

CASES AND QUERIES

THE POPE'S ENCYCLICAL ON BIRTH CONTROL AND THE MEDICAL PROFESSION

The long-awaited reply of the Pope Paul VI to the question of birth control was not to the liking of everyone, even in some Catholic circles. This is evident if you only read the press. In the open forum of our symposium on the teaching of the Encyclical, the opinion of the medical students, the nurses, and also of some doctors present there, were far from unanimous. One thing, however, seems clear from the papal document, that the ban on all artificial means of contraception and birth regulation is most definite and uncompromising.

Could we ask the Reverend Father to comment on the Encyclical contents and to indicate to us the practical course we should follow in the hospitals and clinics?

This question requires some discussions and some distinctions.

1. *The Encyclical's special relevance for doctors and medical personnel.*

Although the teaching of Pope Paul VI's Encyclical *Humanae Vitae*, (*On human life*), shows an obligatory standard of conduct for all Catholics, this Encyclical bears a special appeal to the members of the medical profession. In this document the Holy Father has made two specific references to and two calls for help to doctors and the medical personnel. First, in so far as the only licit method of birth regulation has to be the, so called, *rhythm method*, the Pope calls on

the doctors as "men of science" to continue the work toward the perfection of this method in order that it may become easy to use and reliable for the greater number of couples. Says the Pope:

We wish now to express Our encouragement to men of science, who "can considerably advance the welfare of marriage and the family, along with peace of conscience, if by pooling their efforts they labour to explain more thoroughly the various conditions favoring a proper regulation of birth". It is particularly desirable that, according to the wish already expressed by Pope Pius XII, medical science succeed in providing a sufficiently secure basis for a regulation of birth, founded on the observance of natural rhythms. In this way, scientists and especially Catholic scientists will contribute to demonstrate in actual fact that, as the Church teaches, "a true contradiction cannot exist between the divine laws pertaining to the transmission of life and those pertaining to the fostering of authentic conjugal love". (N. 24).

The Holy Father is, of course, well aware of the fact that contraception and birth regulation will ultimately become the responsibility of doctors and medical personnel. This fact is obviously conditioned by the essential unsplitness of human personality. In this most delicate and most reserved matter the actual practice adopted by a couple will have to count not only with human anatomy and physiology, but with the psychological and emotional setup of the human person as well. And this under pain of nature revenging itself as all doctors and psychiatrists well know. The problem, therefore, from whatever angle, shall spontaneously go into the sphere of doctors, psychiatrists, and medical practitioners. For this reason the Holy Father relies heavily on the honesty of the medical science and on the moral integrity of the persons committed to this most noble profession. The Pope's words:

We hold those physicians and medical personnel in the highest esteem, who, in the exercise of their profession, value above every human interest the superior demands of their Christian vocation. Let them persevere, therefore, in promoting on every occasion the discovery of solutions inspired by faith and right reason, let them strive to arouse this conviction and this respect in their associates. Let them also consider as their proper professional duty the task of acquiring all the knowledge needed in this delicate sector, so as to be able to give to those married persons who consult them wise counsel and healthy direction, such as they have a right to expect. (N. 27).

2. *The Church's stand on contraception and birth regulation.*

Even a perfunctory reading of the Pope's Encyclical will show that the teaching of the Church from the days of the Apostles has been reaffirmed in utmost conformity with the teaching of all former popes, with special emphasis on the formal teaching of Pius XI, of Pius XII and the norms laid down by the Second Vatican Council. Actually Paul VI, in unison with his predecessors, rules out as *seriously* immoral and sinful all *artificial means of preventing conception*, and, of course, any attempt to destroy human life already conceived. That definite and that terse. What remains as the only licit means of regulating births as it may be demanded by the responsible prudence of every couple, is the *rhythm method*, whenever serious motives indicate a spacing of children or an avoidance of them altogether.

3. *The ethical principles of this doctrine.*

In a solemn document like this Encyclical, the Holy Father can not fail to present the theological principles on which this doctrine is based. Two essential truths are at the bottom of the Church's teaching, (1) the *natural law* which has been imprinted on men by God in creation, and (2) the law of the Gospel by which Christ has instituted the marital union of Christians to be the fruitful *sacrament* of matrimony and thereby the essential foundation of human society and of the Church itself.

4. *The Natural law.*

From the natural law, the Pope proclaims that "*most serious duty of transmitting life, for which married persons are the free and responsible collaborators of God the Creator*" (N.1.). Doctors and men of science are exceptionally well equipped to understand how nature itself has ordered the intimate relations of couples towards human generation and towards life giving. Their familiarity with human anatomy and physiology, in the myriad situations of normal and abnormal functioning, make them realize the stability and inviolability of nature's laws. The daily flow of cases, each one with its characteristic somatic or psychi-

malfunctioning reveals the palpable, perhaps tragic, consequences that avenging nature does inexorably impose of every abusive individual. On this respect, doctors and men of science may readily agree with the Holy Father:

In relation to the biological processes, responsible parenthood means the knowledge and respect of their functions; human intellect discovers in the power of giving life biological laws which are part of the human person.

In relation to the tendencies of instinct or passion, responsible parenthood means that necessary dominion which reason and will must exercise over them. (N. 10).

5. *The Law of the Gospel.*

In perfect agreement with human nature, yet, on top of it, is the law of the Gospel. Here the Lord has ordered the sacrament of marriage to be the channel of *grace* and *supernatural help*. The gravity of the duty of procreation and education and the difficulty of keeping it can not be underestimated. Thus, both from natural law and from the Gospel's revelation, the Pope ascends to the *total vision of man* to whom God has entrusted the pursuing of a happy existence on earth only to be continued in the actual attainment of "*his supernatural and eternal vocation.*" (N.7).

6. *Inseparability of marital union and procreation.*

From these fundamental truths the Pope formulates the principle which is valid for all marital relations:

In the task of transmitting life, therefore, they are not free to proceed completely at will, as if they could determine in a wholly autonomous way the honest path to follow; but they must conform their activity to the creative intention of God, expressed in the very nature of marriage and of its acts, and manifested by the constant reaching of the Church. (N. 10).

Indeed, by its intimate structure, the conjugal act, while most closely uniting husband and wife, capacitates them for the generation of new lives, according to laws inscribed in the very being of man and of woman. By safeguarding both these essential aspects, the unitive and the procreative, the conjugal act preserves in its fulness the sense of true mutual love and its ordination towards man's most

high calling to parenthood. We believe that men of our day are particularly capable of seizing the deeply reasonable and human character of this fundamental principle. (N. 12).

The Church, calling men back to the observance of the norms of the natural law, as interpreted by her constant doctrine, teaches that each and every marriage act (*quilibet matrimonii usus*) must remain open to the transmission of life. (N. 11).

This last sentence holds the key to the whole problem: "*Every marriage act must remain open to the transmission of life:*" Indeed, as the Roman theologian, F. Lambruschchini, declared in a press conference at the Vatican (July 28, 1968):

This affirmation, the center, the nucleus, the apex, the heart and the key of the Encyclical, renews and confirms without the possibility of any ambiguity the traditional teaching of the Church in condemning any form of deliberate and planned contraception by the spouses in conflict with the biological laws which are part of the human person (cf. No. 10, with reference to St. Thomas, I-II).

7. *Ban of all artificial means of Birth control.*

The total ban on contraceptives and artificial birth prevention is, from the foregoings, only a logical application of the unfailing doctrinal principles of Church's doctrine. The Pope excludes all artificial means, *abortion, sterilization and contraception*, by these words:

a. *Abortion:*

In conformity with these landmarks in the human and Christian vision of marriage, We must once again declare that the direct interruption of the generative process already begun, and, above all, directly willed and procured abortion, even if for therapeutic reasons, are to be absolutely excluded as licit means of regulating birth.

b. *Sterilization:*

Equally to be excluded, as the teaching authority of the Church has frequently declared, is direct sterilization, whether perpetual or temporary, whether of the man or of the woman.

c. *Any other means of contraception:*

Similarly excluded is every action which, either in anticipation of the conjugal act, or in its accomplishment, or in the development of its natural consequences, proposes, whether as an end or as a means, to render procreation impossible. (N. 14).

8. *Practical examples.*

Our interrogators being mainly young doctors and nurses in the Philippines, the following examples might be in order in so far as they are familiar with the practices and devices, at times even imposed on the medical practitioners, by the unfortunate and unchristian *Family Planning Association of the Philippines*. Herein we indicate the means of birth control which are in use by the Association but which are formally excluded by the Pope.

a. Besides the *coitus interruptus*, condoms, vaginal douches, vaginal jellies and creams, aerosol, vaginal suppositories and foam tablets, sponges and foams are excluded because they, by intention and by efficacy, vitiate the marital act, either by preventing the meeting of sperm and ovum or by destroying the sperm's vitality.

b. For the same reason, cervical caps are ruled out as well as diaphragms where these are simply applied to or when they are combined with creams or jellies.

c. The attention of doctors, nurses, and practitioners is specially called towards the so called *loop* or Intrauterine Device (IUD). The use of this device is in any case seriously immoral, because, in intention and in fact, it is always a contraceptive. In the honest opinion of many doctors and scientists, the contraceptive effect of this device is due to its disturbing action in the uterus, which will make *nidation* impossible, and will, therefore, force the ejection of the already fecundated egg. Thus the loop or the IUD cannot be considered as simply contraceptive in nature, but rather as a true *abortifacient*. This point should be always stressed when dealing with these matters, for doctors and practitioners do run the risk of committing a great number of real murders, if they become instrumental in prescribing or applying the IUD to their patients. This consideration, serious as it is for all men of honesty, is specially ominous for Catholic doctors and nurses because they know that the tiny living-thing whose *nidation in utero* is denied is a human person with a human soul and eternal destiny. Eternal life is, most unmercifully denied to this soul. Human frailty may take consolation in its being kept unknown to men. Yet, God knows. And, at any rate, one can hardly think of something more cruel! The same should be said of the morning-after pill.

9. *The Pill.*

And what about the pill? The famous pill of our newspapers and magazines for years, the great expectation of many, even among some Catholic circles? The poor pill is not even mentioned in the Encyclical. This drug, as all know, is an *anovulant*. Its action is to inhibit *ovulation*. By preventing ovulation this drug makes its user *sterile* for as long as the pill is used. The pill is, therefore, banned as thoroughly immoral just as all other means which will induce *sterility*, be it temporal or perpetual.

An *objection* arises here by reason of the pill's therapeutic qualities. The doctor may see that this particular drug happens to be the indicated remedy for a certain sickness. In this case, this drug should be considered rather as *a true medicine* and not as a mere anovulant. When the doctor, therefore, prescribes the pill which is estimated as the proper remedy for the patient's sickness, both prescription and use are perfectly in order. The sterilizing effect, simultaneously accompanying this medicine, is rightly accepted on the principle of double effect. Doctor and patient should, in this case, aim at effecting the necessary cure without any scruple in their conscience. This particular norm of conduct is expressed briefly by the Pope in these words:

The Church, on the contrary, does not at all consider illicit the use of those therapeutic means truly necessary to cure diseases of the organism, even if an impediment to procreation, which may be foreseen, should result therefrom, provided such impediment is not, for whatever motive, directly willed. (N. 15).

10. *The 'Rhythm method', the only honest way of birth regulation.*

All the foregoing, with its stress on the illicitness of practices already accepted by thousands, can not but appear *strict* and even *negative*. Yet, no description could be farther from this Encyclical than to call it *negative*. The heart of the problem here is one of to be or not to be, one of human life or no human life in matrimony. The Church stands for the *positive*. There exists a positive duty of cooperating with God

in the procreation of human life. The nature of man and woman, somatic and psychological, with all its agonising attractions, and all its never-satiated thirst for love and complement in all moments of life, shows the positive hand of the Creator who will indefectibly do his part by creating an individual soul. The marriage union points most positively to this life-spring function.

That there exist innumerable situations in which the couple, either for a time or for ever, may not reasonably be ready for that positive duty is a fact well known to the Church. But God has wisely provided for all these situations in his wonderful constitution of human nature. Actually, as all men of science well know, the span of time when conception is possible is limited to rather a few hours along the monthly cycle of every woman. And here rests the truly positive and encouraging aspect of the remedy indicated in this papal teaching. There exists an abysmal difference between all the above-mentioned forms of birth control and the *rhythm*, where the couple limits the use of their matrimony to the *agenesic* days of the cycle.

The contraceptive practice, in intention and fact, perverts God's and nature's work. The practice of rhythm, on the contrary, accepts the wisdom of God and nature, and shows the due respect to them by abstaining on the *genesic* days, and accepts this rhythmic course of action only when motivated by serious reasons, and behalf of the health of the wife or the incoming offspring, or by conditions dictated by social environment or of family economy. All this may require enormous, perhaps heroic, efforts. But the Christian couple will accept them inspired by an eternal vocation, sure of an infallible divine help. The words of the Pope:

These acts, by which husband and wife are united in chaste intimacy, and by means of which human life is transmitted, are, as the Council recalled, "noble and worthy," and they do not cease to be lawful if, for causes independent of the will of husband and wife, they are foreseen to be infecund, since they always remain ordained towards expressing and consolidating their union. In fact, as experience bears witness, not every conjugal act is followed by a new life. God has wisely disposed natural laws and rhythms of fecundity which, of themselves, cause a separation in the succession of birth. (No. 11).

The Church is the first to praise and recommend the intervention of intelligence in a function which so closely associates the rational creature with his Creator; but she affirms that this must be done with respect for the order established by God.

If, then there are serious motives to space out births, which derive from the physical or psychological, conditions of husband and wife, or from external conditions, the Church teaches that it is then licit to take into account the natural rhythms immanent in the generative functions, for the use of marriage in the infecund periods only, and in this way to regulate birth without offending the moral principles which have been recalled earlier.

The Church is coherent with herself when she considers recourse to the infecund periods to be licit, while at the same time condemning, as being always illicit, the use of means directly contrary to fecundation, even if such use is inspired by reasons which may appear honest and serious. In reality, there are essential differences between the two cases: in the former, the married couple make legitimate use of a natural disposition; in the latter, they impede the development of natural processes. It is true that, in the one and the other case, the married couple are concordant in the positive will of avoiding children for plausible reasons, seeking the certainty that offspring will not arrive; but it is also true that only in the former case are they able to renounce the use of marriage in the fecund periods when, for just motives, procreation is not desirable, while making use of it during infecund periods to manifest their affection and to safeguard their mutual fidelity. By so doing, they give proof of a truly and integrally honest love. (N. 16).

1. *Required reasons for 'rhythm'.*

The serious reasons necessary for the right use of *rhythm* are conditioned by the positive duty of the couple towards procreation. In all fields, for the dispensation of a positive obligation, a serious motive, in proportion to the duty, is required. In our case, the serious indication in favor of the limitation or avoidance of children may arise from multifarious avenues. The Pope does not go down to detail such motives. The Encyclical simply refers readers to the norms of Pius XII in his famous Address to the Midwives (1951). Those norms are well known by all in the medical field.

The conditions which will demand the use of *rhythm* may be *medical, eugenic, social or economic*. Any one of these fields is widely

extensive. If the indications may be *medical* or *eugenic*, they will be within competence of the doctor. He should evaluate both the condition of the mother and the health of the offspring which is expected, and should proceed according to his honest knowledge without undue qualms of conscience.

Social and *economic* motivations may be easily appreciated by the couple, who, if need be, may take advice from their confessors or counselors.

In this way, all who will take to heart the teaching authority of the Pope may obtain enlightenment from this Encyclical and proceed in this most serious matters with security and peace of conscience.

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