



On Care and Partiality

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This selection was originally part of a larger article that appeared on the Sophia Project website in 1999.

In his controversial article, “Later Selves and Moral Principles,”¹ the philosopher Derek Parfit argues that the only kind of promises that carry any moral weight are those that are short-term and conditional. The reason for this is that a promise that has moral weight is always made on the condition that there is no substantial change in the person making the promise or the person to whom the promise is made....

This position, of course, has significant implications for the promise that every married couple makes to remain permanently faithful to one another. At the present time it is reasonable to assume that if a couple gets married at the age of 25 they are likely to be together for another half century. Furthermore over such a long period, it is likely that often dramatic changes will occur in the personalities of one or both partners.

It is not unlikely, for instance, that at one point or another a woman who has been married to the same man for many years will wake up one day feeling that the man who is sleeping next to her is not the same individual with whom she walked down the aisle many years earlier. When they first were married her husband might have been romantic and attentive to her emotional needs; he might also have been much more inclined to share his own feeling and express interest in his wife’s ideas about the future. And now he has become a complete couch potato, sullen, uncommunicative, and often oblivious to his her feelings or desires. Since changes like these are not only possible in a long-term marriage, but even likely, is it reasonable in the 21st century to expect any couple to remain together for ever?

This fear that one’s spouse will change dramatically over time—or at least that one’s feelings towards one’s partner will change dramatically over time—has led many couples to enter into martial relationships with the thought that if things don’t work out that they can always get a divorce and move on to another partner. It has also led some couples to sign prenuptial agreements, which become little more than formal excuses to leave the marriage during inevitable hard times. While it may be comforting for some married couples to enter into marriage thinking that if things don’t work out they can simply “jump ship,” this sort of casual attitude does little more than undermine a relationship right from the start.

I have argued that the kind of solemn promise that a couple makes when their get marriage, which includes the pledge to remain faithful to each other until death, should be considered binding under almost all circumstances. Men and women, after all, are not obligated to get married. One could, I suppose, live a perfectly happy, rich and rewarding existence in the single state. Indeed, the single state probably affords individuals a far greater amount of freedom to pursue their own interests and passions than is possible in a marital state where one has to constantly consider the needs, feelings and desires of one’s partner. Given the fact that no one in our society is forced to get married, when a person makes this kind of commitment and solemnly promises to remain faithful to his partner for the rest of his life, this pledge ought to be kept barring the most extraordinary of circumstances.

Certainly, there are moments in any relationship when indeed one or both partners begin to

wonder if it is worth keeping their marriage together and when the emotional bond that once drew them together seems to be completely severed. As John Paul II points out, however, it is precisely at those moments when the glaring faults and weaknesses of the other are revealed when true love becomes manifested. Indeed it such moments as these when we are called to love the other even more without in any way blinding ourselves to their faults:

[True love] is put to the test most severely when the sensual and emotional reactions themselves grow weaker, and sexual values as such lose their effect. Nothing then remains except the value of the person, and the inner truth about the love of those concerned comes to light...the love for a person which results from a valid act of choice is concentrated on the value of the person as such and makes us feel emotional love for the person as he or she really is, not for the person of our imagination, but for the real person. We love the person complete with all his or her virtues and faults, and up to a point independently of those virtues and in spite of those faults. The strength of such a love emerges most clearly when the beloved person stumbles, when his or her weakness or even sins come into the open. One who truly loves does not then withdraw his love, but loves all the more, loves in full consciousness of the other's shortcomings and faults, and without in the least approving of them. For the person as such never loses its essential value. The emotion which attaches itself to the value of the person remains loyal to the human being.²

C.S. Lewis makes essentially the same point in his distinction between “being in love” (romantic, erotic, passionate love) and love in the fuller sense, which is more applicable to marital love. Love, in this latter sense, he writes,

is not merely a feeling. It is a deep unity, maintained by the will and deliberately strengthened by habit; reinforced by (in Christian marriages) the grace which both partners ask and receive, from God. They can have this love for each other even at those moments when they do not like each other; as you love yourself even when you do not like yourself. They can retain this love even when each would easily, if they allowed themselves, be “in love” with someone else. “Being in love” first moved them to promise fidelity: this quieter love enabled them to keep the promise.”³

The problem here is that romantic, erotic love, because it is so intense, cannot last forever. Very often in our society, when couples experience the demise of passion in their relationship they give up on the relationship or try to find this passion elsewhere, which is, as we have already discussed, a futile endeavor.

But Lewis believes that those who work to develop a deeper, more solid type of love—a love built on mutual respect, commitment and devotion—can weather the inevitable storms in their relationship. In maintaining their commitment to one another, such individuals often develop a more meaningful type of intimacy in their relationship with one another, and occasionally even experience kind of profound intensity in their love life that those in more shallow relationships cannot begin to even imagine.

So what is the secret to keep a marriage thriving amidst all of the difficulties that a married couple will inevitably encounter after a lengthy period of living together? Once over coffee a younger colleague of mine was lamenting an older faculty member, who had been happily married for many years. “The married life,” he complained, “was so filled with annoyances, disagreements and problems. So what then is the payoff from being married?” “The payoff,” the older faculty member responded dryly, barely looking up from his coffee, “is that you survived it.” On the surface this might appear to be an overly bleak view of marriage. But I think that what this older faculty member meant was that the “payoff” from marriage comes mainly through the difficult and often unglamorous commitment to work through one's marital

difficulties “no matter what” and “for as long as it takes.”

Another colleague of mine, who was also happily married for many years, shared his secret for successful married life. “If you want to stay married,” he said solemnly, “you have to learn to dramatically lower your expectations of your partner.” Although this too sounds a bit bleak, what he meant was that in a successful marriage both parties gradually learn to ignore each other’s petty faults and failings and to appreciate their positive qualities. This too takes constant work and certainly not easy, particularly if one is married to someone with a volatile or overbearing personality.

Marriages that survive during times of difficulty—at those times in particular when it is hard to find anything even remotely likeable or pleasant in one’s spouse—are those in which both partners are committed to the proposition that their marriage will last as long as the both still live. With this sort of attitude to sustain them, a couple will work out their problems because there are no other options that they will consider and also because they realize that their mutual happiness depends on making their married life a success. Ideally this couple will be part of a religious community that helps to support their commitment and a society that values the permanence of married.

This in no way means that there are no occasions when a marriage can be legitimately terminated, just that the reasons for ending the marriage will have to be sufficiently grave for doing so. In the Gospels when Jesus is asked to comment on the passage in Deuteronomy 24, which allows a man to divorce his wife if “she does not win his favor or because he finds something offensive in her”—in other words, for virtually any reason—he gives no doubt that he finds this position wanting. He responds with what seems to be an unequivocal prohibition against divorce, stating in no uncertain terms, “Whoever divorces his wife and remarries commits adultery against her (Mark 10.5-12).

But then in Matthew 5:32 Jesus makes a clear exception to his prohibition in a rather specific case. Divorce is prohibited, he says here, “except in the case of *moichatai*.” Although *moichatai* if often translated as “adultery,” many scripture scholars argue that the term implies continued action, and should therefore be translated as “continued adultery.” The point here is that even in the case of the gospels, divorce is viewed as being permissible in certain extreme cases where the actions of one of the partners is so egregious that it violates the very sanctity of the marital relationship.

Certainly, I would argue that the case of continued, or more accurately unrepentant, adultery on the part of a spouse would qualify as one such occasion where divorce might be permissible. The kind of situation that would clearly apply here is that of a married woman, for example, who has an affair with a neighbor and who refuses to break it off even after her husband has found out about it. One could not expect the husband in this case to continue with the charade of remaining married, when his wife has so decisively violated the basic trust necessary to sustain the marriage. To ask him to do so in a situation like this is not unjust but rather cruel.

The situation might be a bit different in the case of one-time adultery, where there was real repentance on the part of the guilty spouse. One could imagine, for instance, a situation in which a married man at a vulnerable moment in his life or under the influence of alcohol has an affair with a co-worker, but who then acknowledges his mistake and strives to make amends to his family. In such a case, even though his wife would naturally feel violated by his actions, she had the obligation to forgive her husband and to help him to make amends.

Even clearer grounds for divorce would be in the cases of abandonment or physical abuse. In the case of abandonment, one spouse has unilaterally made the decision to end the marriage, and by seeking a divorce the innocent spouse is simply acknowledging this fact. In the case of physical abuse, the abused spouse actually has a moral obligation to separate herself from her violent partner, since, as we have already seen, self-interest demands that one avoid contributing to one’s own harm. In staying in an abusive marriage, a wife actually becomes complicit in her own abuse.

This principle, of course, would also hold in the case of extreme emotional abuse, although abuse of this sort is often much more difficult to gauge than physical abuse.

The vast majority of Christian denominations take the position that, while divorce is always unfortunate, at times it may be legitimate and quite often necessary.....The Catholic tradition, on the other hand, does not recognize any exceptions to Jesus' prohibition against adultery. Although in some cases, the Church might allow a married person to live separately from the spouse—as would be the case for a woman being abused by her husband—none of the examples that I have cited above would represent adequate grounds for terminating the marriage. In the case of abandonment, the Church would unfairly expect the abandoned partner to remain celibate, possibly for the rest of his or her life. Since human beings are sexual animals, who need some degree of physical and emotional intimacy to thrive, the prohibition against divorce in this sort of case, places an unfair burden upon the innocent spouse.

The disagreement with the more hard-lined Christian position on divorce should in no way be viewed as a softening of my basic position on marriage. I have already argued that when a couple makes a sacred pledge to remain faithful to one another for the rest of their lives, this pledge ought to be kept in almost every circumstance. Diminishment of sexual attractions, boredom in the relationship, and even hostility between the couple, I believe, are not significant enough grounds for violating the marital pledge. Abandonment, unrepentant adultery and abuse are. To argue that an exception to the prohibition against divorce be made in these extremely radical circumstances, would in practice mean that very few married couples would be getting divorced.

ENDNOTES

1. Derek Parfit. "Later Selves and Moral Principles." *Philosophy and Personal Relations*. Ed. A. Montefiore (London: Routledge and Kegan Paul, 1973)
2. Karol Wojtyla (Pope John Paul II). *Love and Responsibility*, 134-135.
3. Lewis. *Mere Christianity*, 85.