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## TOWARD A RENEWAL OF THE THEOLOGY OF MARRIAGE

### PART I

*St. Augustine's Doctrine and Influence; The Interpretation of  
St. Thomas.*

**T**HE title, "Toward a Renewal of the Theology of Marriage," suggests not only a rather general interest in the theology of marriage and its historical development, but, more particularly, a question about the much debated issue of birth regulation. This a very good starting point indeed, because precisely the topic of birth regulation allures many people either to an attitude of despair and resignation or to statements which obviously run contrary to the tradition of the Catholic Church. In a few samples chosen at random one may read: "St. Augustine ... has been virtually abandoned by Catholics as a guide . . . to sex. . . . He is

rejected by all Catholics today, as is Pope Gregory the Great, for whom the sex act is 'always accompanied by sin'; or about "the suspicious attitude toward sex held by many of the early Fathers, who seem to have regarded it as a disagreeable necessity for propagating the species...." <sup>1</sup> It is indeed very common nowadays to read about "Augustinian rigorism." <sup>2</sup> Noonan makes reference to "Augustinian sexual pessimism," and about Pope Gregory the Great we even find the coined expression: he "out-Augustined Augustine," <sup>3</sup> thereby saying that the doctrine of this Pope on marriage is even worse than the one of the great bishop of Hippo. One finds similar expressions applied to St. Thomas, the Scholastics of the Middle Ages, the Penitentials, the handbooks of moral theology, the encyclicals of recent Popes, particularly *Casti Connubii* of Pius XI, and even to St. Paul himself.

If one realizes the significance of tradition and continuity within the Church, the outspoken criticism against "the early Fathers," St. Augustine, St. Thomas, etc., is rather unexpected, to say the least. It must be feared that no general agreement on birth regulation will be possible on this basis. The kind of theological opportunism which either makes use of or rejects the tradition of the Church according to one's own coincidental needs and wishes will always be unacceptable to any honourable member of the Church, progressive or conservative. A fundamentalist and uncritical interpretation of the tradition may be responsible for provoking such irresponsible criticism. However, this criticism in its turn is often so uncritical in rejecting the opposite position that it not only makes up the opponent's point of view but, in the process, also accepts as correct his

<sup>1</sup> *The Pill and Birth Regulation*, ed. by Leo Pyle (Libra Books), London, 1964, p. 122 and p. 189.

<sup>2</sup> See e. g. M. Müller, *Die Lehre des hl. Augustinus von der Paradiesesehe und ihre Auswirkung in der Sexualethik des 11. und 13. Jahrhunderts bis Thomas von Aquin* (-Studien zur Geschichte der kath. Moraltheologie, 1). Regensburg 1954, passim; H. Klomps, *Ehemoral und Jansenismus. Ein Beitrag zur Überwindung des sexualethischen Rigorismus*. Cologne 1964, p. 50. 114. 115.

<sup>3</sup> John T. Noonan, Jr., *Contraception. A History of Its Treatment by the Catholic Theologians and Canonists*. Cambridge, Mass. 1965, p. 143 and p. 150.

uncritical interpretation of the tradition as well. **It** seems to me that the conservatives are right in defending and sticking to the tradition but wrong in their rejection of the new opinions on birth regulation, whereas the progressives are right in advocating the new methods of birth regulation but wrong in criticizing and rejecting the testimonies of the tradition. I shall first consider the history of the theology of marriage.

*St. Augustine.*

The teaching of St. Augustine on marriage has been of paramount importance in the tradition of the Western Church. Though recently buried under an avalanche of sour criticism—just as St. Augustine's doctrine of grace was criticised by the holy monks of 5th century southern France—it has hitherto always been an uncontradicted authority in the theology of the West.

To understand St. Augustine one has to keep in mind that he wrote in a highly controversial situation. Manichaeism said that all matter had been created by a malicious god. **It** condemned marriage and procreation because the begetting of a new human being implicated a continuation of the captivity of spirit within matter. Pelagianism denied original sin and the necessity of infant baptism. **It** thus denied the transition of any evil from parents to child.

St. Augustine rejects what has to be rejected but at the same time he confirms what can be confirmed. About Manichaeism he writes to Honoratus: "I keep to the truth I learned from them; what I have found to be false I reject."<sup>4</sup> He rejects as false the Manichaean condemnation of marriage and procreation. Over and over again he repeats that marriage is good. Against Faustus he upholds the honesty of sex<sup>5</sup> and he quotes from the first Letter to Timothy: that "some will desert from the faith and . . . forbid marriage" (1 Tim. 4, 1. 3). He

\* "... quod apud eos verum didiceram, teneo; quod falsum putaveram, respuo" (De *utilitate m-edendi*, 18, 86: PL 42, 92).

<sup>5</sup> See *Contra Faustum Manichaeum*, 29, 4: PL 42, 490.

refers to the study of Isaac and Rebekah (Gen. 26, 8) and says that no one, unless he be hard and without feelings, should reproach a holy man for petting with his own wife.<sup>6</sup> He even defends the polygamy of the Patriarchs: they acted according to the prevailing custom of their times.<sup>7</sup> When St. Augustine stresses the fact that they married to beget offspring, he does not at all deny that marriage is a society and a bond of friendship and love. If this were not so, he asks, how could **old** people or a childless couple be married? <sup>8</sup>

What he vigorously condemns, however, is the lustseeking of the Manichees. Their so-called marriages are plain fornication and prostitution. They try by all means to prevent the rearing of offspring, lest their god be captured and confined in the fruit of the womb. So they use the safe period <sup>9</sup> or they spill their god (an illusion to "onanism"), lest he be cruelly shackled.<sup>10</sup>

St. Augustine does not reject the Manichaeian doctrine part

<sup>6</sup> " Verum hoc, quod ad mores humanitatis pertinet, dixerim, ne quisquam durus et sine affectu idipsum pro crimine obiiciat sancto viro, quod cum coniuge sua luserit" (*Contra Faustum Manich.*, 22, 46: PL 42, 428). See also St. Bonaventure: "licet enim viris cum uxoribus iocari (this is the term used by the Vulgate in Gen. 26, 8; Augustine seems to have read " ludere ") et etiam delectari " (In 4 *Sent.* 31, a. 2, q. 3: ed. Quaracchi, p. 726).

<sup>7</sup> ". . . illo tempore atque in illis terris hoc factitabatur " (*Contra Faustum Manich.*, 22, 47: PL 42, 428; *De bono coniugali*, 25, 33: PL 40, 395).

<sup>8</sup> " Bonum ergo coniugii, quod etiam Dominus in Evangelio confirmavit (Mt. 19; Jo. 2) . . . cur sit bonum merito quaeritur. Quod mihi non videtur propter solam filiorum procreationem, sed propter ipsam etiam naturalem in diverso sexu societatem. Alioquin non iam diceretur coniugium in sensibus, praesertim si vel amisissent filios, vel minime genuissent" (*De bono coni.*, 3, 3: PL 40, 375).

<sup>9</sup> "Nonne vos estis qui nos solebatis monere, ut quantum fieri posset, observaremus tempus, quo ad conceptum mulier post genitalium viscerum purgationem apta esset, eoque tempore a concubitu temperaremus, ne carni anima implicaretur? . . . non iam uxorem, sed meretricem feminam facit . . ." (DB *moribus eccl. cath. et de mOT. manich.* II, 18, 65: PL 32, 1373). See also: John T. Noonan, Jr., *Contraception*, p. 120.

<sup>10</sup> " --- perversa lex Manichaeorum, ne deus eorum, quem ligatum in omnibus seminibus plangunt, in conceptu feminae arctius colligetur, prolem ante omnia devitari a concumbentibus iubet, ut deus eorum turpi lapsu potius eflundatur, quam crudeli nexu vinciat" (*Contra Faustum Manich.*, 22, 30: PL 42, 420; cf. 22, 61: PL 42, 438).

and parcel. In agreement with the Manichees, he writes: "We say that the desire of the flesh, which fights against the spirit, is bad, and does not spring from the Father. Its origin, however, is not the malicious god of the Manichees but mankind's own nature as corrupted by Adam's sin." <sup>11</sup>

Now here lies the pivotal point of St. Augustine's doctrine of marriage as it passed into the theological tradition of the West and-I think it must be added-the very reason why it has so often been badly understood and interpreted. It is not difficult to quote a good many Augustinian sentences that sound very stern and rigoristic. I have quoted a few texts that do not sound rigoristic at all. Their presence too needs an explanation which I think is to be found at a deeper level. It simply does not make sense to oppose a series of rigoristic quotations with a group of non-rigoristic ones. If we are to understand St. Augustine's theology of marriage, we must stop talking ethics and search for *theological* considerations. After all, St. Augustine's marriage ethics is in a way hardly more interesting than that of anyone else within the same cultural surroundings. In this respect he frequently refers to Cicero,<sup>12</sup> Plato/<sup>3</sup> the poets,<sup>14</sup> civil law<sup>15</sup> and custom,<sup>16</sup> and we have seen already that

<sup>11</sup> - --- cum Manichaeis dicimus concupiscentiam carnis, quae contra spiritum concupiscit, malum esse, atque a Patre non esse (see Gal. 5, 17; 1 Jo. 2, 16) ... ; istam discordiam duarum concupiscentiarum carnis et spiritus non cum illis per adienae Deo coaeternae malaeque naturae commixtionem nobis accidisse, sed cum catholico Ambrosio eiusque consortibus, per praevaricationem primi hominis in noturam nostram vertisse disserimus" (*Opus imperf. contra Jul.* VI, 41: PL 45, 1608).

<sup>12</sup> See e. g. *Contra Jul.* IV, 12, 60-61; 14, 72; V, 10, 4<sup>1</sup>: PL 44, 767-768. 774. 808.

<sup>13</sup> See e. g. *Contra Jul.* IV, 14, 72: PL 44, 774.

<sup>14</sup> See e. g. *Contra Jul.* V, 8, 38: PL 44, 807.

<sup>15</sup> The marriage document contains the formula: "liberorum procreandorum causa." Cf. *De nuptiis et concup.* I, 4, 5; 10, 11: PL 44, 416. 420; *Contra Jul.* III, 21, 43: PL 44, 7<sup>1</sup>14; *De Civ. Dei* XIV, 18: PL 41, 426; *Sermo* 9, 11, 18: 278, 9: PL 38, 88. 1272. See also: Caesarius of Aries, *Sermo* 44, 3: Corp. Christ. Ser. Lat. (Brepols) 103, 196-197; Isidor of Sevilla, *De eccles. off.* II, 20, 10: PL 83, 812. See on this document: K. Ritzer, OSB, *Formen, Riten und religiöses Brauchtum der Eheschliessung in den christlichen Kirchen des ersten Jahrtausends* (=Liturgiewissenschaftliche Quellen und Forschungen, 38). Munster 1962, p. 27-28. 200-note 261. 353.

<sup>16</sup> *De bono coni.* 7., 7; 8; 26, 34: PL 40, 378. 379. 395; *Opus imperf. contra Jul.* V, 24: PL 45, 1461.

the bishop of Hippo saw no reason to blame the Patriarchs for their adapting to the custom of polygamy. Besides, we should be aware of the fact that St. Augustine until the end of his life fostered serious doubt about one of the most basic problems of anthropology: the relation of soul and body/<sup>7</sup> and it should amaze no one that these doubts affected his opinion about sex too.

He whom tradition has called the "Doctor of Grace" was not and never wanted to be a philosopher, at least not after his conversion to Christ, but a preacher. Nowhere does this become so overwhelmingly clear as in his controversy with the Pelagian bishop Julian of Eclanum. He refuses almost stubbornly to go along with the philosophical reasoning of his opponent. Time and again he declines to be carried away by the arguments of Aristotle/<sup>8</sup> and he even reproaches Julian for being not only a new heretic but also a religious physicist.<sup>19</sup>

What, then, is St. Augustine's real center of interest, the pivot of his theology? Why does he agree with the Manichees and maintain against the Pelagians that the desire of the flesh is bad and does not spring from the Father?

It should be clear from the beginning that the desire of the flesh ("concupiscentia," "libido") is not at all identical with sexual desire, lust or concupiscence.<sup>20</sup> Basically it is not identical with any human feeling or desire.<sup>21</sup> The desire of the flesh

<sup>17</sup> See e.g.: *Contra Jul.* V, 41, 17; VI, 14, 41: PL 44, 794. 845; *Opus imperf. contra Jul.* II, 178: PL 45, 1219. Cf. R. J. O'Connell, SJ, "The Plotinian Fall of the Soul in St. Augustine," *Traditio* 19, 1963, 1-35; see thereupon: *Rev. d'Et. aug.* 11, 1965, 372-375.

<sup>18</sup> *Contra Jul.* I, 4, 12; II, 10, 34; 10, 37; III, 2, 7; V, 14, 51; VI, 18, 56; 20, 64: PL 44, 647. 698. 700. 705. 812. 855. 862 etc.

<sup>19</sup> "Sed novus haereticus, religiosus physicus vis putari" (*Opus imperf. contra Jul.* IV, 134; PL 45, 1429).

<sup>20</sup> "Ita hoc dicis, quasi nos concupiscentiam carnis in solam voluptatem genitalium dicamus aestuare. Prorsus in quocumque morporis sensu caro contra spiritum concupiscit, ipsa cognoscitur" (*Opus imperf. contra Jul.* IV, 28: PL 45, 1352). Cf. Fr.-J. Thonnard, AA, "La notion de concupiscence en philosophie augustinienne," in: *Recherches augustinennes* III, Paris 1965, 59-105.

<sup>21</sup> "--- aliud esse sentiendi vivacitatem, vel utilitatem, vel utilitatem, vel necessitatem, aliud sentiendi libidinem" (*Contra Jul.* IV, 14, 65; cf. 14, 67: PL 44, 770;

as mentioned by St. John (1 Jo. 16) and St. Paul (Gal. 5, 17) is nothing else than earthly man himself. It may as well be called original sin, or man in need of God's redemption.<sup>22</sup> Fleshly desire or original sin is not a description of man like any other description. To think this means repeating the serious mistake that has been made in many popular explanations of original sin. Original sin is not a *moral* or *ethical* fault or deficiency, and in this sense a sin. It is not something visible<sup>23</sup> but a divine secret.<sup>24</sup> This does not mean, however, that original sin is something unintelligible, though several theories on original sin are in fact rather obscure. St. Augustine, who first used the expression original sin ("peccatum originale") knew fairly well what he meant, and why a large part of his writings concerned original sin. The term, one might say, expresses the core of the Christian message in a negative way. Holy Scripture does exactly the same thing. It proclaims the positive message of God's grace and pity, but it also says that man is blind/<sup>5</sup> deaf/<sup>6</sup> ill,<sup>7</sup> a paralytic/<sup>8</sup> a leper,<sup>29</sup> dead,<sup>30</sup> barren land/<sup>1</sup> dry bones (Ez. 37). This does not mean that every one is blind, deaf, a leper, etc., but that man is deaf, blind, ill, dead, etc., *compared to* what God has prepared for him and what no eye has seen, nor ear heard, nor the heart of

cf. 771); " --- libidinem culpo, non membra; vitium denoto, non naturam" (*Contra Jul.* VI, 11, 34: PL 44, 841); "Alia est vis sentiendi, aliud vitium concupiscendi" (*Opus imperf. contra Jul.* IV, 129: PL 45, 1353).

<sup>22</sup> See: *De nuptiis et concup.* I, 19, 21: PL 44, 426.

<sup>23</sup> Haec invisibilia et infidelibus incredibilia --- "; "... et illud credatur quod cerni non potest" (*De nuptiis et concup.* I, 19, 21: PL 44, 426).

<sup>24</sup> --- originalis secreta peccati --- " (*Contra Jul.* III, 19, 37: PL 44, 7122).

<sup>25</sup> Is. Q9, 18; 35, 5; 4Q, 7. 16. 18; 43, 8; 56, 10; 59, 10; Jer. 31, 8; Zeph. 1, 17; Ps. 146, 8; Mt. 9, 27. Q8; 11, 5; 12, 2Q; 15, 14. 30. 31; 20, 30; 21, 14; Q3, 16 ff. 24. Q6; Mk. 8, QQ. Q3; 10, 46 ff; Lk. 4, 19; 6, 39; 7, Q1. 2Q; 14, 13. Q1; 18, 35; Jo. 5, 3; 9, 1 ff; etc.

<sup>26</sup> Is. 129, 18; 35, 5; 4Q, 18; 43, 8; Mt. 11, 5; Mk. 7, 32. 37; 9, 124; Lk. 7, Q2; etc.

<sup>17</sup> Mt. 4, Q3; 8, 17; 9, 35; 10, 1; Mk. 3, 15; 6, 5. 56; Lk. 4, 40; 5, 15; 8, 2; 13, 11; Jo. 4, 46; 5, 4; 11, Q; etc.

<sup>28</sup> Mt. 4, Q4; 8, 6; 9, 2 ff; Lk. 5, 18 ff; Acts 8, 7.

<sup>29</sup> Q Ki. 5; Mt. 8, Q. 3; 10, 8; 11, 5; Mk. 1, 40 ff; Lk. 4, Q7; 5, 12. 13; 7, Q2; 17, 12.

<sup>30</sup> Gen. 2, 17; 3, 19; Mt. 9, 18 ff; Mk. 5, 22 ff; Lk. 8, 41 ff; Jo. II; etc.

<sup>31</sup> Is. 35, 7; 44, 3; Ez. 30, 1Q; cf. Ez. 47; etc.

man conceived (1 Cor. 9). *In comparison to his divine destination man lives in his own human world like a stranger, a captive, an exile, a displaced person.* This is what the Scriptures qualify as death in opposition to life, sin in opposition to justice, flesh in opposition to spirit, earthly in opposition to heavenly, blind in opposition to seeing, slavery in opposition to freedom, etc. This is exactly what St. Augustine means by original sin, desire of the flesh, or ignorance. He did not, as the prejudiced German historian, Gross, caustically remarked, invent original sin.<sup>32</sup> The only thing he invented was the term he used to describe the miserable condition of man unredeemed, excluded from the paradise of God's presence.

Original sin, then, is not a mundane, worldly entity, but the interpretation of the whole of human existence from the viewpoint of the Christian message. The Gospel opens the eyes of man born blind to God's human presence within his own world, but at the same time it must tell him that he was born blind though he thought he was seeing; that he was dead though he thought he was fully alive.

Thus, although original sin is not a mundane entity, it is nonetheless understandable in the light of the Biblical message about sin, blindness, misery and death, how every *particular* evil which man *experiences*, may rightly be *interpreted* as a sign and symptom of God's absence from human existence, as a concrete result of being excluded from the paradise of God's presence. The Biblical narrative of Genesis does this when it considers death, the pains of delivery and the hardness of labour as so many consequences of Adam's sin. St. Augustine does this also when he as it were identifies original sin and the autonomy or disobedience of the sexual organs, faculties and processes which occur in human life. We have heard already that he denies in so many words that the desire of the flesh is nothing else than the sexual desire or lust (note . However, it is precisely the experience of this autonomy or disobedience which induces St. Augustine to call it a consequence of Adam's

<sup>32</sup> Julius Gross, *Geschichte des Erbsiindendogmas* I, Munich 1960, 375.



sin, a sign and symptom of the corruption of human nature since the fall, and in this sense bad, evil and sinful. **It** is not and cannot be sin, i. e. original sin itself, which is and remains invisible, a divine secret (note . . .). However, in as far as this sexual autonomy or disobedience is *experienced* by a person, or group or even a whole population as a kind of human shortcoming or evil, it may rightly be *Interpreted* by a believer as something which infringes upon his relation with God. The same applies to any human shortcoming or evil. And the opposite is also true: everything good or pleasant in human life may be and should be interpreted and understood as a grace of God.

So, listening to St. Augustine's explanation of original sin we are not just listeners to a theory or a complicated piece of theological reasoning but witnesses of the preaching of the "Doctor of Grace," one of the greatest religious geniuses the world has ever seen. He opens our eyes to the light of the Lord's countenance (Ps. 4, 6) which shines into the darkness of our everyday life, but he also marks the dismal and grim shadows where blind people err groping in the dark.

This basic Biblical view of the world, which measures everything exclusively in terms of God's presence or absence explains St. Augustine's theology of marriage. Apart from the ever present cultural, or perhaps even personal, emphasis on the disturbing character of sex; apart from the controversial theological accent on procreation against the fear of the Manichees that through procreation their god becomes shackled; and apart from the controversial theological accent on concupiscence, i. e., the need of divine redemption against the denial of original sin by the Pelagians, St. Augustine essentially affirms the goodness of marriage and sexuality. **If** he calls the sexual lust bad or evil or sinful, which in a way he often does, it must be understood that this is basically a theological assertion, not an ethical one. **It** does not blame marriage or sexual intercourse. **It** serves to make clear that all mankind, newly born children not excepted, need God's redeeming in Christ. The real theme and device of almost everything St. Augustine has written

about marriage is not sex but the text of Romans 5, 12, repeated hundreds of times: "As sin came into the world through one man and death through sin, so death spread to all men, who have all sinned in him."<sup>33</sup>

No matter how good and holy marriage and married people may be, if their children are to be sons and daughters of God, it will be through the abundance of God's grace in Christ, not thanks to any efforts on the part of their parents. St. Augustine knew well enough the theme of sterility and virginity in Holy Scripture and what it really means. Abraham's wife Sarah was sterile until God gave her offspring.<sup>34</sup> Isaac's wife Rebekah was sterile until God gave her offspring (Gen. 25, 21). Jacob's wife Rachel was sterile until God opened her womb (Gen. 30, 22). Holy Scripture does not deny that the Patriarchs were able to procreate offspring but it proclaims that only God himself is the Father of his people (cf. Deut. 32, 18), of the Son he alone begot. Both the Old and New Testament testify to this.<sup>35</sup> On the text of Luke 20, 34: "The sons of this age marry and are given in marriage," St. Augustine comments: "They do not beget children in as far as they are sons of God, but in as far as they are still sons of this world."<sup>36</sup>

There can be no doubt as to the real and essential target of St. Augustine's theology. "The objective of this book," he says, introducing the work on Marriage and Concupiscence, "is to distinguish the goodness of marriage from the evil of fleshly desire through which every man is born with original sin."<sup>37</sup> And finishing the same work he writes about the Pelagian

<sup>33</sup> This is, as is well-known, the way St. Augustine understood the Latin translation of the Bible he used: "in quo (=in Adam) omnes peccaverunt." I don't think the translation really matters since the basic idea is: "all men have sinned."

<sup>34</sup> Gen. 11, 30; 15; 16; 17; 18; 21; cf. 17, 16 and 21, 1-2.

<sup>35</sup> See: Ps. 2, 7; Acts 13, 33; Hebr. 1, 5 and 5, 5. See also: Is. 54, 1; Gal. 4, 27; Jug. 13, 3; 1 Sam. 1; Is. 7, 14; Lk. 1; Mt. 1, 18 ff.

<sup>36</sup> *De nuptiis et concup.* I, 18, 20: PL 44, 425.

<sup>37</sup> "Intentio igitur huius libri haec est, ut quantum nos Dominus adiuvare dignatur, carnalis concupiscentiae malum, propter quod homo, qui per illam nascitur, trahit originale peccatum, discernamus a bonitate nuptiarum" (*De nuptiis et concup.* I, 1, 1: PL 44, 413-414)-unmistakably a reference to Jo. 1, 13.

bishop Julian: "... let him think whatever he wants about concupiscence, . . . if only he has pity on the children." <sup>38</sup>

To close this chapter on the theology of marriage of the bishop of Hippo I would like to draw attention to his comment on Ps. 51, 5: "I was brought forth in iniquity, and in sin did my mother conceive me." St. Augustine writes: ". . . this does not accuse the marriage bond but original sin." <sup>39</sup>

*The interpretation of St. Augustine's teaching in the West.*

The further history of the theology of marriage in the West is for a large part the history of the interpretation of St. Augustine's teaching. To sketch the lines of this development is not an easy task. Authors writing about "Augustinian rigorism" and "sexual pessimism" generally blame Pope Gregory the Great and the monks of the early Middle Ages for an increase of rigoristic conceptions about marriage and sex. These conceptions, it is understood, were a fact in the century and they thus became the leading ideas of Scholastic theology and were carried right through into the 16th century. Only then did a reaction set in. The Humanism of John Mayor (c. 1470-1540) and Jacob Almain (+ 1515) spread from Paris and was assured victory by the leading theologians of those days: Francis de Vitoria and his successors in Salamanca <sup>40</sup> and the great Spanish Jesuit theologians of the 16th and 17th centuries. Their successful reaction against Augustinian rigorism, this analysis continues, was completed and confirmed by the famous handbook of moral theology of the Jesuit, Busembaum, published in 1650 (or perhaps 1645) and spread in more than

<sup>38</sup> - --- sentiat de ista libidine iste quod libet, . . . tantum parvulis parcat " (*De nuptiis et concup.* II, 35, 60: PL 44, 47e).

<sup>39</sup> - --- nee accusat vox ista nuptiale consortium, sed originale peccatum" (*Contra Jul.* II, 3, 5: PL 44, 675). I have come across only one anonymous 1eth century text that seems to attribute this sin to the parents-in defense of the Immaculate Conception: "... parentum potius erat quam Mariae, quae nondum erat" (quoted by X. Le Bachelet, art. "Immaculee conception" IV, in: *Diet. de Theol. Cath.* VII, Paris 19e7, col. 1018).

<sup>40</sup> See: R. G. Villoslada, S. J., *La Universidad de Paris durante los estudios de Francisco de Vitoria O. P.* (1507-1522) (=Analecta Greg., XIV). Rome 1938.

200 editions in many languages, and finally by the authority of St. Alphonsus de Liguori at the end of the 18th century.<sup>41</sup>

Though this analysis seems correct in a way, I doubt if it takes into account sufficiently the theological aspects of the development. It puts a rather strong emphasis on discontinuity and change which, again, sounds at least a bit unexpected. In proposing their analysis authors like Muller, Klomps and Noonan have in part, I would say, fallen victim to a principle which in itself is very sound but needs to be handled with utmost care. I mean the theological principle of tradition and continuity. These authors, I think, rightly try to study the tradition of the Church. They do not, however, sufficiently distinguish the *development* of cultural and ethical institutions and conceptions from the *continuity* of theological affirmations implied and present therein. Thus it seems they unconsciously use a kind of Hegelian conception which perhaps contributed to the idea of development of dogma—a very ambiguous term, I think, often concealing rather confused patterns of thought and analysis.

We have seen that St. Augustine's real interest in marriage is not ethical but theological. He rejects the Manichean belief in a malicious god and for this reason the preventing of conception in marriage. He preaches the need of God's redeeming grace for every one, and for this reason he stresses the fact that children are conceived out of the desire of the flesh and are thus born under the doom of original sin.

The development since St. Augustine is essentially characterized by the loyalty of the later theologians to his teaching. This respect for one of the greatest theologians of all times, albeit sincere, often pays more attention to the letter than to the spirit of the Doctor of Grace. Although one may have doubts about Pope Gregory the Great and particularly about his famous letter to bishop Augustine of Canterbury,<sup>42</sup> it is

<sup>41</sup> See e. g. M. Muller, *Die Lehre des hl. Augustinus von der Paradiesesehe ...*; H. Klomps, *Ehemoral und Jansenismus ...*; John T. Noonan, Jr., *Contraception*.

<sup>42</sup> Paul Meyvaret, O. S. B., "Bede and the *LibeUus Synodicus* of Gregory the Great," *Journal of Theol. Studies*, N. S. 12, 1961, 298-302, writes: "The *Libellus*,

absolutely evident in the early Middle Ages and in the theology of the 12th and 18th centuries and onwards that the emphasis in regard to marriage has gradually shifted from theology to ethics. Concupiscence, essentially a theological category for St. Augustine and basically meaning original sin, often became completely identified with sexual lust or delectation. What in St. Augustine was after all of minor importance here became almost the center of interest. Even taking into account the cultural surroundings and popular conceptions about marriage, continence and sexual intercourse, which in many instances must have been rather stern and rigoristic in themselves, it becomes nonetheless clear that theology was taking a course of its own, apart from everyday life. Theology hesitated between loyalty to the letter of St. Augustine and to its task of diffusing the light of God's revelation to the ordinary people of God. In spite of the letter of St. Augustine's doctrine reasons which allow married people to have sexual intercourse-and the "delectations" connected with it-were gradually increased and broadened. At the dawn of the 18th century Robert of Curson (or † 1219) writes: "Ordinary married people do not pay attention to any of the official categories concerning sexual intercourse. They just love one another. How could they be condemned for this?"<sup>43</sup> This is repeated by Godfrey of Poitiers<sup>44</sup> and William of Auvergne.<sup>45</sup>

except for an interpolated passage in the *Responsio* on marriage, is unquestionably an authentic Gregorian work" (p. 1). He promises an extensive publication on the question of its authenticity which has not yet appeared. He has repeated this promise in *Bede and Gregory the Great*, published by H. Saxly (=The Jarrow Lecture for 1964), Jarrow-on-Tyne, 1965; (fn. 3 and 40).

<sup>43</sup> "Nam vulgus nullum illorum quatuor modorum (i.e., 1/ procreation, fulfilling the debt, 3/ preventing fornication, 4/ seeking lust) attendit. Immo de quadam consuetudine vulgari accedunt laici ad suas uxores, non attendentes nisi hoc, quod coniuncti sunt in matrimonio, vel quod unus appetit copulari altero, non attendentes determinate aliquem finem ... Solutio: ... Non enim iudicandum est, Jaicos ideo esse damnandos, quia nimis tenere diligunt uxores suas vel quia frequenter accedunt ad eas" (quoted by M. Muller, *Die Lehre des hl. Augustinus von der Paradiesesehe* ... , p. 159-footn. 96).

•• Quoted by Muller, *op. cit.* p. 177-footn. 150.

•• Quoted by Muller, *op. cit.* p. 188. See also: J. G. Ziegler, *Die Ehelehre der Pontificalsummen von 11:00-1350* (=Studien zur Geschichte der kath. Moraltheologie, 4). Regensburg 1956, p.

More than half a century earlier the famous theory of the first motions appeared in the works of Robert Pullis (+ 1146)/<sup>6</sup> an Englishman, like Robert of Curson. This was in fact another attempt to mitigate an ethical conception of marriage whose rigorism was obviously experienced. At the same time, however, this marks once more the shift of interest away from theology and into psychological considerations about first and second motions, away from the desire of the flesh and original sin into the ethical justification of sexual intercourse and the pleasures of love.

A single glance into non-theological sources suffices to demonstrate the divergence between official theology and common opinion and practice. The love songs of minstrels and troubadours, the obligatory school reading of Ovid's "Art of Loving" and other works of the same type, the "Roman of the Rose," the "Arabian Nights," Chaucer, Shakespeare, Rabelais, Boccaccio, Fernando de Rojas' "La Celestina," are so many signs that amorous intrigue and love played a much larger part in secular life than they were supposed to do. Chaucer seems to be well aware of official theology, according to what is said of the cock Chauntecleer in "The Nonne Preestes Tale": that his activity in regard to the hens was "more for delyt, than world to rnultiplie" (4535). And it was obviously not at all a common experience for Odenake to hear that his wife, queen Cenobia, indeed only wanted "to have a child, the world to rnultiplie" ("The Monkes Tale," 3472) and no more. "The Marchantes Tale," for example, paints a quite different picture.<sup>47</sup> It seems to me that this brief encounter with another part of the Church, well aware of the fact that elfs and fairies had left where monks carne in<sup>48</sup> and that man does not live by theory and intellect alone but by living example and human feelings as well, should convince us at once that the attitude of

<sup>46</sup> See: Muller, *o. c.* 93-footn. 154a, etc.

<sup>47</sup> "A man may do no sinne with his wyf,  
Ne hurte him-selven with his owene knyf;  
For we han leve to pleye us by the lawe' (1839-1841); etc.

<sup>48</sup> See: "The Tale of the Wyf of Bathe," 857-881.

the Church towards marriage in these centuries showed many more shades than were represented by official theology, and that official theology was on the right track, and really much more Augustinian than it supposed it was, by gradually loosening its tight theoretical control on marriage ethics.

In the meantime it should not be forgotten that in the 12th century marriage was officially taught to be a sacrament and that, in opposition to their colleagues of the 12th century, those of the 13th were convinced that it indeed conferred grace.

*St. Thomas Aquinas: St. Augustine rendered intelligible to himself.*

These reflections on the development of the theology of marriage may be closed by a brief review of the contribution of St. Thomas Aquinas. The German moralist, J. Fuchs, S. J., published in 1949 a very thorough and interesting study about St. Thomas' sexual ethics.<sup>49</sup> There is a widespread opinion that, as e. g., Noonan recently wrote, Fuchs is "the best of the commentators on Thomas' sexual ethics."<sup>50</sup> You will allow me to remark, not against Fr. Fuchs, who is held in high esteem, but against a pseudo-scientific shibboleth and snobbism, and on behalf of St. Thomas and of the tradition of the Church, that this opinion is a grotesque mistake, principally for three reasons which should be obvious for everyone who studies Fuchs' publication.

1) It accuses St. Thomas of a spiritualistic anthropology (p. 37, 38), whereas it is perfectly clear that the author himself starts from a completely Cartesian opposition between flesh and spirit (p. 37, 59. etc.) and projects this into St. Thomas.

2) Fuchs' book presents an interpretation of St. Thomas' conception of original sin as a mundane, worldly reality (pp. 53-61) and therefore in competition with "nature." This is, again, not the opinion of St. Thomas but a projection of the author himself.

<sup>49</sup> Josef Fuchs, S. J., *Die Sexualethik des heiligen Thomas von Aquin*, Cologne, 1949.

<sup>50</sup> *Contraception*, p.

3) Due to the above mentioned factors the interpretation of Thomas' sexual ethics is completely twisted and warped.

I suspect that even the author himself now considers his book an "indiscretion of youth," but it is still quoted by many scholars<sup>51</sup> as the greatest authority on St. Thomas.

Two remarks should be made about St. Thomas:

1) The fact must be taken into account that St. Thomas died before he was able to finish his last work. Thus in the *Summa Theologiae* the treatise on marriage is lacking. This constitutes one of the most obvious reasons (though not the only one) why one cannot quote arbitrarily from earlier works to present as St. Thomas' conception of marriage and sex something which obviously contradicts, e. g., his treatise on fundamental ethics in the *Summa*. However, it is almost common practice to do so. This implies that much so-called "Thornism" has almost nothing to do with either the theology or the ethics of St. Thomas.<sup>52</sup>

2) St. Augustine, writing about original sin, never answered the Aristotelian questions asked by bishop Julian. St. Thomas did. We may leave aside the problem of why St. Augustine did not integrate in his teaching the Aristotelian point of view brought forward by bishop Julian. It seems, though, that he was unable to do so, due to his neo-Platonic conceptions. Now in regard to original sin and in regard also to the seemingly secondary question connected with it, namely the autonomy and disobedience of the human sexual faculties, the theological genius of St. Thomas becomes more manifest than ever.

<sup>51</sup> See, e. g.: M. Miiller, *Die Lehre des hl. Augustinus von der Paradiesesehe ...*, p.

J. G. Ziegler, *Die Ehelehre der Pontificalsummen*, p.

L. Brandl, O. F. M., *Die Sexualethik des heiligen Albertus Magnus* (=Studien zur Geschichte der kath. Moraltheologie, Regensburg 1955, p. 74. 85. 99-note 134-135.

H. Klomps, *Ehemoral und Jansenismus*, p. 40 ff. ff; John T. Noonan, Jr., *Contraception*, p.

17.

<sup>52</sup> A very interesting recent example of criticism on this so-called "Thornism" is the article of Michel Villey, "Saint Thomas dans l'Histoire des Sources," in: *Etudes d'histoire du droit canonique dédiées à Gabriel Le Bras*, Paris 1965, I, 385-895.



## THE THEOLOGY OF MARRIAGE

The heart of the Christian message is the incarnation of God. There is not, and cannot be, any competition whatsoever between God and man, between the Creator and the world created autonomous by him. Therefore there is not, and cannot be, any competition between Aristotle talking about autonomous human nature and St. Augustine talking about the incarnate God. So it is perfectly right to say that the whole complex of human sexual faculties is completely natural, as Aristotle and bishop Julian say. This does not at all exclude, however, that this complex can and must be understood also as either revealing or concealing the countenance of the incarnate God. So Thomas not only affirms that marriage is a sacrament like any other<sup>53</sup> but he does not hesitate either to declare that conjugal intercourse, given its human goodness,<sup>54</sup> is a meritorious act.<sup>55</sup>

From the same point of view he can understand why St. Augustine, for some personal or not so personal reason, considered sex as partly an infringement on *spiritual*, human personality, and almost identified sex in particular with the desire of the flesh and sin, i.e., absence of God's countenance.<sup>56</sup> There is no clear indication, however, that in this respect St. Thomas shares the courteously reproduced opinion of St. Augustine. Not only does he realize too well how transitory these sexual

<sup>53</sup> *Summa Theol.* III, 65, 1; II-II, 100, 2, ad 6.

<sup>64</sup> Cf. *Summa Theol.* I-II, 21.

<sup>55</sup> *Summa Theol.* I-II, 18, 5, ad 8; II-II, 40, 2, ad 4.

<sup>66</sup> St. Thomas first quotes the Augustinian *interpretation* of nature: "... sicut Augustinus dicit ... , hoc quod motus genitalium membrorum rationi non obedit, est *ex poena peccati*. . . ." Then he goes on: "Sed quia per peccatum primi parentis ... *natura est sibi relict*a, subtracto supernaturali dono quod homini divinitus erat collatum; *ideo* consideranda est *ratio naturalis* quare motus huiusmodi membrorum specialiter rationi non obedit. Cuius causam assignat Aristoteles . . ." (*Summa Theol.* I-II, 17, 9, ad 8; cf. II-II, 153, 2, ad 2 and ad 8). The same view appears elsewhere; e.g.: "... *naturalis* mors divina potestate inducitur *propter peccatum originale*" (op. cit. I-II, 94, 5, ad 2).

There is not the slightest incoherence in this view. In this respect Fuchs' interpretation: "Zweifellos stehen hier zwei verschiedenartige *ethische* Richtungen (i.e. Augustine and Aristotle) wenig vermittelt nebeneinander" (*Die Sexualethik* ... p. 227 [emphasis added!]; cf. p. 60. 226. 811), rests on a complete misunderstanding. The same applies to the authors who copy Fuchs' opinion.

feelings, experiences and customs are,<sup>57</sup> but neither does the context, in which St. Augustine's opinion is mentioned, lead us to believe that this is St. Thomas' personal opinion. For there he rejects straight away the opinion, also upheld by St. Augustine,<sup>58</sup> that sexual intercourse is bad because it momentarily deprives one of the use of reason. St. Thomas thinks that this is perfectly normal, and virtuous.<sup>59</sup>

### *Summary.*

This first part of our study has been largely concerned with original sin. That the doctrine of original sin has had such an impact on the theology of marriage is simply a fact with which history confronts us. This discovery should neither alarm nor disappoint us.

1) **It** may be considered proof that we did not waste our time discussing ethics instead of theology. For, original sin means lack of grace or absence of God. And hardly anything could be imagined which is more theological than talking about God's presence or absence-be it in marriage or elsewhere.

2) I think, however, that we really made a discovery. Like people who laboriously climb a mountain; on reaching the peak they can look out over the whole landscape with a single glance. So too we can now see what has happened to marriage in the history of theology.

St. Augustine, the Doctor of Grace, preached man's blindness, misery and death according to the Scriptures. In this respect he put such an emphasis on marriage and sex that later theologians, not quite understanding St. Augustine's essentially *theological* point of view, and remaining loyal to the authority

<sup>57</sup> " Non potuerunt autem aliqua praecepta communia affirmativa de temperantia dari: quia usus eius *variatur* secundum diversa tempora, sicut Augustinus dicit, in libro de Bono Coniug., et secundum diversas hominum leges et consuetudines" (*Summa Theol.* II-II, 170, 1, ad 3).

<sup>58</sup> *Contra Jul.* IV, 14, 71: PL 44, 774.

<sup>59</sup> *Summa Theol.* II-II, 153, ad 158, 1, ad 1, cf. I-II, 1, 6, ad 8; etc. Thomas had rejected this opinion already in *IV Sent.* 1, 8, ad 6.

of the bishop of Hippo, came to spread rather rigoristic *ethical* views on marriage. Under pressure of common and sound human feelings this rigorism gradually softened. But on account of the theological principle of tradition, theology remained loyal to St. Augustine, and for this reason retained a certain ambiguity. The theological revolution of our days, springing from the consciousness of all proletarians united (you will, of course, allow me to use this expression almost exclusively as an historical allusion), rejects the worm-eaten theory, tears down the old statues, and cries for freedom.

St. Thomas, thanks to whom, I think, we are able to distinguish in St. Augustine's preaching the gold of the Gospel message from the rubble of outdated culture, would join the revolutionaries. But he would never allow them to touch the Doctor of Grace. He really "out-Augustined Augustine." He understood the message of incarnate God, and so freed humanity and marriage in particular from every suspicion whatsoever.

Marriage-this should be our conclusion-is in every respect as human as humanity can be. It is called to be grace, i. e., to the presence of God; it should beware of becoming sin and clouding God's countenance. This is, thanks particularly to St. Augustine and St. Thomas, the message of the Church on marriage, today as for nineteen centuries.

## PART II

### *More Recent Developments of the Theology of Marriage.*

IT BECOMES evident that in listening to the tradition of the Church we are indeed witnesses to theology and to the message of God's wonderful light shining into the darkness of our human existence, not to principles of ethics which should be valid and obligatory for all times. In other

words: speaking about the tradition of the Church, which is indeed normative, we should beware of the mistake of supposing as established that this tradition contains a code of ethical rules. Though this may seem to be the case, and though this may often be thought, it is in fact untrue.

To some people this may sound as a revolutionary statement, and in a way it is. For as may be seen from the discussions in recent years, e. g. about birth regulation, the prevailing opinion is that the rules and norms which govern this particular question should be taken from the doctrinal tradition of the Church in the past.

The situation is not as simple as that. The statement that the tradition of the Church is essentially a theological, not an ethical one, is not revolutionary at all but in the highest degree traditional. I need only draw attention to the fact that the history of the Church's teaching on marriage is completely dominated by the doctrine of original sin, or, on the other hand, to the reason which induced St. Augustine to accept the polygamy of the Patriarchs (footn. 7) or to the remarks of St. Thomas regarding all customs in the area of the virtue of temperance, sex included (footn. 57), not to mention St. Thomas' exposition on natural law. This implies that the opposite point of view which expects from the Church in the past a set of ethical norms basically misunderstands the sense and meaning of the tradition. We shall see that this implication is confirmed in recent developments, particularly in the Pastoral Constitution of the second Vatican Council on the Church in the Modern World.

Everyone knows that from the beginning the problem of birth regulation has been one of the most important and most debated issues the Council had to face. The final outcome of "Schema 13" was viewed by many as a disillusionment because no decision was taken regarding the methods of birth regulation. What exactly happened in and around the Council, and where do we stand now?

Without going into all the details we may start from the well-known fact that the topic of birth regulation or birth

control seemed to be a foregone conclusion within the Catholic Church, particularly since the appearance on 31 December, 1930 of the encyclical *Casti Connubii* of Pope Pius XI. The careful historical analysis of doctrinal development in the nineteenth and early twentieth centuries published by Noonan in his work on contraception proves conclusively that an unambiguous and unchallenged general agreement on this Issue never existed before this date.

Even after *Casti Connubii*, however, there were several phenomena and incidents whose real significance was not understood until much later. At the time the encyclical was composed, the discoveries made by Ogino and Knaus on ovulation were barely known. The discussions on "periodic continence" or the "rhythm method" started almost immediately afterwards and continued to stir the minds of the faithful and the theologians until Pope Pius XII granted a kind of official "Nihil obstat" in his famous speech to the midwives on 29 October, 1951.

In 1935 Doms published his book on the sense and ends of marriage<sup>1</sup> which challenged the famous distinction between primary and secondary ends. A decree of the Holy Office in 1944, supposedly directed against Doms (and similar tendencies), maintained the distinction.<sup>2</sup>

In December, 1952 the Holy Office, apparently for the same reason, placed on the Index a book by the German psychiatrist, Ernst Michel,<sup>3</sup> and a few months later a publication of the French priest and physician, Marc Oraison.<sup>4</sup>

In the meantime, although it hardly came out into the open, birth regulation was subject to discussion, and so was the question of the primary and secondary ends of marriage. Due

<sup>1</sup> Herbert Doms, *Vom Sinn und Zweck der Ehe*. Breslau 1935.

<sup>2</sup> 1 April: *Acta Ap. Sedis* 36, 1944, 103; cf. John T. Noonan, Jr., *Contraception*, p. 494-499; John C. Ford, S. J., and Gerald Kelly, S. J., *Marriage Questions* (=Contemporary Moral Theology, II). Westminster Md. 31964, pp. 16-35.

<sup>3</sup> *Ehe. Eine Anthropologie der Geschlechtsgemeinschaft*. Stuttgart 1948.-H. Off., 15 Dec. 1952: *Acta Ap. Sedis* 44, 1952, 879.

• *Vie chretienne et problemes de la sexualite*. Paris 1952.-H. Off., 18 March 1953, published on 3 Jan. 1955: *Acta Ap. Sedis* 47, 1955, 46; notice of subjection of the author: *ibid.*, 89.

in large part undoubtedly to fear of condemnation by the Holy Office hardly anything appeared in print.

Then, the discussion was stimulated and existing doubts were aggravated by the appearance and mass production of simple oral contraceptives. This coincided with the change of climate within the Church which marked the transition into the era of Pope John XXIII. The changes took place slowly and gradually but they were unmistakable. The discussion on birth regulation and marriage came completely out into the open and by 1963 the idea of a general agreement within the Church rejecting all methods of birth regulation apart from rhythm and sexual abstinence had disappeared. Pope Paul VI as Archbishop of Milan wrote in 1960 a Lenten pastoral letter, published under the title "The Christian Family in Danger," in which he repeated the statements of *Casti Connubii* and thought that continence should be the normal means of birth regulation.<sup>5</sup> Only four years later as Pope he declared publicly: "This is an extremely complex and delicate problem,"<sup>6</sup> and he even mentioned the possibility that he might be obligated in conscience to modify the norms given by Pope Pius XII which in the meantime, he said, should be considered as still valid.<sup>7</sup>

When the second Vatican Council opened in the fall of 1962 there was: on the agenda a Schema of 100 pages for a Dogmatic Constitution About the Christian Moral Order<sup>8</sup> and another one of almost 60 pages On Chastity, Marriage, Family and Virginity.<sup>9</sup> The first one referred to and condemned almost every

<sup>5</sup> - --- se una disciplina della fecondità è necessaria---come è da supporre che per ogni matrimonio, in date circostanze, si richieda-la continenza dovrebbe essere il mezzo normale per praticarla ": G. B. Montini, "Famiglia cristiana in pericolo," *Digest Cattolico* 1, 1960, N. 4 (1-8) p. 8.

<sup>6</sup> - E problema estremamente complesso e delicato ": Pope Paul VI, Address to the Cardinals on 23 June 1964, *Acta Ap. Sedis* 56, 1964 (581-589) p. 588.

<sup>7</sup> - Ma diciamo intanto francamente che non abbiamo finora motivo sufficiente per ritenere superate e perciò non obbliganti le norme date da Papa Pio XII a tale riguardo; esse devono perciò ritenersi valide, almeno finché non ci sentiamo in coscienza obbligati a modificarle ": *ibid.* p. 588-589.

<sup>8</sup> *Schema Constitutionis Dogmaticae De Ordine Morali Christiano*, in: *Schemata Constitutionum et Decretorum de quibus disceptabitur in Concilii sessionibus*. Series prima (=Sacros. Oecum. Cone. Vatic. sec.). Vatican Press 1962, 71-96.

<sup>9</sup> *Schema Constitutionis Dogmaticae De Castitate, Matrimonio, Familia, Virginitate* *ibid.* 97-154.

error mentioned since Pope Gregory XVI, from religious freedom to situation-ethics and psychoanalysis. **It** stressed especially the danger of the words of St. Augustine: "*Ama et fac quod vis*"—"Love and do what you like." The second Schema repeated the well-known point of view of *Casti Connubii* and the Holy Office, the condemnations of Oraison, Doms and Michel explicitly included.<sup>10</sup> **It** permitted the application of the rhythm method, but forbade any other method of birth regulation, the pill not excluded.<sup>11</sup> **It** had something to say on nudism, women's clothing, beauty-parlours, beauty-contests, etc.<sup>12</sup>

After the dramatic series of events which resulted in the removal in November, 1962 of the schema on the Sources of Revelation, both forementioned schema together with fifty-one others quietly disappeared from the agenda of the Council.

After the initial session a text was drafted which was to become known as "Schema 17," and later on as "Schema 13."

The first text is dated 25 May, 1963. The chapter on marriage and family rejected the assertion that procreation should be something secondary in marriage but it did not use the common formula on primary and secondary ends.<sup>13</sup> **It** did not take the stern stand on birth regulation which had characterized the earlier schema on chastity, marriage, family and virginity. **It** said that married people should avoid any intervention vitiating the personal act of sexual intercourse, as this was contrary to the integrity of conjugallove.<sup>14</sup> This was precisely the argument of those who in this period defended the use of the pill for birth regulation because it left the integrity

<sup>10</sup> See particularly: p. 106, and footn. 22; p. 117, and footn. 24; also footn. 49 on p. 126.

<sup>11</sup> P. 128, and footn. 14; p. 145, and footn. 25.

<sup>12</sup> Footn. 14. The same topics can be found, e. g. in: P. Palazzini, *Morale deU'attualita*, Rome 1968-and already in his earlier work: *Casus Conscientiae*, Rome 1958, 2 vol., published in collab. with A. de Jorio.

<sup>13</sup> *De praesentia efficaci Ecclesiae in mundo hodierno*. 85 p.

<sup>14</sup> *Legi divinae et ordinationi matrimonii contrarius est etiam omnis deliberatus hominum interventus qui opus personae actui coniugali proprium vitiat; nee convenire potest talis agendi modus integritati amoris coniugalis*": p. 14.

of the marital act untouched.<sup>15</sup> The schema also appealed to biologists, psychologists and sociologists to study the question of birth regulation together with the theologians.

Discussions about the schema by the commissions resulted in a kind of new introductory chapter presented by Cardinal Suenens in the fall of 1963/<sup>6</sup> and in a new schema presented, discussed and corrected in May, 1964.<sup>17</sup> In the fourth chapter of this schema there were three pages on marriage and family, in which particular attention was given to conjugal love. Children were considered to be a natural consequence of the marriage bond, but nothing was said about primary and secondary ends. It was recognized that the necessity of regulating births might provoke an alienation between husband and wife dangerous to reciprocal faith and calamitous to the children.<sup>18</sup> Married people should not become discouraged when the ministers of the Church proclaimed the law of God without being able to present a solution for conflicts between the law and its concrete applications.<sup>19</sup> An appeal for solution of the birth control problem was made to "anthropologists, psychologists, sociologists, and the spouses themselves with their own experience and virtue, to collaborate with the theologians."

Two months later, on 3 July, 1964, the schema proper, again corrected, was ready for the first discussion in the Council<sup>20</sup>. The supplements to the schema, containing among other topics the chapter on marriage, were distributed later.<sup>21</sup> They were open to written comment, not to discussion in the Council.

<sup>15</sup> See my book *Love and Fertility*, London 1965, p. 8£. 84.

<sup>16</sup> *Adumbratio Schematis XVII*. De activa Ecclesiae praesentia in mundo aedificando. 8 p. cyclostyled.

<sup>17</sup> *Ecclesia in mundo huius temporis*. 17 p. cyclostyled. The text opens with the following words: "*Gaudium et luctus, spes et angor....*"

<sup>18</sup> " --- coniuges saepe sibi velut extranei evadunt, unde bonum fidei in discrimen vocatur et ipsum bonum prolis pessumdatur" (p. 11).

<sup>19</sup> " ne animo deficiant, si videantur ministri eius (i.e. Ecclesiae), dum legem Dei inculcant, confictus non solvere inter legem et difficultates concretas" (p. 11).

•• *Schema De Ecclesia in mundo huius temporis* (=Sacros. Oecum. Cone. Vatic. sec.). Vatican Press 1964. 45 p.

<sup>21</sup> *Schema De Ecclesia in mundo huius temporis. Adnexa* (=Sacros. Oecum. Cone. Vatic. sec.). Vatican Press 1964. 63 p.



Little change had been made in the schema itself since two months before, though several restricting clauses in regard to procreation and methods of birth regulation, due to the so-called conservatives, were clearly visible. Among the scholars to whom an appeal was made, the doctors were now mentioned for the first time.

The chapter on marriage in the supplements ("Adnexum II") was in part taken from the very first schema of May, 1963. It continues to reveal what may be called in a word an open mentality. It even says that according to the order of nature not each and every act of conjugal intercourse is directly destined to procreate,<sup>22</sup> an argument used not only by those who defended the use of the pill but by advocates of other means as well. The supplement also suggested that the problem at hand was completely new/<sup>3</sup> whereas the former seemingly "general agreement" had always taken for granted that it had been covered already by *Casti Connubii*. Therefore it should amaze no one, the text continued, that the Magisterium of the Church does not see from the very first moment how this new problem should be solved.<sup>24</sup> The scholars involved now, together with the spouses and the theologians, were: anthropologists, psychologists, biologists, doctors and sociologists.

Unlike the supplement the schema proper was openly discussed during the third session of the Council from 20 October until 10 November, 1964. The interventions of Patriarch Maximos IV Saigh and of Cardinals Suenens, Alfrink and Leger, of bishop Reuss and others, on 29 and 30 October, in favor of an open and unprejudiced decision on the problem of birth regulation, are too well-known to need any further com-

<sup>22</sup> - Etsi secundum naturae ordinationem non omnis et singulus actus coniugalis directe ad procreationem conferre destinatus sit, talis tamen semper debet esse indoles et expressio huius actus et coniugum mens, ut illa generosa dispositio ad prolem procreandam et educandam foeatur" (p. 21).

<sup>28</sup> "Plura problemata sunt omnino nova" (p. 22).

" "Propterea mirum non est, quod magisterium Ecclesiae non semper et primo quodammodo instanti monstrare possit, quomodo principia universaliter valida novis et complexis quaestionibus et conflictibus applicentur" (p. 22).

ment. Cardinals Ottaviani, Browne and others voiced an opposite opinion.

In May, 1965 the amended text of "Schema 13" was ready for print.<sup>25</sup> The third "May-flower," as we might eventually call it after the May texts of 1963 and 1964 (actually it was the fourth version of the text on marriage, because the third one was that of the schema proper of July and of the supplements of September, 1964), contains a few remarkable changes.

The absolutely unique character of human sexuality is given unreserved emphasis.<sup>26</sup> This has been maintained in the final text of the Constitution (N. 51).

Remarkable too is the essentially anthropological and personal description of conjugal love. This description is of a rather general character but it obviously intends to include specific sexual activities. The final version, which is in this respect practically the same as the one of this provisional draft (N. 62, p. 48), says e. g.: "This eminently human love, as it is directed from one person to another, can enrich the expressions of body and mind with a unique dignity which ennoble these expressions as special elements and signs of the friendship distinctive of marriage."<sup>27</sup> As a matter of fact this is the core of the argument of those who think that practically all customary methods of birth regulation are humanly acceptable.<sup>28</sup>

Mention must also be made of several new clauses underlining the obligation of the spouses to conform themselves to the objective law of God.<sup>29</sup>

We need hardly go into any further details. The commission giving account of its work on the schema says explicitly that it has taken a middle course between the two most important

<sup>25</sup> (Schema!) *Constitutio Pastoralis De Ecclesia in mundo huius temporis* (=Sacros. Oecum. Cone. Vatic. sec.). Vatican Press 1965. 122 p.

<sup>26</sup> N. 64, p. 50. See also the "Relatio," p. 108.

<sup>27</sup> N. 49. I made some use of the translation published in the *National Catholic Reporter* of 16 Febr. 1966, p. 7. See also: John T. Noonan, Jr., "Contraception and the Council," *Commonweal* March 11, 1966 (657-662) p. 658-659.

<sup>28</sup> See my book, *Love and Fertility*, p. 26; also p. 35-63. 87. etc.

<sup>29</sup> See e. g. N. 63, p. 49; final text N. 50.

opinions prevailing among the Fathers.<sup>30</sup> It did not intend to decide theologically debated issues but to leave them open for further study.<sup>31</sup> The problem of the means of birth regulation was purposively left to the Papal Commission.<sup>32</sup>

The May-draft was discussed by the Fathers, amended according to their wishes and again ready for print on 12 November.<sup>33</sup> Bishop Hengsbach introduced the text on behalf of the commission: The problem of the means of birth regulation had been left to the Papal Commission, as before; the debated issues remained open, although the existence of objective norms was emphasized.<sup>34</sup> Technical questions about the ends of marriage have again been avoided.<sup>35</sup>

The November-text was immediately discussed in the Council and thereafter the commission went to work again in order to write the final draft<sup>36</sup> which was approved by the Fathers in the first days of December, and then officially accepted by 2309 votes against 75 and promulgated on Tuesday, 7 December, 1965.<sup>37</sup>

<sup>30</sup> - Mens fuit viam mediam inire inter duas opiniones principaliore in aula vel scripto prolatas" [p. 104 (D)].

<sup>31</sup> - --- modus loquendi adhibitus, post longam disceptationem, selectus est ut satisfaceret votis Patrum, qui rogant: . . . d) . . . ut principia generaliora indicentur' quibus via aperta relinquatur operi theologico" (p. 108).

••" Nulla practica solutio proponitur, ut in casuisticam non intretur, et ut res Pontificiae Commissioni commissa :.Utegerservetur " (p. 107).

sa *Schema Constitutionis Pastoralis De Ecclesia in mundo huius temporis*. Textus recognitus et relationes (=Sacros. Oecum. Cone. Vatic. sec.). Vatican Press 1965. vols. 61. 91 p.

••" . . . docb-ina Ecclesiae non evolvenda erat in iis punctis quae obiectum Commissionis specialis Pontificiae constituunt. Quaestiones discussae aperte (probably a misprint for: "apertae"; anyway I do not see an essential difference between "open questions" and "apparently discussed questions") manserunt . . . In eis quae dicuntur de honestate actus coniugalis et fecunditate responsabili, urgentur ordo obiectivus moralis et magisterium Ecclesiae " (*Relationes* super Schema Constitutionis Pastoralis De Ecclesia in mundo huius temporis (=Sacros. Oecum. Cone. Vatic. sec.). Vatican Press 1965, 15 p.; p. 13).

••" . . . commissio ceteroquin iam antea statuit quaestiones technicas de finibus non esse tractandas" (*Schema* . . . II, p. 18 (A)).

<sup>36</sup> *Schema Constitutionis Pastoralis De Ecclesia in mundo huius temporis*. Textus et correctiones admissae necnon expensio modorum (=Sacros. Oecum. Cone. Vatic. sec.). Vatican Press 1965. vol. 155 p.

<sup>37</sup> *Constitutio Pastoralis De Ecclesia in mundo huius temporis* de quo agetur in

Changes in the November-text were made according to the same rules applied before: the debated issues on the ends of marriage<sup>38</sup> and on birth regulation<sup>39</sup> were systematically avoided.

Not only did the commission in the last two weeks of November produce two volumes totaling altogether 400 pages: the December-draft, officially the penultimate version of "Schema 13," in fact the final text; the commission had also been confronted with the problem of the four so-called Papal "modi."

On Tuesday, 28 November the Cardinal Secretary of State Cicognani sent a letter to Cardinal Ottaviani, expressing the wish of the Pope that he should inform the commission responsible for the final draft of "Schema 18" that a few things necessarily had to be improved in the chapter on marriage.<sup>40</sup> The doctrine of *Casti Connubii* and of the address of Pope Pius XII to the midwives in 1951 should be explicitly mentioned and understood as still valid. The contraceptive methods mentioned in *Casti Connubii*, the letter continued, should be openly condemned. Added were the four "modi" which it seems-the letter said-must be inserted into the text.<sup>41</sup> The letter and the four "modi" were communicated to the commission by Wednesday evening, 24 November.

On Friday, 26 November-discussion on the four "modi" had not yet started-notice was given of another letter signed by Cardinal Cicognani, dated 25 November, and seemingly addressed to the commission itself. It said that the "modi" communicated in the letter of the 24th (the said letter is dated 28!) had to be considered as suggestions of the Pope. Their wording was not meant to be definitive and therefore need not necessarily be taken literally. The commission might even use

Sessione publica diei 7 decembris 1965 (=Sacros. Oecum. Cone. Vatic. sec.). Vatican Press 1965. 88 p.

<sup>38</sup> Cf. *Schema* II, p. 8, Mod. 1, ad e; p. 13, Mod. 15, ad f; etc.

<sup>39</sup> Cf. *Schema* II, p. 8, Mod. 1, ad c; p. 13, Mod. 4c; p. 34, Mod. 93; etc.

<sup>40</sup> - nonnulla de necessitate esse emendanda."

<sup>41</sup> - aliqui 'modi' indicantur, qui videntur in textum induci debere."

a different formulation, provided this took into account the Pope's suggestions.<sup>42</sup>

The rather original procedure will probably one day be described by historians. Here is what happened to the text:

The first "modus" as drafted by the commission reproves illicit practices against procreation<sup>43</sup> together with egoism and hedonism. The commission used this formula, inserted at this particular spot and not one line higher up, to exclude abortion and sterilization/<sup>4</sup> again avoiding the debated issue of birth regulation.

The second "modus," particularly stressing the good of offspring, was inserted with an addition in order to maintain the general tendency of the Constitution to avoid the question of the primary and secondary ends of marriage.<sup>45</sup>

The third "modus" proposed a somewhat stricter formulation in regard to the prohibition of means of birth regulation reproved by the Magisterium. This was admitted in part, with a restricting clause which speaks about the Magisterium as explaining the law of God. Thus 1) the Magisterium is declared to be bound by the law of God, and 2) emphasis is put on the fact that this law needs interpretation.

The third "modus" also contained a footnote with references to *Casti Connubii* and to the speech of Pope Pius XII to the midwives in 1951. Thereupon the commission claimed that a reference be added to the speech of Pope Paul VI on Q3 June, 1964 expressing uncertainty. Inserted too was a reference to the fact that some problems had been reserved to the special

<sup>42</sup> - Ea, quae per litteras die XXIV huius mensis datas ... communicata sunt, ... veluti Summi Pontificis consilia in hac re tanti momenti aestimari debent. Ea autem, ad dicendi modum quod spectat, nihil definitivum habent: quam ob rem, non sunt necessaria ad verbum accipienda.

Commissio igitur alias quoque enuntiationes afferre potest, quae tamen eorundem consiliorum rationem habeant, quaeque Sanctitatis Suae optatis satisfaciant. Hae novae enuntiationes a Beatissimo Patre perpendentur, atque probari sane poterunt, si Eidem visae erunt cum Sua mente congruere."

<sup>43</sup> - illicitis usibus contra generationem (*Schema I*, N. 47, p. 43; *Constitution* N. 47, p. 43).

<sup>44</sup> - Relatio" of the Mixed Commission, 26 Nov. 1965, p. 1.

<sup>45</sup> Cf. *Schema I*, N. 50, p. 46; II, p. 29, Mod 71; p. 251 ("Relatio generalis"); *Constitutio* N. 50, p. 46; "Relatio" of the Mixed Commission, 26 Nov. 1965, p. 2.

Papal Commission. Finally the footnote remarks: " This being the situation in regard to the doctrine of the Magisterium, the Council does not intend to propose practical solutions immediately." <sup>46</sup> There is no reference to the address of Pope Pius XII on 12 September, 1958 about the use of the pill, and it is said that its addition has been explicitly forbidden by Pope Paul VI.

The fourth and final "modus" about conjugal chastity was inserted at a spot where it cannot be identified with sexual abstinence. <sup>47</sup>

On Saturday, 27 November the report of the Commission was sent to Pope Paul who on Sunday, 28 November simply accepted the amendments made by the commission.

The commission claimed that the papal " modi " be explicitly mentioned among the explanations; and so it happened. <sup>48</sup>

The introduction (" Relatio generalis ") confirms again explicitly that no decision has been taken on the problem of birth regulation. <sup>49</sup>

Thus the results of the second Vatican Council in regard to marriage are that no decision has been taken on the two most debated issues: 1) the ends of marriage, and 2) birth regulation. Concerning the first point one cannot but notice that the second Vatican Council continues not only the course of former Councils in general which refused to decide theologically de-

<sup>46</sup> - Sic stante doctrina Magisterii, S. Synodus solutiones concretas immediate proponere non intendit" (*Schema* I, N. 51, p. 47; footn. 15-p. 49; *Constitutio* N. 51, p. 47; footn. 14-p. 49; cf. *Schema* II, p. 39, Mod. 107, e) and h). Emphasis has been put on the fact that there is no comma between " Sic" and "stante"; see thereupon: E. Schillebeeckx, O. P., "Het huwelijk volgens Vaticanum II," *Kath. Artsenblad* 45, 1966 (33-42) p. 41; P. van Leeuwen, O. F. M., "Huwelijk en gezin in Vaticanum II," *Theol. en Zielzorg* 62, 1966 (47-61) p. 59-footn. 6; both authors were "periti" at the Council.

<sup>47</sup> *Schema* I, N. 51, p. 47; II, p. 35-36, Mod. 98, c)-starting from: "Idea ..."; *Constitutio* N. 51, p. 47; "Relatio" of the Mixed Commission, 26 Nov. 1965, p. 4.

<sup>48</sup> *Schema* II, p. 44.

•• Nonnulli Patres conclusiones practicas, praecipue quae ad regulandam procreationem spectant, exposulaverunt. Cum vero plures ex illis quaestionibus, servata continuitate doctrinae catholicae, ulteriori investigationi subiiciantur et supremo iudicio Summi Pontificis reserventur, S. Synodus hac de re agere non intendit" (*Schema* II, p. 252).

bated questions, but particularly the course of the Council of Trent which refrained from pronouncement on this specific problem of the ends of marriage.<sup>50</sup> This attitude of two Councils at a distance of four centuries does not exactly encourage us to consider the problem of the ends of marriage as of paramount *theological* importance. The pivotal interest of the Church, it may again be safely concluded, does not concern ethics but salvation; it does not concern a human institution but God's grace. Precisely in this way the Church confirms and preaches the divine dignity of the sacrament of marriage.

As to the problem of birth regulation something amazing has in fact happened. For a moment it seemed as though there existed a general agreement that periodic continence was the only licit method of birth control. If this had really been so, the Council could never have acted and spoken the way it has. In this respect a careful evaluation of the chapter on marriage in "Schema 13" should, I think, include three points:

- 1) The problem of the means of birth regulation is an open question.
- 2) The Council has expressed, particularly by referring to *Casti Connubii* and to Pope Pius XII, the necessity of maintaining the continuity of ecclesiastical tradition.
- 3) The Council, in the chapter on marriage, in the first part of "Schema 13" and in its other Decrees and Constitutions, particularly on Liturgy, on Revelation and on the Church, has unambiguously proclaimed that its proper and primary task and its main concern is to preach the message of God's wonderful grace.

Before concluding, something should be said about the ethical problem of birth regulation and about the continuity of tradition.

Much could be said about the theology of marriage. At this particular moment, however, and in these particular circum-

<sup>50</sup>*Concilium Tridentinum* tom. IX, Freiburg 1924, 966-968: 24th Session, 11 Nov. 1563; also in: H. Denzinger-A. Schonmetzer, S. J., *Enchiridion Symbolorum*, Barcelona etc.<sup>32</sup>1963, N. 1797-1812. See also: *Cone. Trid.* IX, 655 (6-8). 694 (6-11). 705 (1-2. 9-10), 899 (22-23).

stances one question stands out in front: Is it possible to find a realistic solution to the problem of birth regulation without giving up the continuity of the tradition of the Church? The answer, I think, should be affirmative.

Given that the primary objective of the Christian message is God's epiphany in man and in the human world, it should be evident that God's countenance cannot become visible where humanity and the human face itself are twisted and distorted. This is the very reason why the Church, apart from preaching God's grace and proclaiming his Gospel, also cares so much about the human character of marriage.<sup>51</sup>

Now as to understanding what is really human and what is not, the Church or Catholics do not have a monopoly. Apart from all that has been said by the second Vatican Council in the Dogmatic Constitution on the Church and in the Pastoral Constitution known as "Schema 13" about the recognition by the Church of the world's autonomy and of the civilizations and morals of the different peoples and nations,<sup>52</sup> the following particular and explicit assertion has also been formulated: "In fidelity to conscience, Christians are joined with the rest of men in the search for truth, and for the genuine solution to the numerous moral problems which arise in the life of individuals and from social relationships."<sup>53</sup>

If this is the truth-and we have to take for granted that it is-then the first reason to stop quarreling about the moral problem of birth regulation is that in refusing to do so we continue to consider all the other Christian Churches and the world at large as in fact a collection of immoral hedonists.

<sup>51</sup> Cf. the second Vatican Council's *Constitutio Dogmatica De Ecclesia*, Ch. VII, N. 50, p. 57.

<sup>52</sup> See: *Constitutio Dogmatica De Ecclesia*, Ch. II, N. 13, p. 15-16; N. 17, p. 19; Ch. IV, N. 32, p. 38; N. 36, p. 42; Ch. VII, N. 48, p. 54; *Constitutio Pastoralis De Ecclesia in mundo huius temporis*, Part I, Ch. I, N. 21, p. 18-9; Ch. III, N. 34, p. 29-30; N. 36, 30-31; etc.

<sup>53</sup> "Fidelitate erga conscientiam christiani cum ceteris hominibus coniunguntur ad veritatem inquirendam et tot problemata moralia, quae tam in vita singulomm quam in sociali consortione exsurgunt, in veritate solvenda" (*Canst. Past. De Ecclesia in mundo huius temporis*, Part I, Ch. I, N. 16, p. 15-16). I made use of the translation published in the *National Catholic Reporter*, 19 Jan. 1966, p. 6, which omits "moral."



The second reason to eliminate the problem is an anthropological (and ethical) one. It rests on the assumption, which I will briefly consider, that the essentially intersubjective character of the human act, not biological laws or subjective intentions,<sup>54</sup> enables every expression to become an element and sign of authentic conjugal love, (cf. footn. even if for the time being the biological possibility of procreation is in fact consciously excluded. This does not mean, as has been suggested, (cf. footn. we can make a distinction between the whole project of married life and the single act of sexual intercourse in order to say that the latter must not necessarily always include the child, whereas the former must. Such a distinction is basically a biological, not a human one. We should, I think, stick to the traditional ethical affirmation and assert that every thing married people do includes the child, even if they exclude biological procreation, for the child is not a purely biological product but the human result of their whole bond of friendship and love which can very well be fostered by biologically sterile acts.<sup>55</sup>

The third reason, finally, why birth regulation need not be a problem at the theoretical level is that the continuity of ecclesiastical tradition is in no way endangered. First, because the essentially theological affirmations of the tradition are not basically concerned with ethical problems or formulas. Second, because even some positions at the level of concrete ethics, as e. g. those of *Casti Connubii* seem to be, should not be rejected but interpreted (cf. footn. 54). This cannot be worked out here and now. It may, however, suffice to draw attention to some other well-known facts which are no less serious than

<sup>54</sup> If one confers the text of "Schema 13," reproving purely subjective intentions. with the adill-ess of Pope Pius XII of Sept., 1958 about the use of the pill, they seem to contradict one another. The words of Pius XII: "(it) depends on the intention" (cf. my book, *Love and Fertility*, p. 14. 77), are as much in need of a careful and benevolent interpretation as any other document.

<sup>55</sup> See thereupon also: *Love and Fertility*, and my paper: "Optimale Nataliteit. Moraaltheologische aspecten," in: *Optimale Nataliteit*, Nijmegen-Utrecht 1965

frustrating the act of sexual intercourse of its natural effect (*Casti Connubii*), e. g. the death penalty as distinguished from murdering a man, appropriation in cases of extreme necessity as distinguished from stealing, etc. In all these cases the general rule of not stealing, not killing, etc., remains as valid as ever. The same applies to birth regulation as distinguished from egoism and hedonism (i.e., frustrating the act of sexual intercourse of its natural effect); or, according to the famous speech of Pius XII on 12 September, 1958, to using the pill for medical purposes as distinguished from frustrating the sexual act, though according to *Casti Connubii* the latter is always bad in itself, and though this is exactly what the pill does, in medical or non-medical use. In other words, the fact that certain material, biological acts are evil and forbidden in as far as they have a determined evil intersubjective sense, meaning and effect, does not at all imply that they could not be allowed, good and meritorious within another intersubjective setting.

In short we might say that *Casti Connubii*, apart from emphasizing from the very first sentences the *sacrament* of marriage, obviously tries to safeguard and to guarantee the human character of marriage and the authenticity of love; though this might be done in less detail, for certain methods of birth regulation may become allowed or even obligatory for exactly the same reasons. Therefore even *Casti Connubii* should not constitute any problem at all, either from a theological point of view or as an ethical assertion. We have to face the fact that ethical "principles" may be simply less extensive and applicable than people sometimes think they are.

### *Summary.*

The recent developments of the theology of marriage are best summarized, it seems, by the document on marriage of the second Vatican Council. The centuries-old tradition of appeal to St. Augustine dominated theology until shortly before the Council. Then, again, that happened which has happened several times before: the reaction against rigorism broke

through. Doubting first, then trying, hesitating, searching for agreement and support, it gradually took on strength and conviction, and spread at an often unbelievable rapidity. **I**t was a human, reasonable reaction, seldom a reasoned one, and so it ran into the established positions almost unarmed. New arguments and new authorities had to be looked for in history, theology, biology, psychology, medicine, anthropology, etc. But life goes on, even without arguments, and so the revolution took its course and no authority was able to stop it—neither St. Augustine nor anybody else.

The clash between new and old became most evident during the Council. Looked at from a distance it is not difficult to see what happened. Part of the Fathers kept to the tradition and to what they thought was the doctrine of the Magisterium. Others started from what we might call everyday life. The arguments of the established position always remained the same. At the other side, however, arguments and considerations gradually developed. They grew better and stronger. The various preliminary drafts of the document on marriage evidently testify to this, as we have seen from various examples.

Nonetheless, the real background of the problem remained in the dark. After all, why should anyone connect St. Augustine's doctrine of original sin with marriage ethics in the twentieth century? There were other reasons, of course; discussions had started too late; the problem was not, or did not seem to be, equally urgent in all parts of the world; etc. I would think, though, that the unsolved Augustinian enigma was and remained the principal and main reason of conflict, as it always has been in the theological tradition of the West.

Therefore it may be doubted if an unambiguous pronouncement on the problem of birth regulation would have been made, even if the majority of the Fathers should have been clearly convinced of the licitness of the customary methods of birth regulation. After all, the continuity of the tradition was what they cared about most. Anyway the Council avoided the ISSUe.

We should be very grateful for this result. For in fact it

confirms once again that the Church does not proclaim a code of ethics but the Gospel of God's grace whose "Doctor" is still, albeit sometimes along peculiar ways, St. Augustine. And if St. Augustine is not always well understood, and if it is true, as has been said, that St. Thomas was almost absent from the second Vatican Council, then there might be every reason to turn again to the respectful and intelligent interpretation of St. Thomas whose historical consciousness, knowledge and analysis have hardly ever been understood.

One single word, to close, about contraception at the present moment. According to a last-minute addition to "Schema 13" (due to the third papal "modus") the Magisterium of the Church in which-says the Dogmatic Constitution on the Church-all the faithful participate,<sup>56</sup> cannot forbid any means of birth regulation unless such a prohibition be in fact contained in the law of God.<sup>57</sup> If we are to take these pronouncements seriously, we should, listening to public opinion within the Church, i.e., to the Magisterium,<sup>58</sup> stop being anxious about means of birth regulation and apply that love which can do no evil.

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<sup>56</sup> - Universitas fidelium, qui unctionem habent a Sancto (cf. I Jo. 2, 20 et 27), in credendo falli nequit, atque hanc suam peculiarem proprietatem mediante supernaturali sensu fidei totius populi manifestat, cum 'ab Episcopis usque ad extremos laicos fideles, (S. Augustinus, *De praed. sanct.* 14, 27: PL 44, 980) universalem suum consensum de rebus fidei et morum exhibet' (*Canst. Dogm. De Ecclesia*, Ch. II, N. 12, p. 14); cf. B. Willems, O. P., "Kerkelijke gemeenschap enu kerkeilijke leiding in de concilieconstitutie over de kerk," *Tijdschr. v. Theol.* 6, 1966 (51-59) p. 54; John T. Noonan, Jr., "Authority on usury and on contraception," *ibid.* (26-50) p. 46-footn. 89.

<sup>57</sup> - Filiis Ecclesiae . . . , in procreatione regulanda, vias inire non licet, quae a Magisterio, *in lege divina explicanda*, improbantur" (*Canst. Past. De Ecclesia in mundo* . . . , N. 51, p. 47).

<sup>58</sup> - --- petunt --- ut hic fusius agatur de *apinione publica* in Ecclesia. Sed; subcommissio observavit hanc questionem non solos laicos respicere, et insuper iam sub aliquo aspectu *tractatem* esse sub n. 12 . . . , ubi scilicet de sensu fidei" (*Schema Constitutianis De Ecclesia* (=Sacros. Oecum. Cone. Vatic. sec.). Vatican Press 1964, p. 134 (D)). For the text referred to, see footn. 56. See also B. Willems, O. P., *ibid.* (footn. 56) p. 55.

A NEW FORMULATION OF A NATURAL-LAW  
ARGUMENT AGAINST CONTRACEPTION

"THE naturally given structure of the sexual act"- that is a phrase one often encounters in discussions of contraception. The contention here is that there is no such thing, if we are talking about the *human act*; for human acts have their structure from intelligence. Just insofar as an action is considered according to its naturally given structure, it is to that extent not considered as a *human act-i.* e., as a moral act-but rather as a physiological process or as instinctive behavior. Action with a given structure and acts structured by intelligence differ as totally as nature differs from morality. Nature has an order which reason can consider but cannot make and cannot alter. Morality has an order which reason institutes by guiding the acts of the will.

There is, then, no naturally given structure of the sexual act as a human act. I do not mean to deny, of course, that there are given anatomical, physiological, and even psychological structures. But *all* sexual acts presuppose and make use in one or another way of what is given by nature. Masturbation and homosexual behavior are observed among some of the higher animals, and such behavior must be admitted to be natural. **It** no more violates laws of nature relevant to sex than orbiting the earth violates the law of gravity. In both cases, all relevant natural laws will be seen to be fully observed if these laws are considered in all their complexity. The violation is illusory and the illusion arises from the abstract consideration of one natural law apart from others. In concrete cases the whole group of natural laws, including those we usually ignore, leads to unexpected consequences.

As soon as this point is understood, one sees that it is futile to argue that any act is right or wrong by appealing to its

naturally given structure. The given structure of sexual action is a matter of fact, and since it is natural, it *cannot* be violated. The morality of sexual acts is a matter of *ought*, and the very meaning of "ought" implies that the subject matter is in our power to such an extent that what will in fact occur is contingent on our freedom.

Artificial interference in the physiological process of ovulation for the purpose of remedying sterility-e. g., by means of rebound therapy-is accepted as moral. Therefore, if the natural process were the standard of morality, a contraceptive use of the same hormones would be no less acceptable. Interference in intercourse by transporting semen from the vagina to the higher parts of the uterus to remedy sterility is accepted as moral. Therefore, if the integrity of the structure of the act were the criterion, taking the semen on a trip in the opposite direction would be equally acceptable.

More basic is the point that the structure of sexual intercourse itself does not occur simply as a given fact of nature. **It** depends on choice. Man, unlike the dog, has a fertile imagination for designing new postures. There are plenty of possibilities, as the books on technique indicate, for adopting different arrangements in the coupling of bodies. And there are plenty of possible sexual acts that do not couple bodies in a way that would ordinarily be called intercourse-e. g., sodomitic relations using the anus, sodomitic relations (which may be mutual) using the mouth, or simple mutual masturbation-and all such sexual acts are equally suited to heterosexual and to homosexual relationships. As we see from Kinsey, a biologist viewing behavior merely from a biological viewpoint can see nothing more or less natural about any of these acts .

. Clarity on this point-that the structure of human sexual intercourse is not naturally given-is important for at least three reasons. In the first place, if this point is understood, we will waste no time trying to deduce morality from anatomy, physiology or psychology.

In the second place, we also will avoid the grievous error of

supposing that if we surrender on contraception, a certain residual respect for the so-called natural structure of the sexual act will allow us somewhere to draw a line. Everyone discussing the morality of contraception should be honest enough to admit that if contraception is morally admissible, there is no reason why women should not exchange the natural use for any agreeable unnatural one, and why men should not exchange women for other men, unless that reason be a psychological one. But the psychological value—the unhealthiness of such practices even for those who willingly cooperate in them—while perhaps true in general, seems impossible to prove as an absolute, unexceptional universal.

However, I do not want to dwell on this point. One cannot show in this way that contraception is evil. One can only show it to be no worse than many acts generally thought to be evil, since contraception and other so-called "unnatural acts" are acceptable on the very same principles.

The third, and most important, reason why it is vital to see that the structure of the sexual act is not naturally given is that only after gaining this insight can the true issue be appreciated. That issue concerns the principles according to which a human being ought to structure his sexual conduct. Because this structure will be the work of intelligence, and because its realization can be accomplished only through free choice, either intelligence must know immediately what the structure should be, or the structure will have to be articulated from some prior knowledge. The latter is evidently the case: the structure of human sexual acts is articulated through a rational process. Reason proceeds from some principles of action and concludes to the formulation of possible acts about which it also pronounces the judgment: Such and such ought (or ought not) to be done.

Our problem, then, takes us right to the central question of ethical theory: What is the ultimate standard of right and wrong in human acts, and how is this standard to be applied? No meaningful position can be adopted in the contraception controversy without first taking a clear position on this central

question, for the concrete issue hangs upon the question of principles more than on anything else. Thus to start out the argument anywhere after this question really will be to miss the point and to beg the question rather than to deal with it. Most proponents of contraception have made this error by assuming implicitly that contraception is not intrinsically immoral, and that it thus can be justified by proportionately good reasons.

Kant attempted to set up a strictly formal standard of right and wrong, but his theory is inadequate, for such an *a priori* rational standard does not provide sufficient direction for formulating action. Others have suggested that the ultimate standard must be established by authority, for example, by the authority of God, but this position either presupposes that there is an independent norm showing the reasonableness of accepting divine direction or it implies that there is no reason for anything in human life. Many contemporary thinkers more or less openly suggest that human arbitrariness, expressed either by the individual will or by the social consensus, is a suitable substitute for divine arbitrariness. One form of voluntarism is neither less nor more reasonable than the other. In both cases, reason begins only after an arbitrary *fiat* has been imposed upon it, and the imposition has to be accepted by blind submission.

Throughout the history of ethical theory, the proposal has been made repeatedly that the ultimate standard of morality is simply given by nature. Man has in fact certain drives, needs, or wants, and he cannot help but seek to satisfy them. He will proceed in a more or less efficient way, depending upon how well he uses the mind with which nature has provided him as an instrument for obtaining their satisfaction. In naturalistic theories of this sort the ends are established by nature, and the imperatives of morality become hypothetical. "If you want such and such (and you do, willy-nilly), then you must do so and so." Kant criticized very tellingly heteronomous principles of this kind, even though his proffered substitute for them was inadequate. Such theories eliminate morality and



turn human life into a product of technique. Sin is ignorance or mistake; freedom is an illusion. The good for man is so completely defined by nature that there is no room for man to transcend the limited goals set by his humanity and so contrive his own existence. Much less can such naturalism allow that man might be elevated by grace to share in divine life.

I would suggest that the only adequate ultimate standard for right and wrong in human acts is the total possible good that man can in any way attain. This total possibility is in a certain sense given, for man does not exist of himself but is created in intelligence and freedom, with an innate capacity for indefinite self-transcendence. At the same time, this total possibility is not some definite end, established by nature, that could ever be attained by some efficient means. For this very reason, human intelligence must contrive the structure of human acts, but only freedom can effectively execute the order which intelligence proposes, because a finite nature does not include any necessary and inerrant means for attaining a perfection that is inherently indefinite and open to the infinite.

Given the task of contriving human existence in the light of the possibility of infinite self-transcendence, human reason must start somewhere to give its first direction. Intelligence looks to experience, not because naturally given inclinations must be followed, but rather because no human act is possible if there is no inclination to use as its vehicle. Practical reason, which must project goals toward which it will direct action, must form its initial insights concerning all possible goals of human action by referring to the several modes of inclination that are naturally given in human nature.

Thus it is that the tendency to self-preservation is transmuted by the alchemy of intelligence into a self-evident principle of practical reason: Human life is a good to be preserved. The tendency may be egoistic; the principle is non-discriminatory. The tendency is dispersed among many physiological and psychological drives; the principle is understood more or less clearly as expressing an intelligible goal, which man makes his own, toward which all those drives are disposed.

A number of fundamental categories of human goods are understood in this way. There are not many modes of human good altogether: human life, which includes health and safety; all the arts and skills that can be cultivated simply for the sake of their very exercise; beauty and other objects of esthetic experience; theoretical truth in its several varieties; friendship, both relationship in immediate liasons and organization in larger communities; the use of intelligence to direct action; the effective freedom to do what one chooses with the whole force of an integrated personality; and a proper relationship to the fundamental principles of reality-i. e., to God.

In this list of basic human goods I think we must include, as a distinct item and not merely as an aspect of the good of human life as such, the value of the initiation of human life. This good consists not merely in generation, but in the initiation of human life on all its many levels, for physiological, psychological, moral, and spiritual life each must be initiated and the initiation of human life is not complete until the new person is equipped with the starting points from which he can proceed to live on all of these levels. Once his life is begun, each person has as his own task to carry on and to develop his life in cooperation with others. Consequently, as childhood progresses passivity gives place to activity and dependency to autonomy in cooperative relationships.

There are several reasons for thinking that the good of the initiation of human life, the procreative good, is a fundamental human good and that it is distinct from the good of human life as such.

In the first place, the procreative good is peculiar inasmuch as it is always an object for action whose end is a person other than the agent. One can pursue the good of human life, on the other hand, in a manner that is directly self-regarding, and on the level of natural inclination the good of life as such is represented by the drives which insure self-preservation. Only indirectly can one pursue the procreative good in a manner that is self-regarding, since the good primarily accrues to a person other than the agent himself, and on the level of natural

inclination the good of procreation is represented by drives that do not promote self-preservation-which, in fact, often conflict with it-although these drives do yield satisfaction for the agent as well as the achievement of a fundamental human good in another person.

In the second place, the procreative good is the object of the ultimate function of all human organisms precisely insofar as they are organisms. The work of procreation is the work of maturity and full power; every other function leads on to this one while for the agent organism as such this function leads to nothing beyond itself. The good of human life, on the other hand, is the goal of the weakest and most primitive functions of the organism. Now, man, of course, is incomparably more than any other organism. But man is in truth an organized body, and his perfection as such cannot be reduced to any higher plane of his existence, as if the highest plane could save everything below by using it as a means or by encompassing it in a more eminent mode. The simple physiological process of human reproduction already is incomparably more important than the process of reproduction in other animals by the mere fact that the former terminates in the existence of a human person while the latter terminates in the being of a beast. Man is not an incarnate spirit; he is a rational animal. The dualism implied in the definition of man as incarnate spirit threatens to become a totalitarianism which will distort the true shape of man's nature and thus destroy the only solid foundation for a realistic personalism. And Christian personalism must be realistic, as has been declared repeatedly in the past against gnostics, manichees, cathars, and jansenists.

In the third place, we can discern the status of procreation among basic human goods because a whole domain of human action is devoted to the work of procreation. Having a family of one's own-this is one, though not the only, unquestioned goal that most people have in life. The most universal and ancient human institutions are founded in the light of this good, for they are instituted to promote it. Marriage varies greatly from culture to culture, but anthropologists have no

difficulty in picking out the phenomena to be recorded in all their variety under this heading. They are the regular phenomena connected with having and raising children. The problem of population itself is proof of the fundamental and universal drive, for even in the most primitive cultures there are means-birth control, abortion, and infanticide-to limit population. And sexual activity almost everywhere flourishes outside marriage as well as within it. But people want children and they usually devote considerable effort to bringing up their children. From the point of view of egoistic theories of human action, the whole business will have to be explained by some implausible account, or it may be absurd, but nevertheless it goes on, for very few people really are consistently egoistic.

Now someone may be willing to grant the primary and distinct place of procreation among a group of fundamental human goods, and he may grant us as well that these goods provide the starting point for practical reason when it sets out to articulate possible human acts. But he still will ask how these fundamental goods provide a practical standard of right and wrong. How, he will wish to know, do the principles that render human acts possible determine that a proposed act will fall in one or the other of these contrary moral classes?

One proposal is to try to see how each proposed act would in fact affect the realization of all the basic goods, to add up the good and subtract the bad effects, and by means of such a moral calculus to judge whether the action ought to be done or not. This suggestion might seem plausible, especially if it is added that one must give greater weight to the goods that are higher in dignity-e. g., to friendship rather than to life-and that the effects to be measured are the actual consequences as they impinge upon persons, and benefit or harm them.

However, the suggestion will not work. In the first place, it is impossible to know what the actual effects of actions will be unless one limits the inquiry somewhere. In the second place, and what is more important, it is impossible to subject to a common measure various concrete consequences in regard to diverse goods. For example, while friendship as such un-

doubtedly is more valuable than life itself, since friendship presupposes life, and adds much more perfection to it, one cannot measure the value of a hero's life against the value of the community when the hero lays down his life for some undeterminable benefit to the community. Heroism is possible, but moral calculation can never render it intelligible.

In the third place, and what is still more important, the theory that proposes to measure concrete consequences in order to assess the moral value of proposed acts also involves an unavoidable element of arbitrariness. For "Which consequences are to be considered? Those consequences upon myself alone? That is egoism, a completely arbitrary position. The consequences upon all others who will actually be affected by the act? This alternative seems more reasonable, yet it too is arbitrary, as will readily appear if we reflect upon the various degrees of responsibility for others that we all recognize. Our own family, our friends, and strangers do not hold equal place in our affection, and no one seriously maintains that they should. Moreover, shall we consider all those who now are alive, or must we not consider also those who may yet live after us? The latter cannot be disregarded altogether, and this is apparent in politics, for example, where we provide not only for ourselves but also for our posterity.

In the fourth place, and what is most important, the theory that right and wrong depend on actual effects upon the realization of the basic goods runs directly counter to the facts of everyone's experience of moral obligation. In reality, no one considers that act alone to be right which results in the greatest net good. Such a position leaves no room for acts better than those which are merely right. Yet we all admit considerable room for heroism—acts good *beyond* the call of duty. Nor do we readily approve an act as right, however good its total consequences may be, if it directly violates some one of the basic goods. That is why utilitarians, whose theory is susceptible to attack, for instance, for allowing innocent life to be violated, always try to provide protections for it and to find some grounds in the consequences for other human goods for

excluding such violations. That also is why the secular world is so interested in the present intramural controversy among Catholics over contraception. No one who practices contraception can be completely easy about it, and even unbelievers feel the Church's staunch condemnation as an irritating reminder that endangers their ease of conscience.

The attempt to determine right and wrong in human acts by an appeal to their concrete consequences—shown by all these reasons to be inadequate—seems to me to rest upon a misconception of the very nature of morality and its essential conditions. Moral acts are man's own contrivance; moral agency is the adventure of human existence. **It** follows that the moral standard cannot be simply factual, whether the facts be past, present, or predicted. The moral standard must be ideal. Moral acts are the creatures of freedom; to judge right and wrong by actual consequences would be to reduce morality to technique. Moral life is a progress open toward infinite self-transcendence; if the ultimate principle for our discrimination of right and wrong were actual consequences human life would have finite limits. Man not only must be engaged in his present act, he also must be detached from its particular effects, or he shall never attain beyond a finite good. Moral life is autonomous and moral maturity is perfect autonomy—self-directedness—but if the standard were concrete consequences man would always have to look for signs outside himself to use for his norm. That is all human action could amount to if man's intelligence were no more than a better way of doing the work of instinct, if man's will were capable only of following paths laid out for it by nature, and incapable of proposing its own destination to itself.

Instead of the measure of actual effects, I defend a quite different way in which fundamental human goods determine the rightness and wrongness of human acts. The fundamental human goods must be viewed as participations in Goodness Itself, which is the only adequate norm of a will open to infinite self-transcendence. The fundamental human goods make it possible for practical reason to begin its work, and to articulate

possible lines of action. They underlie the structure of every human act that anyone proposes to do. And every act that is fully human therefore will be good, provided only that it does not involve the will in setting itself against some human good. For one would never be willing to oppose any fundamental human good unless he had been willing, at least implicitly, to substitute some single good or some one kind of good for the true and only adequate norm, Goodness Itself.

The good man need not pursue every possible good-in fact, he cannot do so. But he must avoid directly violating any of the fundamental goods. Thus some kinds of acts are intrinsically immoral, for some kinds of acts necessarily include in themselves a turning against some basic good, an aversion which also inevitably implies an aversion from Goodness Itself.

This standard is a dynamic and an existential one. What is required for the goodness of a human act is not that it have the best possible consequences, but that it proceed from a truly good will, a heart bent upon all the human goods as the images of Goodness Itself. Such a moral standard alone befits the dignity and freedom of man. This standard requires of human intelligence only that some manner of attaining some good be found, not that impossible calculations be completed. This standard does not define a good attainable once and for all by limited means, but it keeps the person open and it presses him on toward the Infinite Good beyond the human self and beyond all the particular goods that mankind can comprehend and surpass. This standard can be internalized in good will, and brought to life in a personality integrated around such a will. Yet the standard conforms to our experience of moral judgment, for it leaves open wide ranges of alternative acts that would be more or less good although quite different from one another. There is no arbitrariness about the standard I defend, for it is simply an orientation toward all the possible goals of human effort, insofar as they represent man's total possible participation in Goodness Itself. Nothing is omitted, nothing is excluded, except partiality and exclusion itself. The goods accessible to man can direct his effort if his supreme aspiration

is for the Good Itself. The quantity of good effected could direct human effort only if man's supreme aspiration were for quantity itself. Yet even infinite quantity is finite reality. Why freeze man in the finitude of calculation of consequences when he should be freed into the open ocean of self-transcendence toward Infinite Goodness?

A morality that judges in terms of actual consequences either must know the *ultimate* good for man and judge acts by their consequences for that good, or it will be arbitrary. No such morality can admit that the ultimate good transcends human comprehension, or all its calculation would become impossible. Such a morality has two alternatives: with presumption to assume that man himself can *make* the ultimate meaning of reality or, with despair to set aside ultimate meaning as irrelevant. Contemporary man oscillates so rapidly between the two alternatives that he almost seems to have succeeded in synthesizing them. The result is that there is nothing so like man's image of God as man's image of himself-fully competent to know good and evil, to discern the two one from the other, but incompetent to master the necessities of existence, wherein freedom is fulfilled only by honest acquiescence in the inevitability of evil as the price of some greater good.

Now let us consider contraception. I do not think of contraception as if it were an act already given, the moral judgment on which would be made apart from and after the understanding of the act. No, I am concerned with a human act, an act which is performed through a specific choice. It is a mode of behavior selected by someone engaging in sexual intercourse to prevent or to make improbable the initial attainment of the procreative good that otherwise would follow from his sexual act. The very meaning of this act includes a basic human good. The act precisely is a choice to behave in a way effectively contrary to that good.

I do not condemn contraception because of its bad consequences. No doubt it sometimes has bad consequences for various human goods, and then if those consequences are noticed, this sort of behavior will be condemned more easily.



But I point to something bad that is essential to the act. Contraception involves setting the will directly against a basic human good, and this implies foreclosure against some aspect of human good as good and a consequent aversion from Goodness Itself. The first bad consequence is that one who chooses contraception loses purity of heart. He is willing to violate one good when only a principle seems to be at stake, and thus in principle he is willing to violate other goods, for there is no more compelling reason not to violate other goods unless it be a consideration of balanced consequences. One cannot make just one exception to the principle that he will adhere to goods as such and be faithful in regarding them as his norm. The very same considerations which lead one to violate a fundamental good by approving contraception tell equally in favor of violating another fundamental good-life itself-in difficult cases. Either one admits intrinsic immorality or one rejects it. Either one admits that human practical wisdom is bound by the basic human goods that man can discern, or one claims sufficient knowledge of the ultimate end of man to employ it as a standard for moral judgment. Either one admits he is a creature or one claims to be God.

Some assert that to insist upon the inviolability of basic human goods in every particular case is to sacrifice the actual to the merely possible, and the latter they equate, like good nominalists, with the utterly unreal. But the true issue is not between actuality and possibility. All the standards for human action are in themselves ideals, not existent actualities. To fix one's sights upon the actually existent is to despair of all progress and to surrender the idea of human life as self-transcending creativity in freedom. I do not say that one should not practice contraception as if it would violate the right of a child as yet unconceived to exist. The possible child has no rights, of course, but to offer this as an argument in defense of contraception is narrow-minded legalism. I do not say the statement is legalism, but the use of it as an objection is such, for it reveals the presupposition that good and evil occur only in cases where duties are fulfilled or rights are violated.

This is not so. Justice is a virtue, but it is only one virtue, and to reduce morality to justice is to omit everything that makes justice a matter of morality and not merely a social convention. Contraception does not violate justice; it is not against anyone's rights (assuming, of course, that both parties agree to it). It violates one of the basic human goods, and since it occurs in the domain of sexual activity, the virtue it offends against is chastity, which is the virtue for serving all the relevant goods by engaging in sexual activity or refraining from it according as diverse kinds of acts, various intentions, and differing circumstances may require.

However, it will be asserted that the act defined above as contraception does not imply a direct violation of the procreative good. After all, other goods are also at stake in sexual intercourse, and the procreative good itself is complex, so that what violates it in one respect may indirectly promote it in another.

To understand the answer to this kind of objection one must keep steadily in mind the fact that the act of contraception is one which we ourselves articulate. In order to contrive it, some good must provide reason a starting point, and we could not choose the act except because it seems to serve that good. Yet we cannot arrive at a fully reasonable judgment by adhering to the implications of one principle and ignoring those of another. Sometimes, we quite rightly act in ways which do considerable concrete damage to instances of basic human goods, but then we are acting without willing contrary to these goods as principles. For instance, a man may offer his own life by risking it to save a friend, and nothing could be more morally acceptable than this. But in such an act he defines what he does in terms of the good at which he aims, and he only indirectly wills the possible bad consequence for his own life.

To indirectly will such bad consequences becomes more difficult if they follow from one's own behavior-if one's own choice is implicated in efficiently causing them. But even in such a case one might be able reasonably to interpret his act according to the good it serves, and then he need not set his will

against the principle to an instance of which the bad consequences of the act accrue. From this point of view we can understand the possible moral acceptability of the conception-preventing behavior of a woman who has been raped. If the act is morally good, it must be understood as self-defensive, not as anti-procreative. The victim in a case of this kind has not placed herself within the ambit of the procreative good; this value in no way informs her behavior because it does not direct her choice at all.

However, if someone does choose to engage in sexual activity which may lead to conception, he already has defined his action in the light of the procreative good. Not that in every act of intercourse this good must necessarily be sought nor that it can always actually follow. No one claims that either is the case. But an act is not fully human if it is not fully understood, and such sexual activity cannot be understood without understanding its reference to procreation. Indeed, there would be no point in trying to prevent conception if one did not see the relevance of one's action to it. In such a case, therefore, an act that does nothing except insofar as it effectively prevents conception is formulated precisely as contra-procreative.

It is useless to object that the contraceptive act really is intended to serve other goods. Undoubtedly, it is intended to promote indirectly some good or other. But the contraceptive act in and of itself does not promote any other good or prevent any other evil. If it did so, we could define it differently than we do, and then we might reasonably accept it in that other definition. However, we cannot define our acts arbitrarily, or merely in terms of results, or merely by the end intended. To try to omit from the principles applied in judging a human act any good which cannot be omitted in understanding the act, is incompatible with the function of human goods as starting points of practical reason.

Nor is it any help to assert that the good one hopes to promote is procreation itself-i.e., the education of previously born children. For this good is not really promoted by the

contraceptive act. The act of contraception itself happens to be singularly sterile. Contraception never educated anyone, although in the order of actual effects contraception undoubtedly can be an efficient way of preventing births which ought not occur, and where the "ought not" is determined by a sound judgment of the good of children previously born. But killing the innocent also can save lives. Lying about fundamental truths can perhaps serve the truth, at least scientists working under tyrants have thought so. Even oppression is claimed by many to be necessary for freedom. One need not look beyond the sad history of America's treatment of its native population for a plausible instance. Are we to approve life-saving abortion, truth-serving lies, liberating oppression? If not, there is no better reason to approve procreative contraception.

To complete my argument, much more would have to be said. After all, one cannot sketch the foundations of ethical theory and a difficult application of it in a short paper except by using broad strokes. But there is one more point that should be discussed here, both because it is important in itself and because my view on it has been distorted and misrepresented repeatedly during the last two years.

My argument against contraception in no way questions the value of true sexual love. Sexual intercourse can be useful for the promotion of marital unity and then any married couple do well to engage in it even if procreation happens to be impossible. Such intercourse in itself can be a better human act than intercourse used specifically as a means to procreation. Moreover, genuine conjugal friendship-which, of course, ought not to be identified with the act of conjugal intercourse-is superior to procreation if the two goods as ideal values are compared absolutely to one another, for procreation only initiates the human journey toward self-transcendence, while genuine conjugal friendship presupposes many steps along this path and easily conducts the couple further toward their goal. Moreover, the good of procreation is the primary end of marriage only in the sense that procreation specifies the marital relationship, and by giving it a meaning grounds its possibility.

But once marriage as an institution is defined by procreation, the marital unity which becomes possible is of itself an instance of a fundamental human good. So good is marital unity directly and of itself that marriages for which procreation happens to be impossible nevertheless share the true nature and value of marriage. Their moral relation to procreation suffices, and this relation consists in the fact that in marrying the couple consent to a mutual, exclusive, permanent exchange of rights to engage in conjugal acts-i.e., acts which in their structure *as human acts* are suited to procreation.

Still contraception is to be condemned. Why? Not because I value marital love less than those who say they want to help it gain strength by prescribing the tonic of contraception. Rather because the position I have taken values marital love more. In reality, contraception does not strengthen marital love; contraception only makes it easier to have frequent orgasms in sexual acts which simulate conjugal intercourse. However, orgasm is not identical with love, although the two are by no means in necessary opposition to one another.

The following, at least, is true. If anyone suffers from so strong an urge for orgasm that he cannot forego it without this abstinence causing trouble for himself or without his behavior causing trouble for others, then the sexual act by which orgasm is obtained is not an ideally free and generous gift of self. If one acts with full freedom in choosing to give himself by intercourse in an act of love, then he also has such an ability of self-restraint that he could have chosen to abstain without bad consequences had his devotion to all the basic goods required it. Contraceptive intercourse at best would be an ambiguous act of love. Is it the person saying: "I love you"? Or is the libido saying: "I want release"? I think that the force of necessity is something quite different from the choice of freedom. And I think anyone who is impartial can notice that many Catholics who are defending contraception are trading on the ambiguity of the "act of love." They would be ashamed to try to defend contraception used in the service of mere physiological urge or psychological addiction. But they

would be unable to defend it as necessary for the service of true acts of love. Hence they confuse the two.

Sexual capacity emerges at puberty and breaks upon the growing personality with a power that is almost explosive. Perhaps even for physiological reasons, it is difficult to integrate this new function. Moreover, human sexual capacity is extremely plastic, and psychologically it is available for use as a sphere of displacement into a mechanical self-gratification which allows one more or less completely to avoid facing the risks and opportunities of a fully human life. Sex is the first good we encounter which we can form as an idol to replace in our hopes and dreams the fullness of perfection really to be found only through infinite self-transcendence. At least as things go at present, the sexual mechanism almost always is set into play to afford such a displacement and it gains a more or less firm hold on the emerging moral consciousness of the child. Thus moral intelligence is confronted with an incomprehensible sphere organized by the semi-human acts of sexual automatism.

Such pseudo-sex begins easily with masturbation, for if the child shrinks from trying to master the obstacles in the way of self-transcendence, he can at least find solace in the self-gratification of worshiping his own phallic idol. If girls seem to masturbate less than boys, this may be mainly because the whole of a woman's body is her sexual instrument, and so the perversion of sex into a mechanism for self-gratification is more generalized in girls than in boys. This pseudo-sexual activity persists in adolescent sexual acts, such as heterosexual petting and sometimes also homosexual activities. The same perversion of true sexual love most commonly matures into a habit of regular and mechanical sexual acts which is supported by the practice of contraception.

Such semi-human pseudo-sexual acts are altogether different from the free gift of one's whole bodily self in genuine marital love, but for almost all of us the complete exclusion of automatism from true sexual love is a long and hard struggle. The remedy for the difficulties of marriage is love, more and more

genuine love, including the perfection of fully human acts of authentic sexual love. That perfection, which promises ever grander fulfillments of our human desire for ecstasy-fulfillments such as contraceptive couples will never experience-that perfection, which carries with it freedom for the sexual act in the joyous ability of perfect self-restraint without the slightest repression-that perfection is too lovely, too truly and humanly spontaneous to be confused with genital automatism. Genital automatism expressing itself in semi-human pseudo-sexual acts is an enemy of reason and of moral law, but only because it is an enemy of genuine sexual love, whose spontaneity is that of choosing to give a gift, and not that of a compulsive urge for self-gratification.

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## RESPONSIBLE PARENTHOOD AND OVER-POPULATION

### INTRODUCTION

**D**UE to the highly publicized question of overpopulation, a theological problem has arisen in recent years, concerning the moral obligation of procreation and the advisability of the limitation of offspring. Although a solution to this complex problem is difficult to formulate, a natural starting-point would be an investigation of the relation between procreation and the human species, as taught in the sexual ethics of St. Thomas Aquinas.

Throughout the history of mankind marriage has always been considered as providing for the preservation of the human race. St. Thomas was greatly influenced by the fundamental Aristotelian principle: nature seeks above all the promotion and conservation of the species, for the good of the species is superior to the good of the individual. The concept of "procreation for the good of the species" has been variously over-emphasized or belittled. Man's service to the species has been de-emphasized in recent years through emphasis on "personal fulfillment" in conjugal companionship; on the other hand, marriage "in the service of the species" has been exaggerated to the degree of placing the procreative faculty at the disposal of the eugenic policy of a nation or race. Consequently, we seek the answers to two questions: 1) What is a proper understanding of the principle that "procreation is for the good of the species"? 2) Can this principle be applied to the social contingencies of responsible parenthood and overpopulation? However, before we can address our attention to these important questions, their general context should be seen at least through a summary of Aquinas' overall view of sex and marriage.



### 1. *The Essence of Human Sexuality*

St. Thomas based his doctrine of human sexuality on a natural law consideration of man, which in turn stems from man's very essence—a procedure or methodology built on the tradition of Aristotle, Stoa (Cicero), and Roman law, and strongly influenced by Aquinas' own conviction of the essential goodness of sex and the sexual life.<sup>1</sup>

It is significant to note that Thomas abandoned his master Albert and followed the thought of Bonaventure, contrary to all scholastic tradition, in holding the neo-Roman, or Ulpian's definition of the natural law: "*quod natura omnia animalia docuit*," consisting in the natural inclinations inherent in the nature of all animals. St. Thomas taught that marriage is founded on the generic element of human nature, and concluded that procreation must be posited as the governing form of the sexual act.

This does not mean that Thomas classified sex as something exclusively "animal," neglecting its specifically human characteristics. Man fulfills his inclinations in a manner which is proper to himself and at the same time common to inferior animals. Thus, the specifically human aspect of procreation is to be found in the special needs required in the training and education of the human offspring. The rearing of young is an inclination common to the genus of animal, but in man reason recognizes the necessity of a permanent marital union as a

<sup>1</sup> Josef Fuchs, *Die Sexualethik des heiligen Thomas von Aquin* (Cologne: Bachem, 1949), pp. 109 ff., ff.; W. Onclin, "Le droit nature! selon les romanistes des XIIe et XIIIe siècles," *Miscellanea moralia in honorem E. D. Arthur Janssen* (Louvain: Nauwelaerts, 1949), II, pp. Odon Lottin, *Le droit naturel chez Saint Thomas d'Aquin et ses predecesseurs* ed. rev.; Bruges: Beyaert, 1931); *idem*, "Pour un commentaire historique de la morale de Saint Thomas," *Psychologie et morale aux XIe et XIIIe siècles* (5 Vols.; Gembloux: Duculot, III, pp. 579-601; Heinrich Rommen, *The Natural Law: A Study in Legal and Social History and Philosophy*, trans. Thomas Hanley (St. Louis: B. Herder, 1947); George Joyce, *Christian Marriage: A Doctrinal and Historical Study* (London: Sheed and Ward, 1933), pp. ff.; Hans Meyer, *The Philosophy of St. Thomas Aquinas*, trans. Frederic Eckhoff (St. Louis: B. Herder, 1955), pp. 464, 504-505; Johannes Messner, *Social Ethics: Natural Law in the Modern World*, trans. J. J. Doherty (St. Louis: B. Herder, 1949); Giorgio del Vecchio, *Lezioni di Filosofia del Diritto* (10th ed.; Milan: Giuffrè, 1958); Leopold Brandl, *Die Sexualethik des heiligen Albertus Magnus* (Regensburg: Pustet, 1955).

prerequisite for sexual intercourse, in accordance with the specifically intellectual nature of man. Thus, St. Thomas proceeds from the order of being to the ethical order: a process which shows the dependence of Thomistic natural-law sexual ethics on the Aristotelian view of the various levels of being.<sup>2</sup>

The common genus possesses priority, in Aristotle's view of the various levels of being, inasmuch as the genus is open to various possibilities of perfection. From this point of view Thomas speaks of priority in the "*via generationis*," in the order of becoming, but not in the order of being and perfection. On the other hand, the human species is more highly endowed than the pure genus, because of the faculty of human reason. Hence, in the order of perfection, nature aims at the species, not the genus; at humans, not at the animal in man.

### *The Purpose of Human Sexuality*

Since Thomas structures his view of human sexuality upon the very nature of things, the essential characteristics of sex guide his consideration of the purpose of human sexuality.<sup>3</sup> This evolution of thought is a plan taken from the spirit of the Angelic Doctor himself: a progression from the ontological to the teleological. Aquinas asserts that the various natural and biological aspects of the sexual faculty are all directed toward the sex act and procreation.

Thus, the distinction of the sexes itself exists for the procreation of offspring. The sex organs, the male seed, the material sexual act—all exist for the purpose of procreation, education and ultimately for the preservation of the species. This teleology does not depend on what the couple intends in performing the act: sex has a determined *finis operis*, distinct

<sup>2</sup> Fuchs, *Sexualethik*, pp. 115 ff.; *idem*, "Die Ehe zwecklehre des hi. Thomas von Aquin," *T. Q.* 128 (1948), pp. 416 ff.

<sup>3</sup> See Bernard Alves Pereira, *La doctrine du mariage selon Saint Augustin* (Paris: Beauchesne, 1930); Albert Mitterer, "Mann und Weib nach dem biologischen Weltbild des hi. Thomas und dem der Gegenwart," *Z. K. T.* 57 (1933), pp. 491-556; M. J. Nicolas, "Remarques sur le sens et la fin du mariage," *R. T.* 45 (1939), pp. 774-793.

from and unaltered by any *finis operantis* sought by an individual.

However, to achieve a balanced view of Thomas' teaching on the purpose of sex, it must be pointed out that the immediate object of man's sexual inclination is not procreation and progeny, but bodily union in the sex act. It is true that sexual intercourse is directed to procreation, but sexual union is not simply and formally the same as the biological act of procreation. The sexual act also involves man's spiritual element: marriage is a union of love (*unio caritatis*) in which the spouses enjoy the highest kind of friendship (*amicitia*) which, according to Aristotle, is the very basis of their domestic life. Bodily union produces and fosters mutual love, for every union is the basis of love. On the other hand, mutual love is the basis of bodily union, since love is necessary for a true union of lives (*realis unio*).

Thus, it is the teaching of St. Thomas that the sexual act is by nature an expression of mutual love, and as such it has a value which may even be given more importance subjectively than is attributed to procreation. Yet, typical of medieval theologians, Thomas scarcely elaborates the personal meaning of sex, probably because of the medieval attitude towards postlapsarian sexual pleasure and concupiscible love.

However, it is clear what Aquinas must label primary in sexual life, and in what sense. He examines sexual life *metaphysically*, in search of its essential make-up. As a result, he restricts himself to the view that sexual intercourse is ordered solely to procreation for the preservation of the species. It should be emphasized that this expresses a formal and objective view of the sexual act, based on the generic, natural appetites of man and the Aristotelian grades of being. At its most fundamental level, sex act signifies procreative act. This natural teleology is subsumed into the higher levels of being, where the objectively procreative act gains a richer and more meaningful form.

### 3. *The Ends and Goods of Marriage*

To the question: "What is the connection between the purpose of sex and the purpose of marriage?" Thomas replies that the two are essentially bound together, for the sex act *is* the marriage act. Since the sex act is a procreative act, and since marriage is a prerequisite for performing the act of sexual union, any subsequent mention of the procreative act will be taken to mean the marital act, and vice versa. Now because of the great emphasis placed by Aquinas on the bond between sex and marriage, his treatment of the ends and goods of marriage reflects and perfects his philosophy of sex. Formally and essentially, Aquinas insists, marriage is a certain inseparable union of souls, but this union of life and love has sex as its most natural characteristic, and thus is naturally directed to the procreation and rearing of offspring to a mature and virtuous adulthood. This clearly goes far beyond the mere biological. The other, "superadded" levels of marriage have their own purpose, but all have value for new life.

The higher levels of life of which man partakes (sensitive, spiritual) specify and determine sexual life. They present "new" ends of marriage which have a value of their own; and yet these ends do not supplant, but rather aid procreation-education with their personal-spiritual values. For example, mutual aid (*mutuum obsequium*) pertains exclusively to the human species, for man inclines naturally to marital companionship and the mutual exchange of domestic life. Furthermore, one of the advantages (or "personal ends") of marital life is the love or friendship of the spouses which is built upon and produced by their life in common. This personal union of love gains great importance by reflecting the union of Christ and his Church. But Aquinas is not so much concerned with whether this is a union of friendship, but rather: what is its natural purpose? The *finis* of this union is procreation-education.

This hierarchy of ends reflects Aquinas' natural-law view of marriage. The principle end of marriage (procreation-educa-

tion) arises from the Aristotelian teaching of the priority of the generic over the specific, and corresponds immediately to the most basic level and the most profound inclination of man: the natural inclination to procreation found in the generic element of human nature. Beyond this basic goal, as Thomas expressly declares, other ends are to be treated as *superaddita* in the natural-law view of marriage, and, in this sense, as secondary.

Thomas places the three goods of marriage in relation to the ends of marriage. To the first (*bonum prolis*) corresponds procreation-education; to the second (*bonum fidei*) correspond both *remedium concupiscentiae* and *mutuum obsequium*; and to the third (*bonum sacramenti*) corresponds the imitation of the unity of Christ and his Church as a purpose of marriage. The *bonum sacramenti* is rated first in the order of dignity, but the *bonum prolis*, at least if it is understood as the *intentio prolis*, is the most essential good of marriage.

We can conclude that the Angelic Doctor looked upon the procreation-education of offspring not only as an end of matrimony, but also as the most essential "good" of marriage. This good is one which "excuses" the marriage act, but does so from the goodness of the very nature of matrimony and the goodness of the natural appetite to procreate. Hence procreation is thing positively good.

Thomas was influenced by two very different schools of thought—those of Aristotle and Augustine—and by each of these both directly and indirectly. St. Thomas appears Augustinian in his general evaluation of sex, which obviously imports a tone of severity. Yet he has re-thought Augustine's sexual ethics and has set himself a milder and more positive course. Aristotle gave the Angelic Doctor a more realistic outlook by emphasizing the *medium virtutis* in his appraisal of sex. Thomas reacted strongly against a long patristic and ascetic tradition of sexual pessimism by insisting on the goodness of the institution of marriage. Speaking out resolutely against the heresies of the 11th and 13th centuries, he asserted that mar-

riage is no sin, that the fulfilling of the marriage debt is a meritorious practice of the virtues of justice and religion, and that the pleasure attached to it is in no way sinful. No one affirmed more optimistically the goodness of the natural inclination to procreation for the good of the species than did St. Thomas: "If corporal nature was instituted by a good God, it is impossible to say that that which concerns the conservation of the corporal nature and to which nature inclines is altogether evil . . . so that it would be impossible to find the mean of virtue therein." <sup>4</sup>

Having considered the broad context of Aquinas' position on sex and marriage, and having seen that for him the primary purpose and good of marriage is procreation-education, we are in a position to ask the further question: what, in a particular way, is the purpose of procreation? His answer is a principle which serves as a basis for his entire sexual ethics: procreation is for the good of the species. This basic principle must be studied in detail before turning to the consideration of responsible parenthood and overpopulation.

#### PART ONE

### PROCREATION FOR THE SPECIES

St. Thomas teaches that human procreation is for the sake of the species, and this truth is solidly based on the intention of nature. <sup>1</sup> It is a principle which Thomas has derived from Aristotle, and is fundamental to his doctrine on sexual ethics. We must be careful, however, not to approach a study of "the good of the species" with a mentality too strongly prejudiced by the social problems of today, for it is part of a vast and profound system which is typical of the genius of Aristotle, and which, as we shall see, Aquinas has developed prior to any consideration of the concrete notion of human society. <sup>2</sup>

• *Suppl.* 4I, 3 co.

<sup>1</sup> "Bonum speciei est de principali intentione naturae, ad cuius conservationem naturalis generatio ordinatur." I, 98, I co. "Viri enim et mulieris coniunctio ad bonum speciei ordinatur." C. G. III, 136. Cf. *Suppl.* 49, 5 ad I; *Mal.* 15, 2 ad 12.

<sup>2</sup> Cf. Louis Lochet, "Les fins du mariage, N.R.T. 73 (1951), p. 570.

## I. THE METAPHYSICAL VALUE OF PROCREATION

1. *Preservation of the Species*

To discover nature's innate purposes of generation<sup>3</sup> in regard to man, we must establish the relation of generation to corruptible and incorruptible things, for man by his very nature has been established as a sort of medium between corruptible and incorruptible creatures, his body being naturally corruptible, while his soul is naturally incorruptible.<sup>4</sup> In other words, what is the intention of nature in regard to corruptible and incorruptible creatures, of which man's body and soul are examples?

The intention of nature is indicated per se by what is found perpetually in nature, whereas that which is found in a given nature only for a time must not be considered the principal intent of nature, but subordinate to something else; otherwise, the intention of nature would be nullified, once the thing ceased to exist.<sup>5</sup> Applying this to corruptible things, the Angelic Doctor states that there can only be one principal intention of the nature of corruptible creatures: the good of the species, because only the species is perpetually and always present in corruptible things.<sup>6</sup> Therefore, natural generation is ordered to the *bonum speciei* of corruptible things.<sup>7</sup> On the other hand, incorruptible substances have a characteristic of permanence not only in relation to the species, but in the individual substances as well. Consequently even the individuals are included in the chief purpose of nature.<sup>8</sup> This poses a special problem in reference to human generation, which will be discussed later.

•The vital activity of generation, a natural function exercised by man in common with all vegetative and animal life, is the "origin of a living thing from a conjoined living principle . . . by way of likeness in the same specific nature." "Generatio significat originem alicuius viventis a principio vivente coniuncto . . . secundum rationem similitudinis in natura eiusdem speciei." *I*, fl7, 2 co.

•*I*, 98, 1 co.

<sup>5</sup> *Ibid.*; cf. *In II Sent.* 20, 1, 1 ad 3; *Suppl.* 49, 5 ad 1; *I*, 2 co.; *C. G.* II, 93; IV, 78; IV, 83; *Comp.* 156; *De spir. creat.* 8.

•*I*, 98, 1 co.

<sup>7</sup> *Ibid.* Cf. *II-II*, 153, 2 co.; *C. G.* II, 93.

<sup>8</sup> *I*, 98, 1 co.

Basic to an understanding of nature's intention in procreation is the consideration that reproduction in the world of living beings is a process enabling creatures to participate more fully in a likeness to the Creator. All created things exist in order to attain to the divine likeness, and they do in fact bear a certain likeness to their Creator, for "the agent makes a product to his own likeness."<sup>9</sup> Inferior beings tend to the divine likeness only by being perfected within themselves, for they cannot actively move, but are moved or passively worked upon.<sup>10</sup> But higher things, which actively move, tend toward the divine likeness in the greatest possible manner by being the cause of others, for in so doing they become co-workers with God.<sup>11</sup> Furthermore, by participating in their specific nature in a limited way through generation, creatures attain similarity to God, in whom the divine nature exists perpetually and perfectly.<sup>12</sup>

Thomas' comment on Aristotle's *De anima* also indicates that it is natural for living things to bring forth others like themselves according to species, thereby participating, so far as possible, in the divine and eternaJ.<sup>13</sup> Since living material things, being corruptible, cannot share in eternal being by remaining numerically the same, they participate in perpetuity in the way they can-through generating a thing like themselves according to species.<sup>14</sup> These various explanations for the

<sup>9</sup> "Res omnes creatae sunt quaedam imagines primi agentis, scilicet Dei; agens enim agit sibi simile." C. G. III, 19.

<sup>10</sup> C. G. III, 22.

<sup>11</sup> C. G. III, 21 and 22.

<sup>12</sup> "Creaturae, per hoc quod participant naturae speciei, pertingunt ad divinam similitudinem; unde quod aliquod suppositum creatum subsistat in natura creata, est ordinatum ad alterum tamquam ad finem: et ideo ex quo sufficienter pervenitur ad finem per unum individuum secundum perfectam et propriam participationem naturae speciei, non oportet aliud individuum in illa natura subsistere." *Pot.* 2, 1 ad 14.

<sup>13</sup> Cf. *In anima* II, lect. 7.

<sup>14</sup> "Quia igitur non possunt communicare inferiora viventia ipsi esse sempiterno et divino, per modum continuationis, idest ut maneant eadem numero, propter hoc quod nihil corruptibile contingit unum idem numero permanere semper, . . . sequitur, quod unumquodque communicet perpetuitate secundum quod potest: id est in simili secundum speciem." *Ibid.*



"divine likeness" of procreation may be found summarized in the *Summa Contra Gentiles*, where Aquinas states that the species of generating living things attains the greatest possible similarity with the divine essence, in being perpetuated through continuous procreation, and in diffusing the goodness of the species by being the cause of others.<sup>15</sup>

### *Generation of Corruptible Nature*

The perpetuation of the species, which Thomas refers to as something that is "good and best,"<sup>16</sup> is a good of nature/<sup>7</sup> just as the sex act is an act of nature.<sup>18</sup> The *bonum speciei* is the end of procreation, for nature primarily intends a universal, and not a particular good.<sup>19</sup> If nature primarily regarded the particular nature of a corruptible thing, then a particular good would be the primary good of that nature. But if we are seeking the *universal* intention of nature regarding a corruptible thing, we are led to a universal good, which would not be frustrated by the cessation of the particular corruptible thing. This universal good is indicated by what is perpetual; but in corruptible, transient things only the species is perpetually present.<sup>20</sup> Therefore, natural generation does not find its good in the individual as such, which disappears, but in the conservation of the species which is assured in the process of continual procreation. Consequently, the advantage of sex is a good of the species/<sup>1</sup> and procreation serves the *bonum speciei*.

The universal intention of nature, i.e., the *bonum speciei*, would truly be nullified by the complete corruption of the

<sup>15</sup> - Intendit enim generans formam generati, quae est generationis finis, non quasi ultimum finem, sed similitudinem esse divini in perpetuatione speciei, et in diffusione bonitatis suae, per hoc quod aliis formam speciei suae tradat et aliorum sit causa." C. G. III, Cf. *In II Sent.* 15, 3, 3 co.

<sup>16</sup> C. G. III,

<sup>11</sup> C. G. III,

<sup>18</sup> C. G. III,

<sup>19</sup> Cajetan, *In I* 98, 1, n. 1.

<sup>20</sup> - Omne perpetuum est per se intentum in natura; unde secundum quod aliqua se habent ad perpetualem, hoc modo sunt de intentione naturae." *In II Sent.* 1, 1 ad 3.

<sup>21</sup> *I*, 85, 8 ad 4.

corruptible nature.<sup>22</sup> The question now arises: how is this universal intention of nature realized in corruptible things? This is accomplished in created things through the specifying element: the form. Genus and species are related as matter and form. The notion of species is taken from the form, which is a limited participation in the perfection of the species, whereas the nature of the genus is taken from that which is material in the thing. Matter, which is the foundation of the individual, exists for the sake of the form; hence nature strives more for the form than for the matter. Because the form is the end of generation, it remains that nature ultimately strives for "the species, but not the individual or the genus."<sup>23</sup>

Every cause of the inferior world tends, by generation, to communicate to its effect a form like its own.<sup>24</sup> When the material agent generates, it is in act according to its form. Acting according to its specific perfection, the individual-or rather the species acting through the individual-is tending towards the diffusion of its good in other subjects capable of receiving this communication.<sup>25</sup> Thus, the terminus of generation is the form of the one generated, and the purpose of natural generation can be said to be the essence of the species.<sup>26</sup>

Moreover, this agent is limited; it does not possess this act which is its specific form according to its totality, but by participation. In other words, the species, in the agent of generation, is not fully in act, but only according to the limitations of an individual possessing a participation.<sup>27</sup> The agent is limited; the species is in potency for an extension or continu-

<sup>22</sup> "Nihil enim conferre poterit universo, corrupto illo particulari per se intento." Cajetan, *In I*, 98, 1, n. I; cf. C. G. III,

<sup>23</sup> "Et inde est quod ultima naturae intentio est ad speciem, non autem ad individuum, neque ad genus: quia forma est finis generationis, materia vero est propter formam." *I*, 85, 3 ad 4.

<sup>24</sup> *I*, 44, 4 ad

<sup>25</sup> "Generans enim agit ad formam generati, cum tamen generatum non sit dignius generante, sed in agentibus univocis sit ejusdem speciei cum ipso. Intendit enim generans formam generati, quae est generationis finis." C. G. III,

<sup>26</sup> *III*, 35, 1 co.; cf. *III* 1 co.; 5 co.; *Suppl.* 57, 1 co.

<sup>27</sup> This has been well described by Joseph Legrand, *et l'homme dans la philosophie de Saint Thomas* Vols.; Paris: Desclee, 1946), I, p.

ation, and yet the species is not fully realized in an individual agent. Therefore the individual must be subjected to a superior order in which it might find that perfection or infinity which it lacks itself, and this it does in the continuing series of partial realizations within the species.<sup>28</sup> Since no individual possesses all the perfection of the species, it is in multiplying itself that it by-passes its own corruptible duration and contributes to the perpetuation and progress of the species.<sup>29</sup>

### 3. *Generation of the Human Composite*

Procreation is for the good of the species, because it is only in the species that perpetuity can be found. This is true of corruptible creatures, since only the species is perpetually present in them. But now we must turn our attention to a consideration of the complete man, and to the question: how is perpetuity to be sought in the procreation of man? Man has been placed between corruptible and incorruptible creatures, endowed not only with a naturally corruptible body, but also with a naturally incorruptible soul.<sup>30</sup> Whereas generation is intended by nature for the good of the species in reference to the corruptible element of man, when we turn to a consideration of man's incorruptible element, we see that not just the species, but the individual substances are included in the chief purpose of nature. Permanence, which is the per se purpose of nature, can be found not only in man's species, but in the individual soul as well.<sup>31</sup>

Of all created forms, the human soul is superior to all others:

<sup>28</sup> - Per actionem (agentia univoca) suae speciei similitudinem inducunt, et per consequens esse perpetuum propriae speciei, secundum quod est possibile, conservant." *Pot.* 7, 10 co.

<sup>29</sup> "Illud quod inest causae universali simpliciter et unite, invenitur in effectibus multipliciter et distincte." *Comp.* 102, 2. "Id quod unum est, . . . si sit super-excedens, potest esse propria ratio plurium, quia continet in se uniformiter propria uniuscujusque quae in eis divisim inveniuntur." *Ver.* S. 10 ad 3. Cf. *C. G.* II, 45; III, 24.

so *I* 98, 1 co.

<sup>31</sup> - Substantiae vero incorruptibiles manent semper non solum secundum speciem, sed etiam secundum individua: et ideo etiam ipsa individua sunt de principali intentione naturae." *I*, 98, 1 co.

it is the ultimate end towards which all the beings of the material world tend.<sup>32</sup> Human generation, then, has a greater meaning than the mere termination of a physiological teleology: it also terminates and crowns the entire process of generation among the various grades of being, for it involves the most noble form to be found in the order of generable and corruptible things.<sup>33</sup> Since, on the one hand, the generation and corruption, the evolution and activity of the entire inferior material world are ordered to the human soul and the entire human species which it represents,<sup>34</sup> and since, on the other hand, the movement of the heavenly bodies and the action of separated substances, in Aquinas' opinion, are directed to the preservation, multiplication and perfection of the human race and the multiplication of souls,<sup>35</sup> Thomas was led to adopt the medieval anthropocentric view of the universe.<sup>36</sup> This cosmic perspective of human generation manifests the signal importance of the individual human soul, which is the most worthy of all forms, for it has eternal life as its ultimate end.<sup>37</sup>

Because of the immortality of the soul, we can conclude that a multitude of individuals is per se nature's intention, or rather the intention of the Author of nature, and that procreation, in this respect, serves only the numerical increase of individuals.<sup>38</sup> But Aquinas expressly teaches elsewhere that no agent intends material plurality as an end, because material multitude has no certain limit, but tends to infinity.<sup>39</sup> Without limitation

•• *In II Sent.* 1, ¶1, 3 co.

<sup>33</sup> *C. G. I.*, ¶¶1; *In metaph.* I, lect. 1; *Ver.* ¶¶1, 1 ad 3; *Pot.* 4, 1 ad ¶1 contra. Cf. Legrand, I, p. 186.

•• *C. G. III.*, ¶¶1.

•• "Sicut igitur agentis particularis in istis inferioribus intentio contrahitur ad bonum hujus speciei vel illius, ita intentio corporis caelestis fertur ad bonum commune substantiae corporalis, quae per generationem conservatur et multiplicatur et augetur." *C. G. III.*, ¶¶1. Cf. *Camp.* 171; *Pot.* 3, 10 ad 4.

<sup>36</sup> Cf. *C. G. III.*, ¶¶1, 77-82; Meyer, p. 806.

<sup>37</sup> *Comp.* 171; cf. *Pot.* 3, 10 ad 8.

<sup>38</sup> "Ex parte vero animae, quae incorruptibilis est, competit ei quod multitudo individuorum sit per se intenta a natura, vel potius a naturae Auctore qui solus est humanarum animarum creator. Et ideo, ad multiplicationem humani generis, generationem in humano genere statuit, etiam in statu innocentiae." *J.*, 98, 1 co.

•• *I* 47, 8 ad 2.

or finiteness, it is impossible to intend something per se, as is shown by Aristotle.<sup>40</sup> Yet a numerical multitude *of perpetuals* is possible and can be per se intended because '*of perpetuals*' designates a finite multitude; perpetuity looks to the perfection of the universe, for whose integrity a taxative and certain number is required. In the case of the human race, multiplicity is restricted by the fact that the number of predestined is certain. Therefore we cannot say that it is repugnant for the multiplication of perpetual human individuals to be considered as the per se intended end of generation.<sup>41</sup>

Although it is true that the human soul is a particular incorruptible thing/<sup>2</sup> it certainly does not have a complete species of its own, but is the form of the body in the composite, corruptible human.<sup>43</sup> Since procreation directly attains only bodily reproduction, its particular good is not to be found in the newly generated individuals as such, but in the conservation of the species which is assured in the process. For Thomas, this represents a foregone conclusion, resulting from his principle of individuation.<sup>44</sup> Since nature strives more for the form than for matter, and since the form is the end of generation, generation is for the good of the species.<sup>45</sup>

An apparent problem arises from the fact that, for humans, both the species and the individual are of the principal intention of nature.<sup>46</sup> On the one hand, Thomas says that the perfection of the universe envisages species, and not individuals.<sup>47</sup> On the other hand, human souls are also individuals, but contribute to

<sup>40</sup> *In metaph.* II, lect. 4. See the invaluable commentary by Cajetan, *In I* 98, 1, n. VI.

<sup>41</sup> - Non ergo repugnat multiplicationem individuorum humanorum perpetuorum ponere per se intentam ut finem generationis; quoniam usque ad certum praedestinatorum numerum complendum erat futura, et non in perpetuum." Cajetan, *ibid.* Cf. St. Thomas, *I*, 23, 7 co.

<sup>42</sup> *Anim.* un., 1 co.

<sup>43</sup> *Ibid.* and ad 14; cf. *I*, 47, 2 co.

<sup>44</sup> See Section 2, *supra*.

<sup>45</sup> *I* 85, 3 ad 4.

<sup>46</sup> *I* 98, 1 co.

<sup>47</sup> *C. G.* II, 84; *I* 118, 3 ad 2; *Pot.* 3, 10 ad 2.

the perfection of the universe.<sup>48</sup> How are we to distinguish between these two types of perfection?<sup>49</sup>

We may distinguish between the essential and accidental perfection of the universe. When Thomas says that the perfection of the universe looks to the species and not to individuals, this refers to essential perfection, for individuals which are not perpetual pertain to the accidental perfection of the universe.<sup>50</sup> However, a problem ensues from this,<sup>51</sup> inasmuch as in another place Aquinas tells us that those things which are perpetual according to both species and individual pertain to the essential perfection of the universe.<sup>52</sup> Now rational souls enjoy perpetuity not only in their species, but also in each individual. The answer to this conflict may be found in *De potentia*, where Thomas says that the essential perfection of the universe is twofold: *perfectio prima et ultima*.<sup>53</sup> "The multitude of souls belongs to the ultimate, not the initial essential perfection of the universe," Thomas asserts, "since the entire transformation of bodies is ordered in some way to the multiplication of souls, which requires a multiplication of bodies."<sup>54</sup> Thus, the *perfectio prima essentialis* of the universe envisages the species; the *perfectio ultima essentialis* looks to a multiplication of human souls considered as individuals; and the *perfectio accidentalis* of the universe embraces individuals of a corruptible type.

In short, nature's purpose for human procreation is, more proximately, the preservation of the species, and more remotely, the multiplication of eternal souls, limited by the number of the elect.

•• *Pot.* 3, 10 ad 4; *I* 98, 1 co.

<sup>49</sup> For a discussion of this problem and a solution to the dilemma, see John Wright, *The Order of the Universe in the Theology of St. Thomas Aquinas* (Rome: Gregorian University, 1957), pp. 139-144. Cf. *ibid.*, pp. 13, 20, 36 and 145.

<sup>50</sup> *In II Sent.* 17, 2, 2 ad 6. Cf. Sylvester, *In C. G.* II, 84.

<sup>51</sup> Cf. Sylvester, *ibid.*

<sup>52</sup> Cf. *Ver.* 5, 3.

<sup>53</sup> *Pot.* 3, 10 ad 4.

<sup>54</sup> • Multitudo animarum pertinet ad essentialem perfectionem universi ultimam, sed non primam, cum tota corporum mundi transmutatio ordinetur quodammodo ad animarum multiplicationem; ad quam requiritur corporum multiplicatio." *Ibid.*

#### 4. Conclusion

St. Thomas' Aristotelian perspective of nature's pursuit of the good of the species provides him with a solid philosophical foundation, not only for the procreative act, but for the construction of a complete theological synthesis of the teleology of sex in general and the ends of marriage in particular. It is no surprise that Thomas bases his sexual ethics on a deeply grounded philosophical foundation, but that his oft-repeated phrase, *procreatio ad bonum speciei*, has a profoundly metaphysical connotation is, perhaps, often overlooked.

In attempting to discover the mind of St. Thomas on any given topic, it is not unusual to find that he has employed a single term in various ways.<sup>55</sup> In this section the "*bonum speciei*" was seen to be a metaphysical concept; later on we will find that Thomas relates human procreation to the human species understood as human society. It should be pointed out, however, that the metaphysical value of procreation, whereby it preserves the species in the sense of preserving the formal element of man, is related immediately to the social mass of humanity, for the preservation of the species for the sake of its perpetuity constitutes at the same time a function of nature, whereby procreation is in the service of nature.<sup>56</sup> It is only in "society," i.e. in the human beings produced by generation, that the transcendental notion of the species is preserved.

## II. THE SOCIAL VALUE OF HUMAN PROCREATION

A basic principle of Thomistic sexual ethics is that sexuality has a distinctly social value. Perhaps in no other place was Thomas more explicit in expressing this concept than in the *Summa Contra Gentiles*, where he stated that generation is ordered to the *common good*, because it conserves the species.

It should be considered that generation is the only natural act that is ordered to the common good, for eating and the emission of waste matters

<sup>55</sup> M. D. Chenu, *Introduction à l'étude de St. Thomas d'Aquin* (Paris: Vrin, 1954) p. 134.

<sup>56</sup> Cf. Albert Mitterer, "Der Dienst des Menschen an der Natur nach dem Weltbild des hl. Thomas und dem der Gegenwart," *Z. K. T.* 56 p. 36.

pertain to the individual good, but generation to the preservation of the species.<sup>1</sup>

We have arrived at the point where procreation *ad bonum speciei* must be viewed as procreation *ad bonum commune*.<sup>2</sup> It should be noted that in speaking of the social value of human procreation, 'human procreation' is taken in its broadest teleological signification, including not only the generation, but the rearing and education of offspring to full human maturity. The need for education of offspring to a mature member of the human community makes of the *bonum speciei* a community good.

### 1. Procreation and the Common Good

The generative faculty, besides terminating in a new individual, extends its value far beyond the individual, for it has a distinct relation to the community at large, or to the "common good." The sexual urge terminates in man, not simply as an individual being, but also as a member of the human species. In other words, sex, while being the instinct of an individual, is primarily social in its implications.

Among all natural acts, Thomas considers only the sex act as having the peculiarity of pertaining to the common good, precisely because it alone accomplishes the preservation of the species.<sup>3</sup> Sexual union is a corporal good, for it is directed towards bodily multiplication,<sup>4</sup> but it transcends the body by preserving the species,<sup>5</sup> and thereby is ordered to the common good: "Marriage is directed to the common good."<sup>6</sup> Because matrimony is a pre-requisite to sexual union, marriage is itself ordered to the common good: "Marriage is principally directed to the common good in respect of its principal end, which is the good of the offspring."<sup>7</sup>

It is of special interest to note that Thomas equates the good

<sup>1</sup> C. G. III, 123; cf. *II-II* 153, 3 co.

<sup>2</sup> "Actus generationis ordinatur ad bonum speciei, quod est bonum commune." *Mal.* 15, 2 ad 12.

<sup>3</sup> C. G. III, 123; cf. *I-II*, 100, 11 ad 3; *II-II*, 153, 2 co.

<sup>4</sup> *II-II*, 152, 4 co.

<sup>5</sup> *II-II*, 152, 4 obj. 3. Cf. C. G. III, 122.

<sup>6</sup> C. G. III, 122.

<sup>7</sup> *Suppl.* 67, 1 ad 4; 65, 1.



of the species and the common good when speaking of the generative act: "The act of generation is directed to the good of the species, which is the common good."<sup>8</sup> This unquestionably gives a very concrete significance to the notion of "species" in the phrase: "Procreation is for the good of the species."

Another clear indication of the community value of the procreative faculty is to be found in Thomas' teaching that sexual sins which are contrary to nature take their malice from the fact that they harm the species. In his *Summa Contra Gentiles*, Thomas teaches that the abuse of the sexual faculty harms the species more directly than the individual. "Man's good is not much opposed by such inordinate use. However, the inordinate emission of semen is incompatible with the natural good; namely, the preservation of the species."<sup>9</sup> Sins which go contrary to the sexual purpose of procreation-education deny the procreative act of its teleology of serving the species. For this reason it can be concluded that sins contrary to nature imply an offence against the human species, against humanity.

However, it is not only the species which is harmed by sexual offences, for in addition Aquinas mentions that it is sometimes "life in potency" which is offended, and in other places he says that malice arises from the injury done to the individual.

Thus, for example, without mentioning the harm done to the actual offspring, Thomas says simply that sins against chastity are contrary to the *life of man in potency*.<sup>10</sup> And further: "The disordering in the emission of seed affects the proximate life in potency";<sup>11</sup> "thou shalt not commit adultery: that is contrary to the life in potency."<sup>12</sup> The "*vita in potentia*" reflects Thomas' notion of the human seed as a "*quiddam*

- *Mal.* 15, ad U.
- C. G. III,

<sup>10</sup> - Maximum autem bonum proximi est ipsa vita hominis, cui opponitur peccatum homicidii, quod tollit actuaalem hominis vitam; et peccatum luxuria, quod opponitur vitae hominis in potentia, quia est inordinatio quaedam circa actum generationis humanae." *Mal.* 10 co.

<sup>11</sup> *Mal.* 15, co.

<sup>12</sup> *In Matt.* 19 (10, 178b).

*divinum*" according to Aristotle/<sup>3</sup> and the procreative organ as a "principle of life,"<sup>14</sup> both of which represent the totality of the sexual order.

Yet it is difficult to conceive of harm being done to "life in potency." Thomas judges the value of "life in potency" to be of lesser importance than existing human life, but more highly valued than external goods which preserve life already existing.<sup>15</sup> The preservation of life is the point of emphasis. Thomas saw the procreative faculty as something in the service of life, and an offence against sex as an offence against a vital good.

Sexual sins are also described as causing harm to the *offspring to be born* of an illicit union. By ignoring the sexual command of *education* in the very act of procreation, the sin of fornication is harmful to the good of the offspring to be born, and therefore is contrary to the love of neighbor.<sup>16</sup> The use of sex outside its legitimate function in matrimony is a sin *against one's neighbor*, because it is against the good of the offspring to be generated and educated.<sup>17</sup>

It is for this reason that Thomas follows the medieval trend in comparing fornication and other sexual sins with the killing of a man. After the sin of homicide, by which an actually existing human nature is destroyed, this type of sin seems to take second place, for by it the generation of a human nature is prevented.<sup>18</sup> The malice of fornication is found in the privation

<sup>13</sup> *Mal. 15, 9* co.

<sup>14</sup> *I-II 17, 9* ad 3.

<sup>15</sup> "Propinquius autem ordinatur ad vitam hominis semen humanum, in quo est homo in potentia, quam quaecumque res exteriores." *Mal. 15, fl* co.

" "Fornicatio autem simplex importat inordinationem quae vergit in nocumentum vitae ejus, qui est ex tali concubitu nasciturus." *II-II 154, 2* co. "Fornicatio autem est contra bonum hominis nascituri." *Ibid.*, 3 co. "Fornicatio simplex contrariatur dilectioni proximi quantum ad hoc, quod repugnat bono prolis nasciturae: dum scilicet dat operam generationi non secundum quod convenit proli nasciturae." *Ibid.*, fl ad 4.

<sup>17</sup> *Mal. 15, 2* ad 4. Whether this constitutes an injustice is discussed in Part Two below.

<sup>18</sup> "Inordinata vero seminis emissio repugnat bono naturae, quod est conservatio speciei; unde, post peccatum homicidii, quo natura humana jam in actu existens destruitur, hujusmodi genus peccati videtur secundum locum tenere, quo impeditur generatio humanae naturae." C. G. III, 122.

of a social good, viz. life and education, which is substantially the same injury as that committed in homicide. Therefore, fornication is truly an offence *against the human species*, insofar as it is an obstacle to the procreation of a single human being.

The sin of fornication is contrary to the good of the human race, insofar as it is prejudicial to the individual begetting of the one man that may be born. Now one who is already an actual member of the human species attains to the perfection of the species more than one who is a man potentially, and from this point of view murder is a more grievous sin than fornication and every kind of lust, through being more opposed to the good of the human species.<sup>19</sup>

The individual child is, then, a community value, for it is a member of, is representative of, and radiates into the whole species. It is for this reason that Thomas can speak of the offspring as the stepping-stone to the common good: "Marriage is principally directed to the common good in respect of its principal end, which is the good of the offspring."<sup>20</sup> The social value of sex in the Thomistic system is founded, therefore, on the teaching that procreation is a good of nature, which serves human society by assuring the preservation of the life of the species.

## 2. Procreation and Law

The sexual faculty is the only human faculty which serves the good of the species, or the common good of the human race.<sup>21</sup> From this fact it obtains a social character which necessitates procreation and marriage being subject to law, for the common good falls under a determination of law.<sup>22</sup> This illu-

<sup>19</sup> "Peccatum fornicationis est contra bonum speciei humanae, inquantum impedit generationem singularem unius hominis nascituri . . . ." *II-II*, 154, 3 ad 3. See the commentary by Cajetan, *In II-II*, 154, §, n. XIII. Cf. Thomas, *ibid.*, 2 co. and ad 6; 3 co.; *I-II* 100, 6 co., where adultery is compared to homicide and theft.

<sup>20</sup> *Suppl.* 67, 1 ad 4.

<sup>21</sup> *C. G.* III, 123.

<sup>22</sup> Sed quia concubitus ordinatur ad bonum commune totius humani generis; bona autem communia cadunt sub determinatione legis: . . . consequens est quod ista coniunctio maris ad feminam, quae matrimonium dicitur, lege aliqua deter-

strates Thomas' basic concept that the procreative faculty is related to the human social totality. In fact, both the generative act and all things pertaining to the generation of offspring are said to be subject to both divine and human laws.<sup>23</sup> Thomas agrees with Aristotle when he asserts that those acts which pertain solely to the good of the individual are controlled by the individual; but the individual may not determine the sexual act, which pertains to the common good and hence to the lawmaker.<sup>24</sup>

That law should govern marriage, as well as procreation and all other aspects of the sexual life, is perhaps the strongest indication of St. Thomas' conception that procreation serves the good of human society. Furthermore, this doctrine shows that the service of the common good is not a simple result of the generative faculty. It is not simply a *bonum circa*, or a moral value. Rather, procreation is "*ad bonum commtine*," signifying a real *finis* intended by nature. St. Thomas implied this inner connection, when he related the doctrine on *usus venereorum* serving the common good<sup>25</sup> with the principles concerning the end of law and of the natural order.<sup>26</sup>

Human generation is governed by various kinds of laws, for procreation is ordered to many ends, and must be directed to these ends by differing principles.<sup>27</sup> Therefore, because generation is ordered to the good of nature which is the perpetuity of

minetur." *II-II* 154, 2 co.; cf. *I-II* 90, 2 co.; 100, 11 ad 8. The laws governing matrimony, which Thomas alludes to here, are treated at length in *Suppl.* 50 ff. Cf. also *Suppl.* 44, 8 co.; *C. G.* III, 128; *II-II* 154, 9 ad 8.

<sup>28</sup> - Uncle, quum lex instituatur ad bonum commune, ea quae pertinent ad generationem prolis oportet legibus ordinari, et divinis et humanis." *C. G.* III, 128. Cf. *Mal.* 15, 2 ad 12; *In Polit.* II, lect. 17. See Cajetan's commentary on the Third Part of the *Summa*, entitled *Quaestiones de usu matrimonii*, q. 2, n. II: "Ex hoc namque quod homo est animal sociale et politicum, provenit quod coniugium et ipsius actus debeant sic fieri ut sint sine offensa et periculo offendendi societatem politicam."

<sup>24</sup> "Determinare qualis debeat esse generationis actus non pertinet ad unumquemque, sed ad legislatorem, cujus est ordinare de propagatione filiorum, ut etiam Philosophus dicit." *Mal.* 15, 2 ad 12. Cf. *in Polit.* VII, lect. 12; II, lect. 17.

<sup>26</sup> *C. G.* III, 1£2.

•• Cf. *I-II* 20, 2; 91, 2.

<sup>27</sup> *C. G.* IV, 78.

the species, it is subject to the natural law; since it is a sacrament, it is governed by divine law; insofar as it is ordered to a political good (e.g. the perpetuity of a people in some state), it is subject to civil law; and insofar as it is ordered to the good of the Church, it must be subject to the government of the Church.<sup>28</sup> But in each case, Aquinas always speaks in terms of *positive* law, and did not always distinguish clearly between natural and positive law, showing how concretely he viewed all sexual norms.<sup>29</sup>

The laws on human procreation are listed as "*leges positae*,"<sup>30</sup> and are said to arise from natural instinct.<sup>31</sup> "*Leges positae*" are divided into divine and human laws, and are explicitations of the natural law.<sup>32</sup> That positive laws should make explicit what is already implicit in the natural law is a tenet adopted by Thomas from Aristotle.<sup>33</sup> It is the task of human law to interpret the inclinations of nature, while the divine law, in addition to this, supplements the deficiencies in the natural instinct.<sup>34</sup> Therefore it would seem that St. Thomas did not consider it necessary to draw impassable boundaries between the natural law, the divine positive law and human positive law. The natural law sexual norms are placed on a

<sup>28</sup> - Matrimonium autem, in quantum est in officium naturae, statuitur lege naturae; in quantum est sacramentum, statuitur jure divino; in quantum est in officium communitatis, statuitur lege civili." *Suppl.* 50, un. ad 4. Cf. C. G. IV, 78; III,

<sup>29</sup> This positive determination of procreation by law can be referred to the possibility of a demographic policy.

<sup>80</sup> - Cum lex instituitur ad bonum commune, ea quae pertinent ad generationem proles oportet legibus ordinari et divinis et humanis. Leges autem positae oportet quod ex naturali instinctu procedant, si humanae sunt; ... si autem divinae sunt, non solum instinctum naturae explicant, sed etiam defectum naturalis instinctus suppleant, sicut ea quae divinitus revelantur superant naturalis rationis capacitatem." C. G. III,

<sup>81</sup> *Ibid.*; C. G. III, U5.

<sup>82</sup> *Suppl.* 65, 1 ad and ad 1.

<sup>88</sup> Odon Lottin, "La Valeur des formules de Saint Thomas d'Aquin concernant la loi naturelle," *Melanges Joseph Marechal*, Vol. II (Brussels-Paris: Desclee, 1950), p. 374.

<sup>84</sup> "(Leges divinae) non solum instinctum naturae explicant, sed etiam defectum naturalis instinctus suppleant, sicut ea quae divinitus revelantur superant naturalis rationis capacitatem." C. G. III,

level with established law, for all law is one in serving the common good. As Rommen remarks, "St. Thomas saw, as one vast complex, the particularities of the positive law connected by means of the natural moral law with the eternal law."<sup>35</sup>

Consequently, it is not always clear whether St. Thomas is appealing to a principle of the natural law or of the positive law in his sexual ethics. He insists that extra-marital relations are against *the law of nature*.<sup>36</sup> But he also proposes the case, in which an unmarried couple are willing and able to educate properly the children who may result from their union.<sup>37</sup> Is their action contrary to the intention of nature? Thomas answers that the good will of the couple does not suffice. The act, as a natural act, must be so performed that *of itself* it guarantees the rearing of offspring, which demands that the couple be married as a prerequisite to their sexual union. The principle which Thomas employs in support of this universal conclusion is a principle of *positive law*: "that which is determined by law is judged according to *that which commonly happens*."<sup>38</sup> This norm accentuates the sacrifice of the individual good to the common good,<sup>39</sup> and to the good of the species,<sup>40</sup> illustrating Thomas' Aristotelian respect for the order of the universe,<sup>41</sup> and showing how positively he viewed the norms of the sexual life.

<sup>35</sup> Rommen, p. 56.

<sup>36</sup> *Suppl.* 65, 3 co.

<sup>37</sup> *C. G.* III, *II-II* 154, co.; *Mal.* 15, 1 ad 3.

<sup>38</sup> "Nee obstat, si aliquis fornicando aliquam cognoscens sufficienter provideat proli de educatione; quia id quod cadit sub legis determinatione, iudicatur secundum id quod communiter accidit, et non secundum id quod in aliquo casu potest accidere." *Mal.* 15, ad "Ideo in legibus matrimonii magis attenditur quid omnibus expediat, quam quid uni competere possit." *Suppl.* 67, 1 ad 4. Cf. *Mal.* 15, ad 14; *C. G.* III, *II-II* 154, co.

•• "Sicut naturalis inclinatio est ad ea quae sunt ut in pluribus, ita etiam lex posita secundum *id quod in pluribus accidit*. Non est autem praedictis rationibus contrarium, si in aliquo aliter possit accidere: *non enim propter bonum unius debet praetermitti bonum multorum*, cum bonum multitudinis, semper sit divinius quam bonum unius." *C. G.* III,

<sup>41</sup> "Rectitudo naturalis in humanis actibus non est secundum ea quae per accidens contingunt, in uno individuo, sed secundum ea quae *totam speciem comquantur*." *C. G.* III,

•• *Pot.* 1, 6 ad 4.

The fact that St. Thomas used positive law principles for refuting objections against the natural law by no means diminishes the value or force of the natural law. Rather, it simply illustrates that the natural law norms of the sexual life have an inherent connection with positive law, in which they are perfected.<sup>42</sup>

Marriage is governed by natural law, human law and divine law for the good of the species.<sup>43</sup> As norms governing human conduct, do these types of law all visualize and embrace human society understood as "the human race," or as "this State"? Thomas did not explicitly make this distinction, but a summary of his view will provide the answer to the question.

Although St. Thomas saw natural, divine and human law on one plane, so to speak, in a vast legal complex serving the one purpose of universal order, each type of law governs man's sexuality in reference to the human community: not simply for "humanity" in a vague and general way, but for a specific society of men, whether this be the entire human race or (in the case of human positive law) a particular body politic.

Actually, St. Thomas never mentions the common good while speaking of the natural law,<sup>44</sup> but his thought can be taken from a treatment of the eternal law, of which the natural law is but a participation.<sup>45</sup> The eternal law envisages beings in their relation to one common end which God pursues from all eternity.<sup>46</sup> Consequently it can be said that the natural law pursues the good of human nature, which, it is true, is common to all men, but at the same time is strictly personal to each man.<sup>47</sup> We can conclude, then, that in the mind of the Angelic Doctor, even the natural law can be called a community law. **It** embraces all human nature and governs the whole of humanity.<sup>48</sup>

Actions pertaining to the generation of offspring are also

•• Fuchs, *Sexualethik*, p. 174.

"Suppl. 50, un. ad 4.

.. Lottin, *Psychologie et morale*, II, p. 35. "Cf. I-II 94, 1 ad 3.

•• II-II ad 1. Cf. C. G. III, 136, where Thomas says that the natural law to "increase and multiply" envisages the whole multitude of men.

•• I-II 91, co.

•• I-II 93, 1 ad 1.

regulated by *divine law*.<sup>49</sup> Aquinas attributes to it a very tinctive community *va.lue*.<sup>50</sup> In distinction to human law, which pertains to the civil community, the divine law is related to a certain community or "republic" of men under God: <sup>51</sup> it gathers the "entire human race" under the worship of one God.<sup>52</sup> Hence, when speaking of actions governed by the divine law, Thomas must have had "humanity" <sup>53</sup> or the *whole human race* in mind.

Human procreation is also governed by *human law*, both civil and ecclesiastical. Now before all other types of law, positive human law pursues the common good and is promulgated to the community. <sup>54</sup> It is enacted for the entire collectivity. <sup>55</sup> This type of law has in view the utility of society, to which the individual is ordered as a part to the whole. Hence it is obvious that those civil laws which pertain to marriage and procreation refer not only to "human society," but to a determined unit of society, such as a particular state. The same is true of ecclesiastical laws regulating sex life.<sup>56</sup> These apply to a determined society (the Church) and govern a distinct social group (the faithful) .

### 3. *The Common Good and the Individual*

Here we encounter one of the most perplexing and fundamental problems of human activity. For how can the common good, or the good of the universe, or the good of any created *totum* whatsoever, be the supreme created perfection, if man transcends the entire order of the universe by reason of his immortal soul? This problem has occupied some of the greatest

•• C. G. III, 128 and 125.

<sup>50</sup> - Est autem alius modus communitatis ad quam ordinatur lex humana, et ad quam ordinatur lex divina." *I-II* 100, 2 co.

<sup>51</sup> - Ita praecepta legis divinae ordinant hominem ad quamdam communitatem seu rempublicam sub Deo." *I-II* 100, 5 co.; cf. 2 co.

•• *I-II* 98, 2 co.; 8 co.; 6 ad 8.

•• Cf. Lottin, *Psychologie et morale*, II, p. 82.

•• *I-II* 96, 1; 8; 4; 6.

•• *I-II* 90, 8 co. Cf. *In III Sent.* 88, 8, 1, sol. 4.

•• Cf. C. G. IV, 78.



theological and philosophical minds of modern times, and will certainly not be solved in this work. However, if Saint Thomas teaches that procreation is in the service of the common good, is he asserting the predominance of the common good over the personal good, at least in reference to procreation? It seems unavoidable for a complete understanding of the social implications of *procreatio ad bonum speciei* that we treat the problem of the individual good vs. the common good at least briefly at this point.

In what way is the personal good related to the common good? Some authors, insisting on the dignity of the human person, see in society only a means for the perfection of the individual. Others, underlining the essentially social character of man, see in the individual a part of the collective whole, to which he must be subordinated. Both, however, base their opinions on the texts of St. Thomas Aquinas.<sup>57</sup>

Gilson has said that conflict is inevitable between these two points of view/<sup>8</sup> both of which are expressed in the writings of Aquinas himself.<sup>59</sup> "Each individual person," St. Thomas

<sup>57</sup> Maurice de Wulf, "L'individu et le groupe dans la scholastique du XIIIe siècle," *R.N. P.* 22 (1920), pp. 341-357; Suzanne Michel, *La notion thomiste du bien commun* (Paris: Vrin, 1932); Edelbert Kurz, *Individuum und Gemeinschaft beim hl. Thomas von Aquin* (Munich: Kosel and Pustet, 1932); Hyacinthus Hering, "De genuina notione iustitiae generalis seu legalis iuxta S. Thomam," *Anq.* 14 (1937), pp. 464-487; Charles de Koninck, *De la primauté du bien commun contre les personalistes* (Quebec: Editions de l'Université Laval, 1943); *idem*, "In Defense of St. Thomas: A Reply to Father Eschmann's Attack on the Primacy of the Common Good," *L. T. P.* 1 (1944-45), pp. 9-109; I. Th. Eschmann, "A Thomistic Glossary on the Principle of the Preeminence of a Common Good," *Nf. St.* 5 (1943), pp. 123-165; *idem*, "Bonum commune melius est quam bonum unius. Eine Studie über den Wertvorrang des Personalien bei Thomas Aquinas," *M. St.* 6 (1944), pp. 62-120; *idem*, "In Defense of Jacques Maritain," *M.S.* 22 (1945), pp. 183-208; *Bulletin thomiste* 7 (1943-46), nn. 755-774, 1485-1487; 8 (1947-53), nn. 1194-1205; Jacques Maritain, *La personne et le bien commun* (Paris: Desclee, 1947); M. B. Gillon, "Le sacrifice pour la patrie et la primauté du bien commun chez les premiers thomistes," *R. T.* 49 (1949), pp. 242-253.

<sup>58</sup> Etienne Gilson, *The Christian Philosophy of St. Thomas Aquinas*, trans. L. K. Shook (London: Gollancz, 1957), p. 327.

<sup>59</sup> The various texts on the common good in the writings of Thomas Aquinas have been gathered by Antoine Verpaalen and appended to the book by Arthur-Fridolin Utz, *Sozialethik, I. Teil: Die Prinzipien der Gesellschaftslehre* (Heidelberg: Kerle, 1958), pp. 353-397.

writes, " is related to the entire community as the part to the whole." <sup>60</sup> In contrast to this, Thomas has written, " Man is not ordained to the body politic according to all that he is and has, ... but to God." <sup>61</sup>

Trying to determine the exact position of the Angelic Doctor is difficult. To begin with, he approached the question in a context which differed from the decidedly political overtones with which we surround the problem today. Furthermore, he has given us no systematic exposition of his doctrine, which leaves us the difficult task of penetrating his thought and synthesizing its elements. <sup>62</sup>

The *Summa Contra Gentiles* gives orientation to the problem, especially in those chapters dealing with Divine Providence and law. <sup>63</sup> Thomas asserts that the law is made in view of the common good. <sup>64</sup> He emphasizes the essentially social character of the individual by invoking the principle of the pre-eminence of the common good over the particular good. <sup>65</sup> The part exists for the whole, which is why the good of a nation is " more divine" than the good of an individual. <sup>66</sup> From this Thomas does not conclude that man is made for the whole which is society, but rather that man is ordered to God, the sovereign good, the common good for all beings. <sup>67</sup>

<sup>60</sup> " Quaelibet autem persona singularis comparatur ad totam communitatem sicut pars ad totum." *II-II* 64, 2 co. "Ipse totus homo ordinatur, ut ad finem, ad totam communitatem, cujus est pars." *Ibid.* 65, 1 co.

<sup>61</sup> " Homo non ordinatur ad communitatem politicam secundum se totum, et secundum omnia sua; . . . Sed totum quod homo est, et quod potest et habet, ordinandum est ad Deum." *I-II* 21, 4 ad 8.

<sup>62</sup> Here we will follow the presentation of Odon Lottin, "Bien commun et bien prive," in *Morale fondamentale*, pp. 189-201.

<sup>63</sup> C. G. III, IH-117.

<sup>64</sup> " Lex instituitur ad bonum commune." *Ibid.*, 128.

<sup>65</sup> For a detailed study of this *dictum* see I. Th. Eschmann, *M. St.* 6 (1944) pp. 62-120.

<sup>66</sup> C. G. III, 17; 128.

<sup>67</sup> " Bonum particulare ordinatur in bonum commune sicut in finem; esse enim partis est propter esse totius; unde et bonum gentis est divinius quam bonum unius hominis. Bonum autem summum, quod est Deus, est bonum commune, quum ex eo universorum bonum dependeat; bonum autem quo quaelibet res bona est, est

In this light, the end of law is the perfection of the *individual person*, to lead man to his final end. It is true that all the parts are ordered to the perfection of the whole,<sup>68</sup> but the rational creature has the character of a whole since it apprehends the entirety of being with its intellect. It is natural, then, that man be governed in view of his own perfection, and not solely for the good of the species.<sup>69</sup> Consequently, man must be directed by Divine Providence toward his own perfection, and this directive is called law.<sup>70</sup> This, then, is the purpose of the law given to man by a provident God: to direct man to his proper end, which is union with God, in whom alone happiness can be found.<sup>71</sup>

It is clear, then, that the *Summa Contra Gentiles* presents two lines of thought which are not contradictory: man's personal final end is identified with the common good (or common end), who is God/<sup>2</sup>

In St. Thomas' *Commentaries on the Ethics and Politics* of Aristotle, in which it is difficult to separate pure exegesis from his personal remarks/<sup>3</sup> his point of view is restricted to the elements of political science, and hence differs from that of the *Summa Contra Gentiles*. However, Aristotle only envisages the government of human society, whereas the *Summa Contra Gentiles* studies divine government, embracing the entire universe and its various human societies. According to Aristotle, it is in view of the common good that laws are established; in the *Summa Contra Gentiles* it is in view of the good of the individual.

bonum particulare Ipsius et aliorum quae ab ipsa dependent. Omnes igitur res ordinantur sicut in finem in unum bonum, quod est Deus." *Ibid.*, 17.

<sup>68</sup> *Ibid.*, II:1.

•• "Creatura autem rationalis divinae providentiae substat sicut secundum se gubernata et provisa, non solum propter speciem, ut aliae corruptibiles creaturae." *Ibid.*, II:3.

<sup>10</sup> *Ibid.*, II:4.

<sup>11</sup> "Per legem igitur divinitus datam homo ad suum finem praecipue ordinatur. Finis autem humanae creaturae est adhaerere Deo; in hoc enim felicitas ejus consistit." *Ibid.*, II:5.

<sup>12</sup> "Bonum summum, quod est Deus, est bonum commune, cum ex eo universorum bonum dependeat." *Ibid.*, 17.

<sup>73</sup> Lattin, *Morale fundamentale*, p. 190.

It may be asked whether St. Thomas attempted a synthesis of these two points of view. To understand the relation between the good of the individual and the common good according to Thomas, we must look to those works written after the Commentaries on Aristotle, especially the *Summa Theologica*.

Just as less noble parts are ordained to the more noble parts, writes St. Thomas, so do the less perfect creatures exist for the more perfect creatures, such as irrational beings which are for man. But man exists for an extrinsic end, which is God.<sup>74</sup> Furthermore, just as all the parts are ordained to the perfection of the whole, so does each creature exist for the perfection of the entire universe, and the whole universe is ordained to God as to its end.<sup>75</sup> Thus St. Thomas teaches that the personal finality of man is God, and yet man is ordained as a part to the whole universe, which itself has God for its end. It would be wrong, therefore, to insist that man is subordinated to the good of the collectivity.<sup>76</sup> Many texts in the writings of Thomas seem to indicate this, but all must be seen in their context, and only those conclusions should be drawn from them which St. Thomas himself intended. Although Thomas makes general statements affirming the obligation of subjecting the private good to the common good/<sup>77</sup> this subordination has its limits, for he also says explicitly that man is not ordered to civil society in all that he is, or in all that he has, but everything that man is can be ordered to God.<sup>78</sup> The decisive principle which Thomas appeals to is that the good of the whole only surpasses the good of a part if, on the part of each, it is a matter of goods of the same type.

.. "Uterius autem, totus homo est propter aliquem finem extrinsecum, puta ut fruatur Deo." I 65, co.

<sup>75</sup> "Uterius autem, totum universum cum singulis suis partibus ordinatur in Deum, sicut in finem." *Ibid.*

<sup>76</sup> Cf. Michel, p. 67.

<sup>77</sup> "Cum igitur quilibet homo sit pars civitatis, impossibile est quod aliquis homo sit bonus, nisi sit bene proportionatus bono communi; . . . impossibile est quod bonum commune civitatis bene se habet, nisi cives sint virtuosus." I-II 1 ad 3. Cf. II-II 58, 9 ad 3.

<sup>78</sup> "Homo non ordinatur ad communitatem politicam secundum se totum et secundum omnia sua. . . . Sed totum quod homo est et quod potest et habet, ordinandum est ad Deum." I-II 4 ad 3.

Thus the good of the universe surpasses the good of an individual of the same kind, but the supernatural good of a single man is worth more than the natural good of the entire universe.<sup>79</sup> So too, the good of an individual can be superior to the common good by reason of its special dignity: in this way consecrated virginity surpasses the fecundity of marriage.<sup>80</sup>

Having completed a survey of the doctrine of St. Thomas, we must now strive to synthesize his teaching—a task which Thomas himself never explicitly undertook.

First of all, it is necessary to maintain firmly the dignity of the human person, for man is not, like the animal, made for another created being. He is made for God, his final cause; his end is, not to serve another, but to perfect himself, for he has an autonomous value.<sup>81</sup> From the nature of things, and independently of some contract or mutual agreement, man is not obliged to others by any natural bond of strict justice.<sup>82</sup> But then there is the Aristotelian perspective. Man is naturally social; he is by no means self-sufficient in striving for his personal end. The family circle and his social milieu provide for him that collection of common utilities which are called the common good, and which are realized primarily through the submission of individuals to law. Society contributes to the personal perfection of the individual.<sup>83</sup>

And thus the two points of view are reconciled. Man is made for his own perfection; the common good of society has the purpose of assuring this perfection; but this perfection itself

<sup>79</sup> - Bonum universi est mains quam bonum particulare unius si accipiatur utrumque in eodem genere. Sed bonum gratiae unius mains est quam bonum naturae totius universi." *I-II* 113, 9 ad 1. Some scholars point out that there is a fundamental sense in which here, too, the good of the whole is superior to the good of the particular. Cf. Verpaalen, p. 59.

<sup>80</sup> - Bonum commune potius est bono privato, si sit ejusdem generis; sed potest esse quod bonum privatum sit melius secundum suum genus. Et hoc modo virginitas Deo dicata praefertur foecunditati carnali." *II-II* 151, 4 ad 3.

<sup>81</sup> Cf. *C. G. III, 15*, where Thomas explicitly states that this is in agreement with Aristotle's teaching.

<sup>82</sup> This conclusion is applied later to the notion of "procreation for the common good of society," see Part Two I, below.

•• *De reg. princ.* I, 1.

demands that the individual be subordinated to the common good expressed by laws. In the next section, this perspective will be applied to the question: is the sexuality of the individual subject to human society?

#### 4. *Procreation and the State*

The fact that procreation serves the common good of a distinct collectivity means that this function of nature is placed within the problem of the individual good vs. the common good. If procreation is truly directed to the common good of the collectivity, what is to prevent rulers from insisting, for example, on sterilization for purely eugenic purposes, and from making other similar demands of its citizens regarding the use of the procreative faculty? <sup>84</sup> we are confronted with the important question: is "*Procreatio ad bonum speciei vel bonum commune*" an admissible principle? If one accepts St. Thomas' teaching on the relation of the individual person to the common good as it has been presented in this work, <sup>85</sup> Thomas does not actually say that procreation is for the "State," but teaches that it serves the good of *society*, without further specification. This notion would include whatever form the social and political collectivity should take. And yet, to say that "procreation is for the good of the State" can strike the modern ear as a doctrine of extreme totalitarianism. Procreation can serve the good of society, the good of a certain country, without being subject to the whims of a certain regime.

That procreation should stand in the service of a distinct

•• See Joseph Mayer, *Gesetzliche Unfruchtbarmachung Geisteskranker* (Freiburg im Breisgau: Herder, 1927). Franziskus Deininger, in his article, "Die Verantwortung des Menschen gegenüber dem kommenden Geschlecht," *T. P. Q.* 90 (1937), pp. 274-285, 442-457, advocated an exaggerated eugenics for the sake of the improved quantity and quality of the race or of the *Staatsvolk*: favoring the prohibition of marriages which involve the mixing of races (p. 450), fostering an ever-increasing hereditary improvement of bodily and spiritual dispositions for the good of the "race" (pp. 452-453), and declaring those *incapable* of marriage who lack a certain measure of intellectual and moral qualities (pp. 453-454).

<sup>85</sup> Cf. Section 3 of this part.

collectivity follows logically from the fact that the common good can only be realized in and through human society. In fact, a public society is defined as a union of men whose common purpose is the common good, as for example the citizens in a city or kingdom.<sup>86</sup> Striving for the common good in society is basic to the nature of man, for man is by nature designed for mutual supplementation and thus for sociality.<sup>87</sup> This is why man is described as being naturally inclined to political society,<sup>88</sup> in which he must make a contribution for the sake of the common good of the consociated members.<sup>89</sup> The procreation of offspring is one function which contributes to the good of society, but this must be measured according to a scale of values.

When St. Thomas taught that the use of the sexual faculty is determined by the legislator, he must have had the legislator of particular political collectivities in mind/<sup>o</sup> of which he knew many kinds: monarchy, aristocracy and democracy. In spite of his preference for monarchy,<sup>91</sup> St. Thomas elevates himself above political contingencies.<sup>92</sup> It should be recalled that procreation serves the *essential* common good, or the good of society with respect to the collectivity of its members and the totality of its essential ends. Thus, the generation and education of offspring is, in some way, contributing to that good of society which is not equated with the State, but which the State itself is striving to serve.

Those who may have balked at Aquinas' concept of procreation serving the common good should be reminded that the Angelic Doctor also placed virginity and the contemplative life in the service of the common good of the human race.<sup>93</sup> Both sexual union and virginity serve the common good,<sup>94</sup> in a

<sup>86</sup> *Contra impugnantes*, c. 8.

<sup>89</sup> *Car.* I, 4 ad 2.

<sup>87</sup> *In Ethic.* I, lect. 2; *C. G.* III, 117.

<sup>90</sup> *I-II* 90, 3 co.

<sup>88</sup> *Suppl.* 41, 1 co.

<sup>91</sup> *I* 103, 3 co.; *I-II* 105, 1 co.

<sup>92</sup> *I-II* 90, 3 contra; 95, 4 co.; 105, 1 co.; *I-II* 57, 2 co.

<sup>93</sup> - Quidam vero ab hac (carnali generationi) abstinentes, contemplationi divinorum vacent ad totius humani generis pulchritudinem et salutem." *II-II* 152, 2 ad 1. Cf. *Suppl.* 41, 2 ad 3.

•• *II-II* 152, 4 ad 3.

manner corresponding to the temporal and eternal perfection of man and the universe.<sup>95</sup> Generation and virginity are " *bona particularia* " directed to that end which is the good order of the universe.<sup>96</sup> On the other hand, the good of the universe is itself no ultimate end, but finds its perfection in the union of the blessed with God.<sup>97</sup>

Seen against this background, procreation can never be a purely biological phenomenon; " procreation for the good of the species " does not result in a racist biology. There is no question but that Thomas taught that man is a part of the community as a member of a body,<sup>98</sup> and that the goodness of man is judged by the relation of his actions to the common good.<sup>99</sup> This reflects the partial influence of Aristotle, who leaned toward state socialism or totalitarianism. He was pre-occupied with the best form of state, in which the individual is enveloped/<sup>00</sup> If this were taken as St. Thomas' decisive position and applied to his teaching on procreation, the results could be disastrously harmful to the individual. But the fact of the matter is that St. Thomas taught that man is not ordered to the community " *secundum se totum et secundum omnia sua.* " <sup>101</sup> Of course, there is nothing to prevent man from *willingly* regulating his sexual activity according to the needs of the common good, under the guidance of the virtue of general or legal justice.

A second reason the State can never have complete dominion over the procreative faculty is because " man is, according to

<sup>95</sup> "Una secundum statum hujusmodi mutabilitatis; altera secundum statum futurae novitatis." *Suppl.* 9I, 5 ad 3.

<sup>96</sup> C. G. I, 71.

<sup>97</sup> "ffitima perfectio quae est finis *totius universi* est perfecta beatitudo Sanctorum." I 73, I co.; cf. I-II 2, 8 ad 2. See Wright, pp. 74-86 and 115-135 for a more detailed study of the theology of the order of the universe.

<sup>98</sup> " In civilibus omnes homines qui sunt unius communitatis, reputantur quasi unum corpus, et tota communitas quasi unus homo. I-II 8I, I co.; cf. I-II 96, 4 co.; II-II 64, 5 co.

<sup>99</sup> I-II 92, 1 ad 3.

<sup>100</sup> Rommen, p. 13.

<sup>101</sup> I-II 2I, 4 ad 3.



his nature, more a conjugal animal than a political animal." And the reason: marriage is naturally prior to and more necessary than the State, for "the part precedes the whole." Noteworthy is the term, "secundum naturam," which reflects Ulpian's view of nature: marital partnership is prior to the State because it is directed to procreation, which is common to every animal essence, and thus follows the nature of the genus.<sup>102</sup>

This indicates that family life enjoys a certain priority to the State in the nature of things. In contrast to the community value which has been so greatly emphasized in this work, great personal value is attached to procreation. Offspring are generated not only as members of society, but as new eternal beings possessing an immortal soul, for man is made in the image and likeness of God.<sup>103</sup> Parents bring into the world, not simply new members of the species, but individuals who have similarities with their parents.<sup>104</sup> The infant is procreated, not only for the good of the universe, but as an end in itself, because he has an immortal soul, and the conjugal union is ordered to this as well.

Therefore, that redeeming factor, that sublimating element which, in the final analysis, lifts the notion of human procreation, with all its undeniable relations to the body politic, from the realm of a purely material function, as a material supply for a material demand, is the fact of the spirituality and immortality of the human soul. For man's spiritual form, capable of living on after death, cannot be the fruit of a mere

<sup>100</sup> - Homo enim est animal naturaliter politicum; et multo magis est in natura hominis quod sit animal conjugale. Et hoc probat duabus rationibus. Quarum prima est quod ea quae sunt priora et necessaria, magis videntur ad naturam pertinere: societas autem domestica ad quam pertinet conjunctio viri et uxoris, est prior, quam societas civilis. Pars enim est prior toto. Est etiam magis necessaria, quia societas domestica ordinatur ad actus necessarios vitae, scilicet generationem et nutritionem. . . . Secunda ratio est, quia procreatio filiorum ad quam ordinatur conjunctio viri et uxoris est communis aliis animalibus, et ita sequitur naturam generis. Et sic patet quod homo magis est secundum naturam animal conjugale, quam politicum." *In Ethic.* VII, lect. Cf. *Suppl.* 41, 1 co.

<sup>103</sup> *I*, 93, 1 co.

<sup>104</sup> *Suppl.* 54, 1.

biological causality and the term of such a material process as generation.

The multiplication of the members of society must be accomplished in a manner befitting the human person (both the person generating and the one generated) . With this perspective, we see that men are not procreated primarily to assure the power of the State or economic prosperity. These are real but supplementary goods, subordinate to the human person.<sup>105</sup> On the other hand, we cannot justify an exclusively "personalist" approach to the question. There should be no minimizing of the social repercussions and, in fact, the social aims of procreation. The fact of the matter is that, in the classic position, nature has placed procreation in a social perspective: "The sex act is ordered to the good of the species," because *nature* seeks what is permanent.<sup>106</sup>

We believe that St. Thomas has posed a happy medium between an "individualist" and a "collectivist" evaluation of human generation. He obviously did not attempt to clarify our problem, but his principles are consistent and applicable in this case. If we, along with Thomas, view man as made for his own perfection, and the common good as having the purpose of assuring this perfection, there is no reason to hesitate in our affirmation that procreation serves and is subject to the good of human society, always keeping in mind the important norm: the common good is to be preferred to the particular good, if each is a good of the same order.<sup>107</sup> Thus, we can see that the good of the species is a value of a very high order, entailing as it does the perfection of the individuals which it embraces. The realization of the good of the species thus becomes part of the order or perfection of the universe, as intended in creation, and as accomplished, in part at least, by pro-creation.

<sup>105</sup> Cf. Clement Mertens, "Doctrines catholiques et problèmes de la population," *N. R. T.* 74 (1952) p. 1045.

<sup>106</sup> *Mal.* 15, 2 ad 12; *I* 98, 1 co.

<sup>107</sup> *I-II* 113, 9 ad 2; *II-II* 152, 4 ad 3.

### III. RELIGIOUS AND SPIRITUAL VALUE OF PROCREATION

#### 1. *Procreation for the Good of the Sacrament*

The religious and spiritual characteristics of procreation complete and perfect the order of the values and ends of this act of nature. The entire natural order of marriage, considered as a function of nature and even as serving the common good or *bonum politicum*, is now directed to higher purposes among Christians. With the coming of Christ, marriage was raised to an entirely new and different plane of existence, on a level not previously experienced by pagan or Jew: the supernatural, sacramental level. The *bonum prolis* is now subsumed into the *bonum sacramenti*. Procreation *for the good of the species* has a distinct *spiritual* value, for there is a sense in which the *bonum speciei* becomes a *bonum ecclesiae* in Christian marriage.

To the fundamental natural-law teaching on procreation, Aquinas adds a specifically Christian note when he says the fruit of human generation not only provides a transmission of the specific type, but is a person with an immortal soul and an eternal destiny.<sup>1</sup> God, the author of nature, intends procreation for the sake of the immortal soul/ and this is the basis for the ordination of procreation to God. It lends to the procreative act and the task of education not only a spiritual and religious value, but is the stepping stone to the supernatural level. It also gives to the reproductive act a more personal and less purely cosmic meaning than is to be attributed to the propagation of life in the lower species. The Aristotelian perspective is supplemented by that of Revelation: the purpose of marriage is to bring into the world immortal persons who are destined to become sons of God for eternity. This goes beyond philosophical analysis; it involves the history of salvation.

In the *state of innocence*, the procreative act would have produced "sons of God," for children would have been born in original justice, or grace.<sup>3</sup> This would have happened naturally-not as caused by the principles of nature, but because

<sup>1</sup> Cf. I 23, 7 co.

<sup>2</sup> I 98, 1 co.

<sup>3</sup> C. G. IV, 52; I 100, 1 co. and ad 2.

original justice was a gratuitous gift bestowed upon man for the sake of all his descendants, to be propagated to posterity.<sup>4</sup>

In the *state of fallen nature*, the procreation of "sons of God" is no longer possible. We are all born "sons of wrath,"<sup>5</sup> since the gratuitous divine gift of spiritual life has been taken away by the first sin of the first parents.<sup>6</sup> In our order of salvation, grace is necessary for sinful man to be properly ordered to God.<sup>7</sup>

In the *state of repaired nature in Christ*, "man" is generated, so that he may be "generated in the spiritual life,"<sup>8</sup> or "re-generated" in Christ<sup>9</sup> through the Church.<sup>10</sup> We are no longer sons of God by nature, but we are made the adoptive sons of God by spiritual regeneration through grace.<sup>11</sup> By reason of the sacrament of matrimony, it is the parents themselves who must see to this spiritual regeneration.<sup>12</sup>

In the present order of grace, we must adjust our entire thinking on marriage, since it is now a supernatural source of grace as a sacrament.<sup>13</sup> Of course there is a sense in which marriage acquired a sacred character from the very beginning, as an institution blessed by the Creator. Just as Alexander of Hales before him,<sup>14</sup> Thomas placed marriage among the sacraments of the natural law, calling it the most ancient of all/<sup>5</sup> but this expression is not very rich in meaning.<sup>16</sup> Although marriage may in some way have been a sacrament potentially

<sup>4</sup> *Mal.* 4, 8 co.; *In 11 Sent.* 3; *C. G.* IV, 1-11 81,

<sup>5</sup> *Mal.* 4, 8 contra.

<sup>6</sup> *Mal.* 4, 8 co.; *C. G.* IV, 50; 1-11 81, co.

<sup>7</sup> *C. G.* III, 147; 150; 1-11 113, co.

<sup>8</sup> *III* 69, 8 co.

<sup>9</sup> *III* co.; 68, 1 co.

<sup>10</sup> *In IV Sent.* 38, 1, 5 sol.; *III* 68, 9 ad 1; 69, 8 co.

<sup>11</sup> *C. G.* IV, 17; *III* 8, 5 ad 1; 1 co.; co.; *In III Sent.* 10, 1, 1 co.

<sup>12</sup> *C. G.* IV, 58; *III* 65, co.

<sup>13</sup> *C. G.* IV, 78; *Suppl.* 3 co.; 61, ad 1.

<sup>14</sup> B. Le Bras, "La doctrine du mariage chez les theologiens et les canonistes depuis l'an mille," *D. T. C.* IX, cols.

<sup>15</sup> *In IV Sent.* 1, I, ad 11-11 7. "Et tamen etiam matrimonium tale (in officium naturae) est aliquo modo sacramentum habitualiter." *Suppl.* 59, ad 1.

<sup>16</sup> Le Bras, col.

by its very nature, at least according to the symbolic way of thinking so common among the scholastics,<sup>17</sup> Thomas taught that it did not become a sacrament in the strict sense of this word until Christ instituted it as such in the New Law.<sup>18</sup> Thus marriage was distinctly instituted, not only *in officium naturae* before sin and *in remedium* in the state of the law of nature, but also as a sacrament of the New Law according to the fact that it represents the mystery of Christ's union with the Church.<sup>19</sup>

The principal end of marriage is the procreation and education of children, and to this end there corresponds the *bonum prolis*. But marriage between believers has another end, namely the signification of the perpetual union between Christ and his Church, and to this end there corresponds the *bonum sacramenti* which is the most excellent of the marriage goods. This is a question of inner disposition, or the proper intention in reference to marriage.

The conjugal act is good and meritorious if it is ordered to a virtuous end; otherwise it would be sinful, for no concrete human act is indifferent.<sup>21</sup> Thomas taught the common scholastic opinion that these virtuous purposes are found in the *bona matrimonii*, but he limited them to two: *bonum prolis* and *bonum fidei* (by rendering the marriage debt out of justice),<sup>22</sup> Can the *bonum sacramenti* also be a justifying purpose of carnal union? St. Albert had thought so;<sup>23</sup> but Thomas judged otherwise. For him, *bonum sacramenti* pertains to marriage itself, because it signifies the property of indissolubility and all those things which result from marriage being a sign of Christ's union with the Church.<sup>24</sup> Hence the sacra-

<sup>17</sup> Cf. Pedro Abelian, *El fin y la significación sacramental del matrimonio desde S. Anselmo hasta Guillermo de Auxerre* (Granada: Colegio de la Compañía de Jesús, 1939) 196-!201.

<sup>18</sup> Cf. Abelian, 196-!W1.

<sup>19</sup> *Suppl.* 4!2, !2 co. Cf. *In IV Sent.* !2, 1, 1, !2 co.; *Suppl.* 49, 2 co.; C. G. IV, 78; *I-II* 102, 5 ad 3.

<sup>20</sup> *Suppl.* 65, 1 co.

<sup>21</sup> *Suppl.* 41, 4 co.

<sup>22</sup> *Suppl.* 49, 5 co.; 4 co.

<sup>23</sup> *In IV Sent.* !26, 11.

<sup>24</sup> *Suppl.* 49, 2 ad 4 and ad 7; 3 co.

mental aspect is a good which "excuses" marriage itself, making it honest and holy,"<sup>5</sup> but has no direct meaning for the marriage act itself.<sup>26</sup>

In Christian marriage, however, offspring considered as a marriage good includes something more than offspring as a good intended by nature.<sup>27</sup> For nature intends offspring for safeguarding the good of the species, whereas offspring as a good of the sacrament of matrimony includes besides this the directing of the child to God.<sup>28</sup> In Christian marriage, children are procreated to be educated "for the worship of God."<sup>29</sup> Therefore, Thomas concludes, the intention of nature must be supplemented by a personal intention, whether actual or habitual, directed toward "offspring as the good of the sacrament."<sup>30</sup> Without this relation to God, according to the medieval concept,<sup>31</sup> *proles* as the good of the species cannot signify a good simply speaking; it would not be evil, but would be a conscious remaining in imperfection.<sup>32</sup>

When this intention of procreating and educating children for the worship of God is present, the use of sexual intercourse is completely inculcable<sup>33</sup>—a teaching which was by no means unfamiliar to the early scholastics.<sup>34</sup> Marital intercourse for the sake of the *bonum sacramenti* is also described as a good

<sup>25</sup> *Suppl.* 49, 2 co. and ad 7; 5 co.

<sup>26</sup> "Tertium bonum non pertinet ad usum matrimonii, sed ad essentiam ipsius." *Suppl.* 49, 5 co.

<sup>27</sup> *Suppl.* 49, 5 ad 1.

<sup>28</sup> "Natura enim intendit prolem prout in ipsa salvatur bonum speciei: sed in prole secundum quod est bonum sacramenti matrimonii, ultra hoc intelligitur ut proles suscepta ulterius ordinetur in Deum." *Ibid.*

<sup>29</sup> "Per sacramentum matrimonii, quo vir et mulier conveniunt ad prolem generandam et educandam ad cultum divinum." *C. G.* IV, 58. Cf. *ibid.*, 78; *Suppl.* 62, 1 ad 3; 65, 2 ad 5.

<sup>30</sup> "Oportet quod intentio naturae, quae prolem intendit, referatur actu vel habitu ad intentionem prolis, prout est bonum sacramenti." *Suppl.* 49, 5 ad 1.

<sup>31</sup> Cf. Abelian, 163-164; Brandl, 204-205.

<sup>32</sup> "Alias staretur in creatura, quod sine peccato esse non potest." *Suppl.* 49, 5 ad 1. "Inter infideles est quidem matrimonium, sed non perfectum ultima perfectione, sicut est inter fideles." *Suppl.* 59, 2 co.

<sup>33</sup> *Suppl.* 49, 4 co.

•• Abelian, 183.

use of marriage,<sup>35</sup> holy,<sup>36</sup> a meritorious work of the virtue of religion,<sup>37</sup> and the chief good of marriage.<sup>38</sup>

It can be seen, then, that what procreation accomplishes for the good of the species cannot be separated from what it does *ad bonum sacramenti*, since both are achieved by the same act.<sup>39</sup> It was typical of both early scholastic<sup>40</sup> and high scholastic teaching<sup>41</sup> that marriage in the natural order was not isolated from marriage in the supernatural order. It is no surprise, then, that for St. Thomas the *bonum prolis* is incomplete without, and is subsumed into the concept of *bonum sacramenti*: "There are, then, three goods of matrimony, the first of which is offspring to be accepted and educated for the worship of God."<sup>42</sup> Christian parents "propagate and conserve the bodily and spiritual life simultaneously," Thomas tells us, for they "come together to beget offspring and to rear them in divine worship."<sup>43</sup> There is also a sense in which the *bonum prolis* borrows something of the *bonum fidei* in reference to the *bonum sacramenti*. Offspring includes the keeping of faith with God, because the very reason why it is classified as a good of marriage is because the offspring is awaited with a view to its being brought up in the worship of God. Keeping faith with

<sup>35</sup> - Causa generandae prolis ad cultum Dei." *In I Cor.* 7, lect. 6 (13, 208b).

<sup>36</sup> - Bonitate sacramenti secundum quod actus non solum bonus sed etiam sanctus dicitur." *Suppl.* 49, 4 co.

<sup>37</sup> "Actus conjugalís quandoque quidem est meritorius, et absque omni culpa mortali vel veniali: puta cum ordinatur ad bonum prolis procreandae, et educandae ad cultum Dei: sic enim est actus religionis." *In I Cor.* 7, lect. 1 (13, 209/a). Cf. *Suppl.* 41, 4 co. For St. Albert's influence on Thomas in this doctrine, see Le Bras, col. 2179.

<sup>38</sup> - Principalius matrimonii bonum est proles ad cultum Dei educanda." *Suppl.* 59, 1 co. Cf. *ibid.* 41, 1 co.; *I* 65, 2 co.

<sup>39</sup> - Quia igitur populum fidelium perpetuari oportebat usque ad mundi finem, necessarium fuit hoc per generationem fieri, per quam etiam humana species perpetuatur." *C. G.* IV, 78.

•• Le Bras, col. 2148.

<sup>41</sup> *Ibid.*, col. 2172.

<sup>42</sup> - Est autem triplex bonum matrimonii: quorum primum est proles suscipienda et educanda ad cultum Dei." *De art. fid.* (16, 122a). Cf. *Suppl.* 62, 1 ad 3; *C. G.* IV, 78.

•• *C. G.* IV, 58.

God is more important than keeping faith with one's wife, and it is all for the sake of the good of the offspring.<sup>44</sup>

That the *bonum prolis* should include religious education was an Augustinian concept,<sup>45</sup> which was commonly known and accepted by the early Scholastics.<sup>46</sup> It derives from the end of marriage, insofar as it tends to form citizens for heaven, which presupposes religious education.<sup>47</sup> This distinctly Christian value is explicitly related by Aquinas to the natural-law teaching on education.<sup>48</sup> Just as the sex act by natural teleology aims toward a man who is mature in body and virtuous in soul" so in the order of grace the same sex act tends toward a *perfectum esse*: the man of grace who is a child of God.<sup>50</sup> Just as, in the natural order, the care which parents exert in the education of their young can be called a "spiritual womb,"<sup>51</sup> so in Christian marriage, parents are directed to a higher goal: children perfected in grace and the development of the Christian personality.

<<" Proles quod est bonum matrimonii, includit fidem ad Deum servandam: quia secundum quod proles expectatur ad cultum Dei educanda, ponitur matrimonii bonum. Fides autem ad Deum servanda est potior quam fides uxori. . . . Et ideo non est inconveniens si propter bonum prolis aliquid detrahatur aliis duobus bonis." *Suppl.* 65, *il ad 5*.

<sup>45</sup> Cf. Amandus Reuter, *Sancti Aurdii Augustini doctrina de bonis matrimonii* (Rome: Gregorian University, 1942), 87-89.

•• Cf. Abelian, 163. Though not always explicitly stated by them, it seems presupposed that children be servants of the true God. Cf. Abelian, 183.

<sup>47</sup> Cf. Abelian, 183. Augustine expressed it this way: "In nuptiis tamen bona nuptialia diligentur, proles, fides, sacramentum. Sed proles, non ut nascatur tantum, verum etiam ut renascatur: nascitur namque ad poenam, nisi renascatur ad vitam." *De nupt. et cone.* I, c. 17, n. 19 (P. L. 44, 424).

<sup>48</sup> *Suppl.* 59, 2 co.

••" Non enim intendit natura solum generationem prolis, sed traductionem et promotionem usque ad perfectum statum hominis in quantum homo est, qui est status virtutis." *Suppl.* 41, 1 co. Cf. *In Ethic.* VIII, lect. 12; *Suppl.* 56, 2 ad 9; 65, 3 co.

<sup>50</sup> Est autem in prole duplex perfectio consideranda: scilicet perfectio naturae, non solum quantum ad corpus sed etiam quantum ad animam, per ea quae sunt in lege naturae; et perfectio gratiae. Et prima perfectio est materialis et imperfecta respectu secundae. Et ideo, cum res quae sunt propter finem, sint proportionatae fini, matrimonium quod tendit in primam perfectionem, est imperfectum et materiale respectu illius quod tendit in perfectionem secundam." *Suppl.* 59, *il co.*

<sup>51</sup> Filius . . . continetur sub parentum cura, sicut sub quodam spiritali utero." II-II10, 111 co.



From this we may conclude that the "office of nature" opens onto manifold values much more meaningful than would at first sight appear. Procreation-education extends to a new human being, as well as to its physical, intellectual, spiritual and religious development. This is the greatest good of marriage, its only perfect good, and hence the goal of marriage which is *per se* intended by the Creator.

### *Procreation for the Extension of God's People*

Sex acquired a special significance in Old Testament times, insofar as it directly constituted the basis for the continuity and the increase of those people who believed in the one God.<sup>52</sup> For the Jews, the alliance between God and His People was perpetuated by marriage—an alliance which had to last until Christ should be born of the Chosen People.<sup>53</sup> Hence the material fact of the propagation of the species takes on a capital importance for that one nation which was privileged above other peoples: <sup>54</sup> it was *necessary* to "touch woman" for the multiplication of the people who worship God.<sup>55</sup> During this period the practice of virginity was ill-advised; <sup>56</sup> in fact, polygamy was permitted to the ancient fathers and others for the sake of multiplying offspring to be reared in the worship of God.<sup>57</sup>

<sup>52</sup> - Seeundum quod conditio temporis requirebat, matrimonio utebantur (Abraham, Isaac, et Jacob) ad multiplicationem populi fidelis." C. G. III, 137. Cf. *ibid.*, 136. "Cultus Dei carnali propagatione multiplicabatur et conservabatur." *Suppl.* 65, 2 ad 4.

<sup>53</sup> *I-II* 98, 4 co.

<sup>54</sup> Cf. *I-II* 98, 4 co. and ad 1; 5

<sup>55</sup> - Haec necessitas (tangendi mulierem) fuit circa institutionem humani generis, quamdiu oportuit multiplicari populum Dei per successionem carnis." *In I Cor.* 7, lect. 1 (13, "Quia tempore legis oportebat generationi insistere tam mulieres quam viros, quia secundum carnis originem cultus Dei propagabatur, antequam ex illo populo Christus nasceretur." *III* 4 co.

<sup>56</sup> - Tempore legis Moysi, quando cultus Dei etiam per carnalem actum propagandus erat, non erat omnino laudabile a commixtione carnis abstinere." *Suppl.* 96, 5 ad 3. "In tempore quo Deus ad multiplicationem generis humani vel cultus divini homines operi conjugali insistere volebat. . . ." *In IV Sent.* 33, 3, ad Cf. *Mal.* 15, ad 13.

<sup>57</sup> - (Dispensatio) principaliter sanctis Patribus facta est, et per eorum exemplum ad alios derivata est, eo temore quo oportebat praedictum naturae praeceptum

But in the New Dispensation procreation no longer has this value. Since the coming of Christ, the increase of the people of God no longer takes place through carnal generation, but by spiritual regeneration.<sup>58</sup> The Messiah has already come in the person of Christ; furthermore, a plentiful progeny is no longer needed by the Chosen Race, for the notion of *ecclesia* is now a universal one.<sup>59</sup> The worship of God is spread to all peoples through the grace of Christ in this, the period of the fulness of grace.<sup>60</sup> Consequently, during this period the *bonum speciei* becomes a *bonum ecclesiae*, for procreation in Christian marriage has as its end "the perpetuity of the Church, which consists in the collection of the faithful."<sup>61</sup> The faithful must be perpetuated until the end of time, and this is accomplished in Christian marriage, in which husband and wife have the intention of generating and educating offspring for the worship of God.<sup>62</sup>

If Christian marriage is ordered to the *perpetuity* of the Church, does it also serve the *multiplication* of the people of God, even in the New Dispensation? Yes, marriage is ordered to the common utility of the Church by providing it with corporal increase.<sup>63</sup> However, Aquinas clearly placed no special urgency or necessity in this value. He taught that begetting children for the worship of God is a *legitimate* purpose for the use of sex in marriage, and is *preferred* to having children

praetermitti ut maior esset multiplicatio prolis ad cultum Dei educandae." *Suppl.* 65,

<sup>68</sup> "Humanum genus jam multiplicatum, et populum Dei jam esse augmentatum, non propagatione carnis, sed generatione quae est ex aqua et Spiritu sancto ...." *In I Cor.* 7, lect. 1 (13,

• *Suppl.* 59, 1 ad 1.

<sup>60</sup> "Veniente Christo fuit tempus plenitudinis gratiae Christi, per quam cultus Dei in omnes gentes spirituali propagatione difflusus est." *Suppl.* 65, 2 ad 4.

<sup>61</sup> "Generatio autem humana ... ordinatur etiam ad perpetuitatem Ecclesiae, quae in fidelium collectione consistit." C. G. IV, 78.

<sup>62</sup> *Ibid.*

<sup>63</sup> "Ordo et matrimonium ordinantur ad perfectionem et multiplicationem totius Ecclesiae .... Quantum autem ad communem Ecclesiae utilitatem ordinantur duo sacramenta, scilicet Ordo et Matrimonium. Nam per ordinem Ecclesia gubernatur et multiplicatur spiritualiter, et per Matrimonium multiplicatur corporaliter." *De art. fid.* (16, 119b).

merely as a function of nature,<sup>64</sup> but the people of God are assembled together by spiritual regeneration.<sup>65</sup> Now virginity<sup>66</sup> and continence in marriage<sup>67</sup> are better suited for spiritual propagation than sexual activity is. Consequently, there is no "necessity of touching woman" for this purpose, but only as a remedy for concupiscence.<sup>68</sup> It is true that the generation of children has a special meaning as regards filling the number of the elect,<sup>69</sup> but the number of the elect would be more quickly arrived at if everyone were continent.<sup>70</sup> We can conclude, then, that St. Thomas did not advocate procreation of a maximum possible number of the faithful.

That marriage is ordained to the good of the Church may be taken as another manifestation of the priority of the social view in marriage, for Christian parents, by performing the conjugal act, truly contribute to the perfection of the kingdom of Christ. They render a service which is parallel to that of the priesthood: they are corporal and spiritual ministers of the Church.<sup>71</sup> Socially speaking, Christian marriage presents entirely new *values* to the world, over and above its various *ends* or purposes. By its very nature it possesses a certain sacred dignity, but by divine origin it is a sacrament; it signifies something sacred and is ordered to a sacred purpose: the procreation and education of children for God. The super-

<sup>64</sup> *In I Cor.* 7, lect. 6 (13,

<sup>65</sup> - Non generatione carnali propagandus est populus Dei, sed generatione spiritali colligendus." *Ibid.*, 13,

<sup>66</sup> - Tempore gratiae debet insistere magis ad spiritualem propagationem, ad quam magis apti sunt caelibem vitam agentes; et ideo in hoc statu virtuosius reputatur ab actu generationis abstinere." *Mal.* 15, ad 13.

<sup>67</sup> *In I Cor.* 7, lect. 6 (13,

<sup>68</sup> *In I Cor.* 7, lect. 1 (13,

<sup>69</sup> - Est quaedam specialis multiplicationis ratio propter complendum numerum electorum." *I* un. ad 4.

<sup>70</sup> - Generatio prolis . . . non est ultimus finis conjugii, sed adimpletio numeri electorum, qui Citius impleretur, si omnes continerent." *In I Cor.* 7, lect. 6 (13,

<sup>71</sup> - Sunt enim quidam propagatores et conservatores spiritualis vitae . . . secundum corporalem et spiritualem (ministerium) simul, quod fit per sacramentum matrimonii, quo vir et mulier conveniunt ad prolem generandam et educandam ad cultum divinum." C. G. IV, 58.

natural inserts itself into the very act of marriage. It is not merely a question of producing new individuals who will form a nation, a State; rather, it is a question of forming new beings whose destiny it is to become sons of God and enter the family of God. And yet, marriage as a sacrament preserves all those things which pertain to it as a function of nature and as a civil function, sanctifying them through the conferral of grace and directing them to a loftier end. Consequently, we are forced to conclude that "procreation for the common good" never nullifies or minimizes "procreation for the good of the sacrament." On the other hand, the social pressures which may in certain circumstances advise a reduction of the birth rate in no way subtract from the spiritual and religious value of procreation and the dignity of Christian marriage.

The grace granted in matrimony sanctifies the spouses, enabling them to perform *all* those things which are required in a perfectly Christian marriage: <sup>72</sup> that they may be united by a truly Christian love; that they may procreate and educate children in a thoroughly Christian manner; that in their family life they may provide for their own needs and those of their offspring; and finally, that their domestic life may be governed by every natural and supernatural virtue in a responsible way, including the practice of legal justice in their relations to civil society.

<sup>72</sup> Matrimonium, inquam in fide Christi contrahitur, habet ut conferat gratiam adiuvantem ad illa operanda quae in matrimonio requiruntur . . . . Unde, cum in matrimonio detur homini ex divina institutione facultas utendi uxore sua ad procreationem prolis, datur etiam gratia sine qua id convenienter facere non posset." *Suppl.* 42, 3 co. Cf. *C. G.* IV, 78.

## PART TWO

PROCREATION, OVERPOPULATION AND  
RESPONSIBLE PARENTHOOD

With the conclusion of Part One we completed a study of the goals and values of procreation as contained in the formula, "*procreatio ad bonum speciei.*" In Part Two we leave the order of ends and values and enter the order of moral responsibility. Procreation and the entire sexual life have been shown to be in the service of the species, and of the future of the species, especially by way of education. Is the good of the species simply a service which is rendered, without the conscious cooperation of man? Or is the *bonum speciei* an end of *responsible* action of a particular married couple? Does the individual man or married couple have any responsibility towards the species in the act of procreation, independently of and prior to any laws which may be enacted to govern this relation?

## I. RESPONSIBILITY TO THE SPECIES

1. *Basis of Responsibility to the Species*

That the answer to the above question should be in the affirmative is obvious from all that has been said concerning the relations between the individual and the species, especially in the case of man, where the relation is one between a *rational* individual and the species.

The close union existing between the member and the species has a metaphysical basis which has already been explored. This metaphysical basis produces the foundation for the relation of responsibility between the individual and the species considered as a universal notion. Responsibility to the species considered as society is based on an ethical consideration which stems from the Aristotelian-Thomistic notion of "person."

Substance is that which exists in and for itself. The incommunicable individual substance reaches its highest level in its rational form, which is the person. The person is first of all an ontological entity, inasmuch as it possesses a superior incommunicability on account of its soul; but even more so is it a psychological and ethical entity, capable of performing free actions and of having rights and duties. Only the person is master of its own actions.<sup>1</sup>

This freedom of and mastery over one's own actions, opening up onto unlimited possibilities, establishes the value of the individual man. Man is conscious of the fact that his greatest potentialities are not realized in the present moment, but can only be effected through the harmonization of all his powers, which can best be accomplished in union with other men. The corporal and spiritual progress of the individual man is essentially bound up with the community.<sup>2</sup>

Thus drawn into society, the person must look beyond his self-fulfillment, for he has a natural *appetite* to seek the *good* of his species.<sup>3</sup> Man, being a superior rational creature, has a rational appetite for a broader common good, whereby he is drawn to do good for other members of his species, even those far removed from himself.<sup>4</sup> Consequently, the individual person is responsible for attaining a greater good, i.e. the *bonum commune*, which he is serving. Therefore, the notion of personality implies a relation to one's self and to the surrounding world: the entire material world with its need for work and cultural development, but more especially the world of humans, in which man finds himself responsible to the fellow-members of the species, who also enjoy individual rights. The essential elements of personality include, then, freedom, imperishability, and *responsibility for the whole of the world*.<sup>5</sup>

<sup>1</sup> *Pot.* 9, 1 ad 3.

<sup>2</sup> *I* 96, 4 co.; *II-III* 109, 3 ad 1; 114, ad 1; *III* 65, 1 co.

<sup>3</sup> C. G. III,

*Ibid.*

<sup>5</sup> Josef Pieper, *Über die Gerechtigkeit* (Munich: Kosel, 1953), p. citing C. G. III,

It should be noted again that when we speak of having a responsibility to the human species, we mean the human species as that concrete unity known as "the human race," as well as a given part thereof, within the framework of a country, state, community, etc., of which the individual man is a member.

But it should also be asked whether man is not only responsible *for* the species, but whether he can be *held* responsible *to* the species? Since the species is made up of spiritual personal members which make up a real community, it would seem that the individual could be held responsible to it. The species, then, is capable of being the object of injustice.<sup>6</sup>

Just as the individual person, because of the principle of self-preservation/ is of necessity interested in his own well-being, so also must humanity as a community be interested in its preservation and well-being.

An example of this can be seen in the case of the harm done to offspring which are the result of extra-marital intercourse or intercourse between infected partners. In these cases we cannot speak of committing an injustice against the procreated offspring, for at the moment when the action is placed the offspring does not exist. This is an exceptional case,<sup>8</sup> in which we must conclude, as in all other such cases in which it is questionable whether or not an action will actually harm a particular man, that it is the *human species* (humanity as a community) which is offended by an unjust action.<sup>9</sup>

We can conclude, then, that man is responsible for and is

<sup>6</sup> "Da aber die so verstandene menschliche Art, aus geistigen, personalen Gliedern bestehend, wirklich Gemeinschaft ist, scheint die Möglichkeit einer echten Verantwortung ihr gegenüber eine Selbstverständlichkeit zu bedeuten." Josef Fuchs, "Elterliche Verantwortung für das kommende Geschlecht," *Sch. Q6* (1951), p. Q34.

<sup>7</sup> *De Ente et Essentia*, passim.

<sup>8</sup> "Es handelt sich hier um einen Grenzfall, insofern mit der Zeugung als Existenzgebung auch der Grund für den Defekt dieser Existenz gelegt wird; oder besser: insofern die Verursachung des Defektes nicht der Existenz eines Menschen folgt, sondern gerade durch die Existenzgebung erfolgt. Die allgemeine Rechtslehre hat sich mit diesem Grenzfall nur wenig befaßt, so daß eine genauere, wenn auch vorsichtige und zurückhaltende Betrachtung angebracht scheint." Fuchs, *Sch. Q6* (1951), p. Q35.

• Fuchs, *ibid.*, pp. Q35-Q36.

capable of offending the human species understood as the human community, even though at times the exact group of people harmed can not always be precisely delineated. Although the term "human species" includes the unity of humans, past, present and future, it should be noted that responsibility to the species does not imply responsibility for the ultimate destiny of the species. To what *extent* the individual can be held responsible for the future of the race will be considered later. Here we wish only to establish the principle.

## 2. *Responsibility to the Species in the Use of the Procreative Faculty*

A number of texts in the writings of St. Thomas treat of responsibility to the human species in the use of the procreative faculty.<sup>10</sup> Marriage is coupled with virginity<sup>11</sup> and the priesthood<sup>12</sup> in fulfilling an obligation of working for the perfection of mankind. Before Thomas, Albert had already placed side by side the importance of procreation for the common good and the question of the general obligation of service to the species.<sup>13</sup> But in what respect is the procreative faculty committed to responsible action?

The proper accomplishment of procreation is partly entrusted to nature's order of sex and partly to individual purpose or responsibility.<sup>14</sup> The preservation of the species is an effect of the sexual order, towards which the sexual organs and the entire sexual life are teleologically directed. From this teleology in the

<sup>10</sup> Cf. C. G. III, 122; *Mal.* 15, 1 and 2; *II-II* 154, 2.

<sup>11</sup> *Suppl.* 41, 2 co.

<sup>12</sup> *III* 65, 2 co.

<sup>13</sup> Cf. Brandl, pp. 80 and 292.

<sup>14</sup> This important distinction between "Zielgebundener Dienst" and "Ordnungsgebundener Dienst" in the sexual life is brought out by Josef Fuchs in the already cited article on parental responsibility (*Sch.* 26 (1951), pp. 222-243), written as a critique of Albert Mitterer's book, *Elternschaft und Gattenschaft nach dem Weltbild des hl. Thomas von Aquin und dem der Gegenwart* (Vienna: Herder, 1949), which questions the validity of Aquinas' teaching on the responsibility of education and its relation to procreation. The principles expounded in Fuchs' article will be closely followed in this section.



system of St. Thomas' sexual ethics we can draw an important conclusion, namely that the procreation-education of offspring is not left up arbitrarily to the choice of the individual man, but is determined by the natural law within a certain order. In other words, since the very nature of coition is determined by nature, then its accomplishment in a specific way fulfills the plan of nature.<sup>15</sup> Once the procreative act is set in motion, the marriage partners do not determine for themselves the purpose of procreation. The primary responsibility committed to them is that of preserving the proper order in their sexual relationships.<sup>16</sup> Since the reproductive organs of man and woman are made as they are, only nature (i.e. the Creator of nature) sees to the accomplishing of the effect: procreation. This is clearly indicated by Thomas when he says that properly performed sexual intercourse is *per se* good, even though *per accidens* its natural consequence (conception) is excluded, as in the case of sterility, old age, etc.<sup>17</sup> Sexual activity, which renders a natural law service to the preservation of the species, is related primarily to the specific nature of man, and indirectly to the concrete order.<sup>18</sup>

The preservation of the species, then, is not committed to the care of the free and responsible man as such, but occurs through the observance of a fixed order of nature.<sup>19</sup> That which is entrusted to the responsibility of parents (or potential parents) is the care of the well-being of the individual offspring which they procreate and other goods of the concrete order, which demand of the parents a responsible use of the sexual faculty in respect to other purposes and tasks, for Providence has willed that the rational creature cooperate with Providence in a rational way.<sup>20</sup>

<sup>16</sup> Cf. *II-II* 154, 1 co.; *C. G.* III,

<sup>18</sup> For more on this distinction, cf. Antonius Lanza, "De fine primario matrimonii," *ApoU.* 13 (1940), pp.

<sup>17</sup> *C. G.* III,

<sup>18</sup> *I* 85, 3 ad 4.

<sup>19</sup> "Generatio . . . in quantum igitur ordinatur ad *bonum naturae*, quod est *perpetuitas speciei*, dirigitur in finem a *natura inclinante* in hunc finem, et sic dicitur esse naturae officium." *C. G.* IV, 78. Cf. also Fuchs, *Sck.* (1951), p.

•• *C. G.* III, 113.

This distinction will become more apparent in the following two examples. Fornication takes its malice from the fact that the two persons are not bound together in such a way as to insure that education will follow generation *per se*, independently of the particular circumstances and good will of the partners.<sup>21</sup> Such extra-marital intercourse is sinful and is opposed to the natural law. But intercourse between diseased marriage partners is also against the natural law, when it is considered morally objectionable. In the first case the sexual *order*, which allows of no exceptions, is violated; in the second case there is a failure to observe the *purpose* or intention which marriage partners must take into account, while at the same time observing the sexual order. Thus, the *perfectum esse specificum* of the offspring<sup>22</sup> is embraced within the very notion of the marriage act, and is accomplished through the observance of the sexual *order*, whereas the *perfectum esse individuale* is a personal *goal* committed to the responsibility of the parents.

Violations of the sexual order are, in one sense, offences against the species. Thus, irresponsible sexual intercourse, which excludes the possibility either of procreation or of education, is opposed to the good of the human species, namely its preservation, and harms the interests of the human species as a community. Penal laws against homosexuality and bestiality, enacted by some States as members of the community of men, are an indication of how humanity feels about such offensive conduct.

We will now restrict ourselves to a consideration of that aspect of sexual activity which is committed to personal responsibility: regard for the object of the procreative faculty and the circumstances of the sexual act. The *perfectum esse individuale* would not be accomplished, for example, if the child procreated were diseased by heredity, even though he were conceived without any violation of the sexual order. St. Thomas discusses this in the case of leprous parents.<sup>23</sup> Inter-

<sup>21</sup> *llfal.* 15, I ad 3; 2 ad 12; *C. G.* III, 123; *II-II* 154, 2 co.; *Suppl.* 65, 3.

<sup>22</sup> Cf. *Suppl.* 41, I ad 4,

<sup>23</sup> *Suppl.* 64, I ad 4.

course on their part involves no violation of the sexual order, although it may be inadvisable. It is a matter of making a moral judgment from case to case.

Similarly, the *preservation of the species* is committed to the care of parents: i.e. those concrete aspects of the preservation of the species which are not determined by the simple observance of the sexual order. St. Thomas himself makes moral judgments on the use of marriage by appealing to the harm that would be done to the species. There are aspects of the preservation and well-being of the species which demand taking into consideration the purpose of the procreative faculty whenever sexual activity is undertaken.

It is precisely the conditions in which the child is procreated which weigh upon the sense of responsibility of the parents. The moral judgment which parents must make concerning procreation is found to be most difficult, not in the proper observance of the order of sexual functions, but in this broader field of responsible action, in which the setting in motion of the sexual activity will have an effect on the child to be born or on the race. In the previous section we arrived at the principle that not only the individual, but even the human species can be harmed by irresponsible action. Applying this to the use of the procreative faculty, it follows that parents must effect responsible procreation so as not to harm the individuals to be born,<sup>24</sup> nor to disturb the well-being of the species and the individual societies which make it up. Hence the good (that is to say the quality) of the species demands responsible sexual activity. For the value of mankind progresses, not so much though numerical increase as by qualitative development. Therefore the human community has the right that the accomplishment of this goal not be unduly prevented in an irresponsible way by individual parents.<sup>25</sup>

Now just as the proper care (education) of the individual

•• *II-II* 65, 1 co.

•• Cf. Fuchs, *Sck.* (1951), p. Irresponsibility on the part of parents can of course involve an offence against a particular State, but the responsibility due to the species on the part of parents should not be over-emphasized.

child is committed to the responsible attention of the parents, and just as the procreation of diseased children is left up to the moral judgment of the parents, so must the parents consider the effect of procreation upon the society into which the child will be born. For example, if the children are destined to grow up in an overpopulated environment, the parents must be aware of the possibility that the object of procreation may not be fully accomplished in respect to the individual offspring, and furthermore that society, in these conditions, may be harmed by procreation which ignores the social consequences of human reproduction. This demands a judgment from case to case. The norm to be used for making this very difficult moral judgment on the part of the individual in respect to the needs of society will be explained in the next section.

## II. THE GOON OF THE SPECIES AND OVERPOPULATION

### 1. *Procreation and Overpopulation*

The human race is beset with certain problems which are the concern of the entire world community. The common reaction of mankind to some universal problems is ample evidence. Disturbances which threaten world peace are discussed at world-level conferences.<sup>1</sup> Violations of justice against the human dignity of large portions of the race have been prosecuted in a world court.<sup>2</sup> Hunger suffered by millions over the globe is considered such a serious problem of humanity as to warrant coordinated responsible action by most of the nations of the world.<sup>3</sup>

The human race is beset with an additional problem, about which men are showing a great concern: that of overpopulation.<sup>4</sup> The Church admits that this is a very pressing problem

<sup>1</sup> League of Nations, United Nations.

• The United Nations War Crimes Commission, which conducted the Nuremberg Trials.

• The United Nations Food and Agricultural Organization.

• Especially through the World Health Organization and the World Population Conference.

for modern man.<sup>5</sup> Current population trends present a challenge to sociologists,<sup>6</sup> and the decided concern of moralists.<sup>7</sup> Even without an investigation of the demographic principles involved, it is obvious that a certain correlation must be maintained between variations in population and the prosperity of any given region.<sup>8</sup> Any disproportions now existing between production and population are particular and relative, although very serious. There exists no *absolute* or total overpopulation, but only *relative* or partial overpopulation.<sup>9</sup> It is the latter which concerns us here: the problem of overpopulation which exists today, without making any attempts at predicting the eventual destiny of mankind.

The disproportion which gives rise to overpopulation flows from social causes, and therefore its remedy must primarily be sought in a reorganization of the social structure.<sup>10</sup> We do not intend to present appropriate social cures, or to investigate the notion of "optimum" population, or to discuss to what degree a certain measure of overpopulation is helpful to the

<sup>5</sup> Pius XII, "Levate Capita Vestra" (Radio Message on the Feast of the Nativity, 1952); A. A. S. 45 (1953), pp. 38-42.

<sup>6</sup> For scientific statistics and further bibliography, cf. L.-J. Lebreton, *Suicide ou survie de l'Occident* (2nd ed.: Paris: Les Editions Ouvrieres, 1958), pp. 25-45; Alfred Sauvy, *Thorie generale de la population* (2 vols.: Paris: P. U. F., 1952 and 1954); *idem*, *De Malthus A Mao-T.-Tung-Le probleme de la population dans le monde* (Paris: Dencel, 1958).

<sup>7</sup> The following works may be selected from a very extensive bibliography: Stanislas de Lestapis, *La limitation des naissances*, (2nd ed., Paris: Spes, 1960); William Gibbons, "The Catholic Value System in Relation to Human Fertility," *Proceedings of the annual meeting of the Population Association of America* (Princeton: Princeton University, 1949), pp. 107-134; E. Tesson, "L'Eglise et la regulation des naissances," *Etudes* 291 (1956), pp. 375-385; Louis Janssens, *Morale et problemes demographiques* (Brussels: L'edition Universelle, 1953); John Thomas, "Prevalence of People," *Social Order* 9 (1959), pp. 119-127; *idem*, "Catholicism and Population Control," *ibid.*, pp. 147-157; "Notes on Moral Theology," *T. S.* 19 (1958), pp. 565-568; 20 (1959), pp. 625-626; 21 (1960), pp. 227-229, 603; A. Snoeck, "Morale catholique et devoir de fecondite," *N. R. T.* 75 (1953), pp.

<sup>8</sup> Raymond 'Sigmond, "Optimum populationis et adaptatio procreationis," *Ang.* 29 (1952)' p. 141.

"*Ibid.*, p. 152.

<sup>10</sup> Pius XII, *Levate Capita Vestra*, *ibid.*

common good of human society, as some sociologists say.<sup>11</sup> Nor is it our point to discuss the innumerable moral questions involved in a solution to the problem of overpopulation.

What we *are* seeking is an answer to the question: Granted the existence of a critical problem of overpopulation, does the teaching of St. Thomas on the social values of procreation and the sense of responsibility in the use of the procreative faculty offer to the individual man (or married couple) a directive or norm for responsible, moral action? We are, for the first time, seeking to make a moral judgment which is based on the Thomistic teaching that procreation is for the good of the species and which is applicable to the present condition of society.

It is interesting that St. Thomas writes of such a "modern" problem as overpopulation, although the particular situation which he discussed possessed the characteristics neither of our age nor of his, but that of Aristotle.

The concept of the regulation of population expansion is found already among the Greeks: Plato, Aristotle and the legislators upon whom Aristotle comments in his *Politica*.<sup>12</sup> The Greek notion of society was that of the stable world. The notion of progress was in general alien to them. Furthermore, the State had absolute right of control over the individual.<sup>13</sup> Applying this doctrine to the population problem, their desire was to maintain population at its existing level, so as to avoid the poverty and social disturbances which would be attendant upon an expansion in the population.

St. Thomas, commenting on Aristotle, admits that, if we are to accept Aristotle's premise that personal possessions are to be maintained at a stable level within a given family, i.e. if there is to be no possibility of further expansion, then human generation itself must in some way be controlled.<sup>14</sup>

<sup>11</sup> Cf. Raymond 'Sigmond, *Philosophia socialis*, Vol. II (Rome: Angelicum, 1953), p. 25.

<sup>12</sup> 'Sigmond, *Philosophia socialis* II, p.

<sup>13</sup> Cf. Jacques Leclercq, *Marriage and the Family*, trans. Thomas Hanley (New York: Pustet, 1941), p. 258.

<sup>14</sup> *In Polit.* II, lect. 6.

In this teaching Aristotle differed from Socrates. Socrates was in favor of the equality of possessions, but not by determining the quantity of generation, for he thought the number of sterile and fertile women would balance things off. Aristotle, however, expressed himself in favor of a determined limitation/ <sup>5</sup> in order to avoid poverty and the vices that spring therefrom. <sup>16</sup>

Aristotle (and Thomas with him) saw that not to follow a regular pattern in reproduction would bring harm to the State. <sup>17</sup> One method Aristotle proposed for regulating the population was through limiting the size of the family by law. <sup>18</sup> Of course, for Aristotle the regulation of the population normally referred to the unit of the *civitas*, which is surrounded by walls, is so united as to be a single unit, and is expected to be self-sufficient. <sup>19</sup>

Thomas did not confine the problem to such a narrow perspective. Expansion in population can transcend the limits of a closed economy in a given territory by means of emigration. This recommendation is found in a text which deals with the proposition of Phaleas of Chalcedon, who suggested that the ideal order in the State is established by an equal division of possessions among the citizens. <sup>20</sup> The outlook of Aquinas is much broader than that of the Greeks. According to him, if a solution cannot be found within the limits of a particular State, then it can be sought within the limits of a more universal society.

St. Thomas does suggest the restriction of children, <sup>21</sup> but without discussing the problem of birth control. He confines himself to rejecting the chief means which the ancient state applied for controlling the birth rate, i.e. the toleration of homosexuality. <sup>22</sup>

Another solution offered by Aristotle is to exterminate the superfluity of children, preferably by means of abortion performed before "sense and life" are present, for an abortion performed after these are present is reputed by the law to be

<sup>10</sup> *Ibid.*

<sup>11</sup> *Ibid.*

<sup>17</sup> *In Polit.* II, Iect. 13.

<sup>18</sup> *In Polit.* II, Iect. 17.

<sup>19</sup> *In Polit.* III, Iect. 2.

<sup>20</sup> *In Polit.* II, Iect. 8.

<sup>21</sup> *In Polit.* II, Iect. 8 and 17.

<sup>22</sup> *In Polit.* II, Iect. 15.

homicide and is a greater sin.<sup>23</sup> A further solution offered, was that generation should be restricted to a certain time and age, namely to that age of life when the man and woman are most likely to produce the most perfect children. If procreation were so restricted, then there would be avoided an excess of children. Once the parents have passed four or five years beyond this "perfect age," then "*relinquere debent procreandi studium.*"<sup>24</sup>

To summarize the teaching of St. Thomas on overpopulation, it can be said that his outlook was broader than that of Aristotle, but it was still limited by the conditions of his time. Demographic questions were of little interest in that period, for populations had been decimated by the barbarian invasions, epidemics, wars, etc., so that it is not proper to speak of demographic expansion in those centuries.<sup>25</sup> Hence St. Thomas does not make much of the problem, but says simply: "Let the surplus number of men be sent to form other cities, or (let it be done) in another way."<sup>26</sup>

Concerning Aristotle's basic principle of a stable population within a stable economy, Thomas sees the problem with his usual response to reality when he says that one cannot aim at a proportionate equality in the distribution of property which is vital for a political community, and at the same time allow an infinite growth of the population.<sup>27</sup> But he remains aloof in his own conclusion: "Either nothing should be established con-

<sup>23</sup> *In Polit.* VII, lect. This part of the *Commentary on the Politics* was not written by St. Thomas, but by Peter of Alvernia who, nevertheless, can be said to reflect the true thought of St. Thomas. Peter explains that it is not actually the intention of Aristotle to advocate that certain infants be exterminated, but simply that this was the *lex gentium*. Nor was he positively favoring abortion, but simply wanted to say, that if some must be killed, it would better be performed "ante sensum et vitam," but only as the lesser evil: "non sicut bonum secundum se, sed sicut minus malum."

•• *Ibid.*

<sup>25</sup> Cf. Raymond 'Sigmund, *Fundamentum morale politicae demographicae* (Rome: Angelicum, 1956), p. 14.

•• "Superexcrecentes viri mitterentur ad alias civitates constituendas, vel quocumque alio modo." *In Polit.* II, lect. 8.

<sup>27</sup> *In Polit.* II, lect. 6, 8 and 18.



cerning the measure of possessions, or along with this something should be regulated concerning the number of children." <sup>28</sup>

St. Thomas wrote explicitly about the problem of overpopulation, but his teaching is of limited value for the conditions under which the problem of overpopulation exists today. However, it seems appropriate at this point to review what Thomas has said in other contexts concerning the number of the total multitude of men to be procreated. In other words, if the number of births should be restricted in the face of overpopulation,<sup>29</sup> would this in any way contradict what Thomas has taught elsewhere concerning the *numerical* values of procreation?

In a previous section on the "metaphysical" values of procreation, we saw that the multiplication of individuals within the species is of secondary importance, for the essential perfection of the universe consists in having a large number of different *species*, thereby filling many grades of goodness.<sup>30</sup> Specific goodness exceeds individual goodness as the formal exceeds the material. Thus, generation and corruption of individuals is the means of perpetuating the species, in which the perfection of the universe *per se* consists.<sup>31</sup>

Mere numerical multiplication is not intended by an agent, since it can go on indefinitely.<sup>32</sup> Generation cannot endure forever: consequently there is a certain number of things capable of being generated.<sup>33</sup> St. Thomas applied this principle to individual men, who are intended as individuals because of the perpetuity of their soul. But even in this case God does not intend an indefinite number of men, for every cause intends to produce something definite.<sup>34</sup> Only as many corruptible creatures are intended by God as are necessary to preserve the species fittingly. But rational creatures are the most important,

••" Vel nihil statuendum est circa mensuram possessionum, vel simul cum hoc ordinandum est aliquid circa numerum filiorum." *In Polit.* II, lect. 8.

•• Cf. *In Polit.* II, lect. 8 and 17.

<sup>30</sup> *In I Sent.* 44, 1, 2 ad 6; *In II Sent.* S, 1, 4 ad S.

<sup>31</sup> *Ver.* 5, 3 ad 2; *C. G.* II, 84.

<sup>33</sup> IIIIO, S co.

<sup>32</sup> *I* 50, 4 ad 4; *C. G.* I, 69.

•• *I* 28, 7.

especially those which achieve beatitude. Hence the number of men to be procreated is determined by the number of the elect.<sup>35</sup>

Regarding the religious value of procreation, we have already seen that a multitude of men has a special value, because of man's immortality and beatitude, if the latter is attained.<sup>36</sup> Only the elect are *per se* and principally ordered to the good of the universe, and thus their number is *per se* determined.<sup>37</sup> And so, generation exists to fill this number of elect which has been predestined by God.<sup>38</sup> But towards the end of the world, "when human nature is arriving at the fulness of its perfection and the number of the elect is already complete, generation will cease."<sup>39</sup>

In the New Dispensation men are procreated *ad cultum Dei*,<sup>40</sup> but sheer numbers are not the intention of God, for He is honored in the Sacrament of Matrimony when the offspring are *further ordered* to God.<sup>41</sup> Furthermore, even in New Testament times, procreation is intended to fulfill the number of the elect predestined by God/<sup>2</sup> which is known only to God.

In the last analysis, then, the number of men to be procreated is reduced to the number of the elect. We can presume that Divine Providence will see to it that this mysterious number of men is reached, while expecting on the part of man only that he observe the designs of nature and act prudently in the use of his faculties. St. Thomas nowhere proposes a "natalistic" policy, even *ad regnum Dei*.

## 2. Responsible Procreation

The use of the procreative faculty ought to be truly human, which means, in the first place, that it must be a reasonable act, or one guided by right reason, for the good of man consists in

<sup>85</sup> *Ibid.*

•• I 23, 7.

•• *Ibid.*

<sup>38</sup> *Suppl.* 81, 4 contra; cf. *C. G.* IV, 83; *I* 23, 7.

<sup>39</sup> *C. G.* IV, 88; *Suppl.* 91, 2 contra; *ibid.* 97, 8 co.

•• *C. G.* IV, 58; *I* 65, 2.

<sup>41</sup> *Suppl.* 49, 5 ad 1.

<sup>42</sup> *Suppl.* 81, 4 contra; cf. *C. G.* IV, 88; *I* 28. 7.

being in accord with reason. A rational approach to procreation was insisted upon by Thomas because of all the positive values of sex: the fact that it performs a service of nature in preserving the species; the fact that it contributes to the common good of the race; the consideration of its surpassing value for the individual, embracing as it does the notion of education to the full and virtuous man; the special relation which it establishes to the good of the Church. In view of such a positive appraisal of the procreative faculty, Thomas was led to emphasize the necessity of the absolute preservation of the order of reason in the use of the sexual faculty. <sup>1</sup>

That the procreative act be truly a responsible one is made more and more difficult, however, by the seemingly infinite number of factors involved in such a decision—individual, family and social factors. Here we are speaking of a "reasonableness" in regard to weighing the circumstances of an *individual* act, and not that reasonableness by which an action is constituted *specifically* good by conformity to "right reason," that is to say, according as the object is suitable or unsuitable to reason.<sup>2</sup> Saint Thomas explicitly taught that sexual activity derives its *specific* morality from its conformity or lack of conformity to right reason.<sup>3</sup> But man's actions must be directed in a rational way, not only specifically, but also individually by reason of their circumstances.<sup>4</sup> Man alone possesses understanding and reason, and consequently he can grasp in what different ways a thing may be good or bad, depending on its suitability for various individuals, times and places.<sup>5</sup> We may assert this of the sexual order, and conclude that the individual

"" Quanto aliquid est magis necessarium, tanto magis oportet ut circa illud rationis ordo servetur . . . . Usus autem venereorum est valde necessarius ad bonum commune, quod est conservatio humani generis. Et ideo circa hoc maxime attendi debet rationis ordo." *II-II* 153, 3 co.

<sup>2</sup> *I-II* 18, 5 co. and ad 1; *Mal.* 2, 4 co.

<sup>3</sup> *I-II* 18, 5 ad 8; 1 ad 8. "Cognoscere mulierem suam et cognoscere mulierem non suam sunt actus habentes obiecta differentia secundum aliquid ad rationem pertinens; nam suum et non suum determinantur secundum regulam rationis . . . . In tantum autem sunt actus humani in quantum sunt actus rationis." *Mal.* 2, 4 co.

• *I-II* 18, 3 co.

• *C. G.* III, 118.

marriage act *in concreto* ought to be submitted to a rational evaluation of the effects and repercussions of begetting new life.<sup>6</sup>

We have seen that certain concrete aspects of the preservation of the species have been committed to the responsible action of man.<sup>7</sup> The well-being of the species and of the particular societies which make it up is an adjunction of the use of the generative act which constitutes a personal goal for parental responsibility.<sup>8</sup> We seek, in the writings of St. Thomas, a virtue or virtues which regulate the responsibility to the species in the use of procreative activity.

#### a) *Prudent Procreation*

Human fecundity must be a rational fecundity in respect to the present and future condition of the species. But an objection may be raised. Will not Providence take care of family needs and population problems? Is not a "rational" approach to procreation contrary to Divine Providence? To this we should answer with St. Thomas that "among all others, the rational creature is subject to Divine Providence in a more excellent way, insofar as he becomes a partaker of Providence, by being provident both for himself and for others."<sup>9</sup> In other words, Aquinas takes the view that in giving man reason, God intended him to work out Divine Providence in his own life, for Providence is accomplished through secondary causes.<sup>10</sup> Human generation is governed by Divine Providence, but in an essentially different way than in lower creatures, for generation is a voluntary action for man, and has been committed to his responsibility by Divine Providence.<sup>11</sup>

<sup>6</sup> Only the "praeambula," and not the actual procreation can be the object of man's choice; effectual procreation is dependent upon conditions over which man has no control. Cf. *in Joa.* 1, lect. 5 (19: 720b); *C. G.* II, 89; *Pot.* 2, 3 ad 13; *Ver.* 5, 10 co.; 13, 4 co.

• See *supra*, Part Two, I, 2.

<sup>8</sup> This is treated more in detail a) and b).

• "Inter caetera autem rationalis creatura excellentiori quodam modo divinae providentiae subjacet, in quantum et ipsa fit providentiae particeps, sibi ipsi et aliis providens." *I-II* 91, 2 co.

<sup>10</sup> *C. G.* III, 77; cf. *ibid.*, 64; 113.

<sup>11</sup> *C. G.* III, 113.

Now the literal meaning of providence is foresight, which is one of the component parts of the virtue of *prudence*.<sup>12</sup> Consequently, being provident about human procreation may rightly be called *prudent procreation* or *responsibile parenthood*.

Because of the complexity of the present-day marriage situation, there is needed a virtue which governs and regulates complex, contingent, variable, and even future situations. Such is the virtue of prudence which inclines man to sort out the infinite number of *individual* circumstances/<sup>3</sup> venture a prognostication of *contingent* events which will at least be verified in most of the foreseeable cases,<sup>14</sup> and make a more or less probable conjecture concerning *future* things. In short, prudence is wisdom about human affairs/<sup>5</sup> the application of right reason in matters where there is no fixed way of achieving an end.<sup>16</sup>

It can clearly be seen that the complex contingencies of human reproduction ought to be submitted to the direction of reason. In the prudent decision whether or not to procreate, not only the needs of the common good, but all the values and ends of sexual union must be compared according to a scale of values, for man is only prudent when he seeks out and considers *all* the aspects of a proposed action and then effectively solves the practical problem.<sup>17</sup> The Angelic Doctor presented certain cases, commonly discussed among medieval theologians, in which various external circumstances had to be taken into consideration in judging the morality of sexual intercourse in individual situations.

For example, a question widely disputed in the Middle Ages was the permissibility of sexual intercourse at sacred times, i. e. on those days which ought to be specially dedicated to the spiritual life.<sup>18</sup> Thomas upheld the traditional prohibition,

<sup>12</sup> *II-II* 49, 6 co.

><*I-II* 96, ad 8; *II-II* 47, 9 ad 2.

<sup>18</sup> *II-II* 47, 8 ad 2.

<sup>15</sup> *II-II* 47, 2 ad 1.

<sup>16</sup> *Ibid.*, ad 8. For a more detailed study of St. Thomas' teaching on prudence, see Josef Pieper, *Traktat über die Klugheit* (Munich: Kosel, 1955).

<sup>17</sup> *II-II* 49, co. and ad 8; in *Ethic.* II, lect. 8; VI, lect. 7.

<sup>18</sup> Cf. Dominikus Lindner, *Der Matrim<Jnii* (Munich: Kosel and Pustet, 1929), pp. 156 ff. For St. Thomas' position see *Suppl.* 64, 7.

because sexual pleasure so clouds man's reason as to make him unfit for spiritual things. To contravene this prohibition is sinful, but not gravely so, even when intercourse is sought for pleasure.<sup>19</sup> But the granting of the marriage *debitum* is permitted at this time, so that the petitioner may avoid the occasion of sin.<sup>20</sup>

Aquinas also taught, commonly with his contemporaries, that intercourse during menstruation would be harmful to the child who may be conceived/ <sup>1</sup> and consequently forbidden.<sup>22</sup> However, in such a case many values had to be weighed against one another. If the marriage debt were requested during this period and the wife could not dissuade her husband from his intentions, intercourse would be permitted and any eventual harm to the child would be excused for three reasons: the uncertainty of conception, the husband's right to intercourse, and the moral harm he may suffer (danger of fornication).<sup>23</sup> In both of these cases, a prudent judgment of the circumstances indicated the advisability of intercourse because of the necessity of allaying concupiscence. The personal marital needs of the spouses can be of greater importance than other "external circumstances."<sup>24</sup>

In more recent times an external circumstance of considerable social importance has arisen, which must be considered in the prudential judgment concerning procreation. This is the social fact of population pressure. Now, it is the task of prudence to consider not only the good of the individual, but the common good as well, for Scripture instructs us that "charity is not self-seeking,"<sup>25</sup> and right reason tells us that the common good is better than the good of the individual.<sup>6</sup> Accordingly, married people must consider not only their private good, but

<sup>19</sup> *Suppl.* 64, 8 co.

<sup>20</sup> *Ibid.*, 9 co. and ad 1.

<sup>21</sup> *Suppl.* 64, 3 contra.

<sup>25</sup> I Cor. 13:5.

<sup>22</sup> *Ibid.*, co.

<sup>23</sup> *Suppl.* 64, 4.

<sup>24</sup> Cf. *Suppl.* 64, 4 ad 3.

•• "Cum ad prudentiam spectet recte consiliare, ac iudicare, et ea praecipere, quae ad debitum finem conducunt; ea non modo privatum respicit bonum, sed etiam commune multitudinis bonum." *II-II* 47, 10 co.; cf. 50, ad 3. Prudence which is directed to the common good is called political prudence, and is related to legal justice. *II-II* 47, 10 ad 1; 11 ad 1.

also the common good of society in their prudent inquiry, judgment and effective implementation of the means necessary for preserving the values and obtaining the various ends to be achieved in the procreative act. This calls for the comparison of an end of nature with a contingent factor (demographic dynamism) in such a way that human action may not hinder, but may serve as well as possible the human common good.

This is an example of the exercise of prudence, for in the judgment of prudence universal principles of reason are applied to the facts of a particular case, from which there is derived a practical conclusion,<sup>27</sup> which cannot guarantee the certitude of a demonstrative science.<sup>28</sup> It is precisely the estimation of the contingent elements (which is properly left to the area of human responsibility), which is the most difficult phase of the prudential judgment, for the realities which surround man's concrete activity are of an almost infinite variety.<sup>29</sup> The innumerable individual facts must be reduced by some methodic order to a few categories which recur with some regularity, "*quae ut in pluribus accidunt.*"<sup>30</sup>

The reduction of the myriad contingencies of population dynamics to a practical norm demands critical study of the science of demography, presentation of its conclusions in the form of laws and theories, and an evaluation of the same.<sup>31</sup> Because of the obvious difficulties involved, the prudent judg-

<sup>27</sup> *II-II* 47, 3.

<sup>28</sup> *In Ethic.* VI, lect. 4. "Quia vero materia prudentiae sunt singularia contingentia, circa quae sunt operationes humanae, non potest certitudo prudentiae tanta esse, quod omnino sollicitudo tollatur." *II-II* 47, 9 ad 2; cf. *I-II* 14, 1 co. 4 ad 3.

<sup>29</sup> - --- quasi infinitae diversitatis." *II-II* 49, 3 co. "Est autem utilis contingentium cognitio secundum quod est directiva humanae operationis quae circa contingentia est." *In Ethic.* VI, lect. 3.

<sup>30</sup> - Quia infuitas singularium non potest ratione humana comprehendi, inde est quod sunt incertae providentiae nostrae ut dicitur Sap. 9. Tamen per experientiam singularia infinita reducuntur ad aliqua finita quae ut in pluribus accidunt, quorum cognitio sufficit ad prudentiam humanam." *II-II* 47, 3 ad 2.

<sup>31</sup> This problem is not included within the scope of our study. For a thorough presentation of demographic principles, doctrine and theories, cf. Sigmond, *Fundamentum morale*, pp. 26-73.

ment concerning these contingencies is best made by public authorities, through an act of *governative prudence*, possibly resulting in the formation of a demographic policy.<sup>82</sup>

Does this absolve the individual person from an obligation to be prudent in his procreative activity vis à vis any population problems which may exist? By no means. St. Thomas teaches that the prudence whereby a "city or kingdom" is governed is *political prudence*, which is called regnative or *governative prudence* in the ruler, and *political prudence*, simply so called, in the subjects.<sup>33</sup> Thus, the individual shares in the political prudence of public authority by participating rationally in public policies through his individual actions, for attaining a due end within society.<sup>34</sup> The individual citizen must show discernment in rationally serving the common good jointly with the superior whose orders he obeys.<sup>35</sup> In fact, it is impossible to practice *individual* (personal) *prudence* while completely abstracting from the social effects of individual acts, for, as St. Thomas says, it is impossible to achieve one's own individual good independently of the common good "of the family, state or kingdom."<sup>36</sup> Since man is a part of the home and the state, "he must needs consider what is good for him by being prudent about the good of the many."<sup>37</sup> Therefore, we can conclude that an individual married couple has an obligation to the

<sup>30</sup> The word "policy" should be understood in the broad sense, as a consistent collective action, without necessarily implying direct legal intervention by the State. Cf. *ibid.*, p. 9.

<sup>33</sup> *II-II* 48, un. co.

•• *II-II* 47, 11 co. and 12 co.; 50, 1 co. and 2 co.

<sup>35</sup> *II-II* 50, 2 co. and ad 2.

•• *II-II* 47, 10 ad 2.

<sup>37</sup> *Ibid.* Lottin notes that St. Thomas never treated ex professo the parallelism between individual prudence and governmental prudence. (See *Psychologie et morale* II, p. 41.) Aquinas taught that the individual shares in social prudence, but we should point out that the "individual couple's" judgment on the social effects of procreation, made under the guidance of "political prudence," loses the character of mere "individual morality," and must be seen in the context of *domestic* (or family) *prudence* as an act of domestic morality, since, according to Thomas, the family (as well as the state) is not merely quantitatively different from the individual, but is a specific reality formally distinct.



species from the virtue of prudence to consider overpopulation (if it exists) among the total responsibilities of parenthood when judging whether or not to procreate.

Now prudence is an intellectual virtue which guides all the moral virtues, indicating what truly corresponds to reason in the practical order. **It** dictates the need for responsible action in general, but directs other virtues, residing in the other faculties, in regulating the *medium rationis*.<sup>38</sup> What are these other moral virtues in the sexual order?

### b) *Other Virtues Governing Procreation*

Generally speaking, *chastity* is the virtue which realizes the order of reason in venereal acts.<sup>39</sup> **It** receives its importance from its special relation to the common good, in so far as the generative act conduces to the common good of the species/<sup>o</sup> but it is a virtue which regulates sex acts according to right reason, primarily and principally by preserving order in the interior appetite for venereal pleasure,<sup>41</sup> and secondarily by preserving order in the external actuation of the sexual faculty in a way proportionate to its due end.<sup>42</sup> Chastity taken strictly in the former sense<sup>43</sup> constitutes part of the cardinal virtue of *temperance*.<sup>44</sup> Although temperance, and not justice, is the preferred norm of virtuous conduct in the Thomistic system of sexual ethics, nevertheless these two virtues should not be divorced, for the preservation of the species has a role to play in determining the degree of chastity.<sup>45</sup>

ss *II-II* 47, 6 co.

<sup>39</sup> *II-II* 151, 1 co.; 153, 3 co.

•• "Et quia virtutes ordinantes ad alium directe pertinent ad bonum commune; et similiter virtus castitatis, in quantum actus generationis deservit bono communi speciei." *I-II* 100, 11 ad 3; *Mal.* 15, ad From this ordination to the common good St. Thomas deduces much of his sexual morality: the evil of fornication (*II-II* 154, 4 co.; *Suppl.* 65, 3 ad 4), the gravity of imperfect acts of impurity (*II-II* 154, 4 co.), and the peculiar malice of sins *contra naturam* (*Ibid.*, 11 co.).

"*Mal.* 15, 1 co.; 4 ad 1; cf. *II-II* 151, 1 co.; 153, ad 154, 1 co.

•• *Mal.* 15, 1 co. and co.

•• These two aspects of chastity are distinct and separable: cf. *Mal.* 15, 1 co. .. *II-II* 151, 3 co.

•• Fuchs, *Sexualethik*, p. 309.

Now, since temperance pertains to the sensitive part of man, it is directed to individuals.<sup>46</sup> But because our problem pertains primarily to the social aspects of sex we must consider a virtue which pertains to the rational part of man and which could regulate sexual activity precisely as it is ordered to the good of the community. This is the virtue of *justice*.<sup>47</sup>

We are speaking here not of that justice which may be violated by adultery,<sup>48</sup> nor of that justice which requires that the marriage debt be granted.<sup>49</sup> Instead, we are especially concerned with the relation of procreation to the common good. Because the relation of the individual to the common good of society is governed by legal or general justice,<sup>50</sup> and since the procreation of children serves the common good by preserving and promoting the good of the human species, we must conclude that the use of the procreative act is governed by legal justice. This can certainly be predicated of the conjugal act insofar as it accomplishes the preservation of the species through the simple observance of the sexual order, for procreation is directed by the inclinations of nature to the natural preservation of the species.<sup>51</sup>

But beyond this, the very decision to accept or refuse offspring, based on a judgment of the circumstances involved, and abstracting from the observance or failure to observe the sexual order established by nature, essentially touches upon the social structure of a nation. Hence in particular cases, and for the sake of the common good, general justice may require a more

"II-II 47, 10 ad 3.

" "Etiam temperantia et fortitudo possunt referri ad bonum commune: unde de actibus earum dantur praecepta legis, ... Magis tamen prudentia et iustitia, quae pertinent ad partem rationalem, ad quam directe pertinent communia, sicut ad partem sensitivam pertinent singularia." *Ibid.*

•• *I-II*, 73, 7 co.; ad 4; *II-II* 154, 1 ad

•• *Suppl.* 41, 4 co.; 49, ad 3; *In I Cor.* 7, lect. 1 (13, a and b).

<sup>60</sup> - Virtus boni civis est iustitia generalis, per quam aliquis ordinatur ad bonum commune." *II-II* 58, 6 contra. "Talis iustitia, praedicto modo generalis, dicitur iustitia legalis: quia scilicet per eam homo concordat legi ordinanti actus omnium virtutum in bonum commune." *Ibid.*, 5 co.

" C. G. IV, 78.

abundant or even a less prolific multiplication of the race.<sup>52</sup> From this we need not conclude to a positive legislative intervention on the part of the public authority, for the common good is the source of many obligations which are not expressed in positive codification.<sup>53</sup> In fact, it cannot be established that there exists between the procreating family and society at large a debt of offspring to be paid "ad aequalitatem" in strict justice. Consequently, justice as a general virtue must direct the acts of other virtues,<sup>54</sup> the performance of which will establish a *medium rationis* in this matter. If this norm is violated, an injustice is indeed committed against a special object, viz. the common good, which is contemned; but by the intention of the agent it is a general vice, since man can be led to any sin if he has contempt for the common good.<sup>55</sup>

A virtue similar to legal justice, governing in a particular way man's relation to his country, is the virtue of *piety*/<sup>8</sup> which inclines man to show homage to his country and his fellow-citizens: "*cultum exhibere patriae.*"<sup>57</sup> Whereas the virtue of legal justice looks upon the *bonum patriae* as a *bonum commune*,<sup>58</sup> *pietas* was the Roman virtue of patriotism

<sup>52</sup> St. Thomas gives examples of when it is wise to abstain from marriage *for the good of society*: cf. C. G. III, 136; *Suppl.* 41, co.

<sup>53</sup> "Lege humana non prohibentur omnia vitia, a quibus virtuosi abstinere sed solum graviora, a quibus possibile est maiorem partem multitudinis abstinere; et praecipue quae sunt in nocumentum aliorum, sine quorum prohibitione societas humana conservari non posset." *I-II* 96, co.

<sup>54</sup> "Et sic oportet esse unam virtutem superiorem quae ordinet omnes virtutes in bonum commune, quae est iustitia legalis, et est alia per essentiam ab omni virtute." *II-II* 58, G ad 4; cf. *I-II* 60, 3 ad 61, 5 ad 4; *In Ethic.* V, lect.

<sup>55</sup> "Iniustitia est duplex. Una quidem illegalis, quae opponitur legali iustitiae. Et haec quidem secundum essentiam est speciale vitium: in quantum respicit speciale obiectum, scilicet bonum commune, quod contemnit. Sed quantum ad intentionem est vitium generale: quia per contemptum boni communis potest homo ad omnia peccata deduci." *II-II* 59, 1 co.; cf. *In Ethic.* V, lect. 1.

<sup>56</sup> "Tullius ponit unam specialem virtutem, pietatem, quae ordinat ad bonum patriae." *I-II* 60, 3 ad Josef Pieper remarks that the modern term "piety" does not accurately express the word *pietas*. Cf. his work, *Über die Gerechtigkeit*, p. 117.

<sup>57</sup> "Ad pietatem pertinet exhibere cultum parentibus et patriae . . . . In cultu autem patriae intelligitur cultus concivium, et omnium patriae amicorum. Et ideo ad hos principaliter pietas se extendit." *II-II* 101, 1 co.

<sup>58</sup> "Pietas se extendit ad patriam secundum quod est nobis quoddam essendi principium: sed iustitia legalis respicit bonum patriae secundum quod est bonum

whereby the individual was bound to his country as the source of his origin.<sup>59</sup> Piety essentially obliges us to show both reverence and service to our country as the source of our being,<sup>60</sup> but *in reference to the common good*.<sup>61</sup>

For this reason we may say that piety governs the social contingencies of the procreative act. What can piety demand of us? This is determined by whatever is fittingly rendered to that which is the source of our being, our education, and our government.<sup>52</sup> In fact, in time of need, piety can require that special services be done for our country.<sup>63</sup> This could be taken as a partial norm for the decision whether or not to procreate under certain pressing social conditions. However, the duties of piety are limited, relative to our own means and the personal claim of the one to whom they are rendered.<sup>64</sup> It should be noted that the "services" rendered out of piety are not gratuitous, but are strictly due, and so piety is a part of justice; but because it is not possible to make a return *secundum aequalitatem* of what is owed from piety to one's connatural principle of being and government, this virtue is only a potential part of justice.<sup>65</sup> And yet, perhaps this very tie of connaturality upon which

commune. Et ideo iustitia legalis magis habet quod sit virtus generalis quam pietas." *II-II* 101, 8 ad 8.

•• Thomas borrowed the notion of *pietas* from the Romans, and principally from Cicero (cf. *II-II* 101, 1 contra. In the Roman mentality, *pietas* is a manifestation of unselfishness and magnanimity, or of *humanitas*. For St. Augustine, it came to express the essence of *caritas*. Although the teaching on piety is a traditional basis for the pre-eminence of a common good, it had no fixed relation to the community as such, viz. the political community. For more details on this, cf. I. Th. Eschmann, *M. St.* 5 (1948), pp. 127-181; 140-141.

<sup>60</sup> - Pietas exhibet et officium et cultum: ut officium referatur ad obsequium, cultus vero ad reverentiam sive honorem." *II-II* 101, 2 co.

<sup>61</sup> "Personis in dignitate constitutis potest aliquid exhiberi dupliciter. Uno modo, in ordine ad bonum commune: puta cum aliquis ei servit in administratione reipublicae. Et hoc iam non pertinet ad observantiam, sed ad pietatem, quae cultum exhibet non solum patri, sed etiam patriae." *II-II* 102, 8 co.

<sup>62</sup> *II-II* 101, 2 ad 1; ad 2; 8 co.

<sup>63</sup> Cf. *ibid.*, 2 co. and ad 2.

<sup>64</sup> - Cultus et officium debetur omnibus sanguine iunctis et partirae benevolis, non tamen aequaliter omnibus: sed praecipue parentibus, aliis autem secundum propriam facultatem et decentiam personarum." *Ibid.*, 2 ad 8.

<sup>65</sup> *II-II* 80, un. co.; 101, 8 co.; *In Ethics*. VIII, lect. 14.

piety is based would prompt individuals prudently to consider the needs of their overpopulated country, where this would be the case, since such needs of mankind are not always felt by the individual.

On the other hand, it would be difficult to determine and measure a certain obligation from piety in the very act of procreation for the following reasons: 1) the one who would be the recipient of this *debitum* (in this case, our country and fellow-citizens) is a remote object, whose claim to our *obsequium* is correspondingly diminished;<sup>66</sup> 2) the actual need of the country is difficult to measure and apportion,<sup>67</sup> and cannot in any case be paid "ad aequalitatem"; 3) finally, there are many other personal values having prior claim in the conjugal act which the virtue of piety must respect.<sup>68</sup>

### 3. Conclusion

The virtue of prudence is the norm of action from which we conclude to the need for a sense of responsibility in procreation. To be truly prudent, married people must be concerned for their own good, for the good of their family, and for the good of "the city and the realm," demanding a corresponding practice of personal prudence, domestic prudence, and political prudence.<sup>69</sup> So guided, they must judge when it is and when it is not expedient for them to bring another child into the world. Not only the condition of the spouses and the family, but also, although more remotely, the condition of the common good is an external circumstance which may indicate that the number of children should be limited. One such exigency of the common good of society is population pressure. The prudent couple

<sup>66</sup> - Per prius debetur aliquid parentibus quam patriae et consanguineis: quia per hoc quod sumus a parentibus nati, pertinent ad nos et consanguine'i et patria." *II-II* 122, 5 ad 2; cf. *ibid.* 102, 1 co.; 8 ad 8.

<sup>67</sup> Cf. *II-II* 101, 2 ad 8.

<sup>68</sup> - Exhibitio honoris vel cultus non solum est proportionanda personae cui exhibetur secundum se consideratae, sed etiam secundum quod ad exhibentes comparatur." *Ibid.* 102, 8 ad 8; cf. 101, 2 ad 8.

<sup>69</sup> *II-II* 47, 11; 50, 8 co.

must be concerned about demographic considerations, because as rational creatures they participate in a rational way in the good of the commonweal. The exercise of political prudence may result in a population policy on the part of the public authority and a responsible acceptance or refusal of procreation on the part of individual families. We believe that this conclusion follows logically from what Aquinas has taught on the common good in general and the relation of procreation to the common good.

Thus, parents incur a certain responsibility in respect to the social equilibrium of the species, but in a manner generally more remote than their responsibilities to themselves, their personal marital needs, and the total human condition of their family, for "man ... is more inclined by nature to connubial than political society."<sup>70</sup>

To say that prudence is the guide to responsible parenthood by no means rejects the other virtues mentioned.<sup>71</sup> Each contributes to a fuller knowledge of what reason demands, but prudence is the guide of all the moral virtues. Legal justice, the virtue which effectively regulates the social contingencies of sexual activity in reference to the true common good, is essentially directed by political prudence.<sup>72</sup> Both general justice and political prudence are found principally in the legislator, but secondarily in the subjects, who likewise exercise a rational responsibility for the common good.

Whereas legal justice directs all the virtues in caring for the common good,<sup>73</sup> piety more particularly can be said to provide a norm for the responsible use of the sexual faculty related to the *bonum patriae*, although admittedly there are difficulties in applying both of these virtues to the relation of the individual to demographic problems.

It should not be thought that responsible parenthood signifies the emancipation of the conjugal act from the objective order

<sup>70</sup> *Suppl.* 41, 1 contra.

<sup>71</sup> See b), *supra*.

•• *II-II* 47, 10 ad 3.

<sup>73</sup> Legal justice deals secondarily even with the interior passions: *II-II* 58, 9 ad 3.

of nature, or the total subjection of the generative faculty to the current exigencies of the socio-economic situation of society.<sup>74</sup> Rather, we say simply that it can be concluded from the teachings of St. Thomas that individual married couples, with whom the decision of procreation always remains inviolate,<sup>75</sup> are obliged to make a decision to procreate what for them would be the optimum number of children. The norm derived from the teachings of Thomas is essentially that of prudence, which inclines married people to make a judgment whether to accept or refuse offspring, taking into account their own personal needs, the proper education of their offspring, in harmony with the other values of the family, and with an awareness of the exigencies of the concrete social order, including the condition of overpopulation, in such a way that the common human good may not be harmed, but rather promoted. That such is the obligation of married persons is a conclusion which follows from the principles enunciated by St. Thomas on the social values of procreation and the responsibility which the individual has towards the species in the use of the sexual faculty.

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.. This latter attitude was condemned by Pope Pius XII in "Levate Capita Vestra," *loc. cit.*, and in his Allocution to the "Fronte della Famiglia" and the Association of Large Families, A. A. S. 43 (1951), 856.

<sup>75</sup> *ll-11* 104, 5 co.

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## BOOK REVIEWS

*The Secularization of Christianity.* By E. L. MASCALL. New York: Holt, Rinehart and Winston, Inc., 1966. Pp. xiii + \$6.00.

The thesis of this book is best expressed by the author's closing words: "The conclusion to which I have found myself forced is twofold: first that what we are being offered is not a reinterpretation of the Christian religion but a substitute for it, and secondly that the arguments offered, from whichever field of study they have been drawn, are quite unconvincing. This does not mean that traditional Christianity has nothing to learn from the new techniques and discoveries; on the contrary, it can be revived and enriched by them. This task should be enough to occupy fully at least one generation of theologians and one cannot prescribe in advance what its results would be. All I can hope to have done in the present book is to show that there is no valid ground for the failure of nerve which has stampeded many contemporary theologians into a total intellectual capitulation to their secular environment." Dr. Mascall, Professor of Historical Theology at the University of London and an Anglican priest of the Oratory of the Good Shepherd, is highly qualified for the task which he has undertaken. His many other writings have provided a scholarly treatment of several problems considered in *The Secularization of Christianity*.

The circumstances of this book's composition were the publication of two others. One is the famous little paper-back *Honest to God* by the Anglican Bishop of Woolwich, Dr. J. A. T. Robinson, who has startled the world with his revolutionary ideas. The other, a longer and more professionally theological work, is *The Secular Meaning of the Gospel* by Dr. Paul van Buren, Associate Professor of Theology at Temple University. Mascall has selected these two as "outstanding expressions of a radical and destructive attitude to traditional Christianity which has obtained a foothold in many academic circles in the United States and the United Kingdom, though until the publication of *Honest to God* it was little known to the general public and to the majority of the parochial clergy." Consequently, he has made the two main chapters of his book a detailed analysis and critique of both works. The rest of the book examines the intellectual setting in which the ideas of Robinson and van Buren are placed. Three chapters, therefore, are devoted to the philosophical, scientific and Biblical impacts of the question. The author has written much more at length on the philosophical impact in his book *Words and Images*, and on the scientific impact in *Christian Theology and Natural Science*, but now adds to his writings an evaluation of modern Biblical studies.

Chapter One, "The Changeless and the Changing," establishes the

author's philosophical platform in this problem, and is headed by a quotation from Pope John XXIII: "The substance of the ancient doctrine, contained in the 'deposit of faith' is one thing; its formulation is quite another." In this section are firmly founded the theological principles and Christian convictions which form Mascall's criteria in judging the works of Robinson, van Buren and others throughout the book. He gives three reasons why it is so important for the Christian theologian to relate the changeless revealed datum of Christian truth to the constantly changing intellectual framework of the world in which he lives. The first is for Christian instruction, since Christians themselves inevitably share in the intellectual climate of their time. The second reason is apologetical, in that the Church must commend its message to those outside it in language which they can understand. And thirdly, for the sake of social action, Christians should be able to see the relevance of their faith to the problems of contemporary society to influence the solution of these problems in accord with Christian concepts about man's nature, his destiny, his condition, and his resources.

This most urgent and difficult theological task has been the occasion, in Mascall's thinking, of two extreme positions. One is the reactionary extreme, represented by Karl Barth, who exaggerated the changeless aspect of Christianity and considered contemporary thought, if not contemporary political history, as altogether irrelevant to the primary concern of the Christian theologian. This movement of Biblical theology has looked upon the examination of the Christian documents by modern critical techniques and the expression of Christian truth in contemporary non-Biblical idiom as outside his proper consideration. In opposition to this another school in Protestant theology, represented by Robinson and van Buren, has recently appeared. It goes to a radical extreme in demanding that the traditional faith of Christianity be completely transformed in order to conform to contemporary secularized man. These men, including Dr. Schubert M. Ogden as the most extreme exponent, indulge in "reductionist theology" by retaining the word "Christianity," and even calling it "real" or "authentic" Christianity, while reducing it to something that no one would normally describe as Christianity.

Behind this movement of the deliberate secularization of Christianity lies the famous program of "demythologizing" started by Dr. Rudolf Bultmann. His basic assertion is that the New Testament writers have presented the life and teaching of Jesus with mythological notions which are quite unacceptable to the man of today, and that these myths can be rejected while retaining the kerygmatic character of the Christian message as a proclamation of the unique salvific and eschatological act of God in Jesus. For Bultmann, the demythologizing process is really a reinterpretation of the mythology of the New Testament in terms of the existentialist

philosophy of Heidegger, i.e. Christian beliefs are to be evaluated entirely in terms of their effect upon one's present existence. He lumps together as myths Hebraic cosmogony, belief in demons, Christ's resurrection, and the traditional Trinitarian and Christological concepts, presumably because they are all incompatible with the contemporary intellectual climate. At the same time, Bultmann makes excessive demands upon modern man to respond to the preaching of the Word of God with an existential commitment of the Heideggerian type. Consequently, he would seem to rule out the possibility of an authentic existence for a sincere non-Christian or non-Heideggerian.

At this point Mascall pauses briefly to consider Paul Tillich's contribution to the task of expressing the traditional faith in contemporary terms. He accepts substantially the opinion of Fr. George H. Tavard in *Paul Tillich and the Christian Message* that this outstanding figure has provided the possibility of a genuine advance in Christological understanding. But it is observed that a very similar theme was worked out as long ago as 1878 by Vladimir Soloviev, whose *Lectures on Godmanhood* was published in English translation in New York in 1944. The author also leaves open to serious doubt the success of Tillich's efforts to make the Christian message relevant to modern man.

Maseall points out the two principal phases in the movement of reinterpreting Christianity. The first is that the New Testament must be radically demythologized according to Bultmann's program, although Tillich took a philosophical instead of a Biblical starting-point. The second is that the necessary reconstruction must be made on the basis of Heideggerian existentialism, although van Buren departs from this by basing his demythologizing on the philosophy of linguistic analysis. In this context the author makes some pertinent remarks about Professor R. B. Braithwaite's *An Empiricist's View of the Nature of Religious Belief*, T. R. Miles' *Religion and the Scientific Outlook*, and Dr. Peter Munz's *Problems of Religious Knowledge*. He concludes that these three writers, along with Robinson, van Buren, Bultmann, and Tillich, "agree in an evident determination to abolish altogether, or at least reduce to a minimum, the supernatural element and emphasis which has characterized Christianity throughout the ages." This elimination of the supernatural seems to rest upon three main types of argument, which may be found separately or in combined forms. The first is the philosophical type, based on existentialism or linguistic empiricism, which has, however, had the happy effect of forcing the philosophers of theism to re-examine their own proofs and to understand their own position more profoundly. The second type flows from the assumption that scientific discoveries have disproved the existence or at least the relevance of supernatural realities. Thirdly, it is argued that the supernatural element of the Gospels is without any historical foundation, but is the result of the mythological notions from the primitive Church. The

latter two lines of argumentation are examined in the last two chapters of the book.

The author proceeds toward the conclusion of the first and most crucial chapter of the book, by returning to the two extreme positions which he rejects as solutions to the problem of relating the changeless in Christian truth to the constantly changing situation of mankind. The first would see certain verbal formulas as adequate, exhaustive, and final expressions of the Gospel for all time, whether they be selected texts of the Bible, or from the decrees of the Ecumenical Councils, or the confessional documents of the Reformation, or certain dicta of fathers, scholastics or reformers, or the famous collection of documents in Denzinger. The second extreme position in this regard assumes that divine truth is so utterly indifferent to the empirical events of the Church's history that its formulation in one particular context is unrelated to its formulation in any other, and so it is of no real significance that the Christian faith received its classical formulation in the intellectual climate of the Greco-Roman world instead of the Mexico of the Aztecs or the Japan of the present day. Thus the Church's theological task is to discard the past as a positive hindrance and simply to adjust the Gospel to the thought-forms and verbal customs of the local and contemporary environment, whether it be Hinduism in India, Confucianism and Taoism in China, or modern secularism in technocratic Western society. Between these two extremes of dogmatic absolutism and agnostic relativism, the doctrine of analogy represents the most determined attempt to solve the very real problem as to how the finite inhabitants of a finite world can possibly think or speak of an infinite being.

Mainly from the historical experience of Christianity's transition from a Semitic to a Hellenic culture, and as a consequence of his own theological stance, Mascall proposes three principles which he considers essential if we are to commend the Christian way of life and thought to cultures which have not yet received it. First, we must be clear in distinguishing the substance of the ancient doctrine from its formulation (as Pope John XXIII indicated). Secondly, although always ready to adapt the formulation, still we should be anxious to share the blessings which have come to us in our Christian heritage. Thirdly, by a process of cross-fertilization between the Church and the hitherto non-Christian culture, we must be receptive to the insights of others in making the new formulation, since we are not only concerned with the adaptation of Christianity to novel situations, but with the integration of new people and cultures into the historic Body of Christ. Strictly speaking, therefore, only one Christianity exists in every time and place so that there is really not an African Christianity of the third century or a European Christianity of the thirteenth century, or an Asian Christianity of the twentieth century. He comments that the task has been begun, and some of the greatest contributors have been such Catholic scholars as Professor Zaehner, Dom Aelred Graham, Fr. Victor White and Bernard

Kelly. He also remarks that the task faces a different situation in Asia, which has highly developed systems of philosophy, and in Africa, where there is almost no native philosophical thought, but elaborate social and religious patterns. In addition, we must remember that the impact of Western secularism upon Asia and Africa has been greater than that of Christianity, and that the attractions of Marxism, with its promise of an earthly beatitude, are always present.

The author concludes his first chapter with the comments that, although this book is concerned with a critique of one particular type of program to reinterpret the Christian faith in the secularized society of the West, still it seemed to him essential to see the task in the broader perspective of the Church's confrontation with the contemporary world as a whole. He wishes to show that the program endorsed by Robinson and van Buren, is not radical enough because of its provincial conformity to the alleged demands of twentieth-century secularized man, which would discard the Christian wisdom of centuries and also ignore the profound insights of other great world religions. As anxious as he is to see Christian doctrine presented in a relevant way to contemporary Englishmen and Americans, he is even more anxious that what is presented to them shall be truly Christian doctrine and not some substitute for it. Likewise, he is aware that such a provincialized program may make the Gospel unintelligible to a much wider and less secularized body of people. Finally, he would solve the problem of the relation between the changeless and the changing in Christianity in this way. While all formulations of Christian truth are necessarily limited by human speech and thought patterns, the truth itself (the "substance of the doctrine" as distinct from its "formulation") exists in its fullness in the mind of Christ. And it is because the Church, of which the theologian is a member and an agent, is Christ's Body that the formulations are genuine, though partial and inadequate, expressions of the unformulated substance of Christian truth in the mind of him who is Truth itself.

Chapter Two, a detailed analysis and critique of van Buren's *The Secular Meaning of the Gospel*, bears the book's title "The Secularization of Christianity." Mascall points out that the author's special approach is indicated by the additional phrase: "based on an analysis of its language," and that he is concerned not with commending the Gospel to modern man outside the Church, but with secularizing its understanding by the Christian man already inside the Church, who only then will be able to relate his life to the world in which he lives. For van Buren the task at hand is not to Christianize the secular mind, but to secularize the Christian mind. He takes quite literally the words written by Dietrich Bonhoeffer in a Nazi concentration camp under conditions of severe physical and emotional distress: "Honesty demands that we recognize that we must live in the world as if there were no God," and assumes that a Christian can be a twentieth-century Christian only by adopting completely

the intellectual outlook of other twentieth-century men in a secularistic society. He is interested in secularizing theology, but has no theology of the secular, which would correspond to the theocentric humanism found in Jacques Maritain's *True Humanism*, or to the vision of the scientist and technician transforming the world according to the divine designs as portrayed in Pierre Teilhard de Chardin's *The Divine Milieu*. He has not heeded the apologetic for supernatural religion which has been developed so brilliantly from a purely scientific and empirical standpoint by the French biologist, M. Remy Chauvin, in his work *God of the Scientist, God of the Experiment*. The whole notion of Christian sociology, as exemplified in the social movement inspired by F. D. Maurice, becomes for him simply irrelevant, if not pernicious.

Rejecting both Bultmann and Ogden for not conforming adequately to the demands of the radically empirical outlook of modern secularized man, van Buren undertakes the task of secularizing Christianity with the philosophical tool of linguistic analysis, particularly under the influence of Wittgenstein's *Philosophical Investigations*. On this basis, there are two principles of interpretation which he applies to Biblical, patristic and conciliar expressions of Christianity. First, statements of faith are to be interpreted as expressing, describing, or commending a particular way of seeing the world, other men, and oneself, and the way of life appropriate to such a perspective. Secondly, the events of the New Testament documents, centering in the life, death, and resurrection of Jesus, constitute the norm of the Christian perspective. As a consequence of his secularist empiricism, he interprets the Easter event of the Gospel in a purely natural way. Jesus, who was truly man and so could not be also God, died, and thus, like any other dead man, cannot now be alive. The resurrection is the experience of the apostles "catching" the freedom of Jesus who gave himself for others in death. Christianity is the "contagion" of this freedom of Jesus caught by others from the primitive witnesses and spread over the ages. Van Buren reinterprets the Council of Chalcedon and classical Christology about the unchanged and unconfused union of the two natures in the person of the Word, as meaning that the history of Jesus is a bit of quite ordinary human history and should not be confused with the Christian perspective which, through its contagious character, it has inspired. Several other concepts of the Christian faith, as Revelation, Predestination, Creation, Providence, Sin, Justification, Sanctification, the Church as the Body of Christ, Baptism, Preaching and the Lord's Supper, receive similar reinterpretations, and are still called Christian.

In Chapter Three, somewhat satirically titled "Emotion Recollected in Tranquillity," Mascall makes a reconsideration of Bishop Robinson's *Honest to God*. He explains that his minute examination of this book may appear finicky and fault-finding to many, but it was necessitated by the fact that

such a popular theological work can cause much confusion without the proper clarifications. The author does not think that Robinson realizes the implications of his words, which seem to express a despair of converting the world to Christianity and a decision to try converting Christianity to the world. He is so desirous of including within Christianity every sincere person, even those who profess atheism and agnosticism, that he is prepared to atheize and agnosticize the Christian faith to embrace within it the professing unbeliever. This is certainly not taking with sufficient seriousness secularism or contemporary unbelief, which knows what it rejects in Christianity. Most intelligent people who call themselves "atheists" understand what belief in God is, and are not refusing to accept Him merely because most Christians speak of Him as the "Old Man in the sky." His concern about the Christian belief in a God "out there" being a hindrance to the Gospel is unwarranted according to Mascall, who considers that the ordinary Christian makes the necessary adjustments concerning the mental pictures of God, while professional intellectuals would be familiar with the analogical nature of our language about God. Even if a God "out there" were a Christian idol that had to be destroyed, something much more radical than what Robinson will propose as a substitute is needed to commend the Gospel to the contemporary secularized man. The author observes: "It is interesting to speculate what kind of book Robinson might have written if he had had behind him the Catholic tradition, with its doctrine of grace as perfecting nature and not destroying it."

It may be interesting to note here that Mascall, more than once in the book, appeals to this principle of balance between grace and nature in his critique of the secularizers of Christianity, a principle whose prominence in Catholicism has been greatly fostered by the Thomistic theological tradition. He continues by expressing his surprise that Robinson would think "traditional Christian theology has been based upon the proofs for the existence of God," when one has but to read the first question of the First Part of the *Summa Theologiae* by a Catholic like St. Thomas Aquinas, or to be at all familiar with the works of a Protestant like Luther, to realize that it is based upon divine revelation. The author also calls upon the Thomist commonplaces that God is "being itself" (*ipsum esse*) and that with creation there are more beings and not more being, to answer Robinson's charge, taken from Tillich, that the supernaturalistic view holds God is a being, not being itself. In his desire to remove any kind of supernaturalism, Robinson even condemns the picturing of God as a Person. When he states that "the word 'God' denotes the ultimate depth of all our being, the creative ground and meaning of all our existence," Mascall comments that this is a thoroughly traditional statement if the word 'creative' is taken in its normal theological sense. But Robinson and Bonhoeffer do not accept it in St. Thomas' sense that God preserves all things in existence, since they are hostile to the concept of God as creator of

the whole universe. The author seriously doubts that speaking about God to modern man in 'depth' imagery in place of 'height' metaphors will solve the problem of making Christianity relevant. He sympathizes with Robinson's view that academic theology has been almost completely irrelevant to the lives of ordinary people, but laments that he has found inspiration only in fragments of Bultmann, Bonhoeffer and Tillich.

Many more comments might be made about Mascall's criticisms of Robinson's program of radically recasting Christianity in the secularist mold, which puts into the melting all the traditional teachings without finishing with a product as purely and unmistakably secularized as that presented by van Buren. For the purposes of this review, however, we should now consider briefly the author's fourth chapter, "Science, the Secular and the Supernatural." He carefully and clearly defines what he means and does not mean by the secular and the supernatural. The secular embraces the whole body of thought and activity concerned with man's life in 'this world' from human conception to bodily death. It is not synonymous with 'material,' since a man who denied God and immortality but attributed the highest value to mathematical knowledge or the appreciation of music could be called a secularist, but not a materialist. In contrast, the supernatural includes the whole body of thought and activity concerned with man's life in 'this world' as deriving ultimately from 'another world' in which it finds final destiny beyond bodily death. In this sense it has nothing to do with spooks and hauntings, nor is it synonymous with the miraculous, which may be purely natural in its purpose, e. g. restoring health to a sick man. With these distinctions in mind, Mascall is here mainly concerned "to show that it is possible to recognize the legitimate claims of the secular without becoming a secularist and without abandoning the traditional Christian belief in the primacy of the supernatural." Applying this to his critique, he mentions that Robinson's failure to make such a clarification has caused his writing to be both ambiguous and confused, while van Buren appears to be perfectly clear and quite simply a secularist. The author also applies his principle of the proper relationship between the secular and the supernatural to a criticism of Dr. C. H. Waddington's *Science and Ethics* and *The Ethical Animal*, which he considers to be the most impressive attempt to erect a secularist humanism on the basis of modern science. This "scientific humanism" has had a considerable influence upon our modern technocratic civilization and on theologians like Ogden, van Buren and Robinson. He concludes the chapter with a brief but brilliant defense of miracles in a response to the objections of a scientific age.

The fifth and final chapter, "Fact and the Gospels," examines more minutely the third reason for the current anti-supernaturalist attitude among theologians today, namely the sort of Biblical scholarship of



Bultmann and his followers which explains the supernatural element in the Gospels and primitive Christianity generally as a result of the mythopoetic activity of the early Church in its reflection upon its own religious experience. Although he makes no pretensions of being a Biblical scholar, Mascall, as an educated outsider, considers himself competent to criticize this position for a number of reasons. One is that the Biblical scholars, while for the most part they confidently express their conclusions, are very much at odds with one another. In defense of the basic historicity of the Gospels, the author argues quite convincingly that the position of the form-critics, who state that the Gospels are primarily evidence for what their writers believed about the events which they recorded, and are only secondary evidence for the events themselves, is equally true of secular history and biography. This position, therefore, does not demand the assumption that we cannot get behind the beliefs of the writers and of the community to which they belong, to the events themselves. Even contradictions or proven errors on particular points do not necessarily destroy the credibility of the narrative as a whole. Mascall comments that he is not, of course, attacking responsible Biblical scholarship, but that it is of prime importance to emphasize "that any argument against the authenticity of some incident recorded in the Gospels is entirely valueless if it is based upon an explicit or implicit presupposition against the supernatural and the miraculous." For it is illogical to deal with a case in which the unique factor of the Incarnation is involved and apply to it criteria from a general range of experience from which that factor is *ex hypothesi* absent. A good portion of this concluding chapter is devoted to a critique of Dr. John Knox's *The Church and the Reality of the Christ*, which "reduces all theology to ecclesiastical psychology." Mascall observes that van Buren, Robinson, and Knox, while differing a good deal in their interpretation of the factual character of such traditional and central objects of Christian faith as the virginal conception and physical resurrection of Christ, are all anxious to accept them "as edifying myths, expressing aspects of Christian existence in a moving and evocative way."

To whatever extent anyone may accept or reject the theological position and critique offered by Dr. Mascall in *The Secularization of Christianity*, I am confident that he would agree with the reviewer in *New Blackfriars* who said: "This is a book which absolutely demands a reply from the other side on the same academic level." I would add that it also demands from those on Mascall's side a concerted effort to develop a truly Christian theology of secularity which can meet the challenge of relevance to contemporary man. And this book requires reflective reading by all who want to follow intelligently the current theological debates.

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*Evil and the God of Love.* By JOHN HICK. New York: Harper and Row, 1966, pp. 404, with index. \$6.95.

*God and the Permission of Evil.* By JACQUES MARITAIN. Translated by Joseph W. Evans. Milwaukee: Bruce, 1966, pp. Hll, with index of proper names. \$3.75.

*The Lord of the Asburd.* By RAYMOND J. NOGAR, O. P. New York: Herder and Herder, 1966, pp. 157. \$3.95.

*Nostalgia for Paradise.* By SISTER SYLVIA MARY, C. S.M. V. New York: Desclee, 1965, pp. £30 with index. \$4.75.

After one of his lectures Raymond Nogar was questioned: "If space-time history is of the essence of man, and the making of history his free, creative and personal prerogative and obligation, how is it possible to tolerate and to justify the suffering and annihilation of so many people who suffer and are annihilated for the simple reason that their geography sets them in the pathways of history?" (p. 84). The first sentence of John Hick's book reads: "The fact of evil constitutes the most serious objection there is to the Christian belief in the God of love" (p. ix). Jacques Maritain very early in his book comments that the problem of evil, injustice, cruelty "is at the origin of many forms of atheism, at the origin also of what one could call in many the bewildered Christian conscience" (p. 3). Sister Sylvia Mary informs us that the various mythical versions of an "original paradise, lost through some fault, are of immense importance, and they constantly recur. They reveal the fact that in the heart of man there is a perpetual nostalgia" (p. 11).

All four of these books, then, deal in one way or another with the problem of evil. Hick, in an impressive work, faces it fully and attempts an historical and systematic theodicy for our times; Maritain engages only one, though crucial, aspect of it; Nogar brings the light of his studies on evolution to bear on it; and Sister traces the nostalgia for paradise through the myths of ancient cultures as a sign of God's gracious influence on men struggling in the valley of darkness.

John Hick suggests for *Evil and the God of Love* a fuller, more descriptive title: "A critical study of two responses to the problem of evil that have been developed within Christian thought and an attempt to formulate a theodicy for today" (p. 3). The two responses he sees as Augustinian and Irenaean, and his own theodicy, though mainly Irenaean, accepts some elements from the Augustinian. Four theological and four philosophical themes dominate in the Augustinian tradition. The first four are: that creation is good; that pain and suffering are a consequence of the fall of man; that the fall was a *felix culpa* since it brought redemption; that there is final moral balancing in heaven and hell. The second four are that evil

is a privation, a kind of non-being; that metaphysical evil, i. e. the imperfection in all creatures below God, is basic; that it is better to have many beings on various levels of perfection than all on the highest level (the principle of plenitude); that the universe should be looked upon as a work of art (the aesthetic principle).

Irenaeus differs from this tradition mainly on three points. He did not place an original perfection in man but saw him as created weak and immature yet invited by God to grow spiritually. Thus, secondly, the fall was an understandable lapse and the physical evils of pain and suffering (his third point) must not be regarded as punishment but rather necessary environment in which man is to "make" his soul. To these themes Hick notes some others taken from the thought of Friedrich Schleiermacher who, while not consciously following the teaching of Irenaeus, did develop similar themes independently. "Original perfection" to Schleiermacher is the basic structure of human nature whereby it can come to a consciousness of God. It is "original" not in time but exists in all men as a fundamental and constitutive element. "Original sinfulness" is seen as that element in all men which impedes their God-consciousness, its root is man's "sensuousness," his flesh. Schleiermacher teaches further that the finite mode of our life is not sinful but that our anxiety and fear about it is. God, according to Schleiermacher, since He made man and put him in this environment, can be called the author of sin, but sin as ordained to the redemption. Thus, sin becomes a kind of instrument of God to assist Him in His holy work. Schleiermacher teaches, finally, that God's good purposes will win out in the end, that all men will be saved, that there can be no abode of eternal punishment.

From these elements Hick constructs his theodicy for our day. He accepts from the Augustinian tradition the goodness of creation and, especially, the *felix culpa* doctrine. But he denies that pain and suffering are the consequences of the fall of man. Accepting the modern findings in evolution and regarding the Adam and Eve story as myth, Hick simply affirms that there never was an original sin. "The story of the fall does not describe genetically how our human situation came to be as it is, but analyses that situation as it has always been. . . . From his first emergence from the lower forms of life he has been in other than perfect fellowship with his Maker. We cannot speak of a radically better state that *was*; we must speak instead in hope of a radically better state which *will be*" (pp. 181-italics his). Hick accepts, then, the Irenaean-through-Schleiermacher tradition that man was always imperfect but capable of growth in God consciousness, that one could call this capability "original perfection" but Hick would rather not. He sees as the basic deficiency of the Augustinian tradition the lack of a personal dimension, i.e. that a personal God is creating a world for human persons, calling to them, loving them, helping them to come to eventual fellowship with Him. The Augustinian outlook tends

to regard the universe as a thing in which man is the highest "thing"; it regards evil as so many shadows which tend to bring out the light laying across God's "painting." It is anxious to discover balance and symmetry and for this reason emphasizes the final moral balancing in heaven and hell. Hick denies the eternity of hell but for the reason that God's purpose of having man "make his soul" seems largely unfulfilled on earth, Hick comes out strongly for the Catholic doctrine on Purgatory. There is no hell, but there definitely is purification beyond the grave.

Regarding human sufferings Hick is strongly opposed to the distinction between the *willing* and the *permitting* of them by God. That distinction does not make sense, says Hick, since God is omnipotent. It does make sense in men who are not strong enough to avoid evil effects in many of the good things they do; but God, obviously, *is* strong enough. Therefore we cannot say that He merely permits suffering, He wills it directly. He wills it as a means of strengthening men in their pilgrimage towards God.

Somewhat as a corollary to this, though not in the same stark terms, Hick calmly accepts God's responsibility for sin. God made man weak. It should come as no surprise to Him that His weak creation would sin. He criticizes the Augustinian conception of the "original perfection" of man as an attempt to get out of putting the responsibility for sin on God. If man had absolutely no tendency to sin, if he lived in God's presence, then how in the world *could* he have sinned? Sin would then be a creation *ex nihilo*; and Hick dismisses that as unrealistic. However, though weak, man is still free, still possessing a genuine though limited autonomy from God. Otherwise there could be no true love, trust, admiration of God by men, no true fellowship between God and man; and it is for this ultimate and eternal fellowship with Him that God created man.

In summing up Hick's position, then, we may say that it is personal rather than impersonal; eschatological, looking towards the future, rather than nostalgic, looking towards the past; "realistic," accepting God's responsibility for sin, rather than "naively idealistic." At the same time it recognizes the genuine freedom of man and especially the great good involved in the redemption of man by Christ.

Obviously, we have not tried to bring in everything of Hick's book, have not even tried to summarize it. The above represents an attempt at a fair presentation of his thought. We have skipped, for example, his treatment of St. Thomas, which is generally fair and accurate, as well as his treatment of modern Catholic thought, presented mostly through analysis of Charles Journet's *The Meaning of Evil*, which Hick criticizes sharply and somewhat contemptuously. It is the only sour note in the book. These elements are not the crucial issues. Hick's understanding of original sin, punishment, God's will, and the eternity of hell are.

I accept, first of all, the general observation that the Augustinian defense

of evil, deriving from neo-platonic elements, is too impersonal. Hick himself, citing Maritain, notes, however, that Aquinas does relate an essentially aesthetic vision of the universe to redemption and in that way "personalizes " the problem (p. 103). Thomas writes: " The justification of the ungodly, which terminates at the eternal good of a share in the Godhead, is greater than the creation of heaven and earth, which terminates at the good of a mutable nature" (S. T. 1-2, q. 113, a. 9). Also at the beginning of his tract on the Incarnation he notes that " God allows evils to happen in order to bring a great good therefrom; hence it is written, ' Where sin abounded grace did more abound.' Hence, too, in the blessing of the paschal candle we say, 'O happy fault that merited such and so great a Redeemer'" (3; q. 1, a. 3, ad 3). Hick does not gloss over these texts. But I think he is right in claiming that the Augustinian and Thomistic presentation does depend perhaps too much on the view of an " impersonal " universe, with occasional corrections of that view in texts such as these just cited.

Again, Hick is right in presenting the Augustinian conception of the perfection of Adam and the terrible calamity of the fall as the traditional explanation of the evils in the world. But recent Catholic scriptural scholarship has commented extensively on this tradition. If Hick had been familiar with Dubarle's *The Biblical Doctrine of Original Sin*, first published in French in 1958, or with many other books and articles that have appeared in Catholic journals during the fifties, he never would have said that the ancient myth of the origin of evil in the fall of man is still regarded by us as giving hard historical data (cf. p. 282). The Council of Trent deliberately passed over a doctrinal draft in which Adam's gifts were described in the classical way to affirm simply that the first man lost "the holiness and righteousness in which he had been constituted." The present situation of Catholic thought on the matter of original sin, evolution, and all the problems raised by modern science, is not absolutely fixed. Paul VI received wide publicity in his recent statement on these things, but it was meant as warning against too easily accepting whatever one finds in the conclusions of modern thinkers; it was not meant to shut all the doors on responsible theological investigation.

The weakness of the Irenaeus-Schleiermacher-Hick synthesis lies in Hick's objection to his own thesis. In his view God seems to have allowed evil to come into the world as a kind of small domestic animal. But then it got out of control. The sadistic cruelty, the deliberate destruction of personality, the crushing of human beings, the mass murders of the concentration camps-is God responsible for these? Hick's answer is ambiguous. On one page he emphatically says no, on another he says it is wrong to exonerate God from all responsibility for sin. Hick never answers this contradiction. When he treats of the excessive evils in the world he uses,

for the first time, the expression "mystery." Apparently these are the only things that stump him; all the rest are severely under Hick's rational control. He fails to see that the whole business is a mystery; that if the small domestic animal is going to grow into a ravenous beast then the small domestic animal is a mystery. He cites very early in his book the famous distinction between problem and mystery made by Gabriel Marcel. But he distinguishes evil in the sufferer (to whom it is a mystery) and in the onlooker, to whom it is a problem (p. 10). In the sufferer, then, suffering is an experienced mystery which must be faced. "But it does not at all follow from this that the intellectual problem of evil is a false or an unreal problem, or that our obligation to grapple with it is in any degree lessened" (p. 10). Marcel would probably answer that it is simply impossible to treat it as a *problem*. If suffering is in the one suffering it is also in the one watching. Can one watch another suffer without being profoundly touched, without being "mystified" in some way?

The small domestic animal is a mystery. The absolute goodness of God is a mystery. And it seems better to state the mystery from the beginning, as the author of Genesis does in symbolic terms, which the Augustinian tradition follows. This does not mean that we must subscribe to all of the Augustinian tradition about the fall of man. Trent did not accept the view that the first man had fantastic powers of perception. Adam—whether one or many—was probably very primitive, but as C. S. Lewis suggests in his *Problem of Pain*—a book Hick recognizes as "an eloquent presentation of the traditional concept"—the fact of primitiveness does not exclude holiness. A child before possessing any knowledge of technology whatsoever can still experience a genuine sense of the presence of God and can achieve a deep degree of prayer and holiness. Adam could have been like that, shaggy, if you will, but still holy and marvelously close to God. And nowhere in the Augustinian tradition is the claim that the first man was *beatified*, which Hick seems to imply, for that surely would make sin impossible. He was holy, close to God; but he was free. The mystery of sin begins there. But as Dubarle suggests, the "original sin" episode in Genesis does not end with the sin in the Garden, it goes on to the murder of Abel by Cain, the growing sensuality and violence before the flood, and the universal pride at the tower of Babel. One must bring *all* these incidents in to have the full explanation of the origin of evil as presented in Genesis. Sin began as the small domestic animal but its destructive seed flowered darkly into universal division and discord. But it did *begin*. It seems a weakness for Hick to say that there was no beginning to sin, no original sin, that mankind was always the way it is. That is more difficult to accept than the "sin *ex nihilo*" theory he ascribes to the Augustinian tradition.

It is, however, precisely to re-examine this problem that Maritain has written his little book *God and the Permission of Evil*. He immediately

places a triple distinction in God's activity which may be helpful. God may *will*, or *permit*, or *admit*. The *willing* touches the being and goodness in creation, the *permitting* touches moral evil, the *admitting* touches the evil of nature. In creating a tree, for example, He wills its existence, growth, productivity while at the same time willing indirectly, or admitting, the losses and evils which come to the tree. He directly wills the tree and He directly wills the laws which cover the tree, generation, corruption etc. But the life, which participates in and shows forth God's life, and which is constantly being renewed in succeeding generations of trees, is the important element. Death is necessary for the constant re-appearance of *new* life, a new life which suggests, in some ways, God's eternal newness. God does not, then, will the life of the tree in the same way that He wills its death; the first He wills directly, the second indirectly. "I am the God of the living." This distinction does not hold for moral evil. He *permits* that. As Maritain says, "Of course, to *permit* is something voluntary and free; it is not to will to prevent. But to say that for certain reasons I *permit* or do not will to prevent a thing I abhor, is not at all to say *I will this thing* even the least bit; it is not at all to say that *I will this thing permissively*" (p. 1, n. italics his).

And so from the beginning Maritain takes a strong stand against Hick's position on the responsibility of God for sin. *Deus nullo modo est causa peccati, neque directe, neque indirecte*. The sentence from Aquinas is one hinge of Maritain's book. The second hinge is this other sentence from the same source: *Defectus gratiae prima causa est ex nobis*. These two propositions, that God is completely innocent of causing sin, and that the first cause of sin is man, are accepted by every Catholic. The difficulty, of course, is in understanding them, or rather in gaining some true light about them.

Maritain criticizes some Thomists of the 16th and 17th centuries for over-reacting to Molinism, and for not seeing what he calls the principle "which is like a beacon illuminating the whole debate: *this is the principle of the dissymmetry, the fundamental, irreducible dissymmetry, between the line of good and the line of evil*" (p. 9, italics his). What we say of the causality of God in the line of good we cannot say in the line of evil, and it is Maritain's contention that many Thomists, though not all, have treated evil as though it were in the line of good, and this error has reached into their explanations concerning God's permission of evil, and divine predestination.

Hick comments that both the Augustinian and the Calvinistic doctrine on predestination are the back doors through which the traditional innocence of God regarding sin becomes God's responsibility for sin. In other words, a sinner may be responsible for his own sin, God having not a hand in it, but long before that man had committed his sin he had been picked for hell

(in the Calvinist "positive reprobation" doctrine) or at least not included among the saved (in the "negative reprobation" Thomistic refinement of the Augustinian teaching). In the Calvinist doctrine, Hick says, "we cannot be content to believe that God loves and accepts *us* unless we are assured that He hates and rejects someone else. The feeling that there *must* be this contrast appears in Calvin's thinking: 'election itself,' he says, 'could not stand except as set over against reprobation.'" Hick goes on. "But why not? Why could not God, if He wishes, elect *all* to salvation?" (p. 132, italics his). Maritain feels the same way. "'I choose all,' said the little Therese of Lisieux. Cannot God do the same?" (p. 104). Though perhaps Hick would wince at the technical language used by Maritain to make his point, he would nevertheless agree in substance with the conclusions.

Maritain writes: "By His antecedent will God *chooses them all* (conditionally); by His antecedent will they are, with a total gratuitousness, *all chosen* (conditionally, since to be conditioned or uncircumstanced is the proper characteristic of the antecedent will)" (p. 104, italics his). Maritain goes on to show that God still has preferential choices and loves which are his own reason, but these have to do with a privileged group within the elect. But "the great mass of the general run of the elect" God deals with according to the normal course which befits fallible liberties. "Each has been conditionally chosen, by the antecedent will; each is loved specially for itself, with that love which wills that all be saved if the creature does not obtrude any obstacle by its own initiative of nothingness" (p. 105).

Hick objects to the sin "ex nihilo" theory of the Augustinian tradition. But it is precisely this that Maritain defends, not only for the original sin but for every sin. Man in "not considering the rule" *nihilates*. This negation "flowers" into the privation which is at the heart of every sin. "Without me," said Our Lord, "you can do nothing." Maritain shows how that 'nothing' can mean not only "not anything," but more mysteriously, the *nothingness* which is the beginning of every sin. Without God man can sin.

It is impossible to reproduce here the arguments proposed by Maritain establishing the *consequent* permissive decree of God (instead of the more traditional doctrine of an *antecedent* decree); impossible also to show how, while disagreeing with many Thomists, he still remains solidly in the Thomistic tradition. His arguments are cogent and convincing. They have, indeed, shed much light on that most difficult of all subjects, predestination. And they open the way for dialogue with men like Hick who simply cannot accept that God is all good while at the same time choosing only *some* men for salvation. Hick, of course, goes much further than Maritain, or any Catholic thinker, in holding for the actual salvation of all. But in any case the real value of Maritain's book, in the context of this dialogue, is



to show us how God can *permit* sin without *willing* it, and how man can take the initiative in the line of evil. The book also contains a partial explanation for a principle taken from St. Thomas which Hick cannot understand, i. e. what can fail, will fail. Maritain holds with Thomas that every creature is naturally fallible; " God can no more make a creature, angel or man, *naturally impeccable* than He can make a square circle" (p. 37, italics his). But the certainty of his failing is taken rather from the *coUective*. " That in a town of bilious persons a fight break out at some moment or other between some two individuals-this is inevitable, necessary, certain. That such a fight break out at this or that moment between these two particular individuals is neither inevitable nor necessary nor certain " (p. 95).

Raymond Nogar's *The Lord of the Absurd* is something of a personal diary or metaphysical journal written out of the experience gained from the many lectures he gave on the subject of evolution. As he was thinking and talking about evolution his own mind was evolving towards different emphases and attitudes. The book records the evolution of some of these attitudes. He has gone from the " picture people " over to the " drama people"; has seen the necessity of letting the dust of one's theological, philosophical, or scientific presuppositions settle before entering into true dialogue with others; has noticed the nuisance of the " falling inflection " and of " flying the flag " ; has rejected the " package deal " ; has developed a " philosophy of waste " ; has seen the terror of history; has tasted the truth of a piece of pumpernickle; has pondered the world of Teilhard de Chardin; has been affected by the sincerity of some atheists; and has met the Lord of the Absurd.

It all adds up to a very fascinating, courageous book. The picture people are those who see the world as static, completed, and who tend in their own lives to be the same way. The drama people have their eye out for the dynamic, the incomplete, the epigenic, and their lives, too, reflect their values. Nogar in his many lectures gradually understood that more and more of his audience were drama people, that the day of the impersonal world-views is doomed; and he gradually felt himself drawn into this drama. His studies in evolution itself prepared him, but the lectures, the drama of the lectures, his deep involvement in seeking the truth in the give and take of dialogue and debate, became to him an exhilarating and a necessary way of life.

At one lecture he was presented with the following: "Well, sir, you seem to be in the unenviable position of having to affirm the evolution of the whole man on the one hand because science demands it, and having to affirm the transcendence (and therefore non-evolution) of the soul just because your Church tells you to. We scientists do not have to play such games; we just affirm evolution and deny the soul. It's simple and honest

## BOOK REVIEWS

that way." Nogar reflects on that statement. He shows how the student was really "flying a flag," the flag of science with all its presuppositions; and of course the answer for Nogar was not to fly his flag of theology with its presuppositions. The answer was to engage in some kind of honest dialogue. This the student seemed incapable of doing, but later, after the lecture, he did. Nogar pointed out to him that not all science had solved the problem of the matter-spirit complex, that a sampling of articles in recent issues of the British neurological journal, *Brain*, would reveal that the mind-body problems was still very much disputed. However, the real power of Nogar's reflection falls back on the theologian. He much more than the scientist is a "flag-flyer." Nogar can number on one hand the philosophers and theologians he knows who are really concerned about the factual evidence for evolution. They are still too preoccupied with wanting to fly a family flag. And that is a tragedy.

It is the same with the "package deal." Nogar's particular problem is with Thomism. When it is-and it has been-presented to him as a *package deal*, as something he must accept as a total system, he simply cannot accept it. Not any more. Too much has happened, too much new knowledge has been discovered. Not just scientific knowledge, but philosophical insights from men as far from Thomism as Jean Paul Sartre. Nogar would simply declare that the truth is where you find it, no matter where you find it. St. Thomas has given him some great insights, and for these he shall be forever grateful. But he must keep his mind open to other insights, and especially to the insight of the universe as a space-time entity. "For him (Aristotle), as for all the Greek philosophers, and all the medieval systems which were based upon the Greek insight, time remained incidental to the ultimate explanation of existence " (p. 88). But time and history are not incidental.

Nogar takes us through a brief survey of the myth of eternal return which has been replaced in some areas of modern thought by the myth of the shifting sands. Neither of these myths can take the terror out of history, whether it be world history or one's personal history. "History is the unique occasion, the stage, as it were, on which each individual enters fully into the drama of *salvation history* and works out his role in the divine plan. In this view, a transcendent orientation safeguards freedom and personal creativity against the tyranny of the few. Yet each man must freely, creatively and personally work out his salvation through the contingent circumstances of his own daily existence. The infinite distance which separates this view from both the myth of the eternal return and the myth of the shifting sands is that whereas they attempt to remove the terror of history by an act of rationalization, Judaeo-Christian theology of history arises from, and ever depends on, an act of supernatural faith " (p. 90).

The indifference of the established religions to history, to all the enormities of history, and their preoccupation with the transcendent and eternal has brought many men to atheism. If God is above all this, if God does not dirty His hands in the sordid events of our times, if God does not care much for the masses, the enslaved, the exploited-and those who were witnesses to God were assuming that attitude-then simply enough God didn't exist. Max Scheler breathed a sigh of relief when he discovered that there was no God. He was chained no longer by an intolerable oppression. Thus, as Nogar says, "it is a bolt of atheistic lightning which has cleared the air today" (p. . . .). That bolt has forced the God-people to re-examine their beliefs about God and to re-examine their witness. God is in history. And if history sometimes seems absurd then a Lord of the Absurd must be found. The Christian finds Him on the Cross.

But it is not enough to find, one must witness. Nogar cites Vatican II's document on the Church in the modern world as a tentative statement of the witness asked of Roman Catholics. Translating that and his own experience into personal terms he sees not so much the need today for a demonstration of God's existence as a demonstration of His personal presence among us. "Those who think they have to establish an *ordo universi*, a great chain of causes, to introduce God to twentieth-century atheists, have not grasped the kind of unbelief into which we have become trapped. We are *drama* people, not *picture* people" (p. 138 italics his). Nogar at this point would agree deeply with John Hick's re-interpretation of the problem of evil in terms of a more personalistic theodicy. Indeed, Hick's book is written by and for *drama* people not *pictu, re* people. The explanation of the evil in the world in terms of shadows in a painting is precisely a picture explanation; the other view, that the evils are environment for the painful process of "soul-making," is a drama-explanation.

There is an interesting confirmation in Nogar's book of a statement made by Hick which I first questioned but now, after reading Nogar, accept. Hick says that some people present the "problem of goodness" as an answer to the problem of evil. Fosdick, for example, is quoted early in the book: "What to do about all the world's goodness on the basis of no God? . . . How can we . . . explain them as the casual accidental by-products of physical forces, going it blind? I think it cannot be done" (p. 11). Hick disagrees. The atheist, he says, is not obliged to explain the world at all. He can simply accept it at its face value as an enormously complex natural fact. Nogar tells of a conversation with Professor George G. Simpson of Harvard, one of the great men in evolutionary theories. "If order," Nogar argues in Simpson's presence, "is such a sign and symbol of intelligent direction . . . and if there is an indisputable evolutionary dynamic order which prevails throughout the universe, how can a man escape the existence of an orderer . . . ?" (p. . . . Simpson's reply is that the world, m he sees

it, is "self-sufficient, independent, self-contained in its materials, agents, and laws. For all we know, so the universe has always been, and so it will always be. By this only honest logical method I know, apart from cultural customs and emotional inclination, which may at times tourh us, your God who orders and governs and provides and designs is just not necessary" (*ibid.*). This was perfect exemplication of Hick's remark that the atheist can accept the world at face value as an enormously complex natural fact.

Nogar accepts, then, the inconclusiveness to the modern mind of the proof from order. From then on he thinks of other ways. His insight gradually comes. "From a picture of order alone, *there is no sense of the dependance in being*. The question is not: Why this order, or why that order? The real question is; Why not nothing? It is only from the awarress of contingency, the 'queasy' feeling that your existence is leaning hard on nothing, balanced on the precipice of non-being, that calls into question your self-sufficiency" (p. 78 italics his). Nogar also points up the fact of disorder, waste, and chance in evolution. If successful novelty of species is the theme of pre-history, failure and extinction is the counter theme. Even that great optimist, Teilhard de Chardin, at the end of his famous book, *The Phenomenon of Man*, meditating on the millions of species that have been lost in the long evolutionary process, remarks that such a way looked to him very much like the way of the cross. One must develop a philosophy of waste, observes Nogar. But what comes from his book is not so much a philosophy as a theology of waste, a theology of the way of the cross.

Sister Sylvia Mary's book, *Nostalgia for Paradise* is really an exploration of the treasures hidden in the myths and symbols of ancient cultures. She writes, as does Hick, Maritain and Nogar, from an explicit Christian belief. Her hope is that what is good in the ancient religions and cults can somehow be brought together as evidence of the presence of the true God and as prophetic of Christ. Hick says succinctly that his book was not written "to demonstrate that Christianity is true, but that the fact of evil does not show it to be false" (p. x). Sister's apologetic is somewhat different. She shows that elements in the ancient myths—a god becoming incarnate, for example, or rising from the dead—should not be construed to mean that Christianity is therefore false, but rather the perfect fulfillment of *all* history. I suppose it is Nogar's thesis put in reverse. He insists that God is present in secular history today, even when that history is absurd. Sister backs up all the way to pre-history or at least to the earliest recording of history in the legends and the myths to find her Lord of the Absurd.

Her concentration, as her title would suggest, is on the element of nostalgia for the perfect place and the perfect time and the perfect person, the yearning for paradise that existed in the minds and hearts

of the most primitive peoples. " The memory of a 'lost paradise ' has never ceased to haunt the minds of men, arousing in them a mysterious nostalgia, a longing for some perfection, some happiness, freedom and complete sense of well-being of which it feels itself to have been deprived. Throughout mythology and folklore, expressed in a vast variety of ways, this longing has persisted. . . . The Greeks and Romans looked back to a Golden Age which would return once more. The Aztecs of Mexico believed that all their misfortunes were due to the fact that one of their gods had left them, but were also convinced that one day he would return . . ." (p. 13). And so with the Hindus, the Andaman Islanders, the primitive tribes in the Malay peninsula, the Hottentots, the Puri Indians, the Eskimos, the Celts. About these Sister remarks that their idea of Paradise was more spiritual than most others having in it a great desire for union with the divine. " The Irish Elysium was either beyond the seas or under the water, and often it was thought of as revealing itself suddenly on this earth as through a mist: a very Celtic strain " (p. 15).

Together with this nostalgia the myths and legends also reveal an element in, the heart of man that is perverse. Sister cites Mircea Eliade-whose studies she gratefully acknowledges as her chief source-to the effect that history shows man to have " a deeply rooted repugnance to abandoning himself totally to sacred experience as clearly as it shows his powerlessness to resign that experience wholly" (p. 120). The transcendent reality of the sacred both attracts and repels; it calls out to man but at the same time it terrifies him. And out of the terror comes resistance, comes sin, comes evil.

" The primitive myth of a dreamlike age of the beginning when there was neither death nor birth, but which was brought to an end when a murder was committed is widely known in the jungle villages of the equatorial zone, extending from Africa, through India to South East Asia, Oceania and Brazil" (p. 52). From Babylonia, we learn from Campbell's *The Masks of the Gods*, there gradually arose a progressive, temporally-orientated mythology " of a creation once for all, at the beginning of time, a subsequent fall, and a work of restoration still in progress" (cited p. 53).

One would think that these various myths would tend to underline the basic truth of the Augustinian tradition in explaining the origin of evil. If the myths contain a nostalgia for a lost paradise, why then, there must have been a lost paradise in the dim beginnings of the human race? Sister neither affirms nor denies. She leaves us with a question. After analysing the Genesis story of the fall, and especially pointing up Adam's reaction to the sound of God's voice in the Garden after the fall-" I heard the sound of thy voice in the garden, and I was afraid "-as a vivid description of the realized presence of God from which man draws back in alarm, she asks: "Is that nostalgia which appears to lie in the heart of the human race a

nostalgia for a lost paradise in which it once lived and which lies, as it were, buried in the vast subconscious of humanity? Or, on the other hand, is it a 'nostalgia' for that union with the living God from which Adam turned away? Is it a dim response and yearning aroused by the hidden, magnetic love of God, who never ceases to whisper to each soul 'Where art thou?', and is forever drawing us to Himself in love?" (p. She does not answer that second question but rather suggests that it may be so. Again, on page 166, she writes: "There is a 'nostalgia for Paradise' in every culture, a sense of incompleteness and need which surely arises *either* from the fact of a 'lost Paradise,' a 'nostalgia' in the collective subconscious of our race for a condition which it once enjoyed but which it has now lost, *or* which is simply the response of the depths of the soul of man to the magnetic yearning love of God" (italics hers). She cites Eliade as definitely favoring the historical state before the Fall (p. 119). She seems to favor the response to God's love and the desire for future union with Him. It would seem, then, that while the myths lend more credence to the "nostalgic" explanation of paradise, they do not rule out the eschatological.

Catholic teaching can be understood not as an either-or but as both. It is almost inconceivable that there never was a first serious sin, that there never was a time when man turned his back on God and decided to go it alone. And if that is true then there was a time when man did walk in innocence. The innocence, as we have said, is compatible with primitive conditions; the paradise was rather more interior than exterior, a consciousness of God's presence. But after the sin God certainly called to man by a thousand voices, the echo of which is heard in the myths. "God, who at sundry times and in divers manners spoke in times past to the fathers by the prophets, last of all in these days has spoken to us by his Son" (Heb. 1:1). The immediate sense of that text cannot be disputed; it has nothing to do with myths. Still, Sister points out the vaster possibilities. God spoke through the prophets, but before that, God spoke at sundry times in divers manners through the myths. That is her contention, and I think she is right.

To set down some general criticism of these four works, I believe Hick's book is somewhat too rational; Maritain's too technical; Nagar's, too much in reaction to "tribal" Thomism; and Sister's, too naively credulous. The hidden premise of John Hick's book is that the ultimate court of appeals for the doctrines of faith is human reason. The book is almost a reduction of the faith to reason, for if you ask him why he disagrees, for example, with certain elements in the Augustinian tradition, i.e. would say they are not rational. It is not rational, in the light of recent discoveries in paleontology, to hold for an original sin; it is not rational to hold for an eternity of hell. But then, it is not rational to hold that God became man, or that He was crucified for us, that He died, that He rose again. In the

matter of hell, the Catholic Church has never taught that this or that man was damned; she *has* taught that this or that man was saved. God has not given to the Church the infallible vision of a particular man in hell. He has, of course, given the fact of hell. So my soul is in the state of *hope*. And I think I have to leave the matter there. I do not understand God; I do not understand sin. I do not understand the fantastic goodness of God; it is beyond my reason. But so is sin. And so is eternal punishment. I am a creature, I am a sinner hoping that I shall one day receive God's mercy, that all men will. But in the meantime I am not bold enough to make my reason the measure of God's intelligence.

I fear that will sound like cant to John Hick. I hope not, because I have derived immense profit from his book. Would that we Thomists would drop our technicalities and present the truth in the way Hick has. "Thomism," wrote Paul VI, "has suffered the inconvenience of scholastic formalism." Jacques Maritain has devoted his life to the presentation of the Thomistic insight to the modern mind, and I have copied out whole passages from his works that sing with new beauty, passages which have proven to me both that St. Thomas does have something important to say, and that it can be said newly, in burning prose that sets the whole heart on fire for God. But the book before us is rather technical for general reading. Actually it is an edited tape of three seminars Maritain held for the Little Brothers of Jesus, students in theology. The fact, too, that in it he answers some of the objections put to him by another theologian in the *Revue Thomiste* adds to its intra-mural, technical quality. But for all that, it is still a stirring statement.

Raymond Nogar has written a courageous book. He is an American Dominican, the first, I think, to dissent publicly from our cautious, sceptical attitude towards new thought. We must give up the package deal, and settle down to responsible scholarship that investigates without bias the things that are being proposed today. I agree with that, though I also think we *have* turned a corner; and there is a danger that in the turning we shall forget the street we came from. Nogar says St. Thomas has given him insights. But when reading Nogar's earlier book, *The Wisdom of Evolution*, I thought then that the method, the careful acceptance of the facts, and the wonderful optimism throughout, were directly in the spirit of St. Thomas. In his earlier book he composed a kind of *Summa*; in this one he has written a series of *Questiones Disputatae* that have arisen from his former statement about evolution. But both show he has received more than an occasional insight from St. Thomas. This is also true of the old heroes of the 1930's he now rejects, perhaps less so. But it seems an over-reaction to dismiss Chesterton as tiresome, Belloc as bigoted, Dawson as dated and pedantic, and so on. A man ought to keep his pieties, especially when they are still so operative in him. Would Nogar be offended if I

should say that his book shows the Chestertonian love for debate and laughter, and especially the love of *life*? Or that Adler's precise and logical prose is there? I don't think so. Nogar is very much standing on the shoulders of these men, and with their help he is able now to criticise them.

Although I accept Sister Sylvia Mary's main point, that God was and is present among primitive peoples and that His voice can be discerned in their legends and myths, she has overstated it for my tastes. Her method reminds one of that kind of exegesis of Scriptures practiced by devout and holy people, and even by some of the Fathers of the Church. Every word, even the number of letters in the word, have special mystical meaning. So Sister tends to over-exegete the myths. Secondly, her inclusion of analyses of Christian documents, legends in the Middle Ages, or St. Catherine of Genoa's revelations about purgatory, for example, gives the book an anomalous character and weakens the main thesis. Still, as an introduction to this kind of literature, as bait for more serious study of the Greek mysteries, the Orphic cults, the Hindu and Buddhist doctrines, and so on, the book would serve very well.

It might also serve to give leads into the influences behind some contemporary thought. This quotation from Goullart's *The Monastery of Jade Mountain* about Taoism suggests, does it not, a strong influence for Teilhard de Chardin? "Existence is visualized by them as a glorious, ever-ascending spiral of evolution. The whole universe, they teach, is a marvelous, vibrant Unity wherein everything, visible and invisible, pulses with life and consciousness. As consciousness develops through the experience of existence, its vessels-men and other sentient beings-are swept onwards and upwards by the mighty stream of the eternal Tao to higher forms of expressions and activity. Man does not die; he merely extends to new fields of consciousness. Nothing is lost and nothing is dead in this divine economy, and no being is left in unhappiness and suffering forever by the Infinite Love" (cited, p. 194).

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