



# **ABORTION, STERILIZATION, BIRTH CONTROL: A MEDICO- MORAL VIEWPOINT**

Christmas Eve was one day away in the hustling business district of Columbus. An orderly flow of pedestrian traffic swept the small group of male religious along pine bowered avenues and past tinsel shop windows into the revolving entrance of a large-sized public cafeteria. The season's cordiality seemed to envelop the smooth-moving lunch counter queue, giving a touch of Advent glow to the trays and platters of the three clerics. Stuffed-cotton Santas and far-fetched musical jingles of our commercialized Yule-tide maintained a rather gay holiday mood as the trio deposited their burdens and prepared to occupy a small hard-topped table.

The first morsel of fruit cocktail had hardly found its destination when a discordant note piped against the harmony of the Christmas peace that these clerical minds had found so agreeable to their feeling of well-being. The voice came from the middle-sized, balding diner behind Brother Walter. Another voice answered and soon an animated discussion carried from the nearby table to the brethren. There was no doubt of the intent. Despite the protection of private meal-time seclusion this group of laity was using the public air-waves to communicate its feelings to the nearest ecclesiastical representatives. The hierarchy's voice had been heard throughout the land. Its reverberations had received secondary and tertiary reinforcement from the faithful shepherds and their flocks. This cafeteria discussion was now supplying contrapuntal opposition.

## **Bishops' Statement on Over-population and Birth Control**

It had been over a year since the nation's attention had been forced into focus on the question of contraception in the municipal hospital system of New York City. The following months had seen an increasing agitation in various sectors of the press over the expanding populations of the "under-developed" countries of the world. The sensational expression of the Brooklyn obstetrician who had released the opening salvo at a peri-natal mortality meeting at the New York Academy of Medicine had achieved international

application in all public fora: "Population explosion" was now the threatening global "bogey." Pressures were being brought to bear so that American foreign aid money might support contraceptive communal planning projects abroad. Despite some advocates the government had so far resisted. This subtle form of race extermination was too obvious a handle for anti-American propaganda. It could be interpreted as inimical to under-developed countries as well. Those, however, who are entrusted with the supervision of the common good, the government officials, need the moral support of the representatives of true religion in order to maintain a virtuous stand. In a government that operates to a great degree in the ostensible light of voter representation the public moral climate often may have a formative influence upon opinions in the legislature.

To the shepherds of the Church the condition of public morals is also of constant concern. From the pogroms of Nero to the twentieth-century firing squads of Mexico and Spain and the refinements of Communist scientific torture, the faithful and clergy of the Holy, Catholic, and Apostolic Church of Rome have resisted errors in public morals with their own voice and blood. Now in a time of assault upon the sacred intimacies of the state of Christian matrimony the voice of the episcopal conscience found its expression at the meeting of the Roman Catholic hierarchy of the United States. The issuing statement had reassured the faithful and had informed non-Catholics. Even in the name of "population explosion" contraceptive practices are unlawful.

This episcopal teaching had been given prominent attention in the latter part of 1959. It was the content of this pronouncement that irritated the occupants of the cafeteria table to the rear of Brother Walter. What right had the bishops to voice their views in this land of freedom of speech?

"The Catholics are trying to take over the country." This accusation of subversion is so obviously false an anti-Catholic slur that it would be completely humorous were it not for its tragic implications among the un-enlightened. This time the small, patrician-nosed man with the gold-rimmed glasses had spoken. The remark was not picked up by his colleagues. It was too ludicrous. The traditional image of the hierarchy in the minds of anti-clerical adversaries may have supported this class of subversive accusations under other circumstances. This was not, however, an imaginary role of the Catholic bishops that intruded itself upon the citizenry in these wintry days of year's end. One might easily conjure up in mind suave, ingratiating, "jesuitical" figures clothed in crimson robes and mitres while reading *Maria Monk* or *Boris Godunov* or recalling the anti-Roman intima-

tions of *Brothers Karamazov*. The reality, however, was different. In the words of a New York "straphanger," the bishops were teaching "down to earth, old-fashioned morality." These were no subservient flatterers, no Machiavellian deceivers. These bishops were not assuming, they were living the role of Christian martyr. Their enemies now had to carry the stigma of being opposed to morality. Who attacked them paralleled the attitude of the pagan emperors. The blood of martyrs had been the seed of the faith. The faith of these same martyrs, on the other hand, had generated the sublime attainments of world civilization, east and west. This same faith was still the foundation of the world's hope for the future. Man's inhumanity to man was neutralized by this faith and flourished only when it was suppressed, forgotten, or banned. The faith of the martyrs was given to them by the Church; it is the faith of the Church.

This same Church is detectible and its voice identifiable by its episcopal character. "Where the bishop is, there is the Church," witnessed St. Ignatius of Antioch in the early second century. The voice of this eastern father resounded through the towns, cities, and countryside of Mediterranean shores on his way to confirm in his own blood his testimony to the vitality of the faith that Our Lord had given to the bishops of His Church through all ages. A similar rugged stand was being adopted by the American bishops eighteen and a half centuries later. "And if he will not hear the Church, let him be to thee as the heathen and publican," said Our Lord (Matt. 18:17). The voice of the Catholic bishops is the voice of the Church.

Who would now oppose the voice of these religious leaders takes upon his head the imprecations reserved for Diocletian and Nero or, more precisely perhaps, for Julian the Apostate. The right of the bishops to speak has been purchased by the lives of our forefathers in the true faith. The ancestors of the overwhelming majority of the citizens of the western hemisphere participated in the securing of this right. In the centuries of the formation of the Christian west, in those days of "one Lord, one faith, and one baptism" they pledged their allegiance and in effect that of their posterity to the faith of the Church of Rome. Who would now contradict the unanimous teaching of the bishops of that faith would now be giving evidence of "having itching ears" and of heaping "to themselves teachers according to their own lusts," and of having turned "away from the truth" and turned "aside to fables" (2 Tim. 4:3-4).

Only too well do the public admonitions of the Catholic bishops fulfill the Pauline charge: "But do thou be watchful in all things, bear with tribulations patiently, work as a preacher of the gospel, fulfill thy ministry"

(2 Tim. 4:5). The cafeteria discussants were too well aware of the biblical traditions of their country and state and of the deep Pauline roots in their own familial loyalties. They could not deny the right of the bishops, indeed the duty to take issue. Impossible to consider this political subversion, for what subversive takes an open thoroughly unpopular position? The national conspirator gains public favor and cloaks his political audacity with moral conformity. The very patriotism of the loyal opposition, on the other hand, is specified by its intellectual and practical divisiveness without prejudice to its cooperation in matters of public welfare. The voice of the American bishops was too clearly in the traditions of the west to sustain any derogatory charges. As guardians of the common moral good they must be heard. Another area than that of the episcopal right to speak to the nation and even to oppose easy public morals at times had to be considered if their conscience-disturbing message were to be assuaged before the end of the hour.

"After all, the whole question is personal to a man and his wife. It's no one else's business." Now the national public debate on man's moral life was too personal for the pulpit. The quick delivery of this enunciation was followed by a lower, almost inaudible level of conversation among the nearby lunchers. The development of the discussion could no longer be followed. A retreat, or perhaps acknowledgment of the reserve fitting the topic and the privacy due to others. One could not, however, but wonder about the illogicality of the statement. Granting that the subject matter was most intimate and personal, exactly who had been guilty of exposing the topic to public view? The bishops? Certainly not. Their statement came at the end of a protracted period of publicity releases and news items that highlighted the opinions and suggestions of those opposed to the episcopal position. The attitude of the Church has always been one of modesty and reticence in regard to matters of sex. Until provoked by the threat of disrupted public morals the officially deputed teachers of the true doctrine of Christ disdain to broach such matters in the public fora. To teach, to instruct, to exhort the faithful in following Christ and avoiding sin is their ongoing office. The delicacy of the subject of procreation places an intrinsic limitation on its treatment and by its very nature precludes its unrestricted discussion before all ears. Only the threat or prevalence of public vice or scandal allows the topic to receive a general airing. When, however, the matter of sexual immorality in some form has already entered the ambit of community concern, Church leaders enter the pulpits and mass media in order to eradicate the evil and return the basic questions



touching upon marital communion to the privacy of the Christian home. If the diner who finally acknowledged the personal nature of the problem intends to be consistent, he is forced to thank the bishops for their defense of the right to privacy of man and wife.

After decades of public indoctrination in matters of such fundamental biological nature on the part of educators, public health devotees, military personnel, novelists, psychiatrists, and advertisers it would be unbelievable hypocrisy to exclude from that aspect of morality which has apparently become the business of everybody the very group of community leaders that can restore general mores to normal conditions. It is the camp of planned parenthood thought that exploits the private tragedies of husbands and wives in order to win public approval and instructs couples on the details of their actions in marriage. The Church, far from giving detailed instruction governing such behavior, contents herself with the condemnation of the erroneous advice of those who would meddle in such matters and devotes her pulpits to instruction and exhortation to Christian morals. Thus the very attitude which would seem to excoriate the Church for instructing Christians in their matrimonial obligations ultimately becomes the basis for praising the Church for her defense of the sanctity and inviolability of the bond of Christian marriage.

### Non-Catholic Questions

The male voices, now more subdued, blended with the general cafeteria background hum. Their subliminal tension eased, the clerics continued their meal in relaxed fashion. The conversation of the nearby businessmen, however, had been audible to others. In fugal sequence, a new conversation, high pitched and agitated, floated past Brother Chrysostom's ears. Two women, past middle age, were developing another note, touching upon problems of matrimonial morality.

The two did not let conversation retard swift, efficient movements in dispatching their "lettuce and greens businesswoman's lunchette." One could hardly call their verbal exchanges a dialogue. The heavy-set lady in dark blue office cut dress adjusted her beige harlequin spectacles, drew a deep breath, pierced a sliced cucumber, and gesticulated emphatically. Her third left finger was banded. The taller, somewhat slope-shouldered, older woman munched quietly, following the other's remarks with flitful corneal darts. An appropriate exhalation or rare question beat an irregular verbal accompaniment to the subject.

"I can't understand why the Catholics are against birth control," the marriage ban zig-zagged above the table.

"Why are they against?" a quick glance intervalled the movements of the silverware.

"Their reason is that it is contrary to the natural law. It's against nature, they say." The beige frames had to be leveled again.

"Mmh." The salad fork crushed a spine of escarole.

"But, I don't see. Appendicitis calls for the removal of the appendix. Certainly the removal of the appendix or anything else is against nature, or, why did nature put it there any way?" The vinegar-dipped piece of rye crisp was held in suspension while these thoughts tumbled over one another. One could almost see the slight mental hesitancy at the word "appendicitis," as if to say that this was against nature too, and the two negatives sort of cancelled each other out. Or was it? And didn't the health magazines say that the appendix had no function? But you could not say the same of a gall bladder or an amputated limb, could you? It was not clear to either table companion what the expressions meant and this added further to their dyspepsia.

Another lull in the surrounding chatter was welcomed by the clerics who by this time had reached their cherry pies and chocolate chip. The relative quiet was not shared by their mental recollections. The impact of these lay attitudes had set their cerebral association fibres buzzing. Their memories flooded with the classroom erudition of their philosophy and ethics professors. How to untangle the syllogisms of the everyday speech of the man in the street—or cafeteria, for that matter—when the terms used had an endless series of possible meanings and rarely was a word used with only one. There always hovered overtones of all related ideas. Nature could be used for the Author of the things in the world, for the birds, the bees, and the flowers before man's ingenuity reordered their functions, for the whole of creation, and so on.

One could not satisfactorily answer the questions of the lady lunchers without some period of instruction, even if propriety would allow intrusion upon their private conversation. It would first be necessary to expound terms and even to come to an agreement on the constitution of the universe and its occupants, as well as their relation to their ultimate Author. How fortunate were the faithful of the true Church. The relationship of creatures to the Trinity could be viewed in a thoroughly satisfying way, a sapiential fashion from the vantage point of the Highest Cause, the final reason for all things.

## Searching for Truth

Creatures were made in accordance with the mind of their Creator. Since the artist shapes his oils upon a canvas so as to reproduce the idea in his mind, one would not look for some other notion than that in his mind to judge the truth of the product. The conflicting planes, angled lances and martial chargers of de Francesca's "Constantine" did not have the notion of "Mona Lisa" behind its creation. The idealized anatomy of Buonarotti's tensed "David" did not have the same image in the artist's imagination as that which preceded a small piece of delicate, lace-like Ming ivory figurines. The art work copies the example or model that persists in the artist's imagination. The imagery of the creative mind is the exemplar for the work. The creator's mind measures the proportions of the constituents to be combined in the art work. How much, where, what shape or figure, all the various interrelations of the parts must be considered.

In the mind of the human artistic creator all the components of the end result of his painting, sculpting, composing, or writing are to be found; not in their corporeal condition as they exist independently in physical reality, but, in their mental existence in the artist's mind. The artist intends the artifact to reproduce his idea. He reworks the materials, smooths surfaces, and fills additional work books until the product perfectly matches his thought. When this perfect correspondence occurs we can truly say that the artist is the measure of the art work. This is so well accepted that even in the case of the ultra-modern surrealists, the spectator, when unable to divine the meaning of a picture, will seek to discover what meaning the artist himself had in mind.

All things are in accordance with the causative knowledge of God, the Creator. One can thus see the parallel in the operations of the human artist and the reason why he is in some way referred to as a creative worker. There is, of course, such a radical difference that purists would reject the accommodated use of the term creative for artists. None but God can make a being out of nothing pre-existing. The artist works with already existing materials whose principles and suitability for his manipulations exist therein by reason of divine ordination. The creative activity of God brings into existence beings, the very constitution of which in a most radical and complete sense reflects in a very imperfect way a perfection found in God. Were there any perfection in creatures not in God according to some virtual or eminent mode, that perfection would have to have some other author



for its creator. The very notion of creation, being a production out of no pre-existing thing, places everything in God as its source.

Thus, just as when we go to the artist to find out the meaning of his art work, in so far as it is *his* art work, so in the case of all beings we must go to their Creator to discover their true nature, their meaning, or definition. The essential meaning of a thing tells us its constitution. In the order of causality this touches upon the material and formal principles of the being, that is, what a being is made of and what makes it to be what it is. The essential meaning of a being depends moreover on the intention of the efficient cause that produced it. If the being produced differed from the intention of the cause that is alleged to bring it about, it is obvious that that is not the producing agent, but rather some other cause is effective. In the case of all created being, all lines of causality are ultimately traceable back to their first cause, God.

### **Dynamics Within Creation**

Creatures, however, are not merely created in some static terminal fashion, fully finished with no further development. Creatures are by the very fact of their creatureliness imperfect in the sense that they are limited. Whatever perfection exists in a creature can be added to indefinitely without ever approaching the infinite perfection of God. If we consider such a perfection as intellectuality in men we see that there are different degrees of this. Indeed the perfection of intellectuality, in itself, implies no imperfection but simply understanding which can be of all things and all at once. The creature can always acquire new understanding since the distance separating him from the perfect intellectuality of God is infinite. The same can be seen in other simple perfections, such as goodness, the act of existing, and truth.

Creatures therefore move to the acquisition of further perfection. This is most apparent in the mobile bodies in corporeal nature. The processes of eating immediately illustrate the point with undeniable clarity. This movement toward the new perfection is the creature's action. This action flows from the essence of the being. It is because the being has a particular essential constitution or nature that this particular type of action flows from it. The essences of things, considered in the concrete, in physical reality are the dynamic principles of their operations. An intellectual nature permits the being to acquire intellectual objects. A sentient body allows the creature to sense qualities in the environ.

This motion toward new perfection, this vitality of the plants, animals, and rational creatures, this drive toward an object not now possessed is terminated when the object or perfection is possessed. The possession of the perfection is the end of the action. This notion of the end, or finality, answers the question, "why," of the particular creature. A non-intellectual creature could not possess an intellectual object, precisely in so far as it is intellectual. A stone, for example, would be heated by the breath of an orator but could in no way acquire the intellectual content that he imparts to his audience, who in their turn may indeed be left cold.

This end of the action of a creature explains its constitution and eventually may be traced back to the mind of God who has set its purpose or final cause. Thus not only is the internal composition of creatures pre-ordained by the creative activity of God, but also, their actions which are aimed at attaining the end for which God made them to be what they are.

The creatures of the universe below man tend to their fixed ends according to the natural inclinations and instincts that the Creator has placed in them. Man, however, has an intellectual faculty which is the basis of his having been made according to the image of God. This intellect of man is open upon the entire universe and indeed upon all being. No specific creature of his experience determines his actions for he can always see a more perfect object. The objects of man's ordinary experience leave him free to choose because each of them or indeed all put together still are stained by the creature's mark of imperfection. Only the all perfect can be all good. And only the all good can perfectly satisfy the desire of an intellectual appetite, the will, that follows an intellectual cognitive faculty. Man, since he does perform actions, is given the power of self decision. His will decides among the many imperfect goods about him according to his own intention. His choices of immediate goods or end, however, may not stray from the ultimate end God has set for the human creature.

### **The Hierarchy of Being**

If therefore we wish to arrive at an answer to the problems of man, we must seek the answer in God. The solutions to the actions of men will lie in the mind of God.

Consider these three: God, man, and creatures below man. God is the ultimate end of man. Man in all his actions must be directed to that end. He cannot choose an object that will lead him away from his final end. The morality of human actions consists precisely in their direction towards or away from God.

Creatures below man have man for their end. Man has full dominion over them. He can use the lower animals and plant life for his sustenance and protection. Their total existence may be consumed by man in order that he attain those goals which will bring him to his ultimate end. The very constitution of man in this world demands his use of lower things in order to conserve his life and progress towards God.

In relation to other men, however, man does not have this dominion. He does not have full dominion even of his own life. To have full dominion over some other being means that one can use that being and dispose of its existence for one's own personal end. This is to constitute another man as the end of man. Such a perversion of the order of things would be totally immoral since, as indicated above, God alone is the ultimate end of man. The actions of one man may be placed at the service of another man. The very life, however, of a human being may not be consumed purely on the basis of the will of another man or even on one's own will. Murder and suicide lead the perpetrator away from God, and of such is hell.

When consideration is given to the organs and parts of the human body, however, a slightly different view must be taken. An organ, in so far as it is a part, has for its end that of the whole body. The hand serves its owner. As long as such a part functions for the end of the total organism there is no reason to remove it. When, however, on account of disease a limb no longer functions for the end of its human possessor and indeed threatens the whole being of its owner, it may be removed. While the limb functions for the whole of the man, it would be contrary to the best ultimate interests of the human organism to remove the limb. The purpose of the limb is identified with that of the man. To remove the limb in health would be to interfere with that purpose. In disease the limb operates against the purpose of the human organism and no longer has its normal function. Its removal would actually be in conformity with normal functioning which was to attain the well-being and goal of its human possessor.

Biologists often speak of the appendix as rudimentary and lacking in purpose when compared to similarly placed structures in lower organisms than man. This may confuse the lay person, as it did the lady diners in the cafeteria above. If the appendix has no function, how can one fit this structure into arguments based on the end of man? The solution lies in the fact that the organ functions for the whole of man. There are some small tissue functions carried out in its walls. It is not, however, a major part of the intestinal system in the healthy state. Its minor value makes it easier to advise its removal when it threatens the life of its possessor.

**Law: The Blueprint of Success**

From what has been said previously, one can see that human actions find their ultimate standard of evaluation in the mind of God.

Pope Pius XII considering the formulation of medical ethics stressed the necessary God-directedness of human principles of action:

The final and highest authority is the Creator Himself, God. We should not be doing justice to the fundamental principles of your program and to the consequences derived from them were We to characterize them as only the demands of humanity, only humanitarian goals. These they are, too, but they are essentially something more. The ultimate source from which they derive their force and dignity is the Creator of human nature. . . . The basic principles of medical ethics are part of the divine law.

*Address to the International Office of Documentation for Military Medicine, Oct. 19, 1954.*

God, as the Creator of all, has established the end for which man acts, given man the appropriate nature and helps that can achieve that end, and has even made known to man the measure or proportion between his actions and their end. This last gift of God to man is called law. Law is the rule or measure of man's actions. The concept of measure or rule contains the notion of the means required in order to obtain an object or goal. A parallel may be seen in the example of the attempts to place a rocket ship in orbit. The fuel is precisely measured and the various stages of propulsion scrupulously regulated. Too much boost will place the craft in outer space, perhaps, and too little will cause it to plummet an untimely course to earth or sea. Human actions are similar in the sense that they must be carefully regulated so as to avoid excess or defect. In the moral order, that is, the movement of human actions to their final end, a properly measured act is a good act and one that is excessive or defective, bad. The basic reason for this terminology is because good acts attain the end of man whereas bad do not. The rocket launch that attains orbit is a good launch; the one that fails is a bad launch.

The ternal law is the mind of God considering all beings and the relation of their acts to their ends and the measure thereof. The natural moral law is that eternal law in so far as it concerns the actions of men

in relation to their final end. Whereas the knowledge of the eternal law of God is proper to God alone, the natural law is ascertainable to man through his use of intellectual powers. Since the natural law is, in a way of speaking, part of the eternal law, it is totally harmonious with the latter and is correctly called by St. Thomas a participation of the eternal law of God.

If man were to have a merely natural ultimate end, one could not demand knowledge beyond that given by his natural intellect. In the present state of the human condition, he is destined by God to a supernatural end, union with God in an eternity of happiness. Since this supernatural end of man is beyond his unaided intellectual powers, man must be elevated by divine grace and receive the requisite supernatural truths of faith if he is to be enabled to acquire such a goal. These truths have been communicated through divine revelation. Those truths contained within revelation that direct man to his supernatural end comprise divine positive law. This law is a higher participation of the eternal law than the natural moral law. Once again, because the mind of God is not self-contradictory, there is a harmony among all three.

The eternal law, in so far as it is the mind of God, is not available to man for full comprehension. That part of it, however, which is the natural moral law has been studied and explicated by students. The moral philosopher is the expert on this law and his scientific conclusions should demand our respect and acceptance. The divine positive law, on the other hand, is not in the realm of the moral philosopher or natural scientist. The divine positive law has been communicated to men by the prophets and recorded in Holy Scripture. The fulness of this law is contained in the teaching of Christ, the Son of God. Our Lord, the Word of God Himself, is the Divine Teacher who alone will bring us to our final end. He has moreover established in this world a Church that will hand down His word, explain and apply it until the consummation of the centuries. "He who hears you, hears me" (Luke 10:16). If we would hear the teachings of Christ and its meaning for us today, we must listen to the teachers of that Church, its bishops under their head the Vicar of Christ, the Bishop of Rome.

### **The Divine Physician's Salutory Precepts**

Even therefore in regard to such points as birth control, abortion, and sterilization where it would seem that the human intellect is sufficient to decide the morality involved, the teaching of the bishops of the Catholic



Church is definitive. Since the episcopal function stems from their authoritative relation to Christ, their authority extends to all actions of men in so far as those actions lead man towards or away from his supernatural goal. The bishops of the Church are charged with shepherding men to eternal salvation through the obstacles of a seductive world. The problems of this earth below are very much the concern of such heavenly guides.

No consideration of the full reality of man today can ignore the teaching of bishops. The end of man is not pleasure, comfort, and health in this life. These good things are morally good only if they lead man to God. If however, under certain conditions even these good things lead away from the Beatific Vision, they become morally evil and must be eschewed.

In regard to human generation, direct abortion, contraceptive sterilization, and contraceptive birth control are intrinsically evil even though they may be invoked in the name of health, comfort, or pleasure. They lead away from man's final end and are totally immoral. These three are the most common modern sins that touch upon human procreation.

Such abuse of man's procreative powers would seem sufficiently obvious in its immoral nature to receive universal condemnation by the intellectual faculty of men. In fact, such procreative abuse has and does receive the commendation of various groups. How is it that immorality can be accepted in good faith by some as high level morality? The reason for this intellectual inversion is fundamentally the defectibility of human beings. The same reasons that obscure man's search for God in nature are here operative. An additional impediment may be personal prejudice or passion in these matters which involve all men and women in the generation of new life. In the particular reasoning that some situation demands, the involved party may content himself with terminating his search for moral action at the level of health as an end, or at any other temporal good rather than moving to the true source of morality, the eternal law as ascertainable by reason and, or the teaching of the Church.

### **Procreation and Purpose**

The procreative functions of the human body act to obtain the end of two totalities; the one totality is that of the person in whom the generative organ belongs and the other that of the human being to be brought into existence by the procreative activity. The organs and part of the human body have the end of the whole person as their unifying purpose. Certain organs, however, serve the life purpose of other human beings. These organs are those which have to do with the generation of human life.

The generative organs serve the end of the man or woman in whom they are located. These organs also serve the end of the preservation of the human race. In seeking their function, their role as parts of the whole human person is first considered. As such, they serve the end of the individual. In the second place these same organs are directed to the generation of a new human being. This second end, a new human being, specifies the generative function as having not only its possessor but also another individual human being as its end. Other organs also serve the individual of whom they are parts. The generative organs, however, are specified precisely by this relation they have to a new human person other than that of their possessor. The primary end therefore of the generative organs, that which makes them specifically different from other organs, is this procreative end.

The use of a generative organ is obviously directed to the purposes of the person to whom it belongs. The fact, however, that the use of this organ is intrinsically related to a new human being is not immediately evident if attention is restricted to the organ itself. To appreciate the relation of the generative function to another human being the terminal result, another human being, a new life, must first be noted. In moral matters, such as these, one must begin with a knowledge of the end to be obtained before the nature of the requisite actions can be known.

### **New Life and Sexual Cooperation**

New human life is generated at the time of the union of the male and female elements of the process of conception, the human soul being infused by God. The male principle and the female, the ovum, are produced by the generative organs of the father and mother respectively. Each of these elements, the gametes, has the new human being as its end.

Only that being which is the end of another has total dominion over the other and can dispose of its life. The gametes lose their separate existence in the newly generated human who is their end.

### **Contraceptive Birth Control**

The gametes, themselves, do not have for their end the person who possesses the organs of their origin. Therefore the person who produced them does not have total dominion over the gametes and cannot destroy them willfully by spermicides, nor may he use other contraceptive means to prevent them from attaining their end by union with each other.

Fundamental teaching is contained in the *Encyclical on Christian Marriage*, capsulizing the natural and divine law regarding contraception:

But no reason, however grave, may be put forward by which anything intrinsically against nature may become conformable to nature and morally good. Since, therefore, the conjugal act is destined primarily by nature for the begetting of children, those who in exercising it deliberately frustrate its natural power and purpose sin against nature and commit a deed which is shameful and intrinsically vicious.

Since, therefore, openly departing from the uninterrupted Christian tradition, some recently have judged it possible solemnly to declare another doctrine regarding this question, the Catholic Church, to whom God has entrusted the defense of the integrity and purity of morals, standing erect in the midst of the moral ruin which surrounds her, in order that she may preserve the chastity of the nuptial union from being defiled by this foul stain, raises her voice in token of Divine ambassadorship and through Our mouth proclaims anew: any use whatsoever of matrimony exercised in such a way that the act is deliberately frustrated in its natural power to generate life is an offense against the law of God and of nature, and those who indulge in such are branded with the guilt of a grave sin.

### **Contraceptive Sterilization**

The generative organ has a twofold end: the person of whom it is a part and the person to be procreated by its function. The well-being of the whole is sought by the part. If, however, the part is diseased, it may be excised or functionally suppressed in order to restore the health of the whole person. This would obtain in the case of indirect sterilization. If on the contrary, it were not a diseased state of the generative organ but rather the abolition of procreative function that is intended by the excision or functional suppression, then the operative or medical procedure applied to the organ would be direct sterilization. This would be immoral since direct sterilization suppresses the generative function not in so far as it is directed to the well-being of the whole person of which the organ is part,

but in so far as the function is directed to the existence of a new human being. Since one has dominion only over those things which are directed to it as to an end, no human being has the right to eliminate or suppress the procreative capacity of his generative organs.

Pope Pius XII spoke on sterilization:

Direct sterilization, that which aims at making procreation impossible as both means and end, is a grave violation of the moral law, and therefore illicit. Even public authority has no right to permit it under the pretext of any 'indication' whatsoever, and still less to prescribe it or to have it carried out to the harm of the innocent. . . . Therefore . . . the Holy See found itself in need of stating expressly and publicly that direct sterilization . . . is illegal by virtue of the natural law. . . .

*Address to the Italian Catholic Union of  
Midwives, Oct. 29, 1951*

### **Direct Abortion**

The newly generated human being, moreover, has for its end God and not its mother and father. Therefore, mother or father may not directly and willfully destroy the new human life by abortion. The new human being is not a physical part of the mother's being. The uterine child has its independent existence, so that it does not function for the health of the mother. Hence no reason of maternal health can justify the directly intended sacrifice of the child in an abortion.

Pope Pius XI on direct abortion:

As to the 'medical and therapeutic indication' to which using their own words, we have made reference, Venerable Brethren, however much we may pity the mother whose health and even life is gravely imperiled in the performance of the duty allotted to her by nature, nevertheless what could ever be a sufficient reason for excusing in any way the direct murder of the innocent? This is precisely what we are dealing with here.

*Encyclical on Christian Marriage*

In summary, contraceptive birth control, contraceptive sterilization, and direct abortion are immoral under any objective conditions.

## Rhythm

Birth control, moreover, is too wide a term to be used indiscriminately. Contraceptive birth control is aimed at the prevention of human life and is evil. This type of birth control is directed towards the prevention of the union of the male and female gametes required for conception. Birth control in the sense of family limitation can conceivably include other actions than those which prevent the union of gametes in conception. Due to the specifically contraceptive sense that is applied commonly when speaking of birth control, however, it is better not to include such plans as "rhythm" or "periodic abstinence" under the term. Rhythm is a method of limiting the number of births by abstention from the use of the generative function during the time of fertility. The generative function is only used at a time when conception is impossible. This method is not contraceptive since no attempt is made in any way to prevent gametes from uniting in conception. No conception takes place in the practice of rhythm because there is no female gamete present when the generative organs exercise their proper function. This method is moral when used properly in marriage because the acts employed are directed to their ends without any positively placed impediment. This practice is based upon self-control, and is lawful under due conditions.

In the *Encyclical on Christian Marriage*, Pope Pius XI presented his teaching which is applicable to rhythm:

Nor are those considered as acting against nature who in the married state use their right in the proper manner although on account of natural reasons either of time or of certain defects, new life cannot be brought forth. For in matrimony as well as in the use of matrimonial rights there are also secondary ends, such as mutual aid, the cultivating of mutual love, and the quieting of concupiscence which husband and wife are not forbidden to consider so long as they are subordinated to the primary end and so long as the intrinsic nature of the act is preserved.

## Sterilizing Procedures

While contraceptive birth control uses means that generally touch upon the male and female gametes by preventing their union in conception, sterilization prevents conception by removing or altering an organ or its



function by surgical, chemical, or other procedure. The most common means is ligation or tying off passageways through which the gametes must pass on their way to union in conception. This is done in either man or woman. Another means is the surgical removal of the organs or of the gamete-producing portions. Since this latter operation may be used in the therapy of diseased tissue apart from the consideration of conception, two types of sterilization are described by the moral authors: direct and indirect sterilization. Direct sterilization, as mentioned previously, is the intended deprivation of generative power in a man or woman. Indirect sterilization deprives a person of generative power not intentionally as an end of an action, but as an effect of some other action with another purpose. Indirect sterilization would be lawful for a sufficient reason, such as would exist in the instance of sterilization due to the removal of a cancerous uterus.

### **"The Pill"**

The most recent means that has been developed and given world publicity is the "contraceptive pill." The function of this pill is that of a hormonal chemical that suppresses ovulation. Strictly speaking this action is sterilization rather than contraceptive birth control because there is a chemical suppression of the generative power. The female gamete is absent at the time of the procreative action so that conception cannot take place. When used for a contraceptive purpose the taking of the pill constitutes direct sterilization and is immoral. There are, however, other uses for the pill, such as for the correction of various hormonal disturbances. When administered for the medical treatment of some disorder the end of the pill's action is health and not contraception, so that any unintended concomitant sterility is indirect sterilization and may be permitted.

The common contraceptive pills are enovid and norlutin in this country. While the pills' side effects have been described as minimal in the past, recently potentially serious complications, such as blood vessel clotting, have been reported abroad. Such toxic effects do not change the morality in regard to sterilization but will influence the medical judgment of prescribing physicians. If serious effects are definitely attributed to the pills, physicians will be less eager to recommend their widespread use in community planning projects, a use which is immoral on account of its directly sterilizing intent.

### **Thalidomide and Infant Survival**

Perhaps the one medico-moral situation that has been thrown up to

Catholics by would-be baiters more often and with more maudlin pathos than any other has been the mother-or-child dilemma. The usual perplexity presented is that of the expectant mother faced with death unless the non-viable infant is taken from her womb by abortion. Abortion is precisely that procedure which removes a non-viable infant from the womb of its mother. Viability is the ability of the infant to survive outside the uterus. This state occurs about the twenty-eight week of pregnancy. To remove the fetus before viability is to produce an abortion. If the procedure intends the removal of the non-viable fetus as its end, it is direct abortion and is immoral. The immorality of direct abortion hinges upon the fact that such removal of the fetus is equivalent to the direct killing of an innocent human being. No man has this power over another human being.

One of the proposed reasons for direct abortion that has gained national publicity is the possibility of congenital deformity of the newborn infant. Of all the reasons for abortion this is the least persuasive and most illogical. The case arose within recent months on account of the use of a drug called thalidomide. The toxic effects of this drug caused deformed limbs in the infants of mothers who took the drug during pregnancy. There were no ill effects in mothers resulting from the condition in the child. Abortion has also been urged in alleged fetal heart defects occurring during maternal German measles. The use of abortion in these cases makes one wonder about the motivation. It certainly is not fetal health. Sympathy for the child's deformity does not move one to kill the child. This is a strange form of love. The mother is not diseased by the condition but may indeed be distressed by the child's handicap. What kind of love is this that would seem to drive a mother to wish the death of her unborn child? We have seen and recognize readily the maternal love that seeks the cry of the still-born child long after its burial. The maternal heart yearns for reciprocity in love, not the extinction of an infant's heart. Regardless of the distress produced by the physical deformity of the child, the use of direct abortion in such cases is immoral.

### **Indirect Abortion**

Not every removal of a non-viable fetus from its mother is direct abortion. There is also, like indirect sterilization, the case of indirect abortion. When some procedure is used for another reason than direct abortion and the cause is serious enough, such as the life of the mother, the concomitant or subsequent removal or ejection of the non-viable fetus from its mother may be tolerated. The fact that indirect abortion occurs, unintended indeed,

does not make the otherwise lawful act immoral. The frequent sequel of miscarriage associated with appendectomy during early pregnancy is a case of indirect abortion. It is unintended and the treatment is necessary although the miscarriage may be foreseen as an inevitable result for all practical purposes.

Pope Pius XII presented the teaching on indirect abortion in very succinct terms:

... if, for example, the saving of the life of the future mother, independently of her state of pregnancy, should urgently require surgery or some other therapy which would have as an accessory consequence, in no manner willed or intended, but inevitable, the death of the fetus, such an act could no longer be called a direct attempt on an innocent life. Under these conditions the operation may be licit, as other similar medical interventions, granted always that there be a good of high value concerned, such as life, and it is neither possible to postpone it until after the birth of the infant, nor to have recourse to another efficacious remedy.

*Fronte della Famiglia*, Nov. 26, 1951

### **Superior Obstetrics**

Among the many situations described in defense of direct abortion, that of "therapeutic abortion" in the interests of the mother has been given the most emphasis and frequently sets the mental attitude in discussions of medico-moral problems in pregnancy. Approaches to contraceptive birth control and sterilization generally do not ignore medical complications of pregnancy. The serious outcome of neglected cases of heart disease or those managed according to inferior standards of obstetrics may be presented as a motive for using contraceptive birth control or sterilization as a preventive measure.

There is every reason for sympathizing with the poor mother whose pregnancy is complicated by serious illness. Modern obstetricians, however, are no longer prone to advise direct abortion for the health of the mother since the findings of Doctor Cosgrove of Jersey City Medical Center were published in 1944. A follow-up study in this same center appeared in 1961. There were over 140,000 pregnancies delivered in this Medical School-affiliated obstetrics service without a single instance of therapeutic abortion.

The message is clear for those who have eyes to see and understand. The answer to the mother-child dilemma of the fledgling years of modern medicine is superior obstetrical care for sick mothers and not the destruction of unborn babies.

One can easily see how well intentioned people might confuse therapeutic direct abortion with indirect abortion since both aim at the health of the mother. The difference is that in one case, that of therapeutic direct abortion, the health of the mother is presumably effected by emptying the uterus of the non-viable child; the abortion is directly intended as the means of obtaining the mother's well-being. In the case of indirect abortion, on the other hand, the maternal health is sought by means of the removal of diseased maternal tissue; the abortion is not intended as a means of obtaining the goal of health but rather is an unavoidable side-effect.

### **Population Explosion**

Up to this point we have considered the morality involved in the application of physiological and medical procedures to the generative powers of man. The role of the medical profession and its auxiliary sciences in the perfection of these procedures is prominent on account of the very nature of medical science. Medical science manipulates physical, including biological, causes so as to attain the health of the human person. The knowledge of the human organism and of its parts that physicians acquire makes them invaluable to any plan that would seek to suppress a function, as in sterilization, or frustrate its purpose, as in contraception. When the goal is the health of the individual, it is easy to see why the physician as such may be concerned. When, on the other hand, the subjects in the planning are in the state of health but the medical advice and procedures, such as are concerned in family limitation, sterilization, and abortion, are being employed for economic and social reasons, then the primary purpose of the healing art is replaced by those of economics and sociology. In previous years public health or preventive medicine attempted to manipulate the environment in response to the health needs of the citizens. Under some present day socio-economic planning, however, it would seem that healthy functions of citizens are to be sacrificed in response to environmental needs. The fear of shortage of food and other necessities in face of rising population figures has impelled many to advocate population limitation as an answer. Among the measures employed for population reduction in a country such as Japan in the post-war years, were contraception, sterilization, and abortion. These measures were legalized in that country in 1948 and 1949

according to the study of Monsignor George A. Kelly (*Overpopulation: A Catholic View*, Paulist Press, 1960.)

The use of contraception, direct sterilization, and direct abortion in population reduction is, in a manner of speaking, to restrict the health functioning of citizens for social and economic goals. Health is sacrificed for wealth. Medical techniques are placed in the service of economists and sociologists rather than patient health. The measure of success is not patient health but social and economic equilibrium. Contraception, direct sterilization, and direct abortion are intrinsically immoral. Social and economic reasons, like reasons of health, are unable to make them moral.

So overpopulation is not a valid reason for spreading illicit birth-control practices. . . .

It would be more reasonable and useful if modern society would make a more determined, universal effort to correct its own conduct, by removing the causes of hunger in the overpopulated or "depressed areas" through a more active use of modern discoveries for peaceful aims, a more open political policy of collaboration and exchange, a more farseeing and less nationalistic economy.

Pope Pius XII, *Address to the Directors of the Associations for Large Families of Rome and of Italy*, Jan. 20, 1958.

### **Foundation for Human Hope**

Even in this area of international anxiety voices are now being heard with promise of solutions without procreative suppression. The benefits of public health have increased the life expectancy but have also opened new soil for tillage, having overcome such barriers as malaria in those areas. Increased population requires increased productivity which in turn requires more equitable distribution of arable land, diffusion of technological knowledge and skills. The peoples of the developing nations must therefore be educated for their new responsibilities. Already instances have occurred of the complementary use of international skills for mutual advantage. An example of this is the use of the finishing skills of needle-workers in Puerto Rico for United States shirt makers.

An interesting observation has been made concerning the autochthonous decelerators of birth rate that tend to operate in the social forces of de-



veloping countries. One of these is a trend to increase the average age of marriage. Education tends to induce delayed marriage in countries where life expectancy rates are rising. Where life expectancy is very low it would be difficult to persuade youth to wait until the advanced age of eighteen or twenty before starting a family. As education and health increase there would seem to be a more ready acceptance, according to Monsignor Kelly, of the advantage of longer and better preparation for adult responsibility for successful marriage. In 1951 ninety-four percent of the women in India were married at fifteen and eighty percent of the children were born to mothers younger than twenty. In addition to reducing the span of utilization of the child-bearing period in a woman's life, delayed marriage would seem to carry a suggestion that the older average age of the mother which would result would tend to automatically lower fecundity in itself. At least these observations merit study and indicate the complex interplay of forces that produce a simple vital statistic.

Contraception, direct sterilization, and direct abortion are intrinsically immoral. No reason or combination of reasons whether they be social, or economic, or proposed in the name of patient health, can make these procedures morally lawful. As one New York specialist has cautioned, it is always to be expected that some mother who had been sterilized for socioeconomic reasons will return at a future date, when financial conditions improve to have her procreative powers restored. In the words of another physician-author who was referring to therapeutic abortion, these immoral procedures, when invoked in the name of health, signify medical failure.

We have seen that in the field of medicine improvement of obstetrical knowledge and treatment has almost eliminated the practice of "therapeutic" direct abortion. So too, in the field of economics and sociology improvement in education, social and economic resources and mutual sharing in a spirit of fraternity among nations, as suggested in the above papal recommendations, would appear to offer promise and hope without recourse to suppressive measures leveled against human generation. Men of faith within recent years have seen vindication in practice of the dictum, "Good morals are good medicine." It is refreshing to note that a similar optimism is cherished by some authors in regard to human society that social and economic stability and progress can be maintained without compromise to true, human moral integrity.

In spite, however, of the vacillating achievements of human society in regard to all these moral plagues of mankind, the Church continues her role of spiritual leadership for all men. She brings to men the Light of the

world, as a beacon from the Rock of Peter. Her teaching and ministry imparts the illuminating truths of faith in Christ, the driving force of the charity of Christ, and the perennially activating dynamism of Christian hope.

—Alfred Camillus Murphy, O.P., M.D.

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*Father Alfred Camillus Murphy has received the degree of Licentiate in Sacred Theology and is now enrolled in the Doctorate program at the Dominican House of Studies in Washington, D.C. His richly varied background makes him especially well qualified to speak authoritatively on both the theological and medical aspects of the birth control controversy.*

*He received the degree of Doctor of Medicine from the Long Island College of Medicine in 1946 and served his internship in King's County Hospital in New York. Following a two year period of active duty in the Navy Medical Corps, he entered St. Joseph's Seminary and was ordained a priest for the Archdiocese of New York in 1954. Two years service as a parish curate gave him a practical knowledge of family virtues and difficulties.*

*He next served three years as Assistant Director of the Division of Health and Hospitals, a branch of the Catholic Charities of the Archdiocese of New York. In this post, he shared in over-all administration and policy making for the twenty hospitals under his care and participated in common problem-solving activities within the hospital community of New York. In addition, his experience as moderator of the Archdiocesan Council of Catholic Nurses involved him in the solution of numerous medico-moral problems.*