

THE "RHYTHM"  
IN MARRIAGE  
AND  
CHRISTIAN MORALITY

*Including a discussion of  
practical cases in married life*

BY  
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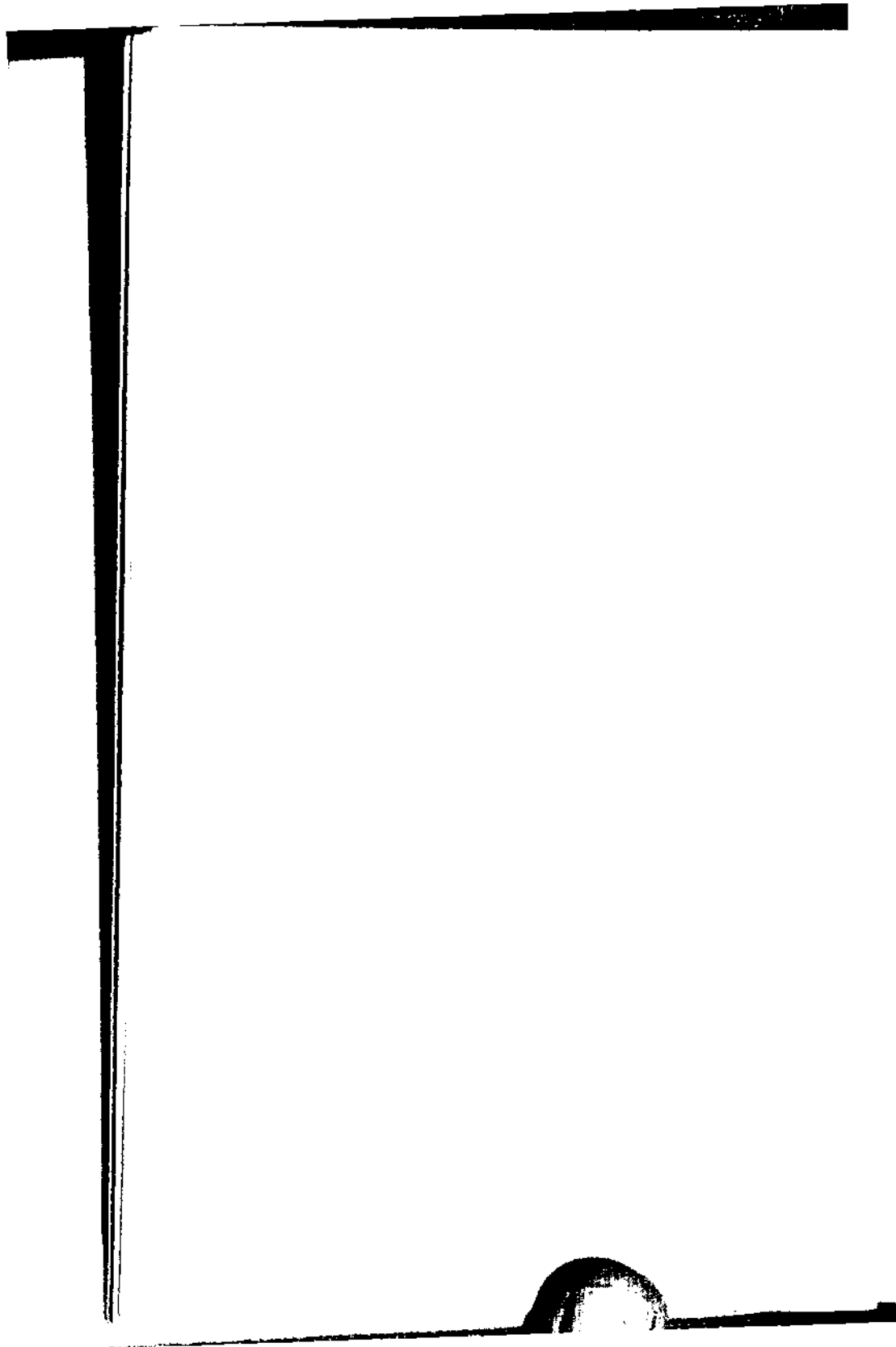
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Ut Ecclesia Christi  
Civitas Regis Magni  
Sit Gratia Plena,  
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## PREFACE

The unnatural practice known as birth-control is working havoc in the United States. If it continues at its present rate, the American people will not long survive. Unfortunately, most Americans are indifferent to the harmful effects of this loathsome vice. Indeed, the only organized attack on the crime of contraception is that which is being made by the Catholic Church.

In addition to the many positive methods of frustrating nature, classified under the general term *contraception*, there is a way of limiting conceptions whereby married persons restrict the use of their conjugal rights to the sterile period of the month. Modern medical science is able to determine this period with considerable accuracy. This system is known as the "Rhythm," or more technically as the "method of periodic continence."

Unfortunately, the idea is quite common that the use of "Rhythm" is acknowledged by the Catholic Church as something perfectly legitimate under all circumstances. In fact, the practice of periodic continence for the purpose of avoiding conception is sometimes called "the Catholic birth-control method." The purpose of the present study, which first appeared as a dissertation for the degree of Doctor of Sacred Theology at the Catholic University of America, is to rectify this notion and to point out just what is permitted and what is forbidden in the use of "Rhythm," according to Catholic moral principles. The conclusions reached by the author are the fruit of a thorough and unbiased study of all aspects of the question, and are supported by sound and logical arguments. The decrees of the Holy See relative to the subject are quoted and explained in detail. It is worthy of note that subsequently to the appearance of this thesis, corroboration was given to one of its basic themes by a decision of the Holy Office declaring that the primary purpose of marriage is the procreation and the upbringing of children.

Priests and doctors will discover in this work helpful information for those who seek their professional advice in reference to family limitation. It is hoped, too, that many married couples will avail themselves of this scholarly treatment of a problem that frequently arises in domestic life at the present time. From it they will learn, on the one hand, that there is no Catholic ethical principle to the effect that a married couple must

have as many children as is physically possible. On the other hand they will learn that in entering the married state they committed themselves to a very noble task for the welfare of the human race—and that apart from grave reasons, it is sinful to adapt their conjugal life to the avoidance of this task—the task of collaborating with God Himself in bringing into the world human beings destined to be citizens of Christ's eternal kingdom.

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## INTRODUCTION

The discovery of the Ogino-Knaus theory has created a very unique and important moral problem. Considering the many advantages of such a method of fertility control, many leaders among both the laity and the clergy have not hesitated to hail this new discovery as a providential solution to many of the evils—domestic, moral, social, economic—of our spiritually impoverished 20th century. For the theologian, however, attention should be centered primarily on the question of how any scientific discovery in its application and divulgence, squares with the “pure law of Christ.” In the words of the great Pius XI:

... it is necessary, first of all, that men's minds be illuminated with the true doctrine of Christ regarding it (i. e. marriage); and secondly that Christian spouses, the weakness of their wills strengthened by the internal grace of God, shape all their ways of thinking and of acting in conformity with that pure law of Christ so as to obtain true peace and happiness for themselves and for their families.<sup>1</sup>

To that end, it is necessary to suppress all enthusiasm over the “safe period” method until we have investigated calmly and thoroughly whether or not the application of such a method in itself involves any culpable opposition to the laws which God has established for the married state. We must “shape all our ways of thinking and acting” in regard to this new discovery in conformity with the conclusion of such an investigation.

Since the publication of this discovery about twelve years ago, several outstanding theologians have expressed and defended the opinion that the application of this “safe period” method in marital life is objectively unlawful—lawful in a particular case only if there is an objectively sufficient reason for not having children, it is “per se illicitum, per accidens autem licitum.” Such an opinion coincides with the general feeling of the fervent faithful who sense that there is

<sup>1</sup> Papal encyclical, “Casti Connubii” (Dec. 31, 1930), of *Acta Apostolicae Sedis*, XXII (1930), 539-592. Above translation taken from *Four Great Encyclicals*, New York: Paulist Press, p. 73.

"something wrong" about any practice in marital life which is designed to exclude the procreation of children. Although the majority of contemporary theologians seem to hold that the application of the "safe period" method is objectively indifferent from a moral viewpoint, the above opinion should not be discarded without having received serious and thorough consideration. If such an opinion is judged unacceptable by some, the arguments upon which it rests might at least be of some value in prompting those who hold the opposite opinion to be more prudent and cautious in dealing with the delicate question of "voluntary sterility."

Since the Holy See has indicated no approval or disapproval of the practice of the "safe period" as such, it is highly desirable and advantageous to discuss the practice carefully from all possible angles before deciding on our own personal attitude toward this modern, moral problem. During the past decade, the arguments of those who hold the opposite opinion have been presented and discussed widely in numerous articles and treatises. This study represents a humble attempt to bring the arguments of the minority opinion back into the active discussion of the "rhythm" question. The two-sided discussion of the moral aspects of the Ogino-Knaus discovery is bound to lead to a more thorough understanding of a very real and increasingly serious moral problem.

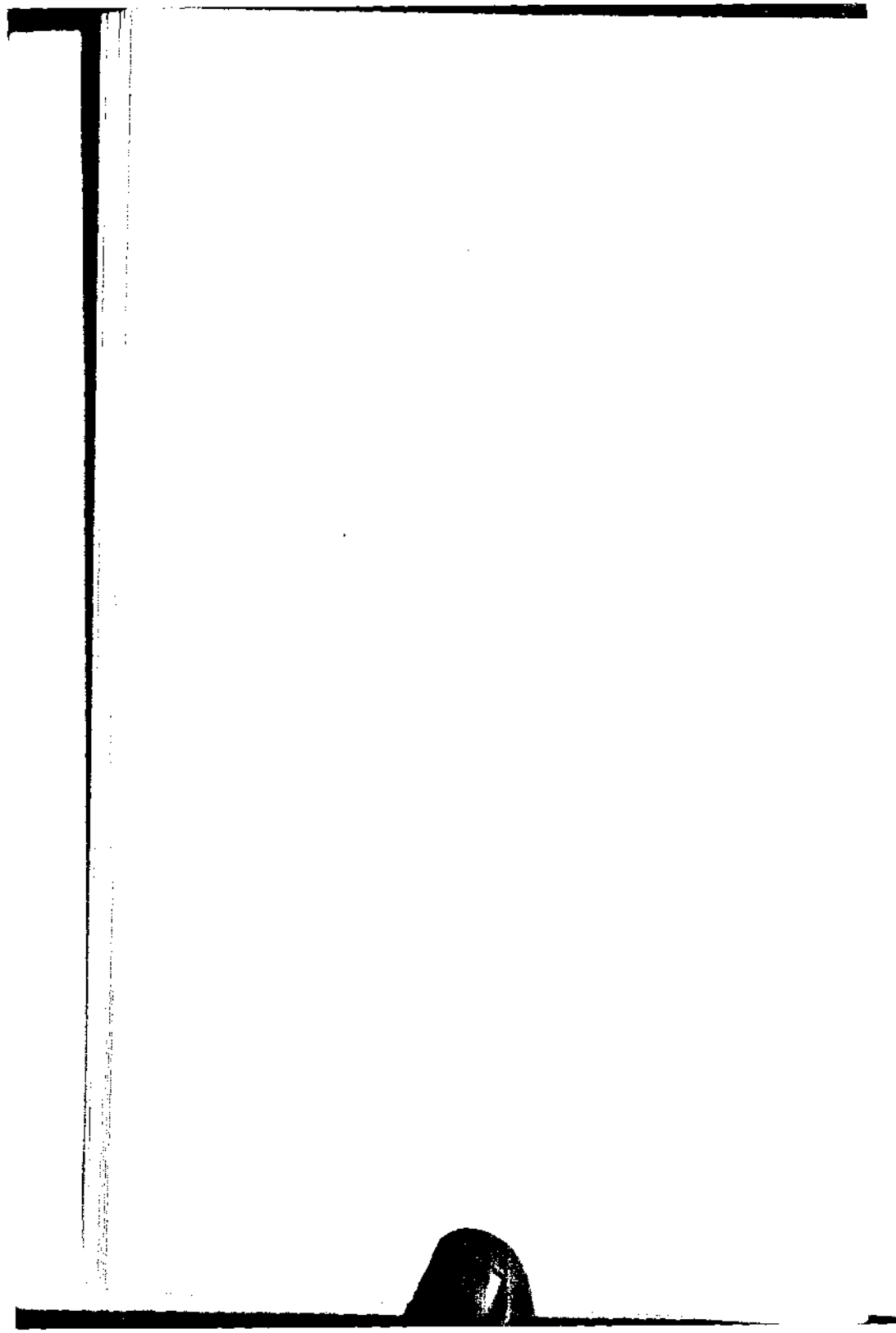
Our study is divided into two parts: a moral and a pastoral section. Chapter I is devoted to a brief presentation of theological and biological concepts which are essential to a complete understanding of the moral problem involved. Chapters II, III and IV of the moral section are devoted to a study of the objective morality of the practice of the "safe period" method; chapters V and VI present a discussion of the morality of such a practice in individual cases. In the pastoral section, chapter VII is designed to induce pastors of souls to adopt a prudent and cautious attitude regarding this practice; chapter VIII consists of practical suggestions and conclusions.

The author wishes to express his gratitude to his bishop the Most Reverend Paul Peter Rhode, D. D., Bishop of the Diocese of Green Bay, Wisconsin, for the opportunity of spending the past few years in the study of Sacred Theology at the Catholic University of America, and to the chancellor of the diocese, the Reverend Delbert

Basche for his kindness in arranging the many details incidental to a struggle for the degree of Doctor in Sacred Theology. Special acknowledgement is due to the generous and patient guiding light in this scholastic undertaking, the Reverend Francis J. Connell, C.S.S.R., as well as to the other condescending readers, the Reverend Raphael M. Huber O.F.M. Conv., and the Reverend Joseph B. Collins S.S.,—all members of the teaching staff of the Catholic University's Faculty of Theology. Thanks are due also to Dr. John Cavanaugh, M.D., professor of pastoral medicine at the Catholic University of America, who examined the manuscript for errors and discrepancies in the biological and medical field. May the finished product justify the assistance and attention of these and many other collaborators who contributed arguments, objections, statistics or merely their interest toward the development of this study.

The very nature of the subject under discussion necessitates the use of certain terms and concepts which ordinarily might scandalize the average reader. Recourse to Mary Most Pure must be the antidote for any danger which may accompany the perusal of these pages, and it will suffice for anyone who reads with a view to becoming better equipped in the noble art of leading precious, human souls on to salvation.





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## THE "RHYTHM" IN MARRIAGE, AND CHRISTIAN MORALITY

### CHAPTER I

#### PRELIMINARY NOTIONS

##### CO-RELATION OF TERMS: "PERIODIC CONTINENCE," THE "RHYTHM"

As a theological concept, continence is that part of the cardinal virtue of temperance which is concerned with the resisting of irregular and immoderate sexual desires and impulses. Like the virtue of chastity, continence is concerned exclusively with sex; but whereas chastity undertakes the most difficult task, that of moderating and restraining desires and longings for sexual pleasure in their very source ("in appetitu concupiscibili"), continence is entrusted with the important but less difficult task of keeping the will firm in resisting the force of sexual impulses and desires which may arise despite the vigilance of chastity. Since it is more perfect to prevent such irregular impulses from arising in the sensible appetite itself than to resist such impulses once they have risen, continence is compared to chastity as the imperfect is compared to the perfect.<sup>1</sup>

For the purposes of our study, we might make a distinction between permanent continence (i. e., abstinence from all sexual pleasure forever), and temporary continence. Temporary continence may be conceived as either occasional (e. g. during Lent, during periods of sickness, etc.) or periodic continence, i. e., abstinence from sexual pleasure at fairly regular, recurrent intervals. Periodic continence may be either indiscriminate or discriminate depending on whether such recurrent periods of sexual abstinence are observed irrespective of the possibility of conception during those periods, or whether abstinence from sexual pleasure is observed exclusively during certain periods precisely because such periods are considered to be sterile or fertile for the woman. We are not concerned here with the practice of abstinence from marital union during periodic, sterile periods, but only with the systematic practice of abstaining from sexual pleasure only during fertile periods, whereby the performance of the marital

<sup>1</sup> Cf. St. Thomas, *Summa Theologica*, II-II, Q. 155, a. 4 corp., and III, Q. VII, a. 2, ad 3.

act is restricted exclusively to periods when conception is most unlikely.

As an actual system of fertility control, the practice of periodic continence involves the application of the Ogino-Knaus theory—a scientific discovery which is due to the independent studies and investigations of Dr. Kyusaku Ogino of Niigata, Japan, and of Dr. Hermann Knaus of Prague, Czechoslovakia. The theory is based on the rather common view that woman is capable of conceiving only during a certain period each lunar month (28 days). Their discovery enables the average woman to determine that period with sufficient accuracy to have reasonable assurance of freedom from conception in marital life, i. e. by abstaining systematically from sexual union during that monthly period. An attempt to condense an explanation of the biological aspects of this theory into a few paragraphs would lead to confusion rather than to enlightenment. Others who are fully competent to speak on this subject have published clear and precise expositions of the theory in popular editions.<sup>2</sup> Of primary interest to us is the fact that there is a "rhythm" in the recurrent periods of physiological fertility and sterility in women which is based on established, biological laws and that those married couples who carefully regulate their marital life according to "the rhythm" can with a considerable degree of probability, conceive or avoid children at will.

#### HISTORY OF THE "SAFE PERIOD" THEORY

The principle involved in what we now know as the Ogino-Knaus method was nothing new to the Jews and other ancient peoples. The Book of Leviticus prescribed (chapter XV) that all Jewish women should abstain from marital union during approximately 12 days, beginning with the onset of each "monthly flow" or menstruation,—

<sup>2</sup> Cf. Dr. Leo J. Latz, *The Rhythm of Sterility and Fertility in Women*, 6th, revised edition (Chicago: Latz Foundation, 1940); Dr. K. Ogino, *Conception Period of Women* (Harrisburg, Pa.: Medical Arts Publishing Co., 1934); Dr. J. G. J. Holt, *Marriage and Periodic Abstinence* (London: Longmans Green and Co., 1939); Canon Valere J. Coucke and Dr. J. J. Walsh, *The Sterile Period in Family Life* (New York: Wagner), and many other shorter treatises as listed in the bibliography of this study.

a period which covers the first sterile period for menstrual cycles of about 31 days or less according to the Ogino-Knaus theory. Hence the Jews used "rhythm in reverse" and resumed sexual relationship each month at a time when conception was most likely to occur. In view of that fact, it is not difficult to explain the exceptional fertility of the Jews throughout the centuries. The Talmudic scriptures likewise show that the Jews had definite ideas concerning the duration of the fertilizing capacity of the male cells of generation (the spermatazoa). Medical writings of the Hindus reveal that those people also knew that woman is capable of conception only once during the menstrual cycle,—during the period immediately following ovulation.<sup>3</sup>

Among the Gentiles, however, certain erroneous theories led to the conclusion that menstruation and ovulation coincide. Accordingly the period immediately preceding and following menstruation was considered to be the most propitious time for conception.<sup>4</sup> Such erroneous ideas were embodied in the so-called Pflüger Theory (published in 1863), which seems to have been accepted by practically all physicians of the late 19th century. Dr. Carl Capellmann's popular book on pastoral medicine shows that he also adhered to Pflüger's Theory, for he establishes as the fertile periods the first 14 days following menstruation as well as the three to four days immediately preceding the next menstruation. He adds that such facts were known quite generally in his time (1890).<sup>5</sup> Pflüger's Theory was

<sup>3</sup> For a more complete sketch of the Jewish and Hindu ideas on human fertility, see Holt, *op. cit.*, p. 5 and 6, as well as an article by Dr. A. E. M. Lash in the *Journal of Obstetrics and Gynecology* (Vol. XV, n. 1, Jan. 1928) entitled "The Gynecology of the Ancients," p. 262-287.

<sup>4</sup> Many animals actually bleed during the so-called "rutting" period, which is the time when conception is most likely to occur (their ovulation period), and in many animals, the only time when the female will accept the male. This fact led many medical authorities of the 19th century to conclude that menstruation in women is analogous to "rutting" in animals. Cf. the widely circulated book of Dr. Gallus Pouchet entitled *Théorie Positive de la Fécondation des Mammifères basé sur l'Observation de Toute la Série Animale*, published in 1842.

<sup>5</sup> *Medicina Pastoralis*, 7th ed. (Aquisgran: Sumptibus Rudolphi Barth, 1890), p. 135, 136.

refuted by Knauer in 1898 and by Halban in 1901, bringing the medical world to the realization that the relation between menstruation and ovulation in women was still a mystery. Since those who observed the prescriptions of Dr. Capellmann and others generally met with little success, the whole idea of "safe periods" came to be looked upon with distrust. New interest and hopes were awakened with the publication of the investigations of Dr. Hermann Knaus of Prague (1929) and of Dr. Kyusaku Ogino of Japan (1930). To quote Dr. Ogino:

Human conception can occur in a certain limited period between two menses (from the twelfth to the nineteenth day before the subsequent menses) and this conception period can be predicted practically in most cases. Since 1924 I have advocated this view, which is just the reverse of the view heretofore expressed.<sup>6</sup>

In other words, menstruation does not coincide with ovulation—menstruation rather indicates that ovulation has failed to result in conception.

The beginning of the time of ovulation (i. e. the period when conception is most likely) can be computed with considerable accuracy by counting back 19 days from the anticipated beginning of the next menstruation.<sup>7</sup> That, in substance, is the "safe period" theory as evolved by Doctors Ogino and Knaus, and advanced today by many highly respected members of the medical profession.

<sup>6</sup> *Op. cit.*, foreword.

<sup>7</sup> For example, if the period between two menstruations (the menstrual cycle) consists of 31 days, the first day of the fertile period is the 13th day of that 31 day cycle. The last day of the fertile period would be 12th day counting back from the anticipated beginning of the next menstruation, i. e. the 20th day of the 31 day cycle. The fertile period for that menstrual cycle, therefore, is from the 13th to the 20th day of the cycle inclusively, 8 days in all. The remaining days would make up the sterile periods. Due to the normal irregularity in the length of successive menstrual cycles, however, the fertile period would have to be considered as including several days more than eight days in the actual application of the "safe period" theory.

## AN EVALUATION OF THE "SAFE PERIOD" THEORY

Most physicians will admit that the "safe period" theory is based on established, biological principles. Although space does not permit us to cite the opinions of various leaders in the medical profession, it might suffice to mention that most physicians seem to adopt an encouraging but cautious attitude in regard to this discovery, voicing the hope that further clinical evidence will justify a more enthusiastic attitude later on.<sup>8</sup> It must be admitted, however, that among the few but influential physicians who tend to discredit the theory, some are opposed to it simply because it does not fit in with their preconceived notions concerning ovulation and menstruation; or as Dr. Hartman expresses it:

For three quarters of a century, gynecologists tried to prove that ovulation occurred only at the time of menstruation, and promptly stilled or ignored voices raised against this view, on the basis of findings that failed to fit.<sup>9</sup>

A perusal of medical opinion in general clearly indicates that many of the more influential members of the medical profession have little interest or patience for any birth control measure which does not involve contraception. This was made clear in the course of the birth control hearings before three congressional committees in 1932 and 1934.<sup>10</sup> One of the most zealous preachers of contraception, Pro-

<sup>8</sup> We might classify members of the medical profession as either enthusiastic, cautious or sceptical in their attitude toward this discovery. Among the "enthusiastic" we find Doctors Latz, Smulders, De Gucheneere, Georg, Miller and associates, Holt, Pedersen, Sutherland, etc.; among the "cautious," we may list the names of Doctors Hartman, Vignes and Robey, Estor, Rochat, and the majority of contemporary physicians. The "sceptical" group includes Doctors Dickinson, Emge, Araya, Turenne, as well as Professor Norman Himes of Colgate University. The opinions of these authorities may be found in their books or articles as listed in the bibliography of this study.

<sup>9</sup> "Facts and Fallacies of the Safe Period," *Journal of Contraception* II (1937), p. 51; Cf. also Dr. Leo Latz, *The Rhythm of Sterility and Fertility in Women* (Chicago: Latz Foundation), 1939, p. 69.

<sup>10</sup> *Birth Control Hearings* before a sub-committee of the committee on the judiciary, U. S. Senate (72nd. congress, 1st. session), on S. 4436, May 12, 19, and 20, 1932; also similar hearings before a committee on the

fessor Norman E. Himes of Colgate University, voices the sentiments of this group when he says:

This method (i. e. the "safe period" method) has no place among rational people when other birth control techniques, not having its disadvantages, are readily available to the masses of the population.<sup>11</sup>

There are others, however, who appear to object to the theory on strictly scientific grounds, e. g. Dr. Rafael Araya of Argentina (cf. bibliography).

As proof that the "safe period" method is actually being used as a measure of fertility control, we might mention a recent survey which indicates that of 2005 women questioned, 11% stated that they used the "safe period" method.<sup>12</sup> Such considerations combined with a study of the mass of medical opinion on the subject, justify the following conclusions:

1.—Although the medical profession as a whole seems to accept the basic principles of the Ogino-Knaus discovery as scientifically sound, the fact that several recognized medical authorities seriously question pivotal principles such as the spontaneity of ovulation and the brevity of the life span of the spermatazoa in the vagina, should prompt us to adopt an attitude of caution regarding the scientific and medical aspects of this theory.

2.—The reports of Dr. Leo Latz and others demonstrate beyond reasonable doubt that the careful application of the "safe period" theory is as effective as the most dependable contraceptive. In presenting popular expositions of the theory, however, the painstaking

judiciary, House of Representatives (73rd congress, 2nd. session), on H. R. 5978, serial 2, Jan. 18, 19, 1934; also a third series of hearings before a sub-committee on the judiciary, U. S. Senate, (75rd. congress, 2nd session) on S. 1842, March 1, 20 and 27, 1934. These documents have been printed at the U. S. Gov. Printing Office, Washington, D. C.

<sup>11</sup>*Practical Birth Control Methods* (New York: Modern Age Books, 1938), p. 124. This attitude is understood without difficulty if we keep in mind that many of the advocates of contraception contend that the purpose of sex is not procreation but recreation. Cf. *The Conspiracy Against Chastity* by Samuel Saloman and Dan Gilbert, San Diego, Daniels Publishers, 1939.

<sup>12</sup>John Winchell Riley and Matilda White, "The Use of Various Methods of Contraception" *The American Sociological Review* V, n. 16 (Dec. 1940), p. 890-901.

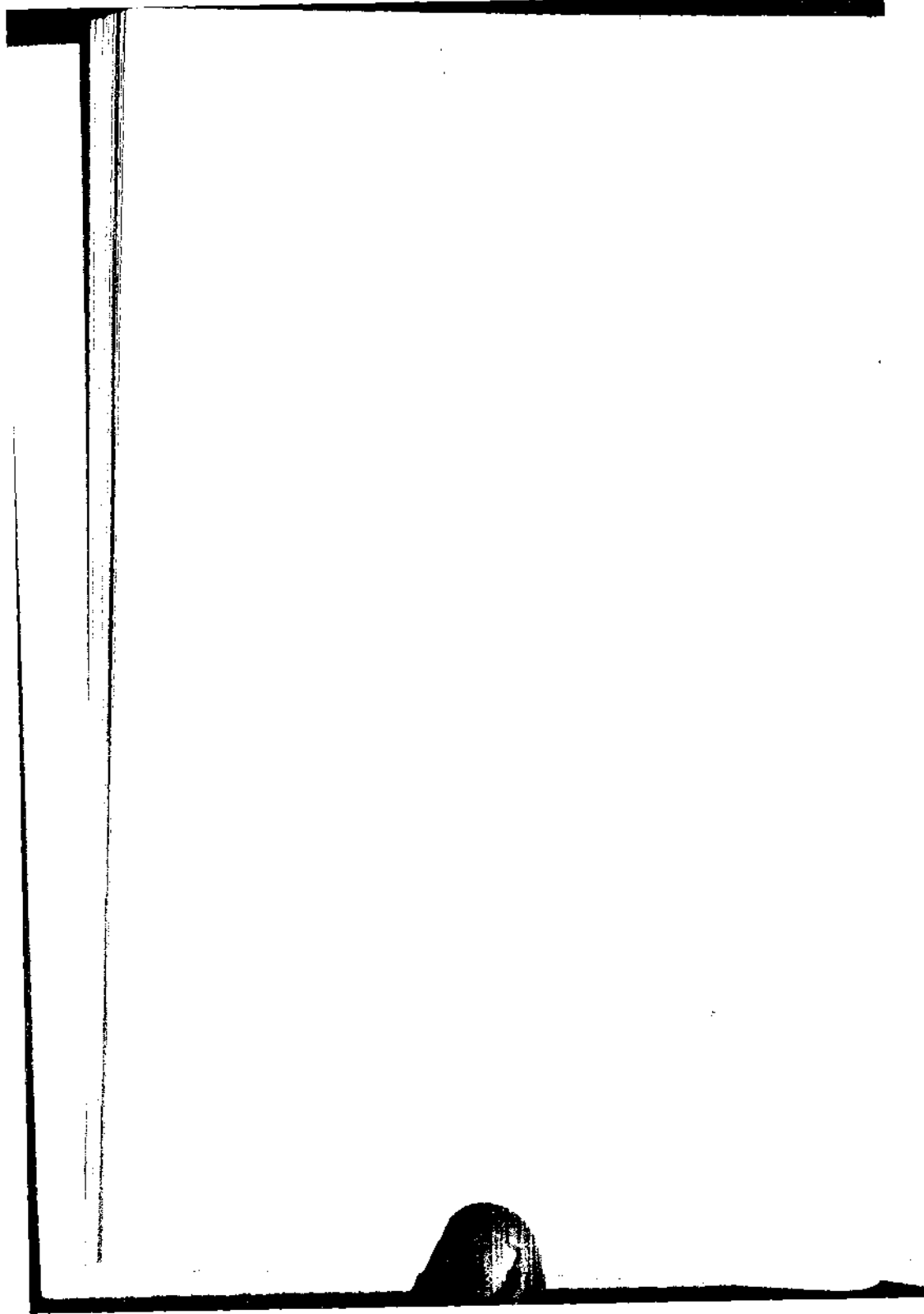
vigilance, competent medical guidance and spirit of sacrifice necessary for a successful application of the theory have often been overlooked or unduly minimized.

3—Since the theory is being applied with success in thousands of cases, it merits the name "method" as much as any other tried, scientific discovery.

4—The successful use of such a method as a means of avoiding conception will be most difficult for those who are not accustomed to self-restraint in marital life. Unless such a method is adopted because of some higher, supernatural motive, it will be unnatural, and as such, at least spiritually harmful.

5—The use of the "safe period" method "in reverse" is a highly efficacious means of promoting conception.





# Part One

## Moral Considerations

The Moral Problem under consideration revolves about two questions: A—Can the practice of periodic continence, objectively considered, be accepted as a lawful procedure in marital life? B—If such a practice is objectively unlawful, in what circumstances could it be justified or permitted? The answer to the first question will be presented in chapters II, III and IV. Chapters V and VI will be devoted to a discussion of the second question.

### A—OBJECTIVE MORALITY

#### OF THE PRACTICE OF PERIODIC CONTINENCE (THE "RHYTHM" PRACTICE)

This question may appear to be one of pure speculation. The answer, however, is bound to color the attitude of every priest and confessor in dealing with cases which involve marriage and the family. It makes a great difference if we say: "Such a practice in itself is perfectly lawful," or: "Such a practice is objectively unlawful." The first answer might easily be interpreted by the faithful as an official approbation of the practice as such, and the general tendency would be to conclude that as long as the practice is not objectively unlawful, no Catholic should hesitate to avail himself of such a favorable concession. Many mistakes, misunderstandings and evil consequences can be avoided by deciding first of all whether or not the practice, considered apart from all circumstances and motives, is good, bad or indifferent, or as Father Salsmans S. J. says: "It is very important, especially in moral matters of this kind, to speak most accurately according to truth (*secundum veritatem*)."<sup>1</sup>

<sup>1</sup>"Sterilitas Facultativa Licita?" *Ephemeres Theologiae Lovanienses*, XI (1934), p. 566.

In our attempt to throw light upon this delicate but important moral problem our procedure will be the following: a brief review of the theological principles involved in this question (Chapter II); a presentation of our position in this matter, in thesis form (Chapter III); a brief consideration of the species and gravity of the sin involved in the unwarranted use of the "safe period" method (Chapter IV).

## CHAPTER II MORAL PRINCIPLES

### THE PROBLEM

"As stated in Chapter I, we are concerned only with the application of the "safe period" method as a means of avoiding conception, i. e. discriminate, periodic continence whereby the marriage act is performed exclusively on sterile days. Furthermore, this practice constitutes a moral problem only if considered as a system,— a system in which every act of sexual indulgence or abstinence becomes a part of an ingenious attempt to avoid the normal and natural consequence of marital union,— conception. There is no moral judgment to be passed on isolated acts of marital union on sterile days or of abstinence on fertile days objectively considered. Those who are united by the bonds of matrimony are not restricted "per se" to either sterile or fertile days in the use of their marriage right. Nor do we wish to imply that the practice of periodic continence is unnatural in the sense that contraception is unnatural. The practice is perfectly in accordance with nature as far as the biological aspect is concerned. The point at issue is whether or not it is according to man's rational nature to take advantage of such biological laws so as to avoid the realization of the end which is indicated clearly by divine command and by the very nature of sex, as the primary purpose of marital union.<sup>1</sup> Is such a practice considered objectively (apart from circumstances and motives) and as a system, good, bad or indifferent from a moral viewpoint?

#### *Reason, and Moral Good*

Man is obliged to ordain every human act to a good which is in conformity with reason,— a "bonum honestum." Whatever acts are according to reason "are according to the order of God Himself."<sup>2</sup>

<sup>1</sup> Cf. St. Thomas, *Summa Theologica*, I-II, Q. I, a. 1 et seq. for the fundamental difference between "actiones humanae" and "actiones hominis". The moral problem involved in this question is stated clearly and precisely by Rev. A. F. Kaser, C. PP. S. in the *Fortnightly Review*, XLI (1904), p. 123, 124.

<sup>2</sup> St. Thomas, *op. cit.*, I-II, Q. 72, a. 4, corp., also II-II, Q. 183, a. 2, corp. Cf. also *The Natural Moral Law According to St. Thomas and Suarez*.

Reason tells me, for instance, that certain acts such as blasphemy and contraception are intrinsically evil, while other acts such as missing Mass on Sundays or eating meat on Fridays, are wrong only because of a divine or authoritative human precept. Reason likewise tells us that other human acts, even though not intrinsically evil or contrary to an explicit, binding precept, are morally wrong simply because they are not in accordance with the divine plan.

We know from the very nature of things that eating is intended by the Creator primarily as a means of conserving the life of the individual; that recreation is meant primarily as a means of keeping the individual in condition to fulfill the duties of his or her state of life; that the performance of the marital act is intended primarily as a means of realizing the conservation and propagation of the human race. Considered in themselves, isolated acts of recreation, eating or marital union are morally indifferent,—they could be good or bad depending upon attendant motives and circumstances. But if we would consider, for example, the idea of recreation all day long, not as an isolated act but as a consistent practice, there would be reason to doubt whether or not the primary purpose of recreation is being realized. The practice might be called objectively suggestive of evil rather than of good, i. e., "male sonans." In the question of eating, we might conceive of a practice of eating only during hypothetical periods when assimilation and nutrition would be impossible. Such a manner of eating and abstaining (i. e. the system as a whole) would appear to be not merely "male sonans," but objectively wrong, since it is designed to lead to the non-realization of the primary purpose of eating. Considered as a mere series of physical acts, such a practice would be outside of the realm of morality; but since we are speaking only of moral acts, we must presuppose that such a practice proceeds from a free and deliberate will, and hence from an intention to realize the same end which is indicated by an objective consideration of the procedure in question. We are not saying, however, that such a practice could not be justified in concrete cases, e. g., if nutrition would be injurious temporarily to the

health of the individual. In that case, attention could be centered exclusively on the secondary ends of eating, e. g., the alleviation of the pangs of hunger.

It is not a mere hypothesis but an actual fact that there are periods within the menstrual cycle of woman when conception is highly improbable.<sup>3</sup> The practice of limiting the use of the marriage right exclusively to such periods is designed to lead to the avoidance of the primary purpose of marital union as indicated by nature and intended by the Creator. Although there is always a slight possibility of conception, the practice considered "in suo esse morali" essentially includes a deliberate intention to avoid conception.

#### *Conforming to the Divine Plan*

We know that God has attached legitimate pleasures to the performance of natural functions such as eating, drinking and marital union. Besides serving as a means of sustenance, eating and drinking affords a definite pleasure of sense which makes the task of sustaining strength and conserving human life less burdensome. As we have said before, eating and drinking likewise is a means of alleviating the pangs of hunger, conditioning man for the performance of the duties of his state of life. Sexual indulgence affords a pleasure of sense which is sufficient to invite man and wife to perform the sexual act; it also serves to temper sexual concupiscence and to strengthen the bond of love and unity between man and wife. But such pleasures intrinsically are ordained and subordinated to the performance of the functions in question so that the *primary purpose* of such functions may be realized more easily and more securely.<sup>4</sup>

<sup>3</sup> We cannot say "impossible", for since the method is based on biological (not physical) laws, exceptions are always possible.

<sup>4</sup> "nam propter delectationem attentius et decentius operationi insistimus in qua delectamur" St. Thomas. *Contra Gent.*, III, ch. 26. Cf. also Merkelbach, O.P., *Summa Theol. Mor.* I, n. 158, 3 (p. 153); III, n. 768 et seq.; also Salsmans, S. J., *loc. cit.* p. 566. We are avoiding the present controversy concerning the ends of marriage.—it is too vast a question to be discussed here. No Catholic theologian will contend that procreation is not the primary end of marriage, but some deny that it is the unique primary end. For an enlightening and sane discussion of this question, cf. an

In other words, God's plan calls for the maintenance of a definite hierarchy of ends in marriage, in which procreation holds the primacy. We know, however, that this order of ends does not have to be intended explicitly in every act of marital union: it suffices that the primary end is not excluded either explicitly or implicitly. Providing that nothing is done to prevent conception, the normal performance of the act of sexual union is implicitly ordained to the realization of the divine plan. Hence those who use their marriage right without even thinking about procreation, but doing nothing to prevent conception nor positively excluding it as an end in marital life, are well within the law. On the other hand, we know from two propositions condemned by Pope Innocent XI that those who eat or drink or perform the act of sexual union merely for the sake of pleasure are guilty of sin.<sup>2</sup> Such acts are wrong not because they are contrary to the lower nature of man, but because they are contrary to reason,—they are not even implicitly ordained to the primary purposes of such natural functions. Although those who use their marriage right exclusively during sterile periods may be intending one of the legitimate secondary ends of marriage, it does not follow that they are maintaining due regard even implicitly for the hierarchy of ends in marriage as established by God. In a certain sense, they are positively excluding the primary purpose of marital life.

#### *The Positive Exclusion of Procreation*

The primary end of sexual union might be excluded either negatively or positively. Negative exclusion means simply that procreation is not realized due to circumstances which are beyond the control of the parties concerned, i. e., those who are physically sterile due to age (past the menopause) or physical defect, or who unintentionally happen to use their marriage right only during sterile periods. Positive exclusion means that the parties themselves intend to avoid concep-

article by Father Lavaud, O.P., in the October (1939) issue of the *Thomist* "The Interpretation of the Conjugal Act and the Theology of Marriage," p. 360-380.

<sup>2</sup> Denzinger-Bannwart-Unsberg, *Enchiridion Symbolicum*, ed. 18-20, Friburgi Brisgotiar: Herder, 1932, n. 1158, 1159.

tion. This might be indicated by the express decision: "I intend to avoid conception," or it might be indicated simply by the deliberate placing of an obstacle to conception. This obstacle may be either of a material or of an intentional order,— in both cases there is a deliberate and efficacious attitude "contra conceptionem." In the former case (material contraception) the act is contrary to nature and grievously sinful. An example of positive but intentional exclusion of procreation would be the adopting of periodic continence as a system or policy in marital life, whether it be for many years or only for a period of a few months. It is positive because it proceeds from a free and deliberate decision of the formal element of every human act,— the will.<sup>6</sup> Can we say that such positive but intentional exclusion of procreation is always unlawful?

It is clear that if there is a just cause, it is perfectly lawful to give up the pursuit of primary ends of human functions and center attention solely on legitimate secondary ends, or as Father Lavaud expresses it:

One can stop at these secondary ends for the goodness which is proper to them, for motives which are proportionate to the importance of the end which is no longer pursued, and which is even excluded from the intention, without, however, using any means in itself unlawful to avoid that end.<sup>7</sup>

If the primary end cannot be realized for some valid, objective reason, it is not necessary to look for an "excuse" for using the marriage right. The Creator provided for just such eventualities when He established secondary ends for those who are united in the married state.<sup>8</sup> But considering the practice in itself, apart from such

<sup>6</sup> Some contemporary theologians clearly deny that the practice of periodic continence involves anything more than negative exclusion of procreation; this will be discussed presently.

<sup>7</sup> *Le Monde Moderne et le Mariage* (Paris, Dr-Jéac de Brouwer, 1935), p. 419.

<sup>8</sup> "Haec est enim vis finium secundariorum, ut rationabile sit, ac proin honestum in eis sistere, dummodo ad hoc ipsum detur ratio conveniens." Salsmans, S. J., *loc. cit.*, p. 565; Cf. also Lavaud, O. P., *the Thomist* (Oct., 1939), p. 367, 368.



excusing circumstances, reason itself seems to rebel against the idea of considering such a deliberate and ingenious means of enjoying the pleasure without the "onus" as objectively lawful.

It is evident that the practice in question differs considerably not only from onanism and material contraception, but also from the practice of total abstinence in marital life. In the latter case, there is no objective indication that the persons concerned primarily intend to avoid conception. The procedure is objectively indifferent, and might be ordained to any number of noble and praiseworthy ends, e. g., as a work of penance or mortification. If such persons are motivated by pure selfishness, however, the practice of total, sexual abstinence in married life would be sinful. Similarly, if a man marries a sterile woman purposely in order to avoid offspring, he would be guilty of sinful selfishness, but the mere fact that the woman of his choice happens to be sterile by no means indicates the presence of such a selfish, sinful intention. In the above instances, there is no objective indication that procreation is excluded in marital life, except in a negative manner. In the practice of periodic continence, however, it is clear that the primary purpose is to avoid the realization of the primary end of marriage. If such married persons were motivated primarily by other considerations, e. g., the observance of virtuous continence for higher motives or merely the tempering of human concupiscence, there would be no reason in the world for choosing a studied and complicated system which is designed to lead to sterility.<sup>9</sup>

In concluding these remarks, it may be well to add that when theologians say that there is no obligation to procreate children, they mean that man and wife are not obliged *per se* to use their marriage right, and not that it is *per se* lawful to perform the marriage act exclusively on sterile days, systematically and deliberately abstaining on fertile days.<sup>10</sup> St. Augustine expresses the same thought when

<sup>9</sup> Substantially the same argument is developed by Crasson in the *Revue des Sciences Ecclésiastiques*, XXVII (June 1873), p. 594; Cf. also *L'Ami Du Clergé* (Nov. 3, 1934), p. 745.

<sup>10</sup> Cf. Lavaud, O.P., *Le Monde Moderne et le Mariage*. It must be remembered that marriage consists essentially in the mutual giving of the marriage right, not in the actual use of it. Cf. *De Sinct, De Sponsalibus et Matrimonio*, 4th ed. (Bruges: Car. Beyaert, 1927), p. 75-82.

he says that fellowship in children "is the one worthy fruit not of the union of male and female, but of sexual intercourse."<sup>14</sup>

<sup>14</sup>*De Bono Conjugali, Corpus Scriptorum Ecclesiasticorum Latinorum* (In future to be referred to as C.S.E.L.), XLI (Prague: F. Tempsky, 1900), p. 187, 188. Cf. also *La Doctrine du Mariage Selon Saint Augustin* by Bernard A. Periera O.F.M. (Paris: Beauchesne, 1930), p. 53.

## CHAPTER III

*Thesis:* THE PRACTICE OF PERIODIC CONTINENCE ACCORDING TO THE "SAFE PERIOD" METHOD, CONSIDERED AS A SYSTEM IN MARITAL RELATIONS, IS OBJECTIVELY UNLAWFUL,—although it can be justified in individual cases if there is a just case. In other words, such a practice, objectively considered, is PER SE ILLICITUM, PER ACCIDENS AUTEM LICITUM."

The conclusion refers to the use of the "safe period" method in general, whether it is applied for life, for a few years, or merely for a few months. The second part of the conclusion, "per accidens licitum," will be discussed in Chapters V and VI.

### A)—THEOLOGICAL OPINION

#### 1)—*In the 19th century*

The moral aspects of periodic continence were discussed quite thoroughly about 75 years ago. The discussion seems to have been occasioned by the publication of a book entitled: *De L'Ovulation Spontanée de L'Espèce Humaine dans ses Rapports Avec la Théologie Moderne* wherein the author, a certain Father Le Comte, expresses the opinion that the use of the marriage right during such sterile periods is not unlawful. But he adds:

Nevertheless they would sin *per se* if, doing nothing which might be an obstacle to conception, they would positively form the desire to see their marital relations sterile.<sup>1</sup>

It is evident, however, that both the biological and moral aspects of this question were known prior to 1873, for an outstanding 19th century theologian, Thomas Cardinal Gousset, seems to have settled the moral issue temporarily in the 1860's. He stated that conjugal relations during sterile periods are not wrong in themselves, but that they could be if accompanied by a deliberate intention to perform

<sup>1</sup> The book was published in Paris (Victor Palmé) and in Louvan (Pecters) in 1873. Needless to say, the biological calculations in this book are based on the erroneous Pflüger Theory. The text cited above is found in the *Revue des Sciences Ecclésiastiques*, XXVII (June, 1873), p. 191.

the sexual act only during such periods.<sup>2</sup> It is to be noted that neither Father Le Comte nor the Cardinal gave serious consideration to the use of the marriage right during sterile periods as a system, for the former admits that the determined intention to restrict the use of the marriage right to such periods presents difficulties, and the latter states expressly that he would like to give special study to that aspect of the question, but that in the meantime, those who perform the marriage act only during determined periods should not be disturbed.<sup>3</sup>

The theologians of the time seem to have accepted the opinion of Cardinal Gousset, as evidenced in an article of the *Analecta Juris Pontificii*.<sup>4</sup> An opposite opinion was advanced, however, in a Spanish review entitled *Consultor de los Parrocos*, i. e., that the use of such sterile periods for the performance of the act of marital union can never be justified since such couples are positively impeding and excluding the procreation of children.<sup>5</sup> A 19th century canonist, Chas-

<sup>2</sup>Cf. the *Analecta Juris Pontificii* (12th series, 1873), col. 721, note 1; also the *Nouvelle Revue Théologique*, V (1873), p. 442-443. The Cardinal's opinion is printed and analyzed in the *Revue de Thérapeutique Médico-Chirurgicale* Feb. 15, 1867, p. 96, and July 15, p. 366, 367. Cardinal Gousset was a courageous adversary of rigorism and jansenism, and an ardent propagator of the moral theology of St. Alphonse; he even wrote a book in justification of the moral principles of St. Alphonse, cf. *Dictionnaire de Théologie Catholique*, art. "Gousset," Vol. VI, 2, col. 1525-1527.

As evidence that the biological aspects were known long before 1873, we might mention the book of Dr. Pouchet referred to in chapter II, as well as other works such as the book of Baer de Koenigsberg, *De Or: Mammation et Homini Genesi* published in 1827 (Lipsiae).

<sup>3</sup>Concerning Father Le Comte, cf. the text already cited and also the *Revue des Sciences Ecclésiastiques*, loc. cit., p. 592. Concerning the Cardinal cf. the *Nouvelle Revue Théologique*, V (1873), p. 443, and also the book of Father Le Comte, p. 242 & 243.

<sup>4</sup>12th. series (1873), col. 721: "Dum deficiente legitimo motivo, nihilominus positive appetunt sterile esse suum commercium, certo peccant, sed venialiter tantum, si tamen ad votum naturae actum matrimonii complete perfecerint."

<sup>5</sup>"Copula habetur quidem, sed tempore in quo fecitur conceptionem esse ferre impossibile, et non est hoc generationem impedire. . . Non est hoc in casu positiva ac prava voluntas generationem excludendi aut impediendi? Ita, sane." reprinted in the *Analecta Juris Pontificii*, 13th series (1874), col. 996. The *Analecta* describes this opinion as "sévère à l'excès."

son, assumed a less severe attitude in saying that such use of the marriage right cannot be justified even if there are serious reasons, but that it may be permitted as the lesser of two evils to those onanists who otherwise cannot be deterred from their criminal ways.<sup>6</sup>

The *Nouvelle Revue Théologique* published a lengthy analysis of a case in which the man and wife restrict the use of the marriage right exclusively to sterile periods for the simple reason that they are both young, and fear "lest too many children be born to them." After citing the authority of many theologians and doctors of the Church on questions relating to marital life, the author concludes that the restriction of the use of the marriage right to sterile days is lawful if there are upright motives and no danger of incontinence;—if the motive is "minus honesto," the parties sin venially. He adds that if there is no fitting purpose ("fine debito") for such a procedure, the parties are likewise guilty of venial sin. In such a case, the confessor should do everything in his power to suggest more perfect motives. If such attempts fail, the practice may be permitted as the lesser of two evils.<sup>7</sup>

#### 2) *Theological Opinion Among Contemporary Theologians*

The preceding sketch of the controversy of 1873 offers historical background for an understanding of the two principle opinions on this matter found in the writings of theologians of the late 19th. and early 20th. century. The fundamental difference between these two opinions consist in this that the first group considers the practice of the "safe period" as a system or way of life, which essentially involves a positive act of the will to exclude and impede procreation as an end in marital relations. The other group centers attention on the lawfulness of marital union on sterile days as such, considering the positive intention to exclude procreation as something quite prevalent in individual cases, but not necessarily included in a purely

<sup>6</sup> *Revue des Sciences Ecclésiastiques*, XXVII (1873), p. 595-96. Comparing the opinions of Craisson and the Spanish author to that of Gousset and Le Comte, we see that the former were considering the procedure in question more as a system in marital life.

<sup>7</sup> Cf. *Nouvelle Revue Théologique*, V (1873), p. 439-443. The author cites St. Alphonse, Sanchez and others in support of the contention that such a practice may be allowed as the lesser of two evils in such circumstances.

objective examination of the practice of periodic continence as such.

Our stand in this matter is upheld by a considerable number of well known, contemporary theologians, such as Father J. Salsmans S.J. of Louvain, Belgium, Father Benedict Lavaud O.P. of Fribourg, Switzerland, Father Albert Doodkorte O.P. of Holland, the anonymous author of a lengthy article in the French theological periodical, *L'Ami du Clergé*, etc.<sup>8</sup> Their attitude concerning this delicate moral problem may be summed up in three points:

1) The practice of periodic continence must be regarded in its true moral light,—as a system or way of life in marital relations. Father Salsmans S.J. stresses this in the following words:

That which occurs materially in periodic continence by reason of the external act, is not evil; married couples are allowed to have marital relations normally during sterile periods, and likewise by consent, to abstain on fertile days, . . . but this is not "periodic continence" in its entirety. There is also in this system, and that by its essence and not merely for extrinsic reasons, a diligent choice of the will, a choosing of days or "observance of times" by which certain fertile days are precisely passed over and other days chosen because they are sterile days. Now the act of the will diligently choosing should be "honestus";—in this choice as in every human act, man should be led on by a good, or a reasonable end.<sup>9</sup>

<sup>8</sup> Lavaud O.P., *op. cit.*, *Thomist*, I, n. 3 (Oct. 1939), p. 360-380, II, n. 4 (Oct. 1940), p. 459-518; *Revue Thomiste* XLIV (Oct. 1938), p. 757-767; Salsmans, S.J., *loc. cit.*; Doodkorte, O.P., *Artseublad*, July 1935, p. 197-205. Anonymous author, *L'Ami du Clergé*, Nov. 8, 1934, p. 757-752. Kaiser C.P.P.S., *Fortnightly Review*, XLI (1934), p. 123-124. Joseph Mayer of Paderborn, whose book entitled, *Erlaubte Geburtenbeschränkung?* (Paderborn: Bonafatius Druckerei) is reviewed by Dr. Heilweck in the *Theol. Prax. Quart.*, LXXXV (1932), p. 649-650; cf. especially Father Mayer's article: "Praktische Bedenken gegen die Natürliche" Methode der Empfängnisverhütung," *Theologie und Glaube*, XXIV (1932), p. 295-313. We may also mention Father Genicot S.J., *Casus Conscientiae* 7th. ed. (Bruxelles: L'Édition Universelle, S.A., 1938) in several cases which are actually the work of Father Salsmans S. J., but prepared according to the principles of Father Genicot S.J.

<sup>9</sup> *Loc. cit.*, 562, 563; cf. also *L'Ami du Clergé*, *loc. cit.*, p. 744, the author calls such a practice an "état de vie."

Speaking of acts of sexual abstinence or indulgence as parts of the system or practice of periodic continence, Father Lavaud O.P. says:

... If they are viewed as human acts, dependent upon and determined by the will of the spouses, they are vitiated acts . . . (des actes viciés, 'truqués'). They imply a fixation on the secondary end and as such, a reversal of the hierarchy of ends, which surely is, excepting for a justifying motive, a disorder."<sup>10</sup>

2) Such a use of the "safe period" method might, in a certain sense, be classed among the human artifices condemned by Pius XI in the encyclical *Casti Connubii*:

The premeditated choice of sterile days because they are sterile, the act of the will by which one establishes himself in this state of sterility, cannot be reconciled with the primary purpose of marriage. It is to be classed . . . among the "human artifices" of which the encyclical disapproves. This will which repudiates the primary end of marriage infects with its venom the entire matrimonial life taken as a whole.<sup>11</sup>

3) The practice of periodic continence considered as a system amounts to a positive opposition to procreation, the primary end of marital relations in the divinely-established order. Father Salsmans S.J. expresses this thought in the following words:

They not only do not explicitly intend to have children, or prescind from procreation,—which everyone admits as lawful,—but by the very fact that they deliberately and exclusively select sterile days by their own proper will, the disposition of the will is positively hostile to generation . . . and thus they procure the frustration of their married life.<sup>12</sup>

The author of the article in *L'Ami du Clergé* says that by such intervention of the will, the conjugal act is absolutely destined to failure,—“the material, objective relation of the regular conjugal act to its normal end is . . . positively rejected by the will of the man and wife.”<sup>13</sup>

<sup>10</sup> *Op. cit.*, p. 418.

<sup>11</sup> Lavaud O.P., *op. cit.*, p. 418; cf. also *L'Ami du Clergé*, loc. cit., p. 744.

<sup>12</sup> *Loc. cit.*, p. 563, 564.

<sup>13</sup> *Loc. cit.*, p. 745.

The Opposite Opinion

Whereas the former group maintains that the practice of the "safe period" method is *per se illicitum, per accidens licitum*, the majority of contemporary theologians who have given attention to this question contend that the practice is *per se licitum, per accidens illicitum*. Capellmann, in his *Medicina Pastoralis*, cites Father Ballerini S.J. as saying that such a practice is not unlawful any more than it is unlawful for those who are sterile due to age or physical defect to continue their marital life.<sup>14</sup> This same attitude was taken up by Father Vermeersch S.J. and a large number of contemporary theologians.<sup>15</sup> Father Vermeersch S.J. holds that such a practice is "in itself indifferent or objectively good."<sup>16</sup> Others appear more in-

<sup>14</sup> Capellmann, *Medicina Pastoralis*, 7th. ed. (Aquasgrani, Sumptibus Rudolphi Barth, 1890), p. 135. cf. also Gury-Ballerini, *Compendium Theologiae Moralis*, 9th. ed., Vol. II (Romae: 1887), p. 917 (n. 923, note 4).

<sup>15</sup> Gennaro, S.S., *De Periodica Continentia Matrimoniali* (a 124 page treatise, Augustae Taurinorum: R. Berruti & Co., 1938); Heymeier, S.J., author of the moral supplement of Dr. Smulder's popular book, *Periodieke Onthouding in Het Huwelik* (Utrecht, Nijmegen, 1933), also published in French under the title, *De la Continence Périodique dans le Mariage* (Paris: Letouzey, 1933). Father Heymeier is also the author of many articles on this subject, among them "Periodische Enthaltung in Der Ehe," *Stimmen der Zeit*, CXXXVI (1934), p. 406-413; Mavrand O.P., *Un Problème Moral*, a 94 page treatise (Coublevie, par Vauxon, Coavent S. Dominique, 1954); Ferreres, S.J., *Compendium Theologiae Moralis*, 14th. ed. (1928), II, n. 3159, p. 642; Mancini S.S., *Palestra Del Clero* (1935), p. 60-76, also 1932, p. 357 and 1933, p. 532; Coucke, S.J., *Homiletic and Pastoral Review*, XXXIII, n. 1 (1932), p. 20-24; Coucke and Walsh, *The Sterile Period in Family Life* (New York); Davis S.J., *Moral and Pastoral Theology*, IV (New York: Sheed and Ward, 1933), p. 249-250; Acetys-Damen, *Theologiae Moralis*, II, 13th. ed. (Romae: Marietti, 1938), p. 595, 596; Barrett-Sabin, *Compendium Theologiae Moralis*, (New York: Pocket, 1919), p. 979, n. 941; Lopez, S.J., *Periodica*, XXV (1936), p. 171<sup>a</sup>-175<sup>a</sup>, also in the *Ecclesiastical Review*, XCIV (June, 1936), p. 591; McGr. Ryan, *Ecclesiastical Review*, LXXXIX (July 1933), p. 28-39; Rev. John A. O'Brien, *National Birth Control* (Champaign, Ill.: The Newman Co., 1938), etc. . . .

<sup>16</sup> *What is Marriage*, a pamphlet, translated from the original by T. Lincoln Bouscaren S.J. (New York: The America Press, 1932), p. 48. cf. also *Periodica*, XXIII (1934), p. 238<sup>a</sup>-248<sup>a</sup>, XXIV (1935), p. 165<sup>a</sup>-170<sup>a</sup>; *Theo-*



clined to accept a less lenient view. Father Genicot S.J. for instance says that "people who use such a theory do nothing grievously wrong;"<sup>17</sup> Father Merkelbach O.P. says that such a practice, although indifferent in itself, is suggestive of evil rather than of good ("male sonans").<sup>18</sup>

The position of the majority of contemporary theologians on this subject might be stated as follows: Every act of marital union which is performed according to nature with due respect for the hierarchy of ends in marriage, is morally lawful. In the practice of periodic continence, the act of marital union is performed as always:—there is no precept or law restricting the use of the marriage right to either fertile or sterile periods. Conception may not follow from such marital relations, but this is not the fault of man and wife. It is due solely to the fact that God has ordained that such periods should be biologically sterile for the woman. To cite an outstanding defender of such an opinion:

In having recourse to temporary continence, even with the intention of avoiding or limiting births, the spouses do not oppose the finality even of the sexual function. They perform the act in conformity with nature; there is no contradiction among them between the finality of the act and the manner in which they perform it. There is no destruction of an essential order of our nature as God has intended it.

As a matter of fact, fecundation will not follow. Nature herself is the cause. During this period she refuses all fecundation to the wife. The act performed at this pre-

*logische Prak. Quartal. LXXXIX (1936), p. 47-65; Ecclesiastical Review. XCIV (1936), p. 588-589.*

<sup>17</sup> "Nihil graviter pravum agunt conjuges qui, spe vitandae proliis numerosioris, a copula abstinent eo tempore quo major est fecundationis probabilitas." *Theologiae Moralis Institutiones*, 6th. ed., II (Brussels: Dewit, 1909) p. 568, n. 351, 4. In the *Casus Conscientiae* of Genicot-Salsmans (prepared by Salsmans S.J. according to the principles of Genicot S.J.) such a practice is presented as objectively unlawful.

<sup>18</sup> "In casu, copulam conjugalem eo solum tempore voluntarie exercere quo conceptio fieri non possit, non est actus contra naturam, sed de se indifferens, et male sonans, qui ut in concreto licitus et honestus sit, exigit rationem eehonestantem." *Angelicum*, XI (1934), 93.

cise moment lacks the efficacy to procreate a new life because nature is made that way by God, and not because nature is deprived (i. e. of such efficacy) by the craftiness of men. Man purposely chooses this period, excluding entirely the fertile days; this choice, mutually agreed to, is by no means unlawful in itself.<sup>19</sup>

Such citations indicate that there is no special effort to see the practice of periodic continence in its true moral light,—as a definitely planned system in marital life. These theologians deny that such a practice could be classed among the “human artifices” condemned in the encyclical “*Casti Connubii*”; they insist that the practice involves a mere negative exclusion of procreation in marital life. Some of them clearly state that those who avail themselves of such a system in marital life are merely trying to harmonize their marital life with the divine scheme of things.<sup>20</sup>

B)---PROOF

1)---In Holy Scripture

There is, of course, no text in Holy Scripture which states explicitly that the use of the marriage right exclusively on sterile days is objectively unlawful. But there are passages which clearly imply that any attempt to interfere with human fertility even by natural means, cannot be considered as *per se* beyond reproach from a moral viewpoint.

All through the Old Testament, fertility is presented as a singular blessing of God;—natural sterility is presented as a sort of disgrace. Any voluntary interference with the cherished, God-given capacity to procreate would have been considered by any God-fearing Jew as a definite rejection of divine goodness. A recognized authority on the subject tells us that among the Jews, procreation was considered as “an obligation derived from the law which God

<sup>19</sup> W. Heymeier, S.J., *De la Continence Périodique Dans le Mariage* (Moral Supplement), p. 176; cf. also V. Coucke, *Hom. and Past. Review*, XXXIII (1932, 33), I, p. 21-22.

<sup>20</sup> Cf. Mayrand O.P., *Un Problème Moral*, p. 65; also Vermeersch S.J., *Periodica*, XXIII (1934), p. 242\*.

promulgated from the very beginning of humanity, when he said, 'Increase and multiply.' To be found lacking in this obligation was equivalent to suicide,—equivalent to diminishing the divine likeness in the world."<sup>21</sup>

We read in Genesis, I, 27, 28: "Male and female He created them. And God blessed them saying; increase and multiply and fill the earth." Two beings were created, sexually complementary one to another. It is to be noted that the capacity to realize procreation as a result of sexual union is presented as a blessing. Similarly God bestowed upon Abraham one of the greatest blessings when He said: "and I will make thy seed as the dust of the earth" (Gen. XIII. 16). The practice of periodic continence implies a voluntary and deliberate interference with the divine gift of fertility. It is true that the patriarchs of old were under a special obligation to procreate, so as to increase the number of God's chosen ones; it is likewise true that fertility was cherished among the Jews because the Messiah was to be born of that race. A similar obligation exists for the members of Christ's Mystical Body, the Church, to co-operate in the work of salvation begun by the Messiah. The part of those who use their marital right is clearly to furnish the numbers necessary for the spread of the "City of God" here on earth by at least doing nothing positive to avoid procreation. This is a favorite thesis of the author of the "City of God," St. Augustine.

Sterility was looked upon as a reproach in the Old Testament.<sup>22</sup> The reason for such an attitude is found in the 23rd. chapter of Exodus, verse 26; God promised the Israelites that "there shall not be one fruitless or barren in the land" (cf. also Deut., VII, 14). The fulfillment of this promise, however, depended upon whether or not the Jews lived up to their part of the covenant by keeping the "precepts and ceremonies and judgments" which the Lord had given them (Deut. VII, 11, 12). In the 20th. chapter of Genesis, verse 18, sterility is presented as a punishment for moral wrong (cf. also Osee IX, 14; Is. XLVII, 9). What faithful Jew would

<sup>21</sup> Bonsieven, S.J., *Le Judaïsme Palestinien au Temps de Jésus Christ*. II (Paris: Beauchesne, 1935), p. 207.

<sup>22</sup> 1 Kgs., I, 6; also Is. IV, 1; Osee, IX, 14; etc.

have even thought of interfering with human fertility in any manner whatsoever?<sup>23</sup>

In accordance with the directives found in the 15th. chapter of the Book of Leviticus, the Jews refrained from sexual union precisely during what we know to be the post-menstrual sterile period of the woman's menstrual cycle. Father Bonsirven S.J. denies that such observances were merely for the sake of legal cleanliness;—a very definite moral issue is involved:

Jewish tradition tends to see in ritualistic purity, a step towards moral holiness. . . . Physical cleanliness leads to separation or ritualistic purity, and this (leads) to holiness.<sup>24</sup>

Chastity in marriage among the Jews meant that the marriage right was not to be used "except with a view to procreation" (*ibid.*). Father Hummelauer S.J. denies that such observances were born of superstition as they were among other nations such as the Hindus and Persians.<sup>25</sup> If those who lived before the redemption were expected to observe such prescriptions for the sake of "moral holiness," it would seem strange if those who partake of the endless graces flowing from the redemption of Christ would be free to bring about sterility in marital life, voluntarily and deliberately, without incurring some moral guilt.

<sup>23</sup> When St. Elizabeth conceived St. John the Baptist after years of sterility, she exclaimed: "Thus hath the Lord dealt with me in the days wherein He hath regard to take away my reproach among men" (Luke, I, 25). In commenting upon this text, Father Knabenbauer S.J. says: "Cum esset sterilis ea potiore jure ad Deum Auctorem refert quod concepit, respexisse Deum dicit Hebraico genere loquendi, quia antea quasi esset ab ea aversus liberos non concessit . . . unde sterilitas saepius in S. Litteris dicitur mulierum ob culpam . . . Alienos a Christo fuisse visos qui posteritatem non haberent quasi nihil futuri Messiae generationem contulissent. *Cursus Scripturae Sacrae. Comm. in Quatuor S. Evang.*, (Paris: Lethielleux, 1896), p. 56.

<sup>24</sup> *Op. cit.*, II, p. 184; also p. 272, where in note 8 (bottom of page) the author mentions that a certain Rabbi Jose knew his wife in sexual union only 5 times, and had five children,—all of whom took up their father's profession in later life.

<sup>25</sup> *Cursus Scripturae Sacrae. Comm. in Exodum et Leviticum*, (Paris: Lethielleux), p. 457.

Another indication of the high esteem for fertility in the Old Testament is found in the Book of Tobias. Young Tobias was afraid to take Sarah as his wife for the good reason that her seven previous husbands had been slain by the devil. The angel Raphael consoled him saying:

Hear me and I will show thee who they are over whom the devil can prevail. For they who in such a manner receive matrimony as to shut out God from themselves, and from their mind, and to give themselves to their lust as the horse and the mule, which have not understanding, over them the devil hath power (Tob. VI, 16, 17).

Married couples who, without an objectively sufficient reason, use their marriage right in such a way that the purpose which the Author of Nature has established as the primary end of sexual union is excluded even implicitly, may be said to be "shutting out God" from their minds,—excluding "understanding" in their marital lives.

The angel Raphael clearly indicates to Tobias that the use of the marriage right is to be ordained to procreation, telling him to use that right "with the fear of the Lord, moved rather by love of children than lust, that in the seed of Abraham thou mayest obtain a blessing" (VI, 22). The saintly Tobias took to heart the words of the Angel: "And now, Lord, Thou knowest that not for fleshly lust do I take my sister to wife, but only for the love of posterity, in which Thy name may be blessed for ever and ever" (VIII, 9). It is true that the angel recommended a period of continence to Tobias;—not periodic, but temporary continence, and for a supernatural motive (Tob. VI, 18).

#### *New Testament*

St. Paul advises married couples to practice continence periodically, meaning that they should abstain now and then for supernatural motives: "that you may give yourselves to prayer" (I Cor. VII, 5). There is not the least indication, however, that "egoism or the fear of a large family" could be substituted as a worthy motive for such periodic continence.<sup>26</sup> He recommends such recourse to continence

<sup>26</sup> "Rien qui sente dans ce conseil l'égoïsme ou crainte d'une famille nom-

for comparatively short periods only: "lest Satan tempt you because you lack self-control" (ibid).

The Apostle of the Gentiles advises young widows to "marry, bear children, rule their households and give the adversary no occasion for abusing us" (I Tim. V, 14). Otherwise: "being idle, they learn to go about from house to house, and are not only idle but gossipers as well and busybodies, mentioning things they ought not" (v. 13). Thus marriage serves not only as a means of leading many on to God, but also as a remedy for that subtle enemy of spiritual progress, idleness.<sup>27</sup> When St. Paul tells his beloved Timothy, however, (II, 15; 1st. epistle) that woman "shall be saved through child-bearing," he does not mean that childless women must abandon hope of salvation, but that the rearing of children with all its cares will be a great protection in the work of self-sanctification.<sup>28</sup>

As a conclusion to the preceding remarks, we may say that St. Paul would have disapproved of the practice of periodic continence (as a means of fertility control) for at least two good reasons: because of the danger of incontinence during the fertile periods, and because of the dangers associated with a life of idleness and lack of responsibilities especially for the woman. The doctrine of the later Fathers of the Church concerning the duties of married persons is based largely upon the epistles of St. Paul (especially I Cor., VII). We will see presently that according to the doctrine of the Fathers, the practice of periodic continence would be regarded as objectively unlawful.

breuse." Cf. *Dict. de Théologie Catholique*, IX, part II (Paris: Letouzey, 1927), art. "Mariage," col. 2973 (by L. Godetroy).

<sup>27</sup> "... ostendit propter liberorum procreationem contrahendum esse matrimonium, ut plures ad Deum adducat. ... 'matres familias esse' ... hinc curis remedium auferatur otiositati ceterisque malis et conjugatis." Knabenbauer, S.J., *Cursus Scripturae Sacrae*, *Comment. in S. Pauli Epistolas*, V (Paris: Lethielieux, 1913), p. 266.

<sup>28</sup> "salutem non pendere a generatione liberorum, patet per se et clare exprimitur addita conditionata 'si permanserit, etc.' ... 'The word *per* (through childbearing) means that: 'mulier per statum quasi transiens, in ea conditione posita, in et cum liberorum generatione salvabitur'" ibid. (Knabenbauer, S.J.), p. 218.

## 2)—In the Writings of the Fathers

It would be useless to look for direct references to periodic continence as we understand it, in the writings of the Fathers of the Church. They were interested primarily in keeping the Christian doctrine on marriage free of the two prevalent errors of the first centuries; that of the rigorists (Encratites, Gnostics, Montanists, etc.) who considered marriage and conjugal union as something evil, and that of the laxists (Jovinians, Helvidians, etc.) who put the married state on a par with virginity. In defending the lawfulness of the conjugal act, they presuppose that it is always performed with a view to the procreation of children.<sup>29</sup> It is true that a few of the Fathers seem to speak of the orientation of conjugal union to procreation as a matter of counsel, not necessarily of precept. Such statements, however, should be interpreted in the light of the teachings of the vast majority of the Fathers,—teachings which are too clear to admit of a lenient interpretation. The following citations are presented as representative of the general teaching regarding marriage and procreation in early Christian tradition.

*The Fathers in General*

Saint Justin (about 100-167 A.D.) mentions in his *Apologia I Pro Christianis* that the Christians did not enter marriage except for the purpose of rearing children.<sup>30</sup> Athenagoras says the same thing in more figurative language in his *Legatio Pro Christianis* written about the year 177 A.D.:

Just as the husbandman, once the seed has been sown, awaits the harvest, nor does he sow more seed on top of that, so for us the measure of (sexual) appetite ("modus cupiditatis") is the procreation of children.<sup>31</sup>

<sup>29</sup> L. Godefroy, "Mariage au Temps des Pères," *Dict. de Théologie Catholique* IX. (art. "Mariage") col. 2093, 2094.

<sup>30</sup> Ch. 29, P. G., VI, col. 374. The initials "P. G." refer to the *Patrologiae Cursus Completus* of Migne, Greek Series; P. L. indicates the same work, but the Latin Series.

<sup>31</sup> Ch. 23 (P. G., VI, col. 966). The same figure of speech is used by Clement of Alexandria, *Pedagogus*, Bk. II, ch. 10 (P. G., VIII, col. 498).

St. Basil (330-379 A.D.) remarks that marriage is contracted legitimately according to the scriptures, when the deciding factor is not the love of pleasure, but rather the thought of (mutual) help and the procreation of children.<sup>32</sup> St. Ambrose (353-397 A.D.) speaks of the shame which is associated with sexual union in *casa* where conception is impossible, referring to St. Elizabeth's sense of shame at finding herself with child in her old age.<sup>33</sup> Surely he would speak of more than shame if he were to pass judgment on those who deliberately restrict conjugal intercourse exclusively to periods when there is the least possibility of conception. St. John Chrysostom (344-407 A.D.) tells the fallen Theodore that one who rears no children, has taken a wife to no purpose. In one of his homilies, he says that the child is the bridge which joins man and wife together.<sup>34</sup>

St. Cyril of Alexandria (about 370-444 A.D.) in commenting upon the wedding feast of Cana, says that all those holy personages are present at each chaste and honorable wedding, along with Jesus, to perform another miracle;—to sanctify that new source of human generation that their offspring might be holy.<sup>35</sup> In the 6th century, we find Pope St. Gregory the Great asserting the traditional doctrine that married people are joined together for the procreation of children. The statement is found in his *Regulae Pastoralis Liber*, which served as a practical guide for the clergy throughout the early centuries and middle ages.<sup>36</sup>

<sup>32</sup> *Liber de Virginitate*, n. 38 (P. G., XXX, col. 746).

<sup>33</sup> *Expositio Evangelii Sec. Lucam*, (C. S. E. L., XXXII, 4, p. 38 et seq.)

<sup>34</sup> *Ad Theodorum Lapsion*, II, c. 5 (P. G., XLVII, col. 314): "Molestam est liberos suscipere, molestius non suscipere: illud enim est frustra duxisse conjugem, hoc amare servituti subjectum esse." In *Ep. ad Coloss.* c. 4, Rom, XII (P. G., LXII, col. 388). . . "tres sunt una caro, infante utrimque utrosque conjungente." cf. also *Ibid.*, col. 385. "Vinum datum est."

St. John Chrysostom attaches special importance to the curbing of concupiscence as a purpose of marriage, but not as the primary purpose except in the sense that one who cannot remain continent must look to marriage more as a means of avoiding sin than as a means of procreating children.

<sup>35</sup> In *Joannis Evangelium*, II, 1-4, (P. G., LXXIII, col. 223-226).

<sup>36</sup> Ch. 27 (P. L., LXXVII, col. 102).



St. Augustine (354-430 A.D.)

The teachings of the other Fathers of the Church concerning marriage are confirmed and clarified in the writings of the Great Bishop of Hippo. Since the recent encyclical of Pope Pius XI on "Christian Marriage" is based to a large extent upon the writings of St. Augustine, we feel justified in attributing special authority to those writings. The doctrine of St. Augustine concerning marriage and procreation may be summed up in the following three points:

a)—*The Creator instituted marriage primarily for the procreation of children*

Commenting on the divine command "Increase and Multiply," St. Augustine says:

For our part, we have no doubt that, according to the blessing of God, to increase and multiply and fill the earth is the gift of marriage, which God established from the beginning, before the sin of man, in creating male and female . . . since it appears most clearly that they were created male and female with bodies of different sexes so that they might increase and multiply and fill the earth, it is highly absurd to be unwilling to accept such a fact.<sup>37</sup>

He stresses the fact that conjugal intercourse would have been the means of procreation even if our first parents had not sinned:— the procreation of children is not a punishment for sin but "pertains to the glory of marriage."<sup>38</sup> Despite abuses which may have crept in, marriage was instituted among all peoples for the chaste procreation of children; the holy patriarchs such as Jacob used the marriage right only with a view to procreation.<sup>39</sup>

<sup>37</sup> *De Civitate Dei*, II, Bk. XIV, c. 22, (C. S. E. L., XI, 2, p. 45, 46; the initials C. S. E. L. refers to the *Corpus Scriptorum Ecclesiasticorum Latinorum*, Vindobonae, 1866 . . .).

<sup>38</sup> *De Civ. Dei*, Bk. XIV, c. 21 (C. S. E. L., XI, 2, p. 45); also c. 23 (*Ibid.*, XI, 2, p. 45, p. 47); also Bk. XXII, c. 24 (*ibid.*, p. 642).

<sup>39</sup> *De Adulterinis Conjugiis*, (C. S. E. L., XLI, p. 395); *De Civ. Dei*, Bk. XVI, c. 38 (C. S. E. L., XI, 2, p. 194); *De Bono Conjugali*, (C. S. E. L., XLI, p. 211, 212, 226, 227).

b)—God's plan for the peopling of the Heavenly City is to be realized through procreation

It is not necessary to read much of St. Augustine's "*De Civitate Dei*" to discover the fundamental reason why the human race should be propagated. Marriage is the "seed-bed" of the Heavenly City which will sojourn here on earth until the time comes when "it will be gathered together, all rising in their bodies, when the promised kingdom will be given to them, where they will reign with their Leader, the King of Ages, forever."<sup>40</sup> We might say that the City of God here on earth is the Church, the Mystical Body of Christ. Although God will see to it that the number of "saints" necessary to people that Heavenly City is realized in due time, those who voluntarily cause their marital relations to be sterile without a just cause are realizing neither the life of virtuous continence which the King of Ages desires, nor the unselfish procreation of children which He blesses.<sup>41</sup> Instead of conforming their lives to the divine plan, they are rather prolonging the sojourn of the City of God here on earth, and preferring their own pleasure and convenience to the glory of the King of Ages.

c)—The ideal, beyond what is necessary for procreation, is virtuous continence

Conjugal intercourse is justified only if it is either necessary for the procreation of children, or necessary as a means of avoiding in-

<sup>40</sup> *De Civitate Dei*, Bk. XV, c. 1 (C. S. E. L., XL, 2, p. 59, 60). This view is developed by Father Bernard A. Periera, O.F.M. in his study entitled: *La Doctrine du Mariage Selon Saint Augustin* (Paris, Beauchesne), p. 1, etc.

<sup>41</sup> Even though many might resort to periodic continence, God would attend to the realization of His plan by other means, e. g. by giving the blessing of fertility to those who are sterile, and desire children. St. Augustine makes a distinction between "propagatio" and "conformatio." "Propagatio" refers to the capacity of man to reproduce other human beings. "Conformatio" is the actual divine cooperation, by which intercourse is rendered efficacious in the procreation of offspring;—a blessing which is sometimes refused to individuals, but which has remained with the human race in general ever since God pronounced that blessing in paradise: "Increase and multiply." Cf. *De Civ. Dei*, Bk. XXII, c. 24 (C. S. E. L., XL, p. 642, 643); also Periera, O.F.M., op. cit., p. 8, 9.

continence. In the latter case, the use of the marriage right is allowed by St. Paul as a concession to human weakness<sup>42</sup> That is, one spouse may grant the "debitum" to the other who is in danger of incontinence. But it would be a "culpa venialis" for either spouse to demand the "debitum" beyond what is necessary for procreation.<sup>43</sup> It may be disputed whether St. Augustine speaks of actual sin or of mere imperfection, but it is evident that this "culpa venialis" is excusable;—"secundum veniam conceditur." (I Cor. VII, 6). Father Periera O.F.M. throws a bit of light upon this question:

Again, it is the honesty of marriage which makes this failing excusable, without however taking away all of its malice. . . . It is, in fact, to conserve conjugal faith, that marriage excuses the abuses of man and wife, without however approving of them.<sup>44</sup>

St. Augustine considers concupiscence as something of an evil. By using this evil with a view to the procreation of children according to the divine plan, that evil is turned into good. The fact that the performance of the marital act is ordained to procreation not only compensates for such surrender to incontinence in marriage, but it gives to carnal incontinence a certain dignity and goodness, tempering the concupiscence of the flesh by presenting to the man and wife the pleasant prospect of future paternity and maternity.<sup>45</sup>

<sup>42</sup> *De Continentia* (C. S. E. L., XLI, p. 177); *De Bono Viduitatis* (*Ibid.*, p. 309)

<sup>43</sup> " . . . reddere vero debitum conjugale nullius est criminis, exigere autem ultra generandi necessitatem culpa venialis. . . ." *De Bono Conjugali* (C. S. E. L., XLI, p. 195, 196, 203, etc.).

<sup>44</sup> Periera, O.F.M., *op. cit.*, p. 96. St. Augustine compares such excusable indulgence in sexual pleasure to immoderate indulgence in lawful food; *De Bono Conjugali* (C. S. E. L., XLI, p. 211). Such a use of the marriage right, however (i. e. to avoid incontinence) can be excused only "si magis in sua conjunctione diligunt quod honestum est quam quod inhonestum est." *Ibid.*, p. 203.

<sup>45</sup> "filiorum quidem propagatione compensatur, quod incontinentiae nubendo caditur." *De Adulterinis Conjugiis*, (C. S. E. L., XLI, p. 395); also *De Bono Conjugali*, (C. S. E. L., XLI, p. 191). cf. also Periera, O.F.M., *op. cit.*, p. 56-65.

What if the marriage right is used merely as a remedy for concupiscence? St. Augustine answers that such a procedure could be called marriage providing that the man and wife are not unwilling to have children born to them, and do nothing evil to prevent conception. He clearly implies that if the married parties are unwilling to have children born to them, their marital union cannot be called a marriage.<sup>46</sup> This gives us an idea of just how severely St. Augustine would judge the practice of periodic continence, objectively considered. There is "per se" nothing to make such marital union good and honorable; not their acts of continence, for their careful observance of restraint during fertile periods is inspired by selfish motives; not the procreation of children, for the practice essentially is designed to lead to sterility. On the other hand, it is easy to see how he would permit or at least tolerate such a practice if a serious, compensating reason is present, just as he permits the use of the marriage right beyond what is necessary for procreation if it is a matter of avoiding a great evil such as incontinence, infidelity, etc. It seems that he would not have approved positively of even the warranted practice of periodic continence, but we can safely say that he would have permitted it as a concession to human frailty.—"secundum veniam."

To summarize the Augustinian doctrine, we may say that the divine plan prescribes that all who cannot live in virtuous continence, should marry and make of their incontinence an occasion for the numerical increase of the Heavenly City, or as St. Augustine himself cries out in his Confessions:

Oh that . . . the tides of my youth might have cast themselves upon the marriage shore, if they could not be calmed, and kept within the object of a family, as Thy law prescribes, O Lord.<sup>47</sup>

<sup>46</sup> "potest quidem fortasse non absurde hoc appellari connubium, si proli generationem . . . non . . . vitaverint, ut vel aiant sibi nasci filios vel etiam opere aliquo malo agant ne nascentur. ceterum si vel utrunque vel unum horum desit, non invenio quemadmodum has nuptias appellare possimus." *De Bona Conjugali*. (C. S. E. L., XII, p. 193), *De Nuptiis et Conjugio*, I, ch. XV (C. S. E. L., XIII, p. 229), etc.

<sup>47</sup> *S. Aug. Confessionum*, Bk. II, ch. 2 (C. S. E. L., XXXIII, p. 19).

Except for a sufficient, objective reason, it would seem that those who practice periodic continence would not be excused from failing to contribute to the realization of that divine plan.

### 3)—*Ecclesiastical Documents*

The Holy See has issued only two pronouncements which have a direct bearing on this question of periodic continence. A careful study of the text and context of these documents indicates a disapproval rather than an approval of the systematic practice of periodic continence as such.

#### DECREE OF 1853

In the 1850's, the Bishop of Amiens, France submitted the following question to the Sacred Penitentiary:

Certain married couples, relying on the opinion of learned physicians, are convinced that there are several days each month on which conception cannot occur. Are those who do not use the marriage right except on such days, to be disturbed, especially if they have legitimate reasons for abstaining from the conjugal act?

On March 2, 1853, the Sacred Penitentiary answered as follows: "Those spoken of in the request are not to be disturbed, providing that they do nothing to impede conception."<sup>48</sup> The expression: "non esse inquietandos", frequently found in decrees of the Sacred Congregations, indicates no more than the words imply; "Such are not to be disturbed." The answer refers to "those spoken of in the request," and the request expressly refers to those who have "legitimate reasons for abstaining from the conjugal act." This response is not a definite pronouncement on the objective morality of

<sup>48</sup> Question: "Quidam fideles conjugati, peritorum opinione medicorum inixi, persuasum habent plures esse in singulis mensibus dies in quibus conceptio mulieris locum habere non potest. Suntne inquietandi illi qui matrimonio non utuntur nisi in illis diebus, saltem si legitimas habent rationes abstinendi ab actu conjugali?" Answer: "Non esse inquietandos illos de quibus in precibus, dummodo nihil agant per quod conceptio impediatur." Decree reprinted in the book of Father Gennaro, S.S., *De Periodica Continentia Matrimoniali*, p. 112.

periodic continence, but a mere pastoral directive for pastors of souls in treating individual cases. Surely the time was not ripe for a definite pronouncement in 1853, when the theory concerning sterile periods was too undeveloped to merit the confidence of married couples in general.

#### DECREE OF 1880

Puzzled by the divergent views on periodic continence occasioned by the publication of his book on *Spontaneous Ovulation*, (cf. section a), 1) of this chapter) Father Le Comte submitted the following questions to the Sacred Penitentiary:

1) Whether married couples may have intercourse during such sterile periods without committing mortal or venial sin

2) Whether the confessor may suggest such a procedure either to the wife who detests the onanism of her husband but cannot correct him; or to either spouse who shrinks from having numerous children.

3) Whether we must beware of the danger of decreasing the number of children, and whether this danger is to be considered of secondary importance in comparison with the advantage of avoiding sins and bringing about peace of conscience.

The response, dated June 16th., 1880, appears to be a direct answer to only the first part of Father Le Comte's second question:

Married couples who use their marriage right in the aforesaid manner are not to be disturbed, and the confessor may suggest the opinion in question, cautiously however, to those married people whom he has tried in vain by other means to dissuade from the detestable crime of onanism.<sup>40</sup>

<sup>40</sup> The questions: "1) Utrum conjuges ab quo peccato mortali aut veniali ita se gerere possent; 2) Utrum confessarius hunc agendi modum suadere posset sive uxori mariti onanism detestanti nec committere valenti, sive utriusque conjugii numerosam prolem refrigerati; 3) Num cavendum a periculo minuendae prolis, an periculum istud posthabendum sit ei inimento quod ex vitatis peccatis et ex conscientiarum pace lucrandum est." The answer: "Conjuges praedicto modo matrimonii utentes inquietandos non esse, posseque confessarium sententiam de qua agitur, illis conjugibus, caute tamen, in-  
sinuare; quos alia ratione a detestabili onanior crimine abducere frustra tentaverit." *Analecta Jura Pontificia*, series 22 (1883), p. 249.

The answer to the other questions seems to be couched in the phrase: "inquietandos non esse," as if to say: "for, the time being, until the question has been discussed and considered more thoroughly from all possible angles, those who restrict the use of the marriage right to such sterile periods for motives which are not manifestly bad, are not to be disturbed."

Before giving the above answer, the Sacred Penitentiary reviews briefly the opinion of Father Le Comte, saying that Cardinal Gousset expressed a similar opinion which was approved of by leading theological reviews. The *Revue des Sciences Ecclésiastiques* is among the reviews mentioned, i. e., the number containing the article of Craisson.<sup>50</sup> The only point on which Craisson agrees with the opinion of Le Comte, Cardinal Gousset and the others is in saying that the practice of periodic continence can be permitted to incorrigible onanists. It seems, therefore, that the Sacred Penitentiary means to issue a definite pronouncement only on that one aspect of the problem, i. e. that the practice of periodic continence can be permitted or suggested to otherwise incorrigible onanists. It seems to leave open for discussion the question of whether or not such a practice can be justified in other circumstances.<sup>51</sup>

Reserving pastoral conclusions from this decree for a later chapter,

<sup>50</sup> Cf. *Analecta Juris Pontificii*, series 22, (1883), p. 249. The *Analecta* refers to the reviews and articles discussed in section a), 1) of this chapter, with the apparent exception of the article which appeared in the Spanish review, *Consultor de los Parrocos*.

<sup>51</sup> In the preamble of the above response, however, the Sacred Penitentiary mentions that Father Le Comte considered such a practice of periodic continence as harmless ("innocua") if the parties concerned have a negative attitude toward possible conception, or if they positively place themselves in the hands of Providence or have a reasonable cause for not having children. —otherwise they are guilty of venial sin. Cardinal Gousset apparently held the same view. *Analecta Juris Pontificii*, series 22 (1883), p. 249. We have seen in section a), 1) of this chapter, however, that these theologians doubted whether or not the intention of using the marriage right only on sterile days could be considered as a purely negative attitude, whereas Craisson implies that such an intention constitutes a positive attitude toward conception, and says that it can never be justified. Cf. *Revue des Sciences Ecclésiastiques*, XXVII (June 1873), especially p. 595, 596.

we may make the following conclusions concerning the objective morality of the practice of periodic continence:

- 1) The decree has the character of a private response, intended primarily as a practical directive for confessors in dealing with cases of otherwise incorrigible onanism. It is not a direct decision on the objective morality of periodic continence. The expressions "insinuare," and "caute tamen . . . quos alia ratione . . . frustra tentaverit" indicate a disapproving attitude toward the practice as such.
- 2) The whole theory of physiologically sterile periods is regarded as a mere opinion,—"sententia." It is unlikely that the Holy See would issue a definite decision on the moral aspects of a medical opinion which further scientific research might prove to be erroneous.
- 3) The evasive response of the Sacred Penitentiary to the other questions of Father Le Comte (no. 1 & 3, and the 2nd. part of no. 2) indicates that the Holy See, in keeping with prudent, time-honored custom, prefers to see the question discussed thoroughly from every possible angle before giving a definite, general response concerning the morality of the practice as such.

#### The encyclical "Casti Connubii"

Quite a few contemporary theologians are of the opinion that His Holiness, Pope Pius XI expresses approval of the "safe period" practice in his encyclical on "Chaste Wedlock."<sup>52</sup> The passage in question is the following: speaking of the evil use of matrimony, the Holy Father says that the husband or wife is not guilty of sin "when for a grave cause he or she reluctantly allows the perversion of the right order," and he adds:

Nor are those considered as acting against nature who in the married state use their right in the proper manner, although on account of natural reasons either of time or of certain defects, new life cannot be brought forth.<sup>53</sup>

<sup>52</sup> Cf. Vermeersch, S.J., *What is Marriage?*, p. 44; Davis, S.J., *Clergy Review*, V (1933), p. 407; Noldin-Schmitt, *De Sexto Praecepto et de Usu Matrimonii*, p. 79 (n. 75, 2, c, note 3, bottom of page); Mayrand, O.P., *Un Problème Moral*, p. 76; Aertnys-Damen, *Theol. Mor.*, 13th. ed., II, p. 595; Hurth, S.J., *Nouvelle Revue Théologique*, 1931, p. 685, etc.

<sup>53</sup> *Four Great Encyclicals*, (New York: Paulist Press), p. 92. The original



The text would seem to indicate that the Holy Father is speaking of those who are physically sterile ("certain defects") or who have passed the menopause ("reasons . . . of time"); those are times "when new life cannot be brought forth."<sup>54</sup> In the case of "Ogynists," new life can be brought forth. In fact, that is precisely the reason why such a complicated practice is adopted.

A study of the context leads us to a similar conclusion. In the same section of the encyclical, the Holy Father mentions that the Church "well understands and clearly appreciates all that is said regarding the health of the mother and the danger to her life;" (p. 92) that he is "deeply touched by the sufferings of those parents who, in extreme want, experience great difficulty in rearing their children." (p. 93). He likewise refers to those who "cannot on the one hand remain continent nor on the other can they have children because of the difficulties whether on the part of the mother or on the part of family circumstances." (p. 91). It would seem that the mention of the "safe period" method would be fitting in connection with one of the above phrases if it was to be mentioned at all. Instead of suggesting a system of voluntary sterility, however, the Holy Father reminds the mothers that "God will assuredly repay them (her) in a measure full to overflowing;" (p. 92) he reminds both spouses that "there are no possible circumstances in which husband and wife cannot, strengthened by the grace of God, fulfill faithfully their duties and preserve in wedlock their chastity unspotted;" (p. 93) that "any use whatsoever of matrimony exercised in such a way that the act is deliberately frustrated in its natural

of this encyclical is found in the *Acta Apostolicæ Sedis*, XXII (1930), 539 et sqq.

<sup>54</sup> Father Salsmans, S.J., says that the text refers "omnino probabiliter" to the menopause period; *Ephem. Theol. Lovan.* XI (1934), p. 563, note 4. The *Clergy Review*, XIII (1937), p. 152 cites Dorsaz as saying on page 180 of his book *Contrôle Rationnel des Naissances*, that those who are intimately associated with the Vatican maintain that the above text is not an approbation of the "safe period" method. cf. also *Clergy Rev.*, XIII (1937), p. 156.

power to generate life, is an offense against the law of God and of nature . . . " <sup>55</sup>

We must admit that if the Holy Father had any intention of approving of any system such as the "safe period" method, he does it in most obscure language. On the other hand, the meaning of the disputed text is clear and intelligible if we do not try to force a reference to the "safe period" in between the lines.

#### *Episcopal Pronouncements*

Members of the Catholic Hierarchy have been quick to realize the dangers associated with the divulcation and use of the "safe period" method. As an example of this, we might cite a portion of a letter which His Eminence Patrick Cardinal Hayes sent to every priest of his archdiocese (New York) in 1936:

Hence no matter what theologians may teach in the classroom or in technical treatises written for future directors of souls, it is clear our teaching and preaching must insist on the Church's ideals of the purpose of marriage, rather than on what is allowed in particular cases for upright and holy motives. The old, well known, traditional teaching of the Church must never be forgotten or minimized by undue emphasis on any new discovery of medical science. <sup>56</sup>

Also worthy of special mention is a decree of the Fifth Provincial Council of Malines, convoked in 1937:

Such a manner of using (the) marriage (right), followed without a very serious reason, during all or almost all of the married life, is opposed to the plan of Providence concerning the propagation of the human race, represents a serious attack on the honor of marriage and particularly on the dignity of the wife, and creates grave dangers for married people. <sup>57</sup>

<sup>55</sup> *Ibid.*, p. 91. This latter phrase evidently refers to material contraception, but the mention of "deliberate frustration" should remind us to be cautious in our attitude toward the "safe period" method as well.

<sup>56</sup> The letter is entitled "Official Monitum on the Rhythm Theory," and has been printed in the *Conference Bulletin of the Archdiocese of New York*, XIV, n. 3 (Sept., 1936), p. 78.

<sup>57</sup> *Actes et Décrets du Cinquieme Concile Provincial de Malines* (Translation from the Latin original, Louvain: Editions de L'A. C. J. B., 1939), p.

Such phrases imply that the practice of the "safe period" method is to be considered as *per se illicitum*, *per accidens autem licitum*.

#### 4)---Reason

The principal argument from reason is indicated in chapter II. Summed up in syllogistic form it may be stated as follows: Any human act or series of human acts which is not in conformity with right reason is morally wrong. But the deliberate practice of restricting the use of the marriage right exclusively to sterile periods without an objectively sufficient reason, is not in conformity with right reason. Therefore the deliberate restriction of conjugal union exclusively to sterile periods as essentially involved in the "safe period" method, without an objectively sufficient reason, is morally wrong.<sup>58</sup>

No one will deny the first premise. The second premise offers no difficulty if we remember that the practice of periodic continence involves an implicit but positive exclusion of the primary purpose of marriage, which can be justified only if there is an objectively sufficient reason for not having children. It must be remembered that in the practice of periodic continence, the ultimate reason why procreation does not follow is not because nature has prescribed sterile periods for the woman, but because rational man deliberately determines to take advantage of nature to avoid the realization of the primary purpose of marital union as established by the Author of nature.

#### Confirmation

Several authors mention that the majority of the fervent faithful shrink from considering this practice *in se* as morally beyond re-

38 (n. 47). Cf. also a pro-synodal decree of the Bishop of Liege concerning this method issued on May 7th, 1936 (found in Gougnard's *De Matrimonio*, 8th. ed., p. 315), as well as the official directives of several German bishops found in *Das Amtsblatt der Erzdiocese Munchen und Freising*, Nr. 15, (Oct 29, 1932) and in *Das Amtsblatt für die Erzdiocese Paderborn*, LXXXVI (1933), Nr. 39 (both mentioned in the *Theol. Prak. Quartalschrift*, LXXXVI [1933] in an article by Dr. Grosam, p. 279).

<sup>58</sup> The same argument is used by Father Lavaud O.P., cf. *Le Monde Moderne et le Mariage*, p. 419.

proach. The argument must not be underestimated, for as Father Lavaud, O.P. remarks, the fervent faithful are often more infallible in their intuitions, than certain theologians in their deductions.<sup>59</sup> Many of the faithful must be shocked at hearing certain priests and theologians speak so approvingly of the "safe period" method. Many must find it hard to accept the view that it is not *per se* unlawful to enjoy sexual union throughout the entire period of married life, without once assuming the responsibilities which naturally are associated with the performance of such a function. Many would consider that as a greater deordination than to miss mass once on a day of precept.<sup>60</sup>

#### "Per Accidens Licitum"

To understand how the objectively unlawful practice of periodic continence can be lawful in individual cases, it may be well to recall that circumstances may so change a given situation, that certain precepts of the natural law no longer bind in individual cases.<sup>61</sup> As an example of this, St. Thomas mentions the precept that whatever is given over to the safe-keeping of another should be returned. But if, for example, a man demanded that his sword be returned that he might go forth and fight against the fatherland, it would be un-

<sup>59</sup> *Loc. cit.*, (*Le Monde Moderne et le Mariage*), p. 419.

<sup>60</sup> Cf. *L'Ami du Clergé* (*loc. cit.*), p. 750; Salsmans, S.J., *loc. cit.*, p. 569. As proof that the faithful have been so shocked as to raise their voices in protest, we might mention a letter of a woman's organization of the Diocese of Munster sent to the vicar general of the diocese protesting against the publicizing of this method (found in the *Collectanea Mechliniensis*, 1933, p. 648, and also on p. 99 of Father Lavaud's book, *op. cit.*), as well as a frank and sane denunciation of such publicity by a Catholic layman (*cf. Fortnightly Review*, XL (1933), p. 230, also vol. XLI (1934), p. 75, 76).

<sup>61</sup> "Quantum ad prima principia legis naturalae, lex naturalae est omnino immutabilis; quantum autem ad secunda praecepta, quae diximus esse quasi quasdam proprias conclusiones propinquo primo principio, sic lex naturalis non immutatur, quin ut in pluribus sit rectum semper quod lex naturalis habet; potest tamen mutari et in aliquo particulari et in paucioribus propter aliquas speciales causas impediens observantiam talium praeceptorum." St. Thomas, *Summa Theol.*, I-II, Q. 94, a. 5, corp. *cf.* also Merkelbach, O.P., *Summa Theol. Mor.*, I, n. 258; Prummer, O.P., *Manuale Theologiae Moralis*, 11th. ed., I, n. 154-157.

reasonable and detrimental to return such a trust.<sup>62</sup> The same would apply in regard to the natural prohibition against the revealing of secrets.

Applying these notions to our question, we may say that the precept of the natural law which is involved here is this: that married couples must ordain their marital life, at least implicitly, to the realization of the hierarchy of ends in marriage as established by God. An objective view of the practice of periodic continence as such reveals that it involves the implicit, but positive exclusion of the primary end of that hierarchy. In individual cases, however, circumstances may so alter the situation that it would be detrimental and even unreasonable to realize that primary end, e. g. at the sacrifice of the health or life of the mother, at the serious risk of degrading poverty, etc. In such cases the couples concerned could form the intention to exclude procreation as an end in their marital life for the duration of the emergency, and even have recourse to an efficacious means such as the "safe period" method to avoid progeny. It is evident, however, that recourse to any unnatural practice such as onanism could never be allowed, and that even in the use of the "safe period" method, the couples must be disposed to accept any "surprise" child. As long as that just cause for avoiding offspring is present, such couples may legitimately give their attention solely to the realization of the secondary ends of marriage.

### 5)—Critical Analysis of Objections

a)—*The practice of the "safe period" is objectively good because it is perfectly according to nature*

We might answer such an objection in the words of Father Lavaud O.P.: "We cannot see an adaptation to nature in something which is, in effect, a trick to frustrate nature"<sup>63</sup> We might distinguish by saying that it is according to man's animal and sensual nature to seek the pleasures and other benefits of sexual union without the "onus," but it is not according to his higher, rational nature unless there is a serious, objective reason to justify such a procedure. In

<sup>62</sup> *Ibid.*, a. 4, corp.

<sup>63</sup> *Le Monde Moderne et le Mariage*, p. 419.

man, all natural inclinations must be ordained according to the dictates of right reason.<sup>64</sup>

It seems highly imprudent to say that the mere fact that woman has definite sterile periods indicates the divine approval of the application of the "safe period" method. Father Salsmans S.J. uses forceful language in denouncing such an implication:

It is offensive to pious ears, not to say blasphemous to bring in Divine Providence which assuredly provides so that too many children are not born, but by no means teaches men to use cunningly this physiological law so that, enjoying the use of the marriage right, they nevertheless avoid the realization of the primary end of matrimony without a good reason.<sup>65</sup>

As Monsignor Ryan points out, it may well be that Divine Providence intends such sterile periods to serve primarily as periods of rest from conjugal union, making conception more likely during the fertile periods. It is dangerous to infer that nature herself makes possible the "frustrative use of the marriage act."<sup>66</sup>

It must also be remembered that this practice involves a way of life which is not altogether normal and natural, i. e. to regulate sexual life according to a calendar. Some medical authorities assert that the wife's desire for sexual union is often most vehement precisely during the fertile period. It appears that the Jews followed a more natural procedure in abstaining during the post-menstrual sterile period in accordance with the prescriptions of the Book of Leviticus. The argument that the practice of periodic continence is "perfectly in accordance with Nature" has failed to impress even the more enlightened ones among the faithful.<sup>67</sup>

<sup>64</sup> St. Thomas, *Summa Theol.*, I-II, Q. 94, a. 4, and ad 3; cf. also *ibid.*, Q. 93, a. 6, and also Farrell, O.P., *op. cit.*, p. 89, et sqq.

<sup>65</sup> *Casus Conscientiae*. Gencot-Salsmans (13th ed., Brussels: L'Édition Universelle, S.A., 1936), (p. 754, casus 1124, bis)

<sup>66</sup> *Ecclesiastical Review*, LXXXIX (July 1933), p. 30. Even the originator of the method, Dr. Ogino (apparently not a Christian) seems to view this method primarily as a means of having children not of avoiding them. Cf. Dr. Ogino, *Conception Period of Women*, foreword, also Dr. Victor C. Pedersen, *Nature's Way of Birth Control*, p. 2; etc.

<sup>67</sup> Cf. the *Fortnightly Review*, XLI (1934), 75, 76, in which a Catholic

b)—The divine command "Increase and multiply" applies to married people as a group, not to individual couples.

St. Thomas has explained that too clearly to admit of any other interpretation.<sup>68</sup> If the command applied to all men and women, it would be difficult to see how celibates such as priests, nuns as well as married people who live in perpetual continence are doing the will of God. As Father Salsmans S.J. remarks, however, the mere fact that the command "increase and multiply" indicates a social and not an individual obligation does not mean that it is reasonable to be ill-disposed toward the observance of the hierarchy of ends;—to center attention only on the secondary ends without a good reason or to wish to enjoy the pleasure when the natural end of that pleasure-function cannot be realized.<sup>69</sup>

The sacraments of Matrimony and Holy Orders were instituted primarily for the common good. The command "Go ye therefore, teach all nations etc.", however, does not apply literally to each individual priest any more than the command "increase and multiply" applies to each individual couple. If the contrary were true, it would be difficult to see how chancery officials, contemplatives, etc., are conforming their priestly lives to the will of God. They are all contributing to the realization of the primary purpose of the priesthood in some way or another. Let us say, however, that a duly ordained priest is spending a few months near a parish church, simply awaiting an appointment. Suspecting that he might be requested by the busy pastor to say one of the Sunday masses and perhaps read the gospel, he decides to go to a neighboring religious house every week-end where he can relish his private Mass without distractions on the part of the faithful. Considered in itself, such a

layman logically presents the above argument as a dangerous and "liberal" view.

<sup>68</sup> *Summa Theologica*, II-II, Q. 152, a. 2, ad 1; also *Contra Gentiles*, III, c. 136. It must be noted that in this article, St. Thomas is not seeking to justify a practice such as the "safe period" method as some seem to infer, but he is writing in defense of the state of virginity. Article 2 is entitled: "Utrum Virginitas sit illicita."

<sup>69</sup> *Ephem. Theol. Lovan.*, XI, (1934), p. 565.

procedure indicates a certain degree of selfishness,—a failure to realize the social character of his priestly office. Any number of objective reasons might justify such a practice in concrete cases, e. g. the priest is in need of a rest, engaged in private study, etc.: but to do so merely because of a preference for private convenience would mean that the common good is receiving mere secondary consideration. The harm done to the common good in such a case is not great for the pastor can binate, but the harm done to the common good by those who have recourse to the "safe period" method without a just cause is not so easily repaired by others. In both cases, there is that culpable failure to observe the hierarchy of ends as established by God for the priesthood and the married state respectively. Just as no particular young man is obliged to enter the priesthood, so no particular individual is obliged to enter the married state. Once the one has been ordained, however, and the other married, the obligation to look out for the common good in the manner peculiar to those states of life formally takes effect.

c)—There is no obligation while observing the law to intend the end for which the law was promulgated. "fines legis non cadit sub legem."<sup>70</sup>

Father Salsmans S. J. answers that objection by saying that although the motive of virtue does not have to be intended clearly and explicitly in the observance of the natural law, we cannot conclude that a virtuous motive does not have to be intended at all:

Man should be well-disposed in the will towards the cultivation of "virtues" and should wish to act "virtuously," . . . and it goes without saying that we cannot conclude that it is reasonable and hence lawful to reject the formal motive of virtue, or, in our case, the tendency of nature and the primary end of the function, if there is no justifying reason ("ratio rationabilis").<sup>71</sup>

<sup>70</sup> Father Vermeersch, S.J., among others, presents this objection: cf. *What is Marriage?*, p. 44; cf. also Father Hurth, S.J., *Nouv. Rev. Theol.*, V, p. 689.

<sup>71</sup> *Ibid.*, p. 565. Father Salsmans is using the word "virtue" in the sense of "in conformity with reason," as it is understood in Q. 94, a. 3 (I-II) of the *Summa Theol.* of St. Thomas.

It is quite true that this method involves something noble and even virtuous (i. e. continence), but only if we consider such acts of continence as isolated acts, and not as a part of the system of periodic continence. As component parts of a system, such acts of continence cannot and do not compensate for the selfishness which colors the practice as a whole, just as the business man who ostentatiously drops two 50 cent pieces into the collection box every Sunday out of vain glory is not to be praised for that aspect of his "public magnanimity." Since virtue depends upon the motive, abstinence observed for selfish motives is not virtuous continence but mere physical self-control.

d)—*The practice of periodic continence involves a mere negative frustration of the marriage act; "the positive pursuit of this end is merely omitted."*<sup>72</sup>

Our remarks in the first part of this chapter justify the conclusion that there is definitely question of an implicit but positive exclusion of the primary end of marriage. It is true that in this practice, the material element in the non-realization of procreation is due to nature, but the formal and primary element is due solely to the will which sees such restriction of intercourse as an efficacious means of avoiding conception, and commands that the system as such be adopted in marital relations.

It seems evident that a positive intention to exclude procreation can be present even though there is no intention to do away with a possible conception. The latter intention would merely add a new but grievous malice to a procedure which is already unlawful, objectively considered. Positive opposition to the divine plan begins long before it amounts to a determination not only to avoid but to destroy if necessary. The anonymous author of the article in *L'Année du Clergé* remarks that the readiness to accept, although grudgingly, the unforeseen but deliberately opposed consequences of an isolated

<sup>72</sup> Cf. Vermeersch, S.J., *Theol. Prak. Quartalschrift*, LXXXIX (1936), p. 64; *Periodica*, XXIII (1934), p. 242\*; Mayrand, O.P., *op. cit.*, p. 65, etc.

act of intercourse does not destroy the original disposition of the will to avoid conception. Nor can we say that the individuals concerned are simply abstracting from procreation, for the very fact that such a system is chosen indicates that they are preoccupied above all with the thought of having no children, or no more children.<sup>73</sup>

<sup>73</sup> *Loc. cit.*, p. 745.



## CHAPTER IV

## THE SIN INVOLVED IN THE UNWARRANTED PRACTICE OF PERIODIC CONTINENCE

## A)—SPECIES

It seems that those who restrict the use of their marriage right to sterile periods without a just cause are not *per se* sinning against chastity, but there is good reason to believe that they are failing in obligations of justice toward God, toward society and toward themselves,<sup>1</sup>—violations not of the 6th and 9th commandments, but especially of the 7th commandment. In other words, the unwarranted use of the "safe period" method involves the following, threefold deordination:

## 1)—Voluntary sterility and the Love of God

"He who has my commandments and keeps them, he it is who loves me" (John XIV, 21). We are obliged by the law of charity to at least do nothing which is contrary to the divine will. The fact that God wills the exercise of the conjugal act to be ordained in some way to the procreation of children is evident from the very nature of sex and marriage. The positive, voluntary choice of a system of sterility, objectively considered, means that the individual concerned is determined to follow his or her own will in preference to the divine will in this particular question of procreation. Furthermore, those who use their marriage right and have no just cause for avoiding children are not manifesting much gratitude for the divine blessing of fertility. It seems that the most evident way for married people to show their love for God and their gratitude for His blessings is to raise up other souls to give glory to His name.<sup>2</sup>

<sup>1</sup> Strictly speaking, the term "justice" refers only to man's relations with other men; hence justice toward oneself is more properly called ordinate self-love, and justice toward God is rather called love and gratitude. Man cannot render homage to God in a measure befitting His due. Cf. St. Thomas, *Summa Theol.*, II-II, Q. 57, a. 1, corp. and ad 3.

<sup>2</sup> Cf. Merkelbach, O.P., *Summa Theol. Mor.*, I, n. 884, 3.

## 2)—Voluntary Sterility and the Common Good

St. Thomas and the theologians who followed him have made it clear that matrimony is one of the sacraments which were instituted for the common good; in the words of St. Thomas, it is the sacrament which perfects man "as far as natural propagation is concerned," which is not only a sacrament "but a duty of nature."<sup>3</sup> There must be *per se* some obligation on the part of some married couples to realize the end for which the sacrament was established. Now we know from the constant practice and teaching of the Church that on the one hand, it is not unlawful for a couple to practice complete continence for a good and noble motive;—that on the other hand, the positive, material frustration of the marriage act is sinful. Likewise, all theologians agree that with a good reason, the practice of periodic continence is lawful. Hence that natural obligation to procreate would seem to apply in a very special manner to those who make use of their marriage right, and at the same time have no sufficiently serious reason for avoiding children, i. e. including those who use the "safe period" method without a just cause. To express this in the words of Canon Dermine:

The law of fecundity obliges those who have voluntarily engaged themselves in marriage. . . . For if one admits that procreation or fecundity obliges the human species as a law, one must conclude that certain categories of persons are affected by that law . . . and who could these individuals be if not those who, being engaged in the state of marriage, have not renounced the use of the conjugal right for superior motives.<sup>4</sup>

Such a shirking of a natural obligation is a violation of legal justice;—"the virtue which inclines man to give to the community, that which is due."<sup>5</sup> It is a question of allowing natural, selfish inclinations for a private, particular good to overcome the influence

<sup>3</sup> *Summa Theol.*, III, Q. LXV, a. 1, corp. and a. 2, ad 1.

<sup>4</sup> *L'Eglise et le Mariage* (by various authors, Paris: Editions Marriage et Famille, 1937), art. "La Morale Conjugale, Neomalthusianisme, Méthode Ogino-Smulders," p. 64.

<sup>5</sup> Cf. St. Thomas, *Summa Theol.*, II-II, Q. 58, a. 6, Merkelbach, O.P., *Summa Theol. Mor.*, II, p. 260, n. 259.

which the intellect normally exerts in rational beings in the interests of the common good. It is true that the common good is realized to some extent even in the unwarranted practice of the "safe period" method, in as much as sensual concupiscence is tempered and mutual love is fostered,<sup>6</sup> but the fact remains that the primary end of marriage as established by the Creator is excluded,—therein lies the moral deordination.

### 3)—*Voluntary Sterility and Inordinate Self-Love*

Those who love themselves are reproached in as much as they love themselves according to their sensible nature . . . which is not really loving oneself according to rational nature, i. e. that they would desire those "bona" which pertain to rational perfection ("ad perfectionem rationis")<sup>7</sup>

This inordinate "seeking of self" to the detriment of rational perfection is known as egoism,—an excessive love of self whereby one strives principally or exclusively for private advantages and conveniences, giving only secondary consideration to the glory of God and the welfare and advantage of others.<sup>8</sup> "For all seek the things that are their own; not the things that are Jesus Christ's." (Phil., II, 21). In a more realistic vein, Father Salsmans S.J. remarks:

It seems wrong that one should be able to enjoy a pleasure during an entire life-time, about half of the time (i. e. half of the menstrual cycle) without ever intending or realizing the intrinsic, primary finality of this pleasure, and that without serious sin ("sine gravi reatu.")<sup>9</sup>

If inordinate love of self is morally wrong, so also is the unwarranted practice of the "safe period." The entire procedure bespeaks a selfish quest for private pleasures and advantages.

<sup>6</sup> Cf. Vermeersch, S.J., *Periodica*, XXIV (1935), p. 168\*; *De Castitate et de Vitio Contrariis*, p. 268, 269.

<sup>7</sup> St. Thomas, *Summa Theol.*, II-II, Q. 25, a. 4, ad 3.

<sup>8</sup> Cf. Merkelbach, O.P., *Summa Theol. Mor.*, I, n. 888; Prummer, O.P., *Manuale Theol. Mor.*, I, n. 568, d.

<sup>9</sup> *Ephem. Theol. Lovan.*, loc. cit., p. 567; also *L'Ami du Clergé*, loc. cit., p. 750.

## b)—GRAVITY OF THE SIN INVOLVED

*The Minority Opinion*

Father Lavaud O.P. clearly states that the prolonged practice of periodic continence without a sufficient, objective reason, would be a mortal sin:

it would be only a venial sin to give oneself up to this practice temporarily, for a few months or even for an entire year, but it would be a grievous sin to wish, without any good reason, to give oneself up to the practice during an entire lifetime, or for as long a time as the wife remains liable to conceive. The common feeling of the faithful cannot but see in such a resolution a greater disorder than in an occasional serious failing in any matter. The consequences are much more dreadful for both the common good of the fatherland and of humanity. If it were only a slight sin, many of the less conscientious Christians would allow themselves the practice too easily, and a general lowering of morality among Christian married people would result.<sup>10</sup>

Father Doodkorte O.P. of Holland and Father Kaiser C.P.P.S. of the United States of America also state clearly that the unwarranted practice of periodic continence would amount to a mortal sin, if it is used as a means of avoiding any and all children.<sup>11</sup> Others, such as Father Salsmans, S.J., and the anonymous author of the article in *L'Ami du Clergé* incline toward the above opinion, stressing the argument that if the disposition of the will to restrict the use of the marriage right to sterile periods might invalidate the marriage contract, as some authors maintain, a similar disposition of the will in the married state would seem to be more than venially sinful.<sup>12</sup> They

<sup>10</sup> *Le Monde Moderne et le Mariage*, p. 421; Salsmans, S.J., *loc. cit.*, p. 567.

<sup>11</sup> Doodkorte, O.P., *Artsenblad*, (July, 1935), p. 197-205; Kaiser, C.P.P.S., *Fortnightly Review*, XLI (1934), p. 123, 124: "I can see how couples who without sufficient reason limit their offspring to one or two, can be excused from mortal sin, but for the life of me, I cannot see how a permanent and effective use of the safe period can ordinarily be excused from grave sin."

<sup>12</sup> *Ephem. Theol. Lovan.*, *loc. cit.*, p. 568; also Lavaud, O.P., *op. cit.*, p. 422 and *L'Ami du Clergé*, *loc. cit.*, p. 751. Canon Mahoney, for example, says that it is not impossible that the right to conjugal intercourse might be excluded by a pre-marital pact or agreement even in the case of the "safe period" method,—if the right is actually restricted, the marriage is invalid.

also mention the argument previously cited, i. e. that the faithful would consider such a deordination as more serious than missing mass once on a day of precept, and that dangerous consequences are associated with such a procedure for both the individual and society.<sup>13</sup>

#### Majority Opinion

The majority assert that the practice of periodic continence might be sinful in particular cases not because of any deordination included in the practice as such, but because of attendant motives or circumstances. To cite Father Vermeersch S.J.:

Those who limit the use of matrimony because of an excessive love of an easy life, contempt for children, disdain for the destiny of marriage, sin by such motives, but this independently of the object of their action. These sins can be venial or serious depending upon how seriously they are opposed to the order established by God.<sup>14</sup>

All will admit that certain circumstances such as a serious danger of incontinence, lack of mutual consent, etc., may make the practice seriously sinful in particular cases, but some theologians clearly imply that abstracting from such circumstances and possible dangerous consequences, the practice of periodic continence without a just cause

Cf. *Clergy Review*, XIII (1937), 121-131; XIV (1938), 184-185, XV (1938), 398. Other discussions found in the *Ecclesiastical Review*, C (June, 1939), 481-498; CI (Aug. 1939), 131-149; *Irish Ecclesiastical Record*, XLIX (1937), Vermeersch, S.J., *Periodica*, (1934), p. 241; Mancini, S.S., *Palastro Del Hero*, (1935), p. 71; Noldin-Schmitt, *Summa Theol. Mor.*, III (ed. 1935), t. 631, etc. cf. also the *Analecta Juris Pontificii*, 12th. series (1873), col. 721-723.

<sup>13</sup> Others, such as Father Gennaro, S.S., attach little importance to such arguments "ex sensu communi fidelium." He says: "Quin imo, ea potius a sensu quam a ratione suaderi videntur . . . Nostra autem intersunt non quidem difficultates hujusmodi, sed asserti rationis." *De Periodica Continentia Matrimoniali*, p. 79 and 81.

<sup>14</sup> *Periodica*, XXIII (1934), p. 243\*; also Mayrand, O.P., *op. cit.*, p. 65. Aertnys-Damen, *Theologia Moralit*, p. 595, n. 897, and the others listed in chapter IV (i. e. under the heading: "the opposite opinion").

would not be more than venially sinful. Father Merkelbach O.P., for instance, says:

Generally it is not lawful to adopt this as a practice and perform the sexual act only at this time so as to avoid all conception. But it is not in itself gravely wrong, in itself and excluding dangers.<sup>15</sup>

The general tenor of these opinions leads us to conclude that, with the possible exception of Father Merkelbach O.P., the above theologians would not consider the practice of periodic continence as unlawful *per se* if couples adopted it merely because of some indifferent motive, e. g. because they simply have no special desire for children, or because there is no explicit precept obliging them to raise a family, except perhaps if it were used so as to avoid any and all children. In the latter case, it is difficult to decide whether they would consider the practice as venially sinful *per se*, or because of the dangers associated with a childless, married life.

Our conclusion is in accordance with the opinion of Father Lavaud O.P., i. e. that the unwarranted practice of periodic continence for a few months or even for a year or two would not *per se* amount to more than a venial sin; but to adopt such a practice for a period of many years without a just cause, would *per se* amount to a mortal sin. Such a procedure would indicate a very advanced degree of selfishness with a serious and culpable neglect of obligations of charity and justice. If the practice is adopted for such a prolonged period for an objective reason which *per se* would justify only a brief recourse to the "safe period" method, (e. g. delicate health of the wife), it seems that the moral dereliction would not exceed a venial sin. In such a case, there is at least some valid, objective reason for not realizing the primary end of marital union even though that reason is insufficient to justify the prolonged or permanent exclusion of procreation. If, however, the practice is adopted for more

<sup>15</sup> Cf. *Ecd. Review*, XCIV (1936), p. 390, and *Amalcom*, II (1934), p. 93; cf. also Ter Haar, *C.S.S.R. Clero (Clericalia)*, II, 1, 61 (p. 183). Also Ryan, *Ecd. Review*, LXXXIX (July 1935), p. 35; Wilhelm Firsching, S.J., *America*, XLVIII (Feb. 25, 1935), p. 496, 497, and apparently also Father Noldin, S.J., *De Sexto Praecepto* (N. J. am-Schmitt), n. 72, 3 (p. 85), n. 75, 2 (p. 79).

than a few years without any valid, objective reason we believe that the persons concerned would *per se* be guilty of mortal sin. It is possible that such couples might be excused of serious sin because of their good faith.

### C)—NATURE OF THIS SIN

Father Lopez S.J. indicates the precise nature of the sin involved in the unwarranted practice of the "safe period" method when he says that those who are determined to adopt such a practice because of mere egoism, sin "not in single acts, but in that will persevering against the natural end of marriage.<sup>16</sup> In the words of Father Lavaud O.P.:

This will which repudiates the primary end of marriage infects with its venom the matrimonial life as a whole . . . if the acts (i.e. isolated acts of sexual abstinence or indulgence) are considered as human acts, dependent upon and determined by the intention of the man and wife, they are vitiated acts.<sup>17</sup>

Every isolated act of sexual abstinence or indulgence becomes as it were a part of the general strategy designed to prevent the realization of the primary end of marital union.

We might liken this situation to that of a person who decides to steal \$100.00, but takes it in small installments of twenty-five cents each day over a period of about one year. Although the matter of each theft is in itself slight, the intention of accomplishing serious damage to another links each isolated theft into one serious sin committed distributively. The same applies if a person reads a forbidden book in short installments of a few pages each day. These are all applications of the accepted moral principle: "There are as many sins as there are acts morally interrupted regarding the same

<sup>16</sup> "Peccatum non in singulis actibus, sed in perseverante ista voluntate contra finem naturalem matrimonii." *Ecl. Review*, XCIV (June, 1936), p. 591.

<sup>17</sup> *Le Monde Moderne et le Mariage*, p. 418; cf. also *L'Ami du Clergé*, (Nov. 8, 1934), p. 744; Salsmans, S.J., *Ephem. Theol. Lovan.* XI (1934), p. 567.

object of the will."<sup>18</sup> Numerically there is but one sin, knitted out of a multiplicity of isolated acts by one perverse and persevering act of the will.

Would the moral deordination involved in the practice of periodic continence be greater if conception were not only improbable but absolutely impossible during the sterile periods?<sup>19</sup> The question is one of pure speculation, for this method is based on biological laws, —laws which are always subject to changing causes and disturbing influences. Hence conception is never impossible.<sup>20</sup> If the method were 100% fool-proof, the choice of such a procedure would indicate a greater determination to avoid procreation, but that same determination (although in a lesser degree) is indicated by the choice of "Oginism" even though there were only a 50-50 chance of success. A mere difference of degree would not constitute a distinct moral problem.

### CONCLUSIONS TO SECTION A OF PART I

#### (The OBJECTIVE morality of Periodic Continence)

I—The practice of periodic continence according to the "safe period" method, considered merely as a number of unrelated acts, cannot be said to be wrong, since it consists of a series of acts of continence and sexual indulgence which are in themselves perfectly lawful.

II—This same practice, considered as a series of related acts apart from attendant circumstances and motives, but as the object of a positive, deliberate act of the will, essentially indicates that the will of the person concerned is positively disposed to exclude procreation in a consistent and deliberate manner, as an end in marital life. The obstacle to procreation is not a physical act or instrument of frustration but it is none the less positive and effective, i. e. of the intentional order.

<sup>18</sup> Cf. Prummer, O. P., *Manuale Theologiae Moralis*, I, n. 378 and 379. Merkelbach, O.P., *Summa Theologiae Moralis*, I, n. 439, p. 366, 367. Genicot-Salsmans, *Institutiones Theologiae Moralis*, I, n. 165, p. 123.

<sup>19</sup> Cf. Lopez, S.J., *Periodica*, XXV (1936), p. 171\*-175\*; Ryan (Msgr.), *Ecl. Review*, LXXXIX (1933), p. 29:—both authors introduce this question indirectly.

<sup>20</sup> Cf. Hurth, S.J., *Ecl. Review*, XCIV (1936), p. 592-593.

III—Under the influence and direction of this persevering will to avoid procreation, the practice of periodic continence becomes a definite system or way of life in marital relations, a consistent, studied policy which is designed to result in the non-realization of that which is indicated by the very nature of sex and of sexual union as the primary purpose of marital life.

IV—Viewed as a way of life in marital relations, the practice of periodic continence is properly considered as *per se illicitum, per accidens autem licitum*, i.e., lawful if there is an objectively sufficient reason to justify the positive, *intentional* exclusion of procreation in marital life.

V—The practice is not intrinsically evil in the sense that blasphemy or contraception is evil, but it is unlawful because of the precept of the natural law which insists that the primary end of marital union, as established by God and clearly indicated by nature, must not be positively excluded in marital life without a justifying reason. If there is a justifying cause, it is perfectly according to reason to make use of the "safe period" method as a means of excluding procreation in marital life.

VI—The unwarranted practice of periodic continence would seem to be primarily a sin of inordinate self-love, including as well a violation of social justice and an offense against the love and gratitude which is due to God, who is responsible for both the blessing of fertility and the circumstances and conditions favorable to the realization of procreation as an end in marriage.

VII—This deordination would not amount to more than a venial sin if the practice is adopted temporarily,—for a few months or even for a year or two. It would be sinful not in the sense that each act of the series is a venial sin, but in the sense that every isolated act of continence or sexual indulgence is impregnated by that persevering, perverse disposition of the will, uniting them all into one moral whole, one sin.

VIII—The prolonged, unwarranted practice of this method indicates an advanced degree of selfish-egoism which *per se* would be a mortal sin. Such an opinion is also confirmed by the common feeling and estimation of the fervent faithful.

IX—The assertion that the practice of periodic continence objectively considered is *per se* illicit, *per accidens* illicitum merits the title of a probable opinion.

X—All will admit that in individual cases, due to attendant circumstances or consequent dangers, the practice could be grievously sinful, e.g. lack of mutual consent, serious danger of incontinence, etc.



## B—MORALITY OF THE PRACTICE OF PERIODIC CONTINENCE IN INDIVIDUAL CASES

We have concluded that the practice of periodic continence according to the "safe period" method objectively considered, is *per se* unlawful but lawful *per accidens*, i. e. if there is a sufficient, justifying cause. In order to determine just what reasons might be considered sufficient to justify such a practice in a particular case, we must consider not only the moral deordination implied in the practice as such, but also the evils and dangerous consequences which might follow from or accompany such a practice. Before considering the objective reasons which might justify this practice in individual cases (chapter VI), we ought to review the various circumstances and consequences which might make even an otherwise good reason insufficient to justify recourse to the "safe period" method (chapter V).

## CHAPTER V

### CIRCUMSTANCES AND CONSEQUENCES WHICH MIGHT MAKE THE PRACTICE OF PERIODIC CONTINENCE UNLAWFUL IN INDIVIDUAL CASES

#### A)---IN EXTRA-ORDINARY CIRCUMSTANCES

Serious evils may be so closely associated with the practice of periodic continence, that no objective reason could be considered sufficient to justify the procedure. Such is the case if the method is used contrary to the legitimate protestations of one of the parties, or if there is moral certitude that the husband or wife will not remain continent during the "unsafe" periods. The same prohibition would apply if it is morally certain that such periodic abstinence from marital relations will lead to separation, infidelity or divorce, e.g. the husband's love for his wife might disappear with such a restriction of sexual pleasure, even though he would not oppose her wishes in this matter. There is no need to insist upon these considerations,---they follow from commonly accepted principles.<sup>1</sup> We do not wish to imply however, that the danger to sin in cases such as these cannot be rendered remote by recourse to prayer and other supernatural aids.

We might add that certain circumstances would justify one of the parties in refusing marital intercourse during fertile periods. There is no sin of injustice in such cases, for the one party temporarily loses his or her right to demand the "debitum", e.g. if the wife knows from past experience or from reliable medical authority that another pregnancy will be a serious threat to her health, etc.<sup>2</sup> Although the

<sup>1</sup>To cite Father Merkelbach, O.P., "Etiam si hinc adsit reclusus, actus non erit bonus nisi fiat cum debitis circumstantiis ac prout de mutuo consensu, absque periculo incontinentiæ, et sine detrimento amoris et fidei conjugalis." *Angelicum*, XI (1934), p. 94.

<sup>2</sup>Cf. Merkelbach, O.P., *Summa Theologiæ Moralis*, III, n. 961, especially "d" and note 2 (p. 963). In this regard, Msgr. Ryan writes: "... danger to health, economic hardships or other inconveniences... might easily justify the wife in refusing the debitum outside of the sterile period." *Eccles. Review*, LXXXIX (1933), p. 36.

wife could grant the "debitum" out of charity, she would not be obliged to do so in justice in such cases, even though the husband would otherwise be in a serious danger of incontinence.<sup>3</sup>

There are other extraordinary circumstances which might arise from exterior, social conditions. For instance, if the human race or a particular nation would be decreasing so rapidly as to be in serious danger of extinction, married folks would be obliged to use their marriage right in a manner favorable to conception. The same necessity might arise if the peace and security of a nation depended upon the birth of an heir to succeed the king, etc. The population question as it appears today in ordinary circumstances will be discussed presently.

#### B)—IN ORDINARY CIRCUMSTANCES

Just what dangerous consequences are associated with the practice of periodic continence in our present day and age? The following is a conservative estimate of such dangers, not only for the couple concerned, but also for their children, born and unborn, and for society as a whole. The individual would have to consider well the relation between his conduct and these consequences before deciding whether or not his reason is sufficient to justify the adoption of the "safe period" method in marital life.

##### 1)—Dangers for the Man and Wife

Normal marital union is a powerful factor in fostering conjugal love. "Intercourse in marriage," says a noted physician, "is an expression and a bond of love that helps married people over many difficulties and conflicts and can lead them back to deeper unity."<sup>4</sup>

<sup>3</sup> "Si copula sit causa gravis periculi seu incommodi extrinseci vel pro reddente, vel pro petente, vel pro prole jam concepta, . . . (cessat obligatio debitum conjugale reddendi) . . . sufficiente tamen accedente ratione (v.g. vitandis disidiis vel sui aut compartis incontinentia) posset aliquis, ex caritate, comparti reddere et proprio periculo se exponere, nisi tamen ex copula mors immineret." Merkelbach, O.P., *ibid.*, n. 961, "c", p. 963.

<sup>4</sup> Words of Dr. E. Glasmer, cited in Dr. Holt's book: *Marriage and Periodic Abstinence*, p. 91, n. 1. For an excellent analysis of the question of "sex instinct and love," see a chapter of the same title in Dr. Jacques Leclercq's book: *Marriage and the Family* (New York: Pustet, 1941; translated from

The application of the "safe period" method involves a way of marital life which is not altogether normal. Even among those who experience normal sexual impulses, the love between man and wife normally depends at least to some degree on normal sex relations. "The complete human love, that which must find its nourishment in marriage," says Dr. Leclercq, "is one in which the three forms of love combine to take hold of the entire man. It ought at one and the same time to be spiritual, sentimental and physical.—engaging mind, heart and senses."<sup>5</sup> It is the contention of some authorities that one of the periods of greatest sexual desire in many women is precisely "about the time of greatest likelihood of conception."<sup>6</sup> Such women would naturally experience little increase of conjugal love if such periods are systematically avoided in conjugal life. There is also the danger that one spouse will begin to suspect the fidelity of the other; a common source of quarrels and jealousy.

We must conclude that unless there is a real danger to life or health in child bearing, or some other serious inconvenience, the woman has little to gain and so much to lose in practicing periodic continence,—normal sexual gratification, the joy of children, peace of conscience, etc. Due to the fact that the husband experiences the same pleasure in marital relations, whether during fertile or sterile periods, there is at least a slight danger that he may gradually come to consider his wife more as an instrument of sexual gratification than as a noble partner through life. The prospect of consistently enjoying the pleasure of marital union without the subsequent burden of supporting offspring may lead him to renounce the more lasting joys of paternity. We might say that the unwarranted prac-

the French by Thomas Hanley, O.S.B.), p. 119-129. A Catholic layman says in a letter published in the *Fortnightly Review*, XLI (1934), p. 75 that the use of this method (without a justifying reason) leads to a loss of mutual respect, and is characterized by a "lack of spontaneity."

<sup>5</sup> *Ibid.*, p. 123, 124.

<sup>6</sup> Dr. Robert L. Dickinson, *Control of Conception*, 2nd. ed., p. 55; Edward Roberts Moore, *The Case Against Birth Control* (New York: Century, 1931), p. 43; Claud Mullins, *Marriage, Children and God* (London: George Allen & Unwin Ltd., 1933), p. 124, 125.

tice of periodic continence often tends to make a slave of the woman, while awakening the beast in the man.

The danger of incontinence in the ordinary application of the "safe period" method is not to be under-estimated. Those who use this method because of a materialistic view of life "are led after a short time to violate the rights of their partner, who is perhaps in danger of incontinency, and they end by perverting God's law: being perpetually in pursuit of pleasure and fleeing all burdens, they practice onanism and commit self-abuse, and this they do especially when they find out that fecundation is at no time entirely impossible."<sup>7</sup> A similar danger may exist in the practice of complete continence, whether temporarily or permanently, but there is no recurrent return to sexual union to foster positively the sex impulses of man and wife as there is in the practice of periodic continence. It is much like the case of a man accustomed to strong drink who resolves, for reasons of health, to have his liquor only once each day. In many cases, it would be easier to abstain completely, than to remain faithful to such a restrictive resolution.

Monsignor Ryan remarks that those who practice periodic continence are not only depriving themselves of that which is often a necessary condition to a happy and virtuous marriage (i.e. children), but they are exposing themselves to "many and various moral evils involved in a selfish and pleasure-loving existence."<sup>8</sup> That remark is self-explanatory to anyone who has observed the records of the

<sup>7</sup> Canon Valere Coucke, "Birth Control and the Tempus Ageneleos," *Homiletic and Pastoral Review*, XXXIII (Oct. 1932), p. 23. We believe that this danger is present to at least a slight degree in the average application of the "safe period" method, especially in the case of newly-wedded couples. "The prevention of conception causes the sex instinct to concentrate itself in a most unwholesome manner, upon mere barren pleasure," those are the words of an eminent authority, Dr. Foerster; although he is speaking especially of contraception, the phrase is not without meaning especially for young "Oginists." *Marriage and the Sex Problem* (New York: Frederick A. Stokes Co., 1936), p. 94. Cf. also *Birth Control*, (a pamphlet by John M. Cooper, published by the National Catholic Welfare Conference, Wash., D. C.), p. 22, 23.

<sup>8</sup> *Ecc. Review* LXXXIX (1933), p. 35; the Monsignor is speaking especially of those who use this method to avoid any and all children, without a justifying cause.

divorce courts during the past score of years. The following words from the book of Dr. Leclercq are also self-explanatory:

... from the standpoint of the union of husband and wife, statistics have been gathered which show that divorce is practically non-existent among parents of large families, and they multiply as the number of children decreases . . . nothing so develops the solidarity of husband and wife as the multitude of their children.<sup>9</sup>

Childless marriages are particularly disappointing for the woman, for "once a woman's sex life has been awakened she cannot find complete happiness until she has gratified the primordial longing implanted in her very being,— to have a child."<sup>10</sup>

The dangers associated with a life of idleness and ease are very real, especially for the wife: gossip, dangerous reading and companions, growing selfishness, etc.<sup>11</sup> For both man and wife, there is the strong tendency to accept modern views and standards concerning marriage and morality in general, to grow lax and lukewarm in their religious practices and convictions, to lose their trust in Divine Providence, to suspect the fidelity of one another, etc. Such defections will become embedded in the hearts of the faithful as time goes on, creating a formidable obstacle to the spread and maintenance of truly Christian ideals in public and private morals. No one will deny that the present age stands sorely in need of a Christian reformation beginning with the home.

### 2) Danger for the Child

Last but not least, there is the danger that the child which may be conceived despite the precautions prescribed by the "safe period" method, may never be allowed to see the light of day. In the words

<sup>9</sup> *Marriage and the Family*, p. 219. One careful survey showed that 57.1% of the divorced had no children, — 20.4% had but one child. *Contemporary Social Problems*, by Harold Phelps, revised edition (New York: Prentice Hall and Co., 1938), p. 476.

<sup>10</sup> Dr. Halliday Sutherland, *The Laws of Life*, p. 10. Father Gillet, O.P., remarks that even the man is not complete in marriage, unless there are children. *L'Eglise et la Famille* (Desclée de Brouwer, 1917), p. 86.

<sup>11</sup> St. Paul, I Tim., V, 13.

of the 5th. Provincial Council of Malms: "this practice easily leads them . . . to the crime of abortion, in case an unexpected conception occurs."<sup>12</sup> Nor can we underestimate the danger for the one or two children already born, who are often destined to be smothered in misplaced maternal tenderness; a tenderness, says Father Vermeersch S.J., which "prepares for us a gilded youth, useless to others as to itself,—a youth which scarcely succeeds in amusing itself."<sup>13</sup> How often that is true in our modern restricted families!

### 3)---Dangers for Society as a Whole Scandal

Catholic couples who make use of the "safe period" method without a sufficient, objective reason usually are not a source of edification to the fervent faithful nor to the suspicious and sceptical non-Catholics. It is true that childless couples may be physically incapable of child bearing, or they may be living in total abstinence. In general, however, the reason why married women have no children usually becomes known to a small circle of friends and acquaintances, and in many cases reaches the ears of hard-working, self-sacrificing mothers who are engrossed in the noble task of raising a good-sized Christian family. It is easy to imagine what doubts and perhaps misgivings might enter the minds of such Christian mothers who had always believed that God alone has the right to limit the families of couples who live normally as man and wife.

Scandal is defined as: "a less righteous word or deed which presents an occasion of downfall (to others)."<sup>14</sup> St. Thomas mentions the case of a Christian who would be seen in a pagan temple. "Although this," he adds, "is not in itself a sin, if it is not done because of a corrupt intention, yet because it has a certain appearance of evil or the resemblance of the veneration of idols, it can be the occasion of downfall for another."<sup>15</sup> We presume that spiritual harm

<sup>12</sup> *Actes et Décrets du Cinquieme Concile Provincial de Malines*, p. 37, 38.

<sup>13</sup> *Le Peur de L'enfant Dans les Classes Dirigeantes* (Louvain: F & R. Ceuterick, 1909), p. 23; also Leclercq, *Marriage and the Family*, p. 219-221.

<sup>14</sup> *Summa Theologica* (St. Thomas), II-II, Q. 43, a. 1. corp.

<sup>15</sup> *Ibid.*, a. 1, ad 2.

to others is not intended in the practice of periodic continence (i.e. no direct scandal), but spiritual harm is permitted by the very fact that such a procedure (which many theologians regard as at least 'minus rectum') is chosen in marital relations. Others who have no reason whatsoever for avoiding children might follow such an example and use the "rhythm" or even contraceptive methods to avoid procreation (indirect scandal). Such couples must not forget that charity imposes definite obligations in this regard:

By the law of charity, by which we are bound to do good to others, there is also imposed the obligation, in general a serious one, of avoiding passive scandal, i.e., of omitting those things from which another might take occasion to sin, whenever there is not a sufficient reason for performing the act and permitting the spiritual downfall of another.<sup>16</sup>

It stands to reason, however, that if another conception presents a serious danger of death or poor health for the mother or a real threat of degrading poverty, etc., the use of this method would not be wrong or even "minus rectum":—the avoidance of such grave dangers or inconveniences offers a sufficient reason for going ahead with the practice, even though others may take scandal. In such cases, the individuals concerned are obliged to do whatever is conveniently possible to remove the danger of scandal, e.g. indicate in some manner that there is a reason for restricting the use of the marriage right to sterile periods. This would not be necessary, however, if the reason is easily perceptible by others, e.g. poverty, apparent poor health, etc. Such unfortunate circumstances should be sufficient of themselves to convince anyone who is in good faith that a sufficient reason for practicing the "safe period" method really exists.<sup>17</sup>

<sup>16</sup> cf. Merkelbach, O.P., *Summa Theol. Morals*, I, n. 965 (p. 733), also III, n. 956 (p. 956, note 1, 4, 5).

<sup>17</sup> Cf. Merkelbach, O.P., *ibid.*, I, n. 966 for general principles regarding scandal. Assuming that the practice of periodic continence is objectively unlawful, it would seem that the scandal involved here is "scandalum acceptum quia datum." If the reason for using such a method is not perceptible by others, scandal is always probable. If some are scandalized even though the reason is made known to them, i.e. shocked at the thought that the



*Detrimental to the Common Good*

The unwarranted use of the "safe period" method creates a contagious, individualistic attitude which is harmful to the better interests of society,—the attitude that: "the individual has the right to choose his life, and society can do nothing else but give way to this individual right."<sup>18</sup> The obligation to contribute to the common good applies to married couples in their marital life just as it applies to doctors, lawyers, priests, statesmen, etc., in the performance of the functions and duties peculiar to their respective states of life. Public health, law and order, good morals, etc., can be assured through the activities of others, but the strength for the present and future which is bound up with human fertility can be realized legitimately only by those who are united by the bonds of matrimony. Unless there is a justifying reason for not having children, married couples who make use of their marriage right are not excused from such an important obligation toward society.

A race in which births are plentiful is a vigorous race . . . a race in which births grow few is one that is giving itself up to self-enjoyment . . . the spur par excellence to human progress is the pressure of births.<sup>19</sup>

Those who practice perfect continence for a spiritual motive, whether in marriage or in the state of virginity, are contributing to human fertility and to the common good by developing "a regard for chastity together with a generosity of soul . . . perfect continence practiced for motives of an ideal order is an element of fertility, not of course for those who practice it, but for the human race."<sup>20</sup> Those who limit their families by lawful means (i. e. periodic continence with a justifying reason) are realizing a legitimate, particular good which ultimately redounds to the good of society and contributes to a sanc-

Church would allow the use of the marriage right according to the "safe period" method, this may be considered as "scandalum pusillorum" or "scandalum pharasaical," depending upon whether or not that person is disposed to accept a reasonable explanation of the moral principles involved

<sup>18</sup> Gillet, O. P., *L'Eglise et la Famille* (Desclee de Brouwer, 1917), p. 132

<sup>19</sup> Dr. Ledereq, *Marriage and the Family*, p. 222.

<sup>20</sup> *Ibid.*, p. 212.

human fertility, e. g. preserving the life of the mother, avoiding incurably and seriously defective progeny, etc. Those, however, who unjustifiably limit or avoid progeny even by "natural" means are in no way serving the interests of society, but only their own selfish interests; freedom from responsibility, pleasure without obligations, etc.

*The "Safe Period" and the Birth-Rate*

The possibility that the general decline in the birth-rate constitutes a danger to certain groups and nations today is not beyond discussion. It would appear rash to assert categorically that the individual application of the "safe period" method has not been a contributing cause of such an ominous decline. In the words of an English scholar:

The existence of the safe period is of profound sociological importance. Its significance has not been fully recognized by statisticians who are disposed to interpret the recent decline of the birth-rate in European countries as exclusively due to the spread of contraceptive methods. If there actually exists a period in which conception cannot take place, changes in frequency of sexual intercourse . . . must be regarded as possible contributory factors to a declining birth-rate.<sup>21</sup>

To cite another authority, Dr. Leclercq.

. . . in a world obsessed with the dread of offspring, the rhythm technique overturns one of the last barriers against depopulation . . . in the world today nearly all couples are persuaded that they have good and sufficient reasons for being content with one or two children. In this respect, Catholics differ little from the rest. Hitherto . . . the prohibition of Neo-Malthusian practices was borne with ill-grace by a certain number of Catholics who still accepted the child rather than commit sin. . . That is why they have hailed the rhythm theory as a deliverance.<sup>22</sup>

Mr. O. E. Baker, noted Senior Social Scientist of the U. S. Bureau of Agricultural Economics shows graphically that the decline in

<sup>21</sup> Enid Charles, Ph.D., *The Menace of Underpopulation* (Watts and Co.: London, 1936), p. 165.

<sup>22</sup> *Marriage and the Family*, p. 257.

European population since 1920 paints a black future for certain nations, unless the birth-rate is raised.<sup>23</sup> "In the United States," writes Mr. Baker, "the crest of births was reached in 1921, when nearly 3,000,000 children were born (fig. 3). . . . Since 1924 the decline in births has been notable until now the number is only 2,200,000 to 2,300,000. . . . There are about 12 per cent fewer children under 10 years of age in the nation than there were 8 years ago when the census was taken (Ibid, p. 2). . . . If births continue to decline, but at a slackening rate, and immigrants from abroad do not increase, the crest of the Nation's population will be reached probably between 1950 and 1960, when the population of the Nation may be 10,000,000 more than at present . . . the population of the Nation seems likely to be almost stationary for several decades to come, increasing most rapidly—700,000 to 800,000 a year during the next few years, and falling rapidly a half century hence." (Ibid, p. 3).<sup>24</sup>

This decline seems to increase with the progress of urbanization and industrialization. In view of the fact that rural sections maintain the highest birth rate, the present trend to come to the city for work is an important factor in the decline in births. Today a little over 20% of our people are engaged in agriculture, as compared to 50% in 1870. The 1940 census shows that in cities of over

<sup>23</sup> *Population Trends in Relation to Land Use* (Extension Service Circular 311, June, 1939), U. S. Department of Agriculture: Bureau of Agricultural Economics, cf. Figure No. 2. Cf. also the *Threat of American Decline*, a pamphlet by Edgar Schmiedler, O.S.B.; and *Birth Control*, a pamphlet by John M. Cooper (1923), both published by the National Catholic Welfare Conference, Washington, D. C.

Mr. Baker's graphs show that the lowest birth-rate in Europe since 1920 was in France,—the highest, in Germany; undoubtedly a significant factor in the recent humiliation of France.

<sup>24</sup> In a recent circular, entitled *The Population Prospect in the South*, a reprint of an address before the Second Annual Convention of the Catholic Conference of the South, Birmingham, Alabama, April 21, 1941, Mr. Baker supplies substantially the same information as above, adding that "since about 1932, the number of births has not been sufficient to maintain permanently the population of the Nation. The 1940 census revealed a deficit of about 4 per cent. The crest of population seems likely to be reached about two decades hence." (P. 4).

100,000, 10 adults are rearing about 7 children; in smaller cities, about 8 children, while in village and sub-urban sections, 10 adults raise about 13 to 14 children.<sup>25</sup> Of what significance are these facts and figures in relation (a) to the common good of our nation, (b) to the welfare of the Church?

(a)

Dr. Leclercq concludes his excellent study in *Marriage and the Family* saying, "For individuals the breakdown of the family means the gloomy despair of a life without happiness, of a life which not even pleasure can light up. For nations it means slow death through sterility, and it can even mean this for the human race." (p. 387). If France was deficient in numbers and in the spirit of sacrifice in meeting her hostile neighbor not so long ago, America, with its long and vulnerable coastline must be assured of adequate numbers and a glowing spirit of sacrifice to meet potential enemies of the future. Although the practice of periodic continence contributes to a numerical decrease in births, the most serious indictment against it is that it fosters and spreads a spirit of selfish individualism, which is bound to undermine the security and morale of a nation. America still has the numbers for defense, for the children born before the decline are just reaching military manhood; there is still a Christian sense and spirit of social obligation among a good portion of the middle-aged Americans; but if these growing tendencies of selfish individualism are not stopped among married folks, America will have neither the numbers nor the spirit to meet the enemies of the future, a few decades from now.

On the other hand, overpopulation has never been proved to have hindered a people's development. "Peoples have been known to die out through failure to reproduce themselves," says Dr. Leclercq. "None however, has ever been known to perish or even fall into

<sup>25</sup>Cf. *The Population Prospect in the South* by O. E. Baker (cited above), p.4 and figure 5, and *Population Trends in Relation to Land Use*, figure 13, for the graph concerning shifts in occupation between 1870 and 1930. This latter circular contains another graph indicating that, according to a compilation completed in 1929 (i.e. based on 1910 census figures) the least number of children are reared among the professionals and business people, the most (over twice as many) among farm laborers (Figure 7).

decay owing to overpopulation. And all periods of ascending civilization are periods of population growth." (Op. Cit., p. 222, 23). "To confront the facts of population decline with the assertion that there are too many people in the world or that it does not matter if the human race dies out, is merely flippant and generally insincere."<sup>26</sup> Neither the unfounded fear of overpopulation nor a flippant attitude of indifference over the welfare of future generations is sufficient to justify any couple in adopting a manner of marital life (i. e. marital relations) whereby procreation is excluded, unless they have a justifying cause for so doing.<sup>27</sup>

All the arguments which are given in countless books of recent years against contraception as a cause of numerical decline in births, can be applied to the unwarranted practice of limiting the number of births by the use of the "rhythm". For if there is no serious justifying cause, valid in view of the best interests of both the individuals and society, the choice of any means of interfering with the generative function is unlawful; and the evil moral, social and economic consequences which should and could have been foreseen and avoided can justly be attributed to the devotees of Onanism as well as to the addicts of Onanism and contraception.

## (b)

It would not be out of place to suggest that Catholics, as members of Christ's mystical body, have a certain obligation to work for the increase and perfection of that mystical body by co-operating with the God-given gift of fertility and raising other members for His honor and glory. That may be a matter of counsel, not of command. But what if there is a definite danger that the numerical decrease among Catholics will lead to a serious loss of the influence of the Church in public life, social morality, education, etc., making it ever more difficult for her (humanly speaking) to gain souls for Christ!

<sup>26</sup> Charles, Enid, *op. cit.*, p. 106. For a general survey of the population question throughout the world, cf. Murray and Flynn, *Social Problems*. F. S. Crofts & Co., New York: 1938, p. 272-286.

<sup>27</sup> For an argument against the fear of overpopulation, cf. Moore, Edward Roberts, Ph.D., *The Case Against Birth Control*, Century Co., New York, 1931, chapter VII, "The Recurrent Fable of Overpopulation," p. 71-87.

It may be said that one of the main reasons why the rights of the Church are respected in many countries is simply because the Catholics form a numerically strong group,—a considerable portion of the voting public.

We have seen the figures furnished by Mr. O. E. Baker concerning the decrease in the birth rate in urban centers. Dr. Edgar Schmiedler, O.S.B. reveals that "all but 19.4 per cent of the Catholics of the U. S. live in urban centers."<sup>28</sup> In view of such facts, it is not hard to accept the statement found in the August 2nd (1940) edition of *Commonweal*, p. 301: "the urban Irish have long since stopped reproducing themselves; the urban Italians and Slavs are rapidly following their example." Another cause for alarm is furnished by the fact that the highest birth rate in the country is in the South, which is to a great extent non-Catholic, if not anti-Catholic.<sup>29</sup> The day may come when the Church in the United States will be without sufficient vocations to carry out the work of Christ, without Catholic population of sufficient strength to stem the growing tide of materialism and irreligious individualism.

The current idea that the number of children should be gauged entirely according to the desire of the parents for progeny or according to the inconveniences of childbirth and rearing, is entirely foreign to traditional Catholic thought and theology. We have gone over the inspiring words of St. Augustine concerning the "City of God," prepared and begun here on earth. We know the traditional teaching of the Church as re-echoed by the great Pope Pius XI in his encyclical on Christian marriage. "But Christian parents must un-

<sup>28</sup> *Op. cit.*, 7th page from the back (pages are not numbered).

<sup>29</sup> Baker, Mr. O. E., *The Population Prospect in the South*. (already cited) p. 4 says: "I think it entirely safe to say that in many areas in the South, notably in the Appalachian Mountains, 10 adults are rearing 20 children. Were there no migration from these areas and assuming this birth rate persisted, population would double in a generation, or in about 30 years. . . The South seems destined to contribute an increasing proportion, perhaps ultimately a dominating proportion, of the future citizens of the Nation." Father Mayer of Paderborn remarks that in Germany entire cities, once Protestant, became predominantly Catholic because the Catholics continued to have children while the Protestants practiced the "suicidal two-or-one-child system." *loc. cit.* (*Theologie und Glaube*, XXIV), p. 311.

derstand that they are destined not only to propagate and preserve the human race on earth, indeed, not only to educate and kind of worshippers of the true God, but children who are to become members of the Church of Christ, to raise up fellow citizens of the Saints and members of God's household that the worshippers of God may daily increase."<sup>30</sup> It is difficult to see how those couples who resort to the practice of periodic continence for flimsy, insufficient reasons can be said to be loving God as they should. It would seem that the very self-love implied in such a practice involves a sin against the love of God, indicating as it does a disregard for His glory and an apparent indifference for the salvation of souls and the welfare of His Church.

If Catholic couples would only resist the temptation to an easy life suggested by this practice, and have recourse to such a procedure only in cases of real necessity, Catholics would have the honor of upholding a birth rate required for at least a stationary population. This would give power and prestige to the Church, glory to God, moral, economic and social stability to the nation, and last but not least, individual couples would be brought back to the only true, material source of lasting marital security and happiness.

<sup>30</sup> *Four Great Encyclicals*, p. 78.

## CHAPTER VI

### JUSTIFYING REASONS

The excuses which usually are given in justification of the practice of periodic continence may be grouped under four heads: medico-physiological reasons, social and economic reasons, domestic reasons and eugenic reasons. There may be considerable latitude of opinion concerning just what reasons are "just causes" for adopting this practice. Those who have had long years of experience as spiritual guides of the faithful would be better qualified to decide such matters. If the motive for using the "safe period" method is based on an objectively sufficient reason, the practice would not be unlawful. An idea of what reasons might be considered sufficient may be indicated by listing the various motives which we consider to be sufficient, doubtful or insufficient to justify the practice in question.<sup>1</sup>

It is evident that if the practice is adopted out of hatred for children, contempt for the law of God etc., despite the presence of an objectively sufficient reason, the individual concerned is guilty subjectively of moral wrong. Others who are in good faith might avoid sin subjectively (although not objectively or *materialiter*) because they erroneously think that they have a sufficient reason for avoiding children the "rhythm way." Such conclusions follow from generally accepted moral principles. Finally, if the practice is adopted without an objectively sufficient reason, the subjective reason or motive for such a procedure as indicated by a purely objective analysis of the practice is one of culpable self-love: it is wrong "*Materialiter, non quidem in suo 'esse' physico, sed in suo 'esse' morali.*"

We will list the various motives as sufficient, doubtful or insufficient motives. Some of the motives listed as sufficient for the temporary application of the "safe period" method may suffice for the

<sup>1</sup> In determining such objectively sufficient reasons we had recourse to the authority of theologians, and also, in particular, to three recent studies of the social aspects of marriage: *Marriage and the Family* by Jacques Leclercq (New York: Pustet, 1941), *Marriage and the Sex Problem* by F. W. Eberster (New York: Frederick A. Stokes, 1936), and *Social Problems* by Raymond W. Murray, C.S.C. and Frank T. Flynn (New York: F. S. Crofts & Co., 1938).

permanent use of the method, and vice versa. That would have to be decided in accordance with existing circumstances and possible consequences in each individual case.

#### A)—SUFFICIENT MOTIVES

##### *Ordinarily Sufficient for the Permanent Practice of Periodic Continence*

1)—Because conception will very probably result in death or a permanent state of bad health for the mother.<sup>2</sup>

2)—Because it is almost certain that the mother cannot bring forth living children.

3)—Because the mother can bring forth only abortive children (i. e. miscarriages).

4)—Because it is practically certain that the children will be born with serious and incurable hereditary defects, especially insanity.<sup>3</sup>

<sup>2</sup> Father Lavaud O.P. makes the following observation: "Considering the uncertainty and the difficulties in applying the Ogino-Knaus-Smulders Method, it seems that that if the life of the mother would really be endangered by pregnancy, a husband who truly loves the mother of his children will not rely upon any fallible method, but have recourse to the only method which is absolutely sure and irreproachable,—not periodic but continuous continence." *Le Monde Moderne et le Mariage*, p. 100; also Vermeersch, S.J., *Periodica*, XXIII (1934), p. 246\*-247\*.

<sup>3</sup> Theologians are cautious in suggesting eugenic reasons as a cause for using the "safe period" method. We ought to restrict our definition of "defective children" to those who suffer from an incurable physical or mental deficiency which renders them unfit for the exercise of normal, social functions. Dr. Sutherland maintains that "of the great diseases, insanity alone is inherited and inheritable," (*Laws of Life*, p. 71) and that there is no inherited predisposition to tuberculosis or to cancer. Syphilis is not inherited, although it may be transmitted, and responds to treatment more easily than is generally believed (Murray and Flynn, *op. cit.*, p. 193, 194).

The following words of the learned Dr. Foerster merit serious consideration: "Parents with weak physical health are quite capable of producing children whose spiritual qualities are such as not only to convey an increment of inner-most life-energy to the race, but to preserve the efficiency of a weak body, nay gradually regenerate it. . . . With regard to the whole problem of heredity, it should always be borne in mind that dangerous tendencies on the part of one parent may be balanced by healthy tendencies derived from

5)—Because it is morally impossible for the husband to support another child.

6)—Because the mother has proven to be utterly incapable of fulfilling the usual maternal duties relative to the care and training of children either physically or morally.

7)—Because one of the spouses is absolutely opposed to having children or another child. If there is no just cause for such an attitude, the other party (not the opposing one) would be justified in using the "rhythm" method. If the opposing party cannot be persuaded to change that attitude, the practice may be permitted to that party as the lesser of two evils.

8)—Because it is the only way of stopping or preventing the use of onanistic methods in marital relations. The remarks made in reference to the above motive (no. 7) are applicable in this case as well.

9)—Because it is morally certain that one of the parties will otherwise fall into sins of incontinence (cf. remarks concerning motive no. 7).

#### *Ordinarily Sufficient only for the Temporary Practice of Periodic Continence*

1)—Because of a temporary physical weakness or period of convalescence on the part of the mother, e. g. gaining strength after childbirth or after an illness.

2)—Because of the extraordinary inconveniences and expenses associated with childbirth in an individual case, e. g. Caesarean deliveries.

3)—Because of the exceptional fecundity of the mother: necessary to "space" births.<sup>4</sup>

4)—Because of difficult financial conditions at the present time, unemployment, misfortunes, etc.

the other . . . it is only in the rarest cases that we find two parents who are both of them, physically and psychically so equally and heavily tainted or defective that anything could be safely predicted with regard to their children." *Op. cit.*, p. 96, 97.

<sup>4</sup>This would be true especially of a woman who is not strong physically, so that a large family would be a serious strain on her health. Ordinarily, however, many births rather fortify than weaken the health of both mother and children. Cf. Leclercq, *op. cit.* 220, 299.



5)—Because the young wife is not yet physically fit to assume the cares of motherhood.

6)—Because of a temporary nervous strain on the part of the wife; simply cannot bear the thought of another child.

7)—Because the birth of another child will actually render the mother incapable of properly rearing the children already born, at least for the time being.<sup>6</sup>

8)—Because the wife has to work and help support the family;—husband's salary is insufficient, or employment irregular, etc.

#### B)—DOUBTFULLY SUFFICIENT MOTIVES

1)—Because the man and wife wish to train just one or two children for special careers or social standings in life.<sup>6</sup>

2)—Because the wife wishes to work for a while after marriage in order to help pay for the furniture, help the husband pay his debts, etc.<sup>7</sup>

<sup>6</sup> Cf. Lavaud, O.P., *op. cit.*, p. 100.

<sup>6</sup> Such couples might often be excused from sin because of their good faith (*L'Ami Du Clergé*, *loc. cit.*, p. 750), but it must be remembered that such a desire for small families often proceeds from motives of vain glory, envy, jealousy, fear of sacrifice, etc. cf. Lavaud, O.P., *op. cit.*, p. 420-421. also Gillet O.P., *L'Eglise et La Famille* (Desclée & Brouwer, 1917), p. 94. Dr. Jacques Leclercq makes the following observation concerning such two-child families: ". . . they do not desire these children for the purpose of accomplishing a task which transcends them, but for their own personal pleasure. It may be stated that the first two children are products of selfishness; speaking more or less generally, children begin to give evidence of some generosity on their parent's part after the birth of the third child." *op. cit.*, p. 217. Of course, we are speaking only of those couples who have no other valid reason for using the "rhythm."

<sup>7</sup> Such an excuse should not be admitted too easily as a sufficient reason, for besides the possible presence of a selfish motive, there is a danger that the natural love and greed for money and conveniences will smother any desire for children. Often the wife continues working until childbirth becomes too dangerous due to advanced age, or until selfishness has made both husband and wife look upon the prospect of children as an unjust intrusion upon their "happiness."

3)—Because the wife wishes to have only one or two children and keep her career; nurse, teacher, beauty specialist, singer, etc.<sup>8</sup>

C)—INSUFFICIENT MOTIVES

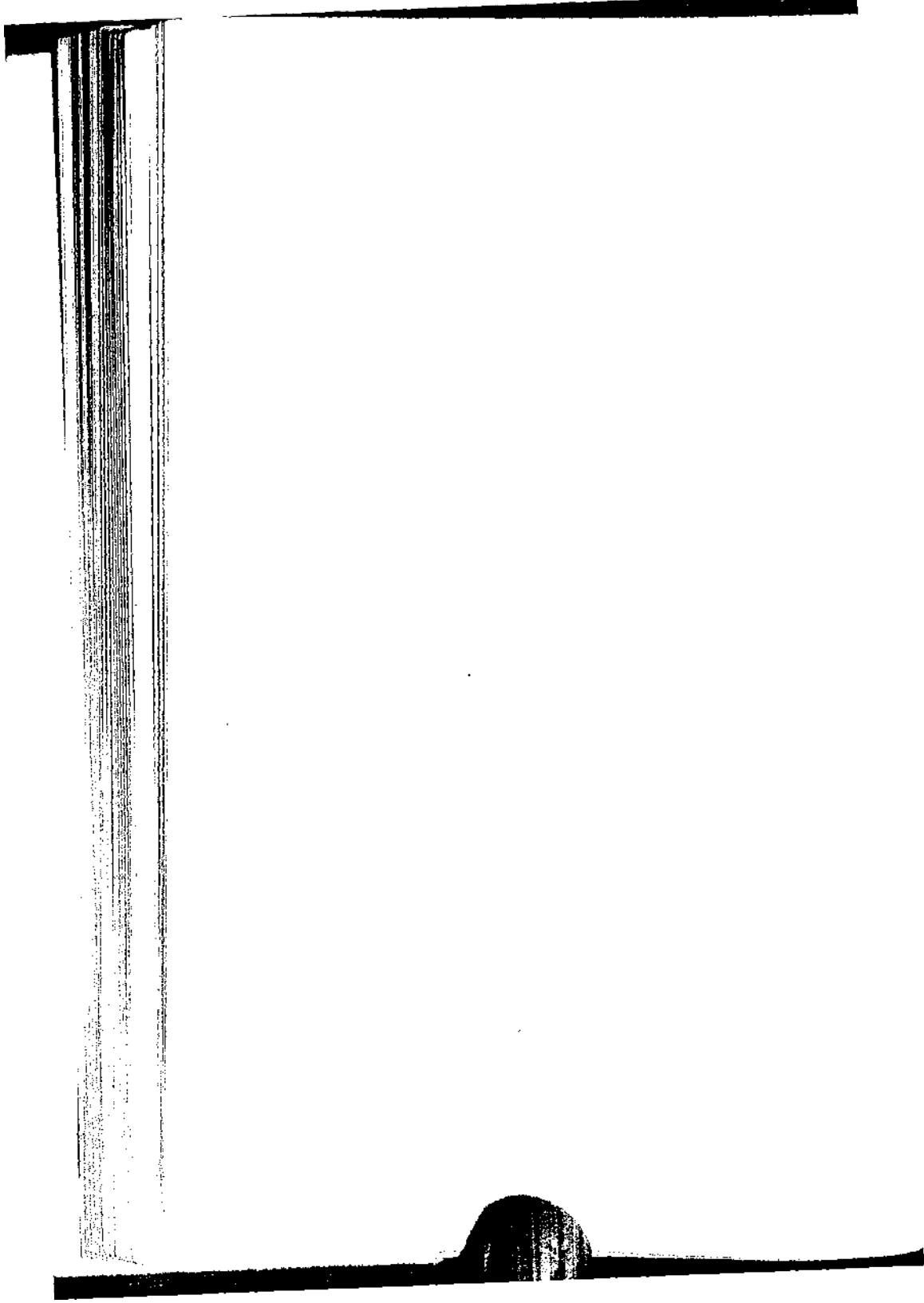
1)—Because the wife has an unfounded fear of the ordinary pains and inconveniences of pregnancy and childbirth.—“too delicate.”<sup>9</sup>

2)—Because the man and wife wish to “enjoy life” while they are young,—they will settle down later on; or any other motive which indicates an excessive love of ease and comfort, or which indicates a spirit of avarice, vanity, etc.; e. g. they shrink from the sacrifices normally associated with the rearing and education of children, or they simply have no desire for children, or they desire only one or two children so that their wealth will stay in the family, or because it is the “style” to have a child or two.

3)—Because of any malicious motive such as hatred of children, contempt for the divine plan or for the authority of the Church, etc.

<sup>8</sup> The remarks concerning the above two motives would apply to this one as well, and also the remarks which Pope Pius XI makes in “*Casti Connubii*” concerning the “so-called emancipation of women,” cf. *Four Great Encyclicals*, p. 98, i. e. that women should be free to pursue their own careers. Such a motive (without some other valid reason) would certainly not justify the permanent practice of the “rhythm,” whereby children are avoided altogether.

<sup>9</sup> The discovery of the “Safe Period” method has not changed the obvious meaning of those solemn words of the Creator, found in Gen. III, 16-19: “I will multiply thy sorrows and thy conceptions, in sorrow shalt thou bring forth children. . . .”



## Part Two

### Pastoral Directives and Conclusions

The priest will be confronted with the problem of the morality of periodic continence not only in the confessional but also in his pastoral and social life as a religious leader of the community. The subject may come up for discussion in the course of sodality meetings, study clubs, pre-marital instructions, etc. He may be inclined to settle the doubts and difficulties of the faithful in this regard by word or pen, in the pulpit or parish hall or simply by referring to one of the popular moral and medical expositions of the "safe period" method. How is the pastor of souls expected to handle this delicate and important moral question?

It must be stressed that although theologians disagree on the question of the objective morality of this practice, they are practically unanimous in saying that it must not be suggested or permitted "in praxi" unless there is a sufficiently serious reason for not having children. It is unfair, therefore, to say that those who uphold the view defended in this study are imposing rigoristic and less probable opinions upon the faithful. The only aspect of the question which should be made known to the faithful is the practical and not the speculative aspect. To broadcast openly either the view that the practice is objectively unlawful or the view that it is in itself lawful would only lead to misunderstanding and confusion. It is most important, however, that the pastors of souls decide the speculative question for themselves, lest they go beyond the bounds of prudence in prescribing this practice to the faithful. Regardless of what opinion is held concerning the speculative question, there are certain considerations which should temper the zeal of any advocate of "Oginism." Before going on to a discussion of practical norms for the priest as confessor (Chap. VIII) let us review briefly the considerations which should be of special interest to the priest and pastor of souls in forming his attitude toward the "safe period" method in general (Chap. VII).

## CHAPTER VII

## ATTITUDE OF THE PASTOR OF SOULS

There are two considerations, already presented in previous chapters which merit special emphasis here: a)—that the Holy See, ecclesiastical superiors and theologians urge extreme caution regarding the pastoral aspects of periodic continence; b)—that there are serious dangers associated with the imprudent divulgence of the "safe period" method. In view of our remarks in Chapter III, the first point demands no more than a brief consideration here.

## A)

The attitude of caution which characterizes the pronouncements of the Holy See and individual members of the hierarchy in this regard is unmistakable. As evidence of this, we might cite another portion of the decree of the Fifth Provincial Council of Malines:

The priests, lest they appear to be giving in to material egoism (which is) universally increasing, should abstain from any indiscreet exposition of "this system, be it from the pulpit, or in any assembly whatsoever. . . . The editors, authors and sellers of books or periodicals which popularize or recommend this method "ex professo" must be re-proved.<sup>1</sup>

Patrick Cardinal Hayes of New York forbade "the discussion of the question in any Catholic publication intended for the laity," and also "the appearance of any advertisement of the theory in a Catholic magazine."<sup>2</sup>

Except for a few priests and theologians who seem to advocate the wide-spread divulgence of this method among the faithful,<sup>3</sup>

<sup>1</sup> *Actes et Décrets du Cinquieme Concile Provincial de Malines* (1937), p. 38, 39.

<sup>2</sup> *Conference Bulletin of the Archdiocese of New York*, XIV (1936), p. 78; cf. also the other documents mentioned in chapter III.

<sup>3</sup> E.g. Father Henry Davis, S.J., *Clergy Review*, V (1933), p. 405; Father J. A. McHugh O.P., *Ibid.*, XIII (1937), p. 358, and XIV (1938), p. 92-94; Father John A. O'Brien, *Natural Birth Control* (Champaign III: Newman

the majority stress the necessity of extreme caution in this regard. To cite Father Vermeersch, S.J.:

By no means do we approve of every reason for which the method of Ogino-Knaus is propagated. . . . It is to be feared that the Catholic Church would seem to have her own way of advising sterility, contrary to the primary end of matrimony, especially since the public is accustomed to focus attention on the effect, rather than on the procedure by means of which the effect is obtained. Furthermore, to-day, if this method is spread all over, the number of births will be decreased too much, which is much to the detriment of the common good and of the particular good of nations.<sup>4</sup>

Father Merkelbach, O.P., admits that the authors concerned had the highest motives in publishing their books, but adds: "Yet we do not venture to approve of such a wide diffusion of the new theory; nor has the esteemed Dr. Smulders won unqualified approbation in this regard."<sup>5</sup>

*Company*, 1938), p. 73, and *Hom. and Past. Review*, XXXIII (1933), p. 693-701, etc. Needless to say, these authors advocate such a course for the very highest motives, e.g. to stem the tide of onanistic practices. Among Catholic laymen who advocate widespread divulgence of the method, we might mention Dr. Sutherland (*op. cit.*, p. 49), Dr. Frederick W. Rice, *Ecol. Review*, CIII (1940), p. 60-67; cf. also the *Fornightly Review*, XL (1939), p. 179, 180, and 254, and the approving words of a clergyman, *ibid.*, p. 209 and 226. We may add the names of Dr. Smulders, Dr. Latz and others who have published expositions of the method in popular form.

<sup>4</sup> Cf. *Theol. Prakt. Quartalschrift*, LXXXIX (1936), p. 63, and *Periodica*, XXIII (1934), p. 247\*, also Lavaud O.P., *op. cit.*, p. 422; Actyns-Danien, *Theologia Morals*, 13th. ed., II, p. 596. Gennaro, S.S., *op. cit.*, p. 102, n. 1. Salsmans, S.J., *Ephem. Theol. Lovan.*, loc. cit., p. 568. Gemcot-Salsmans, *Institutiones Theol. Mor.*, II, (1936 ed.) p. 503, n. 4; Dr. J. Leclercq, *op. cit.*, p. 257 etc.; *Clergy Review*, XIII (1937), p. 131; *Insh Ecol. Record*, XLIII (1934), p. 417; . . . Bonnar, O.F.M., *The Catholic Doctor*, 2nd Ed. (New York: Kennedy, 1939) p. 67, etc.

<sup>5</sup> *Angelicum* XI (1934), p. 92. Cf. also the book which Dr. Radermacher wrote to counteract the evil effects of the imprudent divulgence of the "safe period" method; *The French title* (translation from the German) is *Prudence et Réserve*, Tournai: Casterman, 1937.

B)

The dangers which are associated with the individual use of the "Safe period" method (cf. chapter V) naturally will become social evils with the spread of the practice, especially the danger of scandal and depopulation. There are other dangers of a more general character which are associated with the very divulgation of the method as such.

#### 1)—A DECLINE IN THE PRESTIGE OF THE CHURCH AS THE GUARDIAN OF MORALS

The open enthusiasm over the "safe period" discovery has been viewed by a good number of non-Catholics as a weakening in the Catholic position regarding birth control in general. To express this in the words of Dr. Leclercq:

We now behold a growing number of young Catholics marrying under the sign of Ogino-Knaus. They view their married life as destined to be regulated by that method. They may deviate from it once or twice, when they consider conditions appropriate for having a child. Without exaggeration such a conception of the use of rhythm may be called Malthusianism. Non-Catholics are not fooled by this procedure, and they reproach us with having found a way of acting as they do, without admitting it.<sup>6</sup>

<sup>6</sup> *Op. cit.*, p. 247. In the same vein, Father Mayer says that the Church-hating sex reformers will laugh at us saying: "They do the same as we do, but they hang a little pharisaical mantel around their manner of proceeding." We cite Father Mayer: "Schon spötteln die kirchenfeindlichen Sexualreformer: Sehet da die katholischen Sophisten! Sie tun dasselbe wie wir, aber sie hängen um ihr Tun ein pharisaisches Mäntelchen! Mit ihren spitzbündigen Formalistik ist es ihnen gelungen, einen Ausweg zu finden, um Gott in seinem Schöpfungsplan ein Schnippchen zu schlagen . . . Sie tun also dasselbe wie wir, aber sie tun es raffinierter und unter dem Vorwand, es sei moralisch!" *loc. cit.* (Theologie und Glaube, XXIV), p. 310. Father Mayer continues on page 311: "Schon klingt auch der Ruf der Kirchenfeinde: Wo bleibt nun die hochstehende katholische Moral, welche entweder Enthaltensankt und Keuschheit um Christi willen oder aber die Bürde der Kindererzeugung bisher verlangte?" As proof that the Protestants do regard such a method as a Catholic birth control measure, cf. the *American Mercury Review*, Spring, 1936 (article by Anthony Turano), p. 63; *Lancet*, November, 1935, article by Dr. Sophia Kleegman; Claude Mullins, *Marriage, Children and God* (London: George Allen & Unwin, Ltd., 1933), p. 140.

Even many of the intellectual class are slow to see the difference between maternal contraception and the "safe period" practice.<sup>7</sup> Unfortunately, the private opinion of one priest is often interpreted by non-Catholics as the official teaching of the Church. The Church, champion of Christian morals, has nothing to gain by manifesting undue enthusiasm for any discovery which is designed to lessen the number of her children.

#### 2)—WEAKENING OF CHRISTIAN IDEALS Purity

"Human purity," says Dietrich Von Hildebrand, "involves a distinctive attitude to the important domain of sex. According to the attitude which a man adopts to sex he is pure or impure."<sup>8</sup> Besides the fact that the public divulgation of such a method might lessen the traditional Christian respect for sex and marital life, there is always the possibility that young folks will be tempted to take up the banner of oginism and indulge in sexual relations before marriage. Especially those who are forced to postpone their marriage for several years may argue that if the Church allows such a practice to married people as a guarantee against infidelity and incontinence, it would not be such a serious sin if they avail themselves of the same method before marriage for the same purposes. In all cases, there is the danger of recourse to venerealism or perhaps even abortion if the "rhythm" fails.

As to the hope of converting many from oginism to oginism it must be remembered that those who have little love for religion and a deep love of materialism (and their name is legion) will not heed the advice to turn to the "rhythm" method on purely moral grounds.<sup>9</sup>

<sup>7</sup> For instance, we read in a book of Protestant authorship entitled *New Morals for Old* (by V. A. Holmes-Gore, London: Longmans Green and Co., 1938); "Birth control is often attacked on the ground that it is unnatural. But the Church has always permitted the safe period which is equally unnatural." p. 82.

<sup>8</sup> *In Defense of Purity* (New York: Sheed and Ward, 1936), p. 35.

<sup>9</sup> Cf. Vermeersch S. J., *Periodica*, XXXIII (1934) 7: 246; also Salsmans S. J., *Ephem. Theol. Lovan.*, *loc. cit.*, p. 568; Gennep, S.S., *op. cit.*, p. 193; Genicot-Salsmans, *Causus Conscientiae*, p. 754.

Many have not a chaste attitude toward sex. These hardly can be expected to observe the complicated prescriptions of oginism without placing themselves in serious danger of incontinence or onanism during the fertile periods. Many are not convinced of the malice of onanism as compared to oginism. Can such people be expected to resist the temptation to onanism once the regulation of marital life according to the calendar becomes burdensome?<sup>9b</sup> The mere fact that a few who are disgusted with the mechanical masturbation of contraception may become converted to oginism would not justify the general divulgation of such a method with all its dangerous consequences. Last but not least, the divulgation of such a method would result in the spread of the contagious, selfish spirit described by Father Salsmans, S.J., as the "pessimum spiritum delectationis sine onere."<sup>10</sup>

It seems that the best way of inculcating and maintaining a love of purity among the faithful and a respect for the position of the Church in this regard among non-Catholics is to defend the dignity of marital union as a means of co-operating with God in the procreation of children. The practice of periodic continence can and should be proposed privately as a means of deterring both Catholics and non-Catholics from contraceptive practices, and Catholic members of the medical profession should do all in their power to persuade their fellow physicians to expose and recommend this method to those who are determined to avoid conception. But the maintenance of our Christian ideals of purity is of more importance than the particular good of the relatively few couples who may not have heard about this method and might choose it in preference to contraceptive practices if it were publicly exposed and recommended.

#### *Trust in Divine Providence*

It is true that those who find it advisable or even imperative to limit or avoid conception would be guilty of presumption if they continued to indulge in regular marital union saying "God will provide" when legitimate means of avoiding harm or disaster are afforded in their case, by permanent or even periodic continence. It

<sup>9b</sup> Cf. also Mayer, *loc. cit.*, p. 312.

<sup>10</sup> *Casus Conscientiae (Genicot-Salsmans)*, p. 754, casus 1124, bis.

would seem, however, that those who have no sufficient reason for avoiding children have no right to expect God to "protect" them from the burdensome effects associated with the enjoyment of marital life, nor to arrange their marital life in such a way as to oppose the divine plan regarding procreation. Christian couples ought to realize that it is a singular, providential blessing to be able to bring forth new life, thus assuring man and wife of a deeper, more lasting union, offering them means of personal sanctification and of contributing to the strength and growth of both Church and State. The mere fact that the future looks a little uncertain or that the child might be frail or sickly is no reason for substituting faith in the biological computations of the "safe period" method for trust in God.

St. Thomas points out that as long as the present circumstances are not against us, we should not be solicitous about what might happen, but trust in God "by Whom even the birds and the blades of grass are sustained." Otherwise we are like the Gentiles who deny divine providence.<sup>11</sup> We ought to repair the damage already done by the imprudent divulgence of this method by preaching practical applications of those words of the Master: ". . . If God so clothes the grass which today is alive in the field and tomorrow is thrown into the oven, how much more you, O you of little faith." (Luke XII, 28).

### 3)—TENDENCY TO DENY THE EFFICACY OF GRACE

In their enthusiasm over a biological discovery, the advocates of the "safe period" method might be reminded of a fundamental Catholic teaching on marriage which is clearly expressed by Father Francis J. Connell, C.S.S.R. in one concise sentence: "According to Catholic belief, every marriage of two baptized persons, irrespective of their particular creed, is a sacrament, that is, a medium of supernatural enlightenment and strength, elevated to this dignity by Jesus Christ."<sup>12</sup> In describing the nature of this sacramental grace, Pope

<sup>11</sup> *Contra Gentiles*, III, c. 135, sub fine

<sup>12</sup> *Birth Control* (pamphlet printed by the Mission Church Press, Boston, Mass., 1939)—reprint of an article which appeared in the *Atlantic Monthly*, Oct. 1939) p. 12; cf. also *Marriage, Human or Divine* (New York: Paulist Press, 1939), a pamphlet by the same author, who is at present an associate professor of moral theology, Catholic University of America, Wash., D. C.



Pius XI says: "if . . . doing all that lies within their power, they co-operate diligently, they will be able with ease to bear the burdens of their state and to fulfill their duties."<sup>13</sup> We cannot deny that if this method is not widely divulged, many who may have a sufficient reason for using this method will go on bearing heavy burdens and trials simply because they have not heard about the "rhythm way";—but we must insist that the grace of God will be present to sustain them if they go to Him with their troubles.<sup>14</sup> We may safely add that if the knowledge of this method is needed urgently as a means of avoiding serious material or spiritual harm, Divine Providence will see to it that the well disposed couple learns about the "safe period" discovery in due time, e. g. through the confessor. To assert categorically that this discovery is the providential means of limiting or avoiding children for 20th. century couples is to attempt to scrutinize the inscrutable ways of God.

#### Continence is Possible

If the individual is responsive to the workings of grace, continence is not a threat to either physical or psychological health:

It is now accepted not only in medical circles, but also in the mass of enlightened public, that continence offers no danger, provided that it is the physical expression of a moral attitude. For the pretended sexual need of young folks is too often an artificial creation of their nervous system submitted to repeated stimulations of an erotic nature. . . . It is therefore psychological chastity which makes possible and facilitates bodily continence while immorality in thought or intention makes it precarious and intolerable."<sup>15</sup>

There are times in the life of every man and wife when absolute

<sup>13</sup> Encyclical "Casti Connubii," *Four Great Encyclicals* (Paulist Press), p. 87; cf. also p. 113.

<sup>14</sup> Cf. St. Augustine, *De Natura et Gratia* (P. L. XLIV, 271) c. 43, n. 50; same text found in Denziger, *Enchiridion Symbolorum* . . . n. 804; also in *Casti Connubii*, op. cit., p. 93. Among the Fathers cf. Tertullian, P. L., I, c. 1299; S. Ambrose, P. L., XIV, c. 442; Origen, P. G., XIII, c. 1230; S. Athanasius, P. G. XXVI, c. 1173, 1174.

<sup>15</sup> De Guchteneere, *La Limitation des Naissances* (Paris: Beauchesne, 1929) p. 179, cf. also *Casti Connubii*, op. cit., p. 107.

continence is presupposed, e. g., during the last months of pregnancy, for about three months after child birth,<sup>16</sup> during periods of sickness, absence of one of the spouses, etc. It frequently happens that the husband's work keeps him away from cohabitation during several months each year. At least eight years ordinarily intervene between the age of puberty and marriage, and Christian ethics demand perfect continence during that period even though the sex instinct may have been awakened by pre-marital sexual indulgence.<sup>17</sup> Widows and widowers are likewise expected to live without sexual gratification, and every husband and wife is expected to be prepared to live in continence after the death of one of the spouses. No God-fearing Christian will deny that continence is possible in all these cases with the help of God's grace. The divulgation of the "safe period" method has the appearance of an invitation to use "natural" means to settle the problem of incontinence associated with the regulation of conception, whereas Christian tradition has constantly been advocating recourse to supernatural means in like circumstances. Even if there is recourse to supernatural help to observe the restrictions of periodic continence in cases where there is no justifying reason for not having children, the procedure objectively considered would have all the earmarks of a moral anomaly: "O Lord, confirm my selfishness!"

We are not saying that perfect, permanent continence during married life is to be generally recommended. Such constant vigilance would often be injurious to the physical and psychical health of certain temperaments.<sup>18</sup> Dr. Foerster appropriately warns, however, that: "Our ethical position with regard to the problem of sex must not in any case be allowed to depend upon the variable theories of

<sup>16</sup> Dr. Halliday Sutherland, *Laws of Life*, p. 68.

<sup>17</sup> Cf. an excellent chapter on the subject of chastity in *Marriage and the Family*, by Dr. Leclercq, especially p. 98-106.

<sup>18</sup> That is the opinion of Dr. R. De Guhteneere, *La Limitation Des Naissances*, p. 181. Compare this to the usual opinion of non-Catholic doctors, as expressed by Dr. R. L. Dickenson. "In the close relationship of married life, the effects of continued abstinence may be grave for persons of certain temperaments . . . it is impracticable for the majority of young married people. As a birth control measure for frequent recommendation by the physician, abstinence is negligible since it presents a practical solution only where both

medical science—whether these theories are favorable or otherwise to continence.”<sup>19</sup> Today the medical world might decide that sexual abstinence is harmless and tomorrow a new discovery in physiology, biology or psychology might turn all in favor of the very opposite opinion. Dr. Foerster prudently and respectfully concludes that “there is nothing really conclusive, either positive or negative, to be said as to the hygienic effect of sexual abstinence.” He explains that one who observes continence may suffer nervous crises, but acquire in return a firmness of character which would “place him beyond the power of nerve-disturbing results of a more serious nature;” sexual indulgence may save him from nervous troubles momentarily, creating at the same time a weakness of the will “which would put him at the mercy of all the hidden pathological tendencies to which he might be subject, and would, above all else bring him into situations incomparably more injurious to his psychic health than any of the lesser difficulties, the avoidance of which had been the dominating principle of his sexual conduct.”<sup>20</sup>

The practice of periodic continence is a remedy for exceptional cases,—it must not be preached to all. The general remedy for marital trials and difficulties is indicated in Pope Pius’ masterful treatise on Christian Marriage:

... if ever they should feel themselves to be over-burdened by the hardships of their condition of life, let them not lose courage, but rather let them regard in some measure as addressed to them, that which St. Paul the Apostle wrote to his beloved disciple Timothy regarding the Sacrament of Holy Orders, when the disciple was dejected through hardship and insults: “I admonish thee that thou stir up the grace which is in thee by the imposition of my hands. For God hath not given us the spirit of fear; but of power, and of love, and of sobriety.”<sup>21</sup>

husband and wife are in a large measure physically frigid or impotent, or spiritually ascetic.” *Control of Conception*, p. 89. Dr. Leclercq presents a reassuring picture of the possibility of continence, *Marriage and the Family*, p. 129-137; also Ignatius W. Cox (S.J.) in a pamphlet entitled *Is Sexual Abstinence Harmful* (New York: Paulist Press.)

<sup>19</sup> *Marriage and the Sex Problem*, p. 111.

<sup>20</sup> *Marriage and the Sex Problem*, p. 113, 114

<sup>21</sup> *Four Great Encyclicals*, p. 113, end of last paragraph.

## 4)—TENDENCY TO CONFUSION AND LAXITY IN MORALS

Even if the practice of periodic continence without a justifying cause is presented as venially sinful, the mere fact that the method is publicized will induce many to make light of the "slightly sinful" character of such a practice; "Let's take advantage of that,--it's only a venial sin; we will not go to hell for that."<sup>22</sup> It seems at least just as dangerous to preach periodic continence as it would be to preach the doctrine of occult compensation or expose publicly the cases in which recourse to mental restriction or "double talk" (amphibologia) would be lawful. Many of the faithful are too quick to conclude that their case is the exceptional one.

As far as the average Catholic is concerned, the practice of periodic continence differs little from other existing or possible methods of birth prevention, excepting perhaps contraceptive methods. Let us suppose, for instance, that science would discover that eating during certain periods could render the husband or wife sterile for a short period, or that a hot bath immediately before performing the act of marital union could produce the same effect. Likewise, it would seem that if the woman arises and walks about immediately after the performance of the sexual act or changes her position in a certain manner, the semen would very probably not reach its natural destination. Many of the faithful might argue that if the practice of periodic continence is objectively lawful, the same would have to be said about the practice of eating during such hypothetical periods or taking a hot bath before performing the marital act, etc., even though such practices would normally lead to sterility.

One theologian passes judgment on the case of a woman who would "madefacere (i. e. drench) os uteri cum medicamento" before intercourse, causing the womb to close and prevent the sperms from entering. The act would be performed as usual: in fact since the womb is closed naturally during the nine months of pregnancy, the man and wife would be imitating nature in adopting the above procedure;—reasoning which is slightly suggestive of the arguments of the advocates of "rhythm." After stating that such a procedure would be unlawful, the author makes the essential distinction be-

<sup>22</sup> Cf. *L'Ami du Clergé*, loc. cit., p. 751.

tween the "esse formale" and the "esse materiale" of such a procedure; the distinction which is the key to an understanding of our position concerning the objective morality of "rhythm." In the words of the author, A. Eschbach: "there is no question here of the morality of carnal intercourse as such, but of the lawfulness of the act by which the 'drenching' is done in order to avoid conception." He adds that if such a practice is considered in its "esse formale," (i. e. regarding the intention or motive) it is somewhat like onanism. Viewed in such a light, we see that children are excluded from marital life.<sup>23</sup>

Another source of confusion is indicated by Canon Mahoney in an article in the *Clergy Review* (April, 1937) entitled "Matrimonial Consent and the "Safe Period" (p. 131):

It would seem that the excellent people who have been propagating the theory of the "safe period" as though it were a new gospel, have never for a moment adverted to the grave results which could possibly ensue, whenever this theory is used for the purpose of limiting matrimonial consent. Not easily, indeed but quite possibly, the result might be an invalid marriage, the consummation of which would be a grave sin.<sup>23b</sup>

Most of the confusion already created by the imprudent divulgation of this method arose from the fact that the Church seemed to be assuming a favorable or at least indulgent attitude toward the question of the restriction of human fertility. The traditional teaching on marriage and the family<sup>24</sup> would appear to be giving way to a new doctrine on "marriage and the ego." Such false impressions would only be confirmed and spread by the general divulgation of

<sup>23</sup> *Disputationes Physiologico-Theologicae* (Romae. Le Fevre & Soc. 1901), p. 580-581.

<sup>23b</sup> Cf. also Mayer, *loc. cit.*, p. 312.

<sup>24</sup> For instance, how would the ordinary Catholic reconcile the 'approval' of the "safe period" method (by theologians, etc.) with the teaching that it is unlawful for married folks to "se inhabiles reddere ad copulam aut generationem nimis laboribus, vigiliis, austeritatibus." Cf. Merkelbach, O.P., *Somma Theol. Moralis*, III, n. 961,5 (p. 964); cf. also *Ibid.*, n. 956,6 (p. 958). Would they not see the "safe period" practice as something more serious than merely causing sterility by over-work, etc.?

the "safe period" method. This would lead to confusion and perhaps a weakening of faith among the fervent faithful, and to laxity and perhaps to license among the worldly and luke-warm Catholics and Christians.

CHAPTER VIII  
PRACTICAL CONCLUSIONS AND APPLICATIONS

A)—GENERAL NORMS

Since many of the faithful have already heard about the "safe period" method, any complete exposition of the Church's position concerning marriage and birth control ought to include a reference to the practice of periodic continence. Otherwise silence may be interpreted as an unconditional approval of such a practice. The matter must be discussed in the light of Christian ideals and not in a manner which suggests competition with other birth control measures or a loosening of Catholic moral standards to suit the weakness and depravity of our age. In speaking or writing about the "safe period" method, the following points ought to be kept in mind:

1) This method must never be presented as something which is lawful for any or even the average married couple, but as a "last resort" remedy for exceptional cases only. Father Salsmans S.J. lays down two rules for priests in this regard; never to speak about "facultative sterility" rashly, and if it must be mentioned, "they should show that they are opposed to it."<sup>1</sup>

2) Even for those who have justifying reasons for using the "safe period" method, recourse to voluntary and complete continence temporarily or permanently (as the case may be) is *per se* more praiseworthy.

3) Even the most careful application of this method assures only relative, not absolute freedom from conception.

<sup>1</sup> "Nec nos tempus scribendo perditum arbitramur, si haec duo obtinuerimus, ut scilicet sacerdotes prudentes sint ne verbo aut scripto cognitionem sterilitatis facultativae temere pervulgent, et ut, si loquendum est potius aversos se ostendant a continentia periodica utpote *per se* illicita et non nisi bona ratione cohonestanda." *Ephem. Theol. Lovan.*, XI, p. 570. cf. also Ter Haar C.S.S.R.: "Nunquam idcirco publice aut privatim simpliciter commendent continentiam periodicam, ac si esset opus *per se* honestum et licitum, quod quisque pro libitu peragere possit . . . etiam in scriptis popularibus de hac delicata materia non nisi magna cum cautela ac reverentia debitisque cum distinctionibus tractandum est. De ea tamen omnino silere in universum certe non expedit. *Casus Conscientiae*, II, p. 159.

4) Even when there is a justifying cause for the use of the method, special recourse to supernatural help is necessary in order to remain continent during the sterile periods;—the practice must be based on a spirit of self-sacrifice and it must be supernaturalized, otherwise it may often be the occasion of serious spiritual harm.

5) No one should presume to adopt the method without first presenting the case before the confessor and abiding by the decisions of the doctor of souls. In a matter of such importance, no one ought to consider himself to be a competent judge in his own case.

6) To avoid doubts and anxieties in the minds of the faithful it would be well to refrain from expressions which classify periodic continence as "Catholic birth control," or misrepresent the practice as something intrinsically wrong. To say that the practice is lawful only under certain circumstances is more prudent than to brand the practice as objectively wrong in articles and books intended for general circulation. The distinction between objective and subjective morality and between intrinsic and extrinsic evil is familiar to only a very restricted minority of the general public. In stressing that the practice is not contrary to nature and hence different from contraceptive practices, it would be highly imprudent and confusing to present the practice as "perfectly according to nature" or as "natural" or "legitimate birth control." These are all half-truths, for on the one hand, the practice establishes a rather abnormal status between man and wife physiologically speaking; on the other hand, it is allowed in specific cases not primarily as a birth control measure, but rather as a solution to serious spiritual and material difficulties.

7) Until the Holy See takes a definite stand in this matter, it would be dangerous and unwarranted to present the practice as either approved or disapproved of by the Church. It might be well to stress that any deliberate meddling with human fertility among those who use their marriage right is foreign to Catholic ideals and tradition.

8) Since no one should use this method without first consulting a competent physician, priests ought to refrain from presenting any detailed explanation of this method in writings which are intended



for general circulation. A pastor of souls should not pose as an expert in the biology of sex. A brief exposition of the general principles involved would suffice.

#### B)—SPECIFIC NORMS

The above suggestions may serve to guide the priest not only in conferences and discussions with the faithful, but also in pre-marital instructions. In the latter case, if it is noticed that only the "safe period" would prevent the couple from continuing or adopting unnatural practices or protect them from serious dangers or inconveniences, the practice might be suggested but with the greatest caution and reserve. The strongest temptation to speak of periodic continence, however, would come to the priest in the pulpit and in the confessional. Let us discuss briefly the most priestly manner of proceeding in those two cases.

##### 1)—In the Pulpit

Ordinary pastoral prudence should prompt the clergy to refrain from mentioning the "safe period" method explicitly in the pulpit. The Christian ideals of marriage, family life, purity, self-sacrifice, trust in Divine Providence, recourse to supernatural helps, etc., must always be presented as our first line of defense against the growing immorality of the present age. It might be well to stress that there is only one absolutely sure means of protection from any serious harm which may be associated with child birth,—total abstinence for the duration of the emergency. Above all, the faithful must be urged to bring their difficulties in this regard before their spiritual guide in the confessional. The current idea that the confessional is only a place for unloading grievous sins must be corrected. Those who say that they would still be laboring under unbearable difficulties if they had not found out about the "rhythm" method acknowledge by their own words that they are not in the habit of confiding their moral difficulties to the doctor of souls in the confessional. Surely more can be realized by advising frank and frequent visits to the con-

fessional and to the altar rail than by suggesting loop-holes to the bewildered faithful from the pulpit.<sup>2</sup>

##### 2)—In the confessional

Our decisions in this matter must be based largely upon the decrees of the Sacred Penitentiary spoken of in chapter III. The substance of these two decrees may be summed up as follows:

1) Those who perform the marriage act "only at times when fecundation is considered to be more rare" (decree of 1880) or "on days . . . on which conception cannot occur" (decree of 1853) are not to be disturbed ("inquietandos non esse"—same in both decrees).

2) The confessor may cautiously suggest the use of the "safe period" method ("insinuare . . . caute tamen") to those whom he has tried in vain to dissuade from the practice of onanism (decree of 1880).

Supplementing our remarks in chapter III, the following observations will be in order:

##### "Inquietandos non esse"

The phrase is explained by Father Lavaud O.P. in the following words;

The Sacred Penitentiary said that those who observed periodic continence were not to be disturbed, but did not authorize the indiscreet recommendation of facultative sterility; she permitted only that it be indicated with precaution and as a last resort to married couples who otherwise had been persuaded in vain to turn away for conjugal frauds.<sup>3</sup>

Nor does the phrase mean that the penitent who confesses that he or she uses the "safe period" method is to be deprived of prudent pas-

<sup>2</sup> Cf. Ter Haar C.S.S.R., *Casus Conscientiae*, II, n. 168, 3 (p. 160), also Genicot-Salsmans, *Institutiones Theologiae Morals*, II, n. 551, 4, p. 503; and *Casus Conscientiae*, p. 754, casus 1124, bis, sub line. Worthy of note is a decree of the Bishop of Liege: "Sacerdotes . . . absterneant ab omni indiscreta expositione illius systematis in concionibus ad plebem necnon in coetibus et conventibus piarum associationum." Text found in Gougnard, *De Matrimonio* 8th ed., (Dessain: 1937), p. 315.

<sup>3</sup> cf. *Le Monde Moderne et le Mariage*, p. 101.

toral direction. If the confessor has good reasons to believe that the penitent is guilty of selfish or malicious motives, a tactful investigation of the case would be in order. If he finds that the penitent has no objective reason sufficient to take away the tinge of sinful selfishness otherwise implied in such a practice, he must have recourse to his most effective powers of persuasion to induce the penitent to either live a normal sexual life (i. e. without observing the "periods") or to observe complete continence. If the penitent really betrays a disposition of excessive self-love, there is no reason why the confessor should not point out the sinfulness of such a procedure, emphasizing the dangerous consequences which might follow from the practice in that particular case. If, however, the penitent reveals a reason which, considering all circumstances, appears to the confessor as sufficient to justify the practice, he should not disturb the peace of mind of the penitent by making her feel that she is living in sin; e. g. a woman mentions that she already has five or six children and that the strain of rearing and educating them is getting to be too much for her especially for the time being.

It seems evident that the phrase "inquietandos non esse" refers only to those who already use the method, and who are not particularly uneasy about it, indicating that they consider the practice as lawful at least in their case. Such penitents would ordinarily never mention that they use the method in question, except perhaps in answer to the confessor's general question concerning the existing state of affairs in their marital life. If the practice is mentioned as matter for confession, the penitent is not to be disquieted unless a prudent investigation reveals the absence of a justifying cause. The word in the decree is not "disquietandos" but "inquietandos non esse."

*"Insinuare—Caute tamen"*

The careful wording of the decree of 1880 clearly indicates that this method is to be "insinuated"<sup>4</sup> only to those who otherwise cannot be deterred from the detestable crime of onanism, and only

<sup>4</sup> the word "insinuated" is defined in *Webster's Collegiate Dictionary* (5th ed.) as: "to introduce gently or gradually; hence to introduce or work (in) artfully, indirectly, . . . to hint indirectly; suggest, imply."

after the confessor has tried in vain every other means of dissuading such penitents from onanistic practices:

. . . caute tamen insinuare quos alia ratione a detestabile onanismi crimine abducere frustra tentaverit . . . (cf. chap. III).

In virtue of the accepted dictum; "favores ampliandi sunt, odiosa autem restringenda" theologians agree that this practice can be allowed and even suggested also to those who have serious reasons for not having children, even though there is no danger of falling into onanistic practices.<sup>5</sup>

The full import of the phrase: "insinuare potest" is briefly indicated in the second volume of Genicot-Salsmans' *Institutiones Theologiae Moralis*:

The confessor can *secretly* propose this practice . . . to those married people who really have a *good reason* for not desiring children. . . . The confessor is not forbidden to *cautiously insinuate* this practice to onanists even to those who have not that good reason (at least as a lesser evil, because there is no indication of a grievous sin, but in these circumstances only of a venial sin) after he otherwise has tried in vain to draw them away from onanism.<sup>6</sup>

For those who have no reason for not having children but who are nevertheless determined to avoid them, the "safe period" practice is the only means of avoiding serious sin. It is true that they still bear a selfish, sinful disposition toward the primary end of marital union as established by God, and there is no objective reason sufficient in itself to justify the practice (*per se*). Yet the fact that this practice is for the time being the only means of avoiding certain and serious sin furnishes an objective reason which is sufficient in the circumstances (*per accidens*) to *permit* the practice as the lesser of two evils.<sup>7</sup>

<sup>5</sup> E. g. cf. Monsignor Ryan, *Ecclesiastical Review*, LXXXIX (1933), p. 37.

<sup>6</sup> *Institutiones Theologiae Moralis*, II, p. 503 (n. 551, 4).

<sup>7</sup> The principle that the lesser evil can be suggested or permitted as a means of avoiding a greater evil has become a common teaching among moral theologians. St. Alphonse justifies such an opinion by saying: "Licet esse minus malum suadere, si aliter jam determinatus fuerit ad majus exsequendum. Ratio, quia tunc suadens non quaerit malum, sed bonum, scilicet, electionem

Some might object that if the prolonged, unwarranted practice of periodic abstinence is a mortal sin, it could never be permitted even as the lesser of two evils. In such cases, however, the practice is allowed not as an evil but as the only means of avoiding sins which are certainly mortal. Furthermore, it is at most a probable opinion that a mortal sin is involved in even the prolonged but unwarranted use of this method. Finally, the practice is allowed not as a permanent concession, but ordinarily the mind of the confessor should be to allow it only until the penitent can be weaned away from his or her selfishness. As the *Analecta Juris Pontificii* expresses it, there is a sin in such cases, but the confessor does not advise but merely permits such a remedy. The moral defect lies in the bad disposition of the will of the penitent.<sup>8</sup> As long as that evil disposition endures (i. e. to avoid children by fair means or foul) we might say that the penitent is obliged to adopt the "safe period" method as the only means, in his individual case, of avoiding serious sins. Hence Father Salsmans S. J. is justified in saying: "non constat de gravi peccato, sed in his adjunctis de levi tantum."<sup>9</sup>

It would seem that this method may be permitted also if it is the only means of avoiding other moral evils besides onanism, e. g. incontinence or infidelity on the part of either spouse, or even the practice of "copula dimidiata."<sup>10</sup> It stands to reason, however, that

minoris mali." *Theologia Moralis*, I, (Taurini: Marietti, 1847), Lib. II, Tract. III, n. 57, p. 251; for a thorough discussion of this question, cf. Father L. Bender's article: "Consulere minus malum" in *Ephem. Theol. Lovan.* VIII (1931), p. 592-614.

<sup>8</sup> *Analecta Juris Pontificii*, 12th series, (1873), col. 723: "Hinc peccato permissivo se habet confessarius, cum id non suaserit, sed defectus ex indispositione poenitentis proveniat."

<sup>9</sup> *Institutiones Theologiae Moralis*, II, p. 503, n. 551, 4.

<sup>10</sup> "copula dimidiata" might be considered as a middle-course between oginism and onanism. All the elements of lawful intercourse are present (i. e. penetratio vaginae, effusio seminis intra vaginam, retentio seminis a muliere) at least substantially, but in such a "half-way" manner that conception is rendered less probable. The bishops of the Netherlands received a response from the Holy Office in 1922 (Dec. 1) saying that: 1) Confessors may not of their own accord teach this practice or advise it promiscuously to all penitents who fear the birth of more children; 2) That the confessor is to be reproved ("carpendus est") who, having tried in vain every other

the practice may never be allowed if the penitent has no intention of abandoning onanism or other immoral practices.

It may be well to cite a few theologians concerning the pastoral aspects of "rhythm". In the words of Father Merkelbach O.P.:

... such a practice must not be publicly proposed nor even privately and positively advised, because it is liable to cause scandal or even to lead to onanism . . . but the confessor may sometimes cautiously suggest that practice; thus if there is a sufficient reason for avoiding all conception, and the penitent is not able to observe continence, the confessor can say that it is not wrong in this case; or if an inveterate onanist is incorrigible, to whom such a procedure could be proposed as a lesser evil.<sup>11</sup>

Father Vermeersch S. J. says that the practice should be suggested to incorrigible onanists, but "cautiously and prudently . . . by no means commending it but permitting it as if unwilling . . . neither

means of dissuading the penitent from abusing the marriage right, tells the penitent to have recourse to such a practice as a means of avoiding mortal sins; 3) The confessor is likewise to be reproved if he advises the practice to such a penitent who already knows about the practice, or if he answers to an inquirer that such a practice is allowed without adding any restriction or explication.

That the practice of "copula dimidiata" is not intrinsically wrong is seen from the fact that it may be allowed if there is a proportionately serious reason, e. g. if "penetratio completa" is physically impossible. It would seem that this practice, objectively considered, ordinarily is not to be permitted because it indicates (although not necessarily as in the "safe period" practice) an intention to avoid the realization of the primary end of marital union. We might say that it is "male sonans." This response of the Holy Office may be considered as a pattern of what may be expected if the Holy See ever sees fit to issue a more definite response concerning the practice of periodic continence. For more information concerning this decree of the Holy Office (Dec. 1, 1922), cf. Aertnys-Damen, *Theologia Moralis*, II, n. 896, Quaer. 5, p. 594; Merkelbach O.P., *Summa Theologiae Moralis*, III, n. 938, b and note 1, p. 938; Noldin S.J., *De Sexto Praecepto de le Usu Matrimonii*, p. 70, n. 68, 1.

<sup>11</sup> *Summa Theol. Moralis*, III, n. 956, 3; note 1, 4; d and e (p. 957); cf. also Angeheum, XI (1934), p. 94, n. 4 & 5; also Gennaro, S.S., *De Periodica Continentia Matrimoniali*, p. 105, 106; Salsmans, S.J., *Ephem. Theol. Lovan.*, XI, p. 569; also *L'Ami du Clergé*, loc. cit., p. 752; Noldin-Schmitt, *De Sexto Praecepto et de Usu Matrimonii*, p. 79; Aertnys-Damen, *Theologia Moralis*, II, p. 596.

promising nor affirming anything as certain." He adds that if child birth presents a really serious threat to the life of the mother, the practice cannot be advised in preference to simple continence unless there is assurance on the part of a competent physician that there is no danger in performing the marital act during those specified sterile periods.<sup>12</sup>

Father Ter Haar C.S.S.R. states that the confessor should not say simply that the practice is not sinful, but rather admonish the penitent that it is at least venially sinful if there is not a just, excusing cause for not having children. He adds:

If, however, the married couples have reasons and difficulties . . . the confessor should listen to them benignly and patiently and try to solve them as far as possible. . . . If he does not succeed or if he himself judges the reasons to be really serious,—as they often are—he can propose that they use the marriage right only during sterile periods according to the new method. Furthermore, if those reasons seem to be truly serious and urgent and the confessor thinks that the married folks who are loaded down with difficulties are in serious danger of committing onanism—as will often be the case—he not only can but should earnestly recommend periodic continence, unless more serious reasons advise against (such a procedure.)

If the confessor notices that the reasons given are no reasons at all or light reasons and he has tried in vain to deter them from the detestable crime of onanism . . . he surely may "cautiously insinuate" this practice to them: which seems to mean not that this practice should be recommended as positively good in itself—in this case, it is at least venially sinful ("leviter prohibita")—but it is *per se* only a venial sin, and thus as a remedy for concupiscence it can be used without sin by those who would otherwise commit onanism.<sup>13</sup>

#### C)—PRACTICAL CONCLUSIONS

The attitude of caution and reserve which pervades the theological opinions just cited ought to become a part of pastoral prudence in treating this delicate, moral question. In the following conclu-

<sup>12</sup> *Periodica*, XXIII (1934), p. 247\*.

<sup>13</sup> *Casus Conscientiar*, II, n. 168, 5 and 169, f (p. 160, 161).

sions, the word "onanism" is taken to include all consequences and practices which might be called "conjugal frauds," e. g. contraception, infidelity, incontinence, as well as other irregularities such as "copula dimidiata," "copulae abruptio cum periculo pollutionis," etc.

1) In no case may absolution be given if the penitent is determined to continue or to adopt onanistic practices in the event that the "safe period" method fails, or to do away with the new life which may be conceived despite all precautions imposed by the "safe period" method. Such a perverse attitude must first be rectified by earnest persuasion on the part of the confessor. If such attempts fail, the penitent is not disposed for absolution.

2) In every case, the permission or insinuation of the method should be regarded as a "last resort" means of avoiding either onanistic practices or a really serious danger or inconvenience. It should never be permitted or insinuated before all other means have been suggested and either definitely rejected or found to be too hard to accept in the individual case, e. g. a poor husband already has a large family (six or seven) and could observe total abstinence but considers that to be an almost unbearable sacrifice in his difficult life of toil and hardship.

3) If there is no sufficient reason and the penitent is really disposed to accept the suggestion of the confessor either to have marital relations without respect to the time (i. e. the sterile periods) or to practice complete continence, the practice may never be permitted or insinuated, either verbally or tacitly.

4) If there is no sufficient reason but the penitent is determined beyond human persuasion either to accept or to continue the practice of periodic continence with all its uncertainties (i. e. definitely rejecting onanism) or to continue or adopt onanistic practices, the practice can and should be permitted or insinuated as the lesser of two evils.

5) If the reason presented by a penitent who already knows about the "safe period" method is only doubtfully sufficient to justify the practice in question, the confessor ought to stress the Christian ideals of marriage and family life and leave the penitent to de-

side according to his or her own conscience.<sup>14</sup> It is difficult to see how the confessor could be justified in insinuating the practice in a similar case to a penitent who is ignorant of the "safe period" method, or speak approvingly of such a practice to one who is inquiring about it with a view to adopting the "safe period" procedure in marital life.

6) Penitents who merely inquire about the morality of periodic continence should be told that such a practice employed as a means of limiting or avoiding conception is lawful only in exceptional cases: that such a procedure in itself is far from the Christian ideal of marriage; that the "safe period" method as such has received no official approbation of the Holy See.

7) In every case where the confessor prudently judges that the practice can be permitted or insinuated either as lawful (in the individual case) or as the lesser of two evils, the following points ought to be emphasized:

- (a)—That the penitent must be disposed to accept and rear any "surprise" child, i. e. born despite "safe period" precautions.
- (b)—That the practice may not be adopted against the reasonable opposition of the other spouse or if there is a serious danger of incontinence, infidelity, etc., for the other spouse.
- (c)—That even the careful application of the "safe period" method assures only relative freedom from conception. Conception is always possible although quite improbable if extreme care and vigilance are exercised.
- (d)—Stress the importance of a spirit of self-sacrifice and recourse to supernatural help in order to observe continence during the fertile periods.<sup>15</sup>

<sup>14</sup> Cf. Lavaud, O.P., *Le Monde Moderne et le Mariage*; p. 421. who adds that the confessor must never consider such doubtful reasons sufficient to authorize or much less to advise it. Cf. also *L'Ami du Clergé* (Nov. 8, 1934), p. 750.

<sup>15</sup> Cf. St. Thomas, *Summa Theol.*, II-II, Q. 156, a. 3, ad. 2: "ad sanationem incontinentis non sufficit sola cognitio, sed requiritur interiorius auxilium gratiae concupiscentiam mitigantis, et adhibetur etiam exteriorius remedium admonitionis et correctionis, ex quibus aliquis incipit concupiscentiis resistere, ex quo concupiscentia debilitatur."



- (e)—Urge the penitent to go to a competent and morally reputable Catholic physician for detailed information concerning the "safe period" method, warning the individual to beware of being guided solely by the general information contained in popular expositions of the method.
- (f)—Make it clear to the penitent that the practice is allowed in this specific case only because of the circumstances,—hence the individual must be careful not to tell others about this personal matter unless such a revelation is necessary in order to avoid causing spiritual harm to others (i. e. scandal).
- (g)—Urge the penitents to keep their confessors informed of their condition in this regard.
- (h)—Stress the Christian ideals of marriage, families, sacrifice, trust in Divine Providence, etc., lest such penitents become too satisfied and too lenient with themselves in the enjoyment of voluntary sterility.

#### D)—PRACTICAL APPLICATIONS

The following cases are intended to represent the most common confessional cases which would involve the considerations and conclusions presented throughout this study. The solutions ought to be given in each individual case along with the other admonitions mentioned under number 7 of the preceding conclusions.

Case 1)—*Sufficient Reason—No special Danger of Onanism or Incontinence, etc.*

Martha, a frail and nervous individual, complains to the confessor that she already has four children and that her husband keeps the family so deeply in debt by drinking and gambling that it is extremely difficult to rear, clothe and educate those four children properly. She has to take in washing in order to help support the family. Her husband is sufficiently faithful to Catholic principles not to stoop to contraceptive practices, but he simply insists upon his right to intercourse saying that as far as he is concerned, he prefers a large family.

*Solution:* The confessor should urge Martha to have recourse to prayer and prudent persuasion to make her hus-

band realize his obligations toward his wife and family. He should add that if the situation does not improve and total abstinence remains morally impossible because of the husband's attitude, she should persuade him to restrict intercourse to those periods which are unfavorable to conception.

Case 2)—*Sufficient Reason—Danger of Onanism or Incontinence, etc.*

(a)—Penitent is quite well disposed

Martha, the wife of a non-Catholic and mother of four children, confesses to have used contraceptives. Although she knew that such a practice is wrong, she considered that it would be only venially sinful in her case; i. e. the doctor said that another child would mean a grave danger to her health, her husband's salary is insufficient to support a larger family, and if she insisted on total abstinence he would be in a serious danger of adultery, or might even try to get a divorce.

*Solution:* The confessor should prudently ascertain whether those reasons are based on groundless fear or fancy, or on actual fact. If such unfortunate circumstances really exist, he should permit or suggest the practice of periodic continence, as the case may be. He must point out the seriousness of contraception and make the penitent understand as well as possible that periodic continence differs greatly from the unnatural practice of contraception.<sup>16</sup>

Case 3)—(b)—Penitent is badly disposed

Luke, an incorrigible onanist, confesses to have committed the detestable crime of onanism ever since his fourth child was born. He thinks that four children constitute a

<sup>16</sup> The above case is found in the June 1936 issue of the *Ecclesiastical Review* (Vol. XCIV, p. 587-593) along with the solutions of the following theologians: Fathers Vermeersch, S.J.; Capello, S.J.; Lopez, S.J.; Merkelbach, O.P.; and Hurth, S. J. They all agree that the "safe period" method could prudently be insinuated in such a case, and that such a woman can never be left in good faith, thinking that conception would be only venially sinful in her case.

Cf. also Genicot-Salsmans, *Casus Conscientiae*, case n. 1124 for a similar situation in which a husband, who has a sufficient reason for avoiding conception, is uneasy about his habit of "abruptio copulae." The solution given is that even though such a manner of intercourse is not accompanied by "effusio seminis extra mulieris vaginam," the "safe period" could be per-

sufficiently large family for a common laborer to support. Besides his wife is absolutely opposed to another child. Being a convert, Luke does not see why the Church should be concerned about his marital affairs. To please the priest he has abstained from intercourse entirely for two weeks or so following each annual confession,—he is certain that he will do no better this year.

*Solution:* The confessor must try to convince Luke of the evil of contraception, and ask him if he could not restrict intercourse to only about two weeks each month when conception is unlikely, rejecting contraception for good. If Luke seems willing to try such a solution, the confessor should instruct him to see a competent and reputable Catholic physician and get the necessary information about the "safe period" method, reminding him that although the application of such a method demands sexual abstinence for about two weeks or ten days each month, it will be a morally lawful solution in his case. If Luke answers that he knows all about that method, but will have nothing to do with it, or if he expresses the determination to continue onanism if the method fails or becomes too restrictive, etc., the confessor can do nothing else but paternally inform Luke that he cannot give him absolution while such an attitude prevails.<sup>17</sup>

Case 4)—*No Sufficient Reason—Danger of Onanism, etc.*

(a)—Penitent is fairly well disposed

Luke, a mixed-marriage convert, who would like to do all that is "reasonably" demanded of Catholics, confesses

mitted or insinuated: "Immo in his angustiis praestaret vacare 'periodicae continentiae' correcte et cum bona ratione exercitae." (p. 753).

<sup>17</sup> For a similar case cf. Ter Haar, C.S.S.R., *Casus Conscientiae*, II, (case found on p. 129, solution on p. 169). The case involves an inveterate onanist who considers his family of four sufficient, and who purposely practiced onanism except for a while after each annual confession. "Si poenitens serio dicit, sibi videri usum matrimonii per binas fere hebdomadas singulis mensibus sufficere, confessarius hoc medium ei enixe commendare debet: eique etiam statim absolutionem concedere potest, simul paterne eum exhortans ut brevi ad ipsum redeat suique experimenti rationem reddat." (p. 169). In this case, as in the one above, the penitent seems to have a quite sufficient reason, for the penitent says of his four children "eos juxta conditionem suam educare non potest." (p. 129, n. 4).

that he has often tried to avoid onanism, but without success. He adds that neither he nor his wife have any desire for children, nor can he see why the Church should oblige them to have a family. He also says that he would be willing to reject onanism for good, if there was some other method permitted by the Church, by which children could be avoided or at least limited.

*Solution:* Luke's opposition to procreation bespeaks culpable selfishness, but his willingness to adopt another method even with the relatively small possibility of an occasional conception, indicates that he is not altogether in bad faith. His attitude might be blamed partly on the fact that he is a convert. The confessor should try his best to change that attitude (which is at least "materialiter" culpable). If all persuasion to live in total abstinence or to have children fails, the confessor can and should insinuate the practice of periodic continence at least as the lesser of two evils, without however implying the least approval of Luke's strange attitude.<sup>18</sup>

Case 5)---(b)---Penitent is badly disposed

Bertha has such an abhorrence of pregnancy that she cannot be persuaded to perform the marriage act in any manner which might lead to conception. Although child birth would certainly present no special danger to her health, she insists upon limiting intercourse to a few times each month, and uses a contraceptive each time. Uneasy about such a procedure, she tells all this to the confessor, making it clear that she is determined to avoid conception by fair means or foul, and that her husband will not hear of total abstinence.

*Solution:* The confessor should tell Bertha that her attitude (*per se*) is undoubtedly sinful,—that even if conception meant certain death, she would not be allowed to perform the marriage act in a manner contrary to nature. If all attempts to dispell the unfounded fears of pregnancy are unsuccessful, he should tactfully suggest that she at least restrict intercourse to periods when conception is quite improbable, stressing that even in using this method, there is a slight possibility of conception. Hence that voluntary

<sup>18</sup> For a slightly similar case cf. Ter Haar, C.S.S.R., *Casus Conscientiae*, II, (case 5 on p. 130, solution on p. 170); also *Periodica*, XXV (1936), solution by Father Lopez, S.J., on page 171\*-175\*; case on p. 55\*-56\*.

opposition to any conception (i. e. that disposition to resort to contraception if necessary) must be overcome before she can use the "safe period" method even as the lesser of two evils. Bertha's abhorrence of pregnancy may be the result of an abnormal, nervous condition,—the fact that she seems to be prepared to abstain if her husband would consent might indicate that she is otherwise a good Christian. In her case, therefore, the practice of the "safe period" may not even be a "lesser evil."<sup>19</sup>

Case 6)—*Doubtfully Sufficient Reason—No Special Danger of Onanism, etc.*

Martha, a little uneasy about her conjugal life, tells the confessor that she and her husband have mutually agreed to use the "safe period" method regularly. They are of the more wealthy class and feel that all the attention which Martha can spare away from her social activities should be directed to the special rearing and educating of their two children. She assures the confessor that there is no danger of onanistic practices in their case nor of any unpleasant consequences of restricting intercourse.

*Solution:* The confessor ought to make it clear that the above attitude is ordinarily dangerous, and often sinful because of selfish motives:—that the two-child family often results in spoiled children, scandal for other fervent Christians, etc. If they are anxious to do the best thing and yet limit their family, propose total abstinence as a test of their generosity. Harsh words or severe judgments might cause Martha to stop frequenting the sacraments altogether. Hence, after stressing the ideal, (i. e. a larger family or total continence) the confessor ought to leave Martha decide according to her own conscience.<sup>20</sup>

Case 7)—*Insufficient Reason—No Special Danger of Onanism, etc.*

Luke, when questioned about the order of his conjugal life, mentions that he and his wife have agreed to use the

<sup>19</sup> Genicot-Salsmans, *Casus Conscientiae*, for a somewhat similar case (case no. 1131).

<sup>20</sup> Similar decision in *L'Ami du Clergé* (Nov. 8, 1934), p. 750, and in Lavaud O.P., *Le Monde Moderne et le Mariage*, p. 421; also in Ter Haar, C.S.S.R., *Casus Conscientiae*, II, case on p. 128 (n. 3), solution on p. 168 (n. 176). The solution is substantially the same as the one presented above.

"safe period" method. Prudent investigation reveals that friends passed on to him the knowledge of this method, with the remark that it was approved by the Church; that both he and his wife were physically and financially capable of raising a family, but that she simply had no desire for children. Besides she was too active in social and charitable affairs to find time for raising a family. Both are fairly good Christians, and neither would stoop to contraception. There is no special danger of incontinence.<sup>21</sup>

*Solution:* The confessor should make it clear to Luke that he and his wife have not a justifying reason for adopting the practice of periodic continence; that the greatest social and charitable work which his wife can do is to have a family, giving glory to God and true lasting happiness to their marriage union. If she insists upon having no children for such an insufficient reason, even total abstinence would not be according to the Christian's ideal of marriage. Stress the fact that such a practice can be allowed only in exceptional cases, and urge him to prudently persuade his wife to enter the blessed career of motherhood. If he answers that such persuasion would surely make her antagonistic and quarrelsome, etc., the confessor may tell Luke that the continuance of the practice would be permissible for the time being, but that he must not give up the tactful campaign to gradually make her see marriage in the proper light.

Case 8) -- *Penitent Simply Inquires about the Morality of this Practice.*

Martha, a newlywed, mentions to her confessor that friends told her about a certain book approved by the Church, which proposes a method of realizing sterility in marital life without having to abstain entirely from conjugal intercourse. Her mother assures her that the Church would never allow any procedure which amounts to interference with human fertility, this "Rhythm" method included. "What about it, Father?"

*Solution:* The confessor should point out that since such a practice is not contrary to nature it can be justified, but only in cases where married folks are in such unfavorable circumstances due to poor health, genuine poverty, etc.,

<sup>21</sup> For a similar case, cf. the *Nouvelle Revue Théologique*, V (1873), 424-443.

that restricted intercourse seems to present the only acceptable solution,—that no one should presume to think himself or herself entitled to such a special remedy without first laying the case before the confessor, and abiding by his decisions.<sup>22</sup>

### GENERAL CONCLUSIONS

1)—Regardless of what opinion may be held concerning the objective morality of periodic continence, the majority of theologians agree that for all practical purposes this method must be regarded by the priest and confessor as a "last resort" measure for exceptional, individual cases,—not as a solution for general recommendation. This is the only conclusion which is in keeping with traditional, Christian ideals and with the spirit of all available ecclesiastical documents on the subject.

2)—The practice may be permitted or suggested as lawful only in those individual cases in which there is an objectively sufficient reason for not having children. It may be permitted or suggested as the lesser of two evils in individual cases in which such a reason is not present if it is the only acceptable means of avoiding a greater moral evil, e. g. incontinence, infidelity, etc.

3)—The fact that some might abandon onanism in favor of "oginism" as a result of the general divulgation of the "safe period" method would hardly compensate for the dangerous consequences which are ordinarily associated with such imprudent publicity, e. g. the loss of the Christian ideals of marriage and purity, weakening of trust in Divine Providence, spread of a general spirit of selfishness, etc.

4)—Any spontaneous divulgation of this method from the pulpit or in any public gathering would *per se* be opposed to pastoral prudence and to the evident import of all ecclesiastical documents on the subject. The divulgation of the method when demanded by circumstances must be individual as far as possible. In no case

<sup>22</sup> "Ubi confessori circa illam praxim interrogantur, aperte dicant esse pro vita christiana et pro ipsa vita conjugali valde periculosam: proinde eam recipi non posse, nisi adsint rationes proportionate graves." A. Verhamme, "De Licetate Sterilitatis Facultativae," *Collationes Brugenses*, XXXIV (1934), 471.

would the pastor of souls and custodian of Christian ideals be justified in manifesting unqualified approval of the "safe period" method as such, whether in public or in private.

5)—The easiest way to be assured of a consistent attitude of due caution regarding the practical aspects of periodic continence is to view the practice of the "safe period" method as it really appears under a purely objective scrutiny,—as *per se illicitum, per accidens autem licitum*. Those who consider such an opinion as untenable may be inclined to say: "If the method is good or indifferent in itself, why should the knowledge of the "safe period" be kept from the faithful in general?"

6)—These considerations should not prevent the priest and confessor from regarding the Ogino-Knaus discovery as a most suitable remedy for specific and individual material and moral ills, nor from prudently co-operating with Catholic physicians in convincing the medical profession of the practicability of such a method as a substitute for contraceptive practices.

A. M. D. G.



## BIBLIOGRAPHY

### SOURCES

- Acta Apostolicae Sedis*, Commentarium Officiale, Romae, 1909 (Tomus I) sqq.
- Actes et Décrets du Cinquieme Concile Provincial de Malines* (translation from the Latin original). Louvain: Editions de L'A. C. J. B., 1939.
- Codex Juris Canonici Pii Pontificis Maximi jussu digestus Benedicti XV auctoritate promulgatus*, Romae: Typis Polyglottis Vaticanis, 1917.
- Corpus Scriptorum Ecclesiasticorum Latinorum*, Academiae litterarum Caesareae Vindobonensis, Vindobonae, 1866 (Tomus I) sqq. (68 Vols., 1866-1936).
- Denzinger, Henr., et Bannwatt, Clem., et Umberg, Joan., *Enchiridion Symbolorum, Definitionum, et Declarationum be Rebus Fidei et Morum*. 21-23 ed., Friburgi Brisgoviae: Herder, 1937.

### REFERENCES AND ARTICLES

- L'Ami du Clergé*, "Un Nouveau Problème de Morale," Nov. 8, 1934, p. 737-752; cf. also March 12, 1931, p. 177-190; March 19, 1931, p. 193-201; 1933, p. 269 et sqq.
- Anonymous, "L'Ovulation Spontanée," *Analecta Juris Pontificii*, series 12 (1873), c. 706-724.
- , Reprint of an article which appeared in the Spanish theological review *Consultor de los Parrocos*, in the *Analecta Juris Pontificii*, series 13 (1874), c. 993-1001.
- , Response of the Sacred Penitentiary, *Analecta Juris Pontificii*, series 22 (1883), c. 248-249.
- , "Consultation I," *Nouvelle Revue Théologique*, V (1873), p. 424-443.
- Aquinas, St. Thomas, *Summa Theologica*. Taurini: Marietti, 1937.
- , *Summa Contra Gentiles*, Taurini: Marietti, 1938.
- Aertnys-Damea, *Theologia Moralis*, 13th ed., 2 vols., Taurini: Marietti, 1938.
- Antonelli, Joseph, *Medicina Pastoralis*, 5th ed., Romae: Pustet, 1932.
- Araya, Dr. Rafael, *Ovulacion y Menstruacion*, Buenos Aires, 1933.
- , "El Método Anti-concepcional de Ogino y Knaus, Su Valor Científico y Práctico," *La Prensa Medica Argentina*, XXVIII (1941), p. 37-58.
- Ballerini-Palmieri, *Opus Theologicum Morale*, 7 vols., Prati, 1889-1893.
- Batzill, O.S.B., *Decisiones Sanctae Sedis De Usu et de Abusu Matrimonii*, Taurini: Marietti, 1937.

- Bender, L., O.P., *Verminken en Onvruchtbar maken* (Serie: Waarheid en Leven), Hilversum: Paul Brand, 1939.
- Bonnar, A., O.P.M., *The Catholic Doctor*. 2nd ed., New York: Kennedy, 1939.
- Bonsirven, J., S.J., *Le Judaïsme Palestinien au Temps de Jésus Christ*. 2 vols., Paris: Beauchesne, 1935.
- Bouviere, Pierre, S.J., *Les Décisions du Saint Siège et le Devoir des Confesseurs Circa Abusum Matrimonii*, Paris: Letouzey, 1929.
- Brouillard, René, "Causerie de Morale, Mariage et Continence Périodique. La Méthode Ogino-Knaus et La Morale Catholique," *Etudes*, CCXIX (June, 1934), p. 771-787.
- Capellman, Dr. C., *Medicina Pastoralis*, 7th ed., Aquisgrani: Sumptibus Rudolphi Barth, 1890.
- Capellmann, Dr. C., and Bergman, Dr. W., *Pastoral Medicine*. Paderborn: Bonifatius Druckerei, 1923.
- Capellmann, Dr. C., and Niedermeyer, *Fakultative Sterilität Ohne Verletzung Der Sittengesetze*. Limburg: a. d. Lahn, 1931 (Gebrüder Steffen).
- Cappello, Felix, M., S.J., *Tractatus Canonico-Moralis de Sacramentis*, 4th ed., 3 vols. in 4, Romae: Marietti, 1939.
- , *Ecclesiastical Review*, XCIV (1936), p. 589-591 (opinion in a case involving the "rhythm").
- Chaput, Charles, S.J., and Dumas, Paul, M.D., *La Méthode Ogino Knaus* (Extraits du Journal de L'Hôtel-Dieu de Montreal), 1935.
- Charles, Enid, *The Menace of Under Population*. London: Watts and Co., 1936.
- Claeys-Bouđaert, "Quid Censendum de Nova quadam Methodo impregnationem vitandi?" *Collationes Gandavenses* (August, 1931), p. 176 et sqq.
- Clement, Dr. G., *Le Droit de L'Enfant à Naître*. 4th ed., Bruges: Charles Beyaert, about 1925 (no precise date given.)
- Cyclopedia of Medicine, Surgery and Specialties*, vol. 4, Philadelphia: F. A. Davis Co., art. "Safe period," p. 558-560.
- Cohauz, Otto, S.J., *The Pope and Christian Marriage* (Commentary on "Causa Connubii," translated by George D. Smith), New York: Benziger, 1933.
- Colli-Lanzi, Camillus, *Theologia Moralis Universa*, 3 vols., Taurini: Marietti, 1927.
- Connell, Francis J., C.S.S.R., *Birth Control—The Case for the Catholic* (pamphlet), Boston: Mission Church Press, 1939.
- , *Marriage—Human or Divine?* (pamphlet), New York: Paulist Press, 1940.
- Conway, Bertrand L., C.S.P., *The Christian Family*, New York: Wagner, 1905.
- Coucke, Canon Valère J., "Birth Control and the Tempus Agnoscens," *Homiletic and Pastoral Review*, XXXIII, 1 (1932), p. 20-24; 133-138.

- , "De Tempore Agenesecos," *Collationes Brugenses*, XXX (1930), p. 360-368; p. 443-452; XXXI (1931), p. 178-181.
- Coucke, Canon Valère J., and Walsh, Dr. J. J., *The Sterile Period in Family Life*. New York: Wagner.
- Cox, Ignatius W., S.J., *Birth Control, Birth Controllers and the Perversion of Logic* (pamphlet), New York: Paulist Press, 1936.
- Craisson, "Réponse à l'auteur de L'Ovulation Spontanée," *Rev. des Sc. Eccl.*, XXIX (1874), p. 205-208.
- Craisson, "De L'Ovulation Spontanée . . .," *Revue des Sciences Ecclesiastiques*, XXVII (1873), p. 586-596.
- Culligan, E., *Controlling Birth lawfully*. Courtney Co., Fort Wayne, Ind., 1934.
- Cursus Scripturae Sacrae*. Paris: P. Lethielleux, 1885-1892.
- Dauwe, Dr., "La Question de la Continence Périodique," *S. Luc Médical*, 1934, p. 42 et sqq.
- Davis, Henry, S.J., *Moral and Pastoral Theology*, 4 vols., New York: Sheed and Ward, 1935.
- , *Clergy Review*, V (1933), p. 403-407 (reviewing recent theological works).
- Dayez, A., "Encore à propos de la méthode d'Ogino," *S. Luc Médical*, 1933, 494 et sqq.
- De Guchteneere, Dr. Raoul, *La Limitation des Naissances*, Paris: Beauchesne, 1929.
- , "Les Variations Cycliques et la Fécondité Feminine," *Revue Française de Gynecologie et d'obstetrique*, 1933, p. 283 et sqq.
- , *Revue Médical de Louvain*, 1931, nos. 2 and 5, p. 17 and 65, et sqq.
- Delevoey, Dr. A., *Périodes de Fécondité et de Stérilité Physiologiques Chez la Femme*. Paris: Amedée Legrand, 1935.
- De Muyser, Dr. R., *L'Amour et la Conception*, Paris: E. Figuiere, 1935.
- Dermine, Canon, "La Morale Conjugale, Néomalthusianisme, Méthode Ogino-Smulders," *L'Eglise et le Mariage* (a book by various contributors), Paris: Editions Mariage et Famille, 1937, p. 56-70.
- De Smet, Aloysius, *Tractatus Theologico-Canonicus De Sponsalibus et Matrimonio*, 4th ed., Brugis: Beyaert, 1927.
- Dickinson, Dr. Robert Latou, *Control of Conception*, 2nd ed., Baltimore: Williams and Wilkins, 1938.
- , "The 'Safe Period' as a Birth Control Measure," *American Journal of Obstetrics and Gynecology*, XIV, (1927), p. 718-729.
- Doncoeur, Paul, *Retours en Chrétienté*, Paris: Bernard Grasset, 1933.
- Doodkorte, O.P., *R. K. Artsenblad*, July, 1935, p. 197-205.
- Dorsaz, A., C.S.S.R., *Le Contrôle Rationnel Des Naissances*, Paris: Dépôt Mignard, 1935.

- Douglas, Gilbert F., M.D., "The Safe Period," *The Mississippi Doctor*, XVIII (1941), p. 566-570.
- Dowling, M. P. S.J., *Race Suicide and Birth Control* (pamphlet), 7th printing, New York: American Press.
- Emge, Ludwig A., M.D., "Is the So-called 'Safe Period' Trustworthy?" *Transactions of the Pacific Coast Society of Obstetrics and Gynecology*, V (1935) published by the *Western Journal of Surgery*, Portland, Ore.
- Eschbach, A., *Disputationes Physiologico-Theologicae*, Romae: Desclée, LeFebvre & Socii, 1901.
- Estor, H., "Y a-t-il des Périodes de Fécondité et de Stérilité Physiologiques Chez la Femme?" *Languedoc Medical*, XXII (1939), p. 133-144.
- Farrell, Walter, O.P., *The Natural Moral Law According to St. Thomas and Suarez*, Ditchling: St. Dominic's Press, 1930.
- Ferreres, Joannes, S.J., *Compendium Theologiae Moralis*, 14th ed., 2 vols., Barcinone: Eugenius Subirana, 1928.
- , "Onanismi Remedium," *Estudios Eclesiasticos*, XIV (1935), p. 270-274.
- Fielding, Michael, *Parenthood: Design or Accident?* New York: Vanguard Press, 1938.
- Flieser, Dr. Joseph, "Ehewille und Bonum Proles," *Theol. Prakt. Quartal*, XC (1937), p. 425-441.
- Foerster, F. W., *Marriage and the Sex Problem*, New York: Frederick A. Stokes, 1936.
- Geis, Dr. Rudolph, S.T.D., *Principles of Catholic Sex Morality*, New York: Wagner, 1930.
- , "Moraltheologisches und Pastoraltheologisches Zur Frage Ogino-Knaus," *Oberrhinesisches Pastoralblatt*, XXXIV (1932), p. 164 et sqq.
- Genicot, Edwardus, S.J., *Theologiae Moralis Institutiones*, 6th ed., 2 vols., Brussels: A. Dewit, 1909.
- Genicot-Salsmans, *Institutiones Theologiae Moralis*, 13th ed., 2 vols., Brussels: L'Edition Universelle, S.A., 1936.
- , *Casus Conscientiae*, 7th ed., Brussels: L'Edition Universelle, S.A., 1938.
- Gennaro, Sac. Doct. Andreas, S.S., *De Periodica Continentia Matrimonialis Augustae Taurinorum*: R. Berruti & Co., 1938.
- Georg, Dr. I. E. *Eheleben und Natürliche Geburtenregelung* (a translation from the original Bohemian), Pragi: Adolf Otto Czeruny, 1914.
- Gerrard, Thomas John, *Marriage and Parenthood*, New York: Wagner, 1937.
- Gillet, James M. S., O.P., *L'Eglise et la Famille*, Desclée de Brouwer, 1917.
- Gillis, James M., *The Catholic Church and the Home*, New York: Macmillan, 1928.
- Godefroy, L., "Marriage in Sacred Scripture," *Dictionnaire de Théologie Catholique* (Vol. IX, part 2, Paris: Letouzey, 1927), art. "Mariage," c. 2045-2077.

- Gougnard, *De Matrimonio*. 8th ed., Mechliniae: Dessain, 1937.
- Grosam, Rev. Wenzel, "Geburtenregelung nach der Theorie von Ogino-Knaus und praktische Seelsorge," *Theol. Prak. Quartal.* LXXXVI (1933), p. 262-280; also LXXXIV (1931), "Pastoraltheologische Einstellung Zu den Neusten Forschungen Über 'Fakultative Sterilität,'" p. 280-287.
- Gury-Ballerini, *Compendium Theologiae Moralis*, 9th ed., 2 vols., Romae: Ex Typographia Polygraphia, 1887.
- Hamilton, Virginia Clay, M.D., "The 'Safe Period'—A Report on 36 Cases," *Human Fertility* (formerly the *Journal of Contraception*), V (1940), p. 165-169.
- Haycs, Patrick Cardinal, "Official Monitum on the Rhythm Theory," *Conference Bulletin of the Archdiocese of New York*. XIV, (1936), p. 78.
- Hartman, Carl G., *Time of Ovulation in Women*. Baltimore: Williams and Wilkins, 1936.
- , "Catholic Advice on the 'Safe Period'," *Birth Control Review*, XVII (1933).
- , "Facts and Fallacies of the Safe Period," *Journal of Contraception*, II, (1937), p. 51-61.
- Heilweck, Dr., "Hat Sich Die Methode Smulders Bewahrt," *Theol. Prak. Quartal.* LXXXVII (1934), p. 790-797; cf. also LXXXV (1932), p. 649-650.
- Heymeijer, Wilhelm, S.J., "Periodische Enthaltung in Der Ehe," *Stimmen Der Zeit*, CXXVI (1934), p. 406-413.
- , Moral Supplement to the French edition of Dr. Smulders' book, *De La Continence Périodique Dans le Mariage*, Paris: Letouzey, 1933.
- Hildebrand, Dietrich Von, *In Defense of Purity*. New York: Sheed and Ward, 1936.
- Himes, Norman E., *Practical Birth Control Methods*. New York: Modern Age Books, 1938.
- Hittmair, Dr. Anton, "Die Fakultative Sterilität Der Frau," *Theol. Prak. Quartal.* LXXXIV (1931), p. 277-280; LXXXVI (1933), p. 256-261.
- Holmes-Gore, Rev. V. A., *New Morals for Old*. London: Longmans Green, 1938.
- Holt, J. G. H., M.D., *Marriage and Periodic Continence*. London: Longmans Green, 1937.
- Hurth, Franz, S.J., "Der Will Zum Kind," *Chrysologus*, LXXII (1932), p. 816-827; p. 880-900.
- , "De Sterilitate Physica," *Nouvelle Revue Théologique*, Vol. LVIII, (1931), p. 673-689.
- , *Ecclesiastical Review*, XCIV (1936), p. 592-593 (opinion in a case involving the "rhythm".)
- Knaus, Dr. Hermann, *Die Periodische Fruchtbarkeit und Unfruchtbarkeit Des Weibes*. Vienna: W. Maudrich, 1935.
- , "L'Index de Fécondité au cours du Cycle Menstruel," *Revue*

- Médical de Louvain, 1931, p. 24 et sqq.
- Kaiser, A. F., C.P.P.S., "Abuse of the 'Safe Period' In Marriage," *Fortnightly Review*, XLI (1934), p. 123-124.
- Lash, A. F., M.D., "The Gynecology of the Ancients," *The American Journal of Obstetrics and Gynecology*, XV (1928), p. 262-287.
- Latz, Leo J., M.D., *The Rhythm of Sterility and Fertility in Women*, 6th revised ed., Chicago: Latz Foundation, 1939. cf. also an article of the same title in the *Fortnightly Review*, XXXIX (1932), p. 261 et sqq.
- , cf. also. *Linacre Quarterly*, VI, 80; *Fortnightly Review*, XL (1933), p. 37.
- Latz, Leo J., M.D., and Reiner, Emil, C. E., "Natural Conception Control," *Journal of the American Medical Association*, 1935, p. 1241-1246.
- , "Failures in Natural Conception Control and their Causes," *Illinois Medical Journal*, March, 1937.
- , "Further Studies on the Sterile and Fertile Periods in Women," *American Journal of Obstetrics and Gynecology*, XLIII (Jan., 1942), p. 74-79.
- Lavaud, Benoit, O. P., *Le Monde Moderne et le Mariage*, Paris: Desclée de Brouwer, 1935.
- , "Sens et Fin du Mariage," *Revue Thomiste*, XLIV, (1938), p. 737-765.
- , "An Interpretation of the Conjugal Act and the Theology of Marriage," *The Thomist*, I (Oct. 1939), p. 360-380.
- , "Toward a Theology of Woman," *The Thomist*, II (Oct., 1940), p. 459-518.
- Leclercq, Dr. Jacques, *Marriage and the Family*, (Translated from the French by Thomas R. Hanley, O.S.B.), New York: Pustet, 1941.
- Le Comte, *De L'Ovulation Spontanée de L'Espèce Humaine dans ses rapports avec la Théologie Morale*, Louvain: Peeters, Paris: Palme, 1873.
- , "De L'Ovulation Spontanée de L'Espèce Humaine dans ses rapports avec la Théologie Morale," *Revue des Sciences Ecclésiastiques*, XXIX (1874), p. 98-103.
- Lehmkuhl, Augustinus, S.J., *Theologia Moralis*, 11th ed., 2 vols., Friburgi Brisgoviae, 1900.
- Liguori, St. Alphonsus, *Theologia Moralis*, 2 vols., Taurini: Marietti, 1847.
- Lopez, Ulpianus, S.J., *Periodica* . . . XXV (X Novae series) 1936, p. 171\*-175\*.
- *Ecclesiastical Review*, XCIV (1936), p. 591 (opinion in a case involving the rhythm.)
- Mahoney, Canon E. J., "Matrimonial Consent and the 'Safe Period'," *Clergy Review*, XIII (1937), p. 121-131, p. 412-413; also XIV (1938), p. 184-185, (a reply to the letter of Father McHugh, O.P.)
- Mancini, Dr. A., S.S., *Palestra del Clero*, 1935, p. 60-78; 1932, p. 357; 1933, p. 523.

- Mausbach, Dr. Joseph, *Ehe und Kindersegen Von Standpunkt der Christlichen Sittenlehre*. University of Munster: Volksvereins,—Verlag zu M. Gladbach, 1925.
- Mayer, Alex., *De Rapports Conjugaux*, Paris: 1860.
- Mayer, Dr. Joseph, *Erlaubte Geburten—Beschränkung?* Paderborn: Bonifatius-Druckerei.
- McHugh, J. A., O.P., *Clergy Review*, XIII (1937), p. 358; XIV (1938), p. 92-94; p. 184-185 (in letters to the editor.)
- Merklebach, Benedictus, O.P., *Summa Theologiae Moralis*, editio altera, 3 vols., Paris: Desclée & Brouwer, 1936.
- , *Divus Thomas*, 1934, p. 313.
- , *Angeheum*, XI (1934), p. 92-94 (review of Dr. Georg's book).
- , *Ecclesiastical Review*, XCIV (1936), p. 590-592 (opinion in a case involving the "rhythm").
- Migne, P. J., *Patrologiae Cursus Completus*, Series Graeca, 161 vols., Paris, 1856-1866.
- , *Patrologiae Cursus Completus*, Series Latina, 221 vols., Paris, 1858-1864.
- Miller, Arthur G., M.D., "Progress in the Study of Physiologic Sterility," *Clinical Medicine and Surgery*, XLII (1935), p. 19-22.
- Miller, A. G., M.D., Schulz, M.D., Anderson, M.D., *Surgery, Gynecology and Obstetrics*, "The Conception Period in Normal Adult Women." LVI (193), p. 1020-1025.
- Montrucchio, Gius, *Regulae a Sacerdotibus atque a Confessariis Servandae cum is qui Matrimonio Abutuntur*. Augustae Taurinorum: Via Parini, 1934.
- Moore, Edward Roberts, *The Case Against Birth Control*, New York: Century Co., 1931.
- Muckermann, Hermann, *Der Sinn Der Ehe*, Bonn: Verlag der Buchgemeinde, 1938.
- Mullins, Claud, *Marnage. Children and God*. London: George Allen and Unwin, Ltd., 1933.
- Naussaux, "La Période d'Agénese Chez la Femme," *Collationes Diocesis Tornacensis*, September, 1931, p. 528 et sqq.
- Noldin-Schmitt, *De Sexto Praecepto et de Usu Matrimonii*, 23rd ed., Oeniponte: F. Rauch, 1935.
- Noll, Very Rev. J. F., *A Catechism on Birth Control*, Huntington, Ind.: Our Sunday Visitor Press (a pamphlet).
- Murray, Raymond W., C.S.C., and Flynn, Frank T., *Social Problems*, New York: F. S. Crofts and Co., 1938.
- O'Brien, John A., *Natural Birth Control*, 3rd ed., Champaign, Ill.: The Newman Co., Publishers, 1938.
- , "Moral Causes of Catholic Leakage," *Homiletic and Pastoral Review*, XXXIII (1933), p. 693-701; 813-823; "Private Judgment and family Limitation," *ibid.*, p. 917-926.

- O'Connell, John, C.S.C., "Birth Control Clinics Needed," *Ecclesiastical Review*, CI (1939), p. 246-254.
- O'Donnell, Reynolds J., M.D., "Contraception and Rhythm," *The Nebraska Medical Journal*, XXII (April, 1937), p. 132-134.
- Ogino, Dr. Kyusaku, *Conception Period of Women*, (translated from Japanese by Dr. Yonez Miyagawa), Harrisburg, Pa.: Medical Arts Publishing Co., 1934.
- Parsons, Wilfred, S.J., *America*, Feb. 25, 1933 (vol. XLVIII), "Is This 'Catholic' Birth Control," p. 496-497.
- Pedersen, Victor Cox, M.D., *Nature's Way of Birth Control*, London: Williams and Norgate, Ltd., 1934.
- Pereira, Bernard Alves, O.F.M., *La Doctrine du Mariage Selon Saint Augustin*, Paris: Beauchesne, 1930.
- Peterman, Dr. H., *Matrimonio e Fecondita in Armonia colle Leggi Della Natura*, Berinsonae in Helvetia: Officina "Grafica Bellizona," 1937.
- Pius XI, "On Christian Marriage," (translation of the encyclical "Casta Connubii"), *Four Great Encyclicals*, New York: Paulist Press.
- Prummer, Dominic, O.P., *Manuale Theologiae Moralis*, 8th ed., 3 vols., Freiburg: Brigoviae, 1935.
- , *Birth Control*, (pamphlet), New York: Paulist Press, 1933.
- Racot, "Temps Agénésique et Moral Catholique," *St. Luc Medical*, 1931, p. 75 et sqq.
- Radermacher, Dr., *Prudence et Réserve*, 2nd ed. (translated from the German), Tournae: Casterman, 1937.
- Rauch, Dr. Wendelin, "Erlaubte Geburtenbeschränkung und Die Scholastik," *Pastor Bonus*, XLIV (1933), p. 125-136.
- , "Thomas V. Aquin: ein kronzeuge gegen die "Fakultative Sterilität," *Pastor Bonus*, Sept., 1932, p. 321-335.
- Rice, Frederick W., M.D., "Biological Sterility and Fertility in Women," *Ecclesiastical Review*, XCIV (1936), p. 582-586.
- , "A Catholic Physicians' Views on Family Limitation," *Ecclesiastical Review*, CIII (1940), p. 60-67.
- Ruland, Rev. Ludwig, and Rattler, Rev. T. A., *Pastoral Medicine*, St. Louis Herder, 1936.
- Ryan, Msgr. John A., "The Moral Aspects of Periodical Continence," *Ecclesiastical Review*, LXXXIX (1933), p. 28-39; cf. also vol. XCIV (1936), "The Morality of the 'Rhythm' Theory," p. 595-597.
- Rochat, R. L., "Rémarques Sur Quelques Cas d'Échecs de la Méthode Knaus-Ogino," *Helvetica Medica Acta*, Band 7 (1940-1941), p. 8-10.
- Rovello, Dr. Joannes B., "De Periodo Anticonceptionali Mulierum," *Apolinaris*, 1937, p. 107-111.
- Sabetti-Barrett, *Compendium Theologiae Moralis*, 34th ed., New York: Pustet, 1939.



- Saloman, Samuel, and Gilbert, Dan, LL.D., *The Conspiracy Against Chastity*. San Diego: Danielle publishers, 1939.
- Salsmans, S.J., "Sterilitas Facultativa Licita?" *Ephemerides Theologicae Lovanienses*, XI (1934), p. 562-570.
- , *S. Luc Medical*, 1933, p. 17 et sqq.
- Schmiedler, Edgar, O.S.B., *Christian Marriage* (a commentary on "Casti Connubii"), 2nd ed., Washington, D. C.: Catholic Conference on Family Life: published by Our Sunday Visitor Press.
- , *The Threat of American Decline* (pamphlet), Wash., D. C.: National Catholic Welfare Conference.
- Scott, George Riley, *Facts and Fallacies of Practical Birth Control*, London: T. Werner Laurie, Ltd., 1935.
- Smulders, Dr. J. N. J., *De La Continence Périodique Dans le Mariage*. Paris: Letouzey, 1932.
- Stein, Irving F., M.D., and Cohen, Melvin R., M.D., "An Evaluation of the Safe Period," *Journal of the American Medical Association*, CX (1938), p. 257-261.
- Stix, Regine K., M.D., and Notestein, Frank, Ph.D., *Controlled Fertility. An Evaluation of Clinic Service*. Baltimore: Williams and Wilkins.
- Surbled, Dr. Georges, *La Vie a Deux*, Paris: A. Maloine & Fils, 1918.
- Sutherland, Dr. Halliday, *Laws of Life*, New York: Sheed and Ward, 1936.
- Ter Haar, Franciscus, C.S.S.R., *Casus Conscientiae De Praecipuis Hujus Aetatis Peccantibus Occasionibus*. Taurini: Marietti, 1939.
- Titmuss, Richard, *Poverty and Population*, New York: Macmillan, 1939.
- Turenne, "Por Que fracasa el metodo anti-concepcional de Ogino-Knaus?" *Archivos Uruguayos de Medicina Cirujia y Especialidades*, XIII, (1938), p. 657-667.
- Van Mierlo, M.S.C., *Huweliksdoel en Periodieke Onthouding*. Ruraemundae, 1933.
- Verhamme, A., "De Licetate Sterilitatis Facultativae" *Collationes Brugenses*, XXXIV (1934), p. 459-472.
- Vermersch, Arthur, S.J., *De Castitate et de Vitio Contrariis*, Romae: Universita Gregoriana, 1919.
- , *La Peur de L'Enfant Dans les Classes Dirigeantes*, Louvain: F. & R. Ceuterick, 1909.
- , *La Problème de la Natalité en Belgique*, Brussels: Maison de L'Action Catholique, about 1910.
- , *What is Marriage?* (commentary on "Casti Connubi," translated from the original by T. Lincoln Bouscaren, S.J.), 2nd printing, New York: America Press, 1932.
- , *Periodica* . . . XXIV (1935), p. 165\*-170\*: XXIII (1934), p. 238\*.248\* ("de prudenti ratione indicandi sterilitatem physiologicam").
- , *Ecclesiastical Review*, XCIV (1936), p. 588-589 (opinion in a case involving the "rhythm").

- , "Actuelle Fragen Des Ehegesetzes und der Ehemoral," *Theol. Prakt. Quartal.*, LXXXIX (1936), p. 47-65.
- Vignes, H. and Boros, E., *Presse Medicale*, 1934, p. 1002-1006.
- Vignes, H., and Robey, M., *Période de Fécondité et Périodes de Stérilité Chez la Femme*, 2nd ed., Paris: Masson et Cie., 1936.
- Waldemann, Dr. M., "Die Periodische Enthaltung in Der Ehe vor dem Richterstuhl der Katholischen Moral," im *Korrespondenz- und Offertenblatt f. d. ges. Kath. Geistlichkeit Deutschlands (Regensburg)*, XLII (1932), p. 97-99.
- Walsh, James J., M.D., "The 'Safe Period' In Family Life," *Homiletic and Pastoral Review*, XXXIII (1932-1933), I, p. 258-265.
- Wannenmacher, Francis, "Some Questions on Vitiated Marital Consent," *Ecclesiastical Review*, C (June, 1939), p. 481-497; CI (July and August, 1938), p. 31-49; p. 131-149.
- Wayne, T. G., *Morals and Marriage*, London: Longmans, Green and Co., 19336.
- Welton, Thurston Scott, *The Modern Method of Birth Control*, New York: Walter J. Black, Inc., 1938.

#### MISCELLANEOUS AND MINOR REFERENCES

- The Acolyte*, 1933, Apr. 15, 1929; July 22; Aug. 19; Oct. 14, 1928; Nov. 25, 1934, Feb. 3.
- Clergy Review*, VI (1933), p. 140, 141; XIII (1937), p. 150-153; p. 155-157; p. 273-274; p. 412-413; XIV (1938), p. 184; p. 470.
- Ephemerides Theologiae Lovanienses*, XVI (1939), p. 555 & 841; 842.
- Fortnightly Review*, XL (1933), p. 11, 12; 37; 50.  
71; 155; 179, 180; 194; 209; 226; 230; 254. XLI (1934), p. 75, 76; 101, 103; 114; 156; 207.
- Hearings on Birth Control* before a Sub-committee of the Committee on the Judiciary, U. S. Senate (72nd Congress, 1st session), on S. 4436, May 12, 19, 20, 1932. Also similar hearings before a Committee on the Judiciary, House of Representatives (73rd Congress, 2nd session), on H. R. 5978, serial 2, Jan. 18, 1934. Also similar hearings before a Sub-Committee on the Judiciary, U. S. Senate (73rd Congress, 2nd session), on S. 1842, March 1, 20, 27; 1934. All three documents have been printed at the U. S. Government Printing Office, Washington, D. C.
- Irish Ecclesiastical Record*, XLIII (1934), p. 414-418.
- Illustracion Del Clero*, 1933, p. 278, 299, 313, 333; 1934, p. 12, 29, 40, 88, 318; 1935, p. 310, 350.
- Nederlandsche Katholieke Stemmen*, Feb., 1931.
- Nouvelle Revue Théologique*, XIII, p. 458-460.
- Population Prospect in the South* (a circular, reprint of an address delivered by O. E. Baker, before the Second Annual Convention of the Catholic

Conference of the South, Birmingham, Alabama, April 21, 1941), United States Department of Agriculture (Washington, D. C.), Bureau of Agricultural Economics.

*Population Trends in Relation to Land Use*, by O. E. Baker, Senior Agricultural Economist, Extension Service Circular 311, June, 1939, Washington, D. C.: United States Department of Agriculture, Extension Service.

*Studien*, Maart, 1930.

*Scuola Cattolica*, 1935, p. 251, et sqq.

*Studium*, 1934, p. 665-667; 1936, p. 630.

*S. Luc Médical*, 1931, p. 31 et sqq.

*Revue de Therapeutique Medico Chirurgicale*. (Paris, Feb. 15, 1867, p. 96, 1867, and July 15, 1867, p. 366 & 367.