

# STUDY MATERIALS: Introduction to Sexual Ethics

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## Introduction

This course does more than serve as an introduction to the Church's teachings on sexual ethics; certainly it covers carefully both contraception and homosexuality since these are the most controverted teachings on sexual issues. But it also provides introductions to natural law ethics, personalism, the debate about proportionalism and biologism, and the role of conscience in the moral life, since these topics all are integrally connected with sexual ethics.

The following lectures supplement the tapes. Listed under each lecture is the reading required for the tape and the lecture. The reading load is considerable. The beleaguered and judicious student will profitably read selectively from assigned texts. The eager

student with time to spare will wish to read not only the required texts but will find the suggested additional readings absorbing as well. Additional readings authored by Janet E. Smith and marked with an asterisk are available on her web page.

1. What is Natural Law?

- A) *Summa Theologica I-II*, Questions 90-97; a useful edition is *Treatise on Law*, intro by Ralph McInerney. Gateway Edition. 1996
- B) J. Budziszewski. *Written on the Heart: The Case for Natural Law*. Intervarsity Press. 1997

2. Meaning of Human Sexuality

- A) Rev. Ronald Lawler, Joseph Boyle, Jr. William E. May. *Catholic Sexual Ethics*. Our Sunday Visitor. 1985
- B) Father Charles Curran. "Natural Law in Moral Theology" in *Readings in Moral Theology No. 7*. Paulist Press. 1991, pp. 247-295.
- C) *Familiaris Consortio* (1980; *Exhortation on the Role of the Family in the Modern World*)

3. Personalism and Natural law

- A) Karol Wojtyla. *Love and Responsibility*. Ignatius Press. 1993 (rpt.)

4. Homosexuality

- A) Catechism: section 2331-2400
- B) Congregation for the Doctrine of the Faith. Declaration on Certain Questions concerning Sexual Ethics. 1976
- C) Congregation for the Doctrine of the Faith. Letter to the Bishops of the Catholic Church on the Pastoral Care of Homosexual Persons. 1986

5. Proportionalism and Biologism

- A) My tape *Contraception: Why Not* distributed by One More Soul\*
- B) *Humanae Vitae* (my translation recommended: Appendix 1 in my *Humanae Vitae: A Generation Later* and published as a separate pamphlet *A Challenge to Love: Humanae Vitae* by Catholics United for Life)\*

C) *Catechism*: 1749-1761

6. Natural Family Planning

A) Karol Wojtyla. *Love and Responsibility*. Ignatius Press. 1993 (rpt.)

7. Reproductive Technologies

A) *Donum Vitae*

8. John Paul II and Newman on Conscience

A) Canadian Bishops. *Formation of Conscience*. Daughters of Saint Paul. 1974.

B) *Catechism*, 1776-1802.

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## Lesson 1: What is Natural Law? [1]

*Tape 1 covers some of the basics about natural law. It very quickly reviews some rival ethical theories such as conventionalism/relativism/situation ethics (Joseph Fletcher), utilitarianism/proportionalism/consequentialism (John Stuart Mill), emotivism/hedonism (Friederich Nietzsche), fundamental Human Rights (e.g., US Constitution), revealed religious commands, and autonomy based ethics (Immanuel Kant). It provides a discussion of the erroneous view of freedom so predominant in our time. The principle of non-contradiction and the first principle of practical reason are discussed. Various examples are used to demonstrate the role of nature in helping us discover how to treat all natural things and how man is to act. Some of the basic features and needs of human nature are delineated, especially the ability of man to think and make choices. It is maintained that even those who do not believe in God can reason according to natural law principles. Nonetheless, belief in a God who has ordered the universe and given things their nature, makes greater sense of natural law and makes it more binding.*

*Tape two begins with a discussion of what rationality is and how the emotions are and should be related to reason. Connections are made between acting in accord with reason, acting in accord with nature, and acting in accord with virtue. The various parts*

*of the soul are described and virtues are explained as perfections of various parts of the soul.*

Catholic ethics can be approached both from a philosophical perspective or a theological perspective. The truths of philosophy are those discovered by man as he observes and thinks about reality; truths, discovered in this way are said to be the truths of reason. Those truths that are discovered and established by reason in the moral realm are called the truths of natural law. Most philosophers grant that we do not need revelation to figure out that some acts, such as murder, adultery, rape, and theft are wrong.

Theological ethics have as their chief sources revelation and tradition. Often revelation reveals to us what we can know through reason (see the Ten Commandments) but also reveals to us truths that are beyond our ability to discover without the help of revelation. The Christian teaching, that we must love our enemies, for instance, seems to go beyond reason.

The Catholic Church teaches that human beings are capable of figuring out what is moral and immoral in the realm of sexuality without special revelation. Thus, Catholic sexual ethics are based on natural law. One of the great proponents of natural law ethics is St. Thomas Aquinas who was greatly influenced in his thinking about philosophical issues by Aristotle. Neither revelation nor theology, of course, are irrelevant either to natural law or sexual ethics, but the Church holds that the fundamentals of both are knowable without recourse to revelation -- and such is what makes it possible for men everywhere to come to some agreement about morality.

A feature that distinguishes Aristotelian and Thomistic Ethics is what is called realism (the philosophic position identified as essential to Catholicism in *Fides et Ratio*). This means that there is an external world that we are capable of knowing through our senses. To most "ordinary" human beings, such a claim seems uncontroversial since it seems obvious that there are such things as dogs and milkshakes and songs and that I can get to know through my senses. But much of modern philosophy (especially since Descartes) has been based upon the premise that we cannot trust our senses and some even argue that we cannot even know that there is a world outside of our minds (possibly Kant's position).

Aristotle and Aquinas believed that human beings are made in such a way that we can discover truths about reality starting with the information given to us by our senses. This is an important truth for ethics, since the Catholic Church claims that morality is an area of knowledge that human beings can know a great deal about without the aid of revelation. In his great work the *Summa Contra Gentiles*, Aquinas labored to show the ancients, such as followers of Aristotle, that the truths of revelation were compatible with truths they had discovered through their thinking about what they had observed about reality -- he was trying to get them to be more open to revelation. One truth that our reason discovers is that things have essences or natures and purposes and that it is

good to act in accord with those essences or natures and purposes. This is a truth of fundamental importance for ethics, for once we know the purpose of human life and sexuality we will better be able to live morally.

It cannot be stressed too strongly that natural law ethics **do not** proceed by positing the essence of man and then deducing or deriving moral norms from that essence. Nor can it be stressed too strongly that natural law does not proceed by looking at the world of nature and saying "since X is the case, Y is moral or immoral." That is, it does not derive moral norms simply from observing that such and such is the case in the world as we know it. Natural law is an ethics that requires much observation of the world around us and also penetrating insight into the nature of things. Such insight, in fact, is then gained through a process of induction based upon what we know about the world around us. It is a process of observation and deduction that leads us to recognize that man is a rational animal; it is through much experience of man that we learn what his natural inclinations are and to what goods he is naturally inclined. Once we discover what his nature is, what his inclinations are, what the goods are to which he is naturally inclined, then we must discover and also determine what are good means of achieving those goods. For instance, natural law sexual ethics begins with the observation that man has a natural inclination to sexual intercourse, and natural inclinations to loving unions and to having children and that all of these activities are interrelated. The more we know about the nature of sexuality, of the desire/need of human beings for loving unions, of the desire/need of human beings to have children and to the needs of children, the better we will be able to determine what kinds of actions help us achieve the goods that we seek -- actions that must not only be successful but which also perfect our characters. That is, whatever means we select to achieve our goals must be means that nurture our growth in virtue.

Virtue based ethics and natural law are intertwined. Virtue based ethics assert that all human beings because of the nature of their souls need certain dispositions in order to achieve the goods that they need. The four cardinal virtues are moderation, courage, justice and prudence. Acts such as drunkenness that violate moderation are against virtue and therefore the natural law and acts such as sobriety that nurture moderation are therefore in accord with the natural law.

The fact that natural law is based upon reason, upon thinking about one's observations about reality, makes the ethics of natural law a universal ethics since all human beings by their nature are able to reason, are able to think and thus to arrive at some universal truths. Everyone acknowledges that the truths of mathematics, geometry and physics are universal but many claim that the truths of morality are not. Still, most everyone now realizes that slavery is wrong and that any culture that allows slavery is a culture that fails to recognize a universal truth about human beings and that is that they should never be owned or treated as property.

Natural law morality, in a sense, is simply plain old common sense. There are profound and sophisticated ways of explaining natural law, but the practice of reasoning in accord with natural law principals, according to the theory itself, is natural to ordinary people --

that is, natural to all mankind for natural law holds that many of the most fundamental precepts of moral reasoning are obvious, that is easily known by all. Yet, in spite of the plain commonsensicalness of natural law, it can seem shocking and provocative in many ways, for like natural law, plain old common sense does not command a lot of followers these days and can be shocking when juxtaposed to the values of our times.

Here it is not possible to give a full presentation of what natural law is but let me at least provide a list of some of the philosophic claims fundamental to natural law (these are not necessarily easily known by all):

1. All things possess a nature or essence; they flourish when they act and are treated in accord with that nature or essence.
2. All men share the same immutable nature or essence. Man by nature is a social animal with a rational soul.
3. Virtues perfect man's nature since they order the soul.
4. Natural inclinations are a guide to moral behavior. Thus since both man's passions and his reason are natural appetites, both are guides to moral behavior.
5. Actions that inculcate virtue in one are choiceworthy and good; those that inculcate vice are evil.
6. God is the author of nature and thus the author of natural law; to live in accord with natural law is to live in accord with God's will.
7. Man naturally desires to do what he judges to be good and to avoid evil.
8. Man by nature knows the primary precepts of natural law. Grasping the common precepts of natural law is in accord with the natural inclinations of man.
9. There are some universal immutable moral absolutes. Actions that are completely violative of the acquisition of virtue are always wrong; e.g., adultery is always violative of the virtues of justice and temperance.

Although the following discussion will provide no systematic explanation or defense of these principles, it will touch upon all of them in some way.

Aquinas maintains that the first principle of natural law is "do good, avoid evil". As he notes, that is a self-evident principle and obvious to all; if we want to be moral we should do good and avoid evil. No controversy here. The question is, of course, what is good and what is evil and how do we come to know which is which? Some think we can't know what is good and evil so the best we can do is live by the conventions of our times. Others think it best to let our passions be our guide to whatever we want to do.

Others think only revealed religion can give us absolutes. These three positions capture the predominant views of our times.

Aquinas holds none of these positions. He argues that reason should be our guide to morality. Not only does he hold that the first principle of natural law, "do good, avoid evil" is self-evident, he argues that there are other self-evident first principles, such as "harm no man". These he says are imprinted in the minds of all by God; I believe other precepts such as "provide responsibly for your offspring", "give to each man his due" and "seek knowledge" would qualify as precepts that Aquinas thinks all men know. Men (and I use the term generically here and throughout) may act against these precepts out of passion or because of ignorance of some fact operative in a situation, but all would agree that such principles are moral truths.

Aquinas goes on to say that what he calls primary precepts of natural law are naturally and immediately known by man; he cites the Ten Commandments as examples of these types of precepts. These precepts are justified by the primary principles. From the most general principle "give to each man his due", from an understanding of what one owes to one's mother and father, it is clear that one "should honor one's father and mother." Now this is not to say that one discovers the moral law by discovering these precepts in a deductive manner moving from the most general to the more particular. Rather, it seems that often moral discovery, as the discovery of other general truths, moves from the particular to the universal. That is, an individual could witness or participate in a transaction and quite immediately make the moral judgment that the act is good or bad. That is, for instance, an individual could witness someone honoring or dishonoring his parents and judge the action to be good or bad; from this action and others of the same sort one may come to formulate the "law" that one should give each man his due. But it is because we already naturally know -- in an unexpressed and unformulated way -- that one should give each man his due, that we are able to see readily that honoring one's parents is good. Much in the same way that we, without musical training, can judge certain tones to be off pitch, we have moral "perceptions" that some actions are good and some bad, without having any explicit training about such kinds of actions. I speak of these as moral "perceptions" not because they are equivalent to sense perceptions, but because of their immediacy and their unformulated quality; indeed, I believe them to be rational in several important respects, not least because they are cognitive acts and they are in accord with reality.

Let me speak now about rationality and the Thomistic claim that "one should act rationally." Indeed, one could formulate the first principle of natural law not only in the most basic formula "do good, avoid evil"; in Thomistic terms, several formulas serve to express the same truth: for Aquinas, the following phrases are synonymous: "act in accord with nature"; "act in accord with reason" or "act rationally"; "act in accord with virtue"; "act in accord with the dignity of the human person"; "act in accord with a well formed conscience"; indeed, "act in a loving way", properly understood, serves as well. While it would be of great profit to elaborate how each of these phrases is synonymous with the other, I want to devote most of my efforts here to explaining how "act in accord

with nature" and "act in accord with reason" are synonymous and worthy guides to moral behavior.

First we must try to get as clear as we can what it means to say "act in accord with reason" or "act rationally". In our day, reason often gets a bum rap. This is a fault not of Aristotle or Aquinas but of Descartes and Kant and their followers. Since they retreated into the mind and abandoned the senses and emotions and nature as guides to truth, they made reason seem like something coldly logical, impersonal, abstract and completely devoid of experiential and emotional content. In their view, mathematics and geometry are seen as the quintessential rational acts; to be rational is to operate totally within one's mind and to be completely unemotional. Another view of rationality that dominates modern times is the view that only that which can be measured scientifically deserves any recognition as objective truth. No truths other than those substantiated by scientific proofs -- truths that can be quantified largely in the laboratory -- count as truth. No proof other than scientific proofs count as truth; only science and that which approximates to scientific truth is truly rational. Neither view is the view of reason and rationality held by the ancients and medievalists -- those who defined the view of natural law I am defending here.

The ancients and medievalists did not think rationality was possible without the senses and the emotions for both are tools to reading reality; they provide the intellect with the material needed to make a good judgment. The etymology of the word "rational" is rooted in the word "ratio" which means "measure" or "proportion". One is being rational when one's thought and action are measured to, are proportionate with, or when one's thought and action correspond with reality (which itself is measured or governed by discernible laws; more about this momentarily). The thought that leads to acting in accord with reality is called rational. Now this thought need not be and perhaps only rarely will be the kind of abstract, cold, logical reasoning of a Descartes, Kant, or research scientist. This thought can be intuitive, creative, poetic, inductive, deductive, indeed, whatever human thought can be. It is all called rational thought not because it proceeds by syllogism or because it is subject to certain scientific tests; it is called rational because it corresponds with reality -- and this includes all of reality, the spiritual and the transcendental as well as the logically provable and the scientifically measurable reality. Such thought cannot proceed without abundant data from our senses and our emotions. The intellect processes such data and orders it; it determines what values are important in the data and decides on the appropriate response. If one acts rationally, one then acts in accord with the ordering done by the intellect.

While the intellect should govern the emotions, it is not a natural law teaching that all rational behavior will be devoid of emotion. Again, the emotions can provide essential data to the intellect. Emotions that are well-habituated may lead one quite spontaneously to respond correctly to situations. One may spontaneously get angry at witnessing some act of injustice and, if one knows one's emotions to be well-ordered, one could respond quite immediately and correctly to the situation -- and even angrily to the situation. Indeed, at times it may be an appropriate response to reality to rant and rave.



One doing so, is properly called rational, in spite of our common parlance. This talk of the mind and of rationality as something that is measured to reality suggests, as mentioned above, that reality is a thing that can be grasped. Natural law depends upon such. It rests upon the claim that things have natures and essences that we can know and correspond our actions to. There are many reasons for making this claim. One is the fact that things act in a predictable fashion; when we learn the properties of oil and water, for instance, we can predict certain things about their behavior. The fact that we build bridges which stand, that we make artificial hearts that work, that we put men on the moon, also indicates we are able to measure our thoughts to the external world and to act in accord with it.

Moreover, natural law operates on the premise that nature is good; that is, that the way things naturally are is good for them to be; it holds that the operations of things and parts of things contribute to the good of the whole. The wings of different birds are shaped in certain fashions because of the sort of flying that they must do to survive; different digestive systems work in different ways because of what is being digested. Indeed, natural law holds that the natural instincts of natural things are good; they lead them to do what helps those things function well and helps them survive. Since natural things have an order there is said to be a ratio or order to them; not one of which they are conscious but one that is written into their functioning. Natural law holds that we live in a universe of things that have a ratio to them and that we shall get the best out of these things if we act in accord with the ratio or nature that is written into them.

Now, man is a natural thing. He, too, has parts and operations and instincts that enable him to function well and to survive. Man differs from other creatures in that he has free will; that is, he can either cooperate with his nature or act against his nature, whereas other natural things have no such freedom. What enables man to be free is his reason, his rationality; he is able to weigh and measure different courses of action and to determine which actions are good or bad. According to natural law, those actions are good which accord with his nature and with the nature of other things. Since man is by nature a rational animal, it is good for him to act in accord with his reason. By acting rationally he is acting in accord with his own nature and with a reality that is also ordered. When he acts rationally, he acts in accord with his own nature and reality and in accord with the nature and reality of other things.

Now, let's get concrete. Let's talk about acting in accord with the nature of a few specific things. Take tomato plants, for instance. Tomato plants have a certain nature. In order to have good tomato plants one must act towards these plants in accord with their nature; one must water them, give them sunlight and good soil if one wants to produce good tomato plants. Such is acting in accord with nature in respect to tomato plants, such is rational behavior in respect to tomato plants. If one's tomato plants fail to produce tomatoes, one knows that one is doing something wrong; if one's tomato plants produce good tomatoes, one knows one is doing something right. Prof. Charlie Rice speaks of the rationality of putting oil and not molasses in the engine of a car. One needs to act in accord with the nature of things if one wishes them to perform well.

So now let us, moving quickly, move to human nature. If a human being wishes to function and perform well, what does his nature require of him? Let us begin with his physical nature. There is a considerable consensus about what makes for physical health and what is conducive to physical health. Those who don't get sick, who are able to function well in their daily activities, who are not overweight, we call healthy. We know how to produce such individuals. We are regularly and rightly advised to eat well, exercise regularly, and to get plenty of sleep. Those who do so generally flourish physically -- because they are acting in accord with nature, with reason, and with reality. Psychological health is also understood to some extent; we know we need friends and rest and interests to sustain our psychological health; that is our nature; that is reality.

Nor are we in the dark about what makes for moral health or moral goodness. We recognize the goodness of the various virtues such as self-discipline, reliability, justice and fairness, kindness, truthfulness, loyalty, etc.; those who exhibit these qualities we generally recognize to be good -- that is morally good -- human beings. Parents who have children who display such qualities are rightly proud of them; their "tomato plants" turned out well. So, in regard to sexual behavior, to sexual moral health, so to speak, what qualifies as acting in accord with nature, with reason? How do we determine what it is?

Now, for Aquinas, these are not difficult questions, though, apparently, they are extremely difficult questions for modern times. We are terribly confused about what proper sexual behavior is. College newspapers are filled with news of campuses that are devising codes of moral sexual behavior -- codes that are designed primarily to stop or reduce the incidence of date rape on campus. These codes suggest, mandate, require -- I am not certain what is the correct word -- that in sexual activity neither individual proceed to the next level of sexual activity without obtaining the permission of the other individual. These codes reflect what has been the principle governing sexual behavior in modern times for some time -- whatever one feels comfortable with and whatever one agrees to is morally o.k. This is basically what we are teaching to our young people and they are doing much what one would expect given that teaching. As long as it feels good, and they have consented to it, there is no reason for them not to do "it".

Is this working; is this principle leading to moral health or moral sickness? What can we say about the moral sexual health of our society? What does the fact that 68% of African-American babies are born out of wedlock suggest? The figure is now 22% in the white community and rapidly growing. This figure, of course, would be higher if it were not for the one and a half million abortions a year. One of two marriages is going to end in divorce. AIDS is decimating some portions of our population. Are there any hints here that we are violating nature, acting irrationally, failing to live in accord with reality? Are our tomato plants thriving?

### Required Texts

*Summa Theologica I-II*, Questions 90-97; a useful edition is *Treatise on Law*, intro by Ralph McInerney. Gateway Edition. 1996

J. Budziszewski. *Written on the Heart: The Case for Natural Law*. Intersivarsity Press. 1997

### **Additional Reading**

Charles Rice. *50 Questions on Natural Law*. Ignatius Press. 1993

Ralph McInerny. *Ethica Thomistica*. Catholic University Press of America. 1997, 2nd edition

Ralph McInerny, *A First Glance at St. Thomas Aquinas: A Handbook for Peeping Thomists*, Notre Dame Press, 1990

Ralph McInerny. *Aquinas on Human Action*. CUA Press. 1992

Peter Kreeft. *Back to Virtue*. Ignatius Press. 1992

*Catechism* Part III

Joseph Pieper. *The Four Cardinal Virtues*. Notre Dame Press. 1980

Gilbert Meilander. *The Theory and Practice of the Virtues*. Notre Dame Press, 1984

### **Paper Topics**

1. How are the four different kinds of law identified by Aquinas related to each other?
2. In what way is natural law based on nature? On reason?

Notes:

1. Much of this lecture was adapted from my "Natural Law and Sexual Ethics," in *Common Truths: New Perspectives on Natural Law*, ed. by Edward B. McLean, (ISI Books, 2000), 193-218.

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## **Lesson 2: Meaning of Human Sexuality [1]**

*This lecture supplements the second half of part two of tape 2. It begins a discussion of the meaning and purpose of human sexuality since natural law consults meanings and purposes in determining what is the proper way to conduct activity. Various contrasts are drawn between human and animal sexuality, especially the human propensity for*

*forming attachments through sexual union and the need for human children to have an extended time of care.*

When we see the heartbreak and social dysfunction associated with out-of-wedlock births, don't our immediate and natural moral perceptions and judgments say "something is wrong here?"; when we learn that a woman has had an abortion, no matter what our view of the morality of abortion, don't we say "something has gone wrong here?"; when we hear of a divorce and all the surrounding heartbreak and dysfunctionality, don't we think, "something has gone wrong here?"; when we see young people dying of AIDS, don't we think, "something has gone wrong here?" Now what I am going to say soon, the natural law moral principle I am soon going to articulate, may seem perfectly obvious to some and to others seem quite ridiculous.

Before I articulate the principle, I would like to comment briefly on the significance of the diversity of predicted response to it. Alasdair MacIntyre in his *After Virtue*, stated about how curious it is that in the modern age that we have so little consensus on the most straightforward claims of natural law; what seems obvious to some, seems ridiculous to others. Whereas some take this lack of consensus to suggest that claims about the universalizability of natural law are false, MacIntyre took this lack of consensus to indicate the moral corruption of our times. That is, we have become so corrupt, we cannot discern what is obvious. I am not going to try to analyze how this came about, but I do want to make a suggestive analogy with the physical senses. Just like our ears when subjected to noises that are too loud and sharp, lose some of their ability to hear, so too does our moral "sense" when subjected to too much corruption lose its ability to judge what is right and wrong. Much of what I am going to say will sound strange to modern ears because we have lost our moral sense to some considerable extent.

What is this obvious principle I am threatening to articulate? It is a principle readily justified by natural law reasoning. A natural law theorist reasons that man certainly has a natural inclination to engage in sexual intercourse and that that natural inclination is good for man -- much in the same way that sunshine is good for a tomato plant. As for all animals, sexual intercourse leads to the perpetuation of the species and that is good. Because man is rational, he can naturally and readily see that his natural sexual inclinations differ from those of animals who copulate and reproduce willy-nilly. Human sexual intercourse is clearly for much more than simple reproduction of the species. Sexual intercourse conduces to the well-being of human beings in many ways. For instance, sexual intercourse can expand the opportunities for humans to love -- not only to love their sexual partner but also to love the offspring they may have. It allows spouses to build a family together and to have a meaningful life.

It would be profitable for us to consider a little more how human sexual behavior does and should differ from animal sexual behavior. Certainly, for both animals and men, sexual intercourse is extremely pleasurable. But for humans that pleasure is not an uncomplicated pleasure. First, we have a powerful sense of the power and mystery of sexual intercourse. We sense that we are dealing with something fraught with emotional

risks, fraught indeed with serious responsibilities. These responsibilities are two-fold, at least; they are the responsibilities that come with the babies that naturally result from sexual intercourse and with the bonding between the partners that naturally comes with sexual intercourse. So here is the key for natural law ethics. Since sexual intercourse has this two-fold natural purpose that must be respected -- the purpose of bringing forth new lives and the purpose of uniting men and women together, whoever participates in sexual activity must do so in a way so as to protect these natural goods of sexual intercourse.

Let us speak of babies first. Again, as with animals, the extremely pleasurable act of sexual intercourse naturally, though not always or even usually, can lead to the birth of an offspring. Unlike most animal offspring, a human baby needs years of prolonged and devoted care to come to maturity. The evidence is overwhelming that such care is best given by the parents of the baby. And here is where the first major moral principle of sexual behavior becomes manifest. Given the nature of human babies, given this reality, isn't it right to posit the moral principle: rational behavior requires that those who are not prepared to be parents ought not to engage in sexual intercourse? Now that principle sounds shocking and strange to modern ears, whereas I want to claim that it is plain common sense; indeed, that it is obvious.

Let me elaborate more upon it. Most individuals want to be good parents. They see that being a good parent is part of being a good human being and living a full and good human life. They recognize that children need parents with at least some degree of maturity. They agree that those who are not ready for babies ought not to have them. They even agree, for the most part, that being ready to be parents, means being married, for only those who are willing to commit to marry have the kind of commitment needed for those who are going to be parents. (Even those men who are sexually promiscuous are generally uncomfortable with the idea that they may have fathered children who they never know or care for or that some of the babies they have fathered may have been aborted.) In spite of this consensus and plain common sense, in our times, these insights do not translate into seeing that one ought not to have sexual intercourse until one is ready for babies. We think it is perfectly all right for those who aren't prepared to have babies, to have sexual intercourse. We think so because we rely upon contraception to sever the natural connection between having sexual intercourse and having babies. And we think we are being responsible if we contracept; that is, after all, what responsible sex is, isn't it?

Statistics do not really capture the pervasive ills attendant upon sexual immorality. Premature and promiscuous sexuality prevent many from establishing good marriages and a good family life. Few deny that a healthy sexuality and a strong family life are among the most necessary elements for human happiness and well-being. It is well attested that strong and secure families are more likely to produce strong and secure individuals; they produce individuals less likely to have problems with alcohol, sex, and drugs; they produce individuals more likely to be free from crippling neuroses and psychoses. Since healthy individuals are not preoccupied with their own problems, they are able to be strong leaders; they are prepared to tackle the problems of society. While

many single parents do a worthy and valiant job of raising their children, it remains sadly true that children from broken homes grow up to be adults with a greater propensity for crime, with a greater tendency to engage in alcohol and drug abuse, with a greater susceptibility to psychological disorders.

These realities affect every realm of life -- they affect people's ability to relate to friends and family; they affect people's ability to do well at their studies and their jobs; they affect the whole of society which needs stable and secure individuals to lead us out of our troubles. And those who do not experience love from family and friends tend to seek any semblance of love they can find -- and thus become involved in illicit sexual relationships -- and the cycle starts again. The multiple varieties of abuse of sexuality and the grievous consequences of such abuse, then, is not only damaging the current generation, it is threatening to ruin the chances of future generations to live happy and fulfilled lives.

Thirty years ago when the sexual revolution was beginning to be in full swing, many argued that the value of the sexual revolution was that it was going to liberate men and women from the repressive view of sexuality pervasive in society; people would be free to make love to those whom they loved without the strictures of marriage. As has been suggested above, it is safe to assume that modern Americans have a casual notion of sex; they think it is natural for those who love one another to engage in sexual union, whether married or not, and often whether of the same sex or not. But the reality of a sexual life lived in accord with the dictates of the sexual revolution has not delivered the happiness it promised. Indeed, most have begun to see that happiness is rarely achieved through promiscuity; they have begun to acknowledge that premarital sex has done little to ensure good marriages; they fear that teenage sex and abortions may cause lifetime scars on young people's psyches. Many find themselves lonely after their sexual encounters and are looking for something more. There are increasing reports of sexual indifference; many claim to have lost an interest in sex, even with those whom they love. And, while many may not have moral objections to premarital sex and abortion, there seems to be an increasing weariness with these phenomena and an increasing interest in reducing both. Many are beginning to see that the call for more and better sex education, or more and better access to contraceptives, is not the solution. Rather, we need a better understanding of the relation of sex, love, marriage, and children.

Here let us focus on three fundamental truths about sexuality stressed throughout the natural law tradition:

- 1) that marriage is the proper arena for sexual activity;
- 2) that marriages must be faithful for the love of spouses to thrive; and
- 3) that children are a great gift to spouses.

What are the reasons for saying that it is appropriate for sexual union to take place only within marriage? It is hardly deniable that sexual union creates powerful bonds between individuals, even often among those who do not desire such bonds. Those who have sexual intercourse with each other are engaging in an action which bespeaks a deep commitment to the other. The current pope uses an interesting phrase in his teachings on sex -- and that is the term "language of the body", which is not so very different from our "body language." He claims bodily actions have meanings much as words do and that unless we intend those meanings with our actions we should not perform them any more than we should speak words we don't mean. In both cases, lies are being "spoken." Sexual union has a well - recognized meaning; it means "I find you attractive"; "I care for you"; "I will try to work for your happiness"; "I wish to have a deep bond with you." Some who engage in sexual intercourse do not mean these things with their actions; they wish simply to use another for their own sexual pleasure. They have lied with their bodies in the same way as someone lies who says "I love you" to another simply for the purposes of obtaining some desired favor.

But some engaging in sexual intercourse outside of marriage claim that they mean all that sexual union means and that therefore they are not lying with their bodies. They are, though, making false promises, for those engaging in sexual intercourse outside of marriage cannot fulfill the promises their bodily actions make. They have not prepared themselves to fulfill the promise of working for another's happiness, or achieving a deep bond with another. For such achievements take a lifetime to complete; they cannot be accomplished in brief encounters.

The existence of the institution of marriage acknowledges the importance of love for the happiness of human beings, the importance of the lifetime unconditional love that marriage facilitates. Humans flourish when they bask in the love of others. Love nourishes human goodness like no other force. For instance, love assists us in feeling secure in ourselves; it gives us the confidence to dare to exercise our talents; it gives us the assurance to reach out to others in love. Love also serves to heal past wounds. Love in almost any form can promote these and other great benefits to mankind, but marital love provides special benefits. Human beings are complicated and are not easily known by themselves or others; a lifetime relationship with another seems hardly time enough to get to know another. Sexual intimacy plays a major role in the revealing of one person to another. Sexual intimacy provides an opportunity for giving oneself to another in an exclusive way. Only in marriage can sexual intimacy achieve the goals it is meant to serve.

The natural law claim that sexual union should be reserved for marriage, then, has as one of its chief justifications a concern that sexual union is meant to express the desire for a deep and committed relationship with another. That relationship can only be built within marriage for marriage is built upon a vow of faithfulness to one's beloved. Most spouses are devastated at the mere thought that their beloved desires another, let alone that their spouse may have actually been unfaithful. Faithfulness is essential to create the relationship of trust that is the bedrock of all the other goods that flow from marriage.

This is one natural law teaching that is very clearly also taught through revelation. The Bible, especially the Old Testament, regularly condemns the sin of adultery. Faithful marriage is used regularly as the paradigm for the kind of relationship that God's people should have with God. Those who are not faithful to God are likened to adulterers. Proverbs and the whole of wisdom literature harshly condemns the adulterous spouse.

We take vows in marriage because we realize that we are all too ready to give up when the going gets tough; we realize that our loves wax and wane. Indeed, society at large seems to have a fondness for marriage. After all, in an age where there is little moral pressure against living together outside of marriage, most still choose to take marriage vows. Couples realize that marriage vows help them express and effect the commitment they feel for each other. But as the divorce rate indicates, modern society ultimately does not take these vows very seriously -- or at least modern couples do not prepare for marriage in such a way that they are prepared to keep their vows.

Let me speak for a moment about marriage preparation. I am not speaking here of the engagement encounter weekend, the talk with the pastor or the pre-Cana conference in which engaged couples participate. I am speaking about the kind of preparation that we must do for ourselves for many years before we enter marriage. Many young people enjoy the exercise of drawing up a list of characteristics they would like their future spouse to have. But their time would be better spent drawing up a list of characteristics which they themselves should have in order to be a worthy marriage partner. They need, too, to reflect upon their expectations of marriage; many may come to see that their expectations are largely selfish. Most of us dream much more about how happy our spouses are going to make us rather than about how much we are going to do for our spouses.

Since marriage requires loving, faithful, kind, patient, forgiving, humble, courageous, wise, unselfish individuals -- and the list could go on -- , young people should strive to gain these characteristics. Marriages cannot survive unless the spouses acquire these characteristics. Certainly it would be foolish to require that individuals have all these characteristics before they marry, for none of us do. Indeed, the experience of marriage itself undoubtedly helps foster these characteristics. But the fact is that if we do not work at acquiring these characteristics before marriage, we will be acquiring their opposites, such as selfishness, and haughtiness, and impatience -- characteristics that are death to a marriage.

Since faithfulness is one of the cornerstones of marriage let me speak of it at a little greater length. For many it seems odd to speak of the need to be faithful to one's spouse before marriage, but such is the case. In a sense, one should love one's spouse before one even meets him or her. One should be preparing to be a good lover, a good spouse, one's whole life. This means reserving the giving of one's self sexually until one is married -- for in a sense, one's sexuality belongs to one's future spouse as much as it does to one's self. A few generations ago, it was not uncommon for young people to speak of "saving themselves" for marriage. It is a phrase scoffed at today, but one that



is nonetheless indicative of a proper understanding of love, sexuality and marriage. One should prepare one's self for marriage and one should save one's self for marriage.

How does one do so? Obviously by remaining chaste -- and that is not an easy prescription. For instance, it means being attentive to what provokes sexual thoughts and desires and avoiding these provocations. It means, most likely, dissociating one's self from many of the forms of entertainment popular today. Those who have a view of sexuality as a gift which one offers one's spouse at the time of marriage cannot afford to be victim to the constant sexual stimulation modern Americans face daily. So we need to be careful what music we listen to, what movies and T.V. shows we watch, and we need to try to dress modestly. We need to try and save sexual thoughts and sexual stimulation for the time when they will not be frustrations but will be welcome preludes to loving union with our spouses. Sexual temptations are, of course, impossible to avoid especially since our society does not seek to make it easier for us; rather it provides temptations around the clock.

It must be acknowledged that few think it sensible for those who are engaged to wait until their wedding night to enjoy sexual union. Many think waiting until marriage would make sexual intimacy too awkward; that it is good to have a more relaxed and casual time to get to know one another sexually. Most think that since one is soon going to take vows it makes little difference whether sexual intimacy begins before or after a ceremony that simply ratifies a commitment already felt.

What difference does waiting make? Well, certainly a vow is not a vow until it is spoken; unspoken, unratified commitments are all too easily broken. But there are practical reasons as well. Father James Burtchaeff at Notre Dame has written a marvelous book, *For Better or Worse*, laying out many of the reasons why it is best for couples to wait until marriage before they begin their sexual intimacy. He speaks eloquently of the period before marriage as an irreplaceable opportunity for the lovers to get to know one another; engaging in sexual intercourse creates a false sense of closeness; it creates a bond that may be obscuring elements in a relationship that need to be worked on. Courtship is a marvelous time for talking and getting to know each other; for sketching out dreams and plans; for expressing worries and hesitations. The delight of sexual union can easily be a disincentive to working out all the matters that those who are getting married should work out.

But there is perhaps a deeper reason, and that is the question of honesty and trust. Few of those having sexual relations before marriage can be fully open about their actions. This means that individuals engaging in such relationships must inevitably be deceiving someone -- most likely their parents, their teachers, and perhaps their friends as well. The ability to practice such deception does not bode well for one's integrity. The lovers observe that each is good at deceiving and will file away this information and will most likely have reason to wonder in the future if one's spouse is being honest with one's self -- after all one's beloved had no trouble deceiving others whom he or she respected. Many feel terrible guilt at violating what are their own deeply held moral principles; some

after they are married tend to have guilty feelings about sex. In a sense, they have programmed themselves to think of sexual intercourse as a furtive and naughty activity.

Couples who do wait until marriage to enjoy sexual union often seem to have a special a kind of euphoria about their sexual union. Because they have waited they feel entitled to sexual enjoyment and see it as a privileged good of marriage. They have an easier time developing a deep and abiding trust and consideration for each other. Their willingness to wait, their willingness to endure the strains of sexual continence because they love and respect one another, is a great testimony to their strength of character. They have also shown that sexual attraction is not the most important part of the relationship; they have shown that they enjoy each other's company even when the delights of sexual union are not available to them. Such faithfulness and chastity before marriage ensure greater faithfulness and chastity during marriage. And because of pregnancy or illness or separation, all couples must abstain at some time in the marriage; the acquisition of the virtue of self-mastery before marriage facilitates such necessary abstention.

Young people need to be chaste before marriage not only because of the love they hope to share with their future spouses, but also because of the responsibilities they have to their future children. Years ago, the chief reason for refraining from sexual activity before marriage was fear of pregnancy. Pregnancy was feared both because young people were not prepared to take care of their children and also because there was considerable societal disapproval of sexual intercourse before marriage. The societal disapproval is gone and contraceptives have largely removed the fear -- though not the reality -- of unwanted pregnancies. Indeed, contraception seems to be one of the chief facilitators of much of the sexual misconduct of our times. There certainly were many fewer teenage pregnancies, many fewer abortions, a lesser incidence of sexually transmitted diseases, etc., before contraception became widely available. Contraception has made people feel secure that they can have sexual union apart from the obligations of marriage and child-rearing. Yet contraceptives do not remove the responsibilities that come with the child-making possibilities of sexual intercourse. Young people are notoriously irresponsible about nearly everything. They are roughly as responsible about using contraceptives as they are about doing their homework, hanging up their clothes, and doing their chores. And even those who use contraceptives are not really safe, since contraceptives do not always work. We must drive home to our young people that they are not ready for sexual intercourse until they are ready to be parents, for sexual intercourse always brings with it the possibility of being a parent.

Getting young people to associate sex with child-bearing is not easy, but it is necessary; in fact, it is important for adults to encourage young people to try to think like a parent. It is wise for parents to talk about parenting with their children. It is good to get them thinking about what they would like to do with their children; to get them thinking about what they want to be able to provide for their children. And parents must convey to their children that they are not a burden to them, that they consider their children to be great gifts from God. Our society almost universally looks upon children as a burden; they are expensive, noisy, troublesome; they stand in the way of careers and adventuresome

travel. This view, of course, has not stopped people from having babies, but one senses that many children are just another possession of their parents or just another experience that adults wish to have. Many couples seem to want to have a few "designer children" as adornments to their lives -- not as reasons for their lives.

Again, we can find this natural law teaching in scripture. God, it seems, has a preference for children; after all one of his first commands was "be fruitful and multiply." Throughout the Old Testament having many children is listed among the signs of prosperity that indicate God's favor. Psalm 127 states "Behold, sons are a gift from the Lord; the fruit of the womb is a reward. Like arrows in the hand of a warrior are the sons of one's youth. Happy the man whose quiver is filled with them." Psalm 128 is one of my favorites; it states,

Happy are you who fear the Lord, who walk in his ways!  
 For you shall eat the fruit of your handiwork;  
                                   happy shall you be, and favored.  
 Your wife shall be like a fruitful vine in the recesses of your home;  
 Your children like olive plants around your table.  
 Behold, thus is the man blessed who fears the Lord.

God has arranged matters such that parents and children need each other. The experience of parenting like the experience of marriage both requires and fosters many virtues. Having children generally does adults a lot of good; most find themselves becoming more selfless, more patient, kind, loving, and tender when they have children. Learning to live with children has many of the same advantages of living with a spouse; it forces one to accommodate one's self to others; it forces one to acknowledge that one has constant tendencies to be selfish. Staying awake at night with children, dealing with their daily joys and sorrows, learning to be a good example for them, contributes greatly to the maturity of adults.

Natural law theorists expect the findings of the social sciences to be of assistance in knowing what is ethical behavior, for they are systematic observations of human behavior. Although natural law uses what ought to be the case as its guide, what is the case can often reveal what ought to be the case and since the social sciences study human behavior they are a great resource for data for the natural law theorist. The natural law theorist would expect studies to show that those who live in accord with the principles of natural law live more happily than those who do not. In the case of sexual ethics, the social sciences have more and more confirmed what natural law theorists had discovered by more casual observations of human nature. For instance, the studies of sociology and psychology overwhelmingly support the benefits to children of being raised in a household with their biological parents and overwhelmingly indicate the disadvantages to children of growing up in single parent households.

Certainly it is undeniable that much of the natural law understanding of the need for faithful marriages and for the reserving of sexual intimacy for marriage is linked to the power of sexual union to result in children. If no one engaged in sexual union who was

not prepared to care for any children who result from that union, the modern world would experience a radical change in its sexual behavior.

### Required Texts

Rev. Ronald Lawler, Joseph Boyle, Jr. William E. May. *Catholic Sexual Ethics*. Our Sunday Visitor. 1985

Father Charles Curran. "Natural Law in Moral Theology" in *Readings in Moral Theology* No. 7. Paulist Press. 1991, pp. 247-295.

*Familiaris Consortio* (1980 Exhortation on the Role of the Family in the Modern World)

### Additional Readings

Cormac Burke. *Covenanted Happiness: Love and Commitment in Marriage*. Scepter Publishers. 1990.

Janet E. Smith: "Parenting: The School of Virtue" in *Canticle* 5: Summer. 1999\*

For information on social decay, search the Internet for information on divorce, premarital sex, cohabitation, unwed pregnancy. Good published sources are:

William J. Bennett. *The Index of Leading Cultural Indicators*. Waterbrook Press. 2000

Edward O. Laumann et alii. *The Social Organization of Sexuality: Sexual Practices in the United States*. University of Chicago Press. 1994

David Blankenhorn. *Fatherless America*. Basic Books. 1995

Diane Medved. *The Case Against Divorce*. Ivy Books. 1993

### Paper Topics

1. Using question 94 of the *Summa Theologica* I-II, explain why it is strange but possible for the modern age to be so confused about sexuality.
2. Select some portion of Father Charles Curran's article from the perspective of natural law and respond to it.
3. Show how natural law elements govern *Familiaris Consortio*.

Notes:

1. This lecture had been adapted from the following articles: Much of this lecture "Natural Law and Sexual Ethics," in *Common Truths: New Perspectives on Natural Law*, ed. by Edward B. McLean, (ISI Books, 2000), 193-218; "The Christian View of Sex: A Time for Apologetics, Not

Apologies," *The Family in America* 10:5 (May 1996) 1-7; "Barnyard Morality," *America* (August 13, 1994) pp. 12-14.

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### **Lesson 3: Personalism and Natural Law [1]**

*This lecture supplements video tape 3. That tape explains the first several chapters of Karol Wojtyla's *Love and Responsibility*. The first portion of the tape presents a sketch of Wojtyla's metaphysical analysis of love. It explains his distinction between something that has instrumental value and something that has intrinsic worth which he uses to contrast using a person sexually with loving a person. In his book he describes three different stages of love; attraction, good will, and sympathy. He explains betrothed love, the precursor to conjugal love as a self-giving love.*

*The second portion of the tape explains Wojtyla's psychological analysis of love. There he contrasts the different ways that the male psyche and the female psyche respond to attraction; he notes that the male tends to sensuality and the female to sentimentality. He explains how these responses can be transformed into love. He explains why the virtue of chastity is key to this transformation.*

Those trained in natural law and in Thomism (and others!) have been a bit befuddled by "personalism" and "phenomenology", not knowing exactly what they mean and what their principles are.

A useful way to illustrate the difference between a natural law approach to ethics and a personalist approach to ethics, is to compare the treatment of morality in the *Universal Catechism* with its treatment in the *Roman Catechism*. Such a comparison illuminates certain shifts of emphasis that the Church has made over the centuries, especially as a result of the second Vatican Council.

#### **Cosmology vs. Christology**

The new catechism expresses the Christological and personalist emphasis of the Council rather than the cosmological and natural law emphasis of the past. To oversimplify matters, one could say that the Church has shifted from an emphasis on God the father as Lawgiver who has written his will into the laws of nature, to an emphasis on Christ as our model of perfection and human dignity as the grounding of morality. The new catechism does not reject or abandon a view of the cosmos as ordered by God or of natural law as a guide to morality but it incorporates them in a secondary way in its presentation of morality. Furthermore, the dignity of the human person is seen as rooted not so much in his status as a rational creature whose mind is

able to grasp reality but in his status as a free and self-determining creature who must shape himself in accord with the truth. (I shall develop these observations below).

### Ten Commandments vs. Dignity of the Human Person

The shift in emphasis from natural law to a Christological and personalist emphasis is immediately apparent upon comparing the old and new catechisms. For instance, whereas the *Roman Catechism* began its moral section with the Ten Commandments, the *Universal Catechism* calls upon the Christian to "recognize your dignity" (§1691) and calls him to a life in Christ. Whereas the *Roman Catechism* focused almost exclusively on the commandments and the law, the *Universal Catechism* sketches a Christian anthropology, begins with the beatitudes, and touches upon such topics as freedom, and the conscience and includes a long section on man as a member of a community. Again, these new emphases and starting points are not to be taken as a rejection of the old. The natural law themes of the moral act, virtue, sin and grace and, of course, the natural law itself, are also covered in the new catechism but they are imbued with a personalist cast -- that is with a focus on man's dignity as manifested in his power to determine himself freely in accord with the truth. Whereas the *Roman Catechism* stressed God as the author of nature and the author of all moral laws, the *Universal Catechism* stresses that all moral law is in accord with the dignity of the human person. These are emphases that began to emerge in the documents of Vatican II and come to a fuller flower in the *Universal Catechism*.

The moral section of the *Universal Catechism* begins with this passage:

The dignity of the human person is rooted in his creation in the image and likeness of God (*article 1*); it is fulfilled in his vocation to divine beatitude (*article 2*). It is essential to a human being freely to direct himself to this fulfillment (*article 3*). By his deliberate actions (*article 4*), the human person does, or does not, conform to the good promised by God and attested by moral conscience (*article 5*). Human beings make their own contribution to their interior growth; they make their whole sentient and spiritual lives into means of this growth (*article 6*). With the help of grace they grow in virtue (*article 7*), avoid sin, and if they sin they entrust themselves as did the prodigal son to the mercy of our Father in heaven (*article 8*). In this way they attain to the perfection of charity. (§1700) [2]

In this passage we can see several of the main concepts that inform a personalist approach to ethics: man as made in the image and likeness of God, man as determining himself by his deliberate and free actions, a concern with the interior life, the need of conforming our actions to the good that is made known to us by our conscience, and the goal being attainment of perfect charity. These themes play a major role in both the *Universal Catechism* and in *Veritatis Splendor*. These concepts, of course, are also central to natural law ethics, but it is often the emphasis that is placed upon identical themes that distinguish the two approaches.

## John Paul II's Explanation of His Own Views

John Paul II, when he was the philosopher Karol Wojtyła, wrote several essays explaining the compatibility between personalism and natural law and the differences between them. In one essay "The Human Person and Natural Law",<sup>[3]</sup> he asserts that any incompatibility between them is illusory and that any notion that they are incompatible stems from a faulty view either of what nature is or of what the person is.

### Nature as Mechanistic vs. Nature as Rationality

The erroneous view of nature that he combats is that held by phenomenologists and phenomenologists<sup>[4]</sup> (and, may I add, of many non-phenomenological critics of natural law), that nature has nothing to do with rationality and freedom; that it simply refers to the rather mechanistic laws of nature, that is, to the natural impulses and responses of man's somatic and psychic nature; to what "happens in or to man" rather than what he himself does. Whereas nature seems deterministic or mechanistic to some extent, the person is free and thus it would seem that the person should be above nature and perhaps even in conflict with nature.<sup>[5]</sup> (This is similar to the charge of biologism that is addressed in *Veritatis Splendor*). Wojtyła notes that this view of nature is not that held by Aquinas. Rather he states that Thomistic philosophy speaks of "nature" in the metaphysical sense: "which is more or less equivalent to the essence of a thing taken as the basis of all the actualization of the thing."<sup>[6]</sup> Wojtyła notes that the phrase "all the actualization of the thing" is important, for he ever has his focus on man's self-actualization by his free and deliberate choices. Wojtyła does grant that on the somatic and psychic level, man is dominated by nature as something "happening" to him and exercises little creative control over these happenings. But he also draws upon the Thomistic distinction of the *actus humanum* (human action) and the *actus hominis* (act of a man); the former being acts that engage the rational and free powers of the human person; the later being such acts as breathing. Natural law pertains not to acts of man but to human action.

Wojtyła insists that Aquinas' view of natural law rests upon his understanding of the person as "an individual substance of a rational nature." He notes that Aquinas defines law as "an ordinance of reason for the common good, promulgated by one who has care of the community" and that Aquinas defines natural law as "the participation of the eternal law in a rational creature."<sup>[7]</sup> From this he extrapolates that man's rational nature, which defines his personhood, intimately links man with the "ordinance of reason" that defines natural law. He contrasts Aquinas's view of reason with that of Kant, who would have subjective reason "impose its own categories on reality."<sup>[8]</sup> (Wojtyła's interest in subjectivity is not the same as Kant's subjectivism). Aquinas's reason, has a "completely different orientation and attitude: that attitude of reason discerning, grasping, defining, and affirming, in relation to an order that is objective and prior to human reason itself."<sup>[9]</sup> This objective order, this ordinance of reason, is no other than the eternal law; thus man through natural law, through his rational nature, participates in God's reason. With a proper understanding of nature, there should be no conflict between natural law and personalism. The person is not confined by natural law but indeed freely participates in God's governance; whatever

subordination there is, is to God. It is man's nature to be free and in that sense to transcend "nature"; he is not determined by any "natural law" to do the good; he may freely choose to do the good or not to do it.

### **The Person as Consciousness vs. the Person as Rational and Free**

The definition of person that conflicts with natural law is the definition that elevates man's freedom unduly; it sees man as "some sort of pure consciousness," that makes the human being "a kind of absolute affirmed on the intellectual plane,"[10] subordinate to nothing. This definition of the person leads to the erroneous view of freedom that is rejected in *Veritatis Splendor*; this person is not subject to the "ordinances of reason" that point the way to objective, universal truths but is free to form his own reality.

From this essay, we can discern what Wojtyla's understanding of the natural law is: it is the understanding that man's reason enables him to discover the "ordinances of reason" that govern the universe and is able to live in accord with it. Nature here does not have the mechanistic, determinative sense given to it by some modern philosophers. He also makes clear that his notion of person as a rational, self-determining creature does not entail that man's consciousness and subjective state is superior to objective truth; this notion is elaborated upon in other essays.

In the essay, "Thomistic Personalism," Wojtyla situates his own understanding of person vis-à-vis Aquinas and vis-à-vis the understanding of personalism devised by moderns such as Descartes and Kant. He accepts Aquinas' definition of the person but integrates this definition into his ethics in a way significantly different from Aquinas. He notes that Aquinas develops his notion of the person largely in the theological context of an analysis of the Trinity and the Incarnation; as he notes, Aquinas's use of the term "person" is "all but absent from his treatise on the human being." [11] In a theological context the person is spoken of as being *perfectissimum ens*, the most perfect being, because it is a rational and free being. Despite its theological context, the definition of person used by Aquinas, taken from Boethius, is a philosophical one; it is that stated above, the person is an individual substance of a rational nature. Wojtyla restates the definition: "The person ... is always a rational and free concrete being, capable of all those activities that reason and freedom alone make possible." [12] Wojtyla notes that whereas Aquinas makes much use of the term "person" in his theological treatises, in his treatise on the human being, he adopts a hylomorphic view that sees man as a composite of form and matter. This definition does not, of course, conflict with the definition of man as a person, for man's form is a spiritual soul that is characterized by its rationality and freedom. [13]

Wojtyla compares Aquinas's definition with that of Descartes, a definition which, like that of Kant mentioned above, tends to identify the person with consciousness [14] and sees the body as a kind of mechanistic adjunct to the person. This view elevates freedom to a level of almost total independence. He observes that subjectivism is the most characteristic feature of such philosophy: "the person is not a substance, an objective being with its own proper subsistence -- subsistence in a rational nature. The person is merely a certain property of lived experiences and can be distinguished by means of



those experiences, for they are conscious and self-conscious experiences; hence, consciousness and self-consciousness constitute the essence of the person." Wojtyla notes that this is not the view of Aquinas, that he sees consciousness as something derivative of rationality.

### **Aquinas' Objectivity and Wojtyla's Subjectivity**

While Wojtyla accepts Aquinas' view of the person, he supplements it. He summarizes Aquinas's view in this way:

We can see here how very objectivistic St. Thomas' view of the person is. It almost seems as though there is no place in it for an analysis of consciousness and self-consciousness as a totally unique manifestation of the person as a subject. For St. Thomas, the person, is, of course, a subject -- a very distinctive subject of existence and activity -- because the person has subsistence in a rational nature, and this is what makes the person capable of consciousness and self-consciousness. St. Thomas, however, mainly presents this disposition of the human person to consciousness and self-consciousness. On the other hand, when it comes to analyzing consciousness and self-consciousness -- which is what chiefly interested modern philosophy and psychology -- there seems to be no place for it in St. Thomas' objectivistic view of reality. In any case, that in which the person's subjectivity is most apparent is presented by St. Thomas in an exclusively -- or almost exclusively -- objective way. He shows us the particular faculties, both spiritual and sensory, thanks to which the whole of human consciousness and self-consciousness -- the human personality in the psychological and moral sense -- takes shape, but that is also where he stops. Thus St. Thomas gives us an excellent view of the objective existence and activity of the person, but it would be difficult to speak in his view of the lived experiences of the person.[15]

Here is where Wojtyla moves beyond Aquinas. He shares the modern interest in consciousness and self-consciousness, though he does not share the modern view that the person is consciousness. Rather, in the *Acting Person* he uses an analysis of consciousness to unfold his notion of man as being free and self-determining. For it is his consciousness of himself as one who is an efficient cause of his own action and of his self-actualization that allows the human being to have a sense of responsibility for his actions and his character.[16] In the *Acting Person*, particularly in chapters 3 and 4, Wojtyla maintains that to actualize himself properly the human person must have an authentic grasp of values or goods and must work to determine himself in accord with objective goods; only thus is his freedom truly exercised. (This, of course, is a major theme of *Veritatis Splendor*.) The dignity of the human person, for Wojtyla lies in this determination of the self through the free choice of what is good.

Indeed, one of the chief differences between Wojtyla's interest in the human person and Aquinas is that Wojtyla begins with and returns to subjectivity and Aquinas focuses largely on objective truths. One might say that Aquinas' chief interest is in determining what acts are good and evil; for Wojtyla the chief interest is in showing that man's very subjectivity and freedom requires that he be concerned with the truth. For instance, in the *Acting Person* he states:

For human freedom is not accomplished nor exercised in bypassing truth but, on the contrary, by the person's realization and surrender to truth. The dependence upon truth marks out the borderlines of the autonomy appropriate to the human person.[17]

### **Aquinas' Metaphysical Interests and Wojtyla's Phenomenological Interests**

Another difference between Aquinas and Wojtyla emerges from the above comparison. Whereas Aquinas is interested in developing a metaphysical description of man, a description in terms of form and matter, and rationality and animality, Wojtyla is interested in using man's experience of himself, of his self-determining powers, to lead him to an awareness of his dignity. Ultimately Wojtyla draws upon a Thomistic metaphysics, for Wojtyla finds Aquinas's appropriation of the Aristotelian concepts "potentiality" and "actuality" (metaphysical terms) to be essential to a proper description of man's power to determine himself; man's life is a process of bringing into actualization various potencies that he has. But the fact remains that Aquinas aims at a metaphysical description (one ultimately rooted in experience, but one which seeks to arrive at ultimate principles, described in terms of universal categories), whereas Wojtyla aims at a phenomenological one, one that remains as closely linked as possible to the lived experience of the concrete human being of his own consciousness of himself as a self-determining person. A metaphysical analysis would lead one to see that man is capable of being self-determining because he is a person, that is because he is rational and free, but for Wojtyla this metaphysical analysis is of secondary interest.

### **Man as a Social Animal vs. Man as Self-Giver**

Wojtyla also emphasizes another feature of the human person that links his view more closely with the documents of Vat. II than with that of Aquinas, and this is the portrait of man as a "self-giver". Wojtyla cites the lines of Vat. II that express concepts and use terms that were characteristic of Wojtyla's thought before the council and that have played a major role in his work after the council. He notes how these lines are in accord with the tradition and with Thomism but in a way moves beyond them both:

In Vatican II's Pastoral Constitution *Gaudium et Spes*, we read that "the human being, who is the only creature on earth that God willed for itself, cannot fully find himself or herself except through a disinterested gift of himself or herself" (24). The document of the last Council seems in these words to sum up the age-old traditions and inquiries of Christian anthropology, for which divine revelation became a liberating light. The anthropology of St. Thomas Aquinas is deeply rooted in these traditions, while also being open to all the achievements of human thought that in various ways supplement the Thomistic view of the person and confirm its realistic character. The words of Vatican II cited above seem chiefly to accentuate the axiological aspect, speaking of the person as a being of special intrinsic worth, who is, therefore, specially qualified to make a gift of self.

In the tradition man was defined as a social animal; much was made of his need to write human laws in accord with natural law to achieve harmony in the state. The Wojtylan

view of man as one who must give of himself to perfect himself gives a much profounder cast to the traditional notion and approaches a more theological understanding of the person who can only perfect himself by imitating the total self-giving of Christ.

Now from the above analysis, let us draw together a list of the differences between natural law and personalism. We can see these side by side in *Veritatis Splendor*.

### **The Universal vs. the Concrete; the Objective vs. the Subjective**

Natural law is interested in the abstract universal norm, whereas personalism is interested in the choices of the concrete individual. Natural law is interested in the objectivity of moral norms; personalism is interested in the subjectivity of the concrete individual, a subjectivity characteristic of all human beings.

The presentation of *Veritatis Splendor* begins with what might be characterized as a dramatization of a personalist moment; it is the encounter of one concrete individual, of one young man, with Christ, a young man who, conscious of his own faithfulness to the commandments, further seeks the truth about human action. *Veritatis Splendor* observes: "For the young man, the *question* is not so much about rules to be followed, but *about the full meaning of life*. This is in fact the aspiration at the heart of every human decision and action, the quiet searching and interior prompting which sets freedom in motion. This question is ultimately an appeal to the absolute Good which attracts us and beckons us; it is the echo of a call from God who is the origin and goal of man's life." (sec. 7)[18] The emphasis here on the human heart and human interiority and its need for absolute truth for freedom are true to the emphases of personalism. In section 8, *Veritatis Splendor* invites us to enter into the question asked by the young man "allowing ourselves to be guided by [Jesus]." Here, in sense, we are invited, as concrete individuals to have our own personalist moment.

Natural law is not left far behind. Christ is first interested in the young man's allegiance to the commandments, to the Law, which laws are considered to be the precepts of the natural law. (sec. 12) The person must not be guided by his own subjectivistic understandings of what is good and evil, but must submit to the objective truth. Throughout *Veritatis Splendor* the universality of natural law is stressed, while care is taken to acknowledge the dignity of the individual. A passage from section 51 speaks especially to this point:

... *the natural law involves universality*. Inasmuch as it is inscribed in the rational nature of the person, it makes itself felt to all beings endowed with reason and living in history. ... inasmuch as the natural law expresses the dignity of the human person and lays the foundation for his fundamental rights and duties, it is universal in its precepts and its authority extends to all mankind. *This universality does not ignore the individuality of human beings*, nor is it opposed to the absolute uniqueness of each person. On the contrary, it embraces at its root each person's free acts, which are meant to bear witness to the universality of the true good.

In this passage we see the parallel consideration of universality of natural law with the dignity of the human person and his individuality and uniqueness.

### **Refutation of Modern Interpretation of Natural Law as Biologistic**

The rejection of natural law ethics because it is "biologistic" is handled in a distinctively personalist way in *Veritatis Splendor*.

As we saw, Wojtyla was concerned to refute interpretations of natural law, that portrayed man as slavishly subject to the mechanistic laws of nature. This view of natural law is addressed in section 47 of *Veritatis Splendor*. *Veritatis Splendor* mentions that modern theologians tend to reject many of the Church's teachings on sexual issues as based on a "naturalistic" understanding of natural law. They hold that man should be free to determine the meaning of his behavior and not be constrained by "natural inclinations." In section 48, *Veritatis Splendor* argues that such an objection to natural law fails to correspond to the Church's teaching of the human being as unity of body and soul. Indeed, *Veritatis Splendor* holds the view that man's very subjectivity is dependent upon his bodily state:

... reason and free will are linked with all the bodily and sense faculties. *The person, including the body, is completely entrusted to himself, and it is in the unity of the body and soul that the person is the subject of his own moral acts.* The person, by the light of reason and the support of virtue, discovers in the body, the anticipatory signs, the expression and the promise of the gift of self, in conformity with the wise plan of the Creator. It is in the light of the dignity of the human person -- a dignity which must be affirmed for its own sake -- that reason grasps the specific moral value of certain goods towards which the person is naturally inclined. And since the human person cannot be reduced to a freedom which is self-designing, but entails a particular spiritual and bodily structure, the primordial moral requirement of loving and respecting the person as an end and never as a means also implies, by its very nature, respect for certain fundamental goods, without which one would fall into relativism and arbitrariness. (sec. 48)

In other writings, most notably in *Love and Responsibility*, *Familiaris Consortio* and his series of teachings on the theology of the body, John Paul II has laid out the connection between the dignity of the human person, the self-as-gift and the need to respect the life-giving power of the sexual act. In those writings, he holds that to reject the life-giving power of the sexual act is to reject a fundamental part of human dignity and to treat one's beloved as an object or a means rather than as an end. Here, he simply states in general terms his observation that natural law is not tied so much to the mechanistic laws of nature as it is to certain fundamental human goods that are embedded in certain natural inclinations.

### **God as Lawgiver vs. the Good as Perfective of Human Dignity**

Natural law stresses that God is the source of what is Good and that we ought to seek the good and obey the law because of God's authority. Sections 10 and 11 of *Veritatis*

*Splendor* speak of the Decalogue as having been delivered by God who declares, "I am the Lord your God" and *Veritatis Splendor* asserts that "*Acknowledging the Lord as God is the very core, the heart of the Law*, from which the particular precepts flow and towards which they are ordered" (sec. 11). The personalist emphasis on morality as perfective of the dignity of the human person is seen in the comment on the commandment: "You shall love your neighbor as yourself" (*Mt* 19:19; cf. *Mk* 12:31). *Veritatis Splendor* states; "In this command we find a precise expression of *the singular dignity of the human person*, 'the only creature that God has wanted for its own sake'. The different commandments of the Decalogue are really only so many reflections of the one commandment about the good of the person, at the level of the man different goods which characterize his identity as a spiritual and bodily being in relationship with God, with his neighbour and with the material world" (sec. 13). Throughout the document, it is stated that acts ordained to God are also acts that bring about the perfection of the person. For instance, in section 78 we read:

The reason why a good intention is not itself sufficient, but a correct choice of actions is also needed, is that the human act depends on its object, whether that object is *capable or not of being ordered* to God, to the One who "alone is good", and thus brings about the perfection of the person. An act is therefore good if its object is in conformity with the good of the person with respect for the goods morally relevant for him. Christian ethics, which pays particular attention to the moral object, does not refuse to consider the inner "teleology" of acting, inasmuch as it is directed to promoting the true good of the person, but it recognizes that it is really pursued only when the essential elements of human nature are respected.

### **Man as Rational Creature vs. Man as Self-Determined**

It could be said that whereas natural law ethics emphasizes the objective goodness or evil of exterior acts and man's ability as rational creature to discern that objective goodness, personalism is concerned with subjectivity and the effect that one's choices have on the self that one is forming with one's choices. This statement of the difference between the two approaches to ethics is certainly fair to neither one, for natural law ethics has as its proximate end the formation of man in virtue so that he can achieve his ultimate end of salvation. And personalist ethics certainly does not downplay the necessity for man to act in accord with objective truths. Nonetheless with natural law's emphasis on the rationality of man's personhood and its rootedness in the "ordinances of reason" that govern the world, and with personalism emphasis on man's responsibility for his free determination, such a contrast can be pushed to some extent. A passage very true to a natural law emphasis is the following:

The rational ordering of the human act to the good in its truth and the voluntary pursuit of that good, known by reason, constitute morality. Hence human activity cannot be judged as morally good merely because it is a means for attaining one or another of its goals, or simply because the subject's intention is good. Activity is morally good when it attests to and expresses the voluntary ordering of the person to his ultimate end and the

conformity of a concrete action with the human good as it is acknowledged in its truth by reason. (sec. 72)

A passage from section 71 reflects the personalist emphasis is the following:

Human acts are moral acts because they express and determine the goodness or evil of the individual who performs them. They do not produce a change merely in the state of affairs outside of man, but to the extent that they are deliberate choices, they give moral definition to the very person who performs them, determining his profound spiritual traits.

### **Man as Social Animal vs. Man as Self-Giver**

The Aristotelian definition of man, adopted by Aquinas, defined man not only as a rational animal, but also as a social animal. His individual good was dependent upon the common good. Thus, in keeping with this view of man, *Veritatis Splendor* states: "The commandments of the second table of the Decalogue in particular -- those which Jesus quoted to the young man of the Gospel (cf. *Mt* 19:19) -- constitute the indispensable rules of all social life" (sec. 97). The portion of *Veritatis Splendor* in which this statement appears speaks much of the state and civil authorities. *Veritatis Splendor* makes it clear that the good of society requires the recognition of absolute moral norms. The personalist emphasis of *Veritatis Splendor*, goes beyond this notion of obedience to the law being necessary for "social life"; it portrays man in his deepest ontological core as being one who should make a "gift of himself". Talk of "gift of self" is nearly always linked to the imitation of Christ: "*Jesus asks us to follow him and to imitate him along the path of love, a love which gives itself completely to the brethren out of love for God...*" (Sec. 19, cf. sec. 85, 87, 89). Indeed, Christ himself is the ultimate integration of the law and the gift of self: as *Veritatis Splendor* states: "*Jesus himself is the living "fulfillment" of the Law* inasmuch as he fulfills its authentic meaning by the total gift of himself: *he himself becomes a living and personal Law*, who invites people to follow him; through the Spirit, he gives the grace to share his own life and love and provides the strength to bear witness to that love in personal choices and actions (cf. *Jn* 13:34-35)" (sec. 15).

### **The Centrality of Conscience to both Natural Law and Personalism**

Again, it would be a distortion to say that natural law is concerned with rationality and truth whereas personalism is concerned with freedom, but such an assertion allows us to discern certain distinctive concerns and emphases of these two approaches to ethics. The point at which these two approaches most manifestly overlap is in their understanding of the centrality of conscience to the moral life. Both natural law and personalism find truth and freedom meeting in the human conscience. Conscience and its relation to truth and freedom is a major theme both in the writings of Pope John Paul II and in *Veritatis Splendor*. Because the natural law is perfective of the human person, and because it is through his free choices that man perfects himself, conscience is central to the moral life. In "obeying" his conscience (a rightly formed conscience), which is indeed, his inner self, man is simultaneously living in accord with the truth and

freely determining himself. Section 52 of *Veritatis Splendor* states: "... universal and permanent laws correspond to things known by the practical reason and are applied to particular acts through the judgment of conscience. The acting subject personally assimilates the truth contained in the law. He appropriates this truth of his being and makes it his own by his acts and the corresponding virtues." Section 54 states: "The relationship between man's freedom and God's law is most deeply lived out in the 'heart' of the person, in his moral conscience." Sections 57 and 58 make powerful statements of the subjectivity of the conscience combined with its link with God himself:

According to Saint Paul, conscience in a certain sense confronts man with the law, and thus becomes a "*witness for man*: a witness of his own faithfulness or unfaithfulness with regard to the law, of his essential moral rectitude or iniquity. Conscience is the *only* witness, since what takes place in the heart of the person is hidden from the eyes of everyone outside. Conscience makes its witness known only to the person himself. And, in turn, only the person knows that his own response is to the voice of conscience (Sec. 57).

The importance of this interior *dialogue of man with himself* can never be adequately appreciated. But it is also a *dialogue of man with God*, the author of the law, the primordial image and final end of man. ... Thus it can be said that conscience bears witness to man's own rectitude or iniquity to man himself but, together with this and indeed even beforehand, conscience is *the witness of God himself*, whose voice and judgment penetrate the depths of man's soul, calling him *fortiter et suaviter* to obedience. "Moral conscience does not close man within an insurmountable and impenetrable solitude, but opens him to the call, to the voice of God. In this, and not in anything else, lies the entire mystery and the dignity of the moral conscience: in being the place, the sacred place where God speaks to man".

The creativity of man, the freedom of man, is expressed not in inventing law, but in living out the law "written on his heart", conscious that in doing so he is either living in accord with his dignity or not, he is either forming himself in accord with his innate dignity or not.

## Conclusion

Perhaps the passage of *Veritatis Splendor* that best bring together the themes of the encyclical while showing the overlap of natural law and personalism is the first paragraph of section 90:

The relationship between faith and morality shines forth with all its brilliance in the *unconditional respect due to the insistent demands of the personal dignity of every man*, demands protected by those moral norms which prohibit without exception actions which are intrinsically evil. The universality and the immutability of the moral norm make manifest and at the same time serve to protect the personal dignity and inviolability of man, on whose face is reflected the splendour of God. (cf. *Gen.* 9:5-6)

In all written by Pope John Paul II, the theme of the dignity of the human person, freedom, subjectivity, and self-determination are prominent. The above analysis has attempted to show that in the most recent publications of the magisterium, particularly in the Universal Catechism and in *Veritatis Splendor*, we begin to see a blending of natural law themes with those of personalism. One can only think the Church is so much the richer for both approaches to ethics, approaches that are ultimately thoroughly compatible.

### Required Texts

Karol Wojtyla. *Love and Responsibility*. Ignatius Press. 1993 (rpt.)

### Additional Readings

Karol Wojtyla. *Person and Community: Selected Essays*, trans. by Theresa Sandok. Peter Lang Publishing. 1994

Janet E. Smith. "Rights, the Person and Conscience in the Catechism," *Dossier* 3:1 (1997), 29-37\*

### Paper Topics

1. Explain how Wojtyla establishes that we ought not to use other human beings and how he established that the only proper response to human beings is love.
2. Explain Wojtyla's claim that males tends towards sensuality and females towards sentimentality. How are these transformed into love?
3. Take one difference between natural law and personalism, describe it and show how it operates in the Catechism's treatment of morality.

Notes:

1. This talk is an adaptation of my "Natural Law and Personalism in *Veritatis Splendor*" chapter 13 in *Veritatis Splendor: American Responses* ed. by Michael E. Allsopp and John J. O'Keefe. Sheed and Ward, 1995., 194-207. Consult the published version for footnote references.

2. *Catechism of the Catholic Church* (San Francisco: Ignatius Press, 1994).

3. In Karol Wojtyla, *Person and Community: Selected Essays*, trans. by Theresa Sandok, OSM (New York; Peter Lang, 1993); hereafter PC.

4. Wojtyla refers to followers of Kant as "phenomenalists" and to those who use the philosophic method of phenomenology as "phenomenologists". See PC p. 32-3.

5. PC, p. 182.

6. PC, p. 182.



7. *PC*, p. 183
8. *PC*, p. 184.
9. *PC*, p. 184.
10. *PC*, p. 185.
11. *PC*, p. 166.
12. *PC*, p. 167.
13. *PC*, p. 168.
14. *PC*, p. 169.
15. *PC*, 170-1.
16. *PC*, p. 189.
17. Karol Wojtyla, *The Acting Person*, (Boston, D. Reidel Publishing Co., 1979), p. 154.
18. Passages from *Veritatis Splendor* are taken from the edition published by Libreria Editrice Vaticana. All italicization in this passage and others is not mine, but is found in the original text.

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## Lesson 4: Homosexuality

*This lecture is supplementary to tape 4. Tape 4 covered Karol Wojtyla's interest in shame (following to some extent his mentor Max Scheler) as illuminative of sexual ethics. Also discussed were the difference between negative and positive norms. Tape 4 covers various violations of the goods of marriage such as adultery, divorce, premarital sex, sexual abuse, and particularly homosexuality.*

### Part One:[1]

Perhaps no thinker is as closely associated with natural law theory as Thomas Aquinas. It should come as no surprise, then, that his thought is, at the very least, a point of departure for those who appeal to the natural law tradition in arguing against the liceity of a homosexual "lifestyle". Likewise, we would expect those who wish to undermine the natural-law understanding of homosexuality to attack or attempt to reinterpret Aquinas. For if Aquinas's understanding of homosexuality would turn out to be groundless or incoherent, the natural law approach to this question could well be vitiated. Thus John Boswell in his *Christianity, Social Tolerance, and Homosexuality* observes:

It is difficult to see how Aquinas's attitudes towards homosexual behavior could even be made consonant with his general moral principles, much less understood as the outgrowth of them.[2]

After reviewing Aquinas's statements about homosexuality, Boswell concludes,

In the end Aquinas admits more or less frankly that his categorization of homosexual acts as "unnatural" is a concession to popular sentiment and parlance.[3]

Not surprisingly, there is reason to challenge these statements of Boswell. Indeed, several scholars have found them completely discordant with a proper interpretation of Aquinas's teaching on homosexuality.[4] Thus, Boswell's work provides a good foil for an exposition of that teaching.

It must be kept in mind that Aquinas does not provide a thorough or systematic treatment of homosexuality. He treats the topic largely as an adjunct to other points under consideration. Given the current climate, we must also note that Aquinas was not providing a pastoral treatment of homosexuality. He was not endeavoring to choose the most sensitive rhetoric or terminology to present his views; his treatments are philosophical, partial, and expressed in a terminology that is no longer current, easily misunderstood, and therefore occasionally offensive to some.

### **Meaning of "Nature"**

Boswell, as many others, fails to understand Aquinas's understanding of nature and its role in Aquinas's evaluation of ethics. Admittedly, Aquinas's use of the term "nature" is diverse, but sufficient reference to the larger context of Aquinas's understanding of the cosmos and sufficient attention to the more immediate context should enable us to see that Aquinas's teaching on homosexual acts does grow naturally out of his general moral principles and that his categorization of homosexual acts as "unnatural" is not a concession to popular sentiment and parlance.

There are several fundamental principles that one must keep in mind when interpreting Aquinas's natural law teachings; 1) Aquinas understands God to be the author of nature and thus what is natural is good and 2) the primary meaning of word "nature" for Aquinas is not physical or biological but ontological; "nature" most precisely refers to the essence of a substance, in the case of man, to a substance that is a unity of spirit and body.[5] 3) Natural law ethics and virtue ethics are integrally related for virtues are a perfection of man's nature. All sins are a violation of some virtue. 4) Since the Fall, man's physical nature and intellectual nature are flawed and thus can mislead him in his actions. Natural law ethics also involves various epistemological claims, but such elements are not of great relevance here.

### **Naturalistic Fallacy**

Indeed, here is not the place to do a full exposition and defense of Aquinas's natural law theory but perhaps one crucial point must be made. Aquinas and Aquinas's interpreters

are often accused of committing the naturalistic fallacy -- that is of moving from what "is" the case to what "ought" to be the case.[6] Certainly Aquinas uses what "is" the case as a guide to what "ought" to be the case but in a sense that it seems most everyone does quite spontaneously; for instance, it "is" the case that it is natural for human beings to have two eyes; thus human beings "ought" to have two eyes. Aquinas would not leave it here, of course; he will inquire into human nature and attempt to discover why it is fitting that humans have two eyes. What is the case is a guide to what is fitting but ultimately it is what is fitting that is the determinative principle. What is fitting is what is ordered to the good and the good is the perfection of one's nature. And what is fitting involves an "ought." The move to a moral ought is also common and spontaneous; e.g., since it is a fact that children need food and parents are responsible for their children, it is good, and fitting that parents ensure that their children are fed; parents ought to feed their children.

### Key Texts

Now let us turn to Aquinas's position on homosexual acts.[7] The most extensive discussion concerning homosexual acts is found in the *Summa Contra Gentiles*. The key text deserves a full reading:

We have said that God exercises care over every person on the basis of what is good for him. Now, it is good for each person to attain his end, whereas it is bad for him to swerve away from his proper end. Now, this should be considered applicable to the parts, just as to the whole being; for instance, each and every one of his acts, should attain the proper end. Now, though the male semen is superfluous in regard to the preservation of the individual, it is nevertheless necessary in regard to the propagation of the species. Other superfluous things, such as excrement, urine, sweat, and such things, are not at all necessary; hence, their emission contributes to man's good. Now, this is not what is sought in the case of semen, but, rather, to emit it for the purpose of generation, to which purpose the sexual act is directed. But man's generative process would be frustrated unless it were followed by proper nutrition, because the offspring would not survive if proper nutrition were withheld. Therefore, the emission of semen ought to be so ordered that it will result in both the production of the proper offspring and in the upbringing of this offspring. (SCG III, 22)[8]

Not much further on, we also read:

It is evident ... that every emission of semen, in such a way that generation cannot follow, is contrary to the good for man. And if this be done deliberately, it must be a sin. Now, I am speaking of a way from which, *in itself*, generation could not result: such would be any emission of semen apart from the natural union of male and female. For which reason, sins of this type are called *contrary to nature*. (SCG III, 22)

This kind of objection to homosexuality strikes many as being absurd for they argue that one can certainly use bodily parts for purposes other than their "natural" one; one could, for instance, use discarded hair to stuff pillows or ear wax to stick things together. Aquinas himself considers such a counter-argument when he states some might argue that it is not immoral to walk on one's hands or to do something with one's feet that one

usually does with the hands. Aquinas responds that he believes such actions are not "unnatural" because "man's good is not much opposed by such inordinate use." One supposes that he is thinking of instances where such use is not necessary --e.g., he is not thinking of instances where one uses one's feet instead of one's hands because one is without hands but when one does so when one's hands would serve one better. To use instrumental goods which are parts of a whole -- hands and feet, hair and earwax -- for purposes beyond their most immediately natural one is permissible since the immediate natural purposes are subordinate to the purpose of the whole and they exist to serve the good of the whole. Thus one could use parts for other than their immediate natural purpose if doing so aided the whole, and even if it did not, the offense would be small since man's good would not be much affected.

The good of some parts, however, is so distinguished that it would be seriously wrong to misuse those parts for in doing so one is violating the good towards which it is directed. Aquinas maintains that the good towards which semen is directed is such that to use it for something other than its purpose is to violate the very good of human life towards which it is directed. (We must, of course, realize that Aquinas's analysis applies not just to semen but also to any organs or secretions essential to the reproductive process.)

### **The Good of Human Life**

It is very important to recognize the full status of the good towards which semen is directed in order to understand Aquinas' insistence that it cannot be used for any other purpose. Semen, of course, is reproductive material and the good to which it is directed is inherently connected with the good of sexuality and the good of new human life. It is important to understand that Aquinas holds that God created two sexes for the very purpose of bringing forth new human life -- if God had not intended humans to share in the procreation of new human life he would not have created humans of two sexes (Q. 92, art. 1).

Although Aquinas speaks of the good of sexuality as being "the propagation of the species", the propagation of the human species<sup>[9]</sup> should not be understood in the same way as the propagation of all other species, since humans have immortal souls and are destined not just to contribute to the longevity of the species. Rather, each individual has an intrinsic value in his/her own right and humans in generating offspring are not just preserving the species; they are "multiplying individuals,<sup>[10]</sup> that is, they are helping to populate heaven (not earth). Thus, humans not only reproduce; more properly they procreate; that is, they participate in the coming to be of a new human soul. God is the Creator of each and every human soul but he requires the provision of matter by human beings in order to effect the coming to be of a new human being. Human beings provide the matter whereas God provides the soul for the creation of each and every new human being (Q. 90, art. 3). Semen, then, (and the ova) is part of the matter into which God infuses the human soul. To deliberately misuse semen, that is, to use it in a way that prevents it from providing the matter for new human life, is, then, to violate a great good -- the good of potential new human life.<sup>[11]</sup>

## Homosexuality as Contrary to Nature

Aquinas speaks of acts of homosexual sexual intercourse as acts that are "contrary to nature" (SCG III, 122, 5; ST I-II, Q. 94, art. 3, reply 2). Now, it is certainly true, that Aquinas speaks of all immoral acts as being contrary to nature since all immoral acts violate human nature; they are not in accord with human nature which is rational; in short, they are unnatural because they are not in accord with reason. Yet some immoral actions retain some degree of naturalness. For instance, acts of fornication are unnatural because they violate reason; they do so because provision for offspring has not been made. Yet, since acts of fornication can fulfill the purpose of sexual intercourse in generating offspring, they are still natural insofar as they allow the semen and ovum to partially fulfill their natures. Homosexual acts of sexual intercourse do not achieve even this level of naturalness.

Again, some might think that Aquinas has given an absurdly high value to semen; after all there is an abundance of such and much is "wasted" in many ways. But, again, we should not isolate his view of the value of semen apart from the value of the whole human person and the value of the heterosexual relation that completes the human person both physically and psychologically, and which is the fitting context in which to bring forth new human life. Aquinas's understanding of the value of semen is part and parcel of his understanding of the reason for the differentiation of the sexes and of the love of God for new human souls.

Seeing that Aquinas's evaluation of homosexual acts is set within the broader context of human destiny might help us better understand Aquinas's view that the deliberate misuse of semen is a very grave sin;[12] he states: "Hence, after the sin of homicide whereby a human nature already in existence is destroyed, this type of sin appears to take next place, for by it the generation of human nature is precluded." (SCG III, 22). Homosexuality, like masturbation and contraception, are immoral because they involve wasting the matter that should be directed towards the creation of new life. None are morally equivalent to homicide, of course, but all are like it in being sins against life.

## The Unitive Purpose

In discussing the unnaturalness of homosexual sexual acts, Aquinas does not make reference to the unitive purpose of the sexual act and how homosexual acts are also incompatible with the unitive meaning. A suggestion that he shares the understanding that homosexual acts are not truly unitive can be found in the fact that Aquinas includes them as sins against the sixth commandment, the commandment against adultery. All sins that involve misuse of the sexual faculties are considered to be sins of unfaithfulness -- one is using one's sexual powers outside of the marital relationship or not in accord with the goods of the marital relationship; in other words, one is not sharing one's sexuality with one's spouse, or one is not sharing one's sexuality with one's spouse properly (as in contracepted sexual intercourse). In Aquinas's view there is a sense in which one's sexual powers belong to one's spouse for they exist to strengthen the spousal relationship and to create a family. Homosexual sexual

intercourse bestows one's sexual favors with someone other than a spouse, the proper individual with whom to unite and procreate.

A complete treatment of the evil of homosexual acts would involve addressing the psychological complementarity of male and female and how sexual intercourse helps to foster the intimacy that enables spouses to achieve the union proper to marriage. Nonetheless, since Aquinas would likely understand the psychological differences distinguishing male and female to be related to their different roles in the business of parenting, even the unitive meaning of the sexual act cannot be explained without reference to its procreative meaning. God made man male and female so they could be one and so they could give new life. The sexual faculties are directed towards these purposes. To use them otherwise is to misuse them.

Aquinas, then, judges homosexual acts of sexual intercourse to be objectively disordered because they are not ordered to the goods naturally embedded in sexual intercourse.

### **Animal Behavior**

Because Aquinas regularly refers to the behavior of animals in his discussion of human sexuality, some interpreters believe he evaluates human sexual behavior along the lines of animal sexual behavior. Boswell is one such interpreter. He makes the claim that Aquinas "resorted again and again to animal behavior as the final arbiter in matters of human sexuality." [13]

Yet his own reading of Aquinas implicitly contradicts that claim, because he maintains that Aquinas does not accept animal sexual behavior as totally determinative of human sexual behavior. Indeed, as Boswell notes, Aquinas occasionally speaks of sexual behavior engaged in by humans that is not in accord with the proper norms for human beings as animal sexual behavior. In his discussion of monogamy, Aquinas argues that humans should not imitate the many species of animals that are promiscuous; he finds that birds too must unite in their raising of offspring and notes that birds are monogamous. Since humans and birds are similar in their needing the care of both parents to thrive, Aquinas concludes that humans, like birds, should be monogamous.

Boswell observes, "It is difficult to believe ... that animal behavior actually suggested this position to Saint Thomas ..." [14] And he is right that the simple discovery of monogamy among animals is not what leads Aquinas to posit monogamy as fitting for humans. Aquinas does not simply see what animals do and conclude that such is what humans either ought to do or ought not to do. He looks to animals to see what they do and why; if humans share with some animal a certain good, it is likely that behavior which is conducive to that good, would be beneficial for humans also. Boswell laments "Aquinas does not explain the principle by which he determines which aspects of animal sexuality should be avoided by humans (e.g., the position they adopt in coitus) and which imitated (e.g., ornithological monogamy)." [15] Yet Aquinas' principle is quite clear; he uses behavior in the animal kingdom to help him discover what about certain animals would make certain behavior deleterious or beneficial; if humans are like those animals

in a certain respect (such as needing parents of both sexes), he would use that information to help him determine what is appropriate behavior for humans.

Boswell also makes the claim that two parents are not necessary for the successful rearing of children and claims that Aquinas is "devious or mistaken" when he makes appeal to what is "commonly" the case to support the claim that two parents are necessary[16] (and it is only because I live in the 1990's that I feel I must say, a male and female parent). Boswell accuses Aquinas of "ignoring the intent" of those who may raise children as single parents for good reason and of addressing himself "only to statistical probabilities and physical consequences." In Boswell's view, some may have good reason for bearing children outside of wedlock; that most bear children within marriage and that such children thrive is in his mind only a statistical probability. Aquinas is most certainly not using statistical probability as his norm for nature; again, he uses what is fitting. Boswell himself acknowledges that Aquinas thinks that males and females bring something distinct to parenting and thus both are necessary for successful parenting. Aquinas does not make this claim on the basis of statistical probabilities or physical consequences, but on the nature of males and females.

### **The Homosexual Condition**

To this point we have been considering Aquinas's evaluation of homosexual acts. He also makes some remarks that indicate his views about the source of the homosexual condition. Let us first note that while Aquinas speaks of homosexual acts as being particularly objectionable, he does not make that claim about the homosexual condition. And we must also note that when he speaks of homosexual acts as being particularly objectionable, he is comparing them to others sins of intemperance. Sins of intemperance are not the most serious sins; sins of pride and sins against charity are much worse. As for all human action, Aquinas maintains that one cannot judge the moral value of an action apart from a consideration of the state, character, and intention of the agent. There is ample evidence that Aquinas shared the modern understanding that the homosexual condition may not be one that an individual has chosen; he allows that it may be the result of a bodily temperament, of a psychological disease, or of bad conditioning.[17]

In an article entitled "Whether Any Pleasure is Not Natural?" (ST I-II, q. 31, art. 7) Aquinas quotes Aristotle in maintaining that "some things are pleasant not from nature but from some corruption of man's nature." He speaks of "some pleasures that are not natural speaking absolutely, and yet connatural in some respect." Those with corrupt natures find what is unpleasant to humans as a species to be pleasant to them as individuals. Aquinas speaks of corruptions of both the body and the soul. As an example of a corruption of the body that would distort natural pleasures he gives a man with a fever to whom sweet things seem bitter. As an example of a corruption of the soul, he speaks of a man who through custom takes some pleasure in unnatural intercourse, bestiality, or cannibalism.

Now Boswell argues that this reasoning should lead Aquinas to see that homosexuality is natural; he believes that Aquinas should concede that homosexuality is natural in

some individuals since Aquinas holds that some individuals take a connatural delight in pleasures that are not pleasant to humans as a species.[18] But Aquinas finds the origin of the "connaturality" to be some corruption, and thus would not understand the condition to be natural.

Boswell also argues that although Aquinas speaks of homosexuality coming about through some defect, Aquinas may not necessarily mean some moral defect. And Boswell is certainly correct in this observation.[19] The text upon which Aquinas draws here is a text from Aristotle wherein Aristotle uses the desire for one's own sex as an example of a perverse desire that may have been fostered by childhood sexual abuse. [20] Certainly, if such was the source of one's homosexual desires, one would not be morally culpable for possessing the desires, though one most likely has some moral culpability for acting upon these desires, unless they could be considered truly uncontrollable obsessions.[21] And certainly some may be morally responsible for having homosexual desires; they may recklessly "experiment" with homosexual actions and they may expose themselves to homosexual erotica and arouse desires in themselves that otherwise may not have been activated. But however the homosexual condition comes to be, whether one is morally culpable for acquiring the condition or not, Aquinas would still consider the condition a disordered condition -- even if one's homosexuality were genetically determined. According to Aquinas's principles those who are made lame by others, those who make themselves lame because of bad choices, and those who are born lame, are all suffering some defect, some disorder in their being.

Boswell observes that some conditions that come about through defects are not in themselves defects. Boswell observes that although Aquinas thought that females came to be because of some defect in the semen or because of the presence of a moist south wind, Aquinas did not think females, for that reason, were without a natural purpose. Boswell reasons: "Since both homosexuality and femaleness occur "naturally" in some individuals, neither can be said to be inherently bad, and both must be said to have an end." [22] (see also his footnote 87). He observes that "The *Summa* does not speculate on what the 'end' of homosexuality might be, but this is hardly surprising in light of the prejudices of the day." Boswell does some fancy distorting of texts to come to this conclusion. Boswell fails to note that there are many kinds of imperfection, one being something that is not a perfect instance of something (as a child is an imperfect adult), or something that is a privation of a good (such as blindness). Women may be "naturally" inferior to males because, for instance, they are the passive as opposed to the active principle in procreation, but both maleness and femaleness are ordered to some good. In Aquinas's view, homosexuality would be like blindness; it is an absence of a good and not ordered to any good.

Moderns are unlikely to understand and accept Aquinas's analysis because few share his view of man's ontological dependence on God; few share his view that God wills each soul into existence and wants to share an eternity with every human being; few share his view that sexuality has a purpose designed by God and that we must live in accord with that purpose. Nor do many share his view that all of us must carry some



portion of the cross. Original sin alone makes every human being disordered; many of us have acquired more specific disorders through our genetic heritage, our upbringing, our choices. Many of these make it difficult for us to avoid disordered and sinful actions. For Aquinas, homosexuality is simply one more of those disordered conditions; he would assure us that God's grace is available to assist us in being healed and in avoiding sinful behavior.

## **Part Two:[23]**

There are few topics that require greater sensitivity than that of homosexuality. The phenomenon of homosexuality remains one that is very little understood either by professional psychologists or the general public. There is, for instance, no agreement about how common the condition of homosexuality is nor exactly what constitutes the "condition" of homosexuality. There are those who claim to experience sexual attraction only for members of their own sex and such individuals may properly be designated homosexual in respect to sexual orientation. Even individuals with a strong heterosexual orientation may at some point in their lifetime experience sexual attraction for a member of the same sex. Moreover, there is no consensus about what might be the cause or causes of homosexuality and what might be the reversibility of the homosexual condition.

Many in modern society would like to proclaim homosexual sexual acts to be moral and would like homosexual unions to be recognized as legitimate alternative "life arrangements" or modes of partnership. Homosexual sexual activity, however, has, throughout the long tradition of Judeo-Christian thought, been considered incompatible with God's plan for human sexuality. On the basis of natural law principles, scripture, and tradition, the Church has taught that the proper use of sexuality is between a male and female who are married and who are open to having children. Sexual intercourse is meant to be an expression of love by those who are married to each other. Sexual intercourse between members of the same sex is understood to be a misuse of the gift of sexuality; it does not serve to create a bond between male and female; it cannot serve the purpose of bringing forth new life; it creates an inappropriate bond between members of the same sex.

Yet some individuals find themselves with a sexual attraction to members of their own sex, an attraction, again, that can be experienced as permanent and seemingly irreversible, or as a response to a particular individual in a very particular situation. Again, what the cause is of such attractions is unknown. Many claim that the homosexual condition is not chosen; that it seems to be innate or the result of certain experiences in early childhood, though all such explanations seem largely speculative and without hard scientific data to support them. The American Psychiatric Association has held varying positions on the subject of the normalcy of homosexuality, positions that seem to be as much influenced by cultural and political factors as reliable scientific studies.

The argument is made that if some individuals are born with a propensity to a homosexual orientation, then we must proclaim homosexuality to be natural and normal

-- just one of the many variants of the human identity. Some human beings have blue eyes, some have brown; some have green; we have what we are born with and are not subject to moral evaluation on what is "given" to us at birth. On this analogy, some individuals are born heterosexual, others are born homosexual and there is no ground for moral approval or disapproval of these innate conditions.

Nonetheless, were it to be proven that some individuals have a genetic determination to homosexuality, in itself this evidence would not serve to invalidate the Church's claim that homosexuality is an unnatural or disordered condition. Indeed, those who think that a proof that homosexuality is innate would serve to prove that homosexuality is natural, misunderstand what the Church means by the word "natural."

The word "natural" has a fairly complicated meaning within the Church's moral tradition. "Natural" does not, as some think, refer simply to what is in accord with the biological processes of man. Nor does it refer to what is innate, nor even to what is "normal." Rather, the word "natural" in the context of the Church's moral doctrine has a metaphysical meaning. The Church relies largely on the principles of Thomism to explain its moral teachings. Thomism understands all things to have essences or "natures"; these "essences" or "natures" are good (in fact, designed by God) and everything prospers insofar as it acts and is treated in accord with its essence or nature. Whatever is said to be "natural" is what accords with what is good for human beings; what is called "unnatural" is what is not good for human beings. Integral human nature, or human nature before it suffered the effects of original sin, was an "ordered" nature. This means that the psychic processes of the human person were ordered; there were no disordered desires, no desires to eat or drink or do anything that was not in accord with what is good for human nature. Before the fall the human person reasoned correctly about reality and his passions quite automatically and spontaneously followed the deliberations of reason. With original sin, came what is known as "fallen nature."

The condition of original sin or fallen nature brought with it disordered passions and desires. After the fall, humans began to act against their nature, quite constantly and predictably. The fact is, that because of original sin, all human beings because they are imperfect, are in an "unnatural" and "disordered" condition. It is common to the human condition, for instance, for human beings to want to eat, drink and sleep more than is good for them. It is common to the human condition for humans to want to have sexual intercourse with those with whom they should not or when they should not or in ways that they should not. In the "natural" state, the prelapsarian state, or the state of humans before the fall, humans would only desire what was good for them. After the fall, human beings are susceptible to innumerable unnatural and disordered desires.

The claim by the Church that homosexuality is "unnatural" or disordered has been found offensive by some since the terms "unnatural" and "disordered" seem to suggest that homosexuals are in some special category of being, deserving of particular censuring by the Church. Yet, as the above explanation of the term "natural" establishes, any human desire for what is not good is "unnatural" and "disordered". Thus, in this context,

homosexuality is simply one more of the "unnatural" or "disordered" conditions to which humans are susceptible.

It should not be surprising if some individuals are born with a propensity to homosexual sexual attractions, for it certainly seems that individuals are born with many propensities, both good and bad -- a propensity to generosity, patience, anger, irritability, or alcoholism, for instance. Part of the challenge of the moral life is to learn how to order what we find disordered in our being; for instance, if we have bad tempers, we need to learn how to govern them. Some of us may acquire the orderedness or disorderedness in our psyches through childhood experiences, either good or bad, rather than through heredity. Having good and generous parents who work to impart that quality to their children, for instance, will likely assist the children in having souls relatively free from greed and selfishness. Conversely, having lazy parents may facilitate our being lazy. Such experiences as sexual abuse may deeply scar our psyches and fill us with fears and tendencies that we in no way chose to acquire. It seems plausible that a homosexual orientation may be the result of any number of factors or causes. But the fact that it may be inborn or not the product of our own choosing does not thereby make it a "natural" condition not subject to moral evaluation.

It is very important to note that although the Church teaches that the homosexual condition is unnatural or disordered, it does not teach that the homosexual condition itself is sinful. Again, this is true of any disordered propensity that may be in the human soul; those who are irritable or hot-tempered by nature are not sinful by virtue of these temperamental traits. Sin is a result of the voluntary choices we make in response to what our passions may be driving us to do. For many, there is no moral culpability in feeling irritable or hot-tempered; rather it is in acting irritable or acting out of hot temper that most sin occurs. (We can though be morally culpable if we do nothing to overcome our temperamental propensities.) So while individuals may have little or no responsibility for having a homosexual orientation, they can exercise moral agency in respect to their actions.

Some find fault with the analogy between "innate" or "unchosen" homosexuality and a propensity to alcoholism or a propensity to any moral failing. They argue that since our sexual orientation so deeply influences how we respond to the world, how we fulfill, for instance, our needs for intimacy, to categorize homosexuality with all other human disorders is to mischaracterize the plight of the individual with a homosexual orientation. It seems right to acknowledge that the plight of the homosexual is a particularly burdensome one; that the condition of homosexuality presents challenges to the moral agent many times greater than the usual challenge of dealing with disordered passions. For human beings do have a profound need for intimacy and most individuals will satisfy that need (insofar as it is possible) through marriage and family.

Moreover, there is disagreement about whether it is possible for those with exclusively homosexual attractions to change their sexual orientation. Some psychologists maintain that no permanent change is possible; yet, others maintain that with the help of therapy and grace many homosexuals have been successful in entering and sustaining

heterosexual marriages. The Church does not require that homosexuals seek such reorientation; rather, homosexuals, as are all Christians, are called to a life of chastity.

Those with a homosexual condition have often suffered unjust censure and discrimination by members of their own families, by society at large and by some of those who represent the Church. The prejudicial rejection of homosexuals is called "homophobia". Those who are guilty of homophobia refuse to recognize the full human dignity of those with a homosexual condition. Such prejudicial rejection is in manifest conflict with the dictates of justice and Christian charity. Indeed, much love and acceptance should be extended to those with a homosexual condition since often they find themselves lonely and rejected.

The celibate lifestyle to which those with a permanent or irreversible condition of homosexuality (if there is such) are called need not be lonely and isolating. There are many, for instance, celibate priests, nuns, and laypeople, who forgo the intimacy of marriage, sexual relations, and family. Moreover, not only those who are called to the consecrated life are called to celibacy. Celibacy is lived by some heterosexuals who are unsuccessful in finding a spouse or who have been abandoned by their spouses. They fulfill their needs for intimacy through a deep relationship with Christ, through friendship and by extending their love more broadly. They often have very rich human relationships in which the lack of a sexual dimension allows other dimensions of the human person and human relations to emerge.

Some object to the claim that since many heterosexuals lead celibate lives successfully, it should be possible for homosexuals to do the same. Some think there are false analogies being drawn here between the celibacy of the consecrated life, the celibacy of unwed heterosexuals, and the celibacy of homosexuals. They note that the celibacy of those in the consecrated life is a voluntary celibacy and one that often wins them great respect and esteem. They note that it is possible for heterosexuals who live lives of involuntary celibacy to have some hope that their situations may change. The celibate homosexual enjoys neither the esteem given to the consecrated individual nor the hope of the unwed heterosexual. Furthermore, as mentioned, there is a stigma attached to homosexuality that makes it very difficult for homosexuals to be open about their condition, often even with family and friends. Given the amount of both overt and subtle unjust discrimination against homosexuals, open acknowledgement of one's homosexuality is often unwise, and thus one is denied even the comfort of self-disclosure. The isolation and alienation that can accompany the homosexual condition can, therefore, be extreme and the Catholic demand that homosexuals lead celibate lives can seem unrealistic and cruel.

The cost of Christian discipleship, however, is often very high. While it must be acknowledged that for many reasons, homosexuals are in a particularly difficult situation, there are others who face challenges that equal or surpass the lives of homosexuals in difficulty. For instance, many individuals with severe physical or psychological anomalies may also face lives burdened with various stigma, subject to much discrimination, and in which establishing intimate relations is extremely difficult.

## Required Texts

*Catechism*: section 2357-9; 2396.

Congregation for the Doctrine of the Faith. *Declaration on Certain Questions concerning Sexual Ethics*. 1976

Congregation for the Doctrine of the Faith. *Letter to the Bishops of the Catholic Church on the Pastoral Care of Homosexual Persons*. 1986

## Additional Reading

Christopher Wolfe. *Homosexuality and American Public Life*. Spence Publishing Company. 1999, 129-40

John Harvey. *The Truth About Homosexuality*. Ignatius Press. 1996

John Harvey. *The Homosexual Person: New Thinking in Pastoral Care*. Ignatius Press, 1987

John Nicolosi, Ph.D. *Reparative Therapy of Male Homosexuality*. Jason Aronson, Inc. 1991

National Conference of Catholic Bishops. *Always Our Children*. 1997

## Paper Topics

1. Explain how an analysis of shame can shed light on sexual morality.
2. Respond to the claim that homosexuality is natural.
3. Explain why the Church holds that the homosexual orientation is not sinful whereas homosexual acts are.

## Notes:

1. This lecture is nearly identical to my "Aquinas's Natural Law Theory and Homosexuality" in *Homosexuality and American Public Life* ed. by Christopher Wolfe. Spence Publishing Co. 1999, 129-140

2. John Boswell, *Christianity, Social Tolerance, and Homosexuality: Gay People in Western Europe from the Beginning of the Christian Era to the Fourteenth Century* (Chicago: University of Chicago Press, 1980), p. 319.

3. Boswell, 328

4. See John Harvey's review of Boswell in *Linacre Quarterly* (Aug. 1981) 265-275; Bruce Williams, "Homosexuality and Christianity: A Review Discussion," *The Thomist* 46:4 (1982) 609-625; Glen Olsen, "The gay middle ages: A response to Professor

Boswell," *Communio* (Summer 1981) 119-138; Warren Johansson et. al., *Homosexuality, Intolerance, and Christianity: A Critical Examination of John Boswell's Work* (Gay Academic Union, P.O. Box 480, Lenox Hill Station, New York, NY. 10021)

5. See Boswell, 324-5.

6. For a brief but thorough defense of Aquinas in respect to the naturalistic fallacy see, Ralph McInerney, "The Primacy of Theoretical Knowledge: Some Remarks on John Finnis," in *Aquinas on Human Action: A Theory of Practice* (Notre Dame: U. of Notre Dame Press, 1990) 184-192.

7. I speak of homosexual acts here rather than homosexuality because for Aquinas morality is a matter of action. When I speak here of homosexual acts, I am using the phrase as a abbreviation for "homosexual acts of sexual intercourse."

8. St. Thomas Aquinas, *Summa Contra Gentiles: Book Three: Providence, Part II*, trans. by Vernon J. Bourke, (Notre Dame, Notre Dame Press, 1975), 143.

9. Boswell makes another remark that suggests that he misunderstands Aquinas's claims. He claims that Aquinas's advocacy in behalf of the preservation of the species was based on the ethical premise "that the physical increase of the human species constitutes a major moral good" (322). This certainly is not the view of Aquinas; he makes it very clear that the mere physical increase of the species is not a good (SCG III, 122); parents should bring forth children to raise them to share eternity with God -- not to populate the earth.

10. If sex were only for the purpose of the preservation of the species in the sense of keeping the species going, there would have been no need for reproduction in paradise, since Adam and Eve were never going to die. But Aquinas argues that there would have been generation of offspring in paradise for the purposes of the multiplication of individuals (Q. 98, art. 1, reply 2).

11. Boswell (322) finds Aquinas to be inconsistent in his rejection of homosexuality because it involves the waste of semen whereas Aquinas considers nocturnal emissions to be sinless because they are the result of natural causes (ST I-II, 154.5, resp.). Boswell fails to inform his readers that Aquinas does think that while nocturnal emissions themselves are never sins (because they are not the result of a deliberate act) but they can be sinful because of their cause, e.g., because of gluttony, drunkenness or deliberate thoughts about carnal pleasures that may have left some "trace or inclination" in the soul.

12. Boswell claims that Aquinas held heterosexual promiscuity to be worse than gluttony only because it could result in serious harm to the a child conceived of the union (321). He then questions why Aquinas should find homosexual acts so grievous since they do not produce an uncared for child. He also believes that to be consistent Aquinas should classify homosexual acts as mere intemperance on the order of drunkenness. Boswell is wrong to think that the only reason Aquinas objects to heterosexual promiscuity is because of the harm that may be experienced by an uncared-for child. Aquinas does not give a full statement of his evaluation of acts upon every mention of them; he makes a point that is adequate to meet his immediate concerns.

13. Boswell, 319.

14. Boswell, 321.

15. Boswell, 323, fn. 71.

16. Boswell, 320, fn. 63.

17. Anthony C. Daly, S.J., "Aquinas on Disordered Pleasures and Conditions," *The Thomist* 56:4 (Oct. 1992) 583-612 gives an excellent review of the relevant texts on this issue.
  18. Boswell, 326-8.
  19. Boswell, 328.
  20. For an excellent discussion of these texts, see Daly.
  21. See Aquinas's Commentary on Aristotle's *Nicomachean Ethics* 7.5.
  22. Boswell, 326-7, and footnote 87.
  23. Part Two is nearly identical to my entry on homosexuality in *Our Sunday Visitor's Encyclopedia of Catholic Doctrine* ed. by Russell Shaw. Our Sunday Visitor Publishing. 1997.
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## **Lesson 5: Proportionalism [1] and Biologism [2]**

*This lecture builds upon Tape 5 that explains the Church's teaching on Contraception. There I spoke a great deal about the bad social consequences that have resulted from widespread use of contraception. In the second portion of that tape I mention the use of proportionalism to justify contraception and the charge that the Church's teaching is biologistic. In this lecture I elaborate on proportionalism and biologism.*

### **Proportionalism**

What is proportionalism? Hesitant to give one formulation to the differing positions held by various theologians, Father Richard McCormick describes proportionalism in this fashion:

Common to all so-called proportionalists ... is the insistence that causing certain disvalues (nonmoral, premoral evils such as sterilization, deception in speech, wounding and violence) in our conduct does not by that very fact make the action morally wrong, as certain traditional formulations supposed. The action becomes morally wrong when, all things considered, there is not a proportionate reason in the act justifying the disvalue. Thus, just as not every killing is murder, not every falsehood is a lie, so not every artificial intervention preventing or promoting conception in marriage is necessarily an unchaste act.[3]

In large part many critics consider proportionalism to be subject to the same failings as consequentialism, and in many respects that is true. How does one calculate what are the consequences of an act? How does one measure what premoral values might outweigh the premoral evils of, say, abortion or adultery? How does one judge which

circumstances justify causing premoral evils? Proportionalists, however, claim that they are not mere consequentialists. They claim that they do not merely balance out good and bad consequences but that they make full use of the method of moral analysis of the tradition and do so more consistently than the tradition has done. They raise questions about the consistency of the tradition in determining the object of the moral act and how the circumstances, intention, and consequences of the action interact with the object to establish the moral evaluation of an action. Several who have responded to the rejection of proportionalism by *Veritatis Splendor* have focused on these very questions.

As McCormick notes, proportionalism does consider as morally permissible some of the actions considered to be intrinsically evil by the magisterium; in his article he notes that proportionalism does justify acts such as sterilization, masturbation, and contraception when done for a proportionately good reasons. Yet, McCormick balks at the claim of the encyclical that the principles of proportionalism justify doing morally wrong actions for a proportionately good reason. Calling the claim of the encyclical a "misrepresentation," he claims "No proportionalist that I know would recognise himself or herself in that description."

What we have here is a classic case of "your terms or mine?" Since proportionalists do not think sterilization, masturbation, and contraception are intrinsically evil, when they justify such acts, they do not believe they are justifying morally wrong actions; they only permit premoral evil for proportionate goods. Since the magisterium considers such acts to be intrinsically evil, it believes that the principles of proportionalism justify morally wrong actions. What is key is that, as noted above, proportionalists admit that their principles do indeed justify what the magisterium teaches to be intrinsically morally wrong. Why speak of misrepresentations?

Why do proportionalists and the magisterium disagree about the moral evaluations of such actions? It can easily seem that the source of the disagreement is that the tradition thinks some actions are intrinsically evil by their object and proportionalists think that no actions are intrinsically evil by their object; they are only premoral evil (object here means the action itself, apart from the circumstances and intention of the agent).

McCormick, though, makes an interesting claim: he states: "[A]ll proportionalists would admit this [that some acts are intrinsically evil from their object] if the object is broadly understood as including all the morally relevant circumstances." McCormick fails to recognize that the tradition does indeed include all the morally relevant circumstances in the object of the act. McCormick thinks the magisterium does this for some actions but not for others. He thinks that the magisterium is inconsistent in allowing killing in some circumstances or for some reason (in self defense) and not allowing sterilization in any circumstances or for no reason. This is his accusation:

[T]he tradition has defined certain actions as morally wrong *ex objecto* because it has included in the object not simply the material happening (object in a very narrow sense) but also elements beyond it which clearly exclude any possible justification. Thus, a theft is not simply "taking another's property", but doing so "against the reasonable will



of the owner". This latter addition has two characteristics in the tradition. (1) It is considered as essential to the object. (2) It excludes any possible exceptions. Why? because if a person is in extreme difficulty and needs food, the owner is not reasonably unwilling that his food be taken. Fair enough. Yet, when the same tradition deals with, for example, masturbation or sterilisation, it adds little or nothing to the material happening and regards such a materially described act alone as constituting the object. If it were consistent, it would describe the object as "sterilisation against the good of marriage." This all could accept.

What McCormick fails to see is that the magisterium defines sterilization, masturbation, and contraception in the same way that it defines theft (and lying, and murder). As McCormick states, "theft is taking another's property against the reasonable will of the owner". The "matter" of this act is "taking another's property", the morally relevant and specifying circumstance is "against the reasonable will of the owner." Lying has the matter of "telling a falsehood" and the morally relevant and specifying circumstance of "to one who deserves to know the truth". Murder has the matter of "killing a human being"; the morally relevant and specifying circumstance is that the human being is "innocent of wrong-doing worthy of being killed."

Now consider intrinsic evils where McCormick thinks the tradition does not include relevant circumstances. Sterilization (let's consider a hysterectomy) has the matter of "surgically removing one's reproductive organs" and the morally relevant and specifying circumstance of "for the purpose of preventing conception" (which the magisterium considers to be "against the good of marriage"). Masturbation is "the manipulation of one's sexual organs" with the morally relevant and specifying circumstance of "intending to have an orgasm". Contraception is the "taking of drugs or using devices that render one incapable of conceiving" with the morally relevant and specifying circumstance that this is done with the intent to prevent the sexual act from achieving its procreative end.

All actions that have the same matter could be performed under other morally specifying circumstances that would make them good actions; the evils that may result would be considered to be justified by the principle of double effect. One could take what belongs to another, to save the owner's life (e.g., a gun with which the owner intends to kill himself); one can kill a human being in self defense, one can tell a falsehood to one who does not deserve to know the truth (e.g., the Nazi searching for Jews). One could have one's reproductive organs removed for the sake of removing a cancerous growth (the prevention of conception would be the double effect); one could "manipulate one's sexual organs" for the purpose of discovering a cancerous growth (if orgasm occurred it would be the double effect); one could use drugs to regulate a menstrual cycle (the resulting infertility being the double effect).

The magisterium is not inconsistent. Every moral act considered evil by its object has within its description some morally relevant and specifying circumstances (and the intention can be considered one of the circumstances). At this level, the real source of the debate about terminology is what counts as morally relevant and defining circumstances. Whereas the magisterium counts as morally specifying circumstances

those that transcend particular circumstances, proportionalists want to count as morally relevant and defining the circumstances of particular agents. For proportionalists, none of the acts described above would qualify as intrinsically evil. For instance, if one had a proportionately good reason given one's circumstances to kill an innocent human being, one would be justified in doing so. The proportionalist does not think this would be an act of murder, since for the proportionalist "murder" is the "killing of an innocent human being without a proportionate reason." For a proportionalist "killing an innocent human being" is not an intrinsic moral evil; it is a premoral evil that could be outweighed by the good consequences that the act might produce. Still, proportionalists readily admit that they think there are "virtually" intrinsically moral evils; there are acts, such as, perhaps, "killing an innocent human being" for which one can hardly conceive of a justifying circumstance. But, for the magisterium, "killing an innocent human being" is an intrinsic moral evil called murder and not because one cannot conceive of circumstances that would justify it. The magisterium does not accept the principle of the proportionalists, that one must weigh premoral evils to determine what is moral evil. It judges acts to be either in accord with right reason or not in accord with right reason. If an action is not in accord with right reason, it ought not to be done no matter what the consequences. The magisterium considers sterilization, masturbation, and contraception to be against right reason, against the very meaning of the sexual act, and thus it considers them to be intrinsically evil.

So proportionalists and the magisterium have a different standard for judging what is moral evil; proportionalists weigh and balance premoral evil and goods; the tradition speaks of acts being against right reason, against nature, against virtue (all synonymous standards, in the view of the magisterium). What is not clear is what is the standard by which proportionalists judge something to be "pre-moral evil". They generally reject "nature" as a standard. But once they do so, it is difficult to determine what is the standard for "pre-moral evil". Why should homosexuality, for instance, be considered any evil at all, if the sexual powers do not have a specific and natural ordination? But let that question rest.

What needs to be noted is the centrality of the concern with sexual ethics, central not so much to the magisterium, but to proportionalists. Indeed, as McCormick acknowledges, it is primarily the magisterium's teaching about sexual matters that proportionalists resist. Proportionalism really began with the dissent against *Humanae Vitae*. It does not seem foolish to speculate that had *Humanae Vitae* not been issued, proportionalism would not have gained the prominence it has among Catholic theologians; the Catholic tradition has unfailingly asserted that there are intrinsic moral wrongs and this has been uncontroverted until recent decades (post *Humanae Vitae*). Proportionalism followed on the heels of situation ethics and can be seen as an attempt to gain the flexibility of situation ethics while retaining the traditional terms of Catholic moral theology. Yet, situation ethics is completely incompatible with the Catholic tradition and would not have found a home there had it not served the important role of justifying the rejection of contraception as an intrinsically evil action. The Catholic tradition has always accepted that there are intrinsic moral evils; McCormick's attempt to claim that proportionalists have never denied this demonstrates that he too wishes to be part of that tradition.

It is time to spend less time on the meaning of technical terms, though it must be acknowledged that the debate spawned by proportionalists has aided in the clarification of those terms. But the clarification has been made and there is no quarter on that level for dissenters to have their way. What they need to do is to address the Church's understanding of the meaning and purpose of sexuality for that is the true source of their disagreement with the Church. It is time to have a discussion on what the goods of marriage are and how contraception, for instance, affects those goods. Such a discussion should stay as far as possible from the terms "object", "circumstances," "consequences" and premoral evil and speak of "personalism" and "self-mastery" and "self-giving" and of the importance of children and fidelity and heterosexuality. Pope John Paul II has provided an incredible wealth of material on these subjects. The debate on proportionalism has had its day; let us get down to the real focal point of the debate; what is sexuality for and what modes of sexual conduct are compatible with the purpose of sexuality? It is time that proportionalists faced this issue and the challenge that Pope John Paul II has given them.

## Biologism

Recently, in the pages of *America*, Robert Heaney notes that a deeper understanding of reality can advance our understanding of natural law. Drawing upon his training as a biologist, he argues that in its condemnation of contraception the Church has based its teaching on bad biology. What Heaney fails to see is that our further knowledge of what a contraceptive culture looks like, indicates that contraception hardly contributes to the well-being of human beings. Far from having a barnyard view of sexuality, *Humanae Vitae*, as more are beginning to see, had a prophetic view of the contraceptive culture. Among other evils, *Humanae Vitae* 17 predicted that with widespread use of contraception, there would be a general lowering of morality and that there would be less respect for women. Most can see that our morality is low and we have little respect for women but few have seen the connection between these realities and contraception.

Twenty-five years ago, many thought that contraceptives would make for fewer abortions, fewer illegitimate pregnancies, better marriages. Does anyone want to argue that these expectations have come true? Heaney fails to see that contraception has not brought us out of the barnyard but has instead fostered a barnyard morality. The culture that contraceptive sex has fostered resembles a barnyard more than the utopia of sexual intimacy Heaney depicts. It is in the barnyard that sterilization, random couplings, breeding, the cavalier killing of the unwanted and imperfect, etc. are "natural". Clearly, -- and it is essential to see this -- contraception would not be condemned by the Church if it were an offense only or primarily against the biological purpose of the sexual act for there is no prohibition against contracepting and manipulating animal sex in any way deemed beneficial.

It is precisely because man is not on the same level with animals that he is called to live in accord with a higher view of sexuality. Whereas animal sex is a fleeting union and results in simply another member of the species, human sex is meant to promote a profound bond and brings forth an immortal soul. The following argues that

contraceptive sex tends to foster fleeting and shallow unions more than the deeply intimate unions appropriate to human persons. Here let me briefly note that contraception does not merely thwart a mere biological capacity. God, loving creator that He is, chose to bring forth new human life through the loving act of spouses. The male provides the sperm, the female the ovum, and God the human soul. Contraception allows couples to enjoy the pleasure God designed for sexual intercourse but shuts God out from performing his creative act in the arena He designed for bringing forth new human life.

An elaboration on how contraceptive sex contributes to barnyard morality should be preceded by noting that contraception is also bad biology. The "pill" treats the perfectly healthy condition of fertility as though it were an illness or defect. And the pill has many and vile side effects: it can cause blood clots and strokes and infertility, for instance; these occur only in a small percentage of cases to be sure, but since sixteen million of women are using the pill, the small percentages can add up to large numbers.

The everyday, common side effects of the "pill" are not insignificant. It is common for women who use the pill to complain of increased irritability, depression, weight gain, and a decreased libido. Isn't the pill something every woman and her husband wants -- something to help her be more irritable, to be more depressed, to gain weight, and to have a decreased desire to have sexual intercourse! In our age when we have come to discover how foolish it is to dump alien chemicals into the environment, why do we think it sensible for women to put so many alien chemicals into their bodies?

Heaney, like most dissenters writing on the Church's teaching on contraception, evinces no knowledge of John Paul II's claim that one violates the unitive meaning of the sexual act whenever one violates the procreative meaning. John Paul II has written extensively on human sexuality, not from a biological perspective but from a personalist perspective. It is possible here to give only the briefest sketch of his thought. He observes that male and female are made for each other. Each sex is really incomplete without the other; physically and psychically the sexes complete each other. John Paul II maintains that we have a deep and natural need to give ourselves to another person; to make ourselves whole by giving ourselves to another. He says that this giving is most completely performed in the sexual act between male and female, an act that is meant to express the deep commitment and desire for union that we feel and wish to express. He says that the attempt to thwart the fertility of the sexual act means that one is withholding one's fertility from the other -- one is withholding something that belongs in the sexual act.

One way of seeing John Paul II's point is to think of the difference between the phrases "I want to have sex with you" and "I am open to having babies with you." The first phrase is one our culture utters with the greatest of casualness; contracepted sex is often engaged in with the same commitment that going out to dinner or playing tennis with another suggests -- that is, not much. Being open to having a baby with another, however, bespeaks a very great commitment to another, the kind of commitment worthy of human beings, the kind of commitment that should be made by those engaging in an

act that might in fact result in a human baby! It bespeaks the willingness to have one's whole life entwined with another, to have breakfast together, to go to little league games, to plan weddings.

Heaney, without identifying it, invokes the principle of totality, a principle that tells us that it is permissible to tolerate harm to a part for the sake of the whole; e.g., it is permissible to amputate a foot for the sake of the whole body. Treating sexual acts as a part of the whole of marriage he argues that it is permissible to violate the procreative meaning of the sexual act as long as the whole of the marriage is open to children. He observes "sexual intercourse serves the enduring, committed relationship between partners ... openness to life inheres in the relationship and not in individual sexual acts." Heaney gives no response to the many counter-arguments to this old chestnut that is addressed in sections 3, 14, and 17 of *Humanae Vitae*. Let me give an analogy that at least illustrates some of the problems. The Church teaches that all one's sexual acts should be with one's spouse. Suppose one were able to argue that this view is based on an outdated biology; after all the laws about marriage were made when people had an average life-span of around forty. Who can expect people to be faithful to one spouse for decades? A few extramarital thrills might put the lilt back in one's step. As long as one is faithful most of the time, why should one have to be all the time? Certainly, some seriously argue this way, but such is not the reasoning of the Church about moral matters. Being faithful most of the time, or truthful most of the time, or nonracist most of the time is not sufficient. Moral acts are judged individually, not as parts of some aggregate whole.

*There is not so much biology in the Church's teaching as Heaney suspects -- and what there is, is good biology. It cannot be denied that sexual intercourse can result in babies and that it can result in intimate bonding. These goods that are the result of a physical act are not physical goods. They are great human goods that ought not to be violated. What greater observation of reality shows us is that contraception violates both these goods and unleashes a host of evils on individuals and societies. Our culture is a mess and it is largely young people and particularly young women who are suffering the consequences of this mess. We can hardly blame them for the choices they make since they are the choices that we have deemed "responsible". Most who contracept have little understanding of what damage it can do to their relationships and to society as a whole. But as any biologist knows, if one is ingesting poison, even if it is cleverly disguised as something good, one will still suffer the ill effects of the poison.*

## Required Texts

My tape *Contraception: Why Not* distributed by One More Soul.

*Humanae Vitae* (my translation recommended: Appendix 1 in my *Humanae Vitae: A Generation Later* and published as a separate pamphlet *A Challenge to Love: Humanae Vitae* by Catholics United for Life).

*Catechism*: 1749-1761

## Additional Readings

Janet E. Smith, *Humane Vitae: A Generation Later*. Catholic University of America Press. 1991

\_\_\_\_\_. "Veritatis Splendor," Proportionalism, and Contraception," *Irish Theological Quarterly* 63: 4 (1998) 307-26.

\_\_\_\_\_. "Moral Terminology and Proportionalism," in *Recovering Nature : Essays in Natural Philosophy, Ethics, and Metaphysics in Honor of Ralph McInerny* ed. by Thomas Hibbs and John O'Callaghan (Notre Dame Press, 1999) 127-46.

\_\_\_\_\_. "The connection between contraception and abortion," *Homiletic and Pastoral Review* 93:7 (April 1993) 10-18.

## References

Michael, Robert T. "The Rise in Divorce Rates, 1960-1974: Age Specific Components." *Demography* 15:2(May 1978): 177-82.

\_\_\_\_\_. "Determinants of Divorce." In *Sociological Economics*, edited by Louis Levy-Garboua, 223-54. London: SAGE Publications, 1979.

\_\_\_\_\_. "Why Did the U.S. Divorce Rate Double Within a Decade." In *Research in Population*, 361-99. Greenwich: JAI Press, 1988.

## Paper Topics

1. Explain why the pill is not good biology and not good "humanity."
2. Explain why the principle of totality does not justify using the pill although the principle of double effect does justify using sterilizing hormones.
3. Explain how contraception leads to abortion and euthanasia (see *Evangelium Vitae*).

## Notes:

1. This lecture is my "Moral Methodologies: Proportionalism," in *Ethics and Medics* 19:6 (June 1994), pp. 1-3.

2. This lecture is adapted from my "Barnyard Morality," in *America* (August 13, 1994) pp. 12-14. It is a response to Robert Heaney's *Sex, Natural Law, and Breadcrumbs*, in *America* (February 26, 1994), 12-16.

3. The citations are from Richard McCormick, "Veritatis Splendor in Focus: Killing the Patient," *The Tablet* (30 October 1993) 1410-1411.

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## Lesson 6: Natural Family Planning [1]

*This lecture supplements tape 6 that explains the lifestyle and moral differences of contraception and natural family planning. It shows why the use of NFP is moral whereas the use of contraception is not. Tape 6 examines why spouses are reluctant to use NFP. It explains how NFP respects a woman's physiology and psychology, how it improves relations between the spouses, and how it draws couples closer to God. It mentions the evidence that couples using NFP divorce very rarely. It also explains the basic mechanics of natural family planning. Lecture 6 explains when it is moral to use natural family planning.*

Catholics who use methods of natural family planning (NFP) are confident that since NFP is approved by the Church, it can be used morally. They are not so confident, however, that they know what constitute moral reasons for using NFP. Some, for instance, think it should be used only if severe hardships would result from having a child or another child. This essay will attempt to sketch out the types of circumstances in which methods of NFP can be used morally; in the course of doing so it will suggest that the range of reasons is broader and perhaps more liberal than many think. It will draw heavily upon Church documents and papal statements for two reasons. One, the Church has given some attention to this issue. And, secondly, most of those interested in this issue are Catholics, though the principles invoked should be acceptable to any reasonable individual, especially to Christians.

Before beginning, however, we must take note of another group of individuals which has come to doubt whether it is ever moral to use methods of natural family planning. They tend to believe that procreation is such a great good that couples should simply accept all the children that God sends them; determining how many children to have or when to have children seems to them to demonstrate a lack of trust in God. They believe that in accepting the vocation of marriage they have also accepted the obligation to have as many children as they could possibly care for, or at least they have the obligation to have a large family. This essay will not provide a full-blown argument justifying that it is moral to use NFP; such has been done elsewhere. Rather it will address the question of the obligation to have children and the question of trust in God since in addressing these questions we will establish some important principles that will assist us in determining when it is moral to use NFP.

First let us clarify what it means to have an obligation. The word "obligation", in its roots, refers to something that is binding upon one, something that one should do; not to do it would be to sin by omission. Or one could have an obligation not to do something and to do it would be to sin. Most obligations that bind absolutely, that have no exceptions,

are those that are expressed in what are known as negative precepts. For instance, we all have a moral obligation never to deliberately kill an innocent human being. Positive precepts such as "give alms" are generally relative to one's circumstances. For instance, we all have an obligation to support our children but if we fail to do so because of some circumstance not of our making, such as famine, we would not be doing moral wrong through our failure to meet our obligation. In a Christian context, we all have an obligation to give alms but this is an obligation qualified by our means; we all need to give something, but that something is relative to our means.

Moreover, it should be noted that in our modern age, an age that seems obsessed with freedom, we chafe at anything that binds since we sense that it limits our freedom. Obligations laid on us by God, however, serve more to liberate us than to enslave us; His demands on us are designed to advance us in perfecting our human nature. So it should ultimately be a joyful experience to fulfill the obligations that God gives us, if, at times, they share an element of the cross.

While recognizing the childbearing brings its hardships, *Humanae Vitae* in its first line speaks of the mission (*munus*) of transmitting human life that God has entrusted to spouses. The word "mission" (*munus*) is weighted with meaning; it refers to a special task that God gives to those who wish to serve Him, who wish to build up the kingdom of heaven here on earth. To give a brief sense of the meaning of this word, the documents of Vatican II tell us that Mary has the *munus* of being mother of God, the pope has the *munus* of infallibly proclaiming Church doctrine, bishops have the *munus* of ordaining priests, priests have the *munus* of consecrating the sacraments, and spouses have the *munus* of transmitting life. Thus this "obligation," this mission, of having children is not one that should be dispensed with as an arduous and unpleasant chore, or done in a minimalistic way. Rather, spouses realize that having and raising children responsibly is one of the major contributions they can make to the kingdom of God. It brings with it some burdens and considerable responsibilities but these are burdens and responsibilities that ennoble us to fulfill; they do not enslave us.

If spouses have an obligation to have children, what would be the nature or source of that obligation? Are there limits to that obligation? The Church has traditionally taught that marriage, as the proper arena for sexual intercourse, has as one of its ends or purposes or goods, the bringing forth of new human life. In this day and age, a fairly complicated argument may be required for such a claim, one that can only be sketched out here. Indeed, to most it seems odd to speak of acts and institutions having purposes or ends.

The basis for the Church's teaching is that marriage has certain ends or purposes that those who marry are obliged to pursue and that these ends or purposes are the goods of marriage; that is they are the goods that marriage is meant to help people achieve and enjoy. Perhaps it is sufficient to note here that, among other reasons, the Church teaches that marriage has procreation as an end because children, in order to prosper, need to be raised in a stable home environment and cared for by both their mother and father; marriage, then, is for the well-being of children as much as for the well-being of



spouses. Thus, to refuse to have any children would be a violation of the nature and purpose of marriage; it would be to use marriage for something other than its natural end. Furthermore, bringing forth new life is a great good, first, for the good of the child conceived who has the potential of enjoying many other goods; secondly, for the spouses who enjoy the meaningful lives made possible by children and the many joys that accompany parenthood, and thirdly, for society which needs individuals to work for the common good. Since these goods are so great, spouses should be willing to foster such goods.

Such reasoning and argumentation seem nearly absurd to the modern way of thinking which considers childbearing an "option" to the point where there are married couples who proudly and conspicuously proclaim their voluntary childless state -- often for the reason that children would impede their pursuit of various avenues of self-fulfillment. The modern view, however, is an anomaly; people in nearly every age, culture and religion have generally considered children to be a great good and something that spouses naturally want. Those who voluntarily remained childless have been considered peculiarities. But many moderns think it irresponsible to bring more children into the world since the world is, in their view, such a "messed up" place.

Some also think that there is a world wide population problem that makes it immoral to have children, at least many children. Others think children are a burden and not a gift; that they are a drain on the parents' energies and resources. Finally, it is often argued that some individuals would not make good parents and thus ought not to become parents.

While most of the above reasons may often be thinly disguised rationalizations of those who do not want to exert the effort necessary to be parents, it seems plausible that some may choose not to have children for good reasons. Suppose, for instance, a couple were involved in some greatly needed charitable work in the community, say, work directed towards helping impoverished youngsters get the skills needed to escape their impoverished lives. If these couples refused to use contraception and relied upon a method of NFP (or upon complete abstinence) would they be failing to fulfill some obligation to have children? Certainly, it is curious that they seek to pursue goods that are not *per se* proper to their state in life, while declining to pursue the goods that are *per se* proper to their lives. Nonetheless, it seems arguable (though not necessarily ultimately justifiable) that such lives may well merit an "exemption" from the obligation to have children -- but only because the goods being sought are common goods that go beyond one's personal needs.

The modern disinclination to have children, though, rarely derives from such lofty motives; moderns generally believe many activities, not just service activities or charitable activities, rate higher as goods than the good of having children. Christians understand the good of having children to surpass nearly all other goods. Children are seen as an even greater good than they are in purely natural terms. As was stated earlier, Christians in having children understand themselves to be fulfilling a mission given to them by God. God wishes there to be new life with whom He may share the

goods of His creation and has chosen to entrust the mission (*munus*) of transmitting new human life to spouses.

As John Paul II interprets the creation story in *Genesis*, God created man and woman and their sexuality to expand the opportunities for love in this world. The body, in John Paul II's view, has a "nuptial meaning", a meaning that entails total self-giving; and total self-giving entails being open to the further gift of children.

Let us further note that in the Catholic Church, canon law holds that if spouses enter marriage with the intent never to have children, their "marriages" are invalid; that is, they are not marriages at all. The Church bases this restriction not on some arbitrary fancy nor because it has some Machiavellian scheme of filling the earth with Catholics, but on the very nature of marriage. Exhortations about the blessing that children are and about the obligation that parents have to have children are commonplace in Church documents. *Casti Connubii* (echoed by *Gaudium et Spes, Humanae Vitae* and *Familiaris Consortio*) speaks of the child being the first among the blessings of marriage. After citing the admonition in Genesis to "increase and multiply", *Casti Connubii* states:

How great a boon of God this [having children] is, and how great a blessing of matrimony is clear from a consideration of man's dignity and of his sublime end. For man surpasses all other visible creatures by the superiority of his rational nature alone. Besides, God wishes men to be born not only that they should live and fill the earth, but much more that they may be worshipers of God, that they may know Him and love Him and finally enjoy Him forever in heaven; and this end, since man is raised by God in a marvelous way to the natural order, surpasses all that eye hath seen, and ear heard, and all that hath entered into the heart of man. From which it is easily seen how great a gift of divine goodness and how remarkable a fruit of marriage are children born by the omnipotent power of God through the cooperation of those bound in wedlock.

Pius XII speaks explicitly about the obligation to have children but teaches that the obligation is not absolute; that is, there may be moral reasons for the spouses to elect not to fulfill that obligation. Pius XII's instruction on the nature of the obligation to have children is lengthy but deserves to be cited in full because of its importance:

... if the act [of sexual intercourse] be limited to the sterile periods insofar as the mere use and not the right is concerned, there is no question about the validity of the marriage. Nevertheless, the moral licitness of such conduct on the part of the couple would have to be approved or denied according as to whether or not the intention of observing those periods constantly was based on sufficient and secure moral grounds. The mere fact that the couple do not offend the nature of the act and are prepared to accept and bring up the child which in spite of their precautions came into the world would not be sufficient in itself to guarantee the rectitude of intention and the unobjectionable morality of the motives themselves.

The reason for this is that marriage obliges to a state of life which, while conferring certain rights also imposes the fulfillment of a positive work in regard to the married

state itself. In such a case, one can apply the general principle that a positive fulfillment may be omitted when serious reasons [*gravi motivi*], independent from the good will of those obliged by it, show that a similar demand cannot reasonably be made of human nature. The marriage contract which confers upon husband and wife the right to satisfy the inclinations of nature, sets them up in a certain state of life, the married state. But upon couples who perform the act peculiar to their state, nature and the Creator impose the function of helping the conservation of the human race. The characteristic activity which gives their state its value is the *bonum prolis*. The individual and society, the people and the state, the Church itself depend for the existence in the order established by God on fruitful marriage. Therefore, to embrace the married state, continuously to make use of the faculty proper to it and lawful in it alone, and on the other hand, to withdraw always and deliberately with no serious reason [*un grave motivo*] from its primary obligation, would be a sin against the very meaning of conjugal life. There are serious motives [*seri motivi*], such as those often mentioned in the so-called medical, eugenic, economic, and social "indications," that can exempt for a long time, perhaps even the whole duration of the marriage, from the positive and obligatory carrying out of the act. From this it follows that observing the non-fertile periods alone can be lawful only under a moral aspect. Under the conditions mentioned it really is so. But if, according to a rational and just judgment [*secondo un giudizio ragionevole et equo*], there are no similar grave reasons [*gravi ragioni*] of a personal nature or deriving from external circumstances, then the determination to avoid habitually the fecundity of the union while at the same time to continue satisfying their sensuality, can be derived only from a false appreciation of life and from reasons having nothing to do with proper ethical laws.

Pius XII teaches that unless some serious circumstances arise, spouses are obliged to have children. But he also makes it clear that it is moral for spouses to limit their family size or even to refrain from having children altogether if they have sufficiently serious reasons. We shall consider below what constitute just reasons for limiting family size or for not having any children. (We shall also comment upon the proper understanding of the force of such phrases "grave reasons," "serious motives" and "rational and just judgments" that appear in the text cited above and reappear in *Humanae Vitae*.) *Gaudium et Spes* 50 also speaks of the obligation of spouses to have children and speaks of it in specifically Christian terms:

Married couples should regard it as their proper mission to transmit human life and to educate their children; they should realize that they are thereby cooperating with the love of God the Creator and are, in a certain sense, its interpreters. This involves the fulfillment of their role with a sense of human and Christian responsibility and the formation of correct judgments through docile respect for God and common reflection and effort . . . .

The very first line of *Humanae Vitae* picks up on this description of the proper mission of spouses: "God has entrusted to spouses the extremely important mission of transmitting human life . . . ." *Familiaris Consortio* speaks at great length about children as a gift and lauds the essential role the family plays in advancing the goods of civilization and in the

process of evangelization and sanctification. Perhaps one line best sums up the thrust of the document: "The future of humanity passes by way of the family".

John Paul II in other speeches and writings has regularly added his voice to the chorus on these points. In a homily on the mall in Washington, DC, he said,

In order that Christian marriage may favor the total good and development of the married couple, it must be inspired by the Gospel, and thus be open to new life -- new life to be given and accepted generously. The couple is also called to create a family atmosphere in which children can be happy and lead full and worthy human and Christian lives.

To maintain a joyful family requires much from both the parents and the children. Each member of the family has to become, in a special way, the servant of the others and share their burdens (cf. Gal. 6:2; Phil. 2:2). Each one must show concern, not only for his or her own life, but also for the lives of the other members of the family: their needs, their hopes, their ideals. Decisions about the number of children and the sacrifices to be made for them must not be taken only with a view to adding to comfort and preserving a peaceful existence. Reflecting upon this matter before God, with the graces drawn from the sacrament, and guided by the teaching of the Church, parents will 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 and to realize the beauty of life at all its ages and in all its variety. If parents fully realized the demands and the opportunities that this great sacrament brings, they could not fail to join in Mary's hymn to the Author of life -- to God who has made them His chosen fellow workers.

The Catholic Church, then, teaches that children are a great good and it teaches that all couples have a moral obligation to be open to having children. Nevertheless, it teaches that there may be good reasons for spouses not to pursue the good of children at a certain time. And, what is expected to be a very rare occurrence, there may be good reasons that exempt spouses for the duration of the marriage from fulfilling their obligation.

Before we turn to examining what reasons might be good reasons for not pursuing the good of children, let us dismiss one false misunderstanding of the basis for the obligation to have children. Since Christians believe that in having children they are bringing forth new souls to share an eternity with God, some think that spouses must have children and have as many children as they can care for, since by not having children they would be denying souls the opportunity to come into existence. This view seems to be based on the false view that souls preexist and are, in a sense, awaiting a landing place. But souls do not preexist an act of sexual intercourse; nor is the act of sexual intercourse at a fertile time sufficient to bring forth new life. Rather, Christians believe that God creates a new soul for each new life that comes into existence and is thus the immediate source for that new soul coming into existence. Sexual intercourse provides God an opportunity to do His creative work. There is no "preexisting" new life that is being denied an earthly existence because spouses seek to avoid a pregnancy. If

this were so, it would seem that everyone would have an obligation to bring new life into the world; celibates would be doing possible future generations a great disservice by pursuing a life of celibacy. But, again, the claim that by not having children one is denying life an opportunity to come into existence is not plausibly true, for one cannot deny something to something or someone that does not exist. Spouses may be doing each other, society, and God an injustice in not having children, they may be making themselves willful and selfish arbiters of when it is good for a new life to come into existence, but they are not doing an injustice to some "possible child".

Although bringing new life into existence is a great good, spouses are not, therefore, obligated to have as many children as they can. In the remainder of the essay 1) I shall maintain that spouses need not have as many children as they can biologically, financially, and psychologically sustain; 2) I shall sketch out what constitute moral reasons for limiting family size; 3) I shall speculate about whether there is any size of family that should be considered minimal and attempt to give guidelines for spouses in their attempt to determine the best family size for their particular situation; 4) and finally, I shall address a question sometimes raised by those wary of NFP: will those who use NFP lose sight of the procreative meaning of sexual intercourse and give themselves over to sensuality?

### **The Limits to the Obligation to Have Children**

It is never possible to define positive obligations completely, that is, obligations to do something, since the contingencies and variables of life are so great. Again, it is much easier to define negative prohibitions that forbid the doing of something. It is always hard to determine when one has met one's positive obligations. For instance, when has one given enough to charity? Although it may be difficult to determine, it is not impossible to determine what limits to what one must give to charity; they are determined by one's means and one's other obligations and are best discerned through reasonable and prayerful reflection.

As has been established, marriage brings with it the positive obligation to have children. It might be said that all vocations bring with them obligations; for instance, a priest has an obligation to perform the sacraments, doctors have the obligation to heal, and lawyers have the obligation to do legal work. Yet, "obligation" is used in a somewhat loose sense here. Certainly, it would be curious for one to gain the skills of a profession and be unwilling to exercise them at all; however, only specific circumstances would make it a positive moral obligation to exercise those skills. We can all conceive of instances where we would think circumstances oblige a priest to hear a confession, a doctor to heal the sick, a lawyer to defend the accused. No one, however, would argue that priests are obliged to attempt to perform as many sacraments as possible, or doctors to heal as many patients as possible, or lawyers to do as much legal work as possible, or even that they have an obligation to do any given amount of their respective tasks. The virtue of prudence is needed to specify obligations of this nature; each individual will have to use prudence to determine if fulfilling a certain obligation is necessary, in light of the other moral demands on one. For instance, a doctor may have

many children of his own that he must help care for and may not be able to take more patients; a lawyer may be caring for elderly parents and not be able to take more cases, and so on. If priests, doctors, and lawyers may limit the exercise of the tasks to some degree obligatory for those in their vocations, would this not also be true of those called to be parents?

Of course, there is not a perfect parallel between a married person choosing for or against parenthood and a lawyer deciding whether or not to plead a case. The obligations of parents, certainly, seem to be more closely analogous to those of priests; the sacrament of ordination brings with it obligations to administer the sacraments, an obligation much stronger than that of a lawyer ever to plead a case. Becoming a doctor or lawyer does not effect the ontological change upon one that ordination to the priesthood does or marriage does. Once a priest, always a priest; those married are married for life; parents are parents for a lifetime. Taking the vow to be a priest or to be married is taking a vow to perform certain services for God; it is not a simple, revisable career choice. One of the elements of the pledge of marriage is to accept children.

But, to continue the analogy, a priest does not have to administer the sacraments if certain circumstances or other obligations preclude his doing so. For instance, a priest who is the president of a college would not need to hear confession regularly. Even as president, though, he would have the obligation to hear a dying man's confession, no matter how inconvenient it is to do so. Thus, these sacramental modes of life bring with them certain obligations that must be met if certain conditions prevail.

Although most couples may face circumstances that require them to limit their family, having children is something that can reasonably be undertaken by most couples; that is, having children does not put an undue burden on the resources, financial, physical, psychological, or spiritual, of most couples. It is also certainly true that having children imposes an undue burden on some couples. An extreme instance would be if a couple were living in a regime where they would be killed if they were to bear a child; they would be justified in postponing childbearing indefinitely and perhaps in never having children at all.

The teaching of Pope Pius XII cited above illuminates this question. He counsels that couples with known genetic defects or a woman whose life may be threatened by a pregnancy, could enter a marriage intending to practice periodic abstinence for the whole of a marriage as long as the spouses would accept lovingly any child they may happen to conceive. They do not "intend" to have children in a positive and direct fashion, but if they refuse to use unnatural methods of birth control, they can also be said not to intend to thwart the natural end of marriage, since they never engage in any positive action against that end. For just reasons, they choose not to pursue this end actively. The obligation to have children, then, is one that is not absolute; circumstances may exempt some spouses from fulfilling this obligation to have children.

## Reasons for Limiting Family Size

In passing, several reasons that would legitimate limiting family size have already been given. Can we formulate any general principles that characterize these reasons?

First I would like to take a look at what the Church states about this matter. Five different phrases are used in *Humanae Vitae* in speaking to this question. HV 10 states:

If we look further to physical, economic, psychological and social conditions, responsible parenthood is exercised by those who, guided by prudent consideration and generosity, elect to accept many children. Those are also to be considered responsible, who, for serious reasons [*seriis causis*] and with due respect for moral precepts, decide not to have another child either for a definite or an indefinite amount of time.

HV 16 states:

Certainly, there may be just reasons [*justae causae*] for spacing offspring; these may be based on the physical or psychological condition of the spouses, or may be based on external factors." Further on it states the spouses may have worthy and weighty justifications (*argumenta . . . honesta et gravia*); defensible reasons (*probabiles rationes*); and just reasons (*iustae rationes*) for limiting their family size.

It is my view that the common rendering of some of these phrases, such as "serious reasons" or "grave reasons" may suggest weightier reasons are required than is necessary. I believe the phrase "just reasons" to reflect more precisely what is meant. Trivial reasons will not do, but reasons less than life-threatening conditions will. What are these reasons that lie between what is trivial and what is life-threatening? A passage from *Gaudium et Spes* 50 suggests what constitutes a good decision by the spouses; it "takes into consideration their own good and the good of their children already born or yet to come, an ability to read the signs of the times and of their own situation on the material and spiritual level, and finally, an estimation of the good of the family, of society, and of the Church."

It seems right to say, then, that the Church teaches that in planning their family size, spouses need to be just to all their obligations; those to God, and to each other, those to the family they already have, and to all their commitments. They need to have defensible reasons, ones that are not selfish but that are directed to a good beyond their own comfort and convenience. As *Humanae Vitae* 10 states, physical or psychological reasons for limiting family size, and external factors -- here one supposes financial and political factors are meant -- also may shape a couple's decision about the responsibility of having a child.

Moreover, it must be understood that Christians have many ways of advancing the goods of the kingdom of God, of which having children is only one. Those who are married have the mission (*munus*) of having children, but it is not their sole mission. They may be involved in other work that is also conducive to building up the kingdom. Indeed, spouses may need to limit their family size precisely for the good of the family

that they already have. Couples may have very good reasons for wanting to avoid a pregnancy; the wife may be ill and another pregnancy may put undue strain on her health; she may have a sickly child or relative to care for and not be able to attend to the needs of an infant. A spouse may have psychological problems that makes him or her unsuited to be a parent at a given time.

And let us repeat that health reasons are not the only morally acceptable reasons for avoiding pregnancy; *Humanae Vitae*<sup>16</sup> notes that "external factors" as well as the physical and psychological condition of the spouses may make the spacing of children necessary. The family may be experiencing severe financial difficulties or perhaps even joblessness. As in China, spouses may face a forced abortion if a pregnancy occurs. If couples have the knowledge (as they do with NFP) that would assist them in avoiding a pregnancy without doing anything immoral, it is morally licit for them to use such means.

In a word, spouses may have many good and moral reasons for wishing to limit their family size.

Some Christians, however, might ask: are couples who use NFP demonstrating too little faith in providence? Are they refusing to trust in God to provide for them and their families while they fulfill their vocational obligations to parenthood? Are they assuming that they know more about their health, and financial needs, for instance, than does God? Shouldn't spouses have faith that if God "sends" them another child, He will provide the means to care for that child? Many spouses have tales to tell of being "miraculously" rescued and provided for when another child arrives; hence the adage, "a child always arrives carrying a loaf of bread."

While it is undoubtedly true that God can and does provide for our needs, especially when we are struggling ardently to do His will, it is also true that our ability to reason and plan is also a gift from God and one He expects us to use. It is certainly true that some couples may be physically able to have more children than they can care for. Karol Wojtyła (now John Paul II) counsels that it is a moral necessity for some couples to limit their family size:

There are, however, circumstances in which this disposition [to be a responsible parent] itself demands renunciation of procreation, and any further increase in the size of the family would be incompatible with parental duty. A man and a woman moved by true concern for the good of their family and a mutual sense of responsibility for the birth, maintenance, and upbringing of their children, will then limit intercourse and abstain from it in periods in which this might result in another pregnancy undesirable in the particular conditions of their married life and family.

The Church has always taught that man is to be responsible in his disposition of the gifts and goods that God has given him. Saving for the children's education, for retirement, or for possible emergencies, does not exhibit a lack of trust in God. Planning one's family size is befitting a creature who is able to reason. Recall the passage from HV 10 cited earlier: "If we look further to physical, economic, psychological and social conditions, responsible parenthood is exercised by those who, guided by prudent



consideration and generosity, elect to accept many children." *Gaudium et Spes* also states: "Among the married couples who thus fulfill their God-given mission special mention should be made of those who after prudent reflection and common decisions courageously undertake the proper upbringing of a large number of children." Having many children, then, is to be the result of "prudent reflection," not the spontaneous result of a refusal to plan. Some couples may be so well situated that they need not plan when to have children and how many to have, but for them the decision not to plan is itself a prudent decision, a kind of a plan.

Some might still ask: is there room even for those who are not altogether well situated to just let the babies come and trust God's ability to provide? In our materialistic age it is easy to overestimate what resources are needed to raise children well and most of us need more diligently to seek the kingdom of God first and trust Him to provide as we do. Nonetheless, it is irresponsible for couples not to use NFP if they have little expectation that they could care for another child. Yet, if a pregnancy occurs in spite of their use of NFP (a very rare occurrence), then they should have confidence that God will provide. The need for heroic sacrifice, however, is not so hard to come by; perhaps it is not an oxymoron to note that "heroic faith" is needed in the ordinary circumstances of raising children, to make the sacrifices necessary to care for them, to exhibit the patience they need to have a loving upbringing. Some may be called to more extraordinary heroic faith if they bear a handicapped or retarded child. God will surely honor our willingness to undertake hardships to be generous with Him, but we must be responsible in doing so. Primarily what He asks of us is that we graciously embrace the hardships that come our way.

But what about couples who are able to care well for many children, for whom having another child would not present an undue burden? Do they have an obligation to have as many children as they are able to care for well? Again, many would find this to be a nearly an absurd question; they would argue that having children is one of the many goods of this world, but surely not a good to which all other goods must be sacrificed. Christians, however, with their heightened sense of the value of human life, may think that having children is a good to be pursued at the expense of all other goods. There is, though, little evidence that this is the view even of the Church. *Gaudium et Spes* states that it is up to the couple to decide how many children they ought to have. The passage from *Gaudium et Spes* 50 cited above suggests that having a large family would be a generous thing to do. Surely all Christians are called to be generous, but they called to be generous in different ways. There is a note of the "supererogatory" here. This term refers to actions that are beyond what is obligatory; we must all do what is obligatory (again, with the proper qualifications). What is "supererogatory" may be asked of some of us, but is not required of all of us. Thus, having a large family is the generous act that God asks of some spouses; He will ask other kinds of generous acts of other spouses.

It is likely that those who are good and able parents and enjoy being parents and have the resources to enable them to take care of a large number of children, should have large families; such talents and circumstances suggest that this is what God is calling them to. Other couples may not be so inclined or so situated. They may also have other

very pressing and worthy obligations; say, to elderly parents, or to public service or the like, obligations that would be neglected should they have more children. These seem also to constitute serious and just reasons for limiting family size. These also constitute ways of being generous with God.

### **Proper Family Size**

Is it right to conclude, then, that couples must have as many children as they can care for well without neglecting other obligations? I can find nothing in Church documents that suggests this or which even suggests what size a family might be considered a kind of norm. Since in past ages, spouses have had little control over their fertility, such guidance was largely unnecessary; but since in the modern age methods of natural family planning have allowed us to be able to have a great deal of control over family size, such guidance would be helpful to many. Karol Wojtyla (now John Paul II) in his book *Love and Responsibility* speaks of "the morally correct" number of children, whereby he seems to mean a number that constitutes a full family:

The family is an institution created by procreation within the framework of marriage. It is a natural community, directly dependent on the parents for its existence and functioning. The parents create the family as a complement to and extension of their love. To create a family means to create a community, since the family is a social unit or else it is not a family. To be a community it must have a certain size. This is most obvious in the context of education. For the family is an educational institution within the framework of which the personality of a new human being is formed. If it is to be correctly formed it is very important that this human being should not be alone, but surrounded by a natural community. We are sometimes told that it is easier to bring up several children together than an only child, and also that two children are not a community -- they are two only children. It is the role of the parents to direct their children's upbringing, but under their direction the children educate themselves because they develop within the framework of a community of children, a collective of siblings.

This passage seems to suggest that only two children would not constitute a complete family. One of my friends, independently of the pope's suggestion, upon the birth of his third child, said with a sigh of relief, "Now we have a family" (this man is now father of seven and still hopeful for more). He explained that he thought three children was a "critical mass" for a family. That is, he thought when there were simply two children, they could too easily be two "only" children, pampered and spoiled by the parents and easily able to divide goods. He said three children made a social unit where they needed to negotiate with more seriousness among each other; they really needed to share and could not each "have a parent."

Now let us hasten to say that no judgment is meant, of course, on those who are not able to have many children, nor is the suggestion made that smaller families cannot be "proper" families. But perhaps there is family size most conducive to achieving the ends of a family for community living and all that comes with it and that this should be a goal for couples, insofar as possible. As several of the passages cited above suggest, large families are generally good at fostering generosity and selflessness in its members. This

is not to say that small families cannot be successful at the same but it suggests that some characteristics are more easily developed in large families.

What has been said here about the importance of at least three children for a family is not to suggest that those who can, must have at least three, or that once a couple has had three, they need have no more. Rather, these reflections have been offered to suggest the kind of factors that should be taken into account when couples are assessing the wisdom of having or not having more children.

It is my observation that couples do not often feel confident in their parenting skills until the third child. Up to that point, parenting can seem (and often is) overwhelming. By the time of the birth of the third child, however, couples (for the sake of survival if nothing else) have begun to acquire some significant parenting skills and tend to enjoy greatly the interaction between the children. The oldest one starts being of some help and the youngest is generally greatly amused by the antics of his or her siblings and requires less full time attention from the parents. Parents who deliberately stop at two children might find they enjoy parenting much more were they to have three. I have heard many mothers remark that after four, it does not make all that much difference if there is one more, and then one more, etc. The exponential leap of demands made on one's self with one baby or two is simply not repeated as the family grows.

Let us address the final concern here: will those who use NFP lose sight of the procreative meaning of sexual intercourse and give themselves over to sensuality? Are couples who confine sexual intercourse to the infertile period, in attempting to avoid a pregnancy and to achieve union, guilty of giving themselves over to sensuality, to the selfish pursuit of sexual pleasure? Let us here understand sensuality to be the state of being out of control in regard to one's sexuality; the state of seeking sexual pleasure irrespective of the pursuit of other goods, or even in violation of other goods. We shall understand sensuality to be a state of luxuriating in the sexual delights of sexual intercourse without regard for the deeper meanings of the sexual act.

How does pleasure factor into the understanding of sexual intercourse as an action that has two purposes or meanings with an unbreakable connection, that of union and of procreation? Often union and the seeking of pleasure are thought to be identical. But the pleasurable effect of sexual intercourse is not the same as the unitive meaning. Pleasure is not one of the defining purposes of sexual intercourse, though it generally follows upon sexual intercourse and is almost always the motivating reason for sexual intercourse. Those who seek to have sexual intercourse solely for the purpose of experiencing pleasure and with no intention of achieving union or of accepting the children that may result, are violating the purpose of sexual intercourse and are guilty of sensuality.

But those who partake in sexual intercourse during the infertile period for the sake of pleasure are not necessarily guilty of sensuality. It is wrong to think that couples who have sexual intercourse during the infertile period in order to avoid pregnancy are thereby necessarily guilty of pursuing sensual pleasures selfishly. Some may be guilty of such but this is not the necessary or even likely consequence of the method; selfish

sensuality is more likely a result of their inability to order their passions or a result of not understanding the purpose and nature of sexual intercourse.

Not all sexual intercourse pursued for the sake of pleasure is hedonistic or a wrongful pursuit of sensual pleasure. Pleasure, again, may be the motive for engaging in an act that by its nature leads to union (and procreation) and so long as one embraces the goods that follow from the act, pleasure is not a vicious motive for performing it. One cannot contradict the other goods of an act when performing it (as one does when contracepting) but to seek the pleasure an act affords, while respecting the goods of that act, is not immoral. Seeking pleasure is not in itself a sin; seeking pleasure selfishly is a sin but pleasure can also be sought in an unselfish way and in a way that brings goods to others as well as to one's self. Parents often play with their children because it pleases them; the play is not therefore vitiated because it was initiated because of a desire for pleasure. The good of the child need not be uppermost in the mind of the parents, but the good of the child may not be incompatible with the pleasure the parents intend. As long as the good of the children is also sought, for parents to seek their own pleasure is good since it properly satisfies natural human desires.

Those who engage in sexual intercourse for purposes of pleasure need not be doing so selfishly. If the desire for sexual pleasure motivates one to seek to have sexual intercourse with one's spouse, and if one is also striving to help one's spouse achieve what is good also, one is acting morally and bringing about what is good. For instance, one may succeed in making one's spouse feel loved, or the mutual pleasure may foster intimacy and bonding or comfort may be given and received. Here we see the unitive meaning of sexual intercourse being preserved without the procreative meaning being violated.

John Paul II teaches that far from fostering sensuality, the proper practice of NFP will enhance the loving relationship of the spouses and make their acts of sexual intercourse ones more expressive of love and acts more authentically expressive of total self-giving. The use of NFP, far from bringing about a state of sensuality, is more likely to assist one in gaining control of one's sexual appetites, in appreciating the deeper meanings of sexual intercourse and in being better able to express them. Throughout his writings, John Paul II speaks to this point. Consider this passage:

If conjugal chastity (and chastity in general) is manifested at first as the capacity to resist the concupiscence of the flesh, it later gradually reveals itself as a singular capacity to perceive, love and practice those meanings of the "language of the body" which remain altogether unknown to concupiscence itself and which progressively enrich the marital dialogue of the couple, purifying it, deepening it, and at the same time simplifying it. Therefore, that asceticism of continence, of which the encyclical speaks (HV 12), does not impoverish "affective manifestations," but rather makes them spiritually more intense and enriches.

Those who have the virtue of self-mastery are better able to ensure that their acts of sexual intercourse are more truly acts of love-making rather than acts designed merely to satisfy sexual urges.

John Paul II claims that self-mastery gives one some freedom from one's sensual impulses and observes, "This freedom presupposes such a capacity to direct the sensual and emotive reactions as to make possible the giving of self to the other "I" on the grounds of the mature self-possession of one's own "I" in its corporeal and emotive subjectivity." In other words, the freedom gained through self-mastery enables one to refrain from sexual intercourse when it would not promote the good of the marriage and to engage in it when it does. This control over one's sexual desires makes one a more thoughtful and attentive lover, for one will be having sexual intercourse in the context of what is good for the marriage, not as the result of uncontrollable sexual desires. Thus, John Paul II, far from thinking that NFP leads to sensuality, thinks that it can be a cure for sensuality. He also seems to think that those who use NFP will have a better understanding of the meaning of sexual intercourse, and that those who have this better understanding will enjoy sexual intercourse more since it will engage them not only physically, but psychologically and spiritually as well. So, in his view, the use of NFP protects against sensuality and increases pleasure.

The free and unfettered enjoyment of sexual intercourse by spouses is undoubtedly a source of much pleasure and many goods for spouses when the circumstances of their lives allow such. To be able to find every pregnancy a welcome event, those unplanned as well as planned, is surely a great blessing. But there are times when couples must limit their family size and must curtail their sexual activity. They should be confident that if their decision to limit their family size is well discerned, in using NFP they should be confident that they are acting morally and not mistrusting God nor misusing their sexual powers.

### **Required Texts**

Karol Wojtyla. *Love and Responsibility*. Ignatius Press. 1993 (rpt.)

### **Additional Reading**

John F. Kippley and Sheila K. Kippley. *The Art of Natural Family Planning*. Couple to Couple League. 1997

John Billings. *The Ovulation Method of Natural Family Planning*. Liturgical Press. 1992

Mercedes A. Wilson. *Love and Fertility: How to Avoid and Achieve Pregnancy -- Naturally*. Family of the Americas. 1992

There are also many wonderful Natural Family Planning websites.

### **Paper Topics**

1. Explain the benefits of natural family planning to marriage.
2. Explain why NFP is in accord with natural law.
3. Explain the following paragraph from *Familiaris Consortio*:

In the light of the experience of many couples and of the data provided by the different human sciences, theological reflection is able to perceive and is called to study further the difference, both anthropological and moral, between contraception and recourse to the rhythm of the cycle: it is a difference which is much wider and deeper than is usually thought, one which involves in the final analysis two irreconcilable concepts of the human person and of human sexuality. The choice of the natural rhythms involves accepting the cycle of the person, that is the woman, and thereby accepting dialogue, reciprocal respect, shared responsibility and self-control. To accept the cycle and to enter into dialogue means to recognize both the spiritual and corporal character of conjugal communion, and to live personal love with its requirement of fidelity. In this context the couple comes to experience how conjugal communion is enriched with those values of tenderness and affection which constitute the inner soul of human sexuality, in its physical dimension also. In this way sexuality is respected and promoted in its truly and fully human dimension, and is never "use" as an "object" that, by breaking the personal unity of soul and body, strikes at God's creation itself at the level of the deepest interaction of nature and person. (sec. 32)

4. From *Love and Responsibility*, explain Karol Wojtyla's evaluation of NFP.

Notes:

1. This lecture is my "The Moral Use of NFP" in *Why Humanae Vitae Was Right: A Reader*. Ignatius Press. 1993.

## Lesson 7: Reproductive Technologies

*This lecture supplements tape 7 that covers the various types of reproductive technology and explains what criteria are used to determine their morality. Below are two essays that cover some of the same material in slightly different fashions. Try to discern which principles are natural law principles and which are distinctively Christian and Catholic.*

### **Reproductive Technologies: Artificial Insemination, In vitro fertilization and Surrogacy[1]**

God loves each and every human life no matter the method of a baby's conception. That is, He loves those conceived through the loving embrace of husband and wife, those conceived out of wedlock, those conceived through an act of rape, and those

conceived in a *petri* dish. Nonetheless, obviously, not all acts that lead to the conception of new life are equally moral; not all are in accord with human dignity. Many of the new reproductive technologies such as artificial insemination, in vitro fertilization, surrogate motherhood, and cloning involve procedures that violate human goods.

Many argue that the Church should not oppose any method that helps married couples fulfill one of the deepest desires of their hearts and one of the defining elements of marriage: that is, having babies. While the Church has approved many modern medical techniques that assist couples in overcoming infertility and hopes that modern medical science will find additional moral means as well, it nonetheless judges that some methods are simply incompatible with the moral parameters surrounding child-bearing. Those moral parameters are that the human dignity of all life must be respected and that the goods of marriage must be respected.

First it must be noted that however natural and good it is that spouses desire children, it cannot be said that they have a "right" to children. Children are a gift from God. God chose to have new life brought forth through the loving embrace of spouses. He wanted life to be the result of an act of love by those committed to loving each other and the life that may be conceived as the result of their loving acts. All human life is in profound need of being loved, and babies are especially in need of being loved by their parents. God's design is to have children lovingly conceived and cared for by loving parents. Many children are denied much that would enhance their upbringing, but we ought to strive to make certain that our actions do not lead to difficulties for the children we bring into this world.

Although it is surely the case that couples seeking to have children by means of modern medical technology are acting out of love for the children they hope to have, not all methods are equally compatible with the love that they feel. The Church expresses great compassion and understanding for the struggles and sorrows of those afflicted by infertility and urges modern sciences to discover and perfect methods that will assist the infertile in a moral fashion.

The principle that the Church uses to distinguish moral from immoral methods is that moral methods assist nature, whereas immoral methods replace or substitute for the conjugal act that should be the source of new life. The justification for this principle is found in the Church's natural law theory of morality which sees God as the author of nature and the human person as a creature who is given the ability to live freely in accord with nature or as one who can violate nature. "Nature," here, does not refer simply to the biological laws of nature; rather it refers to the whole nature of the human person. The institution of marriage is a natural institution in that it meets natural needs of the human person both on the physical and spiritual level. The conjugal act represents the total self-giving of spouses, and since children are the result of and the most incarnational representation of that total self-giving, it is appropriate that children come to be only through an act of conjugal sexual intercourse.

Some of the procedures developed by modern medical science do respect and assist nature. For instance, fertility drugs may help a woman who does not regularly ovulate,

release an egg or eggs to be fertilized. Should she become pregnant, the pregnancy is directly the result of an act of sexual intercourse and only indirectly the result of technology. Corrective surgery for blocked fallopian tubes or of anomalies in the male reproductive organs may also enable those to conceive who have been having difficulty conceiving. In all moral use of reproductive technologies, the procedures simply restore the body to its normal functioning state. Conception is not the direct result of a technical intervention; the technical intervention makes it possible that conception be the direct result of an act of conjugal intercourse, and such is in accord with God's will for the bringing forth of new life.

Some methods, however, violate the unitive meaning of the sexual act. Methods, such as artificial insemination, in vitro fertilization, and surrogacy require the collection of sperm. Generally semen is collected through an act of masturbation, an act that is considered intrinsically immoral. Yet, even were the semen to be able to be collected by a morally permissible means, artificial insemination, in vitro fertilization, and surrogacy nonetheless require that a technician's skill be substituted for the act of sexual intercourse as the direct cause of the conception of the child. In these methods the child is not a result of the loving union of the spouses but of a technician's skillful manipulation of "reproductive material." For this reason, these methods are considered to be immoral.

One court case demonstrates the confusion of parenthood that comes with some reproductive technologies. This case involved a woman who had had some of her husband's semen frozen. After they divorced, she decided to use some of the semen to have herself impregnated through artificial insemination. After the baby was born, she sued her former husband, the biological father, for child support. He contested claiming that he was not the legal father of the child. The court decided that the lab technician was the legal father since the lab technician was most directly responsible for the impregnation of the woman.

In addition to requiring the immoral act of masturbation and of replacing a technician's skill for the act of sexual intercourse, the above mentioned methods are immoral in other ways. Often the reproductive "material" used in these procedures does not belong to the parents of the child being conceived. That is, sperm from a man other than a woman's husband may be used; ova from a woman other than the woman herself may be used. Such use of "alien" reproductive material violates the sanctity of marriage and of child-bearing, for the child is no longer the result of a loving act of the spouses but is the result of an exchange of genetic material of those who have made no loving commitment to one another.

Indeed, it is possible now for women, married or unmarried, heterosexual or homosexual, to purchase sperm from sperm banks and to select with some specificity what sort of genes they would like their baby to have. There is virtually no oversight of the distribution of the semen. One individual man could be anonymously fathering dozens or hundreds of children through semen donations; such children may be in some danger of marrying a half-brother or sister some day. In a famous legal case, a



doctor who worked at an infertility clinic used his own semen and fathered many children with his patients. Women long past natural child-bearing age have had babies through these reproductive technologies. They purchase ova from a female donor and are impregnated through in vitro fertilization.

The bringing forth of a new human life is more properly termed "procreation" than "reproduction". Many modern reproductive technologies treat the child being conceived more as a product and object than as a precious gift from God. Whereas the term "reproduction" suggests that a repeatable product is being produced, the term "procreation" reflects the involvement of God in the act of bringing forth new life and it suggests the unrepeatable uniqueness of each human being. The term "procreation" discloses that spouses are cooperators with God in bringing forth new human life; each human life is the result of a new creative act of God who supplies a unique, newly created immortal soul for each life conceived.

Many of these techniques do not treat the embryos "produced" in accord with the dignity of a human being. For instance, many reproductive technologies involve the fertilization of several embryos and selective implantation of only a few. The unselected embryos are either "disposed of" or frozen for future "use." Clearly any procedure that involves the creation of new life that is going to be "disposed of" or "used" is not compatible with innate human dignity. All current techniques for in vitro fertilization involve the creation of excess embryos. These procedures allow for selective termination of life carrying undesirable genetic material. Some individuals who know themselves to be carriers of defective genetic material, use in vitro fertilization rather than an act of sexual intercourse to conceive their children precisely so that they can have the conceptus examined for genetic anomalies, and if defective, have it discarded.

Surrogacy is a "reproductive technology" that involves a woman carrying a child for another woman, who may have fertility problems, health problems, or some other reason for not wanting to carry a child to term. The woman will often be fertilized by artificial methods with the sperm of the other woman's husband or will be impregnated with the conceptus produced from the woman's ova and her husband's sperm through in vitro fertilization. This method shares all the disvalues of artificial insemination and in vitro fertilization and a few more. The surrogate is generally paid for her services, generally at much less than the minimum wage and thus the practice stands to exploit poor women. Indeed, the practice of surrogacy verges closely on the practice of baby-selling; a contract is signed before hand. Again, the baby conceived is often treated like a product; many contracts require amniocentesis and abortion should the baby be deformed in some fashion. Famous court cases have confirmed the view that women bond strongly with the babies in their wombs and have difficulty abiding by the terms of a contract that requires them to give the baby away.

Cloning is another procedure that creates a new human life outside of the act of conjugal sexual intercourse. The nucleus of a mature but unfertilized egg is removed from the woman and replaced with a nucleus obtained from a specialized somatic cell of an adult organism. An unlimited number of genetically identical individuals could be

produced through this process. It is not yet perfected for human beings but seems within the realm of possibility. In addition to many of the disvalues mentioned above, cloning would open up another Pandora's box of possibilities that will be difficult if not impossible to control. It will be possible to create clones of individuals who will then have a ready supply of "spare parts." It will be possible to clone those we think have special talents or beauty and create for ourselves a kind of a perfect society.

These reproductive technologies along with abortion have served to diminish the value of human life greatly. At one time the medical profession expressed great horror at the Nazi regime for experimentation done on human beings, particularly on embryos. Government funding is now provided for experimentation on the excess embryos produced through in vitro fertilization, all in the name of science. The government has stopped short of permitting funding of projects that involve the creation of embryos for the express purpose of experimentation but has not made the procedure itself illegal.

Medical "advances" such as abortion, contraception, and the new reproductive technologies all developed in the name of compassion, have made it possible to separate sexuality and baby-making. But now we find ourselves now in a "Brave, New World" where sexuality and child-bearing are far removed from their natural and proper meaning and human life itself has come to have little value in the eyes of many.

### **The Introduction to the Vatican Instruction[2]**

Most people do not pay much attention to the introduction to a book or an article. They give it the kind of attention that concert-goers give to a warm-up band -- they may allow that it sets a kind of tone to the proceedings but will treat it as something meant to entertain the audience before the real focus of interest appears. They tend to think that there is little of substance in the introductory portion, that the real meat is in the body of the document. And certainly there is some justice in this response to introductions. But not all introductions should receive this treatment. Some do much more than attempt to engage the attention of the reader; some establish the points upon which readers must agree if they are going to follow the reasoning of the document. Thus, the introductory portion can become all important for those who intend to understand the document. Unless they understand the kinds of assumptions, principles, and values upon which the argument is based they will neither follow the reasoning of the document nor be in a position to accept the arguments.

The introductory portion to the *Instruction on Respect for Human Life in Its Origin and on the Dignity of Procreation* most certainly has this status. Yet, I think many will tend to neglect the introductory portion of the *Instruction*. The media concentrate largely on the conclusions of the document which they discuss separately from any consideration of the foundational principles that justify the conclusions. The interest of most moralists and critics is also narrowly focused; it is usually concentrated on the precise teaching about *in vitro* fertilization, particularly for married couples. They may also find the comments about the morality of freezing embryos and the references to the rights of children *vis a vis* their manner of begetting to be of considerable ethical interest. But it is

my view that we would be making a mistake if we approached the document on bioethics in this piecemeal fashion; we need to take a broader view.

All argumentation, and in this case, moral argumentation, requires that the discussants understand what are the basic principles that they are presumed to share before they are able to discern the proper application of these principles. This document is primarily about the application of the principles of Catholic moral reasoning to specific medical procedures. Throughout, the authors are careful to articulate what principles they are using to judge the morality of the procedures under consideration. The introduction, while formulating some of the relevant moral principles, has an even broader purpose. It draws readers' attention to some of the understandings about God, man, and the Church that are basic to this document. Certainly, all Church documents assume a long history of Church teaching on the principles informing the document and on other related matters. The *Instruction* assumes, for instance, a whole ecclesiology and a whole Christian and Catholic outlook developed over the centuries. If readers do not share these views, they will most likely not accept the principles that derive from these views, and they will most likely not accept the *Instruction's* application of these principles. That is, if readers do not understand and accept the claims of the introduction of the *Instruction*, there is no reason to believe that they will fully understand, appreciate or accept the claims of the remainder of the *Instruction*.

Many responding to such a document do not make the proper preparations for being truly instructed. They do not read and reread the *Instruction*; they do not reflect upon it and pray to understand and accept it. They immediately bring a very critical attitude to it and fail to grasp many of the principles informing the teaching, both fundamental principles about human dignity and more specific principles of moral analysis. It is a great difficulty and handicap for those wishing to promote the teachings of the *Instruction* that they must deal with such an audience, an audience that has simply read a few press reports, perhaps a few articles in Catholic journals, and perhaps, at best, have given the *Instruction* one careful reading. Even worse are those professionals who seem to start with the presupposition that whatever emanates from Rome must be erroneous. Nonetheless, in spite of the initial resistance to Vatican pronouncements, the issuance by Rome of documents of such urgent contemporary interest gives educators of the Church a marvelous opportunity for instructing both the public and the professional establishment. To use the phrase of Richard Neuhaus, today we enjoy a Catholic moment.

Thus, I believe that those who attempt to promote and teach the *Instruction* must make an effort to promote and teach some of the fundamentals upon which the *Instruction* is based, which are the fundamentals of Christian belief and Catholic commitment. We must not assume that most readers, even fellow Catholics, will be attentive to or share the fundamentals that are articulated in the *Instruction*. We must be as concerned to do some Christian evangelizing and some Catholic apologetics as we are to explain the finer points of ethical analysis.

Let me state that I do not think that one need necessarily be a Christian or a Catholic to see the reasonableness and rightness of the teachings of the *Instruction*. Indeed, it seems to me that reasonable individuals who have some sense of the innate dignity of man and of the appropriateness of respecting the operations of nature will be receptive to the teaching of the *Instruction*. But such individuals are perhaps rare in our culture. Nor am I suggesting that Christians will invariably be easier to persuade, for too often Christians are not aware of the meaning and implications of their beliefs. Nonetheless, it seems right to note that the introduction invokes Christian and Catholic perspectives. I do so in the hope that calling these to the attention of Christians and those who share Christian values will help them find the teachings of the *Instruction* more accessible.

## Respect

One of the attitudes most conducive to appreciating and accepting the teachings of the *Instruction* is the attitude of respect for the Church as a teacher. This should be accompanied by an attitude that laws and authoritative instruction are great gifts-not terrible impositions. This may seem a far-fetched recommendation for addressing those in our freedom-loving society but few will be able to grasp the more detailed distinctions and appreciate the attempt to make fine distinctions unless they understand the whole context out of which the *Instruction* comes. It is my view that fostering respect for the Church as teacher for the Church as the delegated transmitter of the truths advanced by Christ, is as important to promoting this *Instruction* as is finding tight argumentation for the claims of the *Instruction*.

We must remind those we seek to teach that Christ Himself, of course, was a teacher and a lawgiver. One of the earliest stories we have of Christ is of Him as a young boy teaching learned men in the temple. Indeed, an essential part of Christ's saving mission was to teach men what they needed to know about God and His loving ways so that they might be saved. And Christ made much use of law and directives as part of His teaching; the beatitudes are demanding and strict as are the passages following the beatitudes. How rigorous would we remain about such matters as divorce were it not for His unequivocal teaching? What we must remember, though, is that the proper Judeo-Christian response to revealed law is not to find it restrictive or burdensome but to find it liberating and illuminating. After all, a central concern for a Christian ought to be: How may I show my love for my God? What ought I to do? What are God's commandments? How best might I follow them?

It would not be a waste of time for those attempting to teach the *Instruction* to suggest to one's audience that it is a marvelous gift that Christ was a teacher and that He delegated His Church to be a teacher. It is worthwhile to point out how difficult it is to find the correct response to many questions; it is worthwhile to note that we are sensible if, in our confusion, we realize how marvelous it is to have an authoritative guide. This is not, as many will accuse, an abdication of adult responsibility. In nearly every aspect of our lives, in medical care, in government, in purchasing products, we rely upon experts and authorities to guide us. Many Americans treat *Consumer's Report* with the respect due to the scriptures. Why should we not seek guides in the moral sphere as well? To

be sure, it is humbling to admit that we are not all-knowing, but it is also simple common sense to make such an admission.

How do we foster this respect for teachers, for laws, for the Church? Pope John Paul II, by his constant example, recommends that when possible we begin ethical teaching with reference to scripture. Perhaps one place to start would be to try to revive interest in the psalms, particularly the psalms praising God as a lawgiver. The response to psalm 19 is "the precepts of the Lord give joy to the heart." Portions of the psalm read:

The law of the Lord is perfect, refreshing the soul;  
The decree of the Lord is trustworthy,  
giving wisdom to the simple.

The precepts of the Lord are right, rejoicing the heart;  
the command of the Lord is clear,  
enlightening the eye;

The fear of the Lord is pure, enduring forever;  
the ordinances of the Lord are true, all of  
them just.

They are more precious than gold, than a heap of purest gold;  
Sweeter also than syrup or honey from the comb.

I draw our attention to this psalm since I think it expresses an attitude natural to believers, but an attitude which is rarely cultivated in believers. Lovers of Christ hang on His every word; they desire ardently to learn the wisdom He has to impart. For a Catholic, the response to official Church teaching ought to be very similar. We must bring an attitude of grateful receptivity to our reading of documents imparting Church teaching. Not only do we need to be able to follow sound, logical, and clear arguments but we must also have the proper frame of mind; we must be properly disposed; we must be respectful and grateful that the Church assists us in determining how to respond to the challenges of the day. Those attempting to teach the *Instruction* should not neglect to point out that the document does presuppose readers disposed in a certain fashion. It certainly presupposes that those reading it should understand that the Church, as it states in the document, undertakes to give *Instruction* in these matters "out of goodness" and "inspired by love" for it is out of goodness that a loving God has given men commandments and it is out of goodness that the Church continues to provide loving guidance.

Moreover, it is important to keep in mind that neither the Church nor God are imposing laws on man designed to trouble and restrict him. Rather, the Introduction repeatedly makes the point that the "laws" governing the teaching of this document are laws *inscribed* in the very person of man and woman. This means that the laws that are being invoked are integral to human nature and conducive to human well-being. They are laws which men and women, by reflecting upon their nature, can come to recognize and appreciate. Obedience to these laws is not an obedience, again, that will restrict human freedom or thwart human happiness. Rather, it is by living in accord with these laws that men and women will be truly free and achieve authentic human happiness. Thus, by teaching the laws of God, the Church is teaching the laws of human nature, laws which are essential to human well-being. Even when these laws and the teachings based on these laws may prohibit individuals from achieving all the goods they seek --

in this case, a baby, -- when people understand the basis of the laws and teachings they will find them deeply compatible with truths of human nature and of human experience. Those who approach the *Instruction* with this understanding will be free of one of the chief obstacles to understanding such a document, the obstacle of believing that all laws restrict human freedom and endanger human happiness.

The *Instruction* further informs us that the Vatican issued this document in response to requests for guidance in regard to new medical technologies. Why do the faithful turn to the Church for such assistance? As the *Instruction* states, the Church has "no particular competence in the area of experimental sciences." But, as the *Instruction* also states, the Church is an "expert in humanity," that is, it has an understanding of human dignity and of the human vocation that are absolutely essential for determining how it is proper to treat man, how it is proper for man to behave. Without Christian revelation, without the teaching of the Church, man does not truly know "who he is," does not know what sort of creature he is and therefore does not know what is the proper treatment of human persons.

The *Instruction* makes reference to several key terms and concepts that help convey the principles and attitudes which a receptive reader of the *Instruction* ought to possess. Let us here focus on three of these key terms, the "vocation" of man, the "dignity" of man, and life as a "gift from God."

### **The Vocation of Man**

The introduction says very little about the vocation of man but what it says is of essential importance. The most important claim is that "all are called to a beatific communion with God." It may seem strange to say that unless we understand this truth, we will have difficulties grasping the meaning of the *Instruction* -- what does the beatific vision have to do with *in vitro* fertilization? The fact is that once we realize we are ordained to a supernatural end we become less frantic and desperate about turning this world into a paradise. We become less desperate to make certain we drink every drop of happiness that this life offers; we are more willing to embrace the crosses that may come our way; we become more eager to act in accord with the highest truths; we become less concerned to satisfy our wills and more concerned to do God's will. In short, we become better Christians. When we concentrate on the happiness we wish to attain in this world, we tend to multiply what we consider to be our rights -- we insist that we have a right to privacy, or abortion, or to babies. But our true rights are not based on our wants. Rather they are based on our true calling and must be pursued in accord with the dignity that is ours.

The *Instruction* not only reiterates truths about the Christian calling or vocation, it also speaks of the calling or vocation of parenthood. Again, we will be more receptive to the Church's teachings on these matters when we realize that marriage and the related function of parenthood are not simply human ways of relating and managing the affairs of this world. Rather they are institutions established by God for the welfare of man. If spouses were to realize that they were called by God to the union of marriage and that marriage is a vocation, they may be less desperate, again, to see that their complete

dreams of marriage are fulfilled. Certainly, it is natural and right for spouses to want children -- indeed that is a good that God wants for them. Even more, it is a mission or task that He has entrusted to them. But in this fallen world, many of us are not able to enjoy all the goods it would be right and proper for us to have. We must learn to put our lives in service of God and do whatever it is He has in mind for us to do. What we must not think is that we have a "right" to all the goods and responsibilities of our vocations. Priests, for instance, learn early in their priesthood that they are not to dictate what will be their priestly duties or how they are to fulfill their vocation to be priests. They place their lives in service of God, and if He wishes them to be parish priests, they are parish priests. If He wishes them to be accountants, so they are; if He wishes them to be bishops, they will be called. Just as there are many ways that God is to be served by priests, so too there are many ways that God is to be served by spouses. Granted, the having of children will be the usual way, but having children is not a "right" of spouses (*vis-a-vis* God) anymore than a priest has a "right" to a parish. One may seek these goods but they must be sought in accord with God's laws and they must be sought in a way consonant with human dignity and human moral responsibility.

## Human Dignity

What does the *Instruction* mean when it speaks of human dignity? First and foremost it means that man was created by God in God's image and likeness. Thus, whatever man does, especially whatever he does to other persons and to his own person, must be in accord with this dignity. The question -- what does it mean to be made in God's image and likeness -- is a question that admits of no easy answers and a question which will occupy the attention of theologians for evermore. But it may be sufficient here to assert that it means that it is appropriate for those made in God's image always to seek the highest good, always to be loving and sacrificing, always to be willing to endure hardship to preserve true goods both for oneself and for others.

One time-honored way of suggesting the meaning of the dignity of man -- and a way employed by the *Instruction* -- is to compare the treatment appropriate to humans with the treatment appropriate to animals. Since human life is so phenomenally special it is not to be subject to the same treatment accorded to other animal life. It is appropriate and just for us to cage animals, to use some animals as organ farms for the well-being of others, to breed and cross-breed animals in accord with our needs. None of this is permissible treatment for man. It is not permissible because man is not simply a physical and temporal creature. If he were, it would be permissible to treat him as any other animal. We could bring into being a human just to use this human as a source of parts for other humans; we could dictate which humans are to marry other humans so that we could get the breed that we want; we could perform experiments now forbidden because we are not limited by what we believe is the inherent dignity of many. But man is a spiritual creature with an immortal destiny; for this reason, humans are not to be treated like creatures who do not have this dimension to their character.

Let us briefly consider a likely consequence of *in vitro* fertilization that may demonstrate how it is likely to lead to treating humans like we treat other animals. Surely it won't be

long before embryos are created simply to provide parts for other ailing human beings. Many will feel better, of course, if these embryos have little chance of survival -- for instance if they have virtually nonexistent brains. Many will think the value of their brief lives has been enhanced by the contribution they can make to the lives of other human beings. But to treat embryos or infants or anyone simply as a source of parts for another treats these individuals as though their lives have no value apart from how their bodily parts might serve others. We will not be concerned to ask what is best for them, but how they might be used to help others. They will become a set of reusable parts; they will be treated as material objects, not as creatures with eternal value. They will not be considered to have an inherent value; they will not be accorded the respect due to those made in the image and likeness of God.

The special respect for man held by Christians is rooted not only in a respect for the unique spiritual status of man, but is also rooted in an understanding of the nature of the human body. Man is not simply a spiritual creature who inhabits a body, a body that is simply instrumental to the needs of the soul. Rather, the body is a part of the human person and thus shares fully in the dignity of the human person. The *Instruction* cites John Paul II saying: "Each human person, in his absolutely unique singularity, is constituted not only by his spirit, but by his body as well." This view of the human body, that fact that it is not just a mechanical instrument in service of the person, but an integral part of the human person, puts the problems that this document addresses in a distinct light. For Christians, physical ailments such as infertility are not just physiological problems to be solved by any available technological means. Rather, they are spiritual challenges that must be met in a way in accord with the dignity of the human person. This does not mean, of course, that all physical ailments are to be embraced as unavoidable crosses and that no efforts are to be made to remedy these ailments. Christ was a healer and so too must we be. Thus, the *Instruction* is careful to assert that the Church does not forbid all artificial interventions designed to correct physical infertility -- for such is the task of the art of medicine. But as the *Instruction* also states: "[these artificial interventions] must be given a moral evaluation in reference to the dignity of the human person, who is called to realize his vocation from God to the gift of love and the gift of life."

### **The Gift of Life**

The connection between love and life and both of these as God's gifts are defining themes of the *Instruction*. The first sentence of the *Instruction* asserts that we must have at the center of our reflection an appreciation of the "inestimable value" of the gift of life which God the Creator and Father has entrusted to man. Certainly all of creation is the product of a loving, creative act of God the Father, but, again, human life is special and deserves to be treated in a fashion befitting its nature. We are not much concerned about the manner of "begetting" of animal life, for animal life is mortal and of transient value, but human life is immortal and thus of "inestimable value" and thus deserving of a certain kind of begetting.



The *Instruction* teaches that it is appropriate for each and every human life to be the result of a loving act between spouses who through this act are wishing to express their love for each other. Now we all know that human life can be brought into existence under other conditions; those who are not married can conceive children; those who do not love each other can conceive children; rape can be the source of human life. But Christians and others hold that these are not the *proper* conditions for the beginning of human life. Indeed there is little dispute about this principle that human life should be the result of a loving act. Certainly, those who justify *in vitro* fertilization are generally adamant that it can be a loving act.

Why is it appropriate that human life be the result of a loving act? Again, this is surely not so with animal life. The beginning of animal life is simply the result of the meeting of male and female gametes, whether the meeting is planned by breeders or a product of a chance meeting of members of the same species at the right time. There is no role for love in this meeting and, of even greater importance, there is no special intervention of God in this process. Human life, on the other hand, is not a result of chance or just the mechanical workings of physical processes. The *Instruction* teaches that "the spiritual soul of each man is immediately created by God," and a footnote cites the statement of John Paul II that "At the origin of each human person there is a creative act of God: no man comes into existence by chance; he is always the result of the creative love of God." God's creative act is a loving act and since spouses are God's co-creators in the transmission of human life, It is appropriate for their life-begetting acts to be loving as well.

So one of the crucial tasks of the *Instruction* and of those who wish to promote the *Instruction* is to explain why *in vitro* fertilization is not a properly loving act. In one respect this is not difficult: certainly those techniques which involve fertilizing several eggs and destroying or allowing those which are not implanted to die cannot in any sense be considered loving acts to the "excess" new life created. And, evidently, the current techniques regularly involve the destruction of "excess" new life. But the *Instruction* anticipates the day when techniques may be perfected and only one egg will be fertilized at a time. If loving spouses were to make use of such procedures, how can such use be deemed "unloving" and "inappropriate" for human beings?

Certainly most, if not all, of those seeking to avail themselves of the procedures of *in vitro* fertilization love each other and wish to share their love with children. What needs to be stressed is that this love which is real and genuine is not in itself sufficient to render all the acts of the couple truly loving. What is important is to insure that the external acts of the spouses correspond with their loving feelings for each other. Many lovers act in ways that are not truly representative of the love that they proclaim. Consider many of those who are unmarried and who engage in sexual intercourse and in the begetting of children. Many claim that they love each other and that their children are begotten out of love. We must allow that the strength of feeling that they have for each other and perhaps even the strength of commitment that they feel for each other can properly be called love. But the fact is that their refusal to formalize their relationship, their refusal to make formal the kind of commitment that is appropriate to

authentic love and to raising children shows a lack of correspondence between what they wish their behavior to signify and what in fact their behavior does signify. That is, they wish their behavior to be expressive of their love for each other, but in fact their behavior is not truly loving. Their living together outside of marriage is an act that does not properly demonstrate love to one's partner, to one's children, or to one's God. Those living together outside of marriage do not demonstrate the kind of commitment needed, have not created the atmosphere of trust needed for human love to flourish. They have not provided the proper conditions for the responsible raising of children, a likely result of their sexual intimacy. God has made it known to man, through the power of man's reason, through revelation, and through Church teaching, that marriage is the proper way for men and women to show their love for each other and that children deserve to be raised by loving parents totally committed to each other and to the family they are to raise. Thus, although couples may claim to be living together because of love, their *acts* are not truly loving.

Similarly, in spite of loving motivations, to use *in vitro* fertilization is to be loving, on the objective plane, neither to God, nor to the child begotten, neither to one's self nor to one's spouse. To explain each of these claims would require more space than is available here. But undoubtedly many different explanations can be and must be given to explain why it is not a loving act, why it is not in accord with the dignity and nature of man for human life to be made in test tubes or *petri* dishes, no matter how loving the motivations of the parents.

Here, I would like to offer a fairly unusual analogy -- an analogy with sacramental theology -- to explain the *Instruction's* claim that certain ways of begetting human life are not appropriate to this sphere. I choose this approach since I know many others will give arguments, arguments I accept, that are rooted in the respect due to the processes of nature, to the respect due to the rights of children in their manner of begetting. But I wish to focus upon and expand the claim made earlier that human life comes to be through a creative act of God and to compare this act with the actions that take place through the sacraments. I wish to show how the principles mentioned in the Introduction justify a reverence for life and for marital union that is closely akin to the reverence due to sacraments. Those approaching the *Instruction* with a wholly secular outlook may miss entirely this dimension of the document.

And, indeed, occasionally I think the most important principle of the *Instruction* is the principle that God is the creator of each and every human life; the spouses are "co-creators" with him. In his reflections on *Humanae Vitae*, Pope John Paul II observed: "Respect for the twofold meaning of the conjugal act in marriage, which results from the gift of respect for God's creation, is manifested also as a salvific fear: fear of violating or degrading what bears in itself the sign of the divine mystery of creation and redemption." Here the Pope is observing that contraception violates the sign of the divine mystery of creation. The *Instruction* indicates that *in vitro* fertilization is an equal violation. We must always be concerned that God's interests in the action of creating human life be respected. When "transmitting human life," spouses must be concerned to preserve the atmosphere and values suitable for an action by God.

What is the source of the claim that God is the immediate source of all human life? One reason that it is said that God is the immediate source of each and every human life is that the human soul is not a composite of preexisting materials. The human soul is a new and unique entity; God does for each human what He did for all of creation: He makes something out of nothing. There is no greater change than the change of passing from non-existence to existence. The changes effected by the sacraments share in the magnitude of the greatness of the change of creation. Through baptism, a sinner is made pure of original sin, through penance a sinner is healed, through marriage two become one, through the Eucharist bread and wine become the body and blood of Christ. All of these changes are radical, to say the least, and all of them require a special intervention by God to be effected. In all of these instances, God has chosen proper vehicles, appropriate vehicles for effecting these changes, vehicles that man is not free to alter. The closest analogy, perhaps, can be made with the Eucharist. The vessels used for consecration must themselves be purified and must be of a certain kind to be the appropriate vessels for consecration. And the consecration must be performed by a consecrated human being.

The analogy which I wish to suggest is that it is appropriate for human life to be the result of an act of individuals consecrated for that action, for spouses, and it must be the result of the act designated for that purpose, spousal intercourse. Just as only priests can consecrate the host, only spouses can bring forth life in a fashion appropriate to the dignity of the life which they bring forth. To bring forth human life in a test tube or in a *petri* dish is simply not appropriate to the dignity of a human person; it is not an appropriate arena for the creating of new life in a loving way. Sexual intercourse is the kind of act that is only appropriate as an expression of love between loving spouses. Working with test tubes and *petri* dishes, on the other hand, are acts that are appropriate to all sorts of activities. This mode of begetting does not match the dignity of what is begotten, whereas spousal sexual intercourse does.

Certainly, one need not share this sacramental view of life to understand that human life is of such a special value that great care must be taken to see that the manner of its coming in to the world is respectful of this value. One does not need any special revelation to understand that children need and deserve loving parents, to understand that they need and deserve to be treated in accord with their inherent dignity. Arguments along many lines can be offered to demonstrate that bringing babies into existence in a test tube or a *petri* dish treats them as the objects of technological expertise, not as the objects of a loving act. It can be argued that the lab technicians, not the spouses, play the parental role of bringing together male and female gametes. But I shall leave it to others to show that such procedures do not meet the requirements of the document that science and technology be at the "service of the human person, of his inalienable rights and his true and integral good according to the design and will of God."

Let me return here to a note sounded at the beginning of this talk. Let us labor hard to assist others to see that the prohibitions of the *Instruction* are not put forth to deny infertile spouses the pleasure of having children. Rather they are put forth to protect goods that are essential to human beings, to protect the tenuous hold which humans

have on what kind of treatment and behavior is suitable for a creature of their dignity. Our century is perhaps distinguished in the history of mankind for violations of human rights and human dignity. Many of these violations, such as nuclear bombing of civilian sites, have been greatly aided by the use of technological advances.

The *Instruction* rightly warns that "science without a conscience can only lead to man's ruin." And the *Instruction* exhorts us to recognize that "... the future of the world stands in peril unless wiser people *are* forthcoming." If we *are* to be wise, we must be faithful to the wisdom of our tradition. We must be eager to sing with the Psalmist:

"In the written scroll it is prescribed for me. To do your will, O my God, is my delight, and your law is within my heart!" (Psalm 40)

## Notes

My thanks go to Lisa Everett, Laura Garcia, and Ron Tacelli, S. J., for their helpful comments on this paper.

1. For a brief but thorough, clear and sensible discussion of the proper response to magisterial teaching see Val J. Peter, S.T.D., J.C.D., "The Pastoral Approach to Magisterial Teaching" in *Moral Theology Today: Certitudes and Doubts* (Saint Louis, Missouri; The Pope John Center, 1984), 82-94.
2. For a further elaboration on the "mission" of transmitting human life, see my "The Vocation of Marriage and The Vatican Document on Bioethics," *International Review of Natural Family Planning* 11:3 (Fall 1987), 195-210.
3. For a thoughtful treatment of the meaning of making human life in the laboratory see Oliver O'Donovan, *Begotten or Made?* (Oxford; Clarendon Press, 1984). Consider these remarks: "If we should wish to charge our own generation with crimes against humanity because of the practice of this experimental research [on embryos], I would suggest that the crime should not be the old-fashioned crime of killing babies, but the new and subtle crime of making babies to be ambiguously human, of presenting to us members of our own species who are doubtfully proper objects of compassion and love. The practice of producing embryos by IVF with the intention of exploiting their special status for use in research is the clearest possible demonstration for the principle that when we start making human beings we necessarily stop loving them; that which is made rather than begotten becomes something that we have at our disposal, not someone with whom we can engage in brotherly fellowship" (p. 65).
4. General Audience of Wednesday, *L'Osservatore Romano*, 14 November, 1984.
5. Ibid. In this same speech, Pope John Paul II states that, "in the sacrament [of marriage] the couple receive this gift [of conjugal love] along with a special consecration'."

## Required Reading

The Congregation of the Doctrine of the Faith. *Donum Vitae: Instruction on Respect for Human Life in Its Origin and the Dignity of Procreation: Replies to Certain Questions of the Day*

Catechism: 2373-2377

## Additional Reading

Andrew Kimbrell, *The Human Body Shop: The Engineering and Marketing of Life*. Harper. 1993.

*Reproductive Technologies, Marriage, and the Church*. The Pope John Center. 1988.

## Paper Topics

1. Enumerate and explain the **natural law** principles used in *Donum Vitae* to evaluate the morality of various reproductive technologies.
2. Explain how the nature of marriage is violated by some reproductive technologies.
3. Explain how the dignity of the human person is violated by some reproductive technologies.

Notes:

1. This lecture is my entry on this subject in *Our Sunday Visitor's Encyclopedia of Catholic Doctrine* ed. by Russell Show. OSV Publishers. 1997

2. This lecture is my "Introduction to the Vatican Instruction on Bioethics" in *Reproductive Technologies, Marriage, and the Church*. The Pope John Center. 1988, 13-28.

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## Lesson 8: John Paul II and Newman on Conscience

*This lecture supplements tape 8 that deals with Humanae Vitae and Conscience. Tape 8 discussed what the conscience is (the voice of God within) and why Catholics who have a well formed conscience and a healthy understanding of what the Church is (the Bride of Christ, guided by the Holy Spirit), should be very willing to embrace the teachings of Humanae Vitae. In this lecture, I explain further the connection between conscience, freedom, and doing God's will. I also provide more commentary on the work*

*of John Henry Newman on conscience since his works have played an important role in the discussion on *Humanae Vitae* and *Conscience*.*

### **Pope John Paul II[1]**

The emphasis on self-determination emerging in Church documents reflects the concerns of Pope John Paul II in his philosophical work, which in turn are a response to modern philosophic concerns. While Pope John Paul II is fully aware of the undue emphasis that our age puts on human freedom, he also recognizes interest in it as a positive development of the modern age. *Veritatis Splendor* states:

Certainly people today have a particularly strong sense of freedom. As the Council's Declaration of Religious Freedom *Dignitatis Humanae* had already observed, "the dignity of the human person is a concern of which people of our time are becoming increasingly more aware." Hence the insistent demand that people be permitted to "enjoy the use of their own responsible judgment and freedom, and decide on their actions on grounds of duty and conscience, without external pressure or coercion." In particular, the right to religious freedom and to respect for conscience on its journey towards the truth is increasingly perceived as the foundation of the cumulative rights of the person. This heightened sense of the dignity of the human person and of his or her uniqueness, and of the respect due to the journey of conscience, certainly represents one of the positive achievements of modern culture. (no. 31)

Pope John Paul II embraces what is good about the language of rights and the emphasis on freedom and seeks to find a foundation for them in the Christian view of the human person.

There is a surprising passage in *Veritatis Splendor* that indicates how willing Pope John Paul II is to adopt the language of the modern age. I have not done a thorough word search, but I suspect the word "autonomy" has made few appearances in Church documents. *Veritatis Splendor* no. 40 states: "At the heart of the moral life we thus find the principle of a 'rightful autonomy' of man, the personal subject of his action."

The word is one allied closely with the philosophy of Immanuel Kant (though *Veritatis Splendor* no. 38 cites a passage from Saint Gregory of Nyssa that speaks of the soul being "swayed autonomously by its own will"). In its etymological roots it means "self-rule"; in Kant it is used to describe the necessity that man be a self-legislating entity; that he not be heteronomous or one who is ruled by another -- and for Kant, even being ruled by God is unacceptable heteronomous submission.

Autonomy would seem to be very much at odds with Christianity, for humans are to do God's will and obey God's law rather than to be willful and to be their own sources of what is lawful. Kant, of course, was not a relativist; indeed he wished to formulate all moral dictums in terms of universal absolutes. Relativism, however, quite naturally grew out of Kant's metaphysical skepticism, and his rejection of any heteronomous source of

moral norms. So both the Kantian understanding of autonomy, which roots moral obligation in the rational nature of the human person, and a more modern notion of autonomy which is identical with relativism, makes the term an unlikely candidate for being a part of the Church's moral vision.

Yet, the Church's understanding of conscience in some very important ways amounts to an advocacy of autonomy. Certainly we are not to be the source of moral norms; we are to recognize that God is the source of moral norms. God, however, wrote the first principles of practical reasoning on man's consciousness and directed man to devise laws for his governance in accord with these principles that are a part of his nature. Man, then, in being a law unto himself is not a law apart from God.

The *Catechism*, in fact, quite directly though very briefly addresses the concern of autonomy:

Atheism is often based on a false conception of human autonomy, exaggerated to the point of refusing any dependence on God. Yet, "to acknowledge God is in no way to oppose the dignity of man, since such dignity is grounded and brought to perfection in God ..." "For the Church knows full well that her message is in harmony with the most secret desires of the human heart" (no. 2126).

In the Church's understanding, it is only when one is acting in accord with the most secret desires of the human heart that one is acting truly autonomously, and since God placed those desires there, there is no conflict in following the most secret desires of one's heart, following God, and being fully autonomous.

### **Genuine Autonomy and the Law of God**

The Church denies that true autonomy risks putting the moral agent at odds with God; it also denies that there can be a conflict between the conscience and the Church; the *Catechism* states: "No opposition between individual conscience or reason on the one hand, and the moral law or the Church's teaching authority on the other, can be admitted" (no. 2039). *Veritatis Splendor* states that

The rightful autonomy of the practical reason means that man possesses in himself his own law, received from the Creator. Nevertheless, the autonomy of reason cannot mean that reason itself creates values and moral norms. Were this autonomy to imply a denial of the participation of the practical reason in the wisdom of the divine Creator and Lawgiver, or were it to suggest a freedom which creates moral norms, on the basis of historical contingencies or the diversity of societies and cultures, this sort of alleged autonomy would contradict the Church's teaching on the truth about man (no. 40).

The dignity of the human person lies in his ability to understand that the good he is to do freely is indeed a good for him. For a human to do good out of fear or coercion is not to do good in a human and meritorious way. Human dignity lies in the ability to do what is good, freely. He is to make the good his own good. He is to personally appropriate what is good. Man is to form his conscience to be so in accord with the good that when he is

acting out of obedience to the good he is actually acting in accord with the good that he dictates to himself. *Veritatis Splendor* states: "The acting Subject personally assimilates the truth contained in the law. He appropriates this truth of his being and makes it his own by his acts and the corresponding virtues" (no. 52). Such a cooperation between God and the human person, leads *Veritatis Splendor* to suggest that we ought to speak neither of autonomy or heteronomy but of a participated theonomy -- man is not under God's law but participates in God's law (no. 41).

What is ultimately good for the human person is a proper relationship with God. Man is to worship God freely. Thus the Church places such an enormous emphasis on the importance of conscience because conscience is properly allied not with radical autonomy but with the freedom to worship. In a letter on the eve of the Madrid Conference on European Security and Cooperation, (Sept. 1, 1980), Pope John Paul II stated:

... freedom of conscience and of religion ... is a primary and inalienable right of the human person; what is more, insofar as it touches the innermost sphere of the spirit, one can even say that it upholds the justification, deeply rooted in each individual, of all other liberties. Of course, such freedom can only be exercised in a responsible way, that is, in accordance with ethical principles ...

Pope John Paul II speaks of the freedom of conscience and of religion being the primary and inalienable right of the human person and that it is the foundation of all other liberties. It is because he has a conscience that man should be free and that freedom, thus, must be exercised responsibly, that is to say, in accordance with ethical principles.

### **Newman and Conscience:[2]**

My work on *Humanae Vitae* has brought me into contact with John Henry Newman's marvelous work on conscience. The role of conscience has assumed a place of some importance in contemporary Catholic moral thought. It is a subject that has occupied Karol Wojtyla in his philosophical works and has been a frequent topic in the encyclicals of Pope John Paul II. Pope John Paul II has been instructing us on how our conscience enables us to discern objective moral norms and to rise above our subjective readings of reality; it is the Truth that will make us free; not the opportunity to fulfill all our desires. Our dignity resides in obeying our conscience for it is in our consciences that we hear the voice of God.

Some theologians, however, in the wake of *Humanae Vitae* invented what might be called a "conscience clause"; it is a clause that invokes freedom of conscience to enable Catholics to act in opposition to Church teaching. Such individuals evidently existed in Newman's day, too, for he tells of those who

When [they] advocate the rights of conscience, they in no sense mean the rights of the creature; but the right of thinking, speaking, writing, and acting, according to their judgment or their humour, without any thought of God at all.



Such a view conflicts greatly with what conscience is. As Newman stated: "Conscience is not a long-sighted selfishness, nor a desire to be consistent with oneself; but it is a messenger from Him, who, both in nature and in grace, speaks to us behind a veil, and teaches and rules us by His representatives."

Rather than being free from Church and papal guidance, the conscience greatly needs such guidance. Newman observes,

The sense of right and wrong, which is the first element in religion, is so delicate, so fitful, so easily puzzled, obscured, perverted, so subtle in its argumentative methods, so impressible by education, so biased by pride and passion, so unsteady in its course, that, in the struggle for existence amid the various exercises and triumphs of the human intellect, this sense is at once the highest of all teachers, yet the least luminous; and the Church, the Pope, the hierarchy are, in the divine purpose, the supply of an urgent demand.

Many theologians seem to have decided that the Church and the Pope are an obstacle to freedom of conscience; they so loathe blind obedience that they are much more comfortable with blind disobedience. For several decades now, in many seminaries, seminarians have been taught not to trouble the consciences of the faithful about contraception; the "faithful" should be left free to follow their consciences on this issue. Textbooks used in many Catholic high schools generally feature this clause after perfunctorily noting the Catholic condemnation of contraception. It is fascinating that the "conscience clause" never appears in the sections on racism, or genocide, or social justice. These texts do not say that if your conscience tells you it's morally permissible to be a racist, then you are permitted to be a racist. It only appears in the sections on contraception.

Sadly sometimes Newman is invoked in support of the reprehensible position that conscience trumps church teaching. His famous toast in the Letter to the Duke of Norfolk: "I shall drink -- to the Pope, if you please, -- still to Conscience first, and to the Pope afterwards", taken out of context, may seem to suggest that Newman is an advocate of the liberty of conscience over Church teaching. Placed in context nothing could be further from the truth, for Newman is speaking not of a pope who is teaching the faithful Church doctrine, but who is dictating to the faithful what to do in concrete particular situations, an area in which the pope does not enjoy infallibility. Newman is not talking about such moral doctrines as the condemnation of contraception; indeed, Newman gives as examples of papal dictates possible papal teachings that we must be teetotalers or that it is mandatory to hold lotteries for the missions.

Yet even in these arenas, Newman does not allow the conscience to have free play. He states:

If in a particular case, [the conscience] is to be taken as a sacred and sovereign monitor, its dictate, in order to prevail against the voice of the Pope, must follow upon serious thought, prayer, and all available means of arriving at a right judgment on the matter in question. Unless a man is able to say to himself, as in the Presence of God,

that he must not, and dare not, act upon the Papal injunction, he is bound to obey it, and would commit a great sin in disobeying it."

What Newman is saying here is that if the conscience of a Catholic goes against the Church, the Catholic should presume that the Church is right and he is wrong. And this is in reference to teetotaling and lotteries! Yes, we must all follow our consciences, the conscience must always reign supreme, but a Catholic conscience should be formed by the Church.

Newman would undoubtedly loathe the temporizing and laxity that goes under the name of following one's own conscience in our day, as he loathed it in his. He had a keen sense of how self-indulgent we are and how adept we are at finding rationalizations that enable us to convince ourselves that we are following God's will when we have not even made any attempt to discover what God's will is. In his homily "The Testimony of Conscience" he depicts the thoughts of the true man of conscience in this way:

I sacrifice to Thee this cherished wish, this lust, this weakness, this scheme, this opinion: make me what Thou wouldst have me; I bargain for nothing; I make no terms; I seek for no previous information whither Thou are taking me; I will be what Thou wilt make me, and all that Thou wilt make me. I say not, I will follow Thee whithersoever Thou goest, for I am weak; but I give myself to Thee, to lead anywhither. I will follow Thee in the dark, only begging Thee to give me strength according to my day. Try me, O Lord, and see, the ground of my heart; prove me, and examine my thoughts; look well if there be any way of wickedness in me; search each dark recess with Thy own bright light, and lead me in the way everlasting.

What makes these words so moving and disturbing is not only what they demand of us but the fact that one needn't know much about Newman to know that when he spoke these words, he meant them and that indeed, he lived them. As Newman well knew, being faithful to one's true conscience can never lead one away from Truth, for it is God who speaks to the conscience and God who guides the Church. Newman followed his conscience and, predictably, it led him into the Church, and towards Church teaching not away from it.

### **Required Texts**

Canadian Bishops. *Formation of Conscience*. Daughters of Saint Paul. 1974.

*Catechism*, 1776-1802

### **Additional Reading**

Joseph Ratzinger. "Conscience and the Truth" in *Catholic Conscience: Foundation and Formation*. Pope John Center. 1991.

Ian Ker, *Newman The Theologian: A Reader*. Notre Dame Press. 1990.

## Paper Topics

1. After reading *Humanae Vitae* closely, explain what passages indicate what Pope Paul VI believed to be the status of the teaching; a guideline? a Church law for Catholics only? a divinely revealed truth? a teaching of natural law binding on all?

### Notes:

1. This lecture is a small portion of my "Rights, the Person and Conscience in the Catechism," *Dossier* 3:1 (1997), 29-37.

2. This lecture is adapted from my "The Pope or Conscience?" *Dossier* 4:1 (Jan.-Feb. 1998) 48-9.