowed with full human dignity naturally supports the conclusion that children possess human rights. Within the Catholic tradition, discussion of distinct parental obligations towards children began to emerge within household and moral manuals of the sixteenth century.[45] But it was not until the late-eighteenth century, when the rising ideology of childhood as a time of carefree growth met the industrial revolution that the human rights of children began to be asserted in force.[46] By the end of the nineteenth century, mounting social pressures gave rise to conceptions of rights specific to childhood. These assertions relied upon specific conceptions of childhood such that they were often formulated in opposition to the demands of adulthood and they tended to be directed against industrial employers, not families or parents. Christine Gudorf attributes the public orientation of children's rights

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[45] Hugh Cunningham, *Children and Childhood in Western Society Since 1500*, 2nd ed. (Harlow, England: Pearson Longman, 2005), 55.

[46] Ibid., 143.

to the influence of the patriarchal household within the Judeo-Christian. She contends that this tradition encourages children's obedience and assumes that all parents will protect and seek the best interests of their children. As such, it has tended to obscure recognition of children's rights within the home.[47] Yet, when children's rights have been asserted within domestic situations, they have frequently failed to serve the interests of children. Many 'child-saving' efforts of previous times removed children from families only to place them in institutionalized care or stigmatize them as damaged.[48] Thus growth in children's rights has historically tended to advance state authority relative to family autonomy, but has a more complex relationship to children's wellbeing and family stability.[49]

The extension of human rights specifically to children was advanced in the twentieth century by a number of international agreements, most notably the United Nations' "Convention on the Rights of the Child" of 1989.[50] The Vatican has been a firm supporter of these developments[51] and Christian scholars have worked to support, develop, and advance this agenda. Lisa Sowle Cahill and the late Jean Bethke Elshtain

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[47] Christine E. Gudorf, "Western Religion and the Patriarchal Family," in *Perspectives on Marriage: A Reader,* eds. Kieran Scott and Michael Warren (New York: Oxford University Press, 2001), 301.

[48] Cunningham., 162.

[49] Ibid., 163.

[50] See, United Nations, "Convention on the Rights of the Child," UNICEF, (November 20, 1989) http://www.unicef.org/UK/Documents/Publications-pdfs/UNCRC_PRESS200910web.pdf.

[51] Charles J. Reid Jr. offers and insightful review of how the 'right to life' language of Catholic opposition to abortion has expanded throughout recent decades to provide conceptual support for opposition to sanctions, access to health care, and other topics that impact the wellbeing of the vulnerable, particularly young children. See. Charles J. Reid Jr. "The Right to Life and Its Application to the Welfare of Children," in *The Best Love of the Child: Being Loved and Being Taught to Love as the First Human Right,* Timothy P Jackson, ed, (Grand Rapids, MI: Eerdmans, 2011), 142 – 175.

are noteworthy among theologians who advocate for children's rights out of the tradition of social justice. Both conclude that stable families are an important aspect of children's needs, and therefore children's rights, but they differ on the extent of familial diversity that this conclusion can accommodate. Cahill reacts against excessive privatization of the family and assumes a socially altruistic view of motherhood in which the aspiration to raise children and the extension of care to all children, "belong together as companion considerations."[52] She argues that childrearing requires institutionalization within stable and child-benefiting family forms, but does not clarify a precise structure. Elshtain argues that the adequate socialization of children requires "clear structures of external authority and limited freedom different from that practiced more widely in a civil society of democratic politics of equality among citizens."[53] She adds that children need specific adults to act as moral superiors in order develop their capacities for social relations. Elshtain is less willing to accommodate diversity in family forms and advocates for procreative heterosexual unions as the preeminent context for child-rearing. Elshtain, like Cahill, grounds children's rights within the contexts of families and stands firmly against excesses in individualist and capitalists trends that have fractured family life. However, Elshtain has been criticized for her romanticism of pre-industrial family life and limited attention to social pressures and equality between marriage partners.[54]

In contrast, Annelies van Heijst, has studied institutional care for children by women religious and concludes that, in the context of childrearing, the "ethics of justice"

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[52] McLemore, 456.

[53] Ibid., 457.

[54] Ibid.

should be replaced with the "ethics of care." She explains, "The ethics of justice focuses on (legal) rights and justice, which are rational and general principles; while the ethics of care deals with relational and emotional commitment and situations that differ in the uniqueness and particularity."[55] Consequently, Heist argues that the "*facility to care* itself must be considered a kind of power" because it holds the capacity to shape the lives of children "who have no other choice than to subject themselves to the care of others." Caring, is therefore, a power that influences the development and self-understanding of the care receiver through encouragement as well as discipline. The language of justice and rights cannot accommodate this power to influence the depths of another's self-understanding without their full knowledge and rational consent in the way that care does. Yet it is the vulnerability of the human condition itself that creates the need for "asymmetrical relations of dependency and allows exercise of the power to care." The ethical exercise of the capacity to care creates power over another individual but is nonetheless a benefit to the care receiver. But this capacity is not immune to misuse and harm.[56]

Heijst points in the direction of an increasing body of research by scholars who contend that paradigms of justice, specifically rights language, need to not only adapt to the specific requirements of children's upbringing, but must also account for the uniqueness of children themselves. That is, children ought to be seen not simply as

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[55] Annelies van Heijst, *Models of Charitable Care: Catholic Nuns and Children in Their Care in Amsterdam, 1852-2002* (Boston: Brill, 2008), 28. In addition to Heijst's argument, Sara Ruddick's *Maternal Thinking* is foundational in arguing that participation in practices of care itself gives rise to specific ways of thinking. See, Sara Ruddick, *Maternal Thinking: Towards the Politics of Peace* (Boston: Beacon Press, 1995) and Sara Ruddick, "On 'Maternal Thinking,'" *Women's Studies Quarterly,* 37, no. 3/4 (Fall-Winter, 2009): 305 – 308.

[56] Ibid., 203.

individuals who have specific forms of dependence on others, but as a unique form of individuals themselves. Timothy Jackson, for example, argues that, while traditional language of human rights can explain some of the essential human needs of children, it is inadequate to capture how children uniquely express their personhood because the language is formulated for adults. He writes, "[children] are not 'persons' in the technical sense of autonomous agents, self-aware across time. In addition, most children cannot form valid contracts and are not capable of achieved merit or demerit; thus they stand in an ambiguous relation to traditional procedural, distributive, and retributive justice."[57]

The Best Love of the Child, edited by Timothy Jackson, collects essays on a variety of topics which argue from the premise that the 'best interest of the child' rationale, which has proven foundational in modern legal discussions of children's rights, requires compliment and correction by concern for children's duties, needs, and stages of development. The collection further contends that the most fundamental right of the child is "the right to be loved and the right to learn to love others."[58] A preface by Stephen Post explains that because "love begets love," the "best love of the child is one that begets love in the child over the course of a lifetime."[59] Jackson argues, "the first right of the child is the right to be loved, even as the first duty of parents and the surrounding society is to give such love wisely and effectively. Every child, to live a fulfilling life, needs

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[57] Timothy P Jackson, ed, *The Best Love of the Child: Being Loved and Being Taught to Love as the First Human Right* (Grand Rapids, MI: Eerdmans, 2011), 5.

[58] Ibid., x.

[59] Post adds, "The bottom line is that loved people love people, while hurt people hurt people, and this is all set in motion in the early years." Ibid., xiii – xv.

loving care."[60] Jackson later clarifies that the essays are unified in the idea that "the right of a child *to be loved* is best fulfilled by teaching him or her, in turn, how *to love others*." Rana Lehr-Lehnardt and T. Jeremy Gunn helpfully ground the context of the book itself by arguing that, despite present criticisms and limitations, the development of 'the best interests of the child' standard was clearly influenced by the concept of love.[61] Consequently, they argue, on the basis of psychological and sociological research on children's need for love, that the role of love in the best interest standard ought to be more clearly acknowledged especially in its legal application.[62]

Margaret F. Brinig and Steven L. Nock begin with the premise that children must learn to love unconditionally, primarily through experience of others doing so, and argue in favor of legal strategies that could help promote the development of this capacity.[63] They propose that the most likely role models of unconditional love are the love of parents for children, the love of spouses for each other, and the love of God for humankind.[64] Based on their psychological research, they argue that there is compelling legal interest in promoting permanent and stable homes for children's upbringing. While adults may adapt relatively easily to changing domestic situations, the impacts of such

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[60] Jackson later laments, "The positive right of progeny to acquire a certain character is typically either denied in the name of pluralism or privatized in the name of liberalism." Ibid., 2 – 3.

[61] Ibid., 277.

[62] Ibid., 279. Tanya Asim Cooper contends that the 'best interest' legal standard is so vague that it is ineffectual for determinations within the foster care system because its indeterminacy provides a means for the unconscious biases of judges to inform foster care decisions under the pretense of a legal standard. Tanya Asim Cooper, "Racial Bias in American Foster Care: The National Debate," *Marquette Law Review* 97, no. 2 (winter 2013): 246.

[63] Ibid., 319.

[64]Ibid., 320.

changes on children are far more pronounced. For this reason they oppose legal

recognition of cohabitation as equivalent to marriage.[65] The authors argue that legal

support of stabile and permanent caregiving arrangements is warranted and can be

promoted by formal and recognized structures of kinship or guardianship.[66]

In a concluding chapter, the late Don S. Browning suggests that the 'more

classical integrational model of love' may be in a process of being lost in favor of "a

relatively one-dimensional psychological or affectional interpersonal and intersubjective

relationship."[67] He notes that 'best love', 'best care', and 'best interests' of the child are

all related concerns that inform social practices; yet the legal interpretations of these

concepts contain significant diversity and have been used to support divergent

applications. Browning favors the multi-dimensional approach that is encouraged by

these differing concepts, which he labels the 'integrational view,' but argues that its

application should communicate "through affect and deeds the respect for the emerging

personhood of the child" while also striving to meet "the child's developmental needs

throughout the life cycle."[68] Browning clarifies that to love a child requires meeting his

or her needs as they emerge throughout the process of development. As such, meeting

earlier needs is foundational for continual nurturance while decisions of what needs are

most significant at a given stage must be guided by practical wisdom and cultural

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[65] Ibid., 343.

[66] Ibid., 345.

[67] Ibid., 348.

[68] Ibid., 348.

awareness.[69] Because child development takes place within the context of specific societies, the best love of the child should critically appropriate cultural resources in view of their significance for a child's "emerging capacity and identity."[70] Although parents and guardians are significant in these matters, they are not the sole arbiters of a child's resources. Browning writes, "At best they are the key mediators of influences, logics, symbols, and narrative traditions that also make massive contributions to the growth and well-being of the child."[71] After further clarification and expansion, Browning offers a summary of his position:

> The best love of the child is a set of parental and institutional practices that (1) communicates respect for the child's emerging self while meeting needs and actualizing potentials, (2) guides the child to grow and live by a principle that respects the self and meets the needs of others, (3) enriches the child with a vision or narrative of life that both supports and justifies this ethics, and (4) does this in ways that realistically confront the opportunities and limits of various social and natural contexts.[72]

From this perspective, Browning argues that among influential scholarship, the work of Margaret Brinig most adequately demonstrates how the law can encourage and protect these goals.[73] This is because Brinig uniquely balances concerns for family dissolution with family formation and informs her legal theory with empirical research and recognition of children's changing needs overtime.[74]

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[69] Ibid., 350.

[70] Ibid.

[71] Ibid., 351.

[72] Ibid., 352.

[73] Browning compares Brinig's argument to those made by Martha Fineman, June Carbone, and the report of the American Law Institute, "The Principles of the Law of Family Dissolution."

[74] Don S. Browning, "The Best Love of the Child? An Integrational View," in *The Best Love of the Child: Being Loved and Being Taught to Love as the First Human Right,* ed. Timothy P. Jackson (Grand Rapids, MI: Eerdmans, 2011), 371.

Another resource for understanding contemporary developments in children's

right is the 'childist' method developed by Jon Wall in his work *Ethics in Light of*

Childhood. Here Wall contends that children must no longer be viewed as mere objects

of ethical reflection but ought to "fundamentally transform how morality is understood

and practiced."[75] As such, he seeks to construct a method of ethical discourse that

corrects for historical bias in a manner akin to feminism, womanism, and other critical

theories. Wall labels this approach 'childism' which he describes as an "ethical poetics"

that builds upon earlier models of childhood while seeking to critically challenge and

overcome their limitations.[76] This second step is augmented with insights drawn from

phenomenology and childhood studies. Wall believes that childism can significantly alter

conceptions of philosophical anthropology, the goals of individuals and society, and

obligations owed one another. In the final part of his book, Wall demonstrates how

childism can broaden and enhance considerations of human rights, the family, and ethical

thinking. Wall's work proves an insightful look at the challenges created when children

are taken seriously as unique moral agents. Yet two concerns arise from Wall's argument.

First, he tends to prioritize quantity over quality in human relationship and as such may

undervalue the importance of specific loves.[77] That is, his anthropological framework

may not be sufficiently attentive to contingency and limitations within human experience

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[75] Jon Wall, *Ethics in Light of Childhood* (Washington D.C.: Georgetown University Press, 2010), 1.

[76] Wall, 3.

[77] Relatedly, W. Bradford Wilcox criticizes Wall's review of his work for too easily moving away from the soft-patriarchal nuclear family that is shown by sociological research to bind men more closely to family life. See W. Bradford Wilcox, "Response to Wall," *Journal of the American Academy of Religion* 75, no. 1 (March 2007): 77 – 84.

that give rise to the need prioritize certain specific relationships over others. Second, the orientation Wall gives his childist approach is not far removed from a more conventional developmental conception of childhood. This raises concern as to how a non-child could speak on behalf of the perspective of children without appropriating a conceptual framework of childhood that is, at least in some respects, inauthentic, incomplete, and limiting. Unlike feminism, childism does not and will never have fully capable advocates to speak on behalf of their own experience. But this limitation in Wall's approach only further affirms the challenges of applying rights language, a system created for adults, to children as was observed by Jackson.

Summary

The summary formula of parental obligations asserted above holds that children's full human dignity as gifts from God needs to be recognized in conceptions of parenthood. Catholic conceptions of parenthood generally acknowledge children's rights on the basis of respect for their humanity dignity. Moreover, understanding children as gifts from God has been used to mitigate over-assertions of parental authority or even ownership. This can take the form of acknowledging the family as a "'holding environment' where that gift is nurtured and brought to maturity so that it may be given over to others. The baptism of the child reminds parents that the child, entrusted for a time to their care, must in God's design be sent forth."[78] Nonetheless, it needs acknowledged that advocacy for children's rights necessarily requires some authoritative

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[78] Gilbert Ostdiek, OFM, "More than a Family Affair: Reflections on Baptizing Children and Mutuality," in *Mutuality Matters; Family, Faith, and Just Love* (New York: Rowman and Littlefield Publishers, 2004), 208.

body to enforce rights claims. Consequently, children's rights advocacy has been accused of over exerting state control into the affairs of families. This challenge appears to require some a prudent balance between the privacy required for a family to function well and the legitimate concerns of the state to protect the rights of all citizens.

Some have used rights language to apply justice concerns to children, however they have disagreed on what model of the family, and even what model of justice these claims might yield. Moreover, the adequacy of rights language itself has been questioned in the context of childhood. At the very least, it requires adaptation to more adequately explain the unique needs of children, such as stability and love. But some have argued that it must go further to accommodate a much fuller account of childhood, as in the proposal offered by Don Browning. As such, the sketch of parental obligations offered above does help to suggest the applicability of rights language for children by acknowledging their dignity and asserting their identity as gifts from God. At the same time, however, these considerations of the peculiarities of applying rights language to children contribute to a more complete understanding of how the human dignity of children must be respected through approaches to justice that are uniquely adapted to the conditions of childhood.

Part III: Adoption

Hugh Cunningham observes that although all societies have had to establish some system of transferring children to non-biological parent caregivers, the predominant basis of such exchanges historically has been economic. In the West, adoption changed significantly in the twentieth century as potential caregivers became increasingly willing

to pay to adopt children who would not themselves directly compensate for this economic loss.[79] This transition was encouraged by an increasingly sentimental cultural conception of children, but individual motivations remained complex. Some were motivated to save children from harmful situations, but the preference for children with particular features suggests that many adults were also invested in satisfying their own desires.[80] The secrecy, and even shame, that has been culturally associated with adoption has significantly lessened throughout the past century. Yet differing motivations and experiences persist as do significant inequalities in which sorts of children will be placed with which caregivers. These differences have their roots in a number of factors, including the history of the adoption system and conceptions of the family as well as racial and financial disparities. As such, it is important to work through contemporary arguments concerning various facets of adoption in order to come to a more adequate understanding of how these shape and are shaped by conceptions of parenthood. Moreover, inasmuch as the causal approach to parenthood tends to diminish appreciation of adoption as a positive family form, it is important to consider how the mixed approach to parental obligations suggested above might be augmented by present ethical discussions on adoption.

A healthy scholarly discourse is presently underway on multiple topics related to ethical and legal aspects of adoption.[81] Harvard Law School professor Elizabeth Bartholet

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[79] Cunningham, 193.

[80] Ibid.

[81] Rights concerns exist on the side of adoptive parents as well. "Some adoptive parents who have not been given full information about the special needs of children they are adopting – most commonly severe emotional disturbances in older children – so they can decide if they are capable of meeting their needs, have sued for 'wrongful adoption.' In other cases, where parents have attempted to file for 'dissolution' of the family after adoption, states continue to make these parents financially and legally

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represents one perspective and is a leading advocate for reforming adoptive rights in order to expedite placements. Her book, *Family Bonds*, is based on her own experience of completing two international adoptions. It exposes many significant assumptions that underlie the present adoption system. She notes that standard practices in adoption would amount to discrimination in other areas of the legal system while financial resources play a significant role in the ability to acquire "desirable" children.[82] Despite her robust criticisms of adoption processes, Bartholet sees adoption itself as an important good and argues that the social stigmas attached to adoptive families need to be redressed. She maintains that because society defines "personhood and parenthood in terms of procreation" it fails to see adoption as a "positive alternative to the blood-based family form."[83] Bartholet is highly suspicious of the role biological kinship plays in decisions regarding children's family context. She argues that children ought to be placed with the parent or parents who can best assure their wellbeing and questions the extent of the rights to privacy and autonomy traditionally associated with biological kinship.[84] In an insightful criticism that implicates the causal approach, she asks, "Why do we think of it as extraordinary and not ordinary to love as 'our own' children born to others?"[85]

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liable for their adopted child until he or she is readopted; and foreign-born children who are 'un-adopted' are rarely returned to their home countries." Marie A. Failinger, "Co-Creating Adoption Law: A Lutheran Perspective," *Dialog: A Journal of Theology* 51, no. 4 (Winter 2012): 274.

[82] Within the adoption process, race, religion, marital status, age, handicap, and sexual orientation may all be used as indicators of desirability for placement. Elizabeth Bartholet, *Family Bonds: Adoption and the Politics of Parenting* (Boston: Houghton Mifflin Company, 1993), xx.

[83] Ibid., xxv.

[84] Ibid., 46.

[85] Ibid., 47.

While Bartholet concedes that the desire for biological children may be natural in itself, she adds that social influences make any evaluation of this natural impulse uncertain.[86] Moreover, present cultural pressures often manipulate in socially harmful ways whatever natural impulse does exist. 'Biological bias,' joined by free market medical technology and financial incentives, encourages people to try infertility treatments while adoption agencies remain under-promoted.[87] And, because women's self-understanding is deeply influenced by their capacity to be biological mothers, the ability to see adoption as a legitimate form of parenthood is limited while the trauma of infertility is increased.[88] At the same time, adoption procedures themselves are set-up to mimic biological parenthood as closely as possible so that parents and children will look like they could be biologically related.

In Bartholet's estimation, the consequences of these realities are disastrous. People are sold on infertility treatments despite relatively low chances of successful pregnancy, given no clear exit from treatment, and offered little or no alternatives by the doctors and counselors.[89] Often it is only after these medical infertility treatments are abandoned as unsuccessful that adoption is seriously considered, after many years and tens of thousands of dollars. By this point, energy and resources have been sapped while

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[86] Ibid., 24.

[87] Bartholet is strongly opposed to increased insurance coverage, directed by legislation, for IVF. This incentivizes women to pursue an option that is not shown to be greatly beneficial in all cases. She argues that the high cost of IVF is a helpful restraint on the industry inasmuch as social conditioning limits freedom of choice. Ibid., 211 – 212.

[88] Bartholet notes that women are socially conditioned to experience infertility as inadequacy. This results in zealousness to combat the problem no matter the costs and blindness to realistic evaluations of cost and benefit. She questions whether many medical infertility treatments are really net benefits for women, children, or society. Ibid., 206 ff.

[89] Ibid., 31.

many would-be parents have aged-out of strong candidacy for adoption placement.

Bartholet laments,

> It makes no sense for a society that thinks of itself as sane and humane to be driving people in the direction of child production rather than adoption. It makes no sense for the children out there – those who have already been born and who will grow up without homes unless they are adopted. A sane and humane society should encourage people to provide for these existing children rather than bring more children into the world.[90]

In addition, Bartholet criticizes the adoptions system's parental screening practices for failing to serve either the best interests of children or prospective parents. Despite adoption ethics upholding the principle that children may not be treated as commodities, Bartholet contends that the system functions to make children into property and allows adults to assert ownership in various ways.[91] Moreover, no comparable screening is required for future parents in either prenatal care or fertility treatment.[92] She writes, "Those who procreate live in a world of near-absolute rights with respect to parenting. Those who would adopt have not rights. They must beg for the privilege of parenting…"[93] This inequality, she claims, is based on a high valuation of the right to procreate while the relational aspects of parenting are neglected. As such, the system is based on procreative rights more than concern for children's wellbeing.[94]

Engrained biases against adoption have colored the social scientific research which tends to focus on the negative aspects of adoptive families and hide many positive

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[90] Ibid., 35.

[91] Ibid., 50.

[92] Bartholet observes that *in vetro* fertilization (IVF) appears to fall within the privileges of biological parenting despite clearly being an unnatural reproductive method. Ibid., 209.

[93] Ibid., 72.

[94] Ibid., 76.

aspects. Moreover, this research often lacks nuance or allows certain inevitable minority populations of adopted children disproportionate representation.[95] Nonetheless, studies show that children in adoptive homes have better outcomes than those who are raised in institutional care, foster care, those returned from foster care to birth families, or those raised by birth mothers who once considered adoption but decided against it. Bartholet states emphatically, "*These studies fail to confirm the negative claims made in the great body of adoption literature. They reveal no significant disadvantages of adoptive as opposed to biologic parenting, and some significant advantages.*"[96] Bartholet concludes that adoption is not the same as biological parenting, and that biological parenting may hold certain advantages. Yet adoption must be recognized as another positive form of family that can teach about the value of families themselves and their connections to larger human communities.[97] She writes, "there may be some inborn need to procreate, but there are also inborn needs to nurture."[98] This nurturing instinct ought to be encouraged as it is the means by which the needs of existing children can be met.

Bartholet's perspective provides a thorough critique of the excesses of the causal approach to parental responsibility when it attaches too much significance to the fact of biological relatedness alone. In contrast, her insistence that adoption be understood as a positive form of the family claims similar values to the strengths identified in the voluntarist account. That is, it acknowledges the virtue of responding to the needs of

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[95] Ibid., 178.

[96] Ibid., 180.

[97] Ibid., 186.

[98] Ibid., 231.

particular children and the importance free choice in parental obligations. The book, *Adoption Matters*, edited by Sally Haslanger and Charlotte Witt, advances and challenges some of Bartholet's arguments while providing further considerations for adoption's role in clarifying the nature of parental responsibilities.

In this collection, Drucilla Cornell criticizes the "language of war" that characterizes discussions of adoption and functions to set birth mothers in opposition to adoptive mothers.[99] Like Bartholet, Cornell criticizes the priority adoption practices tend to place on heterosexuality and traditional gender roles as opposed to nondiscrimination. But Cornell is considerably more sympathetic towards birth mothers and adopted children's loss of genetic and cultural ties. As such, Cornell advocates for open or cooperative forms of adoption. Cornell's commitment to nondiscrimination is joined to concern for the freedom to construct one's own sexual identity. While Cornell's argument helpfully advances some of the heterosexist concerns which are raised, but not centralized, in Bartholet's argument, it is also highly individualistic and optimistic about deconstructing family systems. As a consequence, Cornell's attempt to disassociate families from the sexual unit tends to lose sight of the stability that more expansive

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[99] Drucilla Cornell, "Adoption and Its Progeny; Rethinking Family Law, Gender, and Sexual Difference," in, *Adoption Matters; Philosophical and Feminist Essays*, eds, 19 – 46 Sally Haslanger and Charlotte Witt (Ithaca, NY: Cornell University Press, 2005), 20. The reality of this tension is supported by sociological research that shows a propensity for some birth mothers to select male same-sex adoptive parents so as to remain the child's only mother. "About one-third of the adoptions by lesbians and gay men in our survey were "open," and the birth families' initial reactions upon learning of their sexual orientation were strongly positive (73%). *Interestingly, gay male couples more often reported having been chosen because of their sexual orientation than did lesbians, explaining that the birthmothers expressed a desire to remain the child's 'only mother.'"* David M. Brodzinski and the Evan B. Donaldson Adoption Institute, "Expanding Resources for Children III: Research-Based Best Practices in Adoption by Gays and Lesbians," Evan B. Donaldson Adoption Institute (October 2011), 6.

family units can support.[100] Despite advancing a concern of Bartholet's, Cornell's

argument differs significantly in being centrally concerned with ensuring adult rights and

individual freedom to form partnerships without consistent concern for intermediary

family structures that may also support children's wellbeing.

Anita L. Allen rejects the idea that adoptive children need to know their

genealogical and cultural roots for healthy personal development.[101] Many *biological*

parents do not know or care much about these, and thereby place children in a similar

state without significant alarm.[102] Allen contends that the "social continuity argument"

against many forms of adoption is "based on the pervasive but mistaken view that

children are born with a certain thickly constituted social identities that ought to be re-

inscribed by an upbringing among or in the ways of their social similars."[103] On these

grounds, she argues for the rights of adoptive parents to control how the relationship to a

child's birth parents is structured and maintained.

Chapters by Janet Farrell Smith, Charlotte Witt, and Shelly Park each advance

Bartholet's criticism of the role of biological kinship in conceptions of parenthood. Smith

takes aim at the influence of the natural property tradition in Western law that has made

claims to possession over children on the basis of biological parenthood. To avoid

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[100] Oddly, Cornell simultaneously supports attempts to legally enforce forms of community through custodial responsibility and contractual obligations. This seems to amount to an ideologically individualistic and legalistic way of recreating traditional patterns of child rearing. Cornell, 40 – 42.

[101] Anita L. Allen, "Open Adoption is not for Everyone," in *Adoption Matters: Philosophical and Feminist Essays*, eds, Sally Haslanger and Charlotte Witt (Ithaca, NY: Cornell University Press, 2005), 47 – 67.

[102] Allen, 64 – 65.

[103] Ibid., 64.

associating children with property (she admits some necessary similarities), Smith

proposes commitment and responsibility as the legal foundations for parenthood.[104]

Smith argues, "rather than postulate a moral exceptionalism for adoptive parenting, we

should… provide a uniform moral foundation for both biological and adoptive parent's

moral responsibility to children."[105] Different avenues to parenthood should be treated

equally because the moral obligations parents owe to their children remain essentially the

same regardless of how the relationship was formed. Smith augments Bartholet's concern

that the genetic aspects of parenthood are given greater standing than the relational.

However, Smith's does quite little to explore motivations for becoming a parent or the

capabilities that the obligations of parenthood might require.

Witt criticizes 'genetic essentialism' which presumes that a person's self-

understanding is determined by biological factors and leads to the assumption that

adopted persons necessarily have a fractured identity.[106] She writes that present adoption

literature is undergirded by two assumptions. First, "personal identity is determined in a

substantial way by one's genes." Second "one's self-understanding requires a relationship

with the source of one's genetic endowment, the birth family."[107] Witt counters that

family resemblances are primarily social behaviors based on biological myths. The idea

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[104] Janet Farrell Smith, "A Child of One's Own: A Moral Assessment of Property Concepts in Adoption," in, *Adoption Matters: Philosophical and Feminist Essays*, eds, Sally Haslanger and Charlotte Witt (Ithaca, NY: Cornell University Press, 2005), 113.

[105] Smith, 122.

[106] Charlotte Witt, "Family Resemblances: Adoption, Personal Identity, and Genetic Essentialism" in, *Adoption Matters: Philosophical and Feminist Essays*, eds. Sally Haslanger and Charlotte Witt (Ithaca, NY: Cornell University Press, 2005), 137.

[107] Witt, 137.

that a child has a biological relation's attributes (personality, eyes, etc.) has some genetic

basis but is more importantly a way of creating meaning within a family.[108] This implies

that adopted children will have certain challenges in developing their self-understanding

within a family, but these are not insurmountable or necessarily detrimental.

Park argues that traditional conceptions of motherhood have assumed that genetic,

gestational, and social mothering, are indivisible and that motherhood is a stable

institution. And that this conception ignores the historical realities of genetic families

divided by poverty, war, and slavery. It is also challenged by families created by

adoption, divorce and remarriage while new reproductive technologies complicate the

matter further.[109] Park argues that a new conception of family in general and motherhood

in particular that can account for such diversities is required. She concludes that children

will benefit from maintaining as many parental bonds with diverse adults as there are

adults willing to foster such relationships. That is, parental relationships should not be

"arbitrarily foreclosed" to match some constructed notion of parenthood.[110] She writes,

"A real mother for a child is someone whose child has acquired the skills of loving

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[108] Witt, 141 – 143. In the following chapter, Kimberly Leighton offers a philosophical reflection on adoption and self-understanding and similarly avers that family history is largely mythical, such that factual information about birth families often does not yield the desired result. She argues that the desire to know is a natural aspect of subjectivity. Knowing one's family history both assimilates and differentiates the subject but in so doing identifies the subject as a subject. See, KimberlyLeighton, "Being Adopted and Being a Philosopher: Exploring Identity and the 'Desire to Know' Differently," in *Adoption Matters: Philosophical and Feminist Essays*, eds. Sally Haslanger and Charlotte Witt (Ithaca, NY: Cornell University Press, 2005).

[109] Shelley Park, "Real (M)othering: The Metaphysics of Maternity in Children's Literature," in *Adoption Matters: Philosophical and Feminist Essays*, eds. Sally Haslanger and Charlotte Witt (Ithaca, NY: Cornell University Press, 2005), 172.

[110] Park, 172.

perception and thus who can see her as real."[111] Thus, motherhood is an existential process not an essential state.

In each of these essays concern for adoption develops the way parenthood is understood and each consistently raises pointed criticisms related to the influence of biological kinship in conceptions of parenthood. Considered collectively, these make a strong case against many presumptions identified by Bartholet and carried by the causal account of parental responsibilities, such as Prusak's suggestion that the frequent desire of adopted children to seek relationships with their biological parents suggests a natural prominence of biological kinship.

However, these perspectives tend to represent only one side of a more complex debate. Whereas Bartholet privileges the immediate needs of children and the right of capable adults to parent children, Dorothy Roberts emphasizes the unjust social circumstances that sustain adoption and the challenges race and poverty create for family stability. Roberts is particularly concerned with the systemic injustices that underlie social disparities and correspond to disparities within the foster care system. Roberts takes particular aim at foster care and laments that the entire system appears built upon the assumption that whites will only show concern for black children if these children live in white homes as their own.[112] She writes, "The continuing supply of adoptable children for middle-class women depends on the persistence of deplorable social

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[111] Park, 194.

[112] Dorothy Roberts, "Feminism, Race, and Adoption Policy," in *Adoption Matters: Philosophical and Feminist Essays*, eds. Sally Haslanger and Charlotte Witt (Ithaca, NY: Cornell University Press, 2005), 246.

conditions and requires severing the ties among the most vulnerable mothers and children."[113] She continues,

> But the current campaign to increase adoptions makes devaluation of foster children's families and the rejection of family preservation efforts its central components. Adoption is no longer presented as a remedy for a minority of unsalvageable families but as a viable option – indeed, the preferred option – for all children in foster care. Black mother's bonds with their children, in particular, are portrayed as a barrier to adoption, and extinguishing them seen as a critical first step in the adoption process… Terminating parental rights faster and abolishing race-matching policies were linked as a strategy for increasing adoptions of Black children by white families. Supporting this strategy is a myth that the foster care problem can be solved by moving more Black children from their families into white adoptive homes.[114]

In a separate essay Roberts argues that Bartholet's campaign to increase adoptions centers on the devaluation of relationships within black families. Rather than respecting the relationship between black mothers and their children, these are characterized as the first barrier to a more efficient adoption system. Roberts adds, "Supporting this strategy is the myth that moving more black children from their families into white adoptive homes can solve the foster care problem."[115]

Roberts calls attention to the increasingly aggressive fashion with which state agencies have tended to treat cases of maltreatment in black homes and contends that the barriers women face in keeping their children, especially when they are poor, ought to be given greater attention. Rather than increasing the speed with which children move from foster care to adoption, Roberts argues for increased support for struggling families to keep children out of foster care and avoid family break-up.[116] However, she laments,

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[113] Ibid., 245.

[114] Ibid., 241.

[115] Dorothy E. Roberts, "Prison, Foster Care, and the Systemic Punishment of Black Mothers," *UCLA Law Review* 59 (2012): 1488.

[116] This criticism of Bartholet relates not only to specific concerns for structural justice but also to the challenge of 'third generation' rights which have proven problematic more generally in human rights

policy decisions in recent decades have worked in the opposite direction by simplifying

the termination of parental rights.[117]

Tanya Asim Cooper's essay on disparities between the treatment of whites and

that of African and Native Americans in the foster care system asserts on the basis of

history that "Unconscious racism is embedded in our civic institutions; and the foster care

system is vulnerable as one such institution controlled and influenced by those in

power."[118] Cooper argues that this embedded racial bias shapes the operation of the foster

care system, which in turn mimics other racially disparate social realities. "Known as the

racial geography of foster care, those neighborhoods with poor African American and

Native American families and the greatest involvement and concentration of foster care

system surveillance are a perfect match."[119] Cooper acknowledges that most people agree

the foster care system is flawed, but disagree on whether it helps, or takes advantage of,

the most marginalized. She adds,

> "What researchers do know, definitively, is that although designed in theory to protect children,
> the foster care system actually harms many children… Although intended to provide *temporary*
> care to children and their families, in fact many children stay in foster care for years. Once in
> foster care, the system often moves these children from placement to placement, with many
> experiencing three or more moves.[120]

In a similar manner, Roberts argues that similarities between the demographics of the US

prison system and the foster care system, two of the most racially segregated institutions

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discourse. Third generation rights relate to collectives rather than individuals, such as nations, ethnicities, language groups, etc. Cf. Alexander, 463.

[117] Roberts, "Prison, Foster Care, and the Systemic Punishment of Black Mothers," 1498.

[118] Tanya Asim Cooper, "Racial Bias in American Foster Care: The National Debate," *Marquette Law Review* 97, no. 2 (winter 2013): 233.

[119] Ibid., 238.

[120] Cooper, 240.

in the nation, are too significant to ignore and reveal systemic cooperation in punishing

black mothers and sustaining racial, gendered, and classist social divides. [121] Roberts

furthers the connections she draws to the prison system by calling attention to the

secondary harms that foster care brings about. She writes, "Many have warned that foster

care leads to prison, and more recently, a literature has developed on the risk that children

with incarcerated parents will end up in foster care."[122] The correlation between foster

care and prison is only one connection that may be drawn. Roberts laments that the full

harm being caused by aggressive child welfare policies within black communities may

yet be unimagined.[123]

Roberts raises important challenges to Bartholet's argument by questioning her

presumptions and scope of concern. Bartholet does provide a strong argument against

race-based adoption management, which she characterizes as an unfair assertion of

ownership over children that disrespects their wellbeing by prolonging stays in foster care

and thereby lowering their chances at placement.[124] Bartholet's further contends that

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[121] "This statistical similarity is striking, but its significance is not self-evident. Some see the disproportionate number of black mothers involved in prison and foster care as the unfortunate result of their disadvantaged living conditions. Others argue that the statistical disparities in both systems reflect the appropriate response to black mothers' antisocial conduct that puts these mothers' children and the society at risk of harm. I argue that this statistical overlap is evidence of a form of punitive governance that perpetuates social inequality." Roberts, "Prison, Foster Care, and the Systemic Punishment of Black Mothers," 1476 - 1477. Cf. Cooper, 223.

[122] Roberts, "Prison, Foster Care, and the Systemic Punishment of Black Mothers," 1476.

[123] Roberts, "Feminism, Race, and Adoption Policy," 240.

[124] What a person understands their race to mean as an aspect of their own concept of self should not be allowed to be determined by a third party, regardless of shared racial identity. "Race continues to significantly structure people's perceptions, which must be recognized. But race can overly determine judgments and policy decisions in ways that are not healthy for individuals or society as a whole. A person's racial identity is neither fixed over time nor the same for all people who might classify themselves

transracial adoption may produce children who are more sensitive to racism and capable

of operating within two distinct worlds. She allows a weak racial preference as

potentially legitimate but sees stress factors related to race as insignificant when

compared to prolonged stays in foster care or other unfavorable living conditions.[125] Yet,

Bartholet's arguments are much weaker in accounting for systematic biases that produce

disparities within the adoption system. Bell hooks points to the danger in arguments for

motherhood advanced by "white bourgeois women with successful careers who are now

choosing to bear children. They seem to be saying to masses of women that careers or

work can never be as important, as satisfying, as bearing children."[126] This reveals a

tension in Bartholet's argument. If motherhood is about responding to the immediate

needs of children, not a lifestyle choice for adults seeking fulfillment, then why would the

immediate response to children in challenging family circumstances not be to support and

sustain children's families of birth, rather than rapidly processing children through the

child welfare system? Indeed, some families of origin may be beyond recovery and some

children may be placed for adoption by individuals who sincerely do not desire or are

incapable of raising them. However, Roberts brings to light systematic prejudices in the

present function of the foster care system which Bartholet does not adequately address.

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in a particular way." Fren L. Johnson, Stacie Mickelson, and Mariana Lopez Davila, "Transracial Foster Care and Adoption: Issues and Realities," *New England Journal of Public Policy* 25, no. 1 (2013): 12.

[125] The following chapter addresses international adoption and follows similar lines of argument as it criticizes romanticism of cultural heritage and argues for viewing international placements as altruistic efforts to relive child suffering in impoverished or overpopulated regions. Moreover, she laments that children in the adoption system are often used as pawns within international politics while the whole system is colored by market-driven thought based on production and consumption. Bartholet, Chapter 7.

[126] bell hooks, *Feminist Theory*, 136.

Roberts' arguments also reveal particular weaknesses in the voluntarist approach more generally. In her concern to forefront the needs of children and criticize the way adult concerns interfere in having these met Bartholet is quite inattentive to structural injustices. The biological bias and the will to own that Bartholet criticizes do not fully account for the complexity of family separation within a system that functions differently among different racial groups. This also implies that a voluntary decision to parent a child may be done in response to a child's needs, but also carries implications of particular adult desires which may influence one's perspective.

Roberts' argument also has its limitations. Roberts is much more concerned with the foster care system itself apart from other forms of adoption, and while she utilizes social scientific data to show disparities in racial treatment, she hardly acknowledges the generally good outcomes adopted children tend to have or the outcomes of children returned to families after time in the foster care system. In many cases Roberts appears to presume an adversarial relationship between biological families and the child welfare system, even as the system as a whole has shifted more recently towards kin placements which provide less disruption in children's connections to their communities and extended family.[127]

Summary

The influence of the causal approach to parenthood provides one reason why perspectives on adoption vary. The causal approach tends to emphasize the importance of

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[127] See, Ann Schwartz, "Connective Complexity: African American Adolescents and the Relational Context of Kinship Foster Care," *Child Welfare* 87, no. 2 (2008).

biological kinship and thereby diminishes the positive aspects of adoption. This can lead to the 'language of war' noted by Cornell, or more subtle suspicions of adoptive parenthood. Because the approach to parental responsibilities arrived at above attempts to retain and balance both the causal and voluntarist approach, it is important to examine how well this mixed approach can account for adoption as a positive family form. Several tensions that arise among legitimate concerns are worth noting.

Perhaps the most obvious tension is between focusing on children's immediate wellbeing and focusing on structural injustices which cause conditions within families of origin that are detrimental to children's wellbeing; represented by Bartholet and Roberts respectively. Bartholet's concern for biological bias needs to more adequately account for the significant ways in which race, social, and economic power have shaped and continue to influence practices within the adoption and foster care systems. Within the US unequal racial treatment has a long legacy and such historical influence is not easily broken. Roberts rightly points to injustices in intervention policies that correlate to race and poverty, support unequal treatment, and devalue the integrity of black family's relational bonds. However, opposition to transracial adoption as such appears to go too far and needs balanced by Bartholet's concern for how implementation of these policies has worked against children's wellbeing.

The causal account of parenthood needs to be restricted by children's wellbeing, such that biological kinship alone does not stand as a reasonable defense for keeping children in harmful situations. At the same time, the voluntarist approach must be balanced by recognition that race and socioeconomic status are influential factors in how social structures operate among different groups. Conditions that effectively force family

break-up must be addressed and corrected as well as conditions that feed unequal treatment among different families. Supporting and facilitating just social systems is equally a means of caring for children's wellbeing.

Matters are also complicated by the deep personal investments people have in relation to parenthood as it relates to individual self-understanding. Some of the cultural resources for this self-understanding are socially constructed and affected by interpretations of fertility, biological kinship, and parenthood. Here the voluntarist approach's strength is most pronounced as it shows how legitimate parents can be made, and are in fact always made, by the decision to form a parent-child relationship. This is a helpful correction within a culture that appears willing to drive people into new technologies that promise biological offspring, while existing children remain in need. On the other hand, a legitimate right to procreate is worth defending and the voluntarist perspective may be prone to underestimate the self-serving needs and desires of potential parents. As such, the will to parent alone is not a viable foundation for parenthood but needs to be balanced against actual capabilities to fulfill parental functions.

Attention to communal networks of support sheds light on how many of the arguments advanced above narrowly define parenthood as related exclusively to certain domestic arrangements involving specific adults rather than parental functioning. Here Parks' concern that parenthood not be artificially restricted is important, as is her explanation of how parents are created by the children they nurture. Throughout history many children have been 'parented' by grandparents, siblings, relatives, and other caring individuals who stepped in to meet their needs and formed a particular relationship. To deny that these relationships are legitimate expressions of parenthood is to deny validity

to the experiences of such children. On the other hand, parenthood cannot be ascribed to any adult who shows concern for a particular child, certain limited adults must necessarily retain legal responsibility for children, and familial privacy has its value. As such, there is a legitimate tension between communal support and family autonomy which at either extreme leads to dismissing the family as a valid institution or encouraging families that are closed in upon themselves.[128] As such a prudent balance needs struck between these concerns that can recognize both the family as well as more expansive conceptions of parenthood.

Here an additional trend in the arguments above also needs mentioned. Several authors tend to presume that only individual and state-level concerns are pertinent. This appears to operate off an underdeveloped anthropology that underestimates the importance of relational realities. Intermediary groups including the family, neighborhoods, and ethnic communities require attention as well. These should not be allowed to exert excessive control or operate with presumption of 'genetic essentialism' which tie individual destiny too closely to genes, but they do have legitimate standing in light of children's needs for structural stability and extra-familial support.

To conclude, consideration of how discussions on adoption challenge different conceptions of parenthood reveals a number of important tensions that help balance an approach to parenthood. Neither the causal nor the voluntarist approach alones appears sufficient to account for these various challenges. Instead a mixed approach that remains centered on children's needs without an absolute presumption in favor of adoption or

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[128] Prusak explains, "to call one's child one's own, like calling one's spouse one's own, is typically to indicate a special, intimate relationship, and what's more a relationship that requires a significant measure of privacy and autonomy in order to be what it is." Prusak, 101.

biological kinship seems best able to account for these tensions. But parenthood itself also requires conceptual expansion in light of children's needs rather than adult claims. This allows for a greater appreciation of diversity in children's own experiences of parenthood.

Part IV: Parenthood and Capabilities Approach

Having considered children's rights and adoption in regard to their connection to parental responsibilities, a final consideration of the relationship between parental responsibilities and social justice is in order. Each of the sections above concluded that an adequate conception of parental responsibilities needs to take a moderated approach if it is to avoid the excesses of certain perspectives. Here, it seems political philosopher Martha Nussbaum's work in developing the 'Capabilities Approach' to social justice provides a valuable resource for articulating just how these balanced judgments may be made. Nussbaum categorizes her development of the Capabilities Approach as a species of human rights, though it attempts to be a corrective to some human rights theories and more comprehensive than most. She explains "The common ground between the Capabilities Approach and human rights approaches lies in the idea that all people have some core entitlements just by virtue of their humanity, and that it is a basic duty of society to respect and support these entitlements."[129] Because the Vatican has been a

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[129] Martha C. Nussbaum, *Creating Capabilities: The Human Development Approach* (Cambridge, MA: Harvard University Press, 2011), 62. John M Alexander provides a helpful explanation of how Nussbaum and Sen differ in relation to human rights as where the capabilities approach fits within other human rights approaches. He labels Nussabum's view as "an ethical theory of 'deontological eudemonism'" that is based upon an inviolable list of capabilities yet permits consequentialist judgments in cases of conflict among these. See, John M. Alexander, "Capabilities, Human Rights and Moral Pluralism," *The International Journal of Human Rights* 8, no. 4 (December 2004): 451 – 469.

strong supporter of the international human rights movement, seeing in it a resource to protect human dignity, there is good reason to believe that Nussbaum's philosophical approach may hold useful insights for a theological conception of parenthood, based on human capabilities, that aligns with Catholic commitments. It may be noted, however, that while Catholic teaching on social ethics and sexual ethics are rooted in natural law arguments, they assume different points of emphasis. Catholic Social Teaching often speaks in terms of principles which must be upheld while leaving room for discretion in particular applications, whereas Catholic moral teaching proposes numerous absolute negative moral norms related to human sexuality that are always binding regardless of circumstance or intention. To employ Nussbaum's argument within a consideration of parenthood does in some ways transverse these distinctive approaches in a way that official Catholic teaching has been hesitant to embrace.

Utilizing Amartya Sen, the pioneer and partner with Nussbaum in developing Capabilities Theory, Nussbaum explains that capabilities as those things which a person is able to do and to be. "'Capability is thus a kind of freedom: the substantive freedom to achieve alternative functioning combinations.' In other words, they are not just abilities residing inside a person but also freedoms or opportunities created by a combination of personal abilities and political, social, and economic environment."[130] These capabilities come in two forms; 'internal' and 'combined.' Internal capabilities are those traits and abilities which are developed through the interaction of innate human potential with the external environment. As such they are not static attributes of the human person but are

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[130] Nussbaum, *Creating Capabilities*, 20.

dynamic realities that arise through engagement with the opportunities in one's life.[131]

Education is perhaps the simplest, albeit very general, example of an internal capability; it combines the human ability to learn with an external resource for learning (e.g. a book, teacher, or educational system). Combined capabilities denote the means of expressing internal capabilities made possible by a social context. Combined capabilities help clarify the tasks of a just society as not just providing space for people to develop internal capabilities, but also to protect the expression of those capabilities. In the example provided by Nussbaum, a society may help people develop the internal capability of critical thought on political matters, but also has the obligation to protect the combined capability of expressing that thought through the protection of free speech.[132] Thus, internal capabilities are primary and relate more closely to innate human potential, while combined capabilities are secondary and relate to the real-world application of developed potentials. Conversely, assaults to human dignity are essentially directed at limiting or damaging capabilities. Limitations of combined capabilities, such as imprisonment or restrictions on the freedom of speech, are conceivably justified in a just society. Limitations of internal capabilities are much more serious as this infringes upon human dignity itself. In all cases, Nussbaum argues, human dignity and fundamental equality are essentially retained, yet some infringements are more damaging than others.[133]

Nussbaum sees her approach as drawn from a variety of sources, but grounded most clearly in particular strands of the Western philosophical tradition which emphasize

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[131] Ibid., 21.

[132] Ibid.

[133] Ibid., 31.

human flourishing or self-realization. As such, the approach tends to focus on how human potential is shaped and expressed. It does, however, take into account inborn traits that make such development possible. Nussbaum labels these propensities 'basic capabilities.' She explains, "Basic capabilities are the innate faculties of the person that make later development and training possible."[134] When basic capabilities are realized they become internal capabilities which can be expressed as combined capabilities; when this happens, a person experiences 'functioning.' Functioning is related to the concept of human flourishing and simply denotes the enjoyment or enrichment experienced when one's capabilities are adequately developed and expressed. Functioning incorporates a wide range of human experiences, from a musician's mastery of an instrument to simply enjoying good health.[135] Not all capabilities must lead to functionings and individuals should be permitted the freedom to select which capabilities to develop in order to reach their desired functionings.[136] This ability to select is itself a capability and must remain open to fluidity in order to account for 'adaptive preferences.'[137] That is, desires are shaped by experiences and possibilities such that new experiences and possibilities will likely result in changing desires.[138] In her explanation of 'functionings', Nussbaum

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[134] The distinction between basic propensities or faculties and developing capabilities is somewhat artificial as Nussbaum suggests that life itself makes the former into the latter. That is, as soon as the human creature engages with the external world, which happens prenatally, capabilities are in development. Yet the distinction has value in explaining how some capabilities may be damaged at the most basic level. Ibid., 24.

[135] Ibid., 25.

[136] Prusak provides a cogent argument for why prenatal genetic enhancement is not legitimated on the basis of seeking to secure an open future for a child. See Prusak, Chapter 5.

[137] Nussbaum, *Creating Capabilities*, 25.

[138] Ibid., 56.

upholds the principle that all individuals are free to select their own vision of the good life, but she concedes that this freedom is not universal. Nussbaum excludes children who may be required to pursue "certain sorts of functioning… (as in compulsory education)… as a necessary prelude to adult capability."[139]

Nussbaum is clear that the Capabilities Approach is not an attempt to define human nature nor does it extract ethical norms uncritically from an idea of human nature.[140]

> Instead, it is evaluative and ethical from the start: it asks, among the many things that human beings might develop the capacity to do, which ones are the really valuable ones, which are the ones that a minimally just society will endeavor to nurture and support? An account of human nature tells us what resources and possibilities we have and what our difficulties may be. It does not tell us what to value.[141]

Maintaining a foundation in moral pluralism is important for the Capabilities Approach, however, it does rest upon assertions of fundamental and universal human dignity, freedom in respect to that dignity, and a claim that humans inherently strive to develop certain faculties.[142] Moreover, Nussbaum adopts Kant's dictum to 'treat all people as an end' as a basic guideline[143] and argues that some freedoms promote human dignity while others do not.[144] As such, her philosophy, though denying it is an account of human

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[139] Ibid., 26.

[140] Alexander explains that for Nussbaum, "Human rights are misunderstood… if they are believed to contain some fundamental values that people belonging to different cultures, religions and societies could endorse in the same way." Alexander, 461.

[141] Nussbaum, *Creating Capabilities*, 28.

[142] Ibid., 31. Cf. Alexander, 462.

[143] Nussbaum, *Creating Capabilities*, 35.

[144] "In short, no society that pursues equality or even an ample social minimum can avoid curtailing freedom in very many ways, and what it ought to say is: those freedoms are not good, they are not part of a core group of entitlements required by the notion of social justice, and in many ways, indeed, they subvert those core entitlements." Ibid., 73.

nature, rests quite clearly on a very basic anthropological conception. This basic anthropology is drawn most clearly from Aristotle and the Stoics. Aristotle offers a vision of the human person that includes both a teleological orientation towards flourishing and a deep understanding of human limitation. The Stoics offer a commitment to human equality as well as natural law.[145] Furthermore, Adam Smith's insistence that the failure to develop certain human abilities amounts to an infringement upon human dignity provides an important foundation for the Capabilities Approach.[146]

Relying upon these foundational commitments, Nussbaum asserts ten 'central capabilities' that arise as the most significant among the numerous possibilities a person may pursue. These are (1) life, (2) bodily health, (3) bodily integrity, (4) senses, imagination, and thought, (5) emotions, (6) practical reason, (7) affiliation (in two forms), (8) other species, (9) play, and (10) control over one's environment. Nussbaum distinguishes 'affiliation' and 'practical reason' as the two most prominent capabilities as they tend to influence and ground the others.[147]

Nussbaum and Theology of Parenthood.

Several aspects of Nussbaum's development of the Capabilities Approach suggest that it may serve as a useful resource for a broader theological conception of parenthood. There are a numerous basic similarities in commitments and methods. First, Nussbaum, like the Catholic tradition, upholds human dignity and human flourishing as central

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[145] Ibid., 125 – 131.

[146] Ibid., 137.

[147] Ibid., 33 – 34.

commitments. Second, both draw widely upon the resources of the Western philosophical tradition. Third, both rely to varying degrees on a fundamental conception of the human person. And fourth, both tend towards a basically teleological or developmental orientation.

Concerning human flourishing, both the Catholic tradition and the Capabilities Approach champion education as a powerful resource for advancing the human good. Nussbaum defines education broadly and writes that it, "forms people's existing capacities and develops *internal capabilities* of many kinds."[148] As such, education holds intrinsic value and contributes to lasting personal satisfaction. Education is also an area in which freedom of choice is limited due to its close association with children. Because education contributes to growth in capabilities, "making it compulsory in childhood is justified by the dramatic expansion of capabilities in later life."[149] Nussbaum's commitment to moral pluralism raises some tensions as it contrasts with Catholic theology's claim that humanity's ultimate good is found in God. Yet, Catholic theology is itself a vision of ultimate meaning, not a political philosophy for pluralistic societies, and the limited assertions Nussbaum does make do not appear contradictory to Catholic thought.[150] Nussbaum's political philosophy attempts to limit its scope in ways that the

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[148] Ibid., 152.

[149] Ibid., 156.

[150] Nussbaum argues that her approach can be accommodated by most major religious and secular comprehensive doctrines. As an example, she writes, "Roman Catholic social doctrine squares quite well with the global and domestic demands of the Capabilities Approach, but no orthodox Roman Catholic can be a cosmopolitan, since cosmopolitanism asserts that my *first* duty is to all humanity rather than to God or my religion.… The point that is relevant here is that Capabilities Approach is a political doctrine only, and one that aspires to be the object of an Overlapping Consensus. As such, it should not recommend any comprehensive ethical doctrine or be built upon one." Ibid., 93.

Catholic moral vision does not because of the fundamental difference in their willingness to define the good. Whereas the Catholic tradition is fundamentally based in the divine-human relationship; commentary on the existence of God is beyond the intent of Nussbaum's system, let alone drawing upon implications from this belief to shape practice.

Both the Capabilities Approach and the Catholic tradition draw from several major branches of ethical reasoning and attempt to balance how these are utilized. The Capabilities Approach rests upon a few basic deontological convictions, especially in relation to human dignity, but also permits consequentialist, though not utilitarian, moral judgment based on outcomes as it seeks to protect functionings.[151] In Nussbaum's formulation, the Capabilities Approach also requires altruistic behavior and, therefore, must encourage its development.[152] Consequently, Nussbaum may be viewed as borrowing from virtue ethics in her argument for creating structures that motivate individuals to develop socially beneficial behavior.[153] Though there are significant points of disagreement, this attempt to blend ethical methods into a consistent theory is also characteristic of Catholic thought and has been exemplified in recent times most notably by John Paul II's encyclical *Veritatis splendor*.[154]

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[151] Nussbaum writes, "It thus might be called an *outcome-oriented view*, by contrast of *proceduralist* views are often preferred by deontologists." Ibid., 95. Alexander explains, "The moral pluralism that underpins the capability approach makes us realise that the diffusion of human rights will be much more effective if it advocates a pluralistic approach that is sensitive to both deontological and consequential concerns." Alexander, 462.

[152] Nussbaum, *Creating Capabilities*, 181.

[153] Ibid., 97.

[154] The manner of John Paul II's synthesis is the subject of debate, most notably in the precedence he appears to grant deontology. Nonetheless, the encyclical attempts to cogently combine these major ethical approaches.

Both approaches also operate on the basis of a fundamental anthropological conception. Nussbaum's account is much more restricted and amounts to little more than a few assertions that must be accepted as reasonable for the system to work. But the more significant tension is in the essentially individualistic nature of Nussbaum's approach[155] which is developed in part as a consequence of rejecting certain Utilitarian tendencies.[156] This squares quite well with human rights theory but raises certain challenges from a Catholic theological standpoint. Communally oriented conceptions of the human person are a mark of the Catholic tradition and Catholic leaders have frequently criticized the growth of individualism in recent times.[157] Still, Nussbaum's intent in centering commitment on the individual is to provide a means for protecting each and every individual's dignity regardless of communal claims. This intent in itself fits well with the Catholic commitments to safeguard human dignity.

Perhaps the most important point of continuity lies in Capabilities Approach's fundamental orientation towards expanding concern beyond negative freedoms (i.e. noninterference or restriction on rights of others) as is common in constraint views of

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[155] "Capabilities belong first and foremost individual persons, and only derivatively two groups... It stipulates that the goal is to produce capabilities for each and every person, and not to some people as a means to the capabilities of others or of the whole… This normative focus on the individual cannot be dislodged by pointing to the obvious fact that people at times identify themselves with larger collectivities, such as ethnic group, the states, or the nation, and take pride in the achievement of the group." Ibid., 35.

[156] "One of its most important historical antecedents is Kant, and it holds that the social welfare should never be pursued in a way that violates people's fundamental entitlements. Indeed, it agrees with Kantians in saying that utilitarianism does not attach the right sort of salience to each person and to the idea of respect for persons." Ibid., 95.

[157] Cynthia Willet contends that Nussbaum is too reserved in her critique of Rawls' liberalism and argues that Nussbaum's continued centralization of autonomous adults and reliance upon altruism is insufficient to develop an adequate account of human relationality. Cynthia Willet, "Collective Responsibility for Children in an Age of Orphans," in *The Best Love of the Child: Being Loved and Being Taught to Love as the First Human Right,* ed., Timothy P. Jackson (Grand Rapids, MI: Eerdmans, 2011), 189.

human rights.[158] That is, without articulating the good that is to be pursued, Nussbaum attempts to protect the positive freedoms involved in pursuing goods. This gives the approach something of a teleological orientation; even as it allows individuals to define their own *telos*. Moreover, she sets some limits on what might reasonably be considered goods and what desires are harmful in themselves. Here again, Nussbaum's approach articulates only basic commitments and these do not appear to seriously conflict with the intents of Catholic theology. For this reason, Nussbaum's list of central capabilities seems a useful starting point from which to build a more comprehensive theological reflection on the nature and function of parenthood.

Of the central capabilities, affiliation is most clearly related to parenthood, though others may account for experiences within parenthood as well. Nussbaum gives affiliation two definitions. The first is the ability "to live with and toward others, to recognize and show concern for other human beings, to engage in various forms of social interaction; to be able to imagine the situation of another." The second is "having the social basis of self-respect and nonhumiliation; being able to be treated as a dignified being whose worth is equal to that of others. This entails provisions of nondiscrimination on the basis of race, sex, sexual orientation, ethnicity, caste, religion, national origin."[159]

Nussbaum's concern for nondiscrimination extends to the social continuation of gender roles as this serves to disadvantage women, particularly in educational opportunities. She argues that society ought to strive for greater reciprocity in male-

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[158] Alexander, 454.

[159] Nussbaum, *Creating Capabilities*, 33 - 34. Nussbaum distinguished affiliation and practical reason as the two most influential capabilities on this list.

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female relationships and adds, "society needs new conceptions of masculinity that do not deem unmanly such acts as washing the body of an aged mother or father."[160] While these concerns relate to those of Catholic Social Teaching, Nussbaum's application goes further in challenging conventional gender roles. Moreover, Nussbaum does not believe that heterosexual marriage is the normative foundation of the family. Instead, she argues that the same principles of equality and nondiscrimination apply to considerations of the family as a consideration of basic justice. Nussbaum expresses particular concern for the ways in which, "discrimination on the basis of sexual orientation expresses stigma and reinforces a view that some people are not fully equal."[161] She argues that restrictions on same-sex marriage are similar to laws against miscegenation and the creation of civil unions rather than access to marriage amounts to a continuation of the stigma of inferiority for same-sex couples.[162]

Summary

Nussbaum's version of Capabilities Theory helps to advance considerations of parenthood particularly through naming and defining 'affiliation' as a central capability. Affiliation calls attention to the capacity to build intimate relationships and locate oneself meaningfully within the social world. Affiliation goes beyond simply forming relationships to include the development of personal and interpersonal attributes that make meaningful relationships possible; such as care and empathy. Affiliation also

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[160] Ibid., 152.

[161] Ibid., 149.

[162] Ibid., 149.

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concerns a person's relationship to society and thereby requires societies to respect individuals' capabilities and to work against various forms of discrimination. Because it is an internal capability, failure to protect affiliation amounts to an infringement upon human dignity.

From this perspective, affiliation is the internal capability out of which the combined capability of parenthood stems. Parenthood is just one particular form affiliation might take and is a combined, not internal, capability because it relies upon an external factor; i.e. the existence of a child who can be parented. Part of the Capabilities Approach's value for considering parenthood is its recognition that capabilities are dynamic. This helps account for parenthood as reality that changes over time as the parent-child relationship develops and parent's desires for their relationships shift. As such, the Capabilities Approach helps differentiate parenthood as a lived reality from the basic human potentials it may require as a foundation. When a potentially capable person willingly accepts the responsibilities of parenthood, they are simultaneously accepting the task of developing their own capacity for affiliation in particular ways; ways which could not be developed apart from this particular relationship.

In addition, Nussbaum's description of affiliation helps to explain parenthood as an inter-personal as well as a social reality.[163] Social constructions of kinship and the family are significant factors in how individuals come to understand parenthood and even

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[163] We might admit that a child's perception of his or her parent, an adult's perception of themselves as a parent, and social perceptions of a particular person as parent to a particular child, may well differ or even conflict. While such considerations are important in considering the complexity of parenthood as a phenomenon they go further than is needed in developing a basic theological foundation for parenthood. As such, these epistemological matters will not be explored here.

their own individual worth.[164] Concerns of 'pronatalist', 'biologic', and 'genetic essentialist' presumptions within contemporary society point to influences that stigmatize certain forms of affiliation, such as childless marriage or adoptive parenthood. But these ought to be valued as specific functionings.[165] Moreover, a society fixated on biological procreation is less likely to recognize that people may realize parental functionings in specific ways even when they do not have biological children. Nor will it foster appreciation of adoptive parenthood as a pathway towards positive functionings related to parenthood. For those who are incapable of the particular demands of parenting, perhaps due to limited resources or capacities, exercising the capability of affiliation nonetheless remains important for their dignity. Not being able to realize functionings specific to parenthood does not infringe upon a person's dignity but may be a reality caused by the conditions of a person's existence. This explanation provides a valuable conceptual framework for considering parenthood from functional perspective while attending to both biological and non-biological modes of kinship.

Nussbaum's approach prizes equality and avoids absolute distinctions based on gender. Consequently, she does not suggest that human relationships are conditioned in any essential way by human gender. This is not to say that gender will not influence how the basic capability of affiliation will come to be realized as a combined capability.[166] Gender often will influence the specific forms relationships might take, but it is not

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[164] See the argument above for fertility being tied to self-worth

[165] Pronatalist, Biologic is from Bartholet, Genetic Essentialism is above.

[166] Nussbaum is in fact very concerned with how gender functions on a number of levels; but she does not posit gender as a difference that is essential to the existence of certain potentials. Cf. Martha Nussbaum, *Women and Human Development: The Capabilities Approach* (Cambridge, UK: Cambridge University Press, 2000).

essential to forming a relationship as such. Instead, relationality is a basic human potential that comes to be developed according to individual abilities and external realities. Therefore, limiting the formation of particular types of human relationships without clear reason acts unjustly against an individual's freedom to develop their internal capabilities and may be an affront to their human dignity. However, combined capabilities, which include specific forms of relationships, may be limited justly if they are reasonably seen to be detrimental to the human good. That is, Nussbaum's conviction that individuals are free to construct their own vision of the good, does not lead her to conclude that societies are obligated to accept as good all the possible forms this pursuit may take.

Here the tension with the Catholic magisterium's opposition to same-sex parenthood becomes clear. Whereas Nussbaum sees her approach as defending same-sex marriage, and presumably same-sex parenthood for similar reasons, the magisterium has argued against these and done so largely within the conditions set by Nussbaum. For example, the magisterium does not teach that homosexual persons lack dignity or cannot form loving relationships; it has defended both of these.[167] However, the magisterium does limit the socially allowable types of relationships, including marriage and parenthood, which same-sex persons may pursue.[168] Thus, these teachings amount to

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[167] Sacred Congregation for the Doctrine of the Faith, "Some Considerations Concerning the Response to Legislative Proposals on the Non-Discrimination of Homosexual Persons," Vatican, (July 22, 1992) http://www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfaith_doc_19920724_homosexual-persons_en.html, #12. It is notable, however, that John Paul II's approach to sexual ethics quite clearly implicates all sexual same-sex relationships as inherently selfish because they cannot properly express human sexuality as total self-gift.

[168] Cf. Sacred Congregation for the Doctrine of the Faith, "Considerations Regarding Proposals to Give Legal Recognition to Unions between Homosexual Persons," Vatican, (July 31, 2003)

restrictions of combined capabilities which may be justly permitted for good reason. In Nussbaum's view, these concerns evidently do not legitimate such a limitation, and in fact are tied to conditions that impact the individual's social recognition. As such, these restrictions flow from discrimination, limit the basic capability of affiliations, and amount to an affront to human dignity. Conversely, the Magisterium argues that certain same-sex relationships do not serve the common good or individual wellbeing. Nor can they serve as a foundation for the family or promote children's wellbeing. As such, the magisterial argument operates within Nussbaum's framework in articulating certain forms of same-sex relationships as the type of pursuits that simply should not be recognized as good. But Nussbaum's framework raises two particular challenges to this argument. First, the argument for limitation would need to carry the burden of proof in showing that it really is based upon reasonable and serious potential for individual and social harm, not simply discrimination. Second, the argument would also have to show how this limitation avoids restricting individual standing within the community to such an extent that it acts against the basic capability of affiliation.

The Capabilities Approach also helps to show how the subject of adoption is complicated by the fact that children have limitations on their freedom to select which functionings to pursue and thereby rely on adults to make these decisions for them. In biological families, parents assume this responsibility for overseeing their children's developing capacities from birth. But in situations where children do not have capable parents, the question of which functionings to pursue must be turned towards potential

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http://www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfaith_doc_20030731_homosexual-unions_en.html.

parents as well. Some have offered arguments that suggest children are harmed when specific functionings related to their genetic, racial, and cultural identity are removed as viable options. For example, the specific good of coming to understand one's self within the context of one's own racial community may be removed as a potential functioning in instances of transracial adoption. But Capabilities Approach also shows how adoptive families themselves offer distinctive potential functionings. For example, the distinctive good of developing a bi-racial or bi-cultural identity could not be had in a more homogenous home environment. As such, the Capabilities Approach helps to explain the positive specific content of adoptive families while limiting over-assertions of racial, cultural, or biological identity. Restricting a specific combined capability is not the same as restricting an internal capability and does not challenge human dignity when done with good reason. When adoption is necessary for a child's wellbeing the new family that results from that adoption ought to be understood as a positive reality.

This also raises the question of if any collective can really be said to love. If collectives cannot fulfill this need of children, how can they have a right to dictate children's future? If children were considered objects of ownership, collectives could claim rights over them. But because they obligate human relationships that only individuals can provide, the claims of the collective are weakened substantially. Thus a group could not claim to retain responsibility over a child if individuals within that group cannot also provide for the care obligated. On the other hand, it remains important to recognize that existing relationships and identities should not be fractured without compelling reasons. Adoption may allow a child to pursue unique functionings but existing potentials must also be taken into account. As such, the age of the child seems to

be an important factor. Conversely, instability in domestic arrangements works against the internal capability of affiliation and ought to be a very serious concern. That is, if human dignity itself calls for developing capabilities and desired functionings change with personal and social conditions, it is then very important to ensure stable home environments for children so that they can aim for and achieve functionings throughout their development with some sense of security. Transient child-care arrangements, such as foster care, may be necessary in certain situations, but moving children into stable homes as quickly as possible is not simply about fulfilling the desires of adult adopters, but is a concern raised by the child's own dignity.

Conclusion

This chapter began by pointing to the limited attention feminist theology has often afforded children and suggested that theology as a whole has not fared better. It then proposed that present discussions in philosophy and legal theory may prove insightful for advancing the theological discourse. Throughout, the chapter has called attention to aspects of arguments that may prove useful for a Catholic theological approach to parenthood. But it has also attended to tensions or limitations where these exist. On the whole, these sources have added important perspectives that ought to be considered seriously. These include reflections on how parental responsibilities arise, the strengths, challenges, and limitations of children rights, complex issues in adoption, and considerations of parental relationships from a social justice perspective. Below, these contributions will be reviewed and utilized to further progress towards foundations for a theological conception of parenthood.

Present Catholic teaching on parenthood appears to rely heavily upon the strong causal approach and also shares its limitations. Namely, Catholic perspectives tend to attach great significance to biological kinship without recognizing how kinship itself is an interpreted reality. This gives rise to a tendency to destabilize the value of adoption and other chosen forms of kinship or characterize these as abnormal or undesirable. Overtly the magisterium has praised adoption, but the operative theory of parenthood appears to undermine these assertions. Lastly, this approach is prone to speaking for children's natural need to be reared by their biological parents without thorough consideration of the contextual complexities that can make this undesirable or impossible for certain children. As such, it can cast suspicion on non-biological family forms without thorough analysis of where these fit in meeting children's needs given the realities of their contexts. For example, the assertion that all children have a right to be raised by their biological parents carries very little value within discussions of care for foster children as this option is already void in most instances. Nonetheless it has been employed in this context in arguments against same-sex parenthood.[169]

The voluntarist approach calls more attention to the uniqueness and value of specific relationships and better appreciates the constructed nature of kinship which has a legitimate place in the Christian tradition. However the voluntarist account can place too much emphasis on chosen relations and tend to undermine unchosen relationships, communal identity, and traditional family forms. On this score, the causal account appears to be more realistic about the complexity and limitations of human relationships.

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[169] Sacred Congregation for the Doctrine of the Faith, "Instruction for Respect of Human Life in Its Origin and on the Dignity of Procreation; Replies to Certain Questions of the Day" (*Donum vitae*), Vatican, (February 22, 1987), II.A.1.

Because of these factors, the first section concluded by suggesting that a mixed approach that blends a presumption for a weak causal account with a recognition of the voluntary acceptance of parental responsibilities best accounts for Christian claims. Moreover, this approach needs conditioned by adult capabilities and children's needs. This was not to suggest that all historical Christian perspectives on parenthood are so easily reconcilable, but simply to provide a modest working definition of the origins of parental responsibilities that can help build a foundation for a theological account of parenthood.

The following section considered this theory of parental obligations in light of contemporary developments in children's rights and introduced the need for the human dignity of children to be central to a conception of parenthood. It also suggested that respecting the human dignity of children entails different considerations than adults which limits the applicability of rights language. Some have argued that rights language cannot simply be modified to account for the unique needs of children, but needs fundamental revision to account for its basis in adult experience. These approaches help to explain why procreative costs and parental obligations are owed by those who brought children into existence to these children on account of their own needs and dignity.

The third section presented Bartholet's claim that families formed by adoption must be seen as a positive form of the family and adoption practices need to be more adequately guided by children's wellbeing. Both expansions on Bartholet's argument and some serious limitations were considered. Repeatedly, the influence of differing commitments to the causal or voluntarist theory of parenthood emerged. This section also raised very serious concerns about the role of race and socioeconomic status in adoption

practices. These concerns for structural injustice bring to light the complexity of discussions of adoption and mark out some legitimate boundaries of voluntarist accounts of parenthood. Social injustice works against children's wellbeing while simply proposing adoption as the solution ignores the structural problems. Claims to rightfully possess children are problematic whether asserted by communities of birth or zealous prospective parents. Although many individuals may desire to be parents to particular children, the decision of who should parent needs to be made on the basis of children's own wellbeing. On this count, racial and cultural identity may provide some claim but not one that particularly strong in light of other possible concerns. This raises the concern that neither the causal approach be allowed to justify keeping children in harmful situations nor the voluntarist approach be used to justify 'rescuing' children from harm without attending to the factors that contribute to the situation. As such, this section brought to light the importance of parenthood being grounded in right intentions and sufficient capabilities. Moreover the term parenthood itself needs sufficient expansion to account for communal investments in childrearing as well as non-parent adults who function in parental ways within the lives of specific children.[170]

The final section took a somewhat different approach in considering how Nussbaum's development of the 'Capabilities Approach' might be employed as a resource for a more comprehensive theological conception of parenthood. The basic capability of affiliation became most pertinent in this investigation as it helped to show

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[170] One perspective that appears to begin to address this challenge is offered by Cynthia Willet who argues that collective responsibility for children is needed nationally and globally, yet humans rights language tends to fracture associations and makes orphans out of all people. See, Cynthia Willet, "Collective Responsibility for Children in an Age of Orphans," in *The Best Love of the Child; Being Loved and Being Taught to Love as the First Human Right,* ed., Timothy P Jackson (Grand Rapids, MI: Eerdmans, 2011), 179 – 196.

how capabilities relate to specific human relationships in various ways. This gave a name to the deeper human reality in which parenthood is grounded while also conceptualizing the capability of parenthood in a dynamic way that helps account for both child development and the changing nature of parenthood through the course of a lifetime. Moreover, parenthood is a somewhat unique human relationship that encompasses both the inter-personal and social dimensions of the central capability of affiliation. This had two notable implications for considering a Catholic theological account of parenthood. First it accepted the objective validity of particular lines of argument against same-sex parenthood, but also brought this opposition into suspicion as potentially unfounded by evidence and acting against the dignity of potential same-sex parents. Second, it articulated more clearly why adoption might be considered a positive form of family while casting doubt on some arguments opposing transracial and international adoption.

Throughout these arguments, certain themes have also emerged consistently. Among these are the concern to identify parenthood in light of children's wellbeing, the recognition that 'parenthood' is itself a complex term which encompasses a variety of meanings, and the persistence of tensions between individual and communal commitments. Perhaps the two most significant insights this chapter yields for a theological conception of parenthood is that parenthood is both a largely voluntary and a dynamic reality. That is, parenthood must be recognized as a capability that a parent determines to develop in initiating a relationship with a particular child. As such, parenthood itself is a process of developing certain potentials, or even virtues, which themselves direct a person towards human flourishing.[171] This development is ongoing as

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[171] McLemore, 464.

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the parental relationship grows and changes over the course of time. As such, parenthood is less of a static reality than an ongoing vocation. Nonetheless, parenthood requires certain internal capacities and external factors. It is not required for human flourishing, but it is probably undertaken in more diverse forms than we are presently prone to recognize.

BIBLIOGRAPHY

Alexander, John M. "Capabilities, Human Rights and Moral Pluralism." *The International Journal of Human Rights* 8, no. 4 (December 2004): 451-469.

American Psychological Association. *Lesbian and Gay Parenting*. Washington D.C.: American Psychological Association, 2005.

Bartholet, Elizabeth. *Family Bonds: Adoption and the Politics of Parenting.* New York: Houghton Mifflin Company, 1993.

Brodzinski, David M., and the Evan B. Donaldson Adoption Institute. "Expanding Resources for Children III: Research-Based Best Practices in Adoption by Gays and Lesbians." Evan B. Donaldson Adoption Institute. October 2011. Accessed December 1, 2014. http://adoptioninstitute.org/publications/ expanding-resources-for-children-iii-research-based-best-practices-in-adoption-by-gays-and-lesbians/.

Cooper, Tanya Asim. "Racial Bias in American Foster Care: The National Debate," *Marquette Law Review* 97, no. 2 (winter 2013): 215-277.

Failinger, Marie A. "Co-Creating Adoption Law: A Lutheran Perspective." *Dialog: A Journal of Theology* 51, no. 4 (Winter 2012): 266-275.

Gudorf, Christine E. "Western Religion and the Patriarchal Family." In *Perspectives on Marriage; A Reader,* edited by Kieran Scott and Michael Warren, 286-301. New York: Oxford University Press, 2001.

Haslanger, Sally and Charlotte Witt. Eds. *Adoption Matters: Philosophical and Feminist Essays*. Ithaca, NY: Cornell University Press, 2005.

Heijst, Annelies van. *Models of Charitable Care: Catholic Nuns and Children in their Care in Amsterdam*, 1852-2002. Leiden and Boston: Brill, 2008.

hooks, bell. *Feminist Theory: From Margin to Center.* Boston, MA: South End Press, 1984.

Jackson, Timothy P., ed. *The Best Love of the Child: Being Loved and Being Taught to Love as the First Human Right.* Grand Rapids, MI: Eerdmans Publishing Company, 2011.

Johnson, Fren L., Stacie Mickelson, and Mariana Lopez Davila. "Transracial Foster Care and Adoption: Issues and Realities." *New England Journal of Public Policy* 25, no. 1 (2013): 1-14.

Gundry-Volf, Judith M. "The Least and the Greatest: Children in the New Testament." In *The Child in Christian Thought*, edited by Marcia J. Bunge, 29-60. Grand Rapids, MI: Eerdmans, 2001.

Nussbaum, Martha C. *Creating Capabilities: The Human Development Approach*. Cambridge, MA: Harvard University Press, 2011.

Ostdiek, Gilbert. "More than a Family Affair: Reflections on Baptizing Children and Mutuality." In *Mutuality Matters: Family, Faith, and Just Love*, edited by Herbert Anderson, Edward Foley, Bonnie Miller-McLemore, and Robert Schreiter, 201–210. New York: Rowman and Littlefield Publishers, 2004.

Parkinson, Patrick. "Family Law and the Indissolubility of Parenthood." *Family Law Quarterly* 40, no. 2 (Summer 2006): 237-280.

Prusak, Bernard G. *Parental Obligations and Bioethics: The Duties of a Creator*. New York: Routledge, 2013.

Roberts, Dorothy E. "Prison, Foster Care, and the Systemic Punishment of Black Mothers." *UCLA Law Review* 59 (2012): 1474-1500.

Sacred Congregation for the Doctrine of the Faith. "Considerations Regarding Proposals to Give Legal Recognition to Unions between Homosexual Persons." Vatican. June 3, 2003. Accessed December 1, 2014. http://www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfaith_doc_20030731_homosexual-unions_en.html.

_____. "Instruction for Respect of Human Life in Its Origin and on the Dignity of Procreation: Replies to Certain Questions of the Day" (*Donum vitae*). Vatican. February 22, 1987. Accessed December 1, 2014. http://www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfaith_doc_19870222_respect-for-human-life_en.html.

_____. "Some Considerations Concerning the Response to Legislative Proposals on the Non-Discrimination of Homosexual Persons." Vatican. July 22, 1992. Accessed December 1, 2014. http://www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfaith_doc_19920724_homosexual-persons_en.html.

Schwartz, Ann. "Connective Complexity: African American Adolescents and the Relational Context of Kinship Foster Care." *Child Welfare* 87, no. 2 (2008): 77-97.

Skinner, Denise A. and Julie K. Kohler. "Parental Rights in Diverse Family Contexts: Current Legal Developments." *Family* Relations 51, no. 4 (Oct. 2002): 293-300.

Somerville, Margare. "Children's Human Rights and Unlinking Child-Parent Biological Bonds with Adoption, Same-Sex Marriage and New Reproductive Technologies." *Journal of Family Studies* 13, no. 2 (November, 2007): 179-201.

Chapter 6: Conclusion

1. Introduction

2. Part I: Review of Arguments

3. Part II: Bases for a Child-Centered and Functional Account of Parenthood

4. Part III: Prudential Suggestions

5. Part IV: Looking Forward

Introduction

This concluding chapter reviews the arguments made in previous chapters and initiates a constructive theological account of parenthood. It then returns to the case study shared in the Introduction and considers how this account of parenthood being developed parenthood might help address present dilemmas regarding Catholic participation in adoption services under laws that prohibit discrimination between marriage and legally recognized same-sex partnerships. This chapter argues that rigorous concern for the best interests of children in need of stable, permanent families is essential and that the importance of the Catholic Church's involvement in adoption services for its own identity should not be ignored. Catholic responses to non-discrimination legislation for same-sex adopters are evaluated in terms of this account of parenthood which attempts to be both mindful of children's rights and needs, as well as the magisterium's present objections and concerns. This evaluation is based upon considering the caregiving potential of same-sex partnerships in distinction from moral judgments of homogenital sexual acts. The final section of this chapter outlines potential trajectories for future research that would continue this project's line of inquiry. The chapter calls for moral reflection on the relationship between conceptions of parenthood and gender, the relationship between sacramental marriage and other intimate human partnerships, and the development of moral theologies that take children seriously.

Part I: Review of Arguments

Before considering how the observations and arguments presented in this research might inform a theological account of parenthood, the arguments of the preceding

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chapters will each be briefly reviewed in turn. The Introduction addressed differing social

and religious conceptions of parenthood that American Catholic adoption agencies face

in light of the reality of same-sex parenting. These tensions are caused by both shifting

social understandings as well as developments within Catholic teaching. It maintained

that further investigation into the theological nature of the conflict was warranted because

orphan care is a central Christian practice that should not be easily abandoned. Decisions

to end adoption services in response to non-discrimination legislation for same-sex

adopters reflect a limited theological account of parenthood. This conception of

parenthood is indebted to an essentialist theory of gender and related system of sexual

ethical reasoning. It offers a clear vision of gendered parental roles but very little

reflection on the human capabilities that may be required to parent well. Furthermore,

this conception of parenthood relies heavily upon a post-Victorian social context and

privileges the biological nuclear family to such a degree that it effectively undermines

Catholic participation in, and theological reflection on, adoption more generally. As such,

the Introduction asserted that the operative perspective on parenthood within official

Catholic teaching insufficiently engages a long and diverse history of orphan care and

does little to integrate contemporary studies of child wellbeing.

Chapter 1 identified particular biases within modern magisterial teaching. The

biases concern the role of normative sexual ethical judgments, especially as these are tied

to an essentialist theory of gender, bear on conceptions of parenthood. By construing

sexual ethics almost exclusively as an ethics of marriage magisterial teaching narrowly

construes parenthood as centered on sexual reproduction and biological kinship, a trend

that only increased following the publication of *Humanae vitae.* Contemporary magisterial teaching retains the conviction that spiritual education expresses Christian parenthood in its fullness yet undermines this very conviction through its repeated emphasis on biological procreation. This emphasis on biological procreation has diverted considerations of parenthood towards defenses of the moral condemnation of contraception and assertions of gendered parental roles. To explore these shifting concerns more closely, the first chapter focused on developments within certain key themes: gender, sexual ethics, family structure, and family function.

An essentialist theory of gender, which conceives of male and female as discrete and differentiated categories, characterizes magisterial teaching from the papacy of Leo XIII through Benedict XVI. Magisterial perspectives pay little attention to social or individual constructions of gender identities and ideologies when these agree with. Yet, the magisterium does express concern over gender theories that view the relationship between embodiment and gender identity as more fluid. Modern magisterial documents also consistently conceptually separate the male-public and female-domestic spheres even as they express commitment to women's dignity and their right to equitable social participation. In the writings of John Paul II, the concept of complementarity largely captures these commitments. Complementarity allows for universal claims about the normative dispositions of the sexes while avoiding complex considerations of the formation of gender identity and cultural ideology.

Two major concerns were raised in response to these developments. First, gender essentialism can obscure individual diversity, human adaptability, and cultural capacities for change. Second, the complexity of human sexuality as understood today is simply too

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great to fit neatly within dichotomous categories. Although Catholic teaching acknowledges physical, psychological, social, and spiritual aspects of human sexuality, it does little to address potential conflicts that may arise among these various dimensions. Moreover, it retains a tendency to make normative claims on the basis of generalist categories, as well as utilizing language suggestive of female subordination to male prerogative.

Humanae vitae is also significance as the first post-conciliar document to operate on the basis of a personalist moral framework. Some saw its approach as rightfully linking the physical and metaphysical realities of the human person while bringing these to bear in its moral teaching. Others saw an importation of outdated physicalist methodology under the cloak of personalist language, with moral conclusions ultimately based on the physical structure of the act. With John Paul II, the debate over *Humanae vitae* grew in complexity and importance as his central concern for truth, particularly "the truth about man", provided human sexual differentiation with metaphysical significance. John Paul II clarified that both marriage and parenthood were essentially misunderstood by those who enacted the lie of contraception which speaks at a fundamental level against the dignity of love, marriage, and the sexual act. The most significant concern in these developments is the extent to which the defense of *Humanae vitae* displaced earlier prioritizations of spiritual education as the primary task of Christian parenthood. This commitment was not lost, but became overshadowed by concerns related to the morality of marital sexual expression.

Concerning family structure, commitments to gender essentialism and sexual ethical norms contributed to an idealization of the biological nuclear family. Until the

mid-twentieth century, the ideal family structure also explicitly included male headship, but a more egalitarian vision arose with Vatican II. Adoption is rarely mentioned since Vatican II and is generally offered as an alternative to abortion or as an option for infertile spouses in preference to artificial reproductive technologies. However, under John Paul II, the family was consistently encouraged to open itself outwardly in support of social needs and to cooperate and find support in other families and organizations. Although many aspects of this vision of the family are indebted to certain cultural ideals, its basic resonance with broad historical patterns is also significant. Stable heterosexual partnerships, biological procreation, and the social structures that support childrearing are common human experiences which have import within natural law moral systems. However, Catholic natural law moral theology is not solely based on nature alone, but interprets this through a vision of supernatural realities.[172] Although the Catholic tradition posits the natural and supernatural as complementary rather than conflictual the potential to prioritize one disproportionately in moral reasoning remains. The present approach to parenthood through the natural order biological procreation has detracted attention from adoption which is traditionally defended on the basis of spiritual goods. In light of this, the relationship between adoptive parenthood and the procreative end of sex and marriage raises a particularly challenging concern. If adoption is an alternative way to realize this end, families formed by adoption are based in marriage and complementarity like those formed through biological procreation. Yet acknowledging adoption as a kind of procreation could lend support to arguments that question the judgment of *Humanae vitae*

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[172] See, Eugene F. Rogers, *Sexuality and the Christian Body: Their Way into the Triune God* (Oxford: Blackwell Publishers, 1999).

or support diverse family forms. Without a close connection between the end of procreation and biological reproduction the tightly knit concepts of complementarity, reproduction, and parenthood would admit to greater exceptions than present teaching allows.

Finally, conceptions of family function are fruitful resources in contemporary magisterial teaching for both internal critique and as foundations for a theology of parenthood. Contemporary magisterial teaching reclaims the idea of the family as the "domestic church," such that within the family all members exercise their baptismal priesthood in a special way.[173] Parents have a special task of evangelizing and leading their children to maturity, salvation, and holiness. As such, the family is described as a learning and evangelizing community, a "school of virtue" and a "school of deeper humanity."[174] These functional descriptions suggest possibilities for challenging accounts of the family based primarily upon structure. Magisterial focus on family structure has much to do with the particular form of personalism adapted by Paul VI and developed by John Paul II. In John Paul II's moral theology, physical and meta-physical are closely connected. While utilizing personalist arguments John Paul II also tended to route supernatural goods through the natural order in way that downplayed potential conflicts or exceptions and occasioned accusations of physicalism. Closer attention to the role of

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[173] *Catechism of the Catholic Church*, 1655 – 1666.

[174] John Paul II, *Familiaris consortio,* Vatican, (November 22, 1981) http://www.vatican.va/holy_father/john_paul_ii/ apost_exhortations/documents/hf_jp-ii_exh_19811122_ familiaris-consortio_en.html, #21, 51 – 55. Cf. John Paul II, "Letter to Families," Vatican, (February 2, 1994) http://www.vatican.va/holy_father/john_paul_ii/letters/documents/ hf_jp-ii_let_02021994_families_en.html.

cultural assumptions in presumed natural constructions of gender may have inspired more careful scrutiny of this relationship.

Such an approach also elevates the significance of functional assessments of the family over family structure. That is, if a community functions like a family and appears to enjoy the spiritual benefits of a family, theological resources ought to exist for claiming it as a family or acknowledging similarities. This perspective finds support in repeated magisterial affirmations that the true meaning of parenthood goes well beyond biological procreation to spiritual education and service to the common good. Moreover, when the family is normatively envisioned as a learning and evangelizing community then moral evaluations of the family rightly consider function because structural assessments alone are inadequate for evaluating any particular community' ability to learn and evangelize.

Chapter 2 argues that revisionist Catholic theologians, who generally disagree with the magisterium on a number of sexual ethical judgments, also consistently access concepts of parenthood through prior accounts of sexual ethics and thereby replicate, to an extent, the biological bias of magisterial thought. That is, revisionist moral theologians also commonly assume a linear progression from human sexuality, to sexual ethics, to theology of marriage, to theology of parenthood. This approach similarly results in a tendency to treat adoption as a peripheral, rather than integral, consideration of the meaning of Christian parenthood.[175] The revisionist authors engaged express general

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[175] Stephen Post suggests that changing Western cultural assumptions over the last century have led to an "increasingly dominant genealogical essentialism." As such, the similarities in theological method

concern that magisterial teaching on the family is too tightly linked to the nuclear family and gendered parental roles, and that it is too idealistic to address adequately the complexities of lived realities. But, their responses to these concerns are limited by the tendency to replicate certain lines of thought in the writings they criticize. For example, the authors surveyed agree that openness to adoption is a positive expression of Christian parenthood, yet theological explanations of why this is so and how adoptive parenthood relates to biological parenthood and marriage are consistently under-developed. Additionally, several revisionist authors defend same-sex parenthood on the basis of sociological evidence, but offer limited theological support based on the nature of parenthood itself.

Still, revisionist theologians make valuable contributions to theological reflection on parenthood given their commitments to experience as a moral guide, to a historically conscious worldview, and to broadened anthropological frameworks with nuanced conceptions of human gender. Moreover, revisionists also provide expanded definitions of 'procreation', commitment to justice as a norm for human relationships, and gestures towards the significance of human capacities are also significant. Lisa Sowle Cahill and Julie Hanlon Rubio explicitly clarify that the Christian family's call to discipleship is rooted in the vocation of the family, not a family's structure. Both also advocate for more socially supported and socially engaged families.[176] Richard Gaillardetz offers the Eastern Christian notion of 'generativity' as a more promising concept than the duty-

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may be related to broader cultural shifts. See, Stephen G. Post, "Adoption Theologically Considered," *Journal of Religious Ethics* 25, no. 1 (1997): 149 – 168.

[176] See, Lisa Sowle Cahill, *Family: A Christian Social Perspective* (Minneapolis: Fortress Press, 2000) and Julie Hanlon Rubio, *A Christian Theology of Marriage and Family* (New York: Paulist Press, 2003).

laden term 'procreation' because the former can connect reproduction and social

commitment via a theological conception of the nature of human love.[177] The second

chapter concludes that disagreements between magisterial and revisionist conceptions of

parenthood and the family are primarily methodological. They are most pronounced in

matters of sexual ethics but diminish as considerations move toward family function;

specifically the Christian family's role in society. As such, a more firm and

comprehensive vision of parenthood, that is allowed a degree of distinction from sexual

ethics, has the potential to unite insights from these often disparate Catholic sources

while also coherently addressing present realities.

Chapter 3 argues that Western Christian history witnesses to myriad ways of

providing care for children while conceptions of children and childhood have continually

shifted. Caregiving practices have included forms of kin guardianship, non-maternally

centered domestic caregiving, spiritual interpretations of 'true' motherhood, and diverse

adoption practices. Modern conceptions of the family are largely indebted to cultural

conceptions of childhood which encouraged emphasis on gendered parental roles and

associate caregiving capabilities with the nature of womanhood.[178]

Throughout Christian history, biological kinship if often central but faith-based

interpretations of kinship serve as a powerful resources for supporting non-biological

caregiving. Whether biological kinship or the willingness to construct kinship based on

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[177] See, Richard R. Gaillardetz, *A Daring Promise: A Spirituality of Christian Marriage* (New York: The Crossroad Publishing Company, 2002).

[178] See, Ann Taylor Allen, *Feminism and Motherhood in Western Europe, 1890 – 1970* (New York: Palgrave Macmillon, 2005).

other's needs is the more fundamental Christian ideal remains an open question. The priority of biological kinship is often suggested throughout Western Christian history however biology relatedness alone has never been singly determinative of kinship. Christian kinship is also a theologically interpreted reality. At times, basic Christian commitments to responding to the needs of others provided bases for constructing kinship and explaining caregiving practices.

Chapter 4 began an exploration of non-theological contemporary resources by engaging sociological and psychological studies of family function and child wellbeing. A major challenge of assessing this research involves acknowledging both the measureable benefits of 'traditional' families for children while carefully parsing the complexities of familial diversity. Available social scientific evidence strongly indicates that stable nuclear families based in marriage promote child wellbeing. However, drawing broad and exclusionary conclusions from this data masks important complexities. For example, the emphasis placed on parental gender complementarity within Catholic teaching is an aspect of the traditional family yet this does not significantly impact measures of children's wellbeing in comparisons of children raised by homosexual and heterosexual partners. Of course, social-science research concerns basic measures of health while the magisterial view of the family emphasizes children's moral and spiritual growth.

The most significant point of common ground between the two perspectives is the importance of stability for child wellbeing. The general agreement between revisionist and magisterial sources on commitment to open and socially engaged families with

extended networks of support appears to be one viable means to encourage this stability. Moreover, present social emphases on achievement and personal happiness have a negative effect on actually attaining both, while the Catholic vision of the purposes and function of the family may provide a valuable corrective. Yet such suggestions need to be expressed against the reality of social conditions, including, for example, economic systems that are often at odds with the creation of stable and socially engaged families.

Chapter 5 acknowledged the limited attention children receive as subjects of theological discourse in their own right then explored philosophical and legal resources that may aid in correcting this limitation. The chapter presented philosophical disagreements on the basis of parental responsibilities. The causal approach is dominant in contemporary Catholic teaching and shares similar limitations but the voluntarist approach can be individualistic and lacks appreciation of the importance of communal relationships. Therefore, a mixed approach provides a more adequate representation of traditional Christian commitments.

In light of contemporary developments in children's rights a need exists for making the human dignity of children a central aspect of any conception of parenthood. This requires, at least, significant revisions to aspects of rights language which is indebted to adult experience. However, the human rights tradition does help to explain why parental responsibility is not merely a matter of choice, but is owed to children on account of their needs and dignity.

The mixed approach to parental responsibilities is further clarified by insisting that adoptive families are a 'positive' form of family. First, although many individuals

may desire to be parents to particular children, the decision of who should parent needs to be made on the basis of children's own wellbeing. Second, research on adoptive families calls attention to the importance of grounding parenthood in right intentions and sufficient capabilities. Third, the term 'parenthood' itself needs sufficient expansion to account for communal investments in childrearing as well as non-parent adults who function in parental ways within the lives of specific children.

Chapter 5 also considered the 'Capabilities Approach' developed by Martha Nussbaum as a resource for a more comprehensive theological conception of parenthood. The 'basic capability' of 'affiliation' is most pertinent as it most directly concerns interpersonal relationships. Affiliation names the basic human reality that grounds parenthood and assists in conceiving of parenthood as a dynamic capability. The capability of affiliation can account for both child development and the changing nature of parenthood through the course of a lifetime. Where Catholic teaching has been criticized for emphasizing procreation over the actual rearing of children, affiliation offers a more developmental foundation for conceiving of parenthood as an ongoing personal relationship. Parenthood is both largely voluntary and dynamic. As such, parenthood itself is a process of developing certain human potentials. This development is ongoing as the parental relationship grows and changes with time. Nonetheless, parenthood requires certain internal capacities and external factors.

Utilizing Nussbaum's approach has two notable implications for a Catholic theological account of parenthood. First, it can accept the objective validity of particular lines of argument against same-sex parenthood, but would also evaluate such claims against evidence and with concern for the dignity of potential same-sex parents. Second,

Capabilities Approach aids in articulating why adoption is considered a positive form of family while also casting doubt on arguments opposing transracial and international adoption.

Part II: Basis for a Child-Centered and Functional Account of Parenthood

This project criticized contemporary modes of Catholic discourse on parenthood and explored resources that help substantiate a more adequate contemporary theological approach. Throughout, it consistently claimed that any such contemporary theology of parenthood should be based on considerations of children's wellbeing as well as the capabilities of adult caregivers. It draws from natural law tradition and modern personalist moral theology the belief than any moral prohibition must be based on what is truly contrary to the human person. Consequently, the dissertation draws insights from history, the social sciences, and the humanities to give depth to this preliminary reflection on the moral-theological foundations of parenthood. A number of observations about the nature of parenthood followed.

Throughout the modern era and particularly after *Humanae vitae*, sexual ethics has played an increasingly important role in Catholic conceptions of parenthood. Since this encyclical, magisterial teaching has repeated asserted sexual ethical norms, particularly the prohibition of contraception, while parenthood has been largely defined by biological procreation. Although this is a distinctive trend, it is based in tendencies rather than an explicit theological turn. Aspects of the tradition contrary to this trend were retained, asserted, and even recovered during this period. Examples include the convictions that adoptive parenthood is a paradigmatic expression of the nature of

Christian parenthood, that the most important function of the Christian parent is the spiritual education of children, that families are versatile and open social units which function over time, and that all people have nurturing and caregiving capacities. Yet these are not the dominant themes of contemporary magisterial discourse on parenthood. While biological kinship, marriage-based family structure, and moral means of procreation remain important to Catholic reflections on parenthood, their recent dominance has overshadowed other significant ideals.

An account of Christian parenthood centered in child wellbeing and adult capabilities should rest most centrally on a commitment to care for the spiritual development of particular children to the best of one's abilities. This conception implies care for the physical, emotional, and educational needs of children when it is guided by the moral pursuit of authentic human flourishing and understands children fundamentally as gifts from God.[179] Christian parents, most importantly, help their children find friendship with God and therefore Christian parenthood is a form of evangelization.[180] Promoting the spiritual development of children is the central task of Christian parenthood from the simple fact the Christianity proposes relationship with God as the highest good and ultimate goal of all people. However, spiritual development is reliant upon physical care, emotional development, and educational advancement to reach its

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[179] The understanding of the moral life as a pursuit of human flourishing is central to the Catholic moral tradition, while the conception of children as gifts dates to early Christianity and has appeared repeatedly in magisterial writing on the family since *Casti connubii.* See, Pius XI, *Casti connubii,* Vatican, (December 31, 1930) http://www.vatican.va/ holy_father/pius_xi/encyclicals/ documents/hf_p-xi_enc_31121930_casti-connubii_en.html, #15 and 53.

[180] Paul VI, *Evangelii nuntiandi*, Vatican, (December 8, 1975) http://w2.vatican.va/content/paul-vi/en/ apost_exhortations/documents/hf_p-vi_exh_19751208_evangelii-nuntiandi.html, #71.

fullest human extent.[181] This teleological perspective on human life also may be why the

developmental model of childhood has remained persuasive throughout the Christian

tradition.[182]

Consideration of the theological nature of Christian parenthood presumes that

Christian parenthood is to some extent unique from 'natural' parenthood or from other

cultural and religious conceptions. Early Christian testimonies show that Christians

within the Roman empire were, in fact, differentiated from the broader culture by the

fluidity with which they constructed (and at times deconstructed) kin obligations.[183]

Christians both disavowed families of birth and named fellow Christians their sisters and

brothers. Early Christians also valued the dignity of each individual human life and felt

called to care for orphans. Upon gaining political power, Christian emperors created new

sanctions against infanticide[184] although the practice of exposure continued for some

time.[185] Reproductive morality was also clearly a factor in early Christian perspectives on

parenthood, though this was bound with body-rejecting dispositions acquired largely

from mixing strands of Greek philosophy with eschatological religious expectations.

Belief in the distinctiveness of Christian parenthood is confirmed by this historical

evidence. It is quite clear that early Christian conceptions of parenthood were formed in a

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[181] While John Paul II's and Paul VI's use of personalism was critiqued earlier for its apparent prioritization of physical acts, the clear connection John Paul II repeatedly makes between spiritual and physical remains important.

[182] Cf. Cristina L. H. Traina, "A Person in the Making; Thomas Aquinas on Children and Childhood," in *The Child in Christian Thought*, 129 – 132.

[183] See, Cahill, *Family*, 18. Cf. Rubio, 48.

[184] Hugh Cunningham, *Children and Childhood in Western Society Since 1500,* 2nd ed. (New York: Routledge, 2005), 25.

[185] Suzanne Dixon, *The Roman Mother* (London: Croom Helm, 1988), 20.

dialogue with the surrounding culture, sometimes accepting and sometimes rejecting its ideals. But Christians also firmly asserted their commitment to the fundamental dignity of the child, care for those in need, willfully constructing of kinship, and moral regulation of sexuality and reproduction.

In light of this history, it is important to add to the foundation of Christian parenthood the observation that all kinship is interpreted kinship, and that different times and places have tended to make different interpretations of the same underlying realities. Biological maternity and paternity have generally formed the basis of conceptions of the family and parenthood. But this general consistency in interpretation does not prove inherent meaning, which is particularly important to acknowledge when identifying the distinctiveness of Christian kinship in its willingness to interpret kinship "against nature."[186]

Christian willingness to make kinship beyond biological relatedness is distinctive for going beyond what is 'natural.' This idea of acting in excess of nature is itself based on the Pauline conception of God's work of salvation for the Gentiles. Paul writes, "For if [the Gentiles] were cut from what is *by nature* a wild olive tree, and grafted, *contrary to nature*, into a cultivated one, how much more will [the Jews] who belong to it by nature be grafted back into their own olive tree."[187] To lose sight of the excess of God's plan of salvation beyond what is 'natural' is to lose sight of the eschatological edge of the Christian tradition that proclaims God's grace in a yet-unfinished world. For this reason,

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[186] As Eugene Rogers points out, Paul at times uses the term 'against nature' to call attention to significant religious goods that are go beyond nature. Paul points to circumcision as a command of God that goes 'against nature' (Romans, 2:27), as well as his Christian outreach to the Gentiles, which unnaturally grafts them as branches onto the pure tree of Israel (Romans, 11:24). Rogers, 64 – 65.

[187] Romans, 11:24, *NASBRE*.

a Christian conception of parenthood must be able to accept a certain natural ordering of kinship and the family, while also remaining willing to transcend biological kinship. This transcendence is a hallmark of early Christian attitudes towards kinship, in contrast to the surrounding Jewish culture.

For this reason, the voluntarist account of parenthood, which asserts that parenthood is based upon a decision to parent, has a certain fitness for the Christian perspective on parenthood. On the other hand, the Catholic tradition's belief in the essential cooperation of the natural and supernatural orders (nature and grace) should not be discounted as this relates to human kinship. This complimentary relationship theologically warrants a positive evaluation of biological kinship. What is naturally the case (e.g. that biological kinship tends to form the foundation for interpretations of kin obligation) should not be disparaged even as it may be legitimately critiqued and expanded in light of Christian convictions.

Consequently, Christian parenthood is best represented by a mix of the voluntarist and causal approaches. The strength of the causal approach is the centrality it gives to children's needs and the respect it affords the human dignity of the child. Yet, the causal account can presume too much about parental fitness based on the mere fact or biological procreation and can lose sight of the importance of decisive commitments made in response to the needs of a particular child. A blended approach admits that non-biological kin may embody Christian parenthood in its fullness, even as biological procreation is generally the basis for Christian parenthood. In either instance, a decision to parent is made in response to a particular child's needs.

This approach to Christian parenthood stands in basic agreement with that of Stephen Post, who is likewise concerned to argue for the theological good of adoptive parenthood. Post writes,

> Adoption does not exist side by side with the requirement that biological parents rear their offspring, as though birth parents might select one option of the other under ordinary circumstances. There are, however, limited ranges of circumstances under which *prima facie* duties may be set aside... While adoption is, then, a secondary option, Christianity nevertheless solemnizes it and ensconces it theologically as the right response to the child in need.[188]

The decision to parent a child is itself a decision to care for that child. This does not make all caregivers parents, but does imply that all who nurture children participate to some extent in the reality of parenthood. In the Christian context, this is particularly true of all who voluntarily commit to nurturing a child's spiritual growth. That is, many who 'parent' are not 'a parent' to a specific child.

That Christian parenthood is in fact a reality in which people participate in different forms is suggested in a number of ways. First, Christian tradition and Western culture include naming variations of parenthood, most notably 'grandparent' and 'godparent,' which suggest that these forms of kinship somehow participate in the reality of parenthood itself. Second, while the Catholic tradition has long valued education and associated it with the primary duty of parenthood, it has also established schools which move this responsibility beyond immediate parental supervision. Consequently, while the duty to educate well remains vested in parenthood, others may participate in its accomplishment.[189] And third, Catholicism's long association with orphan care

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[188] Post, 154.

[189] Vatican II, *Gravissimum educationis*, Vatican, (October 28, 1965) http://www.vatican.va/archive/ hist_councils/ii_vatican_council/documents/vat-ii_decl_19651028_gravissimum-educationis_en.html, #5. For a defense of the value and need for 'non-parent parenting' see, See, Cynthia Willet, "Collective Responsibility for Children in an Age of Orphans,"

demonstrates that fitness to provide 'parental' care for children has not historically been associated with biological relatedness alone or with adult marital status. At times, prospective women religious have even been recruited with the promise of making use of their 'motherly' instincts in the operation of orphan asylums.[190] Frequently, orphan care has been provided not because no living relative existed, but because the ones who did were considered, by themselves or others, unfit for the care of small children. As such, the daily obligations for care that parenthood involves have often been transferred to those with a greater ability to provide adequate care for a child. Therefore, the Christian tradition itself relativizes kinship obligations based on biological relatedness by acknowledging the parental nature of some non-parent adults, not compelling parents to meet all their children's needs personally, and by creating institutions of care giving not based on biological kinship.

Conceiving of parenthood as a reality that can be participated in by degrees rather than an all-or-nothing institution helps to explain why Christian parenthood finds its basis in children's needs and adult capabilities. Following Kant's moral dictum "ought implies can," a person cannot morally assent to an obligation which they cannot fulfill; either because they are incapable or do not reasonably have the means of becoming capable.[191] That is, one cannot assume the capability of a particular biological nuclear family to

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in *The Best Love of the Child: Being Loved and Being Taught to Love as the First Human Right,* ed., Timothy P Jackson (Grand Rapids, MI: Eerdmans, 2011), 179 – 196.

[190] Annelies van Heijst, *Models of Charitable Care: Catholic Nuns and Children in their Care in Amsterdam*, 1852-2002 (Leiden and Boston: Brill, 2008), 55. It is notable that the advertisement what set in the context of offering a possibility for the young woman to use the motherly skills with which they are naturally endowed "*and yet keep her entire heart free for God.*"

[191] Cf. Post, 154.

parent a child any more than a particular single mother without knowledge of the family unit's particular circumstances and resources. The need for capability is particularly important when considering parenthood; an obligation of supervision for the spiritual development of a gift from God, and all that this entails. Although biological parents hold a *prima facia* duty to parent, this can be set aside for serious reasons. On the other hand, the human capacity for growth and adaptation in capabilities must also be taken seriously.

Parents frequently feel overwhelmed at the challenges of the task that faces them. A functional account of parenthood could exacerbate these anxieties. But parents also develop skills adapted to the specific challenges they encounter, skills they likely would not have developed without their experience of parenting particular children. In addition, circumstances can change significantly over the course of a child's development; therefore assessment of parental capability must attend to reasonably foreseeable developments and adaptations in parental abilities.[192] On the other hand, the dignity and wellbeing of the child is also a central factor for considerations of parenthood. That is, parenthood exists because children need adult relationships which will provide them care and protect their best interests. The Vatican has rightly asserted that the adult desire to parent can never itself be claimed as a positive right.[193] Conversely, care for children in need may well be asserted as a duty for anyone who is able.

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[192] The fact that human needs, desires, and abilities change over time is central to Nussbaum's approach to Capabilities Theory and founds her concern for 'adaptive preferences." Martha C. Nussbaum, *Creating Capabilities: The Human Development Approach* (Cambridge, MA: Harvard University Press, 2011), 25.

[193] Sacred Congregation for the Doctrine of the Faith. "Instruction for Respect of Human Life in Its Origin and on the Dignity of Procreation; Replies to Certain Questions of the Day" (*Donum vitae*), Vatican, (February 22, 1987), #8.

Not to be overlooked in this consideration of capabilities and obligations to care are those who reasonably and in light of circumstance surrender parental duties out of concern for a child's best interest. Tragic circumstances may lead to this decision, but such a parent fulfills the obligations of parenthood in their choice. In fact, in recognizing that biological kinship does not itself bind parenthood, biological parents who place their children in the care of others, in light of the child's needs and their capabilities, truly respond to the Christian vision of parenthood.[194] Thus, an authentic understanding of Christian parenthood may lead to family dissolution as well as family formation; even as the circumstances for the former may be more tragic than joyous.

The central role of marriage and the biological family in providing the context for Christian parenthood throughout history must also be noted. However absolutism about the biological nuclear family as the normative context for parenthood is limited by two important realities. First, the family has not been immune to change throughout history, but in fact has consistently adapted to social, economic and other pressures. Second, Christians have freely and consistently chosen to care for children without the ties of biological kinship and beyond the bounds of the nuclear family. As such, while this conception of parenthood is related to it cannot be subsumed by conceptions of the family.

The shared nature of parental obligations within the nuclear family is also important to acknowledge. Present arguments that gender complementarity is an essential

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[194] Post, 160 – 161. While conceiving of birth mothers who choose to relinquish parental claims as paradigms of responsible parenthood may seem odd, cultural pressures that label such women as failed motherhood, and *de facto* failed woman, are the cause of great harm to both women and children.

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aspect of the family consider this particular mode of sharing parenthood normative.[195]

However, the veracity of this claim can be questioned in light of both social scientific

evidence and historical realities. Historically, the functions of parenthood have rarely

belonged to one or two individuals alone. Grandparents, godparents, relatives, neighbors,

and siblings have all fulfilled parental duties to various extents for countless children

throughout history. Moreover, only recently has Catholicism come to understand

parenthood as a partnership of equals. Western history has tended to associate the

executive functions of parenthood singly with fathers, who in Catholic theology were

held to be the divinely appointed head of the household.[196] Because of this, mothers have

not had equal share in determining how parental obligations are fulfilled. The Romantic

Movement influenced a decisive shift towards viewing women as the centers of true

parenthood, defined in terms of nurture, but simultaneously questioned the long held

presumption of women's fitness to educate.[197] Due to these realities, to take for granted

equitable sharing of parental obligations is far too simplistic given the influence of these

historical patterns. Therefore, in contrast to the complementarian ideal, it is evident that

parental functions have not generally rested on spouses alone, while cultural theories of

gender influence how parental labor is divided between the spouses.

Even as parenting exceeds domestic life alone, because it is primarily a social

function, individual family units remain the central context for Christian parenthood. All

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[195] John Paul II, *Familiaris consortio,* #19.

[196] Leo XIII, *Arcanum divinae sapientiae.* Vatican, (February 10, 1880)
http://www.vatican.va/holy_father/leo_xiii/encyclicals/documents/hf_lxiii_enc_10021880_arcanum_en.ht
ml, #11 – 15.

[197] Heijst, 255.

Christians have an obligation to participate in parenting in accordance with their capabilities and the needs of children, but not all must be parents of particular children, in the sense of heading a family unit. At the same time, structural definitions of the family ought to remain elusive if they are to include all the variations in which the functioning of parenting might take place. Minimally, family, conceived as a basic social unit in which Christian parenting exists, i.e. the domestic church, must include intimate caregiving relationships and a shared striving to towards friendship with God. As caregiving relationships some individuals fulfill a parenting function in light of the needs of others. However, greater reciprocity between caregivers and care receivers may be acknowledged in facilitating friendship with God. Thought this is a very loose definition of the family, it seems the only structural definition that does not unnecessarily exclude functional families. Parenthood can be exercised well beyond traditional family structures and domestic arrangements. Because of this families in the sense of domestic churches are created whenever and wherever the tasks of Christian parenthood are embraced within an intimate context in light of the needs of children. Beyond this, authentic parental functions exist for similar reasons beyond the domestic sphere and stand in an intimate relationship with these domestic churches. At times, the circumstances for particular arrangements may be lamentable, but the acceptance of parental obligations for particular children in need remains an authentically Christian task.

Part III: Prudential Suggestions

How do these commitments to a Christian theological account of parenthood bear on the case study shared in the Introduction? This section does not make definitive

recommendations for the US Bishops and Catholic adoption agencies to pursue. Rather, it attempts to articulate goods that are at stake in these arguments which require more considered attention.

To review briefly, in recent years Catholic adoption agencies in several US localities have encountered new legislation that no longer permits discriminating between married applicants and those in legally recognized same-sex unions or marriages. In Illinois, this legislation was passed with assurances of an exception for private-religious organizations that were not honored later. Previously, Catholic agencies had willingly placed children with same-sex couples, but this was done only after other placement options had been exhausted. In 2008, Cardinal Levada, Prefect of the Congregation for the Doctrine of the Faith, clarified that any placements by Catholic adoption agencies with same-sex couples are morally prohibited by Catholic teaching. The anti-discrimination laws forced the question whether Catholic affiliated private adoption agencies could continue their partnerships with the public sector given the newly clarified teaching that these placements were no longer acceptable under any circumstance. In the ensuing discourse surrounding the legal dispute, Catholic leaders consistently pointed to religious freedom and the right of every child to a family founded on heterosexual marriage.[198] Little was said about the actual human capacities needed to raise children well. This project has investigated the presumptions of this discourse, particularly its emphasis on gender and sexual ethical norms, and has upheld two basic commitments. First, like all moral evaluations of parenthood, consideration of adoption placement must center on the best interests of the child and children's need for stable, permanent families.

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[198] Sacred Congregation for the Doctrine of the Faith. *Donum vitae*, II.A.1.

Second, the Catholic Church's involvement in adoption services is more than a public

and humanitarian service, but functions as a testimony to Church's own identity.

An initial suggestion is that representatives of the Catholic Church make public

pronouncements regarding same-sex parenthood or other changes in family life with due

care in light of practical considerations as well as persistent biases. Catholic responses to

changes in legislation are based in deep concern for changing patterns of American

family life and social standards, some of which have significant negative repercussions

on child wellbeing.[199] Family formation by same-sex adopters clearly departs from

conceptions of the family found in magisterial teaching, yet until very recently, adoptions

by same sex couples were permitted by Catholic agencies, albeit only when particularly

difficult circumstances were thought to warrant such placements. Moreover, the influence

of same-sex adoption on society as a whole is limited due to the relatively small number

of families it affects.[200] The loud and public response given to this phenomenon, which

directly impacts only a small percentage of the already small percentage of children who

are in public adoption programs, suggests the issue is driven by more than concern for

children's wellbeing. The argument that public recognition of same-sex relationships and

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[199] Rising rates of cohabitation in particular have had a profound increase on stability of many children's families. See, David Popenoe, "Research Brief No. 13: The American Family 1988 – 2028: Looking Back and Looking Forward," Center for Marriage and Families, (August, 2008).

[200] Michael John Perry writing about same-sex unions as an exclusion policy against the liberty of same-sex attracted individuals argues that, "The principal non-morality-based government objectives typically asserted in defense of the exclusion policy are (1) protecting the welfare of children and (2) protecting the health of the institution of traditional (that is, opposite-sex) marriage. Although both are undeniably legitimate (and weighty) government objectives, no credible argument supports the claimed that excluding same-sex couples from civil marriage serves either one. Put another way, no credible argument supports the claim that all the countries and states that have thus far admitted same-sex couples to civil marriage have thereby disserved – imperiled – either the welfare of children or the health of the institution of traditional marriage or both." Michael John Perry, "Same-Sex Marriage," in *Inquiry, Thought, and Expression*, vol. 2 of *More than a Monologue: Sexual Diversity in the Roman Catholic Church*, eds. J. Patrick Hornbeck II and Michael Norko (New York: Fordham University Press, 2014), 111.

families headed by same-sex partners contributes to a breakdown in cultural understanding of the reality of marriage has often been raised, but meets certain challenges. First, it can suggest the cultural conceptions of marriage and family take precedence over actual children's need to find stable loving parents. Second, the actual negative implications of same-sex parenting on either children or society are difficult to justify given present social scientific research. Third, this argument can feed cultural perceptions that the Catholic Church's leadership is primarily a vanguard of outdated social sexual conventions. Concerns about sexual ethics and gender do over-determine Catholic responses to same-sex parenthood and this weakens the likelihood that Catholic commitments to the nature of parenthood apart from these factors will be taken seriously.

Attending too closely to sexual ethical matters in objections to same-sex parenthood risks suggesting that the Catholic Church's real motive in the argument is not children's wellbeing but the assertion of standards of sexual ethical behavior for society at large.[201] Catholic public responses to the phenomenon of same-sex parenting, should speak first and foremost to this reality *as parenting* rather than as a disordered sexual relationships that claims more social rights than they deserve. The tendency to speak more directly to sexual ethical concerns than to actual parental capabilities significantly weakens possibility of effectively communicating concerns for child wellbeing. As Bonnie Miller-McLemore observes, religions are often prone to equate the survival of particular gender-roles and familial hierarchies with the survival of the faith community

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[201] Perry, 111.

itself.[202] This way of thinking was clearly a factor in the Catholic Church's negative response to the changing public roles of women throughout the early twentieth century. Papal arguments purportedly concerned with defending the dignity of women were revised significantly by subsequent pontiffs in response to new perceptions of cultural realities.[203] Avoid the perception that the Church is once again standing on the wrong side of history in order to defend an outdated gender ideology requires an argument with more careful distinctions and a more nuanced engagement of social scientific data.

Moreover, evaluating parental fitness on the basis of presumed sexual acts within a relationship suggests an unfair double standard. While Catholic leaders have had much to say about the moral problems of contraception, the objective moral evaluation of contraceptive heterosexual sexual acts has never been used to implicate the couples who practice contraception as categorically unfit for parenthood. Rejecting same-sex parenthood on the basis of presumed sexual activity easily suggests simplistic moral dichotomies that fail to recognize the complex aspects of the situation. This is especially true when considering relatively stable, committed, and monogamous same-sex relationships which appear to share more in common with their heterosexual married peers than Catholic leaders have been prone to recognize, especially when considered from a relational perspective.[204] In other words, the greatest challenge to the

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[202] Judith M. Gundry-Volf, "The Least and the Greatest; Children in the New Testament," in *The Child in Christian Thought*, ed. Marcia J. Bunge (Grand Rapids, MI: Eerdmans, 2001), 446.

[203] See, Bernard Cooke, "*Casti Connubii* to *Gaudium et Spes,*" in *Marriage in the Catholic Tradition*, eds. Todd A. Salzman, Thomas M. Kelly and John J. O'Keefe (New York: Crossroad Publishing, 2004).

[204] A similar insight apparently came near to being incorporated into the 2014 Synod of Bishops final report, but ultimately failed. However, the identification by Catholic bishops of a distinction between immoral sexual behavior and the attributes of a human relationship is notable.

magisterium's argument against social acceptance of same-sex couples is not an ideology of sexual freedom, but the apparent existence of happy and socially responsible same-sex couples. Straw man arguments that fail to engage actual experience are unlikely to prevail. Moreover, the line of argument suggests a flawed conception of the complexity of human relationships. While immoral sexual practices may at be significant enough outweigh the moral goods of a particular relationship, admitting this is different than declaring that nothing good exists in these relationships on account of the sexual immorality.[205] This follows from the Catholic understanding that sexuality is more than a drive towards sexual activity itself, but is a factor in the human drive towards relationships as such.[206] If sexuality drives towards a greater relationship, sexual immorality alone cannot determine the entire moral content of a relationship.

In addition to acknowledging the complexity of same-sex relationships, it is also important to acknowledge the complex relationships some same-sex couples have with regard to Christian faith and the Catholic Church. Statements that suggest that such couples act only out of a desire to possess children, are active participants of an international ideological agenda, or that they are somehow stealing children away from heterosexual homes must be dropped. Because parenthood is rooted in basic human capacities and because the Christian tradition views responding to the needs of children as praiseworthy, hostility towards same-sex couples who seek to offer homes to children

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[205] This recognition is implicit in *Persona humana*'s objection to same-sex relationships, but has been rarely acknowledged since. See, Sacred Congregation for the Doctrine of the Faith, *Persona humana*, Vatican, (December 29, 1975) http://www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfaith_doc_19751229 _persona-humana_en.html, #8.

[206] Fran Ferder, F.S.P.A. and John Heagle, "Tender Fires: The Spiritual Promise of Sexuality" in *Human Sexuality in the Catholic Tradition* (New York: Rowman and Littlefield Publishers, 2007), 20.

in need should be replaced with a more generous attitude. Recent magisterial teaching clearly opposes same-sex parenthood but does not argue that same-sex couples are categorically incapable of raising Christian children. Present realities witness to many same-sex couples who do, in fact, desire to raise their children within the Catholic Church.

Suggestions that same-sex partners are categorically morally corrupt and that their children are exposed to this corruption must also be avoided more carefully. Inasmuch as couples tend to keep their sexual lives private from their children, this moral objection is overly presumptive. The full lives of parents are not known to their children, while it is evidentially possible for individuals behave immorally in certain areas of their lives while managing others more appropriately. Social recognitions of partners as parents, in marriage or same-sex unions, does constitute a presumption of the sexual nature of this relationship, but children are not generally aware of how that is enacted in particular sexual acts. For Catholic teaching, the gender and marital status of partners is enough to categorically judge the sexual acts of unmarried or same-sex partners. Numerous Catholic theologians have taken issues with this method and conclusions. For example, Margaret Farley judges that same-sex relationships can meet basic requirements of justice considered holistically and not on sexual ethical matters alone.[207] Considering the mode of relationship parents tend to have with their children, the basic justice exemplified within the spousal relationship of same-sex partners seems important even if the sexual aspect of the relationship is judged morally unacceptable.

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[207] Margaret A. Farley, *Just Love; A Framework for Christian Sexual Ethics* (New York: Continuum, 2010), 444.

In addition to these concerns, if arguments against same-sex parenthood on the basis of gender complementarity are to be taken seriously as arguments about parenthood in its own right, they require greater conceptual distancing from sexual ethical arguments. Shifting arguments for parental complementarity aware from sexual ethical judgements necessitates nuancing these arguments more carefully to account for other situations of caregiving which are morally permitted yet lack married, heterosexual parents. Children in some forms of institutional care or in the care of single parents do not experience parental gender complementarity. Moreover, children in the foster care system also lack the stability that a permanent placement might offer. Without recourse to the specifically sexual nature of a same-sex adopting couple's relationship, it is challenging to explain why placement with a same-sex couple necessarily worsens a child's situation. Non-discrimination legislation does place same-sex adopters on equal footing with their heterosexual married peers. If reliable evidence could show categorically better wellbeing among children of heterosexual adopters, the argument based on parental complementarity would be strengthened significantly. For example, if legally recognized same-sex relationships can be shown to replicate the behavior of their cohabitating rather than married heterosexual peers, and argument in favor of the general stability of heterosexual marriage over same-sex unions could be upheld more forcefully.

The argument for parental complementarity is also challenged by the fact that Catholic teaching has not substantively accounted for present changes in parental gender roles. There is very little suggestion that men can nurture children directly, despite the

existence of primary caregiver fathers as a small but historically significant reality.[208]

Considering John Paul II's letter to families Cahill observes "strikingly… the fatherhood

of men is interpreted precisely in relation to by virtue of the maternal role of women."[209]

Male success in fatherhood is counted as involvement "*in the motherhood of his wife*."[210]

As many men now partake in more egalitarian parental experiences, such gendered

characterizations unfortunately dismiss human adaptability as well as the developmental

nature of parenthood itself. Interestingly, John Paul II contends that motherly nurture

grows out of women's *experience* of bearing children and thereby suggests that parental

traits are to some extent learned through experience. On this basis, it seems greater

attention to human adaptability in fulfilling parental roles is warranted and could

facilitate more nuanced responses to cultural developments.

To conclude, Catholic reactions to non-discrimination legislation on adoption

have appropriately raised concerns that parenthood is not a positive right, that moral

regulation of sexual activity is a traditional aspect of Christian thought on parenthood,

and that the family based in marriage and gender complementarity carries weight in

considerations of parenthood. However, the manner of expressing these convictions

becomes problematic if they are not carefully nuanced and balanced by other legitimate

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[208] A conception of direct male-nurture cannot be entirely ruled out because it could be implied in the relatively brief considerations of single-parenthood and is present in statements by the US Catholic Bishops.

[209] Cahill, *Family*, 94.

[210] John Paul II, *Letter to Families*, #16.

concerns.[211] Moreover, practical concerns about perceptions of certain lines of argument warrant greater caution.

Part IV: Looking Forward

This project does not construct a full theological account of parenthood; instead, it raises particular concerns in response to prevailing Catholic conceptions of parenthood and explores resources for their reconsideration. In particular, it calls attention to the dominance of sexual ethics and conceptions of gender which restrict present discourse concerning the nature of parenthood, particularly as articulated in responses to same-sex adoption. It also identifies a variety of sources that can fruitfully inform Catholic conceptions of parenthood. I have argued that renewed contemporary Catholic conceptions of parenthood could overcome present biases by critically correlating traditional insights, aspects of contemporary Catholic teaching and theological scholarship, observations of the social sciences, and arguments from the humanities. The preceding project endeavored to lay the groundwork for this reconsideration, yet a full contemporary theological account of parenthood in this manner will require additional efforts.

First, the research presented here requires testing against diverse opinions both within and beyond Catholic theology. Second, relationships among the observations and arguments here presented may well require greater clarification and support. Third, several topics related to the ideas here presented require further scholarly development.

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[211] Cf. Stephen J. Pope, "The Magisterium's Arguments against 'Same-Sex Marriage': An Ethical Analysis and Critique." *Theological Studies* 65 (2004): 530 – 565.

These include: first, how the anthropological foundations of parenthood relate to specific human capabilities and the correlation of these capabilities to human gender; second, how the Catholic understanding of sacramental marriage relates to other forms of intimate human relationships from friendship and fraternity, to cohabitation and same-sex partnerships; and third, how children might be considered moral agents and subjects of moral analysis in their own right. There are certainly additional research questions implied in my line of inquiry, but by way of conclusion I will briefly address several tensions concerning these three questions just enumerated.

Parenthood and the Problematic of Gender

One significant tension throughout this project concerns the relationship between the human person and the human capability for caregiving, as well as the implications of human gender for how that capability is developed and expressed. By employing Martha Nussbaum's capabilities approach and observing historical Christian practices of caregiving, this project suggested that a basic human capability grounds the capacities necessary for parenthood. This basic capacity for caregiving is shared, at least in its essence, by all well-functioning individuals. Nussbaum's internal capability of "affiliation" has been identified specifically as an attempt to name and describe this human potential for parenthood. This is because parenthood requires certain specific skills, such as responsibility, nurture, empathy, altruism, *et al.* that appear to stem from this internal capability.[212] Because the capacity to parent springs from a basic capability

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[212] See, Nussbaum, 33 – 34.

for forming relationships it is fitting to name parenthood both as an obligation owed to children in need as well as a function in which multiple non-parents participate.

However, significant disagreement exists on the extent to which specific parental skills, dispositions, and attributes are grounded in and reliably shaped by human gender. Reductionist assertions about the relationship of human gender to the human person operate at each pole of this discourse.[213] The view that parental capabilities and specific duties of parenthood are essentially governed by gender and the view that parental capabilities and proclivity for parental behaviors are unshaped by gender both shortchange the complexities of reality. An adequate approach must attend to the fact that human gender really does shape dispositions and propensities while maintaining that fundamental human capabilities are essentially shared by all. Adequate moral consideration of parenthood should be informed by inherent human capacities and propensities as well as the malleability of human abilities and the general adaptability of human persons.

Staking out this middle ground requires attending to certain guidelines. From the perspective of theological anthropology it must be maintained that certain capabilities are simply too important to the human person to be the sole domain of a single gender. Failure to recognize this constitutes a failure to recognize the essential unity of the human experience and raises significant soteriological concerns.[214] Therefore, when a capability

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[213] Parsons observes that John Paul II and some strong versions of feminism find common ground on the importance of sexual difference as a mode of mediating divine presence, but deeply diverge in their critiques of patriarchy. Susan Frank Parsons, *The Ethics of Gender* (Malden, MA: Blackwell Publishers, 2002), 144.

[214] This is based on the Patristic dictum, "what has not been assumed has not been saved." Feminist theologians have rightly raised concern about explanations of gender that appear to affect basic

appears to constitute an essential aspect of personhood, as do Nussbaum's central capabilities of practical reason and affiliation, the theological conversation must shift to how gender shapes its expression, not its existence. From the teleological perspective, the value of the human capacity for adaptation and development must also be respected. This attention to change and growth is based in both the observable natural capacity of human persons to learn and develop in their skills as well as a theological commitment that understands the Christian life in terms of the process of sanctification or *theosis*.[215] John Paul II's suggestions that women develop certain parental capacities associated with motherhood out of their experience of gestation and infant care and that men too learn to parent by observing maternal nurture and participating in caregiving provides a magisterial resource for this line of argument.[216] Attention to development and adaptation is also found among theologians. Commenting on Bonnie Miller-McLemore, Cahill writes "the fact that women get pregnant and the fact that women nurse babies matter. These experiences teach women something about self-giving the father simply do not know naturally." But Cahill adds, caregiving is not inaccessible to those who do not have these experiences; it is not "privileged knowledge" but knowledge meant to be shared.[217]

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personhood. Cf. Rosemary Radford Reuther, *Sexism and God-Talk: Toward a Feminist Theology* (Boston: Beacon Press, 1993), 93 – 138.

[215] Again this is founded on a Patristic dictum; "God became human that humanity might become god." Taking seriously the concept of divinization suggests great confidence in the human ability to transform oneself in response to mere earthly challenges, in as much as God is already affecting a far great transformation within us.

[216] John Paul II, *Mulieris dignitatem,* Vatican, (August 15, 1988) http://w2.vatican.va/content/john-paul-ii/en/apost_letters/1988/documents/hf_jp-ii_apl_19880815_mulieris-dignitatem.html, #18. It is notable that John Paul II quite clearly sees the capabilities that grow out of these experiences as related to an innate human disposition towards motherhood within women. Nonetheless they come to expression in response to human experience.

[217] Rubio, 96.

Framing parenthood within commitments to the unity of the human experience and the human potential for development does not settle the problematic of gender but does mark out important parameters. If the ability of parental functioning relies on both common human capabilities and the development of these through experience, it is difficult to imagine motherhood and fatherhood as essentially dichotomous realities without excluding non-biological mothers from authentic motherhood. Moreover, because single parenthood, adoptive parenthood, and care for children by vowed religious have all been accepted without protest on the grounds of parental capabilities, the human capacity for caregiving does not appear to be essentially related to gender complementarity among caregivers. But parenthood is also an embodied activity and therefore gender differentiation cannot be entirely ignored. Cahill notes that embodied human gender difference is a relatively stable component of the human experience and consequently shapes numerous social institutions. As such, she suggests a dual approach that takes "a critical and normative stance" toward human embodiedness. Cahill argues that gendered difference is a "moral project" that represents "more opportunity than limit."[218] For these reasons, contemporary discussions of parenthood rest on an anthropological tension between the observable realities of human embodiedness and human potential. Each of these requires sustained attention.

The Relationship between Marriage and other Human Relationships

Contemporary Catholic teaching views legal recognition of same-sex unions as a direct threat to healthy families because it constitutes public recognition of these unions

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[218] Parsons, 125.

as equal, or at least similar, to marriage when they cannot "even in an analogous or remote sense" fulfill the meaning of marriage.[219] This line of argument raises two specific concerns. First, the argument does not rule out the possibility that same-sex relationships can possess and exhibit various goods. Instead the argument construes same-sex relationships as morally distinct, in a total sense, from marriage. Perhaps by attending to the values same-sex partners identify in their own relationships, and avoiding sweeping condemnations, the Catholic magisterium could place itself in a stronger position to explain the virtues of sacramental marriage. Shifting attention away from the immorality of same-sex relationships and towards comparing perceived goods in light of the good of marriage could also help overcome the challenge of speaking to experiential observations of apparent virtues within same-sex partnerships, such as love, commitment, stability, and mutual support. However, this shift in perspective would necessitate returning to the recognition of potential interpersonal benefits of same-sex partnerships tacitly admitted in *Persona humana*. It would also require a more nuanced analysis of potential relational

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[219] Sacred Congregation for the Doctrine of the Faith. "Some Considerations Concerning the Response to Legislative Proposals on the Non-Discrimination of Homosexual Persons," Vatican, (July 24, 1992) http://www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfaith_doc_19920724_homose xual-persons_en.html, #4. The recent Extraordinary Synod on the Family produced interesting suggestions about the natural of marriage and other human relationships, although this state was ultimately reasserted. The level of nuance with which this synod has approached natural marriage, civil marriage, and cohabitation, is remarkable. The interim report suggested modeling a new framework for the Church's pastoral approach to marriage off of the shift from ecumenical exclusivism to inclusivism that was initiated by Vatican II. In this framework, the Catholic Church remains central but other Christians and religions are envisions to stand, not in opposition, but in relation to the Catholic Church. Adopting this vision for marriage allows it to remain central to God's plan for human relationships, but also allows us to recognize good in relationships that realize marriage's goods in partial ways. The central motivation for this approach, a stated discomfort with "all or nothing" frameworks, did remain in the final report. Cf. Eleventh General Assembly, "'*Relatio Synodi*' of the III Extraordinary General Assembly of the Synod of Bishops," Vatican, (October 18, 2014) http://press.vatican.va/content/salastampa/en/bollettino/pubblico/ 2014/10/18/0770/03044.html, #22, 41 – 56. And, Eleventh General Assembly: "'*Relatio Post Disceptationem*' of the General Rapporteur, Cardinal Péter Erdő," Vatican. (October 13, 2014) http://press.vatican.va/content/salastampa/en/bollettino/pubblico/2014/10/13/0751/03037.html, #17, 36 – 52.

goods in relation to the moral judgment about the sexual nature of these relationships.[220] Second, a blanket assertion regarding the absence of analogy between heterosexual and same sex relationships raises serious questions about marriage's relation to other forms of human relationships, specifically in its sacramental quality. Michael Himes argues that the Catholic sacramental tradition is based upon specific recognition and celebration of the universal and ever-present reality of grace.[221] In certain times and places humans recognize this presence of grace acutely. The seven sacraments represent a communal naming of particular events as representative of God's way of acting in relation to creation. In light of this perspective, Himes describes the marriage's sacramental nature by marriage's paradigmatic expression of the universal mode of loving human relationships.[222] Sacramental marriage is not unique because it is unlike other forms of relationship but is sacramental precisely in its relationship to other human relationships as a recognizable expression of a universal reality. From this perspective, it is seemingly incomprehensible to assert that any relationship that fosters love, commitment, self-sacrifice, or other goods associated with marriage is not be in *some* way analogous to marriage.

Yet, from the moral perspective, some contend that no true virtues are found without conformity in intention to objective moral truth. Just as brave actions in criminal activity are not true bravery, love and commitment within disordered sexual partnerships

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[220] Sacred Congregation for the Doctrine of the Faith, *Persona humana*, #8.

[221] Michael Himes, *The Mystery of Faith: An Introduction to Catholicism* (Cincinnati: Saint Anthony Messenger Press, 2004), 12.

[222] Ibid., 74 – 78.

are not true love and commitment.[223] As such there appears to be a basic tension between the sacramental understanding of marriage in relation to other human relationships and the moral understanding of marriage in relation to other human relationships. From the moral perspective, objections to comparisons between same-sex relationships and marriage often have recourse to the assertion that same-sex couples lack sexual complementarity which is requisite for truly human sexual expression and marital love.[224] This perspective is then dependent on an assertion of objective truth about the nature of human sexual difference to which all virtuous sexual acts must conform. Sacramentally considered, however, marriage is intrinsically connected to the human capacity for loving relationships, and is sacramental specifically by that fact. From this perspective, it appears that all human relationships are at least in some measure analogies to marriage. Further exploration of this tension in the context of a more nuanced approach to the full relational realities of same-sex partnerships appears to be an important task.

The less privatized vision of the family advocated by Cahill and Rubio among others on the basis of Catholic Social Teaching only increases the challenge of explaining marriage in light of other human relationships.[225] Centering concern on the family's

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[223] See, William C. Mattison III, *Introducing Moral Theology: True Happiness and the Virtues* (Grand Rapids, MI: Brazos Press, 2002), Chapter 7. This is also the reasoning John Paul II employs when suggesting that both same-sex relationships and contraceptive sexual intercourse are selfish acts in their essence apart from subject intentions and apparent experience. Cf. John Paul II, *Familiaris consortio*, #30.

[224] Sacred Congregation for the Doctrine of the Faith, "Considerations Regarding Proposals to Give Legal Recognition to Unions between Homosexual Persons," Vatican, (July 31, 2003) http://www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfaith_doc_20030731_homosexual-unions_en.html, #4. Cf. United States Catholic Bishops. "Between Man and Woman; Questions and Answers about Marriage and Same-Sex Unions," USCCB, (November, 2003) http://www.usccb.org/issues-and-action/marriage-and-family/marriage/ promotion-and-defense-of-marriage/questions-and-answers-about-marriage-and-same-sex-unions.cfm, #4.

[225] Cahill, *Family*, xii., Julie Hanlon Rubio, *Family Ethics: Practices for Christians* (Washington D.C.: Georgetown University Press, 2010), 39.

social vocation decentralizes procreation as the essential task of Christian families and suggests greater comparison between socially engaged Christian families and other human communities that work to advance the common good.[226] Accepting the notion of non-parent parenting further relativizes the absolute necessity of parental gender complementarity as it points to the reality that multiple adults should rightfully influence children's lives.[227] As such, the complementarian logic that excludes consideration of same-sex partnerships as a basis for parenthood requires more thoughtful examination in relation to its reliance upon a privatized conception of the family that stands in some tension with the Catholic Social Teaching and the broader tradition.

A Catholic Ethics of Childhood

Christian tradition includes a significant amount of theological reflection on children and the nature of childhood that requires greater attention and is only recently being rediscovered. This relative lack of theological and moral attention to children as legitimate subjects of concern in their own right shows itself in variety ways. Examples of this lacuna range from theological writings based in male experience which largely ignore the topics of children and childcare as well feminist theological writings that

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[226] Lisa Sowle Cahill, "Same-Sex Marriage and Catholicism," in *Inquiry, Thought, and Expression*, vol. 2 of *More than a Monologue: Sexual Diversity in the Roman Catholic Church*, eds. J. Patrick Hornbeck II and Michael Norko (New York: Fordham University Press, 2014) 154.

[227] This comports with social scientific data that shows statistically good outcomes for children of same sex parents. In fact, the veracity of Catholic Social Teaching is firmly supported by the experience of same-sex headed families who, often having fractured relationships to their biological and/or religious communities of origin, have sought to open their family outwardly to build networks of support and in so doing found their families strengthened. Cf. Amy B. Becker, "What's Marriage (and Family) Got to Do with It? Support for Same-Sex Marriage, Legal Unions, and Gay and Lesbian Couples Raising Children," *Social Science Quarterly* 93, no. 4 (December 2012): 1007 – 1029.

presume children to be wrapped up in the concerns of women. Thankfully, many scholars now recognize these limitations and are working towards their redress. In magisterial writings, similar biases have influenced three distinct trends in addressing children. The first, as in much modern theology, simply places the topic of children under the concerns of the family. Care for the child is often divided among gendered lines with nurture, especially centered on young children, coming from the mother and provision and education coming from the father. This approach consistently suggests that we simply know what children are without actually offering a conception of children or childhood.[228] Such an approach is liable to assume cultural ideals in the place of thoughtful theological commitments.

The second trend is evident in the strong 'natalist' bent of modern teaching. Todd David Whitmore writes, that this natalism "tends to focus on the gift of creation expressed in procreation at the expense of how it manifests itself at other stages of life."[229] As evidence of this point, moral concerns over procreation, reproductive technologies, and protection of the unborn dominate contemporary Catholic teaching related to childhood. An adequate contemporary account of parenthood demands a more significant and sustained attention to theological reflection on the nature of childhood and children throughout their development. Within the American context, the lack of direct attention to childhood is further exacerbated by biases within the reception of magisterial teaching. Rubio argues that none of the dominant American patterns of interpreting

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[228] Todd David Whitmore with Tobias Winright, "Children; An Undeveloped Theme in Catholic Teaching" in *The Challenge of Global Stewardship: Roman Catholic Responses*, eds. Maura A. Ryan and Todd David Whitmore (Notre Dame, IN: University of Notre Dame Press, 1997), 161.

[229] Ibid., 177.

Catholic Social Teaching pay due attention to the place of the family within the corpus of these teachings.[230] She advocates for a social ethics "of everyday life" that can move beyond social analysis to engage the realities; presumably including the realities of caring for children throughout their developmental process.[231]

The final trend has been a tendency to translate concern for children's wellbeing quickly into rights claims. There are significant reasons to question the application of rights language to children in as much as rational free adults are the original subjects of this perspective. Additionally, rights language has been widely criticized as a rather sparse tool for asserting ethical claims which respect the full dignity and complexity of the human person. Without more sustained attention to theological reflections on children and childhood, rights claims remain one of the few available tools for expressing legitimate concern for children even as it does so imperfectly.

Among the various concerns raised by this project, ongoing pursuit of this line of research points towards the needs to advance the scholarly conversations on the relationship of gender and parenthood, the relationship of marriage to other human relationships, and children as legitimate subjects of moral reflection.

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[230] "Neoconservatives argue for freedom in the private sphere and then seem to leave everyone to fend for themselves. They fail to challenge individuals to heed the call of solidarity beyond the boundaries of family. Liberals work out applications of solidarity in the public realm through analyses of war, economics, and human rights but have little to say about the social ethics of families or communities. Radicals have the most to say about alternate ways of living but frequently leave nuanced analysis behind in order to idealize heroes and saints." Rubio, 59.

[231] Ibid.

BIBLIOGRAPHY

Allen, Ann Taylor. *Feminism and Motherhood in Western Europe, 1890 – 1970.* New York: Palgrave Macmillon, 2005.

Becker, Amy B. "What's Marriage (and Family) Got to Do with It? Support for Same-Sex Marriage, Legal Unions, and Gay and Lesbian Couples Raising Children." *Social Science Quarterly* 93, no. 4 (December 2012): 1007-1029.

Cahill, Lisa Sowle. *Family: A Christian Social Perspective.* Minneapolis: Fortress Press, 2000.

_____. "Same-Sex Marriage and Catholicism." In *Inquiry, Thought, and Expression*. Vol. 2 of *More than a Monologue: Sexual Diversity in the Roman Catholic Church*. Edited by J. Patrick Hornbeck II and Michael Norko. New York: Fordham University Press, 2014.

Cunningham, Hugh. *Children and Childhood in Western Society since 1500.* 2nd ed. New York: Routledge, 2005.

Dixon, Suzanne. *The Roman Mother.* London: Croom Helm, 1988.

Eleventh General Assembly. "'*Relatio Synodi*' of the III Extraordinary General Assembly of the Synod of Bishops." Vatican. October 18, 2014. Accessed October 31, 2014. http://press.vatican.va/content/salastampa/en/bollettino/pubblico/2014/10/18/0770/03044.html.

_____. "'*Relatio post disceptationem*' of the General Rapporteur, Cardinal Péter Erdő," Vatican. October 13, 2014. Accessed October 20, 2014. http://press.vatican.va/content/salastampa/en/bollettino/pubblico/2014/10/13/0751/03037.html.

Farley, Margaret A. *Just Love: A Framework for Christian Sexual Ethics*. New York: Continuum, 2010.

Ferder, Fran, F.S.P.A. and John Heagle. "Tender Fires: The Spiritual Promise of Sexuality." In *Human Sexuality in the Catholic Tradition,* edited by Kieren Scott and Harold Daly Horell, 15-27. New York: Rowman and Littlefield Publishers, 2007.

Gaillardetz, Richard R. *A Daring Promise: A Spirituality of Christian Marriage*. New York: The Crossroad Publishing Company, 2002.

Gundry-Volf, Judith M. "The Least and the Greatest: Children in the New Testament." In *The Child in Christian Thought*, ed. Marcia J. Bunge, 29–60, Grand Rapids, MI: Eerdmans, 2001.

Heijst, Annelies van. *Models of Charitable Care: Catholic Nuns and Children in their Care in Amsterdam, 1852-2002*. Leiden and Boston: Brill, 2008.

Himes, Michael. *The Mystery of Faith: An Introduction to Catholicism.* Cincinnati: Saint Anthony Messenger Press, 2004.

John Paul II. *Familiaris consortio,* Vatican. November 22, 1981. Accessed February 1, 2015. http://www.vatican.va/holy_father/john_paul_ii/apost_exhortations/documents/hf_jp-ii_exh_19811122_familiaris-consortio_en.html.

_____. "Letter to Families." Vatican. February 2, 1994. Accessed February 1, 2015. http://www.vatican.va/holy_father/john_paul_ii/letters/documents/ hf_jp-ii_let_02021994_ families_en.html.

_____. *Mulieris dignitatem.* Vatican. August 15, 1988. Accessed February 1, 2015.http://w2.vatican.va/content/john-paul-ii/en/apost_letters/1988/documents/ hf_jp-ii_apl_19880815_mulieris-dignitatem.html.

Leo XIII. *Arcanum divinae sapientiae.* Vatican. February 10, 1880. Accessed February 1, 2015. http://www.vatican.va/holy_father/ leo_xiii/encyclicals/documents/hf_l-xiii_enc_10021880_arcanum_en.html.

Mattison III, William C. *Introducing Moral Theology: True Happiness and the Virtues.* Grand Rapids, MI: Brazos Press, 2002.

Nussbaum, Martha C. *Creating Capabilities: The Human Development Approach*. Cambridge, MA: Harvard University Press, 2011.

Parsons, Susan Frank. *The Ethics of Gender*. Malden, MA: Blackwell Publishers, 2002.

Paul VI. *Evangelii nuntiandi*. Vatican. December 8, 1975. Accessed February 1, 2015. http://w2.vatican.va/content/paul-vi/en/ apost_exhortations/documents/hf_p-vi_exh_19751208_evangelii-nuntiandi.html.

Perry, Michael John. "Same-Sex Marriage." In *Inquiry, Thought, and Expression*. Vol. 2 of *More than a Monologue: Sexual Diversity in the Roman Catholic Church*. Edited by J. Patrick Hornbeck II and Michael Norko, 106-114. New York: Fordham University Press, 2014.

Pius XI. *Casti connubii.* Vatican. December 31, 1930. Accessed February 1, 2015. http://www.vatican.va/holy_father/pius_xi/ encyclicals/ documents/hf_p-xi_enc_31121930_casti-connubii_en.html.

Pope, Stephen J. "The Magisterium's Arguments against 'Same-Sex Marriage': An Ethical Analysis and Critique." *Theological Studies* 65 (2004): 530-565.

Popenoe, David. "Research Brief No. 13: The American Family 1988 – 2028; Looking Back and Looking Forward." Center for Marriage and Families. August, 2008. Accessed December 2014. http://www.americanvalues.org/search/item.php?id=33.

Post, Stephen G. "Adoption Theologically Considered." *Journal of Religious Ethics* 25, no. 1 (1997): 149-168.

Rogers, Eugene F. *Sexuality and the Christian Body: Their Way into the Triune God.* Oxford: Blackwell Publishers, 1999.

Roman Catholic Church. "Catechism of the Catholic Church." Vatican. April 11, 2003. Accessed February 1, 2015. http://www.vatican.va/archive/ENG0015/_INDEX.HTM.

Rubio, Julie Hanlon. *A Christian Theology of Marriage and Family*. New York: Paulist Press, 2003.

_____. *Family Ethics: Practices for Christians*. Washington D.C.: Georgetown University Press, 2010.

Ruether, Rosemary Radford. *Sexism and God-Talk: Toward a Feminist Theology*. Boston: Beacon Press, 1993.

Sacred Congregation for the Doctrine of the Faith. "Considerations Regarding Proposals to Give Legal Recognition to Unions between Homosexual Persons." Vatican. July 31, 2003. Accessed February 1, 2015. http://www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfaith_doc_20030731_homosexual-unions_en.html.

_____. "Instruction for Respect of Human Life in Its Origin and on the Dignity of Procreation: Replies to Certain Questions of the Day" (*Donum vitae*). Vatican. February 22, 1987. Accessed February 1, 2015. http://www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfaith_doc_19870222_respect-for-human-life_en.html.

_____. *Persona humana*, Vatican. December 29, 1975. Accessed February 1, 2015. http://www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfaith _doc_ 19751229_persona-humana_en.html.

_____. "Some Considerations Concerning the Response to Legislative Proposals on the Non-Discrimination of Homosexual Persons" Vatican. July 24, 1992. Accessed

February 1, 2015. http://www.vatican.va/roman_curia/congregations/cfaith/ documents/ rc_con_cfaith_doc_19920724_homosexual-persons_en.html.

Traina, Cristina L. H. "A Person in the Making: Thomas Aquinas on Children and Childhood." In *The Child in Christian Thought*, edited by Marcia J. Bunge, 103–133, Grand Rapids, MI: Eerdmans, 2001.

United States Catholic Bishops. "Between Man and Woman: Questions and Answers about Marriage and Same-Sex Unions." USCCB. November, 2003. Accessed February 1, 2015. http://www.usccb.org/ issues-and-action/marriage-and-family/marriage/promotion-and-defense-of-marriage/questions-and-answers-about-marriage-and-same-sex-unions.cfm.

Vatican II. *Gravissimum educationis*. Vatican. October 28, 1965. Accessed February 1, 2015. http://www.vatican.va/archive/hist_councils/ii_vatican_council/documents/va-ii_decl_19651028_gravissimum-educationis_en.html.

Whitmore, Todd David., with Tobias Winright. "Children: An Undeveloped Theme in Catholic Teaching." In *The Challenge of Global Stewardship; Roman Catholic Responses*, edited by Maura A. Ryan and Todd David Whitmore. Notre Dame, IN: University of Notre Dame Press, 1997.

Willet, Cynthia. "Collective Responsibility for Children in an Age of Orphans." In *The Best Love of the Child: Being Loved and Being Taught to Love as the First Human Right,* edited by Timothy P Jackson, 179-196, Grand Rapids, MI: Eerdmans, 2011.