

Report on the 4th. session of the Commission
set up by the Holy See to study the problems
of population, family, and birth-rate.

(Rome. 25th to 28th March 1965)

CONTENTS.Foreword.

<u>PART ONE.</u>	Organization and general characteristics of the Session	
	A. Organization.	1
	B. General Characteristics.	1
<u>PART TWO</u>	Suggestions for immediate action.	3
	I The text of the questionnaire.	4
	II The question of urgency.	5
	III Points which seem to be sufficiently agreed to provide the substance for an immediate pronounce- ment.	7
	IV. Methods for regulating births and the moral aspects of these methods.	11
	V. Questions touched upon but not treated ex prof- esso.	15
	VI. Observations by the Secretary General.	15
<u>PART THREE</u>	Section on Demography, Economics and Sociology	
	I. Demography.	17
	II. Economics.	21
	III. Sociology.	23
<u>PART FOUR</u>	The Medical and Psychological Section.	
	A. Medicine	
	I. Study of the physiology of reproduction.	25
	II. Methods of contraception.	26
	B. Psychology.	29
<u>PART FIVE</u>	Theological Section.	
	I. History of the Church's teaching on contraccep- tion.	33
	II. Tradition and pronouncements of the Magisterium on the subject of contraceptives.	35
	III. The Ends of Marriage.	40
	IV. The significance of sexuality.	42
	V. Notes on the problems confronting us.	44
<u>PART SIX</u>	The Commissions subsequent work.	
	I. Organization of work.	46
	II. Subjects for work.	46
<u>CONCLUSIONS</u>	48

FOREWORD.

In drawing up this Report the Secretary General accepts sole responsibility. All attempts to submit it to the members of the Commission for examination proved in practice to be impossible without causing inordinate delay. In preparation for his report the Secretary General spent a whole day immediately after the session with a dozen members of the Group working over it and discussing it.

PART ONE.

ORGANIZATION AND GENERAL CHARACTERISTICS OF THE SESSION.

A. Organization.

Last December when the preparatory commission suggested that the work of the Commission in its enlarged form should be in plenary session it started from the idea that only in this way could all the new members enter immediately and fully into the work. This forecast was in fact justified. Right from the documentary stage everybody got down to work and the session took place in an atmosphere of hard work, which was also cheerful and friendly.

Of course, a session of such magnitude was bound to have its burdens, such as too many papers and the need for strict procedure so that the debate could go forward. Sometimes the discussions went on for too long and not everybody felt that he or she had been allowed sufficient time to express himself. But these difficulties were overcome with good humour and mutual charity, thanks to the presidency of His Grace Monsignor Binz, and to the good will and particularly the great sense of responsibility that reigned on all sides.

At the final session the Commission wished to state once more their gratitude to the Holy Father for the confidence he has placed in them and for his paternal address during the audience on Saturday. On another plane the Commission owe a debt of profound gratitude to the Rector of the Spanish Pontifical College for having done so much to provide suitable and discreet conditions for their work.

B. General Characteristics.

The competence and outlook of the Group was very much enriched by reason of its increased membership. An increase in technical and scientific potential was thereby added to the Commission; this enabled them to have a better appreciation of the diversity of the problems involved, according to place and culture. They also felt that they were in close contact with various currents of philosophical and theological thought. The contribution of married couples to the work was indispensable. The theologians were thus in a position to base their reflections on a much sounder knowledge of the data in question, and they were constantly challenged by the demands of the laymen, who held a majority in the Commission. If the latter went further than the theologians in some statements and some requests it also happened that, because of their closer contacts with reality and their keener perception of the meaning of certain words, they were less alarmed at the prospect of certain considerations or showed less tolerance of certain excesses, which the theologians, in their generosity, would have overlooked with greater indulgence.

On the whole, it must be said that, the laymen often found themselves disconcerted by the preoccupations of the theologians, which often seemed to be presented and formulated in a manner so far removed from those of the laymen that one lady in the group was impelled to say "but we are talking about us." The constant demands of the laymen for greater clarity contributed enormously to the work of the theological section.

These very varied contributions threw into relief the complexity and the delicacy of the subjects considered by the Commission. However, although we were far from achieving unanimity on all questions, it often happened that, we were conscious of real, general agreement on more than one point under discussion--in spite of what the press has said. X

Following instructions given to the Secretary General this Report will take note of differences of opinion; but on more than one occasion it will be noticed that these differences were not nearly as strong as we had feared at the beginning.

2. Taking the problem as a whole. Nobody maintained that the only thing abnormal in the situation was some lack of submission to the teaching of the Church. Whatever direction things may take, everybody, "conservative" or "advanced," theologians or laymen, all are convinced of the necessity for the Church to make a fresh move in order to face up to the distress of conscience and the needs arising from facts that cannot be denied. There was general agreement that any new move could only be within the framework of the teaching of Christ and of the Church on the profound nature of indissoluble marriage, on the fact that marriage is by its very nature a fertile society, and on the need to proceed, not by an upheaval, but by deepening the spiritual lives of Christian husbands and wives and their sense of union. X

3. Every member of the Commission was aware of the need to bring into the open the actual data relating to various disciplines so that it can be brought to the notice of the Ecclesiastical Authorities. On examining the data provided by science one of the most characteristic traits is the speed with which discoveries and theories or interpretations of fact are progressing. This holds good in medicine and psychology as well as in demography, economics, and sociology. This resulted in the Commission having its attention repeatedly drawn to the following consideration: no matter what philosophical implications are involved in having recourse to "nature" in order to recognize the things of this world and the various points of view concerned, the world of today, being familiar with this constant advance of discovery, would be hard put to assimilate any teaching which did not take into account the new knowledge of nature, as it is commonly understood, and also of the fluctuating state of these discoveries. (Here lies a peculiar difficulty of our times, in engaging the authority of the Church on matters which are constantly in the process of being better X

Def. Nature

understood. As will be seen, on reading the rest of this Report and in particular that part which is concerned with immediate action, this realization of the changeability of scientific discoveries has not prevented the Commission from experiencing a profound sense of urgency on these matters and from making an effort to put forward suggestions with this in mind. However, whatever the scope of any immediate advance, the Commission as a whole are quite certain that the teaching on marriage which the present day world is expecting from the Church demands further ripening and consideration which will take time before it can be presented in its entirety.

4. The entire Commission are convinced, even if they were previously in doubt, that our subject contains a certain number of fundamental problems whose solution is valid only in this precise field. Following instructions received on this point, the Report will take pains to reflect, in particular in the Section on theology, the fundamental clashes which resulted from the different positions taken up on quite a number of points, even including certain bases of doctrine. Nobody, however, whatever his interpretation, was prepared to take lightly the role of the Magisterium, nor was he unaware of the difficulties which attend any action which the Ecclesiastical Authorities may undertake today on the doctrine of marriage. There were some who wanted a postponement of all decisive action which might add fuel to the controversy, but there were others who wanted to see what could be done at once to bring some relief, without the risk of adding to the confusion which exists at present.

PART TWO.

SUGGESTIONS FOR IMMEDIATE ACTION.

In general the proceedings of the Commission were organized along lines which followed logically from the work in hand. We therefore tackled our subject by picking out basic ideas. We were aware that, however necessary such a procedure might be, we could not exhaust the possibilities of the selected topics during the present session; on the contrary, each time we considered a subject we realized the necessity for further study in depth.

In addition, each one of us is convinced that the matters subjected to our consideration involve questions to which Christian couples and their pastors are demanding answers as soon as possible from the Ecclesiastical Authorities. The preparatory working commission were at pains to devote considerable attention to these questions in the light of our three former sessions and of the debates taking place at present. To simplify work along these lines a questionnaire containing twelve questions had been sent in advance to all the members of the Commission. In addition members were requested, at the beginning of our working session,

to give preliminary written reply to these questions, and this was completed by a second reply concerning the urgency of any action to be taken by the Ecclesiastical Authorities. This may have been a rather speedy method of procedure but it did at least enable us to see clearly and to direct the discussions during the three meetings towards that important part of the program for which several members had previously prepared basic papers. A list of these papers can be found in the list of documents.

I. The text of the questionnaire.

The over-riding intention of this part of the meeting is to give the group an opportunity of expressing its opinion on the possibility of granting that certain points, today, seem to be sufficiently agreed for the competent Ecclesiastical Authority to take action in the way which it considers suitable. Such action to be of a kind that would admit an immediate solution of several pending difficulties; in addition certain questions which keep cropping up today, either in the shape of doubts or of crucial questions, will be faced squarely so that the Group will be in a position to state its opinions on the possibility of taking immediate action in response to these questions. This will be either in the form of a general conclusion recognized by the Group or else in the form of alternatives or opposite opinions (which must be justified). The preparatory commission preferred not to attach any note to these proposed points to indicate which of them might be placed in the first or second category although they were arranged with a feeling that the first ones might lead more easily to unanimity.

1. The idea of responsibility on the part of parents in any decision they may make concerning procreation: to consider education in this matter of responsibility, the question of maturity, the consequences resulting from an appreciation of the morality of any decision concerning the conjugal act etc. (it was suggested that the findings of the previous sessions could be used as a basis here).

2. The place of love in the doctrine on Christian marriage. Although there may be considerable differences of opinion this could be a subject where we esteem that a committee of theologians would be able to agree more or less unanimously to formulate suggestions for a fairly quick pronouncement. (Of course the discussion on the ends of marriage which will take place on the previous day will have repercussions on this question).

3. The precise place of sexuality in any teaching on Christian marriage. (There will have been two separate discussions on this point).

4. The importance of education both in preparation for marriage and during the course of marriage.

5. In view of the controversy going on at the present time over certain specific points, do you think that it is opportune, possible and desirable that there should be an immediate pronouncement of the Magisterium on these points, which would put an end to the controversy, and if so, what form should it take? X
6. As periodic continence, from the point of view of the sixth commandment, is without doubt permissible, do you think that from the pastoral point of view an effort should be made to recommend it and to support any efforts to make it more widespread, this to be in the context of education and self control?
7. The same question as 5, but limited to the question of the pill. X
8. Are there certain methods already well known which intrinsically belie the conjugal act and which are in any case irreformably condemned by the Church, and would it be a good thing for the Church to issue a reminder quite soon that they are specifically condemned?
9. In what way could a pronouncement be made if it gave the impression that the Church had modified her teaching, such as a repudiation of certain pronouncements which were not irreformable, or taking up a position in the face of new facts, or stating a doctrine more thoroughly?
10. How far ought we, or can we, say that it is the conscience of husband and wife that should judge the "method" chosen to accomplish their duty of responsibility? X
11. Amongst the confusion which seems to reign at present over various points do you think that the Church, if she does not make some pronouncement because of insufficient knowledge of the data available on one procedure or another, can, (or should) advise a pastoral attitude that would be tutiorist or probabilist? (In any case this would be in an instruction ad clerum and not in a public document).
12. Do the Commission believe that it is useful to point out that different opinions about the proposed solutions have their roots in much more profound divergencies, in doctrinal conceptions which are beyond the limits of our specific question?

II. The question of urgency.

The first thing to be debated by the Commission was the urgency of immediate action. A paper on this point by Professor Barrett is included in the list of documents, and in addition, those members of the Commission who come from countries with a high birth rate were asked to give their opinion in plenary session. Afterwards the Commission were requested to make a short written report on the subject.

Most members of the Commission hoped that the Church would not delay in undertaking some kind of initial action. Several laymen, in particular, stressed the intolerable nature of the present situation. The fact that a state of confusion exists among pastors as well as in the consciences of the faithful was energetically pointed out by the members from India, Jamaica, and black Africa, as well as by other members, both priests and laymen, from Europe and North America. What worries these members is that the faithful are left in doubt because of the different courses indicated and the varying advice they receive, particularly in the confessional, and they end by attributing this uncertainty to the Church herself. In this way their minds are troubled by problems and doubts which go far beyond the subject of marriage alone and bear upon their faith in the Church. "Mater et Magistra."

One or two members thought that the Church should wait until all questions had been cleared up before making any pronouncement--even a preliminary one. Others considered that the Church should speak out at once, but only to say that the matter is being studied, that this is being done very thoroughly and in depth; one of the members points out that at the moment things are far too imprecise for any pronouncement to be drawn up. It must therefore be said that everybody is invited to take part in research and dialogue, especially theologians, men of science, and above all, Christian couples, who by reason of their experience are more than anyone else in a position to live this request from God's people for more light on a subject which is so important and which is presented in such a new way. According to another member, this research goes beyond our problem and embraces the whole question of the meaning of nature and that of the precise role of the Church.

Finally another member considers that the first thing to do is to undertake the preparation of the minds on the faithful for a much more thorough understanding of the data concerning the problems of marriage, and thereby avoid later on their being disconcerted by a standpoint which, to their present way of thinking, will appear to have upset all that they formerly held to be true, although they would be in error. In hoping for immediate action most members go beyond this. However many of them are worried that some initial move risks adding to the confusion on account of the interpretations which would be put on what had been said, and above all on what had not been specifically mentioned. Furthermore, in view of the difficulties which arise today as a result of the way in which are too categorical may be avoided. A propos of this, one of our most traditionalist theologians says. "Melius hoc non fiat in forma SS. Pius XII in Allocutionibus) sed potius in forma minus particulari." Certain theologians of what are called "advanced" tendencies think that any such pronouncement should, in any case, only contain a reminder of fundamental principles--or rather, if we are true to their

way of thinking we should use the term "values," the Church can only pronounce in a prudent manner on moral questions and cannot bind consciences according to predetermined attitudes (further on we shall give a basic account of this position which will make it easier to grasp the thinking behind it).

III. The points which the Commission, as a whole, feel are sufficiently agreed and sufficiently important to provide the substance for an immediate pronouncement.

The Commission were almost unanimous, allowing for shades of opinion which we shall endeavour to report faithfully, in thinking that there are four points on which it would be desirable for a document, issued at once by the Ecclesiastical Authorities, to make a broad statement of doctrine.

1. The idea of responsibility, particularly of husband and wife, in the matter of procreation.
2. The place and importance of love in marriage.
3. The positive meaning of sexuality.
4. The importance of education.

It is the feeling of the Commission that an immediate pronouncement on these points would not constitute a repetition of subjects often touched upon, nor would it give the impression of evading the issue. On the contrary, affirmations as precise and as detailed as possible chosen according to the need for energetic indications of just those areas where there are duties as urgent and as compelling as those which arise solely from the ethics of the sexual act. Although the gravity of the sexual act would in no way be called in question, these affirmations would be of such a kind that they would throw much light on the moralists' researches and also on the thorough training of Christian couples. The latter would then find that they would be able to look at questions of "method" in a new light: and at the moment these are often the only questions that trouble their consciences.

The Commission consider that on the four points enunciated agreement and maturation are so far advanced that it would not be difficult to set up internal committees of either theologians, or mixed disciplines, which could draw up provisional texts, which although not pretending to exhaust the subject or do away with all controversy, would nevertheless be of a kind that could be submitted for action.

1. Responsibility

There is widespread hope that this idea, which is of cardinal importance for the entire present day problem of marriage, will be elucidated and dealt with in a statement, as full as possible,

from the Ecclesiastical Authorities. The Commission feel that they will be in a position to supply a project on these lines based on the Report of their second and third sessions.

There can be no grounds for misunderstanding; responsibility by itself in no way implies limitation. Consequently several members stress that it is important that any pronouncement must be careful not to present responsibility as an easy way out, or that its emphasis should appear to cast any blame on large families. One member on his guard over this writes "Responsibility embraces the freedom of choice which parents have in the face of public authority, it implies the utmost care in educating children, also careful consideration of the eugenic and social side of their family life, as well as generosity, that is to say, responsibility towards the objective values inseparable from the ends of marriage." The psychologists, as well as the couples engaged in family movements, stress the importance, from a moral point of view, of uniting the ideas of responsibility and the maturity of married couples. There will be no mistake about the meaning of such a text and it would be shielded from any suspicion that it was in favor of the limitation of births. It is maturity alone which allows free and responsible beings to fulfil their exalted mission to bring beings into this world. In the first place they accept this mission fully and freely before God, and therefore it could never mean that the norms set by Him for human conduct can be neglected. In so far as children are concerned, the sense of responsibility takes on its fullest meaning in education concerning the primary end of marriage. We have sometimes neglected this aspect in our days by emphasizing only procreation. History can show that during the patristic times and the Middle Ages people were very conscious indeed of the primordial role played by education for parents in assessing the morality of their decisions concerning procreation.

Several people pointed out especially that insistence on responsibility in no way implies freedom of choice in the methods used for regulating births, as a result of putting this responsibility into practice. Here it will suffice to recall that in previous Reports from the Commission we also pointed out that any authoritative statement on the duties deriving from responsibility would put the onus on moral theology, not to make a full revision of its position, but to re-appraise all those elements which make up the morality of conjugal life, bearing in mind all the obligations which fall on husband and wife.

2. Love.

Almost unanimously the Commission consider that it would be appropriate and possible for the Ecclesiastical Authorities to put out a fairly comprehensive statement on the place of love in marriage. Although the Church, in practice, has always shown how important love is in conjugal life there is no doubt that Christian

couples today are left with the impression that moral teaching does not put forward the primordial role of love in conjugal life in a way which is sufficiently full and organic.

It is not surprising that there has been a progressive awakening; some remarks made during our discussions on the place of love in marriage according to different cultures, as in the teaching of the history of the West, bears witness to the fact that love does not play nor, for most people, has it played the part which is spontaneously and rightly attributed to it by Christian couples today. Even though some of us maintain firmly that love is not of the order of the ends of marriage and that to treat it as such is to confuse the issue, any research into the position of love in relation to the data concerning the married state cannot fail to broach the question of the ends of marriage and of their hierarchy according to modern conceptions, which incidentally are of comparatively recent origin. The theological section devoted part of their meeting to this problem. The result was fairly clear; nearly all the theologians in the group, no matter what different declarations or theses they put forward on the question, were in agreement that the declaration which has been given on the hierarchy of the ends of marriage was drawn up for a specific purpose and that therefore it must be viewed in the light in which it was intended, but it is certainly inadequate for setting out the complete, established doctrine on marriage for the faithful today.

There is great insistence, especially from the lay members of the Commission that the Church should make a pronouncement on the place of conjugal love in marriage, even if all the implications of the question are not yet fully understood and sifted. They have the impression that too often love is depicted as something accidental or supererogatory, when in point of fact it is the principle of the genesis of conjugal union; love is the bond and spirit of this union as well as its guarantor. One of the sociologists pointed out the extent to which conjugal love is an essential element in uniting married couples under present social conditions.

Several laymen described and underlined the role of love in mutual understanding and in progressing towards sanctity. Several members issued a warning against the ambiguity which the very word love has created in our times. Yet another points out the importance of "eros" and "agape" and makes a plea that we should not reject out of hand all that the former comprises that is positive and of special importance today.

The Commission are convinced that, in spite of the different opinions held on certain points concerning love, and in the light of the work accomplished during the second session, it would be possible for a group working on this subject to produce, fairly quickly, a text which would meet with general approval.

3. The positive values of sexuality.

On this point as well, in spite of considerable reticence on the part of one theologian and with various shades of opinion held by others, the Commission feel that it would be very opportune for the Church to adopt a clearly expressed attitude. This would help Christian couples to have a better appreciation of this element of sexuality, which is so essential to marriage. Both the theological section and the psychological section spent a long time on this topic and they feel that in doing so they have already gathered important information which could serve for a thorough exposition. This information can be found in the chapters devoted to these two sections. One of the Commission's theologians who is very much concerned with pastoral work among married couples has expressed the matter thus: "sexuality, according to the plan of God the Creator is destined to help husband and wife to know each other better, following the typical biblical expression, and to grasp more fully the feeling of relationship in existence, the better to translate into a dialogue which is never sterile nor turned in upon itself, but on the contrary, which is open to others and capable of creativeness. Sexuality is also an excellent gift from the Creator permitting man to call into existence, freely and lovingly, human beings who are wanted for their own sake and for the greater glory of God." Of course, as others pointed out we must, in such a context, stress the human character with which human sexuality is invested when it is put into practice, making use of the biological factor, and not vice-versa. In this way we ward off the dangers of hedonism, relying on the two traditional aspects of the Church's teaching in the matter. (1) In defense of the fundamental goodness of sexuality desired by God (Dr. Noonan's explanations helped us to see this characteristic doctrine more clearly) and (2) A warning against a lack of balance in sexuality, which has been tainted by original sin, and which calls for the necessary reaction against any excess of hedonism. But on no account should a proper reserve over certain possible behavior go so far as to impose a taboo on sexuality. This attitude has often had unfortunate consequences for Christians and it has undervalued the role of sexuality in the teaching on marriage.

4. Education

|| On this there is absolute unanimity. || In the matter of education, sexual education, educating children and adolescents on the question of love, preparing young couples for marriage, constant training of married couples, it is necessary that the Church should not be content with advice and a few instructions, but she must truly proclaim those norms which are compulsory. This is necessary in order to specify the role of parents and teachers, as well as to supervise measures which may be put into practice, for example, by houses of religious education or by universal, compulsory courses in preparation for marriage. In practice there

has been far too much culpable negligence on the part of Christians up to now, and it is to be hoped that energetic measures will be taken to set this right.

IV. Methods for regulating births and the moral aspects of these methods. Four questions were put to the Commission on the moral aspects of methods for regulating births, and whether or not it would be opportune for the Church to make an immediate pronouncement on the subject. || X

A. The temperature test.

Because of the inherent characteristics of this method it was subject to a special question. In view of the fact that recourse to the temperature test method is acknowledged to be permissible from the standpoint of morality in the conjugal act, do you think that the Church should make a greater and more systematic effort to advocate it and support any action to make it better known, at the same time keeping in mind education in self control? X

On the whole a large majority were in favor, but over one third attached important qualifications to their consent. In addition, several members showed very strong repugnance or a frankly negative attitude to the idea that pastoral teaching should attach too much importance to the use of the temperature test.

Some theologians adopted this attitude because they consider that methods in themselves are unimportant; their point of view is expounded later on when we come to principles. Some doctors, some psychologists and some married couples also showed considerable reticence. The important dossier compiled by Mr. and Mrs. Crowley on the basis of a questionnaire by Fr. Mertens often sounds a dramatic note when it treats of confidences of married couples who have experienced serious setbacks in the use of periodic continence. (However it should be mentioned that Mr. and Mrs. Crowley indicated in one of their statements that the use of the temperature test in conjunction with periodic continence had not yet been taught with sufficient care and attention in the United States). X ?

Whilst admitting that periodic continence is of invaluable service to very many married couples, two psychologists were doubtful about the possibility of spreading the use of the temperature test, and they had experienced serious setbacks. This observation was re-inforced by a written communication from Professor Gaudefroy.

Amongst the more positive answers the reservations could be produced to two points. For her part the Church must maintain a certain reserve on this method of behavior, because the Church should not be bound to any one method. If the temperature test is presented in the context of education in self discipline care must be taken to ensure that the essential elements of education are not indissolubly linked to the accidental fact of the brevity of the infertile days, which we are now beginning to detect. || X

Appreciation has been expressed on the admirable work done towards spreading knowledge of the test as has been described, but we wonder if there has not been a certain amount of exclusiveness and some exaggeration in presenting the matter as a wholly spiritual concept of marriage, and as the only possible way of overcoming the difficulties of Christian couples. Therefore we ask that these efforts be continued, encouraged and aided, but several members who quite frankly recognize the value of this method consider that it is quite obvious that it does not solve every problem and that we should not lead the Ecclesiastical Authorities to believe that it is by these means that the problem as a whole can be solved.

Detailed evidence on what has been done both by CLER in France and under the auspices of the Marriage Guidance Council in London enabled us to estimate how much positive result has been achieved. Moreover Monsignor Margeot in describing the work of ACTION FAMILIALE in Mauritius showed that, contrary to what has often been said, it is possible to spread knowledge of the temperature test method amongst a population which is practically uncultured and for it to receive a very favorable welcome. Particular interest was attached to this statement as several of our members who had come from developing countries thought that much could be done in their countries by systematically working for a better knowledge of the temperature test and periodic continence. On the whole, the Commission, except for the reservations mentioned at the beginning of this paragraph, are in favor of a more widespread use of periodic continence, but they stress the reservations and differences of opinion held by a considerable number of their members.

B. The Pill

It was felt that the "anovulatory pill" (progestogene) also deserved a specific place for itself in the questionnaire. The Commission, in the main, still thinks, as it did at the last session, that an exhaustive pronouncement on this question would be inopportune at the moment. Professor Thibaut, in particular, pointed out that the scientific problems are very susceptible to change and that certain specific "recipes" may very well soon become null and void as a result of rapid advances in scientific progress. Professor Hallegers called attention to the point that if the pill were recognized as a legitimate method (and he personally saw no objection to it) it would present the problem of how its use could be incorporated in the context of education. Moreover we are not at all sure that the pill competes with some other methods which are contemplated today.

However there were proposals from several members concerning any immediate action. Some doctors and one psychiatrist, who admit that during the past year they had changed their views, from a position of reserve, asked whether it would be possible

for the Church to pronounce without delay on whether it is permissible to use the pill in those cases where recourse to the temperature test is ruled out, in particular, during periods of lactation and at the menopause, times when pregnancies are particularly undesirable and in the first case probably not intended by nature. One of the doctors who made this request voluntarily limits it to apply to difficult cases but he points out that, "pills which inhibit ovulation are not sterilizing agents and they respect the integrity of the sexual act." The point is set out in the paper presented by Dr. Van Rossum. Once again the question of the nature of sterilization is brought up--we shall come to this later on-- and also the question of whether human interventions in man's x physiology are permissible.

Professor Moriguchi pointed out that any condemnation of the pill by the Church would have disastrous effects on pastoral work in Japan and would make the work of missionaries very difficult. Nevertheless he did not think that the pill should be widely authorized or distributed. However some members of the Commission think that the Ecclesiastical Authorities should not delay in declaring the pill to be illicit: these are the members who were most insistent on supporting the exclusive use of the temperature test method; plus one or two theologians. The latter, however, maintained a certain reserve, one of them requests that any reminder should be purely pastoral and not definitive. Two of the others would rather have a statement of principle on the strength of which one could judge whether the pill was illicit or not. Those who consider that methods are unimportant evidently do not think that there is any need to make an intervention on this particular topic.

C. General re-affirmations or reiterated condemnations of certain types of action.

Two considerations bear on the principle of a Declaration of a general nature and on the advisability of reiterating condemnation of certain methods. On the first point we may refer to what has been said about the first four questions. On the more precise question of the possibility of reiterating condemnations most of the Commission, with a few notable exceptions, were against any reiteration of the condemnations brought out so far, with the exception, held by certain specific methods it would be better to formulate general principles, in the light of which methods could be judged. In the main, the same group which advocated an immediate condemnation of the pill also wanted a re-statement condemning other methods of contraception. One theologian in this group held that there is now such a degree of confusion that it should not be allowed to continue. In reply to this, another theologian said that the need to let these questions mature springs from the fact that Catholics in some countries, particularly those most concerned with ecclesiastical and Christian life, would not

accept a re-statement of condemnations. Before proceeding further with the Commission's views on this subject it may be opportune to quote the very important written statement from Fr. Fuchs in answer to the question which had been put:

"Rebus sic stantibus discussio inter peritos necessaria est ad questionem ulterius elucidandam. Atque in publice scriptis prudenter addendum videtur; nondum pro praxi quamdiu non habeatur consensus et magisterii consensus; nisi putemus dubium tale esse, ut praesumptio jam non sit pro doctrina Ecclesiae officiali. Ecclesiae magisterium non deberet "decidere" (sicut in re disciplinari) sed proponere veritatem ut talem certo cognitum. Nec iudicium ferre deberet sine recognitione consequentiarum doctrinalium forsitan implicatarum."

Several members point out that our present difficulties are partly due to the existence of condemnations which are very-- some say too--formal. It is also thought that scientific discovery is advancing at such a rate that any pronouncement concerning a particular "method" runs the risk of counting on data which will soon be outmoded. A few pointed out that if a condemnation failed to cover all possible cases it would at once be inferred that what had not been mentioned was permissible. One theologian however, points out that it would be better for the Magisterium to make it quite clear that the controversies under consideration are not of a kind that permits the application of the principle of probabilism.

Several members feel that it is absolutely imperative for the Church I quote one of them--"to make a solemn pronouncement against those methods which certainly are, and always will be an attack on life, abortion and permanent sterilization."

More opinions were pronounced on the question of abortion than of sterilization, in addition, there were many who hoped that there would be a renewed and unequivocal condemnation of all attack on the fertilized ovum. Those doctors in favor of this attitude points out that, before any final statement is made, there should be a meeting of a group comprising all disciplines to clarify the terminology. Indeed medical science considers that the definition of direct sterilization given by His Holiness Pius XII does not correspond with their own understanding of the term. The theologians, for their part, make no difficulty over admitting that it was the pronouncements of Pius XII that enlarged the idea of sterilization which up to that time had been considered by theology to be confined to mutilation.

We have mentioned several times that certain theologians on the Commission feel that the problem of the morality of the methods themselves does not arise. This is how one of them puts it: "With the exception of abortion no method can be called intrinsically "bad" or "good." They are all unimportant in themselves and their moral significance lies in the life of the husband and

and wife. Obviously, some methods are theoretically more efficient than others, or more refined (or rudimentary) than others, but these two criteria are not enough to state a general rule."

V. Questions touched upon, but not treated ex professo, on account of lack of time.

The questionnaire was also concerned with whether any affirmation about marriage should be made which would give the impression that there had been some change. We also wondered whether we ought to indicate that certain differences of opinion had their roots in ideas which were outside our terms of reference. Replies to this question were generally in the affirmative. In the report on the theological section we shall give more details of the deeper theological issues at stake.

We also put the question of the extent to which a feeling of conscience in husband and wife governs their behavior, but we decided to defer examination of this question to a later session.

Similarly, we did not discuss the replies to the questionnaire about probabilism and its application to the situation under discussion. This point also will be taken up later.

VI. Observations by the Secretary General.

Being aware of the Commission's concern to devote all the time necessary to look into the questions, and also perhaps because he was often in contact with the Ecclesiastical Authorities which had called the Commission, the Secretary General was anxious to see some definite solutions emerging from the discussions. During the whole session, and in reading the papers submitted, he tried to make up his mind on whether it would be possible to take some immediate action. As he did not wish to abandon his role as an objective recorder he did not express his own opinions during the discussions, but he did venture to present his views to a few theologians in the group in order to compare them with those of the theologians. They thought that it would not come amiss to include his own ideas in the Report.

In my view the replies given to the first four questions of the questionnaire clearly indicate that there is a considerable field which is ripe for an intervention on the part of the Ecclesiastical Authorities. Such an intervention would dissipate a good deal of misunderstanding, would give definite inspiration to the theologians on the line to take in their research work, would enable those who are working out the spiritual meaning of marriage to use Authoritative texts as a basis, and would bear witness to the maternal vigilance of the Church. Any such document should be in the form of a fairly solemn declaration, treating problems in detail, and not be a kind of exhortation or hasty

statement like the chapter proposed for Schema XIII. On these four points it is urgent that people should understand without any doubt whatsoever that married couples have serious obligations and that even these obligations are binding in conscience very often as much as, if not more than, the obligations stemming from the sixth commandment. A text of this kind would be a great help and, as we said before, the Commission feel that they would be able to work this out quickly. But in order not to give the impression that the question is being evaded--a question which for the majority of people is a burning one--and also to exploit such a text to the maximum, I wonder whether it would be possible and opportune to join it to a pastoral instruction. This pastoral instruction would not be a complete answer to the question of methods, but it would recommend that pastors adopt an attitude of leniency in border-line cases. Such an attitude would not open the flood gates to a general use of all "methods," because in the first place it presupposes the basic decisions which depend on the criteria set out in the first document, and in this way there could be no arbitrary or facile choice. Furthermore in border-line cases we do not mean the possible use of any method (for example neither condom nor diaphragm) but only those methods which theologians are hesitant about today, in considering whether they are contraceptives in the accepted sense of the word, and only when permissible methods (such as periodic continence) are ruled out. That the Church should take up such an attitude evidently presupposes a thorough study of the factors suggested here, but in the light of the work done in the session this does not seem to be absolutely out of the question.

1st. The history of Pastorals proves that in border-line cases the Church has sometimes been very strict and sometimes very lenient, according to the circumstances of the moment.

2nd. On questions of sexual and matrimonial ethics the moralists all agreed on cataloguing a list of border-line acts on which they would make a statement whether they were permissible or doubtful. There are many arguments to say that the use of the pill is one such border-line case and it is not impossible that one day other known or yet unknown methods (we are thinking of the new interpretations of the physiological functioning of the intra-uterine coil) will also be included.

3rd. The discussions held by the theological group on whether the pronouncements of Casti Connubii and the pronouncements of His Holiness Pius XII are irreformable, show that the question is far from clear. Even admitting the essential links between the pronouncements of Pius XII to the hematologists and those of Casti Connubii one may doubt whether the link is such that it renders the first irreformable because the second one is. If then, the Church considers it possible and opportune, she will adopt a pastoral attitude in which it will be up to the theologians to

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277*

make an exact appreciation of its relationship to the pronouncements of Pius XII and perhaps also to Pius XI. This need not be done at once. The affair is even easier if the Church in the present controversy is "in statu Ecclesiae dubitantis." Any such pastoral instruction would state quite clearly the extent of its application, that is, if one admits the urgency which justifies the recourse to pastoral tolerance. It is rather remarkable that the laymen in the Group, particularly the doctors, at the moment, do not make any further demands and do not ask for a general removal of the prohibition of contraception as a whole.

PART THREE

SECTION ON DEMOGRAPHY, ECONOMICS, AND SOCIOLOGY

Professor Colin Clark presided over this Section, and Professors Colombo, Mertens de Wilmars and Burch acted as recorders. Father Mertens was prevented by illness from attending the session but he had prepared the work. Three other members of the section were also absent: the Minister Razafimbahiny from Madagascar, Mr. Diéguès Jnr. from Brazil and Professor Mattelart from Chili, who was held up at the last minute. Nevertheless the last two did send important Reports on the situation in Latin America: Rev. Fr. Lebret was asked to present these reports and to add his own observations as well as those of Professor Burch.

In addition to the President and the Recorders members of this section were Fr. Lebret, Professor D. Barrett and Monsignor Margéot.

Six meetings were devoted to demographic, economic, and sociological problems, in that order.

1. Demographic.

For this part of its work the Commission had at its disposal factual data on the whole of Asia, this can be found in the Reports presented by Miss Conception, Fr. Ryan, and Fr. Sasaki; and for the Middle East, Fr. Lebret; for Africa in the Reports of Mr. Dembélé and Fr. Lebret; for Latin America in the Reports of Mr. Diéguès (Brazil) and Professor Mattelart. Finally the Report from Monsignor Margéot on Mauritius gave a searching description of a typical case of an over-populated island. Professor Colombo's report enabled us to situate all these data in a world wide context; in addition it contains a critical analysis of the estimates which form the basis of the statistics and forecasts.

From the written reports and from the oral explanations and discussions it is possible to have a reasonably clear picture of the demographic situation and of the way in which it will develop

both in the world as a whole and in its regional distribution. Nevertheless the group concentrated its attention on demographic movements outside Europe (including the Communist countries) and North America, because these are the ones that are most likely to be the first to produce a situation which will require action on the part of the Church. Concerning the future progression, the demographers wish to show prudence in their forecasts knowing that they are often not borne out by facts. But they can indicate the probable consequences of actual circumstances and they can formulate hypotheses founded on the development of human behavior. Moreover, even though we run the risk of falling into error when we assess the facts, on a medium term estimate the meaning of variations and their order of magnitude over the next few decades is sufficiently clear for us to be able to assess their effect on economy, sociology, and politics without some variation in the figures being of much importance.

According to recent estimates of the Population Division of the United Nations, we must expect a rapid increase in world population for the remainder of the century. According to one average hypothesis, at the end of the century the population of the world will be some six thousand million inhabitants: which means that the population will have almost doubled in thirty-five years, and this will follow a most irregular regional pattern, the increases taking place especially in those countries which today are said to be under-developed. Therefore the population of the developed countries as a proportion of the overall population of the world will continue to decrease. This is the result we must expect unless there are unforeseen events (such as a sudden increase in mortality through catastrophe or war, or a really remarkable fall in the birth rate as a result of colossal intensification of methods to limit births). In making this calculation allowance has been made for a predicted reduction in mortality in the under-developed countries and also for the initial effects in those countries to limit births. Projections may give a figure higher than the one cited, but not lower: any projections on developments during the next century vary enormously according to the working hypotheses, because variations are constantly fanning out.

Although there may be considerable variations between the rate of mortality in developed and under-developed countries it is the birth rate which shows the greatest difference. The higher the birth rate the higher the rate of increase. In certain countries of Latin America (Professor Mattelart's work gives the details), black Africa and the Far East we have rates of increase of 3% to 3.5% per year, which means that the population is doubled in just over 20 years. Islands, (we examined the case of Mauritius) provide a striking example. Even if other countries, such as India do not show such high rates, it is nevertheless true that the rates they are experiencing are quite exceptional in their demographic history.

Ref on population (1.8)
 The main allowance for mortality + income

In considering the factors of demographic development and evolution in the developing countries it would be over-simple to apply too easily the ideas which have been established from studying the evolution of the Western countries. New elements come into play, for instance a fall in infant mortality which is much faster than anything the West has ever known, and we know that this is closely allied to demographic evolution. Again we must take into account the possible, deliberate intervention on the part of the central authorities in the matter of reducing births. It is illuminating on this point to note the example of Japan, where drastic measures have succeeded in reducing the birth rate by half since the introduction of eugenic laws in 1948, even though the state of development reached by Japan does not permit any absolute comparison. We must not forget that Japan used a very brutal method (abortion) which does not necessarily imply a high degree of development.

One cannot talk about these problems without calling to mind governmental policies intended to slow down births. Such policies are now in force in many Asian countries. So far they seem to be most effective in the countries of the Far East; Japan, Taiwan (Formosa), and South Korea. In the last named country it has been decided to go in for really wide scale action using the intra-uterine coil; because of the ease and efficacy of this method they are counting on reducing the birth rate by at least a half in a few years. In India more and more money is being continually devoted to projects for limiting births. As methods of contraception by themselves have proved to be too slow and too inefficient, the Government has embarked on a huge campaign of sterilization aiming to sterilize two and a half million men a year, and it is at present embarking on projects aiming to authorize and spread abortion. A whole series of Moslem countries in spite of the natural repugnance of the Moslem mind to any limitation of births, have started along this road, either officially, as in Pakistan or by giving their support to large scale action of a private nature. In this way the use of the coil is widespread, although the population scarcely seems inclined to accept it with favor. In black Africa, on the whole, the demographic situation does not appear to present any problems. However two facts cannot be concealed: the birth rate is very high, and the fact that the States are divided up prevents any overall planning, this obliges the States to confine themselves to their own territories. If things remain as they are there will soon be a demographic situation which will be intolerable. Governments which formerly had not observed any demographic policy will suddenly find themselves, overnight, obliged to adopt brutal measures. Here it is of interest that in her report on the Phillipines Miss Conception has in fact described just such a situation in that country because it has one of the highest birth rates in the area, and as the Government has so far done nothing it will be forced to take action one day, but how?

The fastest rate of increase in the world is in Latin America where the population will be doubled in less than thirty years; according to United Nations it will even be tripled by the year 2000. The only large scale experiment so far undertaken to limit births has been in Puerto Rico; a few other governments have made some half-hearted attempts. However, as things progress one feels that the governments are preoccupied with demographic limitation and are thinking of instigating population policies and the least one can say is that they will not all take care to be inspired by the doctrine of the Church in this matter. One is struck by the lack of resistance which most governments in that part of the world show in the face of colossal pressure exerted on them by propaganda in favor of a systematic limitation of births.

U.S. Policy

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The section considered the question of raising the age for marriage as a means for slowing up a birth rate which is too high. On the whole, the section was in agreement on this point, that the raising of the age for marriage would be very important and that the Church should consider whether to point the way by raising the canonical age for marriage. But it is to be noted that the sociologists in the group, who were particularly concerned over the situation in Latin America were against such a measure at present, because, in their opinion, there would be a risk of increasing illegitimate births.

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From the demographic point of view it is calculated that after a continuous demographic rise until about the year 2000 there will be a fairly quick fall in the average birth rate in the world followed by a spreading out of this fall. Apart from the specific problems of certain restricted areas (Islands) it cannot be said that the demographic explosion by itself is, today, sufficient argument for the Church to take immediate action.

The population of the world will surely not continue to grow at the present rate, but the question is, how will it slow down? This is where there is a problem of capital importance for the Church, which was stated by several members of the section. Will the Church take up a position which will permit her to guide these changes within the laws of morality and human dignity, or will all these changes take place in disdain of these laws? To this must be added an important remark made by Mr. Dembélé, that the countries of the Tiers-Monde are not so much asking the Church to take up a position in favor of birth control, but in favor of healthy population policies. Miss Conception also made the same point.

It must be added that at the present state of development the problem is to know whether, in the international forum and in national politics, Catholics must whole heartedly oppose all methods which are proposed--often in good faith--with the intention of lowering the birth rate in certain countries. This question is a burning one because of all the uncertainties some people feel about points of doctrine bearing on methods as well as about more generous principles concerning action in the "City" and in international society.

II. Economics

In dealing with this topic the Group had at its disposal most of the Reports already quoted, which contained an examination of economic aspects in relation to demography, especially the Report of Fr. Lebret which treats it ex professo. The reports of Professor Vito, Clark, and Mertens de Wilmars also had a special bearing on this part of our work. The Group noted the complexity of the problem and the differences of opinion which resulted. Professor Clark whilst not denying the existence of urgent short term problems in precise areas, maintains that, on the whole, the increase in population, even at today's level, is a factor in economic increase and growth, but Fr. Lebret is very pessimistic. He considers that demographic increase puts some countries in a position which is almost desperate, and if the current pressure is not relieved he does not see how they can get out of their depression. A more moderate view which was more generally held by the group considers that for the next 50 to 70 years there is little doubt that serious economic problems will crop up in the underdeveloped countries because of their demographic increase. Fr. Lebret pointed out that at the present rate of increase in these countries their current consumer capacity will have to be tripled by the year 2000 if the standard of living is not to go down. Everybody considers that a redistribution of wealth, better use of surpluses and greater justice would at once be a great help in solving such an urgent problem as that posed by the demographic increase now taking place, but it is apparent that this is not sufficient and that to strike a balance between economics and demography a fall in the birth rate is an absolute necessity.

The group was less pessimistic about the long term prospects, believing that the situation today represents a transitional phase, the importance and endurance of which must not be underrated. Economic expansion and technical progress will not fail, eventually, to catch up with a demographic advance which will go on slowing down. The group unanimously rejected the theory of "optimum population" as unreal and incapable of being turned to account.

In any event, birth control is neither the solution, nor in itself, a solution. Putting a brake on population is just a negative and possible element which cannot bring about any positive solution, nor any economic progress, nor by itself any increase in the standard of living. Indeed there are cases where one wonders whether it does not sometimes create serious problems in economic development, as shown by certain experiences in the West and now in Japan, when it is practiced without check. In any case it is not a solution which exempts the countries in question from making the necessary effort to overcome their troubles, and, above all, it does not exempt the world from its duties of charity and justice. In this connection we must once again insist firmly that the Church should be very careful not to give the Tiers Monde the impression that she extols the solution of the limitation of births as a means for relieving the developed peoples and the rich nations of their duty to perceive that the problems of the underdeveloped world, as a whole, make urgent demands on them. Therefore several members of the group insist that the Church should not be tied by the position it adopts in this matter to demographic or economic considerations but that she should place the question of family limitation on the level of married couples. On this plane it becomes a problem of general ethics not specifically bound to poverty or over-population, although these factors may be important elements in justifying but not the foundation for regulating births. A moral pronouncement must have universal application and it should not be linked to the "demographic explosion," under-development or over-population.

From the economic standpoint it is apparent that the first question which the growth of population presents to Christian conscience is the problem of complete, disinterested cooperation in helping the developing countries. Fr. Leuret, as well as the representatives from the under-developed countries, put in a plea for international action by Christians, and for the Church to summon them to provide effective assistance to peoples who are just beginning to develop, and for universal development in a civilization of solidarity. We must, of course, realize that some slowing up in the growth of world population may contribute towards a healthy balance in economic factors of development, but that does not mean to say that we can too easily and wrongly be convinced that all economic resources have been employed to assure a higher standard of living for those peoples who have a runaway increase in population. If we do this we run the risk of pushing whole populations towards methods which are contrary to their conception of life just for the sake of allowing the most highly developed section of people to live without worrying about their neighbors. Looked at from the standpoint of economics we can count the cost, from the figures given for India, of large scale operations designed to reduce population on a world level. If the means to finance such plans exist, should they not be used rather for schemes of economic development in those areas where the problem of over-population is most acute?

The group also considered agricultural problems. It underlined the importance of intensifying agriculture by introducing modern methods to exploit the earth and to take advantage of all the potentialities of the soil as a result. In connection with this the problem of distributing surplus food was also discussed. Whilst taking into account the dangers of indiscriminate operations of this kind the group recognized that it was the only real solution for certain countries, such as Egypt.

In drawing attention to the shortage of labor which his country is experiencing as a consequence of an over drastic demographic policy, Fr. Sasaki asked us to consider the economic importance of large families.

III. Sociology

In addition to the data from reports already mentioned, this section had reports specially prepared for its social work by Professors Barrett and Burch. The documentation was supplemented by a number of factors bearing on sociology in a paper prepared by Fr. Sigmond for the theological section. The fact that these reports were delivered only when the meeting opened somewhat upset the organization of this part of the work which might have been better entrusted to a section of mixed disciplines including as well psychologists and some theologians.

As the authors presented their reports the following points became clear: There are enormous differences in the various types of society and culture in their behavior towards sex, marriage, and love. This is why there is so much insistence that if the Church is going to make a pronouncement on these matters she must do so whilst taking into account this variety in approach. It is a fact that in many cultures the birth of a child is valued as something absolutely positive, and there must be no possibility that the Church give the impression that she does not appreciate this. The same applies to the family, to love and to the whole conception of these ideas. There is another point where things differ greatly according to culture and civilization and it has considerable impact on the question of responsibility, this is the exact role of parents in their duties and obligations towards their children.

At present, the sociological factors which can encourage or restrain the development of a sense of responsibility in parenthood are not properly known. In this there is a classic difference between one society which does not know how to help individuals and another in which the individuals have so much assistance that they are incapable of developing their own sense of responsibility. There remains a series of negative factors, such as accepting secular norms through inertia, lack of communication, even between husband and wife, inadequate housing etc. In the sociological field two recent events have wrought profound changes in the practice of responsible parenthood. The first is that governments

have adopted national policies for regulating births; the second is the growing interest in techniques for regulating fertility, which call for a minimum of personal effort, such as sterilization or the intrauterine coil.

Finally new factors which are linked with industrialization and urbanization have some bearing on the exercise of responsibility in paternity: the growing independence of husband and wife compared to the extensive family of the past, the emancipation and promotion of woman, and the drop in fertility through deliberate family planning.

In the general discussion, those members who came from the underdeveloped countries underlined not only the importance of the diversity of culture but also the fact that every culture has something positive to offer. From a sociological point of view, they were also very doubtful of the value of European example in matters of socio-demographic forecasts for the underdeveloped countries. For example, some seem to see greater resistance to a decline in fertility in those cultures which find it repugnant, whilst others take the contrary view and think that the decline will be much faster than it was in the West. Other factors will certainly play their part, such as the gradual disappearance of the system of tribal families, the emancipation of woman or the kind of national decision which may be made concerning the numbers of children. Fr. Sasaki's data on Japan enabled us to make a clear study of the case where massive introduction of contraceptives and, above all abortion, can have disastrous effects from the sociological point of view. We described before how the question of delaying the age for marriage had been discussed by the group. We also looked at the question of whether the social changes and upheavals experienced by the underdeveloped countries constituted a menace to the stability of traditional marriage. In this connection we must add a very important remark from Madame Kulanday on how important it is for Christians who are in a minority, as in India, that these problems should be tackled in such a way that husbands and wives are given a real sense of their responsibilities through education and the value of stability in society. The group gave some thought to the question of migration but felt that it would have to come back to it. In any case, they thought that the question of internal migrations was more important here and now than that of migration abroad.

PART FOUR

THE MEDICAL AND PSYCHOLOGICAL SECTION

Six meetings were held, three on medicine and three on psychology. Drs. Marshall, Van Rossum, and Bertolus were in charge.

A. Medicine.

I. A study of the physiology of reproduction with special reference to the feminine cycle.

We cannot give a résumé here of the two important, fundamental, written statements which were made available to the Section for their work. These statements by Professor Thibaut and Professor Férin are in the list of documents. The second one dealt especially with the peculiarities of the feminine cycle and human reproduction. The first one makes a study of reproduction in animals, dealing with the characteristics of reproduction, it then makes some important remarks about reproduction and the limitation of fertility, and whether such methods are acceptable from the physiological and moral standpoint and ends by outlining a program for research.

Both the written and spoken accounts given by the two specialists, who were members of the Commission, were such that they could not fail to convince the theologians of the complexity of the problems involved in the physiology of reproduction. It is admitted today that we may no longer allow ourselves to look at things from one point of view only, and this increases the complexity as we call upon all the disciplines concerned to inform themselves of the exact position. This complexity, as well as the speed with which science is acquiring knowledge and the fresh fields which keep opening up (we are thinking of such phenomena as fecundation in a female other than the one who produces the ovum, or of implanting a fertilized ovum in another uterus), makes it difficult, to say the least, to define in a relatively simple manner such a term as "nature." } *

The section also wondered what criteria can be applied to the term "normality" and it suggests that research should be made in three directions statistical data, pathological state and relationship with the community. x Normal

Because of its bearing on the doctrinal treatment it may be convenient to look at various points under consideration in the light of the following statement from Professor Thibaut; "Sexual behavior constitutes one of the fundamental aspects of reproduction; it should be studied in the same way as other functions by defining the whole of our knowledge of the Mammals, but bearing in mind that man has passed a critical point in cerebral development. There is a complete change between man and the Primates." What has changed is indeed that independence of sexual behavior in relation to endocrine determinism which never ceases to increase as the mammals evolve and which achieves an exclusively new form in man. } *

This independence enables man, when faced with certain facts concerning his sexual activity, to be able to make free decisions. This is why it is so important to be quite clear about these facts. } |

In looking at the statements before us the first thing that struck us was the immense prodigality of nature in producing spermatazoa and ova, a prodigality which is rendered even more striking by the infinitely small number which finally take part in fecundation; and in addition 30% of the fertilized ova are lost either before or after nidation. But, as Professor Lopes-Ibor showed, this prodigality is characteristic of nature as a whole and is not confined to sexuality alone. It cannot be denied that this is the first question to confront those theologians who are anxious to define the "juxta naturam."

Furthermore, Professor Thibaut makes very important observations on the fact that the time of fertilization and the age of the spermatazoa and ova are far from being unimportant in the destiny of the being conceived (malformation, Mongolism). This leads to the thought that the contact of spermatazoa and ovum should take place "at the right moment" and that there is an optimum procreation. If this fact is fully confirmed and particularly if it is found that there are ways of establishing it for practical purposes, then a moral problem will follow. The problem for husband and wife to choose the moment for fertile coitus, and as a backlash, the necessity of being able to avoid fecundation outside of this time.

The control of sexual activity also depends closely on the nervous system and investigation here is subject to such rapid discovery that we may expect new developments very shortly.

Professor Férin has underlined the absence of ovulatory cycles during lactation. Even though the duration of this period varies considerably, this does not contradict the fact itself which is proved by statistics. We cannot ignore such a fundamental factor; nature suspends the functioning of the ovaries after birth in order to protect the new born child by making sure that it will have the care and protection of its mother. The teleological significance of this period seems to be obvious; it remains for the theologians to say whether man has the right to supplement nature to attain the same ends. However, Professor Hellegers points out that a reference only to intervention at the time of lactation does not suffice to give an answer to the whole extent of the problems involved.

Concerning our knowledge of the feminine cycle, both Professor Férin and Professor Thibaut state that at present there is no certain method of detecting a priori the date of ovulation in the human species (in fact this is the case for most animal species).

II. Methods of contraception.

Basic papers for this part of the work came from Professor Hellegers, the last part of Professor Thibaut's statement, an

exposé from Dr. Van Rossum and several replies from members to a questionnaire put by Dr. Marshall. Although Dr. Van Rossum's exposé provoked a discussion on the merits of all methods of regulation, we were chiefly concerned with periodic continence, the pill, and the intrauterine coil.

Professor Hellegers' report is a most valuable working instrument. It describes all methods of contraception from the medical and phenomenological points of view, how they function, how they are used, how they are accepted by married couples, and their drawbacks. Note that in estimating the "popularity" of a method, Professor Hellegers shows that ^{it} is not the degree of human activity involved that brings a method into favor. The factors which interest the public most are, low price, safety for health, that it does not interfere with the performance of the act, that it can be put into place or action as early as possible before the sexual act takes place and so guarantees its spontaneity. Here we can recall the statement made by the sociological section that the public prefer contraceptive techniques that require a minimum amount of personal effort.

Clinical observations lead Professor Hellegers to conclude that sooner or later, at least in the West, most people have recourse to some means of regulation--not excluding Catholics-- and this is proved by the numbers of children in families.

Professor Hellegers' conclusions:

1. No method can be applied universally.
2. The most important factor for success is motive.
3. That information given by his fellow men is more concerned with the sexual aspect than with education for marriage.
4. That in this matter the convictions of Catholics exert very great influence; the behavior of Catholics in choosing ways to regulate births is very different from that of their fellow creatures in that they will choose those methods which involve less calculation and premeditation.

Dr. Van Rossum places methods of regulating births in three categories:

- a. Those which affect the reproductive potentiality of the gametes (e.g. spermaticides)
- b. Those which affect the tendency of the gametes to unite, (condoms, diaphragms, vasectomy, ligature)

c. Those which hinder neither the reproductive potentiality nor the tendency to unite (periodic continence, and for many, including himself, progesterones).

Talking of sterilization Dr. Van Rossum referred again to what he had said at previous meetings of the Commission. In medical language this word covers either ablation of a part of the body which is ill, or the destruction of the powers of reproduction, which means the destruction of the gonads (castration), or the gametes, or the channels through which the gametes pass when they leave the gonads. One cannot say that because an act will be sterile there must be sterilization, because it is the method which gives sterilization its character and not the result. It is only because of the lack of medical or physiological knowledge that people have been led to confuse sterilization with the effect of the anovulatory pill, which does not destroy anything.

In speaking of coitus Dr. Van Rossum insists on its character as a creator of unity; coitus always unites, always inseminates because of the way in which the male functions, but it does not always procreate. From this it can be inferred that those methods which respect the uniting and inseminating characteristics are permissible and those which separate one from the other, such as coitus interruptus, are not permissible.

Dr. Van Rossum referred to the undesirable side effects of progestogens but they are not excessive. On this topic Dr. Cavanagh added an important contribution to the discussion. He himself had made an investigation into the so-called abortive effects of the pill and he found no proof of any such effects, although he found that when he put questions to specialists they did not agree on the way in which the pill is thought to work.

On the subject of periodic continence, Professor Férin said that in any event there were two very important phases during a woman's life which seemed to require the absence of pregnancy and during which it would not work: during lactation and at the menopause. Moreover, as Professor Lopez-Ibor has proved, although there are undeniable and encouraging successes in the use of periodic continence, there are also obvious cases of failure. Professor Férin suggested that the practice of periodic continence forced people to perform the act during a phase when the libido was less strong, but this was contested by Dr. Marshall in a printed document.

Speaking about the intrauterine coil, which, because it is easy to use, is becoming more and more widespread in the United States as well as in the underdeveloped countries where it could produce spectacular falls in the birth rate, Professor Hellegers explained that new interpretations of the way in which the coil works may profoundly modify any judgment of it.

Up to now, it was thought most probable that the effect of the coil was to stimulate the arrival of the fertilized ovum in the uterus whilst it was still too young to attach itself. If this were so it would be an antinidator and therefore it would constitute abortion. But now one wonders whether the ovum, before fertilization--which can only take place in the tube--is accelerated in its movement so that it is too young to be fertilized. In that case there is no abortion and one is presented, at least, with an original case of "contraception." Thus prudence is necessary before rejecting the coil as an abortive agent or a simple contraceptive.] ?

On this whole matter the section feels that there is a capital question to be elucidated: How far is it permissible for man to intervene by art in his physionomy, particularly in all that concerns sexuality?

B. Psychology

The papers available for the work of this section are shown in the Index of documents. They are basic reports from Dr. Cavanagh, Professor Lopez-Ibor, and Professor Görres; detailed analyses from Dr. and Mme. Rendu on the use of the temperature test in the context of education in self-control, replies by members to questionnaires, and in particular, a dossier drawn up by Mr. and Mrs. Crowley based on Fr. Mertens' questionnaire. Dr. Bertolus organized this part of our work and at the start of the two meetings he gave a fairly complete exposé of the topics under discussion: The significance of sexuality; Love and fertility; Psychological aspects of the means used to regulate fertility.

Professor Görres showed that there is a need for moral theology to have a complete phenomenology of sexuality; this could not be done in such a brief session. According to him, we should at least make an effort to see that the theologians were provided with the views of modern psychology on sexuality and to teach them something about facts.

Dr. Cavanagh's report dealt at length with the development of personality and of sexual maturity. The latter is not only biological or physical, but psychological as well; it is the realization of oneself through sexual relations and the bringing up of children. It assumes certain characteristics of maturity, the first being the recognition of oneself as a person of value. Self guidance, self control and the definition of objectives are subject to a scale of values which is based on objective norms. Every individual should tend towards this maturity which is precisely the capacity to love fully a being other than oneself; but he must not be ignorant of the risks of falling back, which he may experience as he progresses. Maturity is found in marriage in the practice of sexuality; marriage allows the individual to

fulfill himself in those conditions which bring him the satisfaction he is striving for. Sexual satisfaction holds a privileged place in this field, and exercises a profound influence and ascendancy over the personality, this is where education should forewarn couples of the important factors which may work against sexual maturity. In this connection there are various indications to commend the regulation of births and therefore it is necessary for the individual to have the means of practicing this in conformity with morals. Dr. Cavanagh ended by indicating that these means ought not to be limited to the temperature test and periodic continence, which are not always applicable in every case. This point of view is strongly shared by Professor Görges, and in his written report on the psychological difficulties experienced by couples on account of the norms at present in force he describes the many struggles which Christian couples go through today. Professor Lopez-Ibor points out that the expression "human nature" is full of ambiguity today and that there is a risk of it being identified with human physiology. Just as sexuality has been studied from a much too limited point of view, so methodical analysis and statistics alone have been employed to find out what "according to nature" means. Nevertheless there are really no such things as instinctive acts, only human acts which rest on biological roots, but which still preserve their autonomy. Man enjoys the biological luxury which allows personal creation, but this unfolding in the constitution of man implies both unfolding and risk--two essential considerations for understanding the problem of human sexuality. Marriage arises in the history of mankind not to dam up sexuality but to ensure descendants, at the same time the biological unfolding of man shows the peculiar character of the human being at birth by bestowing on him the need for much more protection than the animals. Sexual maturity is in fact personal maturity. Frustration in sexual life does not prevent a man from maturing, but difficulties in personal maturity are reflected in sexual life. The personal problem for a married couple is not primarily sexual; in our society it is not this which leads the couple to unite. It is difficult to study the problem of conjugal love, and we must be content to concentrate on the idea of conjugal fidelity, which can only be preserved by personal relations which are spiritual in character, a state of refusal to change and an everlasting commitment.

Sexuality today has lost two of the characteristics which it has always had; one is the pursuit of the exaltation of the human being, and the other is the knowledge that it has intrinsic dangers. Sexuality has thus lost any sacramental element and is confined to something which produces only pleasure.

In his introductory speech at the meeting, on the relationship between love and fertility, Dr. Bertolus referred to several notes which had been contributed to the documentation, and in particular to the investigations carried out by the Crowleys.

These accounts all agree that if the desire to have children is natural in every man, a sense of responsibility could lead to a limitation in number, and one would not necessarily have the right to talk about selfishness. The married couples who are members of the Commission say, that in this matter, it is often difficult to understand decisions about the size of a family. This fact is confirmed by psychology: for example, cases have been known where weak men want to assert themselves as the head of a large family, or mothers who always want to fuss over an infant in its cradle. Naturally the large family must be judged in the most favorable light but there can be no question of closing our eyes to improvidence or neglect of the demands of education. In short, the responsibility of the married couple is serious: only mature people can carry it.

The psychologist guesses that a general lack of appreciation of the real value of sexuality counts considerably towards the deficiency found in so many couples. A real duty to regulate births is demanded by respect for the values of life and by love for a child, who needs the stability of the home where he is brought into being. As Dr. Cavanagh says, this duty cannot be left to the conscience of the married couple alone. They must be helped to see their responsibilities clearly; but before this we should be conscious of our duty to be quite clear about our own responsibilities towards all couples in difficulties.

The debate on methods regulating births valued according to psychological estimates gave an opportunity for Dr. and Mme. Rendu to present the results of their work in France and abroad. They were concerned with promoting education in self-control through the use of the temperature test in practicing periodic continence. The regulating and spacing out of births seems to be essential for nearly every couple nowadays, but it is important that this regulation be not based on purely mechanical processes but that it should operate through mutual love and reciprocal discovery. What is more, self-control is not confined to the use of this method; it should enter into every sexual act and it is important that both partners should understand this. The experiments carried out by Dr. Rendu and his wife have been going on now for several years and so they have been able to train several hundred instructor couples and restore the balance in hundreds of married couples who were disturbed. These experiments seem to them to have fully justified their work which is completely humane and in conformity with nature. It certainly demands much patience and understanding in the preparatory stages and that is why it is inseparable from the practice of pastoral growth during which one must know how to tolerate the lesser evil in order not to discourage or put a stop to a gradual advance towards a wholly satisfying result. From the psychological standpoint all instruction is designed to show the couple that what they are being advised to do is for their own good. Fr. de Lestapis,

in an intervention, insists that because it conforms to nature we should not talk here about a "method" because, in fact, there is nothing artificial or added on.

Mr. and Mrs. Crowley in stressing the quality of the married couples whose confidences they gathered, say that there are too many breakdowns in periodic continence for it to be a method which can be applied universally. As we have said, Professor Görres shared this view, based on a number of experiments in Germany; a paper from Professor Gaudfroy follows the same lines. Dr. and Mrs. Potvin have a high regard for the use of the test from an educative point of view; they teach it but, in view of their experiences, they cannot describe to the idea that here is a solution which can be universally applied.

We end this part of the report with general observations from Dr. Bertolus, who was the recorder, on this part of the section's work. Several important ideas were thrown up from the group's deliberations:

I. There is an evolution in the attitude of the world towards sexuality, which cannot be separated from love. The idea of nature must be widened to one of anthropology (Prof. Lopez-Ibor).

Sexuality still retains something mysterious about it and its development in the genesis of procreation is complex. As Mr. and Mrs. Crowley point out, everyone should be conscious of the idea of mystery. It was shown that the meaning of a sexual act should be considered in the light of history which is forever changing. There is continuous and dynamic evolution of personality. It is the new meaning of sexuality as the language of liberty which brings up the problem of regulating births, and not just the demographic expansion. Speaking about this idea of "language" Professor Hellegers issued a warning that there could be misunderstandings between different cultural circles.

II. On the subject of means there was much talk about periodic continence and the temperature test, and it was shown (Drs. Rendu) that for many married couples it is a privileged opportunity for progress on account of the continence demanded and which is achieved through love and not just through respect of the law. Impressive evidence collected by Mr. and Mrs. Crowley led the majority of the group to doubt whether this method, which is permissible, could answer the needs of the modern world and especially Catholic couples, when it comes to regulating births.

Apart from the difficulty of recruiting and training sufficient number of instructors, certain unfavorable psychological aspects of the method were pointed out. Some were absolutely

against this means. On the whole the group would like to see:

1st. A study of all methods of birth control in every aspect, especially the psychological aspects, so that a comparison can be made of the reasons for choosing them.

2nd. Close contacts with modern married couples so as to understand their distress and be able to know them really well (suggestion from the Crowleys).

III. The group discussed the meaning of words like, chastity, control, continence, nature, etc. in connection with various methods. As they did not always use the same words to mean the same things, the members of the group could not have the same feelings towards methods and solutions. But throughout all the discussions, and especially the one on periodic continence it became apparent that what is at stake is to safeguard the significance of sexuality and the significance of man.

Because of his own experience and also because of all his convictions and moral, philosophical and religious conceptions, each member seemed to fear that the answer to the disturbing question of birth control might trouble, pervert or even destroy the significance of man and of his love. Different conceptions of how to safeguard values stirred up opposition over the merits of regulating births, but all the members were especially conscious of the essential values of conjugal love, the love of another and respect for that bond which calls for increasing protection and a continuous effort, whatever methods are employed.

IV. It was apparent that our fundamental positions were the same, but because of the gravity of the matters at stake, and because of his conscience each member of the group was impelled to work out his opinion and express it with increasing force as he felt bound to prove his point in debate. In putting their opinions to the test, members showed their willingness towards mutual understanding and a burning desire and a great need to come to a common agreement.

PART FIVE

THEOLOGICAL SECTION

Fr. Visser presided over the theological section which held most of its meetings in such a way that all members of the Commission could attend them and the theologians had time to follow the discussions in the technical sections. It also held a few meetings on its own in which case all members were usually consulted concerning the points discussed at the previous meeting. All documents where papers from the theological section are classified under the subject headings.

I. History of the Church's teaching on contraception.

It seemed essential to open the discussions by a thorough examination of historical questions. Through the generosity of the University of Notre Dame we were able to invite Dr. John Noonan to introduce this subject. He has written authoritative works on usury and he is about to publish a major work on the history of the doctrine of the Church on matters of contraception. In a meeting lasting two hours he gave us a long and valuable address from which we shall extract the following important conclusions:

1. Procreation is good.

It can be said that the church had to reaffirm this essential doctrine throughout the first twelve centuries of her history, against Gnosticism, Manichaeism and Catharism. Contrary to what some people think, the Church has not always practiced a policy which made concessions just to the necessities of life. In the face of heresies and currents which threatened procreation with singular force the Church never hesitated to defend the value of sexuality as it was ordained towards this fundamental end.

2. Procreation is never complete without education.

On this point too doctrine has been constant from the beginning up to the time of St. Thomas: the end of marriage is not simply proles but proles religiose educanda. This concern for education in the Middle Ages made the distinction between human procreation and animal procreation. It is impossible to exaggerate the importance ascribed to education in all medieval arguments over bonum prolis. At that time men were convinced that procreation was not governed by a question of number but of religious quality.

3. Innocent life may never be attacked.

In a world which accepted abortion and the exposure of newborn babes it was a break with the entire climate of the times to adopt such a position. Perhaps it is in this context that we should look at the development of an argument which maintains that contraception is homicide. If we analyze this argument, which comes from theological explanations and not from any proposition of the Church we can see that it is not to be taken literally; in medieval times, for instance, it merely meant that contraception is an attack on the possibility of life.

4. In spite of certain texts it is rather optimistic to think that men have always been clear about the idea that in marriage one partner may not exploit the other, as Dr. Noonan thinks. The fact is, that in refusing certain methods designed

John Noonan

for pleasure, tradition did point in this direction, but we must not hide the fact that, generally speaking, moral problems concerning the sexual act were for a long time resolved in a purely masculine light.

5. The practice of the Church has been constant in admitting the lawfulness of marriages which could not possibly lead to procreation (marriages between sterile or old people). This shows, even though men were scarcely conscious of it at the time, that the practice of the Church was to affirm that the meaning of sexual relations is not confined to the pursuit of procreation. This is now the basis of the rediscovery of the function of love expressed in the conjugal state and in the sexual act, a doctrine which is clearly expressed in the conjugal state and in the sexual act, a doctrine which is clearly expressed in Eph. V. Perhaps in the rendering of conjugal debitum there was more insistence on the aspect of justice than on that of love, but this does not alter the fact.

Contraception was known in antiquity, and if the first references to it in Christian literature do not appear before the beginning of the third century, thereafter there is such a constant rejection of it (Fr. Fuchs has drawn up an anthology on the subject and it is conclusive) that it would be rash to state that previous silence on the matter amounted to negation or preterition. In the texts contraception is never mentioned except as something which is to be gravely condemned, and this is in line with the severity of the ancient Church towards all sexual deviation. Certainly the casuistry of contraception has evolved with time; at certain periods there was much insistence on points which appear to us today to be minor or unimportant ones. Theology too has been evolving from its reliance on a prescription which it found without a break, in the life of the Church. These modifications of the explanations given by theologians serve to point out their relative character, but one must emphasize that these explanations have not shaped practice; they imply it.

It is a most interesting thing that throughout the eighteenth century and part of the nineteenth century we have the impression that the practice of the Church in the pastoral of the confessional was not to insist on matters concerning conjugal relations. The principles of St. Alphonsus di Liguori are representative of the common practice of the time, and later overruled it. Birth control became organized on a large scale towards the end of the nineteenth century and big campaigns were started to spread it. Here we can see the historic events which later led the Magisterium to make pronouncements on contraception which become ever clearer and stronger.

In conclusion Dr. Noonan points out seven areas where there have been, in his opinion, significant modifications in modern times.

1. Recognition of the importance of love in marriage and in particular regarding the conjugal act.

2. In the teaching of Pius XII on artificial insemination the personal values involved are emphasized as against complete instrumentalism for the purpose of procreation.

3. Modifications in admitting the use of the sterile period.

4. Concerning confessors, the constant permission for the wife, with serious reason, to cooperate in coitus interruptus, and in 1955 a modification of the rule which forbids a husband to cooperate if a diaphragm is used.

5. Casuistic opinions on the lawfulness of indirect sterilization seem to preserve their distinctions only because of the need to make certain of some demarcation which will not undermine the condemnation of contraception.

6. The consistent practice of the Rota not to annul marriages because of temporary exclusion of procreation goes against the idea that therein lies the essential worth of marriage.

7. The Dutch Episcopate has taken up a position diametrically opposed to that of the British Episcopate in the matter of the pill.

For an historical account of the variations in theology concerning the prohibition of contraception, see the article by Professor Burch which he contributed to the papers put before this meeting.

II. Tradition and pronouncements of the Magisterium on the subject of contraception.

We had a long debate on this capital point and it ended in a working session where each member of the section was asked to give his opinion. Six documents served as preparation for this debate, the two from Dr. Noonan and Dr. Bruch were rather historical, and there were four statements treating the subject ex professo from Professor Visser, Fuchs, Zalba, and Canon Delhaye.

Accordingly we were confronted by two theses which were at opposite poles.

1. What the Magisterium has determined on the subject has attained a degree of infallibility and is therefore irreformable.

2. The determinations of the Magisterium, although extremely grave do not exhibit the characteristics of infallible pronouncements and they are not therefore irreformable.

The major text in question is the famous passage from the Encyclical CASTI CONNUBII: "Cum igitur quidam, a christiana doctrina jam ab initio tradita neque umquam intermissa manifesto recedentes, aliam nuper de hoc agendi modo doctrinam solemniter praedicandam censuerint Ecclesiae Catholicae, cui ipse Deus morum integritatem honestatemque docendam et defendendam commisit, in media hac morum ruina posita, ut nuptialis foederis castimoniam a turpi hac labe immunem servet, in signum legationis suae divinae, altam per os Nostrum extollit vocem atque denuo promulgit: quemlibet matrimonii usum in quo exercendo, actus de industria hominum, naturali sua vitae procreandae vi destituatur, Dei et naturae legem infringere, et eos qui tale quid commiserint gravis noxae labe commaculari."

There was a reminder of this condemnation in Pius XII's address to the midwives and in his address to the hematologists in 1958 in such terms that it is thought by some that any alteration to the pronouncements of the latter address could scarcely be reconciled with any pretention that the text of Pius XI is irreformable.

After a report which summed up the written documents a long discussion brought out the following arguments supporting the two theses advanced:

A. The pronouncements are irreformable because:

1. According to the terms of Pius XI the condemnation of onanism forms an uninterrupted tradition in the Church.
2. This doctrine is only the consequence or application of the Church's attachment to values which have always been considered sacred.
3. If the pronouncement of "Casti Connubii" is not irreformable there are essential changes in moral doctrine.
4. The value of a pronouncement does not depend on any given scientific discovery, but upon the authority of the Magisterium.
5. If the Church had condemned improperly she would have been wrong in putting consciences in grave danger.

B. The replies to this are:

1. In other fields there has been a modification of pronouncements no less categorical.
2. If the Pope means to make an irreformable pronouncement through the Ordinary Magisterium he must explicitly manifest his intention.

3. Tradition is not static, it is life and history; in matters of morals the Magisterium can give directions but not determine behavior once and for all.

4. Any appeal to the continuity of Tradition actually uses the same words to cover different facts.

5. The things that really matter are the values which the Church intends to protect and always will protect.

Members of the theological section were asked to give their opinions on the degree of irreformability of the pronouncement. In the case of most members there were important shades of opinion which modified the extent to which their replies could be classified as simple statements, but these expressions of opinion did not permit them to avoid the fundamental decision which they were finally asked to make. Seven members of the Commission then came out more or less firmly in favor of irreformability and twelve in favor of reformability. Here are the reasons put forward.

A. In favor of irreformability.

Those in favor of irreformability had two points to make:

1. The criteria by which this position of irreformability is to be judged.

2. Which exact points of teaching are covered by this note.

I. There did not seem to be any disagreement over the first question: the argument was forcefully presented by Fr. Zalba: We stand before a practically uninterrupted tradition which in any event, during the last hundred to a hundred and fifty years seems to have been taught throughout the whole Church by all the bishops depending on Magisterial pronouncements. A tradition which, starting as simple replies from the Congregations became enriched by pontifical statements of a more or less precise nature (Leo XII) then absolutely grave and solemn in CASTI CONNUBII of Pius XI and which were recalled and confirmed by Pius XII in his addresses to the mid-wives and to the hematologists.

Certainly there is no definition which constitutes a dogma "de fide," but there is a teaching of the Ordinary Magisterium which shows guarantees of infallibility. Whilst they supported this argument, those in favor of this thesis (Mgr. Binz, Mgr. Kelly, Frs. Visser, Ford, de Lestapis, Perico, and Zalba) in the main, wanted to state that an irreformable pronouncement is not the same thing as a teaching whose development is arrested and "imperfectible;" it remains open to explanations

and new developments which do not contradict the meaning which has already been given. Fr. Visser goes so far as to say that, as the natural law is based on nature and is not considered in the abstract but is borne out by history, it has the same changeability as nature. So it is, that if we have so far seen some changes of accent we have not yet seen any changes of nature.

2. The second question was that of the contents of irreformable teaching. What is meant by this? Here we have much more variety in the answers. Things listed as irreformable in Fr. Zalba's report are (a) the condemnation of onanism, certainly in the form of coitus interruptus, and probably in cases where pessaries or diaphragms are used; (b) the proclamation of a primary end in marriage to which the others must be subordinated (c) the condemnation of all forms of direct sterilization; (d) the lawfulness of periodic continence used to take advantage of periods of natural infertility. On these various points many differences of opinion were expressed during the ensuing discussion. However, at the moment, we are concerned only with the first: the condemnation of contraception. Does this condemnation imply condemnation of the pill (which inhibits ovulation)? Fr. Zalba thinks that Pius XII has compared it to direct sterilization "non asserto irreformabili." Fr. Visser finds a theological conclusion here, Fr. Ford seems more severe.

B. Those in favor of reformability.

Msgr. Reusse expounds the first argument put forward or presumed by all the partisans of reformability: The intention to pledge infallibility cannot be presumed, it must be manifest. However solemn the condemnation carried by CASTI CONUBII may be expressed, and it thereby remains open to discussion. This same solemnity shows that Pius XI could have made a definite appeal for infallibility, but he did not and did not wish to. Many other reasons were put forward and we must distinguish two groups:

1. A number of the theologians present think that statements from the Magisterium about contraception are not infallible because they could not be so. This was said in different ways by Dr. Gorres, Prof. Auer, Prof. Van Melsen, Canons Anciaux, and de Locht and Fr. Häfing. Even on this point there were two different arguments. Some emphasize that moral matters, apart from the great fundamental requirements, do not lend themselves to irreformable statements, because the human data develop and change; moreover the natural law cannot be declared by the Church without clearly showing the reasons on which it is based. The day on which the reasons given are shown to be false the conclusion also is outdated, except for that part which is covered by Revelation. Fr. Häfing recalls the formula of the Constitution Lumen Gentium of Vatican II. "Tantum patet infaillibilitas quantum patet revelatio." He

7 specially insists, as did Canon Delhaye in his written report, on historic examples of change, the most striking being that of usury. Interest on a loan was condemned as contrary to natural law by three Oecumenical Councils and by several Sovereign Pontiffs, but it is understood very differently today. Others prefer to emphasize that living tradition is a continuous progression which should be thought of as something dynamic and forward-looking. This tradition comprises positive constants which light the road and the way to behave, but it does not lend itself to pronouncements which, made once and for all time, are valid ever after. Given attitudes which are too precise, there can only be continuity of words.

2. Fr. Fuchs, on the contrary, believes that if the pronouncements of the Magisterium are not irreformable, they are not thereby uncertain. The qualification given to them by theologians must not be abandoned without very obvious reason, for example, that the natural law had not been properly recognized. He does not think that we have such reasons now, and he would not even say that we are already in statu dubii and that probabilism could come into play. Fr. Labourdette said that, to begin with, his position was much the same as that of Fr. Fuchs, but that he is much more impressed by the weighty reasons which require new directives. History shows that changes of no less import have taken place in various moral fields, that with time a document concerning very precise moral conduct loses its force because it presupposes situations in which many of the elements had changed. Had not Pius XII already started an evolution? His acceptance of "regulating births" and even his approval of the use, which was moreover justified, of the method of periodic continence, without contradicting CASTI CONNUBII already strikes a new note. It is not a question of contradicting Pius XI, but of giving a new teaching concerned about the same positive values, in circumstances which have greatly changed: a generous service to life, but adapted to new needs, those of responsibility of husband and wife, which imply some regulation of births.

Don Goffi favors reformability but making clear that this reformability is not the same as that for simple, positive laws which are more easily changed. As soon as we touch natural law we are bound by the reasons for change which serve fidelity to the truth.

Similar ideas were expressed by Mgr. Lambruschini, who kept to the letter of the text, one cannot talk of "irreformability." Moreover Pius XII never introduced the word "definition" in this connection. In my opinion" said Mgr. Lambruschini "the Church can make a change here; the Church, not us." There would be no negation of principles, but they would be given a different interpretation. The possibility of progress in our knowledge of the Natural Law is an element which must be taken into account, so it seems.

Actually the theses upheld are certainly far less apart than they seemed to be at first; it is the theological presuppositions behind them which are farthest apart. Everybody thinks that the Continuity of tradition must be preserved by giving prominence to these positive values which the Church has always wanted to preserve: the goodness of procreation (against Gnostics, Manichaeans and Catharists); the primordial importance of education, and, more and more; the value of conjugal unity, of unity as the fruit of love as well as the source of fertility.

III. The Ends of Marriage.

The documentation is listed below in the Index of documents. The report on these documents re-groups their content under five principal headings.

1. The question of the hierarchy of ends becomes simpler as we become aware of all the riches contained in each, one of these ends. Thus the best appreciation of education in the end of procreation, by itself, shows the need for regulating fertility.

2. Nearly all the papers are agreed that mutual donation should not be classed as a secondary end. It is an end just as objective as fertility; love in its conjugal form, a proper form of interpersonal coming together, is just as much a specific of marriage as procreation. Fr. Häring repeats St. Alphonsus's formulations: it is an essentially intrinsic end, it constitutes the substantial basis of marriage.

3. Must there be a hierarchy of ends? Professor Van Melsen replies that first of all we do not know exactly what Christian marriage is. The two guiding principles of marriage, creativity and the continuity of love, are of equal rank because each is indispensable for reflecting the fundamental place of man. Several papers insisted that these ends were complementary, Fr. Perico proposed that we should talk of one end only, "objective, unique, and complex." Fr. Häring recalled the formula of St. Alphonsus-

Intrinsic ends. (a) Essential: mutual donation and an indissoluble bond. (b) Accidental: procreation and remedium concupiscentiae.

4. Several members point out that natural fertility is an indispensable element for the truly human realization of sexuality. The section carried the study of this point to the very end.

5. Speaking of the ends of the conjugal act Fr. Perico said that it is an expression amongst others of equal importance which should not exhaust all the possible finalities. Fr. Häring notes that not every conjugal act need seek procreation; the latter is looked for by marriage as an institution. It follows that the act is a noble expression of mutual love and it ought to strengthen and

reinforce the conjugal bond. In any case, says Canon De Locht, [†] is not fertility that decides the moral value of methods; it is "the way in which these methods, with greater or lesser merit, preserve the significance and authenticity of conjugal intimacies."

The discussion revealed clearly how difficult it is for laymen to penetrate the language and distinctions of the theologians; to them it is quite clear that one marries for love, which comes first as a constituent and permanent element in marriage and it is love which gives a truly human dimension to the whole meaning of marriage.

One gave the reasons which explain the accent placed by the Church on elements other than love. Medieval thought took as a primary end the same one for all animals. Economic needs obliged man to define clearly what kind of association marriage is. The Church was affected by a current of pessimism when it came to sexuality. A few theologians tried to be more precise, and so, as Fr. de Lestapis says, in the existential order the specifically human element of exchange and realization of love in marriage is "primary" because it makes a distinction between sexual union and other animal unions. But in the order of essence the human association known as marriage is characterized by its ordination for procreation, which is called primary. Fr. Ford ascribes to love the character of a secondary end of marriage, but at the same time teaching that procreation and love are both intrinsic, objective, and essential ends of marriage. There were several interventions on the relationship between the hierarchy of ends and the morality of the conjugal act. This is what Dr. Noonan has to say about it:

- a. The distinction between primary and secondary ends is comparatively recent; he considers that few things have been determined by the Church in the light of this formulation.
- b. St. Alphonsus gave love the place he did because he was concerned to show that the marriage of the Virgin was a real marriage.
- c. Since Catechismus Romanus, but more clearly since St. Alphonsus the question of the ends of marriage has been directly related to the finality of the conjugal act. This latter point is disputed by Fr. Fuchs.

Some people have noticed that when considering this question in the past priority has been given to the biological point of view. Now, today, from the point of view of modern, biological science it is difficult to see what is meant by the idea of determined fertility as seen in "nature." This is not at all in agreement with scientific approach on the biological plane. If we are talking on the human plane which is assumed and accomplished in the Christian economy, the question of ends then becomes one of values not yet established. In this way we can discover an anthropological approach to marriage which is beyond the biological plane.

But love is not just one value amongst others, it is the law, the spirit of marriage, as it is of all other Christian life. One member recalled the severe warning of Authority against using the notion of "value" in ethics.

The discussion was followed by a meeting of the theological section only, with the intention of putting a series of questions that would bring the examination of this subject to an end. In fact, it was only possible for the relationship between natural infertility and fertility. Is the first designed to serve the second?

Professor Van Melsen could not accept the form of this question, but most members replied in the affirmative even though there were many qualifications. A few remarked that you cannot reply to such a question unless you are quite clear about all its implications. Professor Auer pointed out that the two concepts are not entirely on the same plane: infertility can only be biological, psychological, and supernatural. Fr. de Lestapis also distinguishes the biological, psychological and supernatural levels. The biological is at the service of the other two, but human beings still have to be convinced of this. It is on the psychological plane that man, master of his sexuality, should "recognize" his wife as an equal partner and respect her in her own right. The woman should respect the permanent fertility of the man and help him to express his affection. Supernatural fertility and there was much insistence at this point--is in line with the imitation of Christ and of his Church. This is the fertility which goes far beyond the bounds of purely biological fertility.

IV. The significance of sexuality. ?

Reference to the documentation concerning this part of the work can again be found in the general Index to documents. Because of lack of time it was not possible to go any further at this meeting than an exposé of the time contents of the papers and work submitted on this same topic, submitted by the psychological section.

Fr. Fuchs, who gave an account of the written papers, having stated that there was considerable agreement in the various works submitted (Auer, de Lestapis, de Locht, and Goffi) began with the work of Professor Auer. Here, it may be as well to add that the other authors devoted more space in their papers to considerations affecting the actual practice of sexuality, and, in consequence, also to conjugal love (this was especially in the works by Canon de Locht). In addition, Don Goffi and Canon de Locht opened up lines of thought, which the theologian section hopes to pursue later on, about the significance of virginity and the consecrated chastity of sacerdotal celibacy, with a view to a better understanding of the significance and the practice of conjugal chastity.

In the theological opinion offered by Professor Auer marriage is presented thus:

1. As the union of me and thee in completion (Gen. 1. 18.) and in knowledge (Gen. IV. 1.).
2. As a communion with humanity, through fertility (Gen. 1. 28.)
3. As including transcendental relationship with God. Thus marriage is a reflection of God in marriage through dialogue, love, and fertility; at the same time, through the significance of the Mystery of Christ. Professor Auer, in company with Fr. Labourdette and Monsignor Lambruschini, who were equally reserved, was more guarded about any comparison between the conjugal state and the intimate life of the Trinity.

There was also agreement amongst the authors of these reports on the question of the significance of conjugal sexuality. After explaining the significance of corporeity (knowledge of the outside world experienced by the "ego," communication with others, self realization of man in the material world, and matter in relation to the person) Professor Auer and other authors outlined the significance of sexuality. Human sexuality reflects God in the measure in which it permits dialogue, the expression of union and of conjugal love--eros and philia--impregnated by charity.

In its turn sexuality conditions the spiritual side of conjugal union, it contributes towards completion and mutual recognition and in so doing serves to unite and stabilize marriage. In addition sexuality always sustains the opportunities for a married couple to go beyond themselves through the procreation and education of their progeniture.

The multiple significance of sexuality in marriage raises the question of the relationship love/fertility: intimacy/fertility. Fr. de Lestapis and Canon de Lochet who treated this in more detail both start with the principle that conjugal coming together (coitus) is of capital importance for the life and union of marriage and that birth control is indicated in most cases, and in any case if only for the demands of education. Fr. de Lestapis, in his analysis, concentrates on the conjugal act but Canon Lochet goes farther and suggests that the conjugal act is not the only expression of mutual love and that we must not lose sight of fuller and wider horizons. According to Fr. de Lestapis every conjugal act fundamentally signifies union and fertility. This fundamental double significance must never be falsified, even if the act is carried out in such a way that only one of these ends is sought. That it is possible to make a choice on the last point without affecting the fundamental significance of the act is what gives a full meaning to the alternate Fertility and infertility of woman and, as a result, to the practice of using these alternating periods for regulating

fertility. On the other hand, Canon Locht considers that once the need for regulation has been conceded the material nature of the acts employed to achieve it is not sufficient to judge them morally. "Of course the materiality of any act gives some positive indication, but we must recognize that most acts are unimportant in their material aspect; the moral qualifications are given by the context, the intention and the significance, all of which are qualifications which themselves are objective, although less material.... To spiritualize carnal relations is a duty which is just as important and just as demanding as to spiritualize continence. Neither of them is automatically spiritual by itself. They will become so in so far as they are assumed, integrated and take on the concrete form of conjuncture and dialogue."

V. Notes on the problems confronting us.

Many times during the course of this report and particularly when referring to suggestions from the theological section about taking some immediate action, we have made allusion to the differences of opinion caused by theological conceptions which go far beyond the consideration of conjugal problems alone. For the first time different currents of thought were amply represented on the Commission. Following instructions, the Secretary General has tried to give a faithful reflection of what was said in debate. It is also the wish of the Commission that he should try to state precisely the problems implicit in a current of thought which previously had very little representation on the Commission. He has tried to prepare these few lines in consultation with the theologians holding these views and by taking into account the positions they adopted during the discussions. He is aware of the difficulty of outlining a mode of thought which is not his own, and he would not like to caricature the viewpoint of members of the Group. In any case the impression was never given that when it comes to fidelity to the Church, to the Magisterium and to the principle of continuity, these members were any different from their colleagues.

If the Secretary General has properly understood the point of view which was explained to him, the following outlines will serve to indicate or exemplify the various attitudes.

I. Nature is not something ready-made, it is "making itself." We can only approach nature in a prospective way because there is no fixed concept in nature. Nature is constantly revealing herself in such a way that the mind never has to adapt itself to a ready-made nature, but to see it as something constantly on the move. Essence and historicity condition each other.

II. The principle of continuity does not affect precise statements about behavior, established once and for all. It does

affect permanent values which must be protected, discovered and realized; consequently continuity affects neither formulations nor practical solutions. It is enough that at any given moment a pronouncement on moral matters should be true "for the moment," "geschichtsgerecht." In any event, reality will never be entirely understood and new aspects are being discovered all the time.

III. Our understanding of tradition does not necessarily mean that it is something definite: tradition is open and forward looking; it never ceases to make modifications in its understanding of the fundamental content hidden within its formulations. This has been so ever the principle that Holy Writ cannot err, and the interpretations which have followed each other provide an excellent example of such modification.

IV. In moral questions science provides us with data which are illuminated by Revelation; but there is no such thing as "pre-fabricated" data into which we can go on fitting the ceaseless new discoveries which are being made about nature. This is specially evident in times like our own when science does not stop changing its discoveries and their interpretations.

Moreover the role of the Magisterium in moral matters does not consist in defining behavior, except by right of prudence. Like the Gospel its function is to give broad illumination. But it cannot issue edicts of a kind that bind consciences to precise modes of behavior; that would be to go against respect for life itself, which is an absolute value.

V. One member of the Commission who considers himself to be in line with the tendencies described here would like to put these questions concerning the particular problems which concern us:

Which norm are we defining, man as a whole, or the nature of the sexual act? What is the meaning of an appeal to the principle of totality for man committed to a sociological complex? What is the meaning of the contradiction which exists between the instinctus fidei of the laity in conjugal matters and the statements of CASTI CONNUBII? What is the meaning of the fact that marriage, which was established for the salvation of husband and wife becomes for them a source of temptation and difficulty? Finally this member would like to say that the Church can make only statements that are partially true because that is a necessary condition of any categorical statement, which depends on the state of our knowledge and of the condition of what is affirmed.

The general impression is that only a meeting of the Commission's theologians can get to the bottom of these questions and explain them satisfactorily. The Secretary General tried to do it here only because he was asked to by the Commission and because he

did not want any point of view represented in the Group to be deprived of the importance and consideration which are its due; but once more, he is not at all sure of the way in which he has just presented it.

PART SIX

THE COMMISSION'S SUBSEQUENT WORK

I. Organization of the work.

It is clear to all, that meetings as important and of a size such as the one we have just held cannot be very frequent. But all the members hope that there will be one at least once a year. The most immediate work should now be carried out by groups and committees. It was also suggested that quite a large part of the work could be done by correspondence up to the stage of preparing the meetings.

We kept the idea of forming a Central Working Committee to help the Secretary General to carry out his task, especially in preparing meetings and sessions. Rather than elect a Committee, it was thought better to choose one for working efficiency, but of course one must not neglect to give representation to the various disciplines and currents of thought. In consequence, the Secretary General will very shortly submit a list of about ten names. To facilitate work it seemed preferable to select most of them from Europe; but as the American members of the Commission have taken the habit of meeting periodically, it was agreed that one or two members from the American group would form part of the Central Committee and that the American group, through them would contribute towards preparing the work.

As well as the need for more specialized meetings there was much emphasis on the necessity for ensuring that the work of the Commission retain, as far as possible, its inter-disciplinary character.

II. Subjects for work.

A. The Commission feels in duty bound to state once more its complete readiness to set up internal working groups for exploring various points which seem to be ripe, if the Ecclesiastical Authorities ask for this as a result of the suggestions made for some immediate action. The Commission would do the same if the suggestion of a pastoral instruction is acceptable and it would therefore resume closer study of the doctrinal conditions which might depend on this point, at least for borderline cases.

B. Each section of the Commission considered which are the subjects which seem to be the most urgent.

I. The theological section had at its disposal an important document prepared by Canon de Locht "Project for a General Outline of Research" COMPILED FROM OBSERVATIONS MADE BY MOST OF THE MEMBERS OF THE SECTION. In general, this Project was approved by the section, but it was pointed out that the sociological aspects should receive more attention and also the oecumenical aspects. The following priorities in research on fundamental problems have been suggested.

1. To what extent can one call in question what has been decided by the Magisterium on the essence, object and properties of marriage?

2. More thorough investigation into the idea of "nature;" the means for understanding it; the connection between art and nature; the limits of the power of man over the fundamental structure of his being. What do the profane sciences bring to the theology of marriage which should be incorporated in the teaching of the Church? In this connection, what conditions are required for a dialogue with science?

3. We must intensify our knowledge of history, and in particular we must examine the tradition of the Orient and also the positions adopted by separated Christians. It seems to be essential to add one or two Canonists to our group.

4. We must go farther in reflecting on the Significance of sexuality and its place in human life. We must elucidate the good which the Church aims to protect by its interdiction of contraception. We must investigate and define more closely the principles which allow us to judge the morality of the methods used for regulating births.

5. Finally our thought should be directed more in the light of supernatural evaluation of the condition of Christian marriage.

II. The Medical and Psychological Section suggests priority for:

1. Study in depth of all methods of contraception, above all the pill and the coil.

2. Clarifying the principles regulating the opportunities for man to intervene in his own physiology.

3. More thorough study of the significance and the value of sexual life and of the objective value of the conjugal act.

4. The question of "conscientia perplexa" in a constantly changing world.

The section also suggests that the Commission stimulate the work and research which it proposes. Turning to Ecclesiastical Authority it points out the need to push forward in Catholic Universities and elsewhere, scientific research which may help to solve these problems.

III. Amongst other things, the Demographic Economic, and Socialological Section puts forward the following priorities for its future work:

1. The Catholic attitude towards national and possibly international policies regarding population.
2. A study of different cultures and the different patterns of social behavior found in them with regard to conjugal problems.
3. A complete study of contraception and abortion and their significance from a demographic and sociological point of view.
4. The age at which marriage takes place.
5. Influence of demographic increases, and later of their possible slowdown, on the family and on the idea of the role of parents.

I.

CONCLUSIONS

The most urgent findings of the Commission are contained in the second part of this Report under the heading "Suggestions for immediate action." The essential points are:

1. Suggestion for a basic document on four essential topics.
2. The majority of the Commission took the stand that it is not advisable in the near future to reiterate any condemnations, except for one or two, who favored this in the case of abortion and direct sterilization because they feel that the terminology used previously should be clarified. A minority favors such a reiteration.
3. The Commission pronounced in favor of spreading the practice of periodic continence, with some specific reservations and with the non acceptance of one or two members.
4. Some members ask for immediate action over the use of progestogene in cases of necessity, most members considered that a thorough pronouncement would be inopportune; a minority asked for a condemnation.
5. For most of the Commission the urgency of the problem calls for action as quickly as possible in every field which needs clarifying.

II. The findings of the Theological Section on which work has been completed are:

1. To single out the constants in the teaching of the Church on all matters of conjugal morality as expressed in formulations or in practice. Recognition that in pastoral practice the Church has sometimes been severe and sometimes relatively tolerant, according to circumstances.

2. For the majority of the section the pronouncements of Pius XI on contraception in CASTI CONIUBII are not irreformable, and members of both of the theological "currents" make up this majority. On the other hand a substantial minority supports irreformability.

3. The section was unanimously in favor that it would be opportune to issue a revised formulation of the essential doctrine of the Church on marriage; any such formulation should avoid expressing an opinion on the "hierarchy of ends" but it should expressly give the importance it deserves to conjugal love.

III. The following points emerge from the work of the Medical and Psychological Section:

1. The extreme difficulty in giving an opinion on "methods" because new knowledge and new types of method are constantly being discovered.

2. The complex character of anything to do with the physiology of reproduction, and in consequence the difficulty of determining what is "natural" or "normal."

3. The need to decide with the theologians the meaning of certain terms, the most pressing being that of "sterilization," which for the last fifteen years or so does not seem to have the same meaning in theology as it does in medical science.

4. The need to state precisely the morality of the increasing opportunities for man to intervene in his own physiology, particularly in sexuality.

5. A clearer view of the significance and character of human sexuality and its role in the conjugal state, with particular reference to the idea of maturity.

6. Recognition of the great possibilities opened up by periodic continence, but also insistence on the limitations of using it and the certainty that, in the present state of our knowledge of how to detect infertile periods, we cannot solve all our problems by using it, and therefore we urgently need to be

informed about what is possible in the face of such difficulties.

IV. The work of the Demographic, Economic, and Sociological Section brings out:

1. The importance for any pronouncement of the Church on these matters to be on the level of married couples and to avoid any reference which might be interpreted that the Church has taken up a stand in favor of systematic limitation of the growth of population in the underdeveloped countries.
2. A clear understanding that in certain countries there is a need to adopt healthy population policies; because it is inevitable that such policies must come one day or another and there is a risk that they may act against moral norms.
3. It is urgent to show that the developed countries have a duty towards international solidarity through intelligent charity; this is the real solution to the problem of the under-developed countries.
4. In any pronouncement on these matters one must take into account the sociological conditioning and the variety of culture of different peoples in different areas.