

philippine studies

Ateneo de Manila University • Loyola Heights, Quezon City • 1108 Philippines

A Layman's Reappraisal of Contraception

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Philippine Studies vol. 13, no. 2 (1965): 362–370

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Fri June 30 13:30:20 2008

ficance lies beyond the historical moment in which it was done.

The *lex orandi lex credendi* principle, emphasizing the inter-relatedness of worship and belief, highlights the practical significance in the lives of Christians to the existing changes taking place in the liturgical life of the local parish church. It was one of the comments made in the seminar on Symbol and Sacrament which sums up the tone of the entire proceedings of the Colloquium that "the criticisms were based more on underlying theology rather than on practice." No one was out to embarrass his brother with a telling example of local parish failure to live up to professed ideals.

Ecumenical Dialogue at Harvard can serve well on the Philippine scene in many ways. As a study text for use in small discussion groups concerned with ecumenical matters, the book would be excellent. I believe that it would also suit the purpose of an "overview" type of course which is finding place in seminary curricula these days, most often in the final year of study.

Wherever groups of scholars get together in the ecumenical spirit—and this, too, is increasingly occurring in the Philippines—the experience at Harvard in March of 1963 will continue to serve as a guide and stimulus for continuing conversation.

JAMES GILL

A Layman's Reappraisal Of Contraception

PERHAPS no topic has caused as much stir in the world today and in the third session of Vatican Council II as the problem of birth control. It comes as no surprise to anyone when a moral theologian writes on this complex and controversial topic. But when a Catholic layman* not only brings us up-to-date on some of the key issues involved

* CONTRACEPTION AND CATHOLICS. By Louis Dupré. Baltimore-Dublin: Helicon Press, 1964. 94 pp.

in the controversy but also seriously questions the customary Catholic teaching on birth control, the reader is most pleasantly surprised, and, after he has read what Professor Dupré has to say, wishes that his tribe may increase in this age of the Catholic layman.¹ Prof. Louis Dupré, S.T.L., Ph.D., teaches philosophy at Georgetown University, Washington D.C. and has been assisted by the recently founded Georgetown Center for Population Research.

In view of the recent controversy on the contraceptive "pills" and of the so called "population explosion", and because of the growing tendency among Catholics, both clerical and lay, to question one or another aspect of the Church's teaching on artificial birth control, Prof. Dupré's re-examination of the traditional teaching of the Church on contraception is timely and most welcome.

Prof. Dupré begins by showing that scripture and early tradition do not deal with the modern problem of contraception and that the view of marriage in both the Old and New Testaments does not necessarily exclude the use of contraception. He finds in St. Paul's doctrine support for his position that the subjective intention of marital love belongs as much to the intrinsic and objective meaning of the marital act as the intention to procreate. The validity of Prof. Dupré's scriptural exegesis is a question for the scripture scholars to decide.

How about the question of the infallibility of the Church's teaching on contraception? Prof. Dupré points out that the condemnation of contraception in Pope Pius XI's encyclical *Casti Connubii* is not solemnly defined as a point of Christian doctrine. He finds as inconsistent the opinion of Fathers Ford and Kelly in *Marriage Questions*, namely, that the present Catholic position on artificial birth control, though not infallible, is yet part of the deposit of faith. Prof. Dupré by no means denies that for a Catholic the ultimate answer to the

¹ This review article was written before this reviewer heard about Professor Dupré's previous clerical background in philosophy and theology.

question of contraception must come from the teaching authority of the Church. However, his point is that no such answer, at least in the case of the pills, has as yet been given. This reviewer agrees with the author that, until the Church decides, a serious re-thinking of the arguments usually proposed against artificial birth control under any circumstances must continue to remain a challenge.

This reviewer would like to point out that the possibility of a different position from that of Fathers Ford and Kelly on the infallibility of the Church's doctrine on contraception, at least in the case of the pill, is not altogether closed. In his decree of June 23, 1964, in which Pope Paul VI stated that for the present the norm of Pius XII must be followed on the question of the pills, he also added: "as long as we do not perceive ourselves obliged in conscience to modify them." Thus Paul VI implied that a change is possible.

The philosophical natural-law foundation of the present Catholic view on artificial birth-control is what Prof. Dupré finds most vulnerable. It is usually stated that the natural intrinsic end of marriage which is procreation is frustrated by contraception. Prof. Dupré argues that procreation as nature's intrinsic purpose in sexual activity does not imply that every single individual act of marital intercourse must necessarily lead to procreation. According to the author, such a way of reasoning about nature contains two basic fallacies: (1) it confuses man's biological structure with his human nature; (2) it takes human nature as a static, unchangeable thing, rather than as a principle of development. In short, although Prof. Dupré agrees that the precept of procreation results from the natural law, he doubts whether this precept necessarily applies to each individual act of intercourse. This stress on the totality of the marriage act is, in this reviewer's opinion, more in keeping with Catholic moral teaching and the findings of the empirical sciences about man. It must be pointed out that the basic argument against contraception as a substantial violation of the conjugal act and the generative faculty and process must take into account not only the biological aspect but also the human context of the marital act; this is Prof. Dupré's strong point. What constitutes a "substantial"

violation of the conjugal *act* is precisely one key issue that still remains problematic.

Perhaps there is no more pressing moral problem that vexes Catholics today than this question on the pills: Is the pill to be rejected as an illicit means of contraception, or accepted, as a licit means of exercising responsible parenthood in certain circumstances? Prof. Dupré poses the more practical question: Which opinion is a Catholic to follow as long as the Church has not made a final decision on the issue? On the one hand, Prof. Dupré appeals to the theory of probabilism according to which a Catholic may follow the "solidly probable" opinion of the advocates of the pill. On the other hand, he calls attention to the decree of Pope Paul VI on June 23, 1964 which stated that the moral norms of Pius XII were to be followed until such time as a more detailed statement on the question could be concluded. Prof. Dupré is correct when he states that this *practical* solution in no way settles the *theoretical* problem. The postponement of the theoretical solution should continue to stimulate moral theologians to further reflection and study.

From a study of the writings of two moral theologians (L. Janssens and W. Van der Marck) who defined the probable licit use of the "pill" in certain circumstances, Prof. Dupré finds confirmation for his position that if one includes the subjective intention of the agent in the total moral aspect of the marital act, a different position on contraception is possible.

Finally, Prof. Dupré criticizes the usual psychological arguments against contraception as indecisive. He agrees with Fr. Paul Quay's phenomenological approach to marriage as a symbol of self donation because this kind of argument takes into account not only the physical act of marital intercourse but also its personal and relational aspects as an act of conjugal love. But he finds difficulty with it in so far as the objective meaning of the marital act is not to be found in a unique act but in a total series of acts. Moreover, the complete meaning of the totality of these acts is not finished but completed by the subjective intention of the human agent. The main theses of Prof. Dupré may be summarized as follows:

1) To build an argument against contraception on the sacredness of nature (understood in such a way that the natural course of the marriage act excludes deliberate interference) is to withdraw this act from the sphere of the properly human, even for the attainment of its natural, biological end. Such a position is untenable.

2) An argument built on the biological end of the act alone is equally unsatisfactory, for this biological end is only one facet of the total end of *man* toward which the act, as any human act, is directed, and which encompasses the essential well-being of the human person (materially and spiritually) both as individual and as species-being. This total finality is not extrinsic to the act; it is essential to its meaning as a *human* act, and it is the very element which makes the act sacred.

Although this book does not cover all the key moral problems that have arisen because of the "pill", it is significant for other reasons. First, it is a good antidote for moral theologians who have read Fathers Ford and Kelly's recent and scholarly book, *Marriage Questions*, to find that some of the traditional arguments against contraception are not as invulnerable as they have always been led to believe. Secondly, since this book was written with the hope of stimulating further study and reflection, it should invite moral theologians to re-think some basic concepts and formulations that perhaps have become irrelevant if not stereotyped. A case in point might be the concept of direct and indirect sterilization. Thirdly, this book is significant because it presents the Catholic layman's viewpoint on a moral problem of contraception which concerns, not celibate priests, but married lay people. They are the ones in practice who must make the moral decisions in this matter. If it is true that in the past the clergy have failed to educate the laity to do their own personal moral thinking on problems that concern them and to make their own responsible moral decisions, Prof. Dupré's book augurs well for the future. For it shows that the tide is turning in the other direction.

In all fairness to present day moral theologians who, rightly or wrongly, might all be classified as "conservative" in a pejorative sense, it is well for the lay readers of Prof. Dupré's book to know that current moral theology on contraception has come a long way from the classical formulations of scholastic treatises and seminary manuals against which,

this reviewer believes, Prof. Dupré's criticisms are principally directed. It is comforting to note the slow but marked progress in this area by a growing number of contemporary moral theologians who are seriously rethinking, re-formulating, re-integrating traditional concepts and formulations against contraception in terms and arguments that are more meaningful and relevant to our day and age, e.g. "responsible parenthood". One instance of the new tendencies in contemporary moral theology is the prominence of the personalist and value approach to sexuality and marriage in present day discussions and writings (e.g., "Sexuality in the Modern World: A Symposium," *Cross Currents*, XIV, Spring 1964). Fathers Ford and Kelly in their book have tried to find an essential place in marriage for the so-called personalist values—life partnership, conjugal love, and sexual fulfillment.

The basic Catholic argument against contraception must be seen in the context of an inviolable plan of God for the beginning of human life. It is based on a fundamental respect for the value of the unique person. It respects God's part, nature's part, and the parents' part in bringing about human life. The traditional emphasis on the procreative aspect (i.e., the physical integrity or natural structure) of the marital act stresses the objective criterion for judging the morality of a human act. The modern emphasis on the personal, relational aspect of the marital act stresses the free moral determination of the married couple in order that the act can qualify as moral value. In its total moral context, the marital act is a *life-giving act of love*. Seen in this new light, contraception is wrong because it is a violation of the life-giving purpose of marriage and because it falsifies married love. Certainly this new insight and formulation is more meaningful today than the customary argument that contraception frustrates the natural end of marriage. With regard to Prof. Dupré's strong point that the natural law precept of procreation does not apply to every single act of intercourse, no less an authority than Fr. John Thomas, S.J. would hold that the "process of sexual relationships" must be *apt* for procreation. The morality of the single act of intercourse must be taken in the context of *general fulfillment* of both the biological and social as well as

the personalist ends of marriage. This is a relatively new perspective in the thinking of moral theologians.

The question concerning the morality of the pills must be seen in the threefold context of the immorality of contraception, responsible parenthood, and the so-called population problem of today. Again it is good for lay readers of Prof. Dupré's book to know that there are clearly contraceptive uses, clearly therapeutic uses, and probably licit uses of the pill. This does not mean that there are no longer problematic areas where it is difficult to apply the principle of double effect and the concept of direct or indirect sterilization. Furthermore, there are very special cases posing future moral problems for further investigation. In Father Cardegna's judgment, "the present debate [on the pill] may end with the decision that the use of the pills as suggested by Janssens constitutes direct sterilization as prohibited by Catholic moral teaching. Or it may conclude that it is . . . a type of direct, temporary sterilization that may be justified by eugenic, social, economic, psychological, or demographic reasons as well as by physiological reasons. . . . Forbidden sterilization . . . would be . . . the suppression of the *natural* or *normal* capacity to conceive a child [normal is understood not only as *biological* but also *humanly* and *socially* normal]."² Father Cardegna points out that as yet there is no moral criterion for determining what is a "substantial" intervention of the marital act. He suggests the distinction between intervention in the marital *act* and in the generative *faculty* or system as perhaps being more fruitful than the traditional distinction between the "use" and "non-use" of the sex faculty.

It is unfortunate that Catholic moral theologians and ethicists lack empirical knowledge of the social sciences most relevant to morality and of the realistic situation of married couples. This fact has led to faulty interpretations of the natural law and to an easy recourse to absolute moral norms and simplistic formularies removed from the concrete realities of sexuality and marriage today. While it is true that the empirical sciences cannot settle a normative, moral problem, still they render an indispensable service to the moralist by clarify-

² Felix F. Cardegna, S.J., "Contraception, The Pill, and Responsible Parenthood," *Theological Studies*, 25 (1964), 620 ff.

ing the concrete human situation in which the moral norms are to be applied. The moralist is not expected to be an expert in psychology or sociology but he should at least remain open and sensitive to the findings of these empirical sciences. There are still some moral theologians who are quite reluctant for instance to consider fertility control by moral means as part of the overall solution to the problem of population growth in an underdeveloped country.

Yet the prospect of a developing Catholic moral theology is bright. The positive values of sex and marriage and the concept of responsible parenthood in the context of the present demographic situation are now receiving the attention they deserve. More and more Catholic moralists are awakening to the need of considering the psychological, sociological, and cultural background of sex and marriage in the context of the present situation. It is incorrect to say that the Christian ideal of parenthood is to have as many children as possible and to trust in Divine Providence. Today responsible parenthood has come to mean a couple's generous response to God's call to bring up children in a *human* and *Christian* way. This moral response varies with different situations and different couples. Given the present concrete human and social situation, a greater role is assigned to human providence and to the couple's honesty and sincerity in determining the size of their family. The concept of responsible parenthood places greater personal responsibility on the married couple's individual consciences.

In the light of these new tendencies and new emphases of contemporary moral theology, Prof. Dupré's strictures against Catholic moral teaching on contraception are seen in better perspective. Moral theologians should welcome criticism from the layman and should not begrudge him for questioning assumptions based purely on presumed traditional authority and position. The Catholic layman can help the moral theologian see in a new light the difference between the changing and

unchanging aspects of the Church's moral teaching and thus revitalize Christian moral doctrine and practice.

A continuing dialogue or at least two levels must be established if theological moral norms in sexuality and marriage are to be developed in a manner relevant to the contemporary world. First, there must be inter-disciplinary communication between the moral theologian and the psychologist, sociologist, anthropologist, historian, philosopher, etc. In this way the moral theology of sex and marriage can be rethought in terms of our contemporary culture (e.g., Filipino culture) and its background in the light of Catholic moral doctrine. In this way the wide gap between pure moral theology (what ought to be) and pure culture (what actually is) can be bridged without falling into either extremes of an ivory-tower moral theology or a compromise with an existing culture of uncriticized values and attitudes. Thus the moral theologian will have a realistic grasp of both principles and facts. Secondly, there must be communication between the moral theologian and the married layman. In this way, the Catholic layman can be made to realize his own proper role in thinking with the Church by contributing to the development of moral principles on sexuality and marriage. An openness to the ideas of the layman is one way of allowing him to grow up to moral and religious maturity. How else can individual moral responsibility in the layman be developed? Dialogue can help married couples overcome the habit of continuously leaning on the clergy and at the same time help the clergy to overcome the practice of making moral decisions for married lay people.

Prof. Dupré's timely and critical discussion is a book no socially aware Catholic moral theologian, or Catholic married couple can afford to ignore. At the end of the book is a select bibliography of the most up-to-date English publications on birth control with a brief summary of the main lines of argument.

VITALIANO R. GOROSPE