

REFLECTIONS ON THE  
CONTRACEPTION CONTROVERSY

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## Reflections on the Contraception Controversy\*

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CONTRACEPTION IS INTRINSICALLY IMMORAL—this is the reason most of us used to agree on in condemning it. Therefore, on any rational ground, this is the major point around which current argument should turn. Defenders of contraception should try to show that the practice they approve is virtuous rather than immoral. Those whose agreement with the condemnation had any philosophical grounds should expose those grounds and defend them, so far as they can be defended, and yield only what is rationally indefensible.

That is what I have tried to do in my book, *Contraception and the Natural Law* (Milwaukee: Bruce Publishing Co., 1964). Here I presuppose that study. I do not try to summarize it; that would be too long a task. Instead I offer a few brief reflections on the methodological aspects of the current controversy.

Contraception is intrinsically immoral, and for this reason it is irrelevant that intercourse conduces to goods other than the initiation of new human life. There is nothing new in the fact that intercourse between loving spouses can be an appropriate celebration of their special friendship and can have good psychological effects even when the initiation of a new life is not possible. There is nothing new in the fact that abstention from intercourse often is painful and sometimes can occasion psychological difficulties.

Nor is there anything new in the fact that prudence requires us to engage in intercourse, that will probably be fruitful, only after the most deliberate consideration of our responsibilities to our present family, to the new

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child if one should be conceived, and to the larger communities in which we live. But consequences, whether good or bad, never could obviate intrinsic immorality, and they are no more able to do so now.

Intrinsic immorality does not depend upon obviousness to the average person—or even to exceptional persons—and so the fact that the immorality of contraception is obvious to few is beside the point. Intrinsic immorality does not depend upon authority, and therefore the weakness, bewilderment, and hesitation of those in authority is beside the point. Intrinsic immorality does not depend upon success in persuasion, and therefore the possible outcome of the present controversy, *except insofar as it is a philosophic argument rationally conducted*, also is beside the point.

Contraception was immoral yesterday, it is so today, and it will be so tomorrow and forever, because it presupposes—on the part of anyone who is clearly aware of what he is doing—a willingness to act in a way that might be conducive to a basic human good (the initiation of a new human life) together with an unwillingness to permit life to begin to be. This unwillingness is no mere wish nor permission. Rather, it is an effective willing prepared to implement itself in such a way as to bring about its objective in reality.

And so my first methodological reflection on the contraception controversy is this—that most of it is beside the point. Most of it is concerned with circumstantial considerations when the issue is one of principle. Most of those who now argue about contraception simply assume that it really *is not* intrinsically immoral and proceed from that assumption, just as many who used to argue about it simply assumed that it really *is* intrinsically immoral and proceeded from this assumption. Missing the point and begging the question might lead us to a new position but they are not likely to lead us to a rationally defensible one.

Whether immorality is or is not conducive to love and compatible with it depends upon what one means by “love.” If “love” means eroticism, certainly that is compatible with immorality. If “love” means emotional affection, immoral behavior sometimes can be conducive to it. If “love” means genuine human friendship, based on virtue and perfected by good will, then immorality neither leads to it nor is compatible with it.

Immorality can lead to charity only in the sense that the humility charity requires often begins in repentance. The humane gentleness and natural

affability that we all find attractive should not be confused with the highest form of love, for charity can be impolite, cold, and harsh, since it seeks not merely some good or other but only the highest good for one's neighbor and oneself. The urgent demands of adolescent autoeroticism imperfectly overcome should not be confused with generous mutual love—self-sacrifice for the sake of co-operation toward real goods—since the two are diametrically opposed. "Love" has many meanings. Their diversity should be respected, but it is ignored in much of the current argument.

Whether one who observes periodic continence necessarily has an intention similar to that of one who engages in the intrinsically immoral practice of contraception depends upon what one means by "intention." If "intention" refers to that tendency of the will toward the good which sets in motion the process of deliberation, then both may have the same intention, since both may be concerned with the goods to be achieved through intercourse (even though it be infertile) and both may be moved by anxiety about their responsibilities. If "intention" refers to any conscious willingness that something follow or not follow—on purpose—from our action, then both may have similar intentions in that both purposely avoid pregnancy.

However, if "intention" refers to an act of the will that is the formal principle of an operation aimed at efficiently causing a certain objective in reality, then the intentions of the two need not be the same. For one who practices contraception while choosing to engage in intercourse—always assuming he is aware of the true significance of what he is doing—reveals an efficacious willingness that issues in a choice directly opposed to the initiation of a new human life. Such a person is unwilling to permit this good to be.

But those who take into account what they can know of the relative probabilities of conception when they are deciding whether to engage in intercourse (and only this is essential to periodic continence) do not necessarily share the same efficacious willingness, and they can avoid choosing anything directly opposite to the initiation of new human life. Such couples need only be willing to permit the good not to be realized, and this willing is by no means inconsistent with a simultaneous willingness to permit it to be.

Although contraception is not murder, the distinction between contra-

ception and rhythm can be clarified by comparing it with the distinction between murdering a hopelessly ill person and withholding extraordinary means of care with the hope and expectation (the "intention" in the weaker senses) that he will die quickly and peacefully.

Thus "intention" has many meanings. Their diversity should be respected, but it is ignored in much of the current argument. Needless to say, someone who shares the contraceptive mentality, whether culpably or innocently, hardly can see the distinction, since for him periodic continence is simply another method of contraception, peculiar only in that it is more troublesome and less effective than the method he prefers. Such indeed it can be and is for anyone who begins from the contraceptionist's premises: that one must be morally allowed to engage in intercourse whenever there is any good to be gained by it and that one must be morally allowed to use the means necessary to control the consequences of his own actions, provided only that a prudent judgment would have dictated the avoidance of those consequences.

But if "love" and "intention" have been subjected to the torture of equivocating use, surely "nature" and "natural" have suffered much more. If the good of procreation itself, in its aspect of raising children to adulthood, is endangered because of a lack of parental responsibility, does contraception then become natural? That depends upon whether any means that conduces to a human good is *natural* regardless of the good it also violates.

It is all too human to want to set aside morality when pragmatism seems to demand compromise. Still a sound ethics should safeguard human goods against the damage they will inevitably suffer if we begin justifying the violation of them in their role as principles by the apparent good results to be gained from making exceptions in particular cases. If "procreative contraception" is to be approved, then life-saving abortion, truth-serving lies, and community-preserving discrimination also will have to be accepted. Actions such as these can seem natural and necessary to those who accept them as a solution to their human dilemmas.

The statement that human nature changes has been a rallying-cry in the present controversy. Does it mean that the basic potentialities in virtue of which it is possible for man to be an open, free, and creative being are mutable? In that case, there are no moral principles; the indeterminate and

tempting suggestion of the rallying-cry points to a determinate absurdity. Or does the statement mean that the good for man is unlike the good for lower creatures that are completely immersed in nature? Man's good is not merely a definite goal definitively attainable by finite, given means. In that case, the statement would be true, and it suggests that the basic human goods must function as principles for creative intelligence and choice, not merely as concrete and already defined objectives.

The openness of human nature in this latter, acceptable sense also suggests that man still may realize ideals he has long espoused but never yet reached. Human nature can change so much that the course of psychosexual and moral development now common in adolescence might be altered and improved drastically. Man is not condemned by instinct to live outside the full and clear light of reason and the human goods, for he is self-determining, and so he can change himself for the better.

The word "natural" was used in much textbook natural-law theory to bridge the gap between *the given structure* of the human being and *the moral principles* of human living. And so it was equivocally, and the equivocation became painfully obvious in arguments that contraception is immoral merely because it is against the given teleology of the reproductive capacity and process. But the same equivocation underlies the view of those who argue that inconspicuous contraceptives are natural inasmuch as they do not violate the structure of the external sexual act. This argument is as bad as the one we used to hear—that contraception is immoral because it is unnatural—i.e., artificial.

The equivocation also underlies the argument of those who propose contraceptive intercourse as a human good on the ground that it is still a natural symbol of marital community. Nor is this equivocation absent from most current arguments that periodic continence is unnatural. And the abuse of language reaches its height in the argument that contraception must be morally licit because statistics prove prolonged abstinence on the part of married couples to be unnatural.

Contraception is intrinsically immoral—the point is easier to see than it is to prove. Hence, it is not surprising that lacking a defensible theory of moral principles, our colleagues of the last generation used equivocations on "natural" to bridge the gap between *facts* and *norms*. But the gap between what man already *is* and what he *ought to be* is not so easily bridged,

and hence their arguments have proven to be defective. It remains for us to construct a sounder theory of moral principles, and neither the testimony of experts from other fields nor eclectic borrowings from contemporary philosophies can substitute for the prompt, serious, and competent philosophical work required of us.

Certainly it is not adequate merely to assume, as many current arguments do, that right moral judgment simply expresses a balance among the goods at stake in any given situation. That assumption, which is characteristic of many post-Hegelian ethical theories, begs the question of principles. How any act could be intrinsically immoral for such a position, is difficult to see, but certainly no act could be so in virtue of the agent's underlying willingness to violate a substantive good such as the initiation of human life, or life itself, or truth. Hence, it is not surprising that many of those who are defending contraception also approve direct abortion, at least in certain difficult cases.

Nor is it more adequate to suppose that the facts of medicine, psychiatry, economics, and demography can substitute for a sound ethics. Anyone who cared to do so could look through Galileo's telescope and *see* the craters on the moon, but we can gaze at medical and social scientific data from now until doomsday and never *see* what ought and ought not to be done about them. Take the facts into account, we must; receive guidance from them, we cannot. For moral norms point to what man *can be*, and man really is an open, free, and creative being—one whose nature is pliable to the self-determination of his freedom.

Contraception is intrinsically immoral—yet the facts do indicate that mankind faces extremely difficult problems. We meet these problems in our own families, and we meet them in the world at large where an unlimited increase in population surely will lead to great evils. Ought we not reconsider the principle, therefore? It would perhaps be better not to do so—almost the worst time to reconsider a principle is when there is great circumstantial pressure to surrender it.

However, we are reviewing the principle, whether it is well to do so or not. But we should bear one point in mind: that there need not always be for every human problem a solution acceptable to our established desires that a sound ethics can approve as upright. Sometimes every way out of a situation is immoral, and the requirement of moral rectitude is to concede

success, survival, peace of mind, or whatever other good we may have decided beforehand we simply had to have.

Cheating in examinations does not become morally upright because it happens to be the only way a certain student can obtain a degree. The mass annihilation of innocent people does not become morally good because it may be the only way to overcome a determined enemy in worldwide thermonuclear warfare. And contraception does not become holy because there is no more generally acceptable solution to our personal problems or even to the problems of mankind at large.

Often in the current argument one detects an implicit appeal, or even an explicit reference, to the notion that in moral questions the presumption is on the side of freedom. It is true enough that a doubtful law does not bind. However, sometimes the idea that the presumption is on the side of freedom is extended to cover the entire domain of morality, as if nothing in that domain were determined directly by the requirements of intrinsic goods. This extension is a symptom of legalistic ethics, for it presupposes that morality is a set of extrinsic demands that should be imposed no further than the right to impose them can be vindicated. Yet this notion of morality could hardly be further from the truth. The intrinsic immorality of contraception is not imposed by anyone, and it cannot be modified by anyone.

If a doubt is raised about a moral norm long accepted in any community, the presumption is not on the side of freedom from obligation. Rather it is on the side of tradition, since like a reasonable person, a reasonable community must accept what it is (which includes what it has been) and it will change only when it sees an adequate reason for change. Moreover, the presumption is on the side of the basic human goods, since when any one of them is at stake, the action which seems contrary to it is *prima facie* immoral. Thus for anyone who rightly recognizes the initiation of new human life to be a basic human good, the burden of proof in the present controversy will appear to fall on the defenders of contraception, just as for anyone who regards human life itself as a basic good, the burden of proof in the justification of warfare falls on those who seek to justify it.

These methodological reflections, brief as they are, at least indicate the almost unbelievable sloppiness with which the present controversy is being conducted. Indeed, so general is the present lack of regard for sound

methodology that one begins to wonder about the reason why. Is it simply that many who have entered the lists are incompetent? Or is there some other explanation?

Certainly, the incompetence of many participants in the controversy is an important reason for the ineptness and confusion that surround us. Many of those who are taking part in the controversy—however well intentioned they may be and whatever abilities and qualifications they may have in other areas—never did any work in ethical theory before the present issue arose. Then, from nowhere they came forth as experts on complex theoretical problems which demand years of careful and attentive work.

But though well intentioned incompetence accounts for much, it by no means accounts for all of the present confusion. To some extent, I am convinced, the present situation becomes comprehensible only when one realizes that not all those who claim they wish to examine the morality of contraception really are interested in doing so. Some who pretend to engage in rational argument on the issues really have decided in advance what they want to establish as morally right, and they are of the opinion that success in controversy would be a demonstration of the correctness of their judgment. For them, the outcome would justify the argument, however shoddy the argument might be from a logical point of view.

Thus, some on both sides of the current controversy are trying to determine what is right and wrong, because they are convinced that philosophers are not responsible for reality, but only responsible to it. There are others, however, who are trying not so much to know reality as to change it. For them, argument is merely an instrument of a much wider and deeper movement that uses reason without having to respect it. Perhaps they even genuinely believe this movement to be providential. They are satisfied to bring the matter to the test of controversy in order to see who wins, for they believe that to the winner belongs the truth. Of course, not every pseudo-philosophic argument concerning the morality of contraception is an argument in favor of it. I feel sure that if all those who wrote as philosophers on contraception during the past thirty-five years had done their best to do the philosophical task that needed to be done, we would not be so confused as we are today. But pseudo-philosophy in the form of an apologetics too easily satisfied with the "right" answers is no longer the dominant danger. Now the threat is from a different quarter. It is pseudo-philosophy

in the form of a campaign for easy solutions to difficult human problems. And as the previous fault was motivated, at least in part, by a genuine love of the faith, so this one is motivated, at least in part, by a sincere Christian concern whose anguish over real difficulties has rendered it insensitive to the requirements of reason.

This antirational, pseudo-philosophic operationalism is not, for obvious reasons, openly declaring itself, and its presence is not easy to demonstrate, since its masks are taken from every real method of philosophic argument. Moreover, this attitude may well have infected to some extent many who would not in full awareness commit themselves to it. In any case, I am convinced that such an operationalism is frequently at work in the present controversy, and my methodological reflections would hardly be complete if I failed to call attention to it, so that anyone who wishes to examine the questions at issue in a genuinely philosophical way will be on his guard against the widely circulating counterfeits of philosophic argument.

The first requirement of sound method is to know one's purpose, to be conscious of one's own commitment. I have been told that any effort to argue against the purportedly general desire to declare contraception morally acceptable only tends to increase the weight of the crosses borne by many of our fellow Catholics, that it tends to scandalize non-Catholic Christians who remain in separation partly on the basis of this issue, and that it arouses the derision of the world at large.

It is regrettable if argument against contraception really has such bad consequences. But I have good reasons for thinking that contraception is intrinsically immoral, while I see no reasons for thinking that it is morally acceptable. And I believe a philosopher should declare what is, be a prophet for reality, give testimony on behalf of the truth as he sees it.