




# “Marriage” in the light of the thought of Immanuel Kant and John Paul II: *Commercium sexuelle* or *communio personarum*

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## Abstract

The purpose of this study was to explore the philosophical concepts of marriage in the teachings of Immanuel Kant and Pope John Paul II. The study was based on a hermeneutical approach. The study employed the comparative method to compare the concepts of *commercium sexuelle* (sexual union) and *communio personarum* (communion of persons); the historical method – to reconstruct these concepts and the preconditions for their emergence; the systemic method – to break down the concepts into separate provisions and analyse them without losing a holistic vision; and the structural method – to search for the hidden structural elements of these concepts and their preconditions. It was found that Kant insists on defining marriage as *commercium sexuelle* – a union based on sexual characteristics. He considers this union to be primarily legal – it is a mutual right granted by both newlyweds to use each other’s bodies and the right to have a permanent impact on each other’s lives. For John Paul II, marriage is not a commercial arrangement, but rather a commitment of the newlyweds to give each other their personalities as a gift. Corporeality and its sexuality, as an integral part of the personality, is also part of this gift. The choice of a partner for marriage is the choice of a person to whom you are ready to promise to give yourself unlimitedly. This study covered the fundamental differences between the theological view of the nature of marriage and the philosophical concept of Kant (which substantially influenced the worldview of modern society and, as a result, postmodernity). The study also found points of intersection between the views of Kant and John Paul II.

**Keywords:** philosophy of sex, philosophy of gender, love, corporeality, Christian ethics.

## Introduction

The institution of the family is still powerful around the world, although it has been problematized in the philosophy of sex and gender in the postmodern period. The obligatory nature of love in marriage and the fact that there is no alternative to the union of the male and female sexes were called into question. In this context, it is useful to consider two classical approaches to the philosophical level of the problem of marriage: the concept of *commercium sexuelle* by Kant and *communio personarum* by John Paul II. Such a comparison will reveal the connections and differences between the secular and religious-sacred meanings of marriage.

The idea of the family in German classical philosophy is an integral part of human social thought. German philosophers were the first to systematically consider the role of the family for society as a whole and for individuals. Kieliszek (2022) explored this topic and focused on Kant’s understanding of the family as a domestic community. The researcher points out that the German philosopher’s teachings were innovative for his time, and even now they can inspire new research in the areas of sexuality, women’s rights, equality in marriage, human rights. Many people criticise it for excessive traditionalism, while others criticise it for cynically deviating from the norms of traditional morality. The present study compares Kant’s concepts with John Paul II, a prominent representative of the group of thinkers who defended the Christian approach to marriage.



Walschots (2023) addressed the same topic from a different angle. He analysed Kant's philosophy of marriage as one of the realisations of the German philosopher's attempts to understand the rational side of love relationships. The researcher pointed out the subordination of feelings to the norms of reason in the German philosopher's philosophy of marriage but ignored the contradictory side of this statement – the combination of irrationality and rationality in a holistic personality. This combination suggests that, although Kant recognised the value of rationality as a guiding principle in moral and marital circumstances, he also recognised that human nature inherently encompasses irrational aspects. Kant's philosophy suggests that a fully formed personality combines seemingly incompatible aspects, allowing for a dynamic interaction where emotions and reason are vital to a person's moral existence. This perspective reflects Kant's belief that moral and personal growth are richer and more complex when accompanied by both reason and irrationality, leading to a deeper sense of self and morality. The present study demonstrates that John Paul II also made an attempt to reconsider marriage as a union of full-fledged, integral individuals. Therefore, the study was aimed at arguing the advantages of this approach and comparing them with the philosophy of Kant. The themes of love and family, covering the problems of intersubjectivity and sexuality, are tangentially related to gender issues. Pape (2023) critically analysed Kant's writings to uncover the philosophical implications of his stance on gender roles. The findings suggest that Kant viewed femininity as an outcome of societal influences rather than an inherent trait.

One of the most powerful philosophical teachings about family and love relationships is the Christian concept of marriage. It is fundamental to "Western" cultures and includes the concepts of John Paul II. Danilevičius (2023) provided a comprehensive overview of the Christian doctrine of marriage, focusing on the interpretation given by John Paul II in his writings. According to the researcher, it is the concept of Christian love that is key to understanding the phenomenon of marriage. However, the study does not address secular philosophy, nor does it demonstrate the differences between the approaches of theologians and philosophers. Tiefel (2024) investigated the same problem, but in the broader context of Christian morality. The researcher conducted a comprehensive study of Christian morality, also examining issues related to marriage, love, sex, and parenthood. The researcher pointed out the important role of mutual responsibility in marriage, spiritual love, and the strength of the spouses' commitment to lifelong devotion to each other.

Marriage in Christian ethics is not only socially important, but also anthropologically important. Thus, Poulin (2023) covers the anthropological significance of Christian marriage. According to the researcher, marriage can be of saving importance for a person who has lost the meaning of life in the world, lost their guidelines and motivation. In fact, the researcher believes that marriage is capable of bringing a person back to the Christian community. The study does not cover alternative perspectives and lacks analysis of the relationship between the community of Christians (the Church) and the domestic community (spouses, families). In the present study, the ontological status of interconnection is emphasised, and a comparison with the secular philosophical concepts of Kant is added. To understand the context of the entire study, it is also worth mentioning the problem of love in European culture in general. Thus, it was investigated by Kojecky (2024), who separately highlighted the role of the romantic and pragmatic image of love. Both of them, according to the researcher, were of direct significance in shaping the anthropotype of European modernity. The two of them are also opposed to the Christian concept of love, which therefore came into conflict with modernity. Another aspect of the theme of love is its feminist perspective. Lennon (2023) reviewed this topic, pointing out the manipulative side of many ideas about marriage that restricted women's freedom. The very idea of love, according to the researcher, was built in such a way that it was the man who received all the benefits in a love relationship. However, the study did not examine the early origins of the secular understanding of marriage, nor did it consider the opposing religious positions. The current study compensates for this shortcoming.

### **Methodology employed**

The current study is based on a hermeneutic approach and the qualitative use of secondary sources. It involved the interpretation of various important and relevant texts and the identification of ideas laid down by their authors. These steps were necessary for the analysis of the selected objects of



study. The study also used comparative, descriptive, historical, chronological, and systematic methods. All of them served specifically for hermeneutics, the interpretation of meanings and ideas found in the works of Kant and John Paul II.

Thus, the purpose of this study was to identify the differences and similarities between the concepts of *commercium sexuelle* and *communio personarum*.

### **A view of marriage as a “community”**

Marriage was considered from the perspective of the ethical, aesthetic, philosophical, and legal dimensions. However, for a long time there were no attempts to think about the theoretical foundations of marriage as such. There has been very little research that has been entirely focused on marriage.

In German classical philosophy, this situation began to change, and one of the first fundamental researchers of the theoretical foundations of marriage was Immanuel Kant (2017). He outlined his understanding of the concept of marriage in the “The metaphysics of morals”, but other works of the philosopher also hold self-contained reviews of this topic and related topics: sexuality, raising children in the family, the anthropological significance of the family (Brandt, 2004). One of the key questions asked by Kant was “What is man?”, and it turned out that it was impossible to answer it without understanding marriage as a union of people of the opposite sex. One of the crucial achievements of Kant in this area is the definition of marriage as a philosophical, legal, and social category. Thus, he points out that marriage is a natural union of two people of different sexes (*commercium sexuelle*), which was embodied according to the practical norms of reason to culminate in mutual, lifelong possession of their sexual characteristics (Papadaki, 2022). Kant uses the term “*commercium*” in a specific sense. The philosopher tried to avoid the overly ambiguous and vague term *Gemeinschaft* in German. If community itself is by definition static, then commerce is the substance of a dynamic community, the content of the actions that take place at the social level.

The term “community” itself, as well as its dynamic form, “commerce”, acquires an ontological meaning in the philosophy of Kant. Such a union of two entities is not the subjugation of one entity to another, it is a mutual appropriation. Accordingly, Kant considers all “commercial actions”, and thus the life of communities, from a legal standpoint. Kant’s ontological studies of the relationship between entities were satisfied with the term “*commercium*” until the philosopher turned to a very specific topic – the relationship between body and soul. It was here that he recognised that there is also a special form of connection between entities – die *Verknüpfung*, a deeper and closer connection that cannot be broken by a simple wilful decision. Both entities in such a relationship constantly influence each other, in fact, they are jointly owned (Papadaki, 2022). It is this close connection that is most similar to the specific intersubjective space that develops between spouses after they enter into a marriage relationship. Nicolaidis (2015), an Orthodox theologian, asserts that marriage is indeed one of the sacraments in which it is clear that one cannot separate human reality and sacramental reality. In the Mystery of Marriage, there is a very deep community between God, Jesus and the Holy Spirit and by His grace the triune Godhead unites two people, man and woman, for the special purpose of replenishing the Church of God according to His commandment (Genesis 9:1).

Another vivid example that explains the status of the term “commerce” in Kant’s philosophy of marriage is his concept of “eternal peace” and the picture of the world he saw in the future. Thus, he believed that such a cosmopolitan society would not be built based on common resources and common laws. The “community” of countries will simply create conditions for constant mutual influence and interaction, in short, for commerce. The right to interact (*Verkehr*) is an unconditional characteristic of any community, and this applies to both *ius cosmopolitanicum* and marriage. According to Kant, marriage differs from all other forms of commercial relations only in that it is based on the sale/purchase of the right to use the sexual characteristics of another for life. Notably, it is impossible to purchase sexual characteristics themselves, because they are the inalienable property of another person, their corporeality. But acquiring the right to use, according to Kant, is a completely



legal action, and it is this action that forms the essential basis of marriage in general. Marriage has become a philosophical category that describes a certain type of social, economic, and emotional bond. This category, according to the German philosopher, is also necessary for understanding a separate entity, because to assess the essence of a man without considering the influence that their intersubjective space with his wife has on him is a way to completely misunderstand the essence of a man. This statement is also true in the opposite direction – for women (Karadzhy & Tsurkan-Saifulina, 2023).

The second aspect that needs to be addressed is the role of the sexual sphere, which Kant noted in his philosophy of marriage. He added a reference to sexual characteristics to the definition of marriage itself, meaning that he considered sexuality a key aspect of this commercial relationship. Sexual intercourse between spouses affects the mood of partners, their sense of enjoyment of life, the realisation of their gender identification, and their mental health. The sexual sphere tangentially affects the closeness of contact between partners, which also affects emotional, economic, ideological, and other exchanges. If one of the spouses avoids sexual intercourse, they violate the essential foundation of marriage, the basis of the commercial agreement between them and their partner. According to Kant, the principal factor influencing the structure of marriage is the norms of reason. Among the key principles of marriage, dictated by the norms of reason, the philosopher included the subjective attitude of the husband and wife towards each other, as well as equality between spouses in their relationship (Ryskaliyev et al., 2019). Subjective attitude refers to a personal interest in another person, an emotional connection with them. Equality means jointly solving family problems, the right to an opinion, safety, and security.

Although Kant spoke about commerce, he was not cynical about marriage and love. He described these phenomena as one of the crucial ones in people’s private lives. Awareness of the significance of this area exists not only in theological or conservative literature, but also in secular science (Komilova et al., 2021). Suffice it to mention at least the psychological and psychiatric dimension of the topic of love (Wong & Mayer, 2023). The Christian Church, although Kant did not directly contradict its dogmas (and in some places even supported them with his arguments), could not agree with Kant’s statement that the essence of marriage is commerce, in fact, a legal exchange between persons. Christian ethics is based on the principles of love of neighbour and love of Christ. These principles also form the basis of such a social and anthropologically important phenomenon as marriage (Brunner, 2023). The German philosopher nevertheless chose concepts that did not fit with the Christian vision of the problem. Thus, John Paul II took Kant’s approach as a basis and proposed a different term, instead of the Kantian “*commercium sexuelle*”. His proposal was the term “*communio personarum*” – the unity or community of persons, personalities (Paul II, 2006). John Paul II disagrees with Kant that the concept of “*communio*” is not dynamic enough and reflects static. In his opinion, this term is capacious enough to describe the unity of people both in the moment and in their long-term or lifelong interaction. The term “*personarum*” indicates that this is not just any community, but a community with a profound and fundamental connection between individuals (Table 1). Therefore, the meaning of marriage for spouses is personal and individual. It is not reduced to social ties with their commercial content, but thanks to marriage, the best in both personalities is brought out to the fullest. Commercial ties can be those between states that trade with each other on the international market in conditions of “perpetual peace”. However, in John Paul II’s opinion, calculation and commercial, instrumentalist logic cannot underlie a love relationship.

Table 1. Classical definitions of marriage (Author’s own)

Definition of marriage	Concept description
<i>Commercium sexuelle</i> (Kant)	Indicates that marriage is primarily a union of two people based on sexual differences and sexual desire. Factually, it demonstrates marriage as a “cultural, civilised form of fulfilment of the sexual instinct”. Love in this concept is only an optional emotion that may or may not arise between spouses, which will not cause any problems.
<i>Communio personarum</i> (John Paul II)	Indicates that marriage is primarily a union of individuals. A personality is a synthesis of body and soul. Each person has the inalienable right to give themselves to another and to receive another as a gift. This exchange of gifts underlies the marriage relationship, as well as love, the training in which being marriage between a man and a woman.





The common destiny of a man and a woman in marriage is clearly expressed in the very anthropological content of Christian ethics. Christians view man as a likeness of the Creator. A likeness, but not yet a creator. This imperfection of man is influenced by both his human nature and the inability to fully combine both masculine and feminine. The commonality of these two Beginnings is at least partially achieved in marriage. In other words, being united in *communio* contributes to true personalisation and individuation. Man becomes closer to the unity embodied in the Creator. Therewith, before God, this person still stands alone, i.e., they retain a certain “existential loneliness”, separation from everyone else, even from the closest person with whom they have to share every moment of their life. In the feeling of love, this existential loneliness begins to feel like “transcendental melancholy” (Pihlström & Kivistö, 2023).

The next important nuance is the place of love in John Paul II’s philosophical theology of marriage. He believes that love is the phenomenon that unites spouses and makes them a real community. Love exists in these relationships not as a short-term infatuation, but as a long-term bond that becomes stronger and closer as people go through an even longer life together (Woo, 2023). Spouses formed based on love and seeing this love as the goal of their communion give themselves to each other as a gift, not as a commodity to be paid for under a contract. Love has the power to transform people and to transform couples (Syaebani et al., 2023). According to John Paul II, a person cannot buy another person. And even if partners marry without love, it does not give them power over each other. True unity becomes possible only when they give life and loyalty to each other without any caveats and commercial exchange agreements (Scheeben, 1946). Although visually, their marriage may look like a commercial arrangement. It was this visual illusion that Kant noticed and considered it a fundamental feature of marriage.

Sometimes the topic of “giving in marriage” is reduced to the ability of people to give and receive. But John Paul II also addressed another aspect of the problem. Without the ability to accept a gift and, at the same time, not to turn the person who gives themselves into a tool, resource, or object, marriage does not reveal its essence. Any union, the unity of people, is about love and giving, if this union is happy to be together, not about commerce. Relationships in the Christian Church, and not only in Christian families, are built on the same principle (James, 2023). The very right of a person to “give” is inherent in their essence. The right to give is the culmination of a person’s ability to create (since a gift is formed, born, and nurtured before being given to a loved one) and self-determination and free will.

Although John Paul II, unlike Kant, does not place a special emphasis on the sexual characteristics of men and women in marriage, he does not avoid this topic either. The body, even according to Christian anthropology, is something that is closely connected to the human soul (Chung, 1997). A personality without this duality simply does not exist. Accordingly, gift-giving between spouses takes place in the space of this reciprocity. Both at the level of the soul and the body. If sexual intercourse between a woman and a man occurs within marriage, it is an act of love and giving. An indication of the shared intersubjectivity developed between partners is their internal readiness to assume the responsibility of parenthood at the time of the sexual act (Purba & Retno, 2023). Therefore, a child, as a result of sincere love between people, is born at the moment of sexual intercourse and fertilisation, and not in the third month of pregnancy or later.

Christianity has its own philosophy of gender, although it is radically different from the philosophy of gender in the secular world. It is based on completely different principles and an opposite value foundation. But the dialogue between religious and secular visions of sexuality has begun (Kigen, 2024). However, readiness for dialogue did not mean readiness to compromise on such a fundamental issue as marriage and love relationships. Close interpersonal contacts between people have been the central axis of Christianity from the very beginning, one of its key sacraments, which has an ontological basis (Johnson, 2023). In fact, as early as the 20th century, their discussion began to resemble a war, and John Paul II’s texts were an attempt to convey the position of one of the parties in a peaceful atmosphere. Kant’s philosophy is also interesting because in it we encounter the personification of early modernity, when the gap between the ethics of modernity and tradition was not yet so striking. This “early point of modernity” could help to better understand the current



conflict between conservative and liberal movements. This conflict has spread to all countries and continents (Evolvi, 2023).

Thus, there are both points of intersection and substantial differences between the philosophies of marriage of Kant and John Paul II. The key similarity is the emphasis of both thinkers on the fact that marriage is a union between people with different sexual characteristics and exclusively between a woman and a man. They also both saw marriage as a lifelong union and considered the phenomenon of divorce to be a distortion of the nature of marriage. Although both argued this position from different angles. The attitude of Kant and John Paul II towards sexual relations outside marriage is summarised in Table 2.

Table 2. Immanuel Kant and John Paul II on sexuality outside of marriage (Author's own)

Philosopher	Attitude towards sexual relations outside of marriage	Attitude towards the problem of divorce
Immanuel Kant	A negative phenomenon since it is based on the use of another person's body as a tool for one's own pleasure.	A negative phenomenon since it is factually a termination of a lifelong contract.
John Paul II	A negative phenomenon since it degrades sexuality itself and the close emotional connection that should exist between partners, which can only be found in marriage.	A negative phenomenon since marriage is a great gift, and returning gifts is not an honest and dignified act. It is also a rejection of one's own vocation and responsibility.

Both also recognise the key role of the sexual relationship between husband and wife. This very emphasis unites their philosophical doctrines, but their arguments are different. Kant does not rely on the Bible, and therefore he does not add to his arguments the principle of "imitation of the Trinity and Jesus Christ in marriage. Kant's views on marriage are not based on theology and the sacred and transcendental dimension of human life. For John Paul II, on the contrary, these dimensions are key and paramount to understanding the phenomenon of marriage.

The differences between the concepts of philosophers are based on the difference in one fundamental position. For John Paul II, a man and a woman enter into marriage as human beings, as individuals. For Kant – as carriers of sexual characteristics, gender. Admittedly, the German philosopher did not argue that a person is a personality. However, their attributes as a personality do not play a significant role for Kant when he discusses marriage and family formation. A person is still an individual who is separated from their family even when the marriage is formalised. The Christian Church emphasises that although the personality is preserved after marriage, a new unity, a new community is formed, which is something higher than the separate personalities that were there in the beginning.

### Study of concepts of Christian marriage

The current study demonstrates that responsibility, while essential in marriage, is not the essence of the marriage relationship. The Christian attitude towards marriage, which is fully traditional, nevertheless emphasises that marriage is not a *commercium sexuelle*, but a community of two persons, a man and a woman, who are united by a promise to give their personalities and their bodily integrity to each other, unlimited in time. This point only partially coincides with the findings of Elechi and Ngihbi (2023), who in their study examined the philosophy of marriage in Kant and Hegel, comparing their concepts with traditional forms of marriage in Africa. Researchers believe that Kant defends the traditional approach to marriage, which was also implemented in the customs of African peoples. These two views of marriage, according to the researchers, are united by an emphasis on the joint responsibility of the newlyweds, rather than on love.

The current study expresses the position that Kant's views on the problem of marriage are based on the attribution of sexuality to the animal nature of man, which degrades him. John Paul II's writings suggest that the sexuality and bodily interaction of partners in marriage is a sacrament and one of the greatest gifts they give each other. And this gift is not so much about the feeling of pleasure



(although it is), but about sex, as a recognition of the fact of mutual acceptance of each other as separate people with their own needs and weaknesses. Brecher (2023) investigated Kant's attitude towards sexuality and the philosopher's opinion that any sex that does not aim at giving birth to children is an immoral act.

Kant's doctrine had a considerable impact and certain positive consequences for marriage law. However, the philosopher viewed marriage as such a strong union that it becomes impossible to freely dispose of one's body (and not only the body) in it. In this union, both depend on each other, personal boundaries merge and deform. The choice of the partner with whom a person wants to start a family is completely free only once. A study of the writings of John Paul II shows that to speak of the free use of one's body in marriage is a contradiction to the essence of marriage. This essence lies precisely in giving each other oneself, including one's body. It is not natural for such a close relationship to dispose of a gift that has already been given to another person. Adekola and Mothoagae (2023) examined the influence of Kant's philosophy, and Kantianism in general, on the contemporary discourse on the nature of marriage, sex, and love. In researcher's opinion, Kant's doctrine of marriage as a *commercium sexuelle* is a revolutionary step towards the legal and ethical norm that is now called sexual consent (Spytska, 2023). According to Adekola and Mothoagae, Kant's concept of marriage puts the equality of both newlyweds and the right of everyone to freely dispose of their bodies in the first place. Sassatelli and Ghigi (2023) presented relevant theses, exploring the history of the philosophy of corporeality and gender. The present study leads to opposite conclusions, although this opposition is based on the different understanding of freedom in modern and traditional cultures (Podoprighora et al., 2019).

Thus, most studies coincide with the current research in understanding the specifics of the views of Kant and John Paul II. However, there have been almost no attempts to compare them, which was corrected in the present study. The comparisons of I. Kant's philosophy and J. Paul II's theology that are available in the academic discourse reveal more differences than similarities. The current study confirmed this, but also found many similarities. In fact, Kant is also a traditionalist philosopher, especially in ethical issues, as is the Christian Church in matters of marriage. The philosopher insisted on lifelong marriage, reconciliation with constant mutual contact, and mutual influence in marital relations. However, this traditionalist approach has largely abandoned the ideas of inequality of spouses in marriage. Still, modern theology also does not promote the fundamental primacy of the status of the man in the family. Women in the modern Catholic Church occupy an equally important place, and their role in the family and society is majestic and sacred.

## Conclusions

Kant's position does not openly contradict Christian ethics, but nevertheless conveys the secular understanding of marriage that was born in the conditions of modernity. John Paul II, in his turn, decided to repeat Kant's attempt to give a clear definition of marriage, but to do so in the light of Christian doctrine. He proposes the definition "*communio personarum*" to emphasise two points: marriage is a union, not a commercial transaction, and it is a union of persons, not their sexual identities. At the same time, John Paul II believes in the significant role of sexuality in marriage relations, because, based on Christian anthropology, he considers human corporeality to be one of the key features of the human personality.

The study found the differences between secular and theological-sacred visions of marriage, but also highlighted possible points of intersection between them. The purpose of this study was fulfilled because the concepts of *commercium sexuelle* and *communio personarum* were analysed and compared. Their definitions and origins were also described and hermeneutically studied. Further research should elaborate on the topic of fatherhood in the philosophy of Kant and the theological views of John Paul II, since views on this issue are closely related to the topic of marriage and the relationship between husband and wife.



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